

**ATILIM UNIVERSITY
INSTITUTE OF SOCIAL SCIENCES
DEPARTMENT OF TRANSLATION AND INTERPRETATION
TRANSLATION STUDIES**

**A STUDY ON THE COMMUNICATIVE AND SEMANTIC
TRANSLATION METHODS IN THE TRANSLATION OF THE
EU TEXTS**

MASTER'S THESIS

Prepared by: Aslıhan KARAASLAN

**Thesis Advisor
Prof. Dr. N. Berrin AKSOY**

ANKARA, 2014

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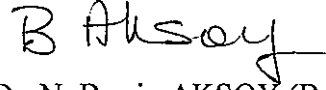
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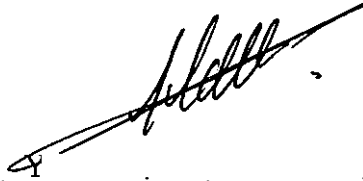
ATILIM ÜNİVERSİTESİ

SOSYAL BİLİMLER ENSTİTÜSÜ

Aslıhan Karaaslan tarafından hazırlanan “A Study on the Communicative and Semantic Translation Methods in the Translation of the EU Texts” başlıklı bu çalışma, 13.06.2014 tarihinde yapılan savunma sınavı sonucunda oybirliği ile başarılı bulunarak jürimiz tarafından Çeviri Bilim Anabilim Dalında Yüksek Lisans tezi olarak kabul edilmiştir.



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ACKNOWLEDGEMENTS

First and foremost, it is an honour for me to be a student of my thesis advisor Prof. Dr. N. Berrin Aksoy at Atılım University. It is a fact that her strong belief in me in every step helped me to complete this thesis on time. I would like to convey my thanks to my dear advisor Prof. Dr. Aksoy for encouraging and guiding me in materialising this thesis.

Furthermore, a special gratitude I give to my other instructors who have crucial role in my development since the beginning of the master program in the Department of Translation and Interpretation of Atılım University.

I would like to extend my thanks to my best friends Kader and Semra, my colleagues and my co-workers who have supported me throughout my studies.

I would especially like to show my gratitude to my family. They helped me to keep my faith in completing this thesis and their support made a strong influence on me from the beginning. Their prayers were my driving force.

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CHAPTER I: INTRODUCTION

Human beings have made an effort to use different methods of communication to utilize other nations' information throughout history. When considering the needs for communication, it is figured out that some barriers coming from cultural and linguistic diversities cannot be prevented in the world. Nevertheless, communication through the act of translation sheds light on people, civilizations and cultures since the existence of mankind.

The European Union, which is one of the largest bodies, firmly was established on the translation system and network with the participation of twenty-eight member states, and constitutes the largest institution where communication is possible only through the translation.

Initially, the idea of a united Europe took place on the basis of humanism and peace in some visionary people's thoughts after bloody battles so many years. Most well-known of these wars is the war resulted in the deaths of many people by taking place three times (1870 - 1945) between France and Germany. These disasters caused European leaders' and thinkers' to establish communication networks and to unite their countries within the context of economic and political union. After the Second World War, efforts of the European statesmen gained momentum during the creation of permanent peace in Europe. In 1950, on the grounds of the declaration of Jean Monnet, Robert Schuman (French Foreign Minister and Former Secretary-General of the League of Nations) invited the European States to form a coal and steel institution to pool Europe's coal and steel industry. According to the Schuman Plan, conflicts going on for centuries between France and Germany had come to the end by the establishment of peace in Europe. Hence, a common coal and steel production under the supervision of the institution led all European States to participate to this organization. In brief, the EU was shaped by the European Coal and Steel Community (ECSC) and the European Economic Community (EEC).

It is often expressed that the EU shapes Member States' work and policies in regional, social and economic domains, as well as dissemination of state-of-the-art technologies to energy, protection of environment, research and development.

The European Union is the only international organisation by creating legally binding laws directly for the Member States and their citizens. In addition to this, under the single institutional framework, the EU is able to develop its aims and values, which serve for the interests of the Union and its citizens.

In accordance with the article 13 of the European Union, the Union institutions are as follows:

- the European Parliament, which represents the EU's citizens and is directly elected by them;
- the Council of the European Union, which represents the governments of the individual member countries. The Presidency of the Council is shared by the member states on a rotating basis.
- the European Commission, which represents the interests of the Union as a whole.

On the other hand, In the EU's unique institutional set-up:

- the EU's broad priorities are set by the European Council, which brings together national and EU-level leaders
- directly elected MEPs represent European citizens in the European Parliament
- the interests of the EU as a whole are promoted by the European Commission, whose members are appointed by national governments
- governments defend their own country's national interests in the Council of the European Union.

Also, two other institutions play vital roles:

- the Court of Justice of the EU upholds the rule of European law
- the Court of Auditors checks the financing of the EU's activities.

The EU has a number of other institutions and inter-institutional bodies that play specialised roles:

- the European Central Bank is responsible for European monetary policy
- the European External Action Service (EEAS) assists the High Representative of the Union for Foreign Affairs and Security Policy, currently Catherine Ashton. She chairs the Foreign Affairs Council and conducts the common foreign and security policy, also ensuring the consistency and coordination of the EU's external action.
- the European Economic and Social Committee represents civil society, employers and employees
- the Committee of the Regions represents regional and local authorities
- the European Investment Bank finances EU investment projects and helps small businesses through the European Investment Fund

- the European Ombudsman investigates complaints about maladministration by EU institutions and bodies
- the European Data Protection Supervisor safeguards the privacy of people's personal data
- the Publications Office publishes information about the EU
- the European Personnel Selection Office recruits staff for the EU institutions and other bodies
- the European School of Administration provides training in specific areas for members of EU staff
- a host of specialised agencies and decentralised bodies handle a range of technical, scientific and management tasks. (<http://europa.eu>)

According to the Resolution (98) 4 on the Cultural Routes of the European Council (Adopted by the Committee of Ministers on 17 March 1998, at the 623rd meeting of the Ministers' Deputies), the aim of the European Union is to create a greater unity in the cultural field and emphasis on the issues of exchange and development while creating the European identity, as it has been stated in the website of the EU.

Relating to the EU translation policies for the transmission of legislation, law, directives, decisions, regulations, etc. and the effects of relative legal instruments are considered when rendered in other languages and cultures. In this context, the explanation of three binding legal acts have to be observed by all members and have to be translated into all member languages within the scope of the Secondary Legislation that are as follows:

- Regulations: having a fully binding structure including general provisions in all parties in all member states and directly applicability feature.
- Directives: having a binding structure in all member states and having a target to be reached by leaving the member states free to choose the implementation method under no obligation for all member states.
- Decisions: having a binding structure in all parties addressing one or more than one parties or member states, and having a specific act such as administrative acts or more general acts (Alesina, A., Angeloni, I. & Schuknecht, L., 2002: 21-22).

The history of translation in the EU began to reach an agreement on EU texts. The role of translation in the EU has gained momentum over time since 1950 through the translation work as an only way to build bridges across the Europe, and the European Community have taken some decisions on languages to assist the member states in communication.

As is pointed out in the study named “Translation at the European Commission - a history” (2010), the necessity of translation in the EU became inevitable for the six founding countries (Belgium, France, West Germany, Italy, Luxembourg and Netherlands) considering the linguistic and cultural diversities within the *Acquis Communautaire*. From this perspective, Dutch, French, German and Italian were recognized as official languages in its early years.

The only authentic language was French as a result of the signing of Paris Treaty in 1951. However, there was a tendency to English from French over the time as a *lingua franca* in the European Union. In order to provide global communication in the European Union, English, as a main language, has posed a problem for some governments for fear of damaging their own nations’ linguistic and cultural characteristics. The only way to achieve transparency and intelligibility in the matter of acts done in the Community was to set up language services cognizing the necessity of protection of its citizens from disruptions which are arose from cultural and linguistic diversities. Translation in the EU has an ever-increasing function as a bridge between the nations, and as highlighted by Umberto Eco (1994), translation will be ‘the language of Europe’.

Cultural and linguistic identities in member states can differ from each other and cannot be removed. Hence, translation gains utmost importance to carry out the cooperation, that’s what Pascal Fontaine (2010) said in his book entitled “*Europe in 12 lessons*”.

When considering translation, as a cross-cultural and linguistic communication, it is seen that the main emphasis in translation is enabling the cultural

interaction having some salient effects on mutual understanding, comprehensibility of the meetings or decisions taken by the EU, etc.

Consequently, the scope and importance of translation services have gradually increased on an institutional scale, and translators presently undertake a very difficult task of bringing different disciplines together as a regional and global political entity for all Member States in an equal effect under the frame of the supranational EU law.

1.1. BACKGROUND TO THE STUDY

This study is based on the “Qualitative Approach”. First of all, a comprehensive research was made on the history of the EU, its structure and its language policy within the multilingualism.

Another study in the thesis was carried out to explain the expected qualifications for translators, translation services and translation tools within the translation of technical texts including legal documents in the EU.

In the rest of the thesis, The Communicative Translation Method, The Semantic Translation Method and The Hybrid Translation Method were researched in detail, and aforementioned translation methods were exemplified and analysed intended for the EU texts’ informative and operative features. Many resources, which contain substantial, secondary and supplementary sources, such as books, articles, case studies, web-sites, Official Gazette of the EU, EUR-Lex, other official and relevant researches and translation samples chosen for the theses were examined that those samples would pave the way to studies to find out the most appropriate translation method in the translation of the EU texts.

1.2. THE AIM AND THE FOCUS OF THE STUDY

Translation of the EU texts into official languages and Turkish is considered as a very big challenge due to linguistic differences in languages, the nature of the EU texts, the content of information and their functions and the necessity of producing the equivalent effect in the target text in order to get things done the way the EU stipulates. Hence, the aim of this thesis is to find out an optimal method of translation of the EU texts into Turkish by means of studying Peter Newmark's communicative and semantic translation methods and make a comparison of these two methods with that of the hybrid translation method.

Hence, in this study, the communicative translation method, the semantic translation method and the hybrid translation method have been studied in detail. In order to do this research, many books, articles, websites, etc. have been studied. This study is aimed to be a guide with an inclusive research indicating the existing difficulties when the EU texts are translated into official languages and mainly into Turkish. The question of how the EU legal texts are to be translated without hampering their effect, meaning and particular content is also taken up within the special nature and treatment of the translation issues of the EU texts. Also, this study is aimed to find out the difficulties and solutions for those involved in the EU texts' translation by comparing the communicative and semantic translation methods with some English (original EU texts) and Turkish (their translations) samples and to determine the right translation method within the context of the studied samples.

The thesis focuses on the following objectives:

- Examining the function of the EU texts and their linguistic features. As is known, the language of the EU texts has a specialized language, so in this study, it is intended to explain the features of the EU texts in legal language.
- As methodological errors, identifying some challenges by studying some translations of the EU texts made by public institutions in Turkey in the frame of the "Communicative Translation Method" and "Semantic Translation Method".

- Determining the optimum translation method in translation of the EU texts:

Due to the desire of Turkey's joining the European Union, translations of the EU texts have come to the fore as an important challenge; accordingly, translations of the EU texts have been discussed for a long time by the authorities in Turkey.

In order to help to detect the problems occurred in the target text while using "Communicative Translation Method" or "Semantic Translation Method" the methodology is determined as descriptive by studying the each method by samples. In the study, it is looked for some answers to the questions of "Why and How" the employment of Semantic and Communicative Translation Methods gave way to such results in the translations.

1.3. THEORETICAL FRAMEWORK

The theoretical framework of this thesis is based on Peter Newmark's widely acclaimed methods of communicative and semantic translations as his main contribution to a general theory of translation. In his books "*Approaches to Translation (1981)*" and "*A Textbook of Translation (1988)*", he discusses these two methods in detail and explains in order to clarify the issues discussed in methods of translation by using old terms such as word for word, sense for sense, literal, free etc. He proposes two distinctive methods which he calls communicative translation method and semantic translation method. Communicative translation attempts to render as closely as possible on the readers of the target text and the effect obtained on the readers of the original text. According to Newmark, semantic translation attempts to render as closely as the semantic and syntactic structures of the target text allow the exact contextual meaning of the source text.

The characteristics of semantic translation are:

It is closer to the original author and his style and the way the author's ideas develop; hence more faithful to the source text and source author and to the content and meaning constituted in the particular way in the source text; more literal, word-by-word and thus informative. On the other hand, communicative translation is more target reader-centered and more concerned with the intention of the source author as opposed to how the intention is created; communicative translation is more prone to making adaptations to the target language in order to create an easy access to the original text and thus more target-oriented. Peter Newmark puts forward these methods in the frame of Katherina Reiss's (1971) text types which are namely expressive, informative and vocative. Semantic method is proposed for expressive texts which are mainly literary texts, and communicative method is proposed for informative (scientific, technical, legal texts, etc.) and vocative (advertisements, Notices, orders, etc.) texts. Given the nature of the EU texts, they are composed of both informative and vocative elements notwithstanding the necessity of rendering the information word-by-word in some instances since the EU texts aim to convey the exact meaning and the equal effect on every Member State.

1.4. METHOD AND STRUCTURE OF THE STUDY

Legislative texts, issued by the EU, the European Parliament and the Council as the law making bodies of the EU, are always expected to be converted in a best way with a clear explanation by choosing the right translation method for avoiding misunderstanding and ambiguities. The aim of this thesis is to be a guide with an inclusive research indicating the existing difficulties when the EU texts are translated by communicative and semantic translation methods into other languages and Turkish. In this context, this thesis consisted five chapters:

Chapter I, which is the skeletal structure of this thesis, endeavours to explain the birth of the European Union and its history by describing its institutions and demonstrating phases of translation and its importance in the EU. Following Chapter

I, Chapter II aims at identifying the importance of Multilingualism, Terminology, Eurojargon and Language Policy in the context of the EU.

Chapter III endeavours to draw attention to the importance of *Acquis Communautaire* with some indicators and the translation work of the EU texts done by Translation Services and universities, private and public sectors, NGOs in Turkey. Besides, the qualities of translators who encounter some difficulties, which are needed to be solved in line with the expectations of the Union, are examined in this Chapter.

Chapter IV endeavours to explain Communicative, Semantic and Hybrid Translation Methods used in the EU Texts in general by giving some opinions and explanations. Furthermore, characteristics of those translation methods are examined by samples in English and in their Turkish translations.

Chapter V endeavours to evaluate the Hybrid Translation Method which is a combination of communicative and semantic translation methods. The availability of the Hybrid Translation Method to reduce or remove obscurities or mistranslation in rendering of the EU texts into Turkish is compared with the other two methods.

Chapter VI is the conclusion where a full assessment is given of all the three methods in parallel with multilingualism and multiculturalism policies of the EU. The emphasis will be on the hybrid translation method as the most optimal translation method in the whole undertaking of the translation of the EU texts into Turkish.

CHAPTER II: THE ROLE OF MULTILINGUALISM IN THE EU

The importance of mother tongue was figured out with the creation of the EU and with its expansion by using communication networks which connect the member states with each other. Ensuring of the ubiquity of official languages requires learning and teaching of those languages in the context of the Union.

As is stated in the Journal of Language and Linguistic Studies website, according to the article named “İletişim Ve Dil: Yöntemler, Avrupa Dil Portföyü Türkçenin Yabancı Dil Olarak Öğretimi” written by Sefa Yüce, the establishment of the mother tongue was resulted in the end of World War II. According to Yüce, at the end of World War II, positive impacts of political, social and economic developments had provided a major contribution to the learning language in Europe. Learning and teaching a new language were attempted to actualize outside schools, that is to say, removing internal and external borders and freedom of movement in the EU paved the way to learn multiple languages and its language policy.

However, according to the conference entitled “Multilingualism in Europe - towards a better practice” held in 2006 by EUNIC Brussels, the European Commission began to fund the cultural and education projects after the Maastricht Treaty which came into force in 1992. The Union wishes from its citizens to master in their own mother tongues as a prelude and to learn at least two other languages. Some recommendations suggested in the conference were on language learning in the European Union, especially to improve the citizens’ skills of mother tongues at a high level. On the other hand, another recommendation suggested in the conference is to support multilingualism by realising the role of culture in the EU; accordingly, multilingualism and culture have key roles in fostering the communication.

All languages have equal status in the European Union. No doubt that language policy that is communication policy will ease the integration in Europe. Multilingualism is a term that languages two or more than two are known as mother tongues. Linguistic diversity provides an understanding of institutions’ structure and bridges the gap in communication among the citizens of member states. Lots of

nations are monolingual, the European Union therefore helps to access to the legislation and other information in native languages by taking the role of a mediator, and also, it enables the citizens to communicate with all the institutions in all native languages. Transparency, accountability and accessibility to the EU documents are the priority for all the EU institutions. It is noteworthy that all official languages are equally recognized under the multilingualism as a requirement of democracy to expand cultural and linguistic areas.

Viewed in this light, although a tendency to English, as a lingua franca, there is no dominant language in the EU, and according to the Community, all EU documentaries should be translated into the citizens' mother tongues. Furthermore, there is a widely held belief that thanks to the multilingualism and multiculturalism policies in the EU, removal of obstacles related to communication will contribute to cultural and linguistic exchange between the citizens of member states. For this purpose, a project signed on December 10, 1954 was launched by the name of "Language Learning for European Citizenship". Identifying and progressing language fields, diversifying language learning strategies promoting multilingualism, enhancing exchange programs and spreading new communication and information technologies are intentions of the language policy in Pan-European context. So, language policy in the European Union sets out the Commission's strategy for promotion of multilingualism in European, in the society and in the Commission itself. On one hand, the aim is to build up and progress citizens' linguistic skills until each citizen acquires practical skills in at least two languages except from his/her mother tongue, on the other hand, the aim is to promote the knowledge of languages necessary for the social and cultural integration.

Multilingualism serves to European Union's aims and values to guard its interests by ensuring clear understanding of its policies across the citizens. Publication of all parliamentary documents in all official languages of the European Union demonstrates that all Community languages are of equal importance in the European Parliament. Moreover, all European Parliament Members have the right to speak in their own official languages, if they wish to do so. In short, transparency and

accessibility are provided for all EU citizens in the Parliament. On the other hand, multilingualism, which firmly stands on the principles of European treaties, is a reflection of the cultural and linguistic diversity of the European Union. Consequently, European institutions have become more accessible and transparent for the success of the democratic system of the EU.

Under the light of those mentioned above, multilingualism is an important actor of the EU for allowing citizens to use their mother tongues for a better understanding of the work in the Community, as is stated in the eurlex. europa website. Multilingualism is a way of protecting transparency, efficiency and transmitting culture, especially in accordance with the social cohesion. Importance of lifelong learning, technological progress in media, information and relations are backed up under the notion of multilingualism. Member states can use any kind of language/languages whichever they prefer as official languages in the EU. In fact, Conclusions of the European Council (2008/C 140/10) demonstrate the approach of the EU on multilingualism.

Maintaining translation services is an issue that all member states have reached a consensus for the protection of multilingualism as a fundamental value in the EU. Translation is a tool for understanding of others, but in terms of translators, it is a way of making an attempt internationally between different cultures and different languages in the European Union.

It is explained in the EU website that the linguistic diversity is seen one of the main actors of the EU to ensure the cultural transmission with its official languages which are Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish at present. The importance given to multilingualism is clearly understood from the establishment of “Language Service in The General Secretariat of the Council” set up for the EU’s legislative documentaries. On the other hand, it is seen that its significant contribution to the EU’s integration by multilingual exchanges cannot be ignored, when multilingualism is viewed from the aspect of a policy to make European institutions

more accessible and transparent for the Europeans in line with the EU's democratic system. As for the European Parliament, language diversity in the EU is of equal importance for citizens to have a right to speech in their mother tongues, and according to the Parliament, this is the only way to ensure transparency and accessibility to the work of the Parliament for the Europeans. The European Parliament has to maintain the quality of laws linguistically in all official languages by way of translation.

Equal rights for all official languages are the core issue of the EU. The underlying work and functions need to be understood by all citizens, and having done so, multilingualism should be able to gain national identity as a component of the cultural heritage. So to speak, reliability and transparency in the EU texts are the key elements of democracy that lead to maintain the multilingualism in the European Union.

As a basic point in enabling the linguistic and cultural diversity in applying the Community acts through one of its official languages under legal texts, multilingualism focuses on how those acts are meant to respect religious, linguistic and cultural varieties in the European Union. Emphasis on importance of the multilingualism lies in the fact that legal texts should have an understandable language for the courts and citizens alike.

In determining whether translation of EU texts is adequate or not, it is important to find out all the legal terminology, expressions and intentions in the target text in all official languages and have knowledge as well as linguistic competence. Transnational legal translation, as well as facilitating the mutual understanding between citizens, is also a key of the legal harmonization required in the Union. Expectations asked to be met in the translation would not be easy; however, achievement is the sum of knowledge about comparative law, the European private law and the European multilingual law as well as linguistic capability.

Finally, as has already been stated above, multilingualism in the European Union, first and foremost, is par excellence a vehicle that paves the way to democracy,

transparency and right to know about European values by contributing to a better understanding of the European Union's policies by its citizens. The expansion of the European Union is a process of accepting new member states. With the entry of new members, there may be some troubles arising from different identities and cultures in the act of translation of the EU texts. Hence, understanding of the legislation and decisions, which come to the fore primarily by the EU, can be blocked. In a nutshell, when multilingualism contributes to democracy, equality and values of the EU and communication, spreading and realising of those mentioned would be easier through the translation of the EU documents.

2.1. THE CHARACTERISTICS OF THE EU LANGUAGE POLICY

Official languages and multilingualism come into play in the process of building the language policy of the EU. Translation of the EU documents into new languages brings tremendous responsibility on the translator such as being clear, understandable and transparent. Standardised official expressions, therefore, are formed according to the terminology and Eurojargon, which have vital role in the translation process of EU legal acts.

The Union's policy on language is a tool for the development of national and international collaboration involving governmental and non-governmental institutions with the aim of developing the teaching and learning methods of foreign languages to meet the needs of citizens.

When legal texts are evaluated in terms of their language characteristics, it can be said that the mission of legal language is to meet some special purposes. Whilst the legal language based on the ordinary language can differ from country to country or varies according to the function of the term, specific terminology and sometimes grammatical structure, therefore, can be required. Problems caused by incomprehensibility of those texts block full effect on the reader. That is to say, any problems created by language in the translation can pose an obstacle about legal

accuracy when rendered into the target language. Also, while wishing to protect the legal text in the target language, undue emphasises can distort the citizens' understanding of law. What is essential is making the context and the message visible in the target text and how much this visibility should be ensured, to what extent the nature of language should be protected and how clearly the translation must address in order to people to be bound by the acts involved in Union's documents.

The aim of the Community's law is to directly serve to the citizens by helping them for their participation in the European legislation in specified domains concerning some people such as Danish farmers, German industrialists, British barristers, French wine growers, Swedish civil servants as is explained in the report of "Terminology and Translation of European Commission" (2001:24). Additionally, language policy of the EU backs up acquisition of foreign language in order to ensure intercultural dialogue in Europe, demonstrates the positive effects of foreign languages and creates awareness in economic, political, legal, etc. fields.

What Europeans think about the importance of the translation in the EU takes place in the report titled "Special Eurobarometer 386 - Europeans and Their Languages" is as follows:

Europeans recognise that translation has a role to play in a wide range of areas across society, although many tend not to see it playing a significant role in their everyday lives.

Respondents were asked to say how important a role they felt that translation from and into foreign languages played in eight different scenarios, answering on a four-point scale ranging from 'Plays a very important role' to 'Does not play a role'. This question was asked for the first time in 2012. For each area the report summarises the Discussions in terms of the proportion who think translation is important (very or fairly), before going on to look at the proportions of respondents who consider it very important ("Europeans and Their Languages", 2012).

Three things, which are drafting, translation and revision, build up multilingual text productions. The translator may need the drafter's assistance about implications of translation of the source text in regard to the text's purpose, and the reviser needs that kind of assistance as well. EU legal texts pay heed to legal effects by stressing each detail and implications in each language version for which the texts are accepted as authentic. Translations of legislation are acknowledged as authentic versions having the same legal force as originals. The most fascinating aim of the EU

law is to be able to achieve the consistency and coherency in both original text and in its translation. European legal culture answers enquiries of ethics, justice and moralities; it is beyond doubt that those points have to equally come to the fore in their translations. In the legal language, there is a sense of accuracy and precision, but impact of the ambiguities in legal texts is considered as leading problems that may occur when desired to protect the legal certainty. Linguistic clarity is an absolute legislation norm in the European Union. Therefore, transmission of legal messages, which is far away from the uncertainty, is mainly desired. Linguistic pluralism caused by enlargement holds some challenges like maintaining of the quality for the whole native languages of the member states. So, linguistic quality is of great importance in the translations of the EU documents.

Communicative competence of each member state requires strategies in communication in translation. Exact translation carries many tasks that require translation methods and strategies related to the domain of the source text. Just like in authentic texts for informative purposes, some changes relating to legal texts would arise to make the comprehensibility easier.

The European Union's laws differ from the international law because of its autonomous legal order structure and principles. As mentioned before, the Union expressly and insistently wishes to promote multilingualism that a protective approach on the member states' native languages may prevents some of the operations of the single market, and particularly, the EU's binding rules in the internal market. This problem can arise from the linguistic feature or special terminology in EU laws, directives, legislatives, etc. which can differ from member states' national legislations.

The following example given by Colin Robertson (2013) is about the form, structure and context seen in some of the EU texts:

A regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States.

And Robertson's explanation is:

This instrument resembles a national law and speaks directly. It may not be glossed or modified by a national law, which it overrides in the event of conflict. It is the strongest form of EU legal act and in principle applies to all in the same way. A typical structure for a regulation, as set out in the guidance mentioned above may be summarised as: Title (author, number, date, subject matter), author(s) (European Parliament, Council, Commission, etc), citations (legal base in treaty, formal procedure, consultations required), recitals (background facts, reasons for action, policy intentions, etc), articles (operative part, commands, obligations, etc), and annexes (technical information; often non-legal). The guidance referred to above and referenced at the end should be consulted for more information (Robertson, 2013, p. 25).

Furthermore, language policies of the EU aim at protecting the linguistic diversity to ensure social integration and to protect cultural identity so that the citizens in the EU can have some progressive advantages.

In the European Commission - MEMO (2013), the answer given for the question of what Europeans think about language learning is as follows:

According to a Eurobarometer survey conducted in 2012, almost nine out of ten EU citizens believe that the ability to speak foreign languages is very useful, and 98% say that mastering languages will be good for their children's future. Europeans are broadly aware of the benefits of multilingualism: 72% agree with this objective and 77 % believe it should be a priority; 53% use languages at work and 45% think they got a better job in their own country thanks to their foreign language skills.

According to the current practice, towards the EU's requirement of what ought to be done on behalf of the language policy in the international context is to allow the member states or candidate countries to perform actions on clear translation acts under the cultural identity. On the other hand, the translation period can be daunting when examined the differences between the translations of international treaties. As a requirement of authentication, from the first day of membership or application to the EU, translations of international treaties has to be negotiated in one language even those produced in more than one language. Drafting in different languages is also problematic situation, because, reproduction of these drafts in many languages can raises incorrect translations contrary to the expectations of adhering to the original and can lead to block the promotion of translation work. The EU prominently dwells on this issue to ensure the linguistic diversity by protecting the native languages' rights and their linguistic policies to facilitate European citizens' right to know what are being done in their names.

When the specific language policy is evaluated in terms of the communication act in the EU, it is found out that linguistic and cultural diversity as common resources are applied not only to protect the rich heritage of Europe, but also to provide the mutual enrichment and understanding. Enhancing mobility in the EU, coping with prejudices and discriminations, strengthening mutual understanding and cooperation are carried out to facilitate communication and interaction between member states and their languages. Through this cooperation and coordination, greater convergence will be able to be materialized at the European level.

Marco Benedetti (2012), who is a Director General of SCIC Interpreting for the European Institutions, said the following in a conference:

When our translators and interpreters work on legislation, correspondence, meetings and other communication needs, they are also working towards maintaining the democratic legitimacy of the EU. It would not be possible for people to feel ownership of the Union if the Union did not speak their language (Benedetti, 2012) .

2.2. THE ROLE OF TERMINOLOGY IN THE EU

One of the aims of the rule-makers in the EU is to express how laws should be applied and implemented by member states. Such a context would bind translators to reflect the texts truly and directly. Expectations related to compatibility with the source language, expectations on the application and implementation of law through the translation and expectations on the natural translation are daunting situations, but yet cannot be left to the discretion of the translator.

It will not be wrong to say that the need of terminology in the EU arises from the purpose of achieving the growing translation need. One trouble with translation of legal texts is that its different terminology in different domains. In the EU, translation is emphasized in terms of understanding of complicated documentaries, and it should be kept in mind that a correct terminology has a great role in achieving clarity and accuracy. Over the years, terminology has become a more and more important tool to progress better understanding and communication between member states, especially

when working together. However, translators are prone to error related to specific terms used in the EU. As is underlined in “Studies on translation and multilingualism- Lawmaking in the EU multilingual environment”, some of the specific terms called neologisms can be foreign to the national languages, and the basic aim is to define some terms which do not exist in the national legislation, but may be met with in the EU legislation:

(...) Most of these terms intend to cover newly invented concepts of EU law, including names of institutions, mechanisms, procedures and documents. The terms *Advocate General*, *directive*, *ordinary legislative procedure* or the *former co- decision procedure*, *eurozone* and combined nomenclature are clear examples of such terms (Somssich, Varnai, & Berczi, 1/2010, p. 80).

Discussion on the effect of terminology indicates that correct terminology in the translation act creates easier and faster communication in the fields of democracy, peace, cooperation and conciliation. It is a fact that translators sometimes face a considerable challenge in enabling readers to understand the authentic text, and it is unquestionable that translated documentaries have to be in full harmony with their authentic versions. In short, legal terminology should be logical and consistent in preventing the semantic deterioration.

Precise and clear wording in translational acts in the Community is necessary for terminological harmonisation between the EU and other nations. It is a crucial fact that translation of the Community’s legislation informs and recalls rights and obligations of member states and their citizens with respect to the founding Treaties and applicable Regulations. Terminology, to put it frankly, provides precise and clear wording in translation of the European Union’s legislation by having legal value in different fields. Terminological consistency should comply with a member state’s legislation in force as well as its accuracy.

Sameness is a sine qua non in translation of the EU text, and a care should be taken for building of terminology for common directives and laws which are binding for all nations. When a new country is a member of the EU, some problems can arise from the nature of the Community’s language, although other translated versions which have reliable terminology in the EU are reviewed.

Description of terms in the Community is handled according to the EU's format and concept. Between the EU and member states' national legal contexts, intralingual translation faults can be occurred, especially in terminology and concepts. In a wider sense, legal system of the EU, defined as a supranational law as well, is like a national law characterized by its effect on citizens on condition that rules and politics have to be implemented directly by even ordinary people. Terminology in reality makes the member states understand how laws are going to be implemented in specific areas as economy, business, technology, agriculture and such.

Difficulties related to specific words and their translation and difficulties related to applicability of the EU terminology are still important issues that can cause the translator unease. The core point is translation of the legal texts' linguistic structure, which has important role as well in the source and target text, but terminology plays a crucial role in understanding of the Union's documents.

To all these difficulties, as a way of solution, cooperation between the translators, linguists, lawyers could enhance the knowledge of legal terminology. It can be deduced that such cooperation is an integral part of providing high quality for translation of legal documents, and thus coherence will be reflected by the common terminology updated in all official languages of the EU. Furthermore, the clarity of terms regarding legal texts in their own contexts will always be tough. The challenge can be overcome by borrowing strategy as long as it fits adequately in the intended purpose for translation of a term.

Terminology units were set up by the Commission and High Authority, and first terminologists were appeared due to the technical feature of the EU texts. The idea of a common term is one of the aims of the EU's translation work. Many authorities in member states regard terminology as used in the Union as though the natures of their native languages were being altered linguistically and culturally. However, the terms intended to become common are basic issues to remove ambiguity on the basis of legal texts. Linguistic meaning and legal intent are the most distinctive factors within a legal text term. So, a translator has to find out whether his/her country's legal system corresponds to the term in the source text or not.

Using common terminology in translation of EU texts has already started in public enterprises and institutions in Turkey to provide coordination. Some of them seen below have been presented in the “Glossary for the European Union” prepared by the Secretariat General for European Union Affairs in Turkey:

| English | Turkish |
|--|--|
| Acquis Communautaire | Topluluk Müktesabâtı / Kazanımı |
| European Monetary Agreement (EMA) | Avrupa Para Anlaşması (APA) |
| Ratification of an Agreement | Anlaşmanın onaylanması |
| European Union Charter of Fundamental Rights | Avrupa Birliği Temel Haklar Şartı |
| enforcement date | yürürlük tarihi; icra tarihi, uygulanma tarihi |
| interim regulation | geçici tüzük |
| put into force | yürürlüğe koymak |

Dr. N. Berrin Karayazıcı (1991) discusses strategies of translation of the EU texts focusing on terminological issue. As seen in Karayazıcı’s article, borrowing can be preferable in case of the lack of a common concept. For instance, “jury” is translated into Turkish as “jüri”, “tariff positions” is translated into Turkish as “tarife pozisyonları” and “status” is translated into Turkish as “statü”. According to Karayazıcı, semantic and cultural equivalences should be established in order to keep functional equivalence in the translation. However, if there is no exact functional equivalence, a word with meaning similar to that of another should be searched. When a word is equivocal, for instance, the words of “Minister / Secretary” and “Bakan”, the translator should choose the most appropriate one which meets the meaning required. It is difficult to conduct the exact cultural equivalence, when a text does not have a general specific domain. Differences between the British and Turkish legal systems can lead to research another way to ensure the functional equivalence. For instance, “Lord Chancellor” should not be translated as “Adalet Bakanı” in Turkish indeed.

Karayazıcı's view relies on borrowing and paraphrasing strategies, which are preferred in case of impossibility of translation of cultural language in the EU texts. It is stated in the article that functional equivalence for specific terms can be carried out by the semantic translation method. For instance, "Administrative Law" is translated into Turkish as "İdare Hukuku".

In the translation process, linguists and lawyers must find out the difference between the ordinary meaning and legal meaning in which a word is used for different contexts. Dissimilarities between languages may arise from countries' characteristics of legal systems or tendencies used in law. Attempts at defining terminology in accordance with the target language go between the meaningful and the meaningless. It is obvious that cultural similarities or dissimilarities lead up to meaningful or meaningless translations.

2.3. THE ROLE OF EUROJARGON IN THE EU

As a vocabulary meaning, Jargon is specific to a certain field with a limited usage between the same social groups or professions as in the European Union. As for the term of Eurojargon, it is defined by its effect on linguistic integration for languages in the EU that clearly characterized by its effective communication in the Community including fewer vocabularies with minimised grammatical forms and meaning.

Information about the structure of the EU, its institutions, EU legislative texts as international treaties, national and international laws, terminology and also linguistic structure of the EU texts are all accounted as instruments to be utilized when necessary. It goes without saying that they are all interactive acts being used to create specific language and terminology in different contexts in different EU texts.

As is previously noted, the EU assembling different languages under the same roof for the Union's legal unity and identification has a specialised language. Eurojargon and expressions are often used for the better understanding of the EU

institutions work and EU affairs. While the legal terms and notions used in the EU are specific both in national law and in EU legal documents, they can have some semantically significant differences. Relevant to this challenging situation, Eurojargon has to be known by translators. The importance related to translation of the EU jargon in the context of consistency with the source text requires avoiding poor translations which causes people to draw away from the EU affairs.

In the PhD Dissertation “Euroterm Terminology, Focusing Especially on Its Particularities in the Romance Languages” written by Eva Radai - Kovacs, Eurojargon is explained in the context of linguistics:

(.) We reserved the word Eurojargon for the non-official, oral-primarily internal-specialised communication whose main characteristic is the presence of English and/or French calques and borrowings. The specialised texts generally have specific pragmatic, syntactic, morphologic, lexical and semantic particularities that can also be identified in the case of the EU texts, so we concluded that the EU language has a *raison d’être* among the specialised languages (Radai-Kovacs, 2009, p. 2).

Some examples given about the EU Jargon in the EC’s paper named “How To Write Clearly (2012:12)” are as follows:

EU JARGON

SUGGESTED DEFINITION

| | |
|----------------------------------|---|
| acceding country | country about to join the EU |
| Acquis Communautaire | body of EU law |
| candidate country | country still negotiating to join the EU |
| cohesion | approach aimed at reducing social and economic disparities within the EU |
| comitology | procedure under which the Commission consults committees of experts |
| Community method | method developed for taking decisions in the EU, where the Commission, Parliament and Council work together |
| enlargement | expansion of the EU to include new members |
| mainstreaming | taking into account in all EU policies |
| Proportionality | principle that a level of government must not take any action that exceeds that necessary to carry out its assigned tasks |
| Subsidiarity | Principle that, wherever possible, decisions must be taken at the level of government closest to citizens |
| A-point | Decision to be rubber-stamped by the Council |
| Co-decision | Jointly decided by MEPs and EU governments |
| Common Agricultural Policy (CAP) | EU farm aid/ subsidies |
| Conciliation Committee | Head-to-head talks between MEPs and EU governments |
| Ecofin | EU finance ministers |
| EU's High Representative | EU foreign policy chief |
| Green paper | Discussion paper |
| OLAF | EU's anti-fraud office |
| Plenary session | Full meeting of the European Parliament |

Eurojargon is most often defined as the way of understanding of the European Union terminology by using vocabulary peculiar to the institutions of the EU and its staff working for the EU. In general, words or some expressions are only understood by people working in EU institutions. At this point, Eurojargon manifests itself to a considerable extent for the outsiders with the characteristic of cloudiness. The good quality of translation in the EU is understood by benefits gained on the European integration process and multilingualism, which is one of the significant steps achieved by using Eurojargon having the closest equivalence.

CHAPTER III: HISTORY OF TRANSLATION IN THE EU

3.1. ACQUIS COMMUNAUTAIRE AS LEGAL ORDER AND ITS TRANSLATION

Acquis communautaire (acquis) A cumulative body of rights and obligations with which all EU Member States must comply. It comprises ‘the content, principles and political objectives of the Treaties, legislation adopted pursuant to the Treaties and the case law of the Court of Justice, declarations and resolutions adopted by the Union, instruments under the Common Foreign and Security Policy, instruments under Justice and Home Affairs, international agreements concluded by the EU and those entered into by EU States among themselves within the sphere of the Union’s activities’ (European Commission 2012a). (Bhreathnach, Cloke, Phaidm (2013) (<http://doras.dcu.ie/18582/>).

In order to reach the consistency in wording and format for rendering of Acquis Communautaire in official languages, having a special vocabulary and unusual format and serving a particular purpose requires a huge effort. The documents which can address different domains must be rendered carefully by considering Acquis’s homogenous structure, since it should be consistent with different national legal circumstances.

In member states, Acquis is considered to serve a set of functions such as determining material and moral questions and resolving of those functions’ disputes, so that it should be free of errors in translation which would deactivate the Acquis from its functions.

Acquis Communautaire, having a crucial role and referring to the whole of the primary legislation of the EU including treaties, directives, regulations, the case- law of the Court of Justice, declarations and international agreements, etc., can be defined as something like *acquired* or *achieved* in the EU.

Translation of the Acquis Communautaire is an obligatory act binding on the citizens that can be easily seen in member states’ translation departments in their countries. Within this framework, the translation of the Acquis Communautaire should be studied both for its quality (linguistically) and comprehensibility.

Problems, especially terminological issues, perspectives of the staff of the EU on the Acquis’s translation are reviewed by the candidate countries like Turkey. Even

their accession cannot be foreseen, the EU obliges a candidate country to reproduce the texts by aiming to facilitate the accession process so that those translated texts can be official documents after the accession phase, and so, transparency of Acquis in all nations could be much easier. Governments of candidate countries therefore set up special translation units under the government control to adopt the EU legislation before the accession. This translation process can be difficult due to the specific concerns in special EU terminology. By the same token, the concepts laid down in specific legal, political, social, economic fields cannot be rendered readily because of different linguistic and cultural backgrounds of countries. As a result of the Acquis' translation work done at the pre-accession phase, equally authentic texts would be produced in a new language.

Some candidate countries benefit from glossaries, papers, notes, reviews including translation theories and practices applied in translations of the EU texts. However, translation of Acquis is a time consuming process. In addition, increasing legislation translation would bring enormous problems along. The tiniest misinterpretations made by translators in other official languages will hamper the fidelity to the Acquis. Consulting all the translated documents rendered into all official languages makes production of equal authentic texts difficult. Hence, some candidate countries from Central and Eastern Europe and in the Scandinavian countries preferred primary source texts, that is to say, some countries such as Croatia preferred English in authentic texts before its accession in order to achieve the reliability in the target text. However, this choice should be made according to the linguistic, cultural and legal structures in which member states have similar legal systems as Estonian and Finnish legal translations. Acquis's translation is not recommended in English as the source text by Estonian translators except for Finnish authentic texts. Besides, French, Dutch, German, Italian originals should also be consulted.

Another important point, which should be taken into considered, is to check the texts to be consulted if they are authenticated or not.

Professional translators are required as well as professionals in legal domain. Relevant to this view, translation of Acquis into and out of the national languages would mobilize national universities to contact with the EU for what ought to be done. What Mary Snell-Hornby (1996) said about this issue in an interview is on the translation work in universities. According to Snell-Hornby, importance of translation work has not been yet realised sufficiently that is translation is undervalued in universities.

Another opinion given by Prof. Dr. Ayfer Altay and Assoc. Dr. Ender Ateşman is about “politics of the national translation” which should be set up in the whole institutions and organizations. There are also some approaches submitted by Altay and Ateşman in the Translation Platform conducted by the Ministry for EU Affairs in Turkey that are briefly stated as follows:

- Education programmes of the Universities determined by the Vocational Qualifications Authority should suit to meet the standards and competences of the European Union,
- Universities should be able to choose their students according to the aptitude test,
- Necessary conditions should be created for the Academic staff to carry out a qualified research,
- Work needs to be done to classrooms and tutoring materials (such as hardware, software).

Acquis is an international law that has been granted a special category status to contribute to multilingual instruments. After authentication, the translations are legally binding to whole member states when published in a special edition of the Official Journal on the accession date or shortly thereafter, and all texts within the EU legislation are recognized as equally authentic texts in all official languages by the states.

3.2. THE TRANSLATION OF THE EU DOCUMENTS FROM THE PERSPECTIVE OF TURKEY

Since it is important to ensure the communication between the institutions and citizens, translation makes the Union more open and more effective in terms of the transparency, accessibility and accountability.

While analysing the source text, knowledge about Union's nature and Acquis can give a translator a hard time to find the suitable approach for rewording into his/her national domestic legal language, in order to actualize the same function in the target text. Actually, although the main purpose is to create a homogenous discourse, multilingualism makes it impossible due to mixed linguistic and cultural structures in the Union.

From a more general point of view, having several linguists and specialists working in translation support units, the Commission works with translators, and supports them in official languages. On the other hand, through the terminology databases, through the documentation and training courses and by keeping in touch with national experts in their fields, the ability of translation in different fields can be carried out even the context of the source text is altered.

Problems due to the particularity of the translation of the EU texts are underlined in some local reports that lots of EU documents have been returned by the German Bundestag which is a parliament of Germany and driver of the country's political life, as those documents are incomprehensible and they have been badly translated. When taking a closer look on the local report:

According to a report in Tuesday's Saarbrücker Zeitung newspaper, the Bundestag has had to send over a hundred important EU documents back in this legislative period alone, because its committee members could not work out what they were supposed to say.

Some EU documents are now seen as a "consultation obstacle" - and this at a time when parliamentarians across Europe are fighting to tackle Europe's debt crisis.

The flawed translations have apparently slowed the work of the interior, finance, budgetary, economic, and defence committees in the German parliament. The paper also says that German versions of the documents are sometimes missing altogether (12-06-12).

Above all, it is necessary to keep in mind that a best definition of the translation is the one which supports and reinforces the multilingualism in the European Union and informs its citizens about the policies of the Union, particularly on their rights and obligations. At this point, translation of the EU documents has a great role in terms of the legitimacy, efficiency and transparency of the communication of its citizens in their own languages.

According to the historical background of Turkey and the EU what is stated in the website of the Ministry of Foreign Affairs in Turkey, the relation between the EC and Turkey began with the signing of the Ankara Agreement in 1963, and three stages were called as preparatory phase, a transitional phase and a final phase. After the completion of the transitional stage, the Customs Union was the concrete stage for the integration of the EU and Turkey in 1996. When Turkey was a candidate country after the Helsinki Summit in 1999, it was begun to the accession negotiations in 2005.

Turkey has come a great distance by making some large-scale reforms in some areas of politics, economics, and social. Ability to succeed in the way of carrying out the highest standards and norms — in line with the needs and expectations of the society — such as democracy, human rights or the rule of law are Turkey's maximum efforts for being a member of the EU.

It is no doubt that prevention of negotiation chapters does not mean that Turkey will be excluded from the accession phase. Actually, Turkey commits its intents on being a member of the EU with the establishment of the Ministry for European Union Affairs in 2011.

A new business area was born in the process of Turkey's European Union membership. To be clear, there is an intensive commercial and economic relationship between the Union and Turkey, and the biggest trade and investment partner of Turkey is the European Union at present. In both the public and private sector, the demand for translation of texts of the European Union increases day by day not only by the public institutions, but also by nongovernmental organizations — which performs their activity by providing fund from the EU — such as municipalities,

private companies, associations and foundations, SMEs and universities. To be able to keep the competitiveness in the global market, translations of the EU texts become an obligation. It can be researched to see how far the dominance of translation of the EU texts in Turkey affects this partnership on the basis of the governmental functions or other organisations or institutions and to which extent translations of the EU texts into Turkish have the status of serving as a progressive way in all domains. Whether it is sufficient or insufficient to meet the translation demand for these institutions available in Turkey may be a question to ask at this stage.

In Turkey, The Ministry for European Affairs carries out work to prepare for the EU membership regarding the EU accession process and work for Turkey's growing role in the international arena. The importance given to the translation in the EU documents takes place in this preparation phase so as to make Turkish one of the official languages of the Union when Turkey is a member of the European Union. The "Negotiating Framework for Turkey" launched on October 3, 2005 regulates the principles to be carried out, and it is underlined that Turkey is obliged to complete the translation of Acquis Communautaire into Turkish and to train translators for EU institutions.

Coordination of Turkish translation for the Acquis is conducted by the Unit of Translation Coordination of the Secretariat General for the European Union Affairs. On the other hand, "Glossary for the European Union Basic Terms" and "Translator Manual" was created and published to simplify rendering of the EU legislation into Turkish through the translation.

Some Units intended for this aim falls under the responsibility of the Ministry like "The Directorate for Translation Coordination". It aims to undertake and coordinate the translation of the Acquis to fulfil the inventory work and also to monitor the consistency of the translation by setting the EU terminology database.

The news in an internet website in 2004 written by Selçuk Gültaşlı with a title of "Translation error in Turkish form" is a criticism of the translation quality that is presented below:

According to the news, because the intelligence-gathering form, sent to the districts by the Istanbul Second Armored Brigade Command, demanding pro-European Union (EU) people be listed, was directly translated from English, this caused collective mistakes. For example, the intelligence-gathering form was not adapted to Turkey's realities and thus the [white supremacist] Ku Klux Klan organization was included in the form. Due to the translation error, opinion leaders were written as high society in the form. I think this is an issue of a vital translation rather than a translation error.

The writer appears (as far as the text can be understood) to query whether the 'mistranslation' was in fact done deliberately in order to spoil Turkey's chances of joining the EU.

In addition to this, as is pointed out in the abgs.gov.tr, a competition named "Young Translators Contest" is also organized by the Ministry. The aim of the Contest is to train the translators on translation of the EU texts and to raise awareness in this field requiring expertise in the process of the EU harmonization, particularly in the translation work of Acquis.

In that respect, as is expressed in the website of avrupa.info.tr, some examples can be given for what kind of texts are translated or why the translations are required by a wide variety of fields including different institutions: a new call for proposals has been published in the framework of the "Civil Society Facility Turkey Programme" as a civil society support program by the "Delegation of the European Union to Turkey". The "Civil Society Facility Turkey Programme" has been intended to support the process of integration through the EU by contributing to principles such as democratic values and structures, human rights, social inclusion and the rule of law. It incorporates different support mechanisms as grant program, micro sub-grants (financial support to third parties) and direct support. In this context, translations of the call for proposals were done into Turkish.

Within the scope of their fields, translations of the EU documents are done by their institutions, for instance, public institutions, NGOs, or from other institutions, such as universities and translation agencies, etc. Utilization of some universities for the translation work regarding the translation of the EU legislation has been done for Yaşar University. 20 European Union legislations, consisting of approximately 300 pages, on the "Chapter of Information Society and Media" demanded by The Ministry for European Affairs, were translated into Turkish by Yaşar University.

3.3. TRANSLATION SERVICES IN THE EU - THE FUNCTION OF DGT (DIRECTORATE-GENERAL FOR TRANSLATION OF THE EUROPEAN COMMISSION)

Union institutions have the largest translation services in the world, especially in terms of their linguistic diversities and themes. Hence, some problems have been posed to translators for fulfilling the expectations of the EU. To cope with a high level of demand in particular in translation, DGT (Directorate-General for Translation of the European Commission) calls some external translation supporters such as translation organizations or freelance translators.

Within the confines of different languages and cultures in the EU, texts written in legal, political and financial domains are confusing; therefore, transmission of the messages into the documentaries inevitably has some mistakes or misunderstandings in the translation process.

DGT is known as an executive body of the European Union serving to the Commission's translation requirements for the texts written in English or French by people who are not English or French. DGT also works in response to a desire for high quality translation for all official languages of the European Union by carrying out the editing, localisation and multilingual websites which are politically important. At this point, while promoting the policies of the Union, DGT supports multilingualism, and wishes to do translations in a transparent, legal and efficient way ("Interpreting and translating for Europe", 2013).

After the accession of a candidate country, a new linguistic structure and a new language occur in the Union. Hence, the candidate country embarks for the whole body of the translation of the EU legislation into its own national language, before the accession. At this stage, DGT provides technical support, training, advice and support for a candidate country's national translation unit. In addition, DGT hosts trainees coming from Member States and candidate states. Advising and promoting universities for translators' training are also important activities of the DGT as an act of the professionalism.

To explain how DGT involves in the issue of employability of translators in the EU was put forward in the “6th European Master’s in Translation (EMT) conference in 2012”, as such:

Given the appalling rates of youth unemployment all over Europe, DG Translation as a major player in the translation community was contributing to the Commission’s efforts to tackle the problem by giving universities the opportunity to look into how translation study programmes could give their students better job opportunities. The conference brought together some 250 academics from university courses in translation in all EU Member States and a number of other countries.

There are some directorates working for the DGT, one of them is known as “Transversal Linguistic Services Directorate” dealing with web translation, editing, documentation and outreaching to member states, the second one is “Resources Directorate” dealing with staffing issues, IT, financial and physical infrastructure, and the last one is “Translation Strategy Directorate” dealing with workflow management and policy issues (“Translating for a Multilingual Community”, 2009).

Workspaces of the European Commission in which translation service is provided and translators are specialized in these documents are administration; agriculture and rural development; competition; taxation and customs union; education and culture; employment and social affairs; energy and transport; enterprise and industry; environment; external relations; fisheries and maritime affairs; health and consumer protection; information society and the media; internal market and services; economic and financial affairs; legal affairs; regional policy; research; statistics and trade (p. 5).

“The Translation Centre for the Bodies of the European Union” was established in 1994 in Luxembourg is a Community agency of the European Union in order to provide translation services and help to the translation service in the Community to alleviate the workload. The aim of the Centre is not only to meet translation needs of other European Union agencies, but also to provide some services to the institutions, agencies and other decentralised bodies of the EU to help them with their busy working environment in their own translation services while translating for

the EU agencies, institutions and other bodies (“Interpreting and translating for Europe”, 2013).

Add to this definition, as a Head of General Affairs Department of the Translation Centre for the Bodies of the European Union since 2009, Thierry Fontenell published a paper named “The Translation Centre for the Bodies of the European Union: Purpose and Activities”. As is mentioned by Fontenell, having its own legal personality and having its own financial resources provided by the European agencies, offices and institutions, the centre improves the collaboration on services between some European institutions and agencies in order to provide savings in translation domain. The Translation Centre assembles freelance translators and translation companies with the clients (institutions, bodies of the EU) under the same umbrella and those who signed the cooperation agreement with some institutions and bodies of the EU cope with the multi-page texts in specialized domains such as law, maritime, railways, environment, chemistry, medicine and pharmacy, intellectual property rights. Moreover, according to Fontenell, as an agency, the “Translation Centre for the Bodies of the European Union” has a multilingual structure for collaborating with translators from different nationalities.

Terminology database in the European Union utilizes cutting-edge technology for holding inter-institutional cooperation with new technologies. These are the following:

IATE project (Inter-Active Terminology for Europe) was launched for the European institutions in 1999 by the Translation Centre, and it has been available to the public since 2007. It has been accepted as the biggest inter-institutional terminological database carried out by the translation services of the EU, and brings all EU terms together consisting of 9 million terms by involving all official languages of the EU (“Interpreting and translating for Europe”, 2013). IATE serves the purpose of making information available and getting the standardisation for the EU institutions.

The aim of the IATE is to set up a terminology database for all EU institutions and agencies and to combine all terminology resources under an umbrella. 200 terms are added and 250 words are modified or validated every day in IATE, it is therefore quite important in terms of its widespread and common usage by translators and terminologists. Since 2004, thanks to the IATE, around 8 million terms have been involved by covering all official languages in the EU.

In 1997, CAT (Computer Assisted Translation) which is known as the first computer- assisted translation tool was set up to provide facility to search with a single source among nearly 30 terminology sources.

In 2010, as an open-source, Statistical Machine Translation System Moses is the most commonly used state-of-the-art MT system.

A new service provided by DG Translation called MT@EC was set up for checking the general meaning occurred in existing data where human translation comes into play and when high quality in translation is desired (Interpreting and translating for Europe, 2013: 10 -14 and Europa.eu).

Computer aided translation and machine translation are two separate processes that are extremely different from each other. The translation act is carried out by the computer program through an interface (translation done by the programmer directly) without intervention by translators. However, in order to help translators for the text to be translated or the translated text before by the earlier translators and controlled by the editor before are re-considered by calling from memory of Computer Assisted Translation Tools, if a word / sentence / paragraph occurred in the previous translations. CAT is ideal for manuals or that kind of documents. However, it is almost impossible for the Trade Registry Gazette, documents, etc., which are even harder to read. In summary, translation programs like CAT stores translations done by professional translators and recalls the translation done before by searching in the database when a new sentence or the same or very similar sentences are translated.

3.4. THE QUALITIES OF AN EU TRANSLATOR

A translator has to have and maintain the linguistic and cultural knowledge of the target language and must be able to harmonize them with his / her translation skills. Linguistic knowledge requires information about grammar, culture and a background for identifying structures, words or phrases. When translators are commissioned for translation of texts by reflecting all the points relevant to the original text and by performing the specified purpose of the original text for the target audience, it is essential to go through a decision-making process to decide on the translation strategies which serve the purpose of the EU texts.

Mostly and importantly, mistakes should be foreseen by the translator through his/her intercultural and linguistic competences. Translators should probe deeply and efficiently and try to find out solutions, so as to be useful. The core target in the translation of the EU texts is to convey the information for the citizens of member states who would like to see translations of these texts far away from complexities.

Now and then, there are some discussions about untrained and inefficient translators. Training, which enhances better, more effective, faster translation and increases the possibility of comprehension between cultures, is a far-reaching issue, that is to say, the main thing is not only training on translation act and gaining experience, but also refrain from imposing the translator's own opinions and values on the audience. Ideally, the demanded thing is to ensure the textual equivalence and maintain the structures of linguistic equivalence between the source text and target text. This can be really hard to achieve for a translator unless he / she is aware of the technical knowledge such as methods, approaches, etc. to be carried out in the translation process.

In particular, translators are preferred to have a university-level education in languages or in some specialised areas such as law, economics, education or science, etc. On the other hand, having experience in the domains of law, economics, etc. would be useful for both the candidate country and the member states. Legislation of the EU is known by its characteristics of direct applicability and direct affectivity that

the effectiveness of the legislation can be queried by means of the components of legal translation such as wordings, terms, and phrases. Hence, transposition of terms and norms into the national legal system is ensured by the extent of certainty of the legal texts' translations. When the scope of the Acquis is examined, it must be borne in mind that its translation in any official language is quite demanding. It is a fact that proofreading a translated document by experts slows down the rendering process. Any candidate country having an obligation to take overwhelming translation task can overcome barriers by experienced translators and other countries' good practices.

In "Becoming a Translator", Douglas Robinson (2003) indicates the importance of reliability in the translation process, and identifies it two ways: the first one is the text translated into the target language like the original one, the second one is following of the exact syntactic lines of the original text in the target language to be able to read easily.

A translator should know the environment in which the translator will be addressed, and makes some researches on the level of the target group. However, it is supposed that the information somehow has to be transmitted to them according to the expectations of the EU by keeping in mind that a translator is responsible for reflecting the function of the source text.

Translators are also expected to have knowledge about use of technological tools. Enlargement and multilingualism demand trained translators, and there are some translation services for the translators in the EU to new languages as source languages which will be official languages afterwards; they should be therefore foregrounded to the purpose of enlargement. Thanks to translation services, some problems for the new languages can be overcome by using computer-aided translation systems and terminology data bases.

In the "European quality standard EN-15038:2006", which is a European standard for translation services, expectations from a translator in the EU are as follows:

Translators who take part in translation projects under EN-15038:2006 must demonstrate the professional competences specified in the standard by meeting at least one of the three requirements.

- Advanced translation studies (recognised qualification)
- Equivalent qualification in another specialisation plus a minimum of two years documented experience in translation.
- At least five years of documented professional experience in translation.

Another expression made by Assoc. Dr. Mine GÜVEN in the Translation Platform, which is conducted by the Ministry For EU Affairs, is about the qualifications required for an translator for the translation of the EU texts:

- Communication in at least two languages and text competence: ability to understand the source text, ability to analyse the EU texts and in writing a Turkish text familiar with the EU texts and text corpus.
- Cultural and intercultural competence: familiarity with the legal systems of the EU and the Republic of Turkey; ability to understand the culture-law relationships in the context of the EU and Turkey.
- Competence in the field of expertise: familiar with the basic concepts of the EU law, its institutions, its terminology and its documentation resources.
- Competence in professionalism and competence in using of tools: ability to use the terminology database with the document resources, ability to evaluate and manage.
- Psycho-physiological competence: awareness about the role of translators work on the EU texts; having confidence to communicate with EU experts.
- Interpersonal competence: awareness on social and professional aspects for the translation of the EU texts; ability to justify the translators' decisions against lawyers.
- Strategic competencies: ability to identify the problems of EU texts; ability to find out various solutions to problems and evaluate them.

Messages in EU texts are of equal importance, and in the translation of legal texts, any kind of mistake can be risky for transmitting the messages in response to different necessities. Translators work directly on the source texts, they are also responsible for identifying risky situations which prevent the exact translation.

To sum up, with regard to the translation of the EU texts, it can be said that purpose of the source text, the message in the content of the source text and its prominent linguistic features, principal effects of the source text, determining of the aim of authors and audience intended in the target text, decision making to the techniques and methods in the translation and semantic or cultural revisions in the target text are the translator's undertakings relative in relation to his/her background, education, experience and vision.

CHAPTER IV. METHODS OF TRANSLATION IN THE EU

4.1. GENERAL METHODS OF THE TRANSLATION OF THE EU TEXTS

Using a consistent terminology is one of the determinative points for quality of translation in EU texts. Member states do not prefer to use the specific terminology instead of their national terminology in European Union texts because of the belief that Eurojargon can cause interference with the linguistic content of the national legislation.

In contrast to the popular thought, accurate terminology facilitates the understanding of EU texts by raising the quality, although, in fact, the original one is sometimes incomprehensible. When considered the EU texts, translators' competence can be insufficient in technical texts, especially the treaties. The use of the same term in various domains entails the necessity to consult the universities, NGOs, translation agencies.

Efficiency and equality, which reflect the quality, are *sine qua non* in the translation process, especially in translations of legal documents of the EU. However, lack of thereof can lead to some mistakes by hampering correctness and making inefficient translation. So in order to avoid all of them:

Without compromising the general principles of translation, EU texts can be translated in such a manner:

- by providing accuracy and consistency between the source text and target text,
- by being cautious not to make any grammatical, syntactical, linguistic or textual mistakes,
- by avoiding punctuation errors for the sake of clarity,
- by benefiting from the relevant documents already translated,
- by keeping the original text form.

In official documents, there is another notion known as “sameness / similarity” between the source text and target text aiming at providing the message’s accessibility to all readers from different member states.

According to the text classification made by Katharina Reiss (1970) who is a German linguist and translation scholar, texts are underlined according to their function. Hence, they are named as informative, expressive, operative, audiomedial. Informative text and operative text are considered within the scope of the text types of the EU, in that respect, informative text is a way of transmitting information, opinions or knowledge to the target text by stressing the content.

When the legal texts are analyzed under this classification, translation of legal texts is considered as technical translation with an informative purpose. Prevalent opinion related to the legal translation is to have informative purposes with descriptive function for the target readers.

There are many plausible reasons why legal translation is difficult. The nature of laws and linguistic structure in legal texts occasionally lead to this complexity and difficulty. It is obvious that intercultural and interlingual differences can induce loss of communication effect.

Ingemar Strandvik, who is a quality manager in Directorate-General for Translation, states the features of legal translation in the “Legal Translation, Multilingual Lawmaking and the Quest for Quality (2011)” that are as follows:

What characterises Legal Translation?

- ‘literal’, source-text oriented approach to translation
 - lots of ‘calques’, word-for-word rendering of terms
 - ‘texts should say the same thing’
 - ‘translators should refrain from interpreting the text, they should just reproduce what it says’.
- (Strandvik, 2011, p. 4).

However, it is noteworthy that equivalent effect as a desired outcome in the translation is a question of achieving the purpose of the source language and removing cultural gaps between the source language and target language. When the types of the EU texts are highlighted as informative texts, it is expected to be far away from the

translator's emotions and cultural effects, which can pose an obstacle in the source language. That is to say, the EU texts are intended to impress equally all readers from different member states in translation of informative texts.

There is an explanation made by Newmark in this context is as follows:

In informative texts, equivalent effect is desirable only in respect of their: in theory insignificant emotional impact: it is not possible if SL and TL culture are remote from each other, since normally the cultural items have to be explained by culturally neutral or generic terms, the topic content simplified, SL difficulties clarified. Hopefully, the TL reader reads the text with the same degree of interest as the SL reader, although the impact is different. (Newmark, 1988, p. 48).

According to the informative purpose in legal documents, functional equivalence or formal equivalence is preferred in the process of legal translation. Violeta Januleviciene and Sigita Rackeviciene (2011) stated in their article named "Translation Strategies of English Legal Terms in the Bilingual Lithuanian and Norwegian Law Dictionaries". It is said that functional equivalence, on one hand, uses the legal concept of the target language, on the other hand, pursues the similarity with the legal concept of the source language. In the article, necessity of specification for culture-bound terms like institutions' names and necessity to establish functional equivalence in the translation are pointed out.

Legal texts are considered as a production of the author's intention in parallel with the informative function and with a duty to transfer information from the source text into the target text.

According to Susan Sarcevic (2000), legal translation, which is identified in her article named "Legal Translation and Translation Theory: A Receiver - Oriented Approach", is or should be receiver-oriented. Sarcevic also believes that a text can be translated through the communicative function of the target text in multiple ways without deviation from the skopos of the source text. Care should be taken in the process of legal translation because of legal text's sui generis structure which varies from language to language, culture to culture.

Operative text type, which is another text type in the EU as mentioned before, involves the reader in comprehending the topic of each whole text and gets them to

act. Operative texts in advertisements or political speeches are called as persuasive texts on the other side, and in order to persuade the reader to follow the directions manipulating their opinions and addressing mostly by using the pronoun *you*. Operative function in a text occurs with the necessity of the notifications of some instructions and obligations to those that have to carry them out. In particular, the trouble with the translation of operative text is in fact cultural language problem which can emerge from the differences between the source language and target language.

English, French and German as working languages of the European Commission, about 60 minorities and regional languages and more than 175 migrant languages are spoken in the Community. The importance of translation with its role on the society in the Union is seen as a tool to strengthen the multilingualism and enhance the communication between the cultures. Furthermore, bringing the Union's policies closer to its citizens by informing on the EU law and its obligations including the rights of citizens and communicating with them through all official languages by considering the transparency, efficiency, legitimacy and accountability are the major concerns of the EU.

Translation of a text into all official languages in the EU is done according to their priority degrees or severity level by paying attention to the target audience and the legislation's purpose. However, translation of some correspondences to national authorities and some decisions about particular individuals or institutions are done just for the required languages.

Communicative approach in legal translation requires knowledge about law, function of the text and even evaluation of the audience. Thanks to this approach, a term's exact meaning is achieved and it starts the ball rolling for choosing the most suitable translation strategy. The aim of the translation of the source text draws parallelism to the function of the target text, in particular.

Another view submitted by Susan SARCEVIC is as follows:

Today, all the authenticated texts of a legal instrument are usually equally authentic. This means that each authentic text is deemed independent for the purpose of interpretation by the courts and that no single text (not even the original) should prevail in the event of an ambiguity or textual diversity between the various language versions. As equally authentic instruments of the law, parallel legal texts can be effective only if indirect addresses are guaranteed equality before the law, regardless of the language of the text. To guarantee underlying principle of equal treatment, plurilingual communication in the law is based on the presumption that all the authentic texts of a legal instrument are equal in meaning, effect, and intent (Sarcevic, 2000, p. 4).

Receivers are targeted by producer of the source text or the translator in order that they can find out the aim that is the function of the text. EU texts and national law can affect people directly. EU institutions and the texts drafted for user needs are considered as important elements in creating a supranational culture.

An article named “Über die sprachlichen und kulturellen Ursachen von Missverständnissen und Widersprüchen in Asylverfahren aus der Sicht des Dolmetschers (On the linguistic and cultural reasons for misunderstandings and contradictions in immigration proceedings for political refugees from an interpreter’s point of view)” written by Petra Wurzel, some translation examples, especially from Turkish to German, are taken up by Peter Newmark as follows:

- The applicant’s language, if it is non-Indo-European, say Turkish, is likely to be much more restricted than the court’s. Thus *arkadaş* (Turkish) has five common German equivalents, and many more in the spoken language.
- Since (say) Turkish is so restricted, it is hard to tell whether *yakalamak* means caught, arrested, detained, surprised or called to account. Technical legal and descriptive words are often covered by synonyms, and therefore the interpreter has to pursue their distinction. Two Turkish words *baskı* and *baskın* have about a dozen German meanings, three or four of which would make equally good sense in the situation (Newmark, 1998, p. 79 qtd in Wurzel).

One of the key characteristics of the legal English is its different structure from the Anglo American legal English which belongs to the Common Law family and from the Continental Law implemented in many European countries. Hence, equivalence sometimes cannot be provided between these legal systems. The EU and the UK and some parts of the USA belong to the different legal systems. The translator of the EU then embarks for functional equivalents even for partly similar functions in the source and target legal systems.

Each national law has its own legal system, own language and cultural features and own terminology. As a result, legislation of the member states cannot be the same. It will not be wrong to say that the differences may not be assimilated in the target text in the translation process.

A society's legal system is carried out by the historical and cultural background of the society. For instance, the civil law, which is based on the Roman Law, has been adapted from Europe. However, some countries' legal system is based on the common law and has many differences as to legal language and linguistic culture making translation difficult for the legal texts as in Turkey, which legal system is based on the civil law.

As Dr. Ayfer Altay (2002) remarks the translation of legal texts in her article named "Difficulties Encountered in the Translation of Legal Texts: The Case of Turkey", some problems and difficulties are confronted in translation of Turkish and English. Therefore, legal texts are handled in terms of the states' legal systems and languages which vary from each other. According to Altay, translation of some legal expressions into Turkish cannot be equivalent to English due to the absence of that kind of job titles in Turkish legal system such as "equity" or "barrister" and "solicitor" terms. Altay gives some examples of translation methods based on Martin Weston's article named "Methods and Principles in Legal Translation (1983)". The first way is paraphrasing, which is preferred whenever the structure of the language or institution is alien to the target reader. The second way, according to Altay, is to find out a functional equivalence providing equivalency between the source text and target language as close as possible. Some examples given by Altay are as follows:

To quote an example that is problematic mostly for translators between English and French: "Solicitor" (which is used for the French "notaire") has the Turkish functional equivalent of "notary." Moreover, the generally used Turkish functional equivalent of "solicitor" is "avukat" which is the literal translation of "lawyer." Both "court" and "tribunal" are translated as "mahkeme" which is the literal translation of "court." Translation of "tribunal" as "mahkeme" is rendering the functional equivalent of it.

Another translation method given by Altay for Turkish and English legal translation is Word-for-Word Translation (Literal Translation). For instance, "Court of Protection" is translated into Turkish as "Koruma Mahkemesi" as literal translation.

Above all, Dr. Altay thinks that a translator's duty is to provide the efficiency in legal language by having knowledge about legal system and its language structure.

It is enshrined that translation mistakes cause legal deteriorations and their correction can take months, so the implementation of legislation can be impossible. In short, poor-quality translations would pose a risk to legal certainty.

On the other hand, hybrid translation method offers to the translator to decide which translation strategy is suitable. Some certain strategies known as foreignization and domestication come into play with the hybrid translation method. Foreignization intends to formal equivalence by focusing on the message itself, content and grammatical structure, and attempts to semantic translation method by maintaining the syntactic structure and contextual meaning in the source text. However, domestication intends to produce dynamic equivalence by focusing on the natural equivalence, which brings the audience to the text, and attempts to communicative translation method by fulfilling the cultural gaps in the target language.

Hybridizing and dehybridizing effects as a translation approach are recognized as strategies in which translators choose. For instance, when the target reader is focused more, the strategy of domestication can be chosen instead of foreignization strategy.

Domestication can eliminate the foreignness in the target text. As for foreignization strategy, it is used in the translation process when the source language and its cultural differences are more to be highlighted than the target language and its culture.

Dr. Snell-Hornby (1996) who is president of the EST (European Society for Translation Studies) has put forward in an interview that translation is an interdisciplinary cooperation. Compatibility with the source text and source language are at least as important as the rule of skopos to people interested in translation work on the EU texts due to fidelity demands.

In the European Union, legal translation is handled in terms of an approach dealing with problematic issues. Lacking fluidity in EU texts and in their translations would entail some problems. It is a fact that fidelity to the source text was an important principle before, but nowadays there is a tendency to the fidelity to the target language versions involving legal documents called as a single instrument. In the light of these developments, a search for new translation methods other than conventional translation methods has begun. It has been accepted that since all are recognised as authentic, no text is superior than others. It is still difficult to cement a term's meaning due to European law's continually evolving structure and because of EU's autonomous meaning unlike national legal systems.

Texts produced in the European Union are of great importance for cultural diversity and language diversity. They are seen as the key elements that lead to some challenges, the translator therefore derives a translation method not only according to the source text, target text or readership, but also without deviation from the aim of the institution.

In her article named “Domestication, Foreignization and the Modulation of Affect” Kaisa Koskinen illustrates the strategies of domestication and foreignization in the Finnish translation done for the EU. Koskinen points out that there have been many mistakes in translation of the EU documents whichever type of strategy is preferred. In this connection, whilst domestication was maintaining the structure of the Finnish language, it was incomprehensible for the readers because of its awkwardness, and Kaisa Koskinen's expressions about this issue are as follows:

In this process, an extremely ‘Finnicizing’ (or domesticating, if you like) strategy for translating the lexical items was selected. (At the same time, this strategy did not apply to syntax or genre-specific features). In practice, the strategy dictated that if there was a native Finnish equivalent to any term or word, it was to be used rather than any loan—word, regardless of the normalized usage of the loan word or potential obscurity of the ur-Finnish equivalent. As a result, report was not to be called ‘raportti’ but ‘kertomus’ (“story”), and co-ordination was not to be ‘koordinointi’ but ‘yhteensovittaminen’ (“adjusting together”) and so on. (Later, this principle was relaxed, but for the first few years this was the institutionalized translation strategy for all genres).

(...) the strategy that was adopted to safeguard the purity of the Finnish language under the pressure of Brussels was turned on its head, and ended up estranging Finnish readers emotionally from texts originating in the EU. Thus, even these extremely domesticating measures could not salvage their reception: these new genres of texts, with their foreign-

sounding structures and flagrantly foreign origins were not Finnish. Rather than solving the foreseen problems of reception, the domesticating strategies actually added to their alienating effect (Koskinen, 2012: 21-22 qtd in Kemppanen, Janis, & Belikova).

4.1.1. The Communicative Translation Method

Translation begins with people who desired to communicate with others, and it is seen as basic instrument of cultural and linguistic communication. The main characteristic feature of the translation is to fill the gap among languages for the exchange of cultures, knowledge, etc. regardless of race, gender, nationality.

In the monografias.com website, the background of the communicative approach is explained along with reasons; accordingly, the development of communicative approach and its being popular began in the 1970s. In order to satisfy the needs of teaching methodology, a new approach called communicative approach was introduced by educators and linguistics to be able to figure out what could be done to overcome the deficiencies in learning a new language, and helped to prevent some criticisms on the audio-lingual and grammar-translation methods which were seen as insufficient teaching methods. According to those educators and linguistics, so as to enable students to learn a new language, the use of gestures or expressions would improve the language learning.

What characteristics distinguish the communicative translation method from other methods are the skopos of the text and use of the social context. As Eugene Albert Nida stated (1964), the message in translations can be source-culture oriented (formal-equivalence translation) which reflects the context in the original text or can be receptor-culture oriented (dynamic-equivalence translation). However, it is seen that dynamic equivalence strategy is preferred in a cultural context. Whether a translation have an intended or demanded function can be summed up skopos of the translation as mentioned before. Translation of legal texts in the EU should be rendered by considering those approaches and by keeping in mind the possibility of

occurrence of cultural and linguistic barriers when communicative function is performed.

Considering the communicative functions and notions, the vocabulary available in the source text is considered under the plurilingual and pluricultural competences. Native language comes into play in communicative translation method, so refinement of the source language seemed unfamiliar to the audience is the method applied in translation.

Communicative translation can be defined as the ability of reproducing of the messages for the target text's readership without breaking down the naturalness of the source text. Attention is paid to the characteristic of a text with its communicative functions to reach rhetorical purposes. So, the texts are inherently related to the communicative method as a way of transmitting of messages involved in legal, political and scientific texts. As Newmark said (1991), the main purpose of the act of the communicative translation method is to attain equivalency in the target text by focusing on the originality in the translation process. This method chosen to retain the readers' expectations is carried to the reproduction of the message in an effective way to the target text as well as considering the comprehensibility. That is to say, achieving the equivalence as close as possible on the target text and on the audience is generally ensured by the communicative translation method which is chosen to be more fluent and to make the translation easy to understand so that the risk of obscurity can be eliminated. In this sense, communicative translation method is closer to the domestication strategy since they both aim at using of fluent and natural language in the target text. Hence, in both methods, the source text is brought to the target reader.

Heikki E. S. Mattila (2006) makes some explanations on the legal texts by giving some examples on the functioning of the communicative translation method. The expression of '*maxim lex retro non agit*' (the law does not operate retroactively) which is just used in the Polish legal culture is based on Roman law. However, it cannot be translated directly by the Romans. As for Anglo-American lawyers, they have found a solution by using the expression of '*ex post facto law*' as a way of communicative translation method (p: 154).

Mattila gives another example that inversion can be used in legislative language in some situations. For example, the French expression ‘*Seront executees, sous le titre de Code de la nationalite française, les dispositions dont la teneur suit...*’ has been translated into English as ‘There shall come into effect, under the title of the French Nationality Code, the following provisions ...’. According to Mattila, it is seen that the communicative function has come to the fore through the inversion act to make the sentence more comprehensible (p. 208).

Some expressions, which include obligation, are rendered by shall, some expressions of affirmation are rendered by indirect speech, or some expressions of order are rendered by infinitives, etc. Linguistics terms such as “will” and “may” are emphasis on futurity or “will” is a determinant of obligation. When examined in terms of those words’ and expressions’, it is seen that “shall” as seen in orders, statements, notices and obligations in legal discourse of EU texts is translated into Turkish as “-ar, -er,” in the Simple Present Tense in Turkish. For instance, “Member States shall ensure that...” is translated into Turkish as “Üye Devletler ...’yı sağlar”. Furthermore, the word of “Whereas” commonly used in EU texts is used except from its general meaning. Sentences beginning with “Whereas” is translated into Turkish as “.. .tığından, .. .diğinden”. As for the expression of “Having regard to the proposal from the Commission,” it is translated into Turkish as “Komisyondan gelen öneriyi göz önünde tutarak;” without complying with the syntactic order in the source text.

Translation techniques should not be evaluated as good or bad techniques, it is better to identify as functionally and dynamically such as type, genre, purpose and method of translation as well as characteristics of the translation audience.

Legal texts base on legal language and involve some kind of translation methods by having the feature of intercultural communication. Translation of legal texts in some countries — which have different legal systems — is a significant issue, especially in the EU within a multilingual structure. Translation methods of legal language, is already being used by the member states, are matters of debate. One of the main issues related to the legal translation is determining which translation approach will be fit to the target language. From this point of view, communicative

approach requires knowledge of legal systems in member states as well as knowledge of the target text's function without excluding the receivers.

Establishing dynamic equivalence can be chosen as a way of transmission of the meaning, form and message into the target language as close as possible to the source language, and it is preferred, especially when the source text's language is different from the target language. Dynamic equivalence undertaking transmission of information and messages is seen more feasible to convergence these legal texts to the citizens' own cultures. However, freedom of writing, which sounds good for the dynamic equivalence, discloses some dangers affecting the message's comprehensibility in the target language.

Domesticating preferred for some sectors helps to keep the contextual meaning of the source language in Turkey as well. For instance, the term of medical pesticides is defined as "brucella" in Turkish by agriculturists. As is seen here, domesticating is an approach desired for contextually protecting the meaning of a word. In short, the dynamic communication strategy is able to overcome the cultural- legal gaps in the target language.

As exemplified below, the communicative translation method applied in EU texts is explained by creation of new terms in different languages in a study of the EC, which states:

The equivalent of the term 'expulsion' in German was created artificially by introducing a new term into the German legal language (Rückführung), since the EU concept is broader than the corresponding national legal institution of Ausweisung and this difference had to be reflected at the level of language. For the same reasons, the term meaning 'residence permit' was not translated into German with the national equivalent of Aufenthaltserlaubnis or into Hungarian as tartozkodási engedély, or into French as autorisation de séjour or into Italian as titolo di soggiorno but all these languages created new terms which are used only in EU context: Aufenthaltstitel in German, titre de séjour in French, titolo di soggiorno and tartozkodási jogdm in Hungarian (which are semantic calques of each other's versions but not of the English term) (Somssich, Várnai, & Berczi, 1/2010, p. 81).

As a result, both functionalist and dynamic approaches can be applied in the use of communicative translation along with the knowledge of language and its linguistics structure and skills in intercultural communication between different cultures of member states in diplomatic and politics domains.

4.1.1.1. Analysis of Communicative Translation Method in EU texts

In this part of the chapter, based on the characteristics of communicative, semantic, and hybrid translation methods, some paragraphs translated into Turkish from EU texts in the public sector are going to be analysed according to those translation methods.

To begin with, the first sample as a legislation of the EU translated by the Republic of Turkey, Ministry of Forestry and Water Affairs, is as follows:

Sample 1:**Source Text:**

COUNCIL DIRECTIVE of 12 December 1991 concerning the protection of waters
against pollution caused by nitrates from
agricultural sources (91/676/EEC)

Target Text:

Resmi Başlık: 1882/2003 sayılı Yönetmelikle (AT) değişik (OJ L 284,
31.10.2003) tarımsal kaynaklardan gelen nitratların neden olduğu kirlenmeye
karşı suların korunması hakkında 91/676/ AET sayılı Konsey Direktifi (OJ L
375, 31.12.91).

Discussions:

In this translation, it is seen that the initial form and style of the target text are not close to the source text. The title and number of the EU text are different from the original text. However, the original message has been protected which is suitable for the intended purpose of dynamic equivalence. In this aspect, it can be said that communicative translation method has been employed in this translation.

Another example for the same text is as follows:

Source Text:

This Directive has the objective of:

- reducing water pollution caused or induced by nitrates from agricultural sources and
- preventing further such pollution.

Target Text:

Direktifin hedefleri iki yönlüdür:

- Tarımsal kaynaklardan gelen nitratların sebep olduğu veya etkinleştirdiği su kirliliğini azaltmak ve
- Bu tür kirliliğin daha fazla oluşmasını engellemek.

Discussions:

In this translation, the first sentence “This Directive has the objective of” has been rendered into Turkish as “Direktifin hedefleri iki yönlüdür”. It is a noticeable thing that the readability comes to the fore here. As for, translation of the sentence of “reducing water pollution caused or induced by nitrates from agricultural sources and” into Turkish is as “Tarımsal kaynaklardan gelen nitratların sebep olduğu veya etkinleştirdiği su kirliliğini azaltmak ve”. It is understandable that the place of some words have been changed as is seen in the translation of “water pollution caused or induced” that has been translated into Turkish as “kaynaklardan gelen nitratların sebep olduğu veya etkinleştirdiği”. Also, having a role of reinforcement, the words of “caused or induced” have been translated into Turkish as “sebep olduğu veya etkinleştirdiği”. Thus again there is a tendency to focus on the target language and target culture. When considered the aim of the source text, the translation of

“preventing further such pollution” into Turkish as “Bu tür kirliliğin daha fazla oluşmasını engellemek” that domestication strategy is seen to ensure clarity in Turkish. To sum up, the way of naturalness for the message’s transmission causes to the communicative translation method.

Sample 2:

The topic of the source text translated by the Republic of Turkey, Ministry of Forestry and Water Affairs, is as follows:

Source Text:

DIRECTIVE 2007/60/EC OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL
of 23 October 2007
on the assessment and management of flood risks
(Text with EEA relevance)

Target Text:

TAŞKINLAR DİREKTİFİ

Resmi Başlık: Taşkın risklerinin değerlendirilmesi ve yönetimine ilişkin Avrupa Parlamentosu ve Konseyi’nin 23 Ekim 2007 tarihli 2007/60/AK Direktifi (OJ L 288, 6.11.2007).

Discussions:

When the title of the directive of the EC is studied, the style of the translation is a little different from the original text. The dynamic equivalence is carried out for the source language's message to be as natural as possible in the target language. Hence, the communicative translation method is successfully used.

Source Text:

2. flood hazard maps and flood risk maps as prepared under Chapter III, or already in place in accordance with Article 13, and the conclusions that can be drawn from those maps;

Target Text:

- taşkın risk yönetim planlarının son günleri; Su Çerçeve Direktifi'nin 13. Maddesi gereğince nehir havza yönetim planlarının ilk gözden geçirilme tarihiyle uyumludur.

Source Text:

(5) The Commission Communication of 12 July 2004 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Flood risk management — Flood prevention, protection and mitigation' sets out its analysis and approach to managing flood risks at Community level, and states that concerted and coordinated action at Community level would bring considerable added value and improve the overall level of flood protection.

Target Text:

- Taşkın Direktifi'nin üç adım yaklaşımı (taşkın risk değerlendirmesi, taşkın tehlike ve taşkın risk haritaları ve taşkın risk yönetim planlarının geliştirilmesi) ile Su Çerçeve Direktifi'nin 4. Maddesinin çevresel hedefleri arasında bir bağlantı kurulmalıdır.

Discussions:

In both paragraphs, the translations have been rendered quite away from the source text as formally and syntactically, because some sentences have been combined to summarize unlike the source language's form and grammar structure. Viewed from this aspect, the problems arise due to the communicative translation method for the EU texts, there can be lack of information, and the information given seemed more complex.

Sample 3:

The original text and the translation of "Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work" done by the Republic of Turkey, Ministry of Labor and Social Security" is as follows:

Source Text:

General obligations on employers

1. Without prejudice to Article 4 (1), the employer shall adopt the measures necessary to protect the safety and health of young people, taking particular account of the specific risks referred to in Article 7 (1).

Target Text:

İşverenlerin Genel Sorumlulukları
 1. 4(1). madde hükümlerine halel gelmeden, işveren, gençlerin sağlık ve güvenliklerini koruma amacıyla, 7. maddenin 1. fıkrasını da göz önüne alarak, gerekli tedbirleri alacaktır.

Discussions:

In this article, translation of “Without prejudice” is rendered as “halel gelmeden” in Turkish. As is seen, dynamic equivalence as a part of the domestication strategy is used by borrowing from Arabic. On the other hand, “shall” has been rendered through the future tense instead of simple present tense which should actually have been translated into Turkish according to the EU’s translation norm.

Sample 4:**Source Text:**

HAVE YOUR SAY! “Manual on the Revised European Charter on the Participation of Young People in Local and Regional Life” was translated on behalf of the Ministry of Youth and Sports, Republic of Turkey.

When examined those sentences above, the communication translation method and its approach named dynamic equivalence and domestication strategy manifest themselves clearly. As an example of this identification:

Source Text:

One such approach is called the “fire brigade approach”

Target Text:

“Bu yaklaşımlardan biri “itfaiye” diye adlandırılan yaklaşımdır”.

Source Text:

Working as part of a coalition helps to spread responsibilities and creates the space to engage in group problem-solving. It is, however, a rather close form of co-operation, and sometimes the interests of coalition members differ, causing further difficulties.

Target Text:

“Bir koalisyonun parçası olarak çalışmak sorumlulukların dağıtılmasına yardımcı olur ve toplu sorun çözümü için alan yaratır. Ne var ki, bu oldukça yakın bir işbirliği şeklindedir ve bazen koalisyon üyelerinin menfaatleri başka zorluklara sebep olacak şekilde farklılık gösterebilir.”

Discussions:

In the translation “fire brigade approach” has been translated into Turkish as “itfaiye”. Another example in the original text is translation of “Working as part of a

coalition helps to spread responsibilities and creates the space to engage in group problem-solving. It is, however, a rather close form of co-operation, and sometimes the interests of coalition members differ, causing further difficulties.” As is seen, “in group problem-solving” has been translated into Turkish as “toplular sorun çözümü” and “further difficulties” has been translated as “başka zorluklar” that are fully communicative translation method to make the target language’s cultural patterns easier to read. However, that kind of translation can be a question of debate whether they are equivalent or not.

And finally, problems in this method can be exemplified by the paragraph below:

Source Text:

Rung 3: Young people tokenised (tokenism)

Young people are given some roles within projects but they have no real influence on any decisions. The illusion is created (either on purpose or unintentionally) that young people participate, when in fact they have no choice about what they do and how.

Target Text:

2. Basamak: Gençler kuklalaştırılır (sembolik/göstermelik katılım/tokenizm)
Gençlere projelerde bazı görevler verilir ancak alınan kararlarda gerçek bir etkileri yoktur. Burada gençlerin katıldığı yanılsaması yaratılır (kasten veya bilmeyerek) ancak aslında gençlerin ne yaptıkları ve nasıl yaptıkları konusunda bir söz hakları yoktur.

Discussions:

In this paragraph, on one hand, a better understanding for the original text is ensured; on the other hand, the word “tokenised (tokenism)” is translated into Turkish as “kuklalaştırılır” in order to achieve the message’s transmission in the source text through the communicative translation method. However, as is seen, the translator vacillates between those enclosed in parentheses.

Another thing is; there are some words added to the sentence in the original text such as “when in fact they have no choice about what they do and how.” that has been translated into Turkish as “ancak aslında gençlerin ne yaptıkları ve nasıl yaptıkları konusunda bir söz hakları yoktur.” It is a fact that, the translator’s choice has affected the target text. So, corruption of the message by adding the wording of “bir söz hakları yoktur” into the Turkish translation is a mode of approach in the dynamic equivalence that causes the alteration in meaning and message.

Sample 5:

The regulation of Commission as a topic of the source text translated by the Republic of Turkey, Ministry of Environment and Urbanisation is as follows:

Source Text:

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases (1), and in particular Article 5(1) thereof,

Whereas:

- (1) For the purposes of the requirements of Regulation (EC) No 842/2006, it is necessary to lay down rules on the qualification of personnel carrying out activities, at the location of the operation of equipment containing certain fluorinated greenhouse gases which potentially affect their leakage.

Target Text:

17 Mayıs 2006 tarihli belirli Florlanmış Sera gazları üzerine ve özellikle Madde 5 (1) ile ilgili olarak 842 / 2006 Sayılı Avrupa Parlamentosu ve Konseyi Yönetmeliğine istinaden;

Aşağıda beyan edilenler muvacehesinde,

- (1) 842 / 2006 (EC) sayılı Yönetmeliğin gereksinimleri doğrultusunda, potansiyel olarak sızıntıyı etkileyebilecek şekilde belirli florlanmış sera gazları içeren ekipmanın işletme mekanında faaliyet göstermekte olan personelin vasıflandırılması üzerine kuralların konulması gerekmektedir.

Discussions:

As is seen, the style of the Turkish translation differs from the original one, and the use of dynamic equivalence approach leads to the target and receptor cultures. However, the desire to protect the message in the target language has not been achieved. Furthermore, “Having regard to Regulation” has been rendered as “.Yönetmeliğine istinaden” in Turkish and the word of “Whereas:” has been translated as “Aşağıda beyan edilenler muvacehesinde,” into Turkish. When considered the communicative translation method focusing on the message / messages

to be transmitted to any community, the use of those expressions in the target language cannot sound strange.

Under certain conditions, a source text needs to have a cultural definition in order to fulfil the purpose of transmitting of messages. In this phase, the translator can encounter with the shortage of culture-specific knowledge. Translation competence can be handled in terms of the transferability competence by considering the requirements of various strategies and methods including knowledge about the structure of the EU texts and their audience since member states' citizens are focused. The primary aim is to facilitate the legal texts' comprehensibility through the translation. However, culture-specific source text can be confusing to the target audience. In the face of such a situation, due to the loss of meaning, communicative translation method cannot be preferred to simplify and generalize the target language in some cases. Hence, communicative translation can be a disadvantage method when considered the multilingual system in the EU in accordance with its linguistic equality requirement.

Translation work in the EU is not merely considered as legal communication, but also human communication. To give some examples of problems in translation are loss of meaning, obstacles in the translation, distortion of the meaning or message / messages, misdetection of the message and lack of communicative competence in the target text. As a result of the loss of meaning, ambiguity in the target text results with changing of the content in the source text which generally occurs in the communicative translation method as is seen in the examples above.

It can be said that, the transfer of meaning from the source text into the target text by considering the language in communicative approach, is a significant predictor of its function. If it shall be evaluated in terms of the texts in the EU, impacts of this approach are seen as clear and direct translation when the content, meaning and expressions are ignored in the target text. Sometimes, however, knowledge makes easy to understand which is explicit in the dynamic equivalence. In legal texts, the knowledge of the law, the function of the text and the audiences' evaluation are the most demanded requests; accordingly, communicative approach in the translation

helps to the translator to reach the communicative competence for the words or sentences by determining the most applicable translation strategy or strategies, which corresponds / correspond to the target text focusing for information purposes.

4.1.2. The Semantic Translation Method

Semantic translation, according to Newmark (1988), is used for ‘expressive’, ‘informative’ and ‘vocative’ texts. Newmarks indicates that fidelity is provided by the source text’s grammatical structure by using formal equivalence which is thought to be more suitable for legal texts.

Furthermore and importantly, semantic translation method is a means of development of dynamic syntax and creation of grammar formally. Dynamics are directly reflected in the language of the context. As for another issue is the ability to get the same words, sentences or phrases as natural as possible in the translation process. In this context, relation of etymology and semantic translation method can be discussed. It is said that there was only one meaning stemmed from the root of the word in the beginning. However, a word’s meaning can change in time due to the linguistic interaction.

In the process of transmission of information from language to language, documents such as statements, formal, technical or scientific and legal are called as informative texts. Semantic translation method pursues the author’s thoughts intended to protect any kind of details, and when viewed from this aspect, it is seen that semantic translation and foreignization strategy are close to each other. On the other hand, it is focused on the content of the message to meet the demand for syntactic equivalence. On the grounds of the text’s having a feature of being author- centered or the source-text centered, minimizing of the style in the target text is the most conspicuous feature of this method.

Semantic competence focuses on the reader's awareness on some lexical points, which ensures the meaning of the word pursuant to the the general context of the source text. On the other hand, the exact lexical equivalence of specific notions is also important in the target language.

As is stated in Gerard-Rene de Groot and Conrad J.P. Van Laer's (2008) paper named "The Quality of Legal Dictionaries: an assessment", translation of legal documents must be done according to the legal system's specificity. Some countries such as Belgium, Finland and Switzerland have the same legal system. However, what important thing occurred in bilingual or multilingual legal systems is equivalence in translations. It is deduced that differences in legal systems can make the equivalence difficult even the countries having the same legal families such as Indonesia / the Netherlands, Turkey / Switzerland, Japan / Germany, Taiwan / Germany have at least partially similarities.

In view of the semantic translation method, many different perspectives in the translation process make some trouble due to the cultural content of the EU texts. Questions may arise from some culture-specific factors such as traditions and institutions. The application of any legal act as equally by all is possible through the same legal effect in a multilingual system as in the EU which is of paramount importance to enable the communication and fully transmission of the messages to all official languages.

As is stated in the website of the Wikipedia, translating of law into other European languages can be researched according to synonyms or vice versa that is pointed out as such:

There are in English two more or less synonymous adjectives, both from Latin origin, that correspond etymologically to the Continental distinction: the common word legal and the less common jural (or even juristic). However, the words *ius* and *lex* are not synonyms. *Lex* can sometimes be translated as legislation, statute, statutory law or even act, even if the corresponding *legislatio*, *statutus* and *actus* also exist. *Lex* is law made by a political authority, such as the Parliament or the Government. In modern societies, *leges* are usually written, though this is not a necessary feature. *Lex* is often used in the plural (*leges*), since each act is one *lex*.

On the other hand, *ius* is also polysemous, since it can mean either law or right. Continental legal scholars sometimes make a distinction between "subjective *ius*" (any legal right) and

“objective ius” (the whole law), but this does not happen in ordinary language. The two senses of ius can be easily distinguished in most cases.

When ius means law, it usually has some semantic connection to what is right, just or straight. For instance, the German motto *Einigkeit und Recht und Freiheit* (literally Unity and law and freedom) has been translated as Unity and justice and freedom, even though there is a different word for justice (*Gerechtigkeit*).

In the “Studies on Translation and Multilingualism-Lawmaking in the EU Multilingual Environment”, English is recognized as a drafting language. However, mistranslations because of the different meanings between the languages of Portuguese and English are resulted in a semantic alteration even those have common Greek, Latin or French origins. In the study, it has been also stated that false friends arising from common usage of some terms both in source language and target language can be seen too often.

On the other hand, some examples translated into Portuguese are illustrated below with some explanations:

Translating the term ‘comprehensive’ as *compreensivo* instead of *abrangente*, the term ‘support’ as *suportar* instead of *apoiar*, the term ‘submit’ as *submeter* instead of *apresentar*, the term ‘casual’ as *casual* instead of *informal*, the term ‘anticipate’ as *antecipar* instead of *prever* leads to create ‘false friends’ in the language (Studies on translation and multilingualism-Lawmaking in the EU multilingual environment (Somssich, Várnai, & Berczi, 1/2010, p. 93).

Moreover, it can be examined for a different approach to understand the impact of the semantic equivalency in legal texts’ translation. Since there is no semantic equivalency for some words between the original text and target text, it cannot be translated such as the word of *Acquis* that sheds light on this issue with an untranslatability feature. And an exemplification has been made by European Commission. In the study named “Studies on translation and multilingualism - Document quality control in public administrations and international organisations” (2013), translatability of legislation and other legal documents belong to Hindi or other Indian languages are impossible in Indian-English legal language. That is to say, there may be no chance of translation of legislation for the non- Indian reader. Furthermore, structure of the source language can be broader than the target language’s structure. In such cases, a new term corresponding to the source language can be created.

On the other hand, as in the translation of the institutional terms, Newmark in “A Textbook of Translation” gives some explanations:

You should normally use the official or the generally accepted translation of any institutional term. If appropriate, you can gloss it and, in doing so, indirectly show your disagreement with this official version. Thus *Mitbestimmung* (in management) has to be translated first as ‘co-determination’; *Rechtsstaat* as ‘constitutional state’. Personally I think ‘co-determination’ is a poor translation of *Mitbestimmung* though it has the virtue of distinctiveness and brevity. (Compare the plainer but clumsier ‘employers’ and workers’ joint managementl.) But it is now too late to change the term to ‘workers’ participation’, and if you did so in any official or serious informative text, you would cause confusion. Similarly, when translating Gay-Lussac’s *Volumengesetz* der Case it is no good giving it your own title or even a brief explanation; nothing but the accepted term (‘law of combining volumes’) will do (Newmark, 1988, p. 89).

To sum up, protection of the grammatical structure and the faithful translation of each word in the source text is a formal equivalence approach, which is a basic principle of the semantic translation method.

4.1.2.1. Analysis of Semantic Translation Method in EU texts

Sample 1:

The first sample on the semantic translation method is “TWINNING PROJECT on “CAPACITY BUILDING ON WATER QUALITY MONITORING” Turkey - The Netherlands - France - Spain - BÜYÜK MENDERES BASIN WATER QUALITY MONITORING PROGRAMME (DRAFT) translated by the Ministry of Forestry and Water Affairs is: that is as follows:

Source Text:

Delineation of River Water Bodies:

A whole river, creek or channel may be identified as a single water body. However, if different reference conditions apply for different parts of this river, creek and channel, these parts must be identified as separate water bodies. Parts where reference conditions are the same but water status is different are divided into new water bodies within themselves. Waters are primarily delineated and classified based on their general characteristics and morphological status (Figure 5).

Target Text:

Nehir Su Kütlelerinin Belirlenmesi:

Bir nehir, dere veya kanalın tümü tek bir su kütlesi olarak belirlenebilir. Ancak bu nehir, dere ve kanalın değişik bölümleri için değişik referans koşullar geçerli ise bu bölümler ayrı su kütleleri olarak belirlenmelidir. Referans koşulların aynı olduğu ancak su durumunun farklı olduğu bölümler kendi aralarında yeni su kütlelerine bölünür.

Öncelikle sular genel özelliklerine ve morfolojik durumlarına göre sınıflandırılarak ayrılır (Şekil 5).

Discussions:

Due to the source text's being an author-oriented, no thought or idea belongs to the translator cannot be occurred in the target text. On the other hand, the style and content of the original text are protected for the readership by adhering to the topic. Furthermore, coherence in grammatical structure and in meaning between the original text and target text describes the formal equivalence that can be seen easily below:

“may be identified” the Turkish translation in the TL is “belirlenebilir”, “must be identified” in Turkish is “belirlenmelidir”, and “are divided” as “bölünür”.

So, the semantic translation method has been implemented in the target text satisfactorily.

Sample 2:

The first sample on the semantic translation method is “TWINNING PROJECT on”CAPACITY BUILDING ON WATER QUALITY MONITORING” Turkey - The Netherlands - France - Spain - BÜYÜK MENDERES BASIN WATER QUALITY MONITORING PROGRAMME (DRAFT) translated by the Republic of Turkey, Ministry of Forestry and Water Affairs is as follows:

Source Text:

Since WFD is an umbrella directive in the field of water, it aims to gather the legislation on water directives such as Bathing Water Directive (2006/7/EEC), Drinking Water Directive (98/83/EC), Fish Directive (2006/44/EC), Shellfish Waters Directive (2006/113/EC) and specific substances and pollution sources such as Dangerous Substances Directive (2006/11/EC), Ground Water Directive (80/68/EEC), Nitrate Directive 91/676/EEC) and Pesticide Directive (91/414/EEC) under one roof.

Target Text:

SÇD su alanında şemsiye bir direktif olduğundan,

Yüzme Suyu Direktifi (2006/7/EEC), İçme Suyu Direktifi (98/83/EC), Balık Direktifi (2006/44/EC), Kabuklu Direktifi (2006/113/EC) gibi su direktiflerini ve Tehlikeli Maddeler Direktifi (2006/11/EC), Yeraltı Suyu Direktifi (80/68/EEC), Nitrat Direktifi (91/676/EEC) ve Pestisit Direktifi (91/414/EEC) gibi spesifik maddeler ve kirlilik kaynaklarına yönelik mevcut mevzuatı tek bir çatı altında birleştirmeyi hedeflemektedir.

Discussions:

The translation seems source-oriented, and the syntactic and semantic structures of the source text have been retained as much as possible by using a word for word translation, for instance, “Bathing Water Directive” has been translated into Turkish as “Yüzme Suyu Direktifi” or “Dangerous Substances Directive” translated into Turkish as “Tehlikeli Maddeler Direktifi”. Another example is “is an umbrella directive” which has been rendered literally as “şemsiye bir direktif” in the target text that sounds awkward and unnatural in Turkish. Furthermore, the translation has been done according to source text’s contextual meaning, form and style, and “Nitrate Directive” and “Pesticide Directive” have been translated into Turkish as “Nitrat Direktifi” “Pestisit Direktifi” by using the foreignization strategy, so the formal equivalence has been achieved through the semantic translation method.

Sample 3:

The original text and the translation of “DIRECTIVE 96/71/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 1996 concerning the posting of workers in the framework of the provision of services” done by the Republic of Turkey, Ministry of Labor and Social Security” is as follows:

Source Text:

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in
particular Articles 57 (2) and 66 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the Economic and Social Committee (2),

Target Text:

Hizmetlerin İfası Çerçevesinde İşçilerin Başka Bir Üye Ülkede
Görevlendirilmesine İlişkin 16 Aralık 1996 Tarih ve 96/71/EC Sayılı
AVRUPA PARLAMENTOSU VE KONSEY DİREKTİFİ

AVRUPA PARLAMENTOSU VE

AVRUPA BİRLİĞİ KONSEYİ,

Avrupa Topluluklarını kuran Antlaşmayı ve

özellikle 57.madde 2. fıkra ve 66. Maddeyi

dikkate alarak,

Komisyon dan gelen teklifi dikkate alarak,

Ekonomik ve Sosyal Komitenin görüşünü dikkate alarak,

Komisyon dan gelen teklifi dikkate alarak,

Ekonomik ve Sosyal Komitenin görüşünü dikkate alarak,

Discussions:

As is seen above, the source text's content is attempted to be preserved in the target text by focusing on the source text in parallel with the formal equivalence. For instance, "Having regard to" has been translated into Turkish as "dikkate alarak" that is close to the original text. It is also pointed out that the translator's method, in the translation process, is to focus on the message and the text's function in the source text which is a requirement of the semantic translation method.

Sample 4:

HAVE YOUR SAY! which is a manual on the revised European Charter on the Participation of Young People in Local and Regional Life translated on behalf of the Ministry of Youth and Sports, Republic of Turkey, examining of the Charter when translated into Turkish as a Semantic Translation Method is as follows:

Source Text:

- different communication styles;
- different levels and types of experience;
- negative stereotypes ("all young people are ..."; "all the adults are ..."), mutual misconceptions and biases;

Target Text:

- farklı iletişim tarzları;
- farklı deneyim düzeyleri ve türleri;

- olumsuz kalıplaşmış yargılar (“tüm gençler....dir”; “tüm yetişkinler ...dir”); karşılıklı yanlış değerlendirmeler ve algılar;

Discussions:

In the semantic translation method, the original form and content are protected while translating literally, because the translator avoids his/her thoughts implying the formal equivalence in this part of the text. Another requirement of the semantic approach is to translate directly that has been done here.

As is seen below, in semantic translation, there can be some disadvantages when translated directly, for instance, the word of “Enjoyable” has been translated literally into Turkish as “Zevkli olmalıdır”. However, it is a fact that, the translation does not fit with the original text’s meaning, so it cannot be possible to make the translation text comprehensible to read, and also it can lead to the loss of meaning.

Source Text:

- Enjoyable

In general people (regardless of age) are more likely to undertake actions on a voluntary basis if the work is enjoyable.

Target Text:

- Zevkli olmalıdır

Genelde insanlar (yaşları ne olursa olsun), eğer zevkli ise, gönüllü olarak görev üstlenirler.

Source Text:

In some cases, an advocacy network evolves into a coalition (a kind of union) and this is invaluable.

Target Text:

Bazı durumlarda, savunuculuk ağı bir koalisyona (bir çeşit birlik) dönüşür ve bu paha biçilmezdir,

Discussions:

This sample is intended to show the semantic translation method following the formal equivalence. The exact phrase of the source text has been translated into the target language, and syntactic structure is seen rather close to the source text. Add to this, the translation is incomprehensible and inconsistent with the source text as seen in the examples such as “bu paha biçilmezdir”.

Sample 5:

The regulation of Commission as a topic of the source text translated by the Republic of Turkey, Ministry of Environment and Urbanisation is as follows:

Source Text:

COMMISSION REGULATION (EC) No 303/2008

of 2 April 2008

establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases

(Text with EEA relevance)

Target Text:

2 Nisan 2008 tarihli

Avrupa Parlamentosu ve Konseyinin (EC) No. 842/2006 Yönetmeliği uyarınca belirli florlanmış sera gazları ihtiva eden sabit soğutma, iklimlendirme ve ısı pompası ekipmanı ile ilgili olarak şirketler ve personelin belgelendirilmesine dair karşılıklı tanıma için minimum gereksinimler ve koşulları tesis eden

KOMİSYON YÖNETMELİĞİ (EC) No. 303/2008

(EEA [Avrupa Çevre Ajansı] ile alakalı metin

Discussions:

Some words and expressions translated by considering the semantic values are seen in the target text, for instance, “stationary refrigeration, air conditioning and heat

pump equipment containing certain fluorinated greenhouse gases” is translated into Turkish as:

“belirli florlanmış sera gazları ihtiva eden sabit soğutma, iklimlendirme ve ısı pompası ekipmanı”

It is a fact that the writer’s intent and the aim of the protection of the informative definitions are provided semantically within the formal equivalence. Therefore, any alterations are not observed here, that is to say, because of the language-specific structure in both languages, these words and expressions cannot be changed for cultural identifications.

As can be seen from these definitions and examples, semantic translation method underlines the content of the message instead of the message’s impact. From this perspective, the translator prefers to provide the semantic equivalence between the source text and target language. The importance given to the content and format is quite obvious in this method. Main point for semantic translation method is not what a good translation is but why the translator chooses this translation method. Technical, legal and scientific documents are all informative texts. Thus, due to the need to transfer the essence of the original text, the semantic translation method comes to the fore by some translators. This method does not give priority to the reader; actually the most important thing is just to transmit the information truly from the original text.

Semantic approach focuses attention on the message itself in the source text as form, content and style of writing what is like the original text one. In fact, loyalty to the source text’s author or to the institutional purposes are followed by the translator, that is to say, the translator’s contribution is not involved while rendering the formal equivalence. In translation of the EU texts, it is observed that a more technical approach has been brought in their translation process. So, certain types of the texts such as legislatives, directives, laws, etc., as informative texts, are translated under the semantic translation method in order to be accurate at the expense of sounding awkward and unnatural.

4.1.3. The Hybrid Translation Method

Before the definition of the hybrid translation method, the meaning of the hybrid text can be elucidated briefly. The mission of the hybrid text, which plays a part in the target culture, in brief, is to carry out an interaction between different cultures and languages by transmitting the source culture's features in the process of translation. *Id Est*, it is a way of enabling linguistic and cultural harmonization.

Edip Durmuş (2005) who is the first user of the hybrid translation method in Turkish, states in his master's thesis entitled "A Skopos - Theoretic Approach to the Hybrid Translation of the *Acquis Communautaire*" that in Turkey as a candidate country, on the one hand, the translation of EU texts should be rendered by using the domestication strategy, which makes the legal rules comprehensible for the target reader, especially by providing the equivalences of the names of some EU institutions in Turkish, on the other hand, they should be rendered by using the foreignization strategy, which ensures the unity need to be for the common legal principles to mutual recognition of criminal matters.

A translator has always been responsible for choosing the right translation method coping with cultural issues between the source language and target language — which is a tough process — by demonstrating the differences between those languages. Different cultural features in particular unusual or strange appearances can be manifested in the target culture, in other words the receiving culture. In a nutshell, it is exactly comply with the foreignization and domestication strategies.

In the course of translation of the EU texts, the domestication strategy can provide a fluent translation when done on the sly to the reader. A critical point is here to determine the aim of the translation. Same or familiar cultural effect in the translation can be enabled if the domestication strategy is applied. Foreignness in economics and political domains cannot be adapted to the target language in some cases. It is believed that the EU texts address the specific readership as a limited communication means. When viewed from this aspect, loss of information in a text may arise by only using the domestication strategy.

As for foreignization strategy, it is used to protect the information in the source language by ignoring the target language's rules. By way of foreignization strategy, it is adhered to the source text and to the foreignness recognized in the source text, and it pays no mind to the incomprehensibilities in the target text as stated in the book entitled "*Domestication and Foreignization in Translation Studies*" (Koskinen, 2012, p. 13-14-15 qtd in Kemppanen, Janis, Belikova).

A translator struggles with cultural issues and their combinations. Cultural strategy can be achieved by foreignization considering the cultural context of the source language or by domestication considering the cultural context of the target language. A third method is hybridity which is a reconciliation needed for cultures.

In the translation process, there can be some amendments to the cultural environment formally and contextually in the target text. At this point, transmitting the message into the target text, hybrid translation method can be as a guide on when and where to be used by the translator.

Anna Trosborg (1997) who is the editor of the book entitled "*Text Typology and Translation*" identifies the hybrid text as a text type and as a purpose of a communication, which appears in political or legal texts. Trosborg thinks that, although political speeches and statements include culture specific situations, the EU documents are different from those caused by their multicultural discourse as hybrid text types that are recognized by its sui generis syntactical, lexical and textual structures known as "Eurojargon". As translation products, source text and source language should be reconsidered for the readership to be addressed due to the lack of straight source text and translations.

In addition, Trosborg also expresses the phase of the formation of a hybrid text. According to Trosborg, there is a possibility of creation of text types or genres in the translation process, just like standardised treaties having a role in making hybrid texts. She also believes that, texts stemmed from translations or intercultural negotiations reflect some conventions interculturally (p. 149).

Translation is a product of rapprochement between the cultures. The choice of the cultural strategy in translation results from the source culture or target culture or hybridity. It is a fact that, institutional texts as reconciliation tools are considered as hybrid texts that stem from the intercultural negotiation as well as from the different cultures.

The reason why hybridity arises is actually based on the current or amended text types due to socio-political changes. There is an advantage when amendments are made in the target culture through the translation. Hybrid translation method addresses communicative purposes including all multilingual texts, and helps to form a new text in the target culture by transmitting any kind of cultural features by means of the foreignization and domestication strategies to meet the formal and dynamic equivalences for their intended purpose.

The EU texts have communicative functions with an aim of building a culture for the supranationalism by focusing on the intended population in the EU. When different notions and texts are transferred to the target language and target culture, the problem of compliance can bring in its wake. However, the important thing is to refrain from these issues.

From all above, a hybrid text is a text that a translation is done without derogating from the source text by paying attention to some differences in the source language and culture. In all these linguistic contributions, it is found out that hybridization is a kind of harmonization of domestication (translated in line with the national terminology of the authentic text and its language rules) and foreignization (translated in line with the terminology to be translated and its language rules) in the translation process, especially for the informative and operative text types. The term of the operative text type is explained below in the book entitled “*A Textbook of Translation*” by Peter Newmark:

The core of the vocative function of language is the readership, the addressee. I use the term Vocative in the sense of ‘calling upon’ the readership to act, think or feel, in fact to ‘react’ in the way intended by the text (the vocative is the case used for addressing your reader in some inflected languages). This function of language has been given many other names, including ‘conative’ (denoting effort), ‘instrumental’, ‘operative’ and ‘pragmatic’ (in the sense of used to produce a certain effect on the readership) (Newmark, 1988, p. 41).

The structure of EU texts is based on the multilingual negotiations occurred in a supranational multicultural community and containing various languages with international concepts and ideas. From that aspect, hybrid texts, which are different from other text types, have idiosyncratic languages officially. Indeed, translation of hybrid texts is a challenging process for reaching the sameness just like employing the hybrid method in translation of the EU texts.

4.1.3.1. Analysis of Hybrid Translation Method in EU texts

Sample 1:

Some parts of the legislation of the EU named “DIRECTIVE 2000/60/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2000 establishing a framework for Community action in the field of water policy” translated done by the Republic of Turkey, Ministry of Forestry and Water Affairs is as follows:

Source Text:

Article 8

- for surface waters such programmes shall cover:
 - (i) the volume and level or rate of flow to the extent relevant for ecological and chemical status and ecological potential, and
 - (ii) the ecological and chemical status and ecological potential;
- for groundwaters such programmes shall cover monitoring of the chemical and quantitative status,

- for protected areas the above programmes shall be supplemented by those specifications contained in Community legislation under which the individual protected areas have been established.

Target Text:

- Yüzey suları için bu tür programlar şunu kapsayacaktır:
- Ekolojik ve kimyasal durum ve ekolojik potansiyelle ilgili olduğu ölçüde akış oranı, seviyesi ve hacmi (Buradaki gereklilikler Madde 7’de de vardır);
- Ekolojik ve kimyasal durum ve ekolojik potansiyel;
- Yer altı suları için bu tür programlar şunu kapsayacaktır:
- Kimyasal ve niceliksel durumun izlenmesi ve
- Korunan alanlar için bireysel korunan alanları kuran Topluluk mevzuatındaki şartnamelerle desteklenen yukarıdaki programlar

Discussions:

As is seen in the target text, the form and content of the source text are preserved. The translator’s intention is to be faithful to the author of the original text and to protect the contextual meaning of the message, but most of all the style has been protected. It is translated by the semantic translation method with a feature of the formal equivalence. However, the last two sentences in the source text are distinguished from the others; the sentence “for groundwaters such programmes shall cover monitoring of the chemical and quantitative status” has been translated into Turkish as “Yer altı suları için bu tür programlar şunu kapsayacaktır: - Kimyasal ve niceliksel durumun izlenmesi ve”. It is clear that the hybrid translation method comes to the fore by using the word for word translation except the style. Because of this, it is mostly semantic translation. However, the last sentence “for protected areas the above

programmes shall be supplemented by those specifications contained in Community legislation under which the individual protected areas have been established” has been translated into Turkish as “Korunan alanlar için bireysel korunan alanları kuran Topluluk mevzuatındaki şartnamelerle desteklenen yukarıdaki programlar.” As is seen, it has been rendered differently from the grammatical structure, especially the word of “shall” having an obligation meaning, loses its meaning in the target text. When considered in this respect, communicative translation method has been used in the target text based on the dynamic equivalence. Hence, a hybrid translation method comes to the fore.

Sample 2:

“TWINNING PROJECT on “CAPACITY BUILDING ON WATER QUALITY MONITORING” Turkey - The Netherlands - France - Spain - BÜYÜK MENDERES BASIN WATER QUALITY MONITORING PROGRAMME (DRAFT) translated by the Republic of Turkey, Ministry of Forestry and Water Affairs that is as follows:

Source Text:

Bathymetry and salinity are also important factors in the identification of lake water bodies.

- Deep
- Naturally oligotrophic water
- Reference conditions are different than water body 2
- Sensitivity against pressures is different than water body 2
- Shallow

- Naturally eutrophic water
 - Reference conditions are different than water body 1
 - Sensitivity against pressures is different than water body 1
- Figure 9: Delineation of lake water bodies before typology.

Target Text:

Göl su kütlelerinin belirlenmesinde batimetri ve tuzluluk da önemli faktörlerdir.

- Derin
- Doğal olarak nutrient açısından fakir (oligotrofik)
- Referans koşulları su kütlesi 2'den farklı
- Baskılara hassasiyeti su kütlesi 2'den farklı
- Sığ
- Doğal olarak nutrient açısından zengin (ötrofik)
- Referans koşulları su kütlesi 1'den farklı
- Baskılara hassasiyeti su kütlesi 1'den farklı
- Şekil: 9: Göl su kütlelerinin tipoloji öncesi ayrımları.

Discussions:

The translation of “of lake water bodies” into Turkish as “Göl su kütlelerinin” indicates that the most important determinant of the syntactic structure is word for word translation that has been preferred in the target language. Furthermore, meaning of the source text in the sample of “Reference conditions are different than water body 2” has been fully translated into Turkish as “Referans koşulları su kütlesi 2'den

farklı”, and manner of the writing adhering to the source-author are all relevant for the semantic translation method concentrating on the form of the source text and including formal equivalence. However, as seen from above, two sentences have been translated by using paraphrasing that is as follows:

- Naturally oligotrophic water
Doğal olarak nutrient açısından fakir (oligotrofik)
- Naturally eutrophic water
Doğal olarak nutrient açısından zengin (ötrofik)

The words of “oligotrophic” and “eutrophic” have been domesticated in the target language to ensure the comprehensibility and to submit the target language’s culture as far as possible by steering away from the original text’s form and orienting to the reader. Due to these features, it evokes the strategy of dynamic equivalency. In the target text, characteristic of the hybrid translation burst into sight.

Sample 3:

The original text and the translation of “Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work” done by the Republic of Turkey, Ministry of Labor and Social Security” is as follows:

Source Text:

Article 1

Purpose

1. Member States shall take the necessary measures to prohibit work by children.

They shall ensure, under the conditions laid down by this Directive, that the minimum working or employment age is not lower than the minimum age at which compulsory full-time schooling as imposed by national law ends or 15 years in any event.

2. Member States ensure that work by adolescents is strictly regulated and protected under the conditions laid down in this Directive.

3. Member States shall ensure in general that employers guarantee that young people have working conditions which suit their age.

They shall ensure that young people are protected against economic exploitation and against any work likely to harm their safety, health or physical, mental, moral or social development or to jeopardize their education.

Target Text:

Gençlerin İşte Korunmasına İlişkin 22 Haziran 1994 Tarih
ve 94/33/EEC Sayılı KONSEY DİREKTİFİ

BÖLÜM I

Madde 1

Amaç

1. Üye Devletler çocukların çalışmalarını önleyici tedbirleri alacaklardır.

Bu Direktifin getirdiği koşullara uygun olarak, Üye Devletler, asgari çalışma ve istihdam yaşının, ulusal mevzuatla

zorunlu hale getirilen tam gün öğrenim yaşı olan asgari yaştın veya her halde 15 yılın altında olmamasını temin edeceklerdir.

3. Üye Devletler gençlerin çalışmalarını bu Direktifin getirdiği koşullara uygun olarak, düzenlenmesini ve sıkı şekilde korunmalarını temin edeceklerdir.

Discussions:

“on the protection of young people at work” which is the topic of the Directive seen in Article 1, has been semantically translated into Turkish as “Gençlerin İşte Korunmasına İlişkin” as an informative text. The first sentence in the original text “Member States” has been translated into Turkish as “Üye Devletler” that comes at the beginning of the sentence in the target text, as it should be. Besides, the expression “is strictly regulated and protected” seen in Article 2 has been translated as “düzenlenmesini ve sıkı şekilde korunmalarını” under the passive sentence structure as in the original text, but the meaning has been changed, hence, it has digressed from the semantic translation method. Add to this, the style and syntactic and grammatical structures of the source text have not been protected in the target text. For instance, translation of “Member States shall take the necessary measures” has been rendered as “önleyici tedbirleri alacaklardır” into Turkish. Another important thing is the modal of “shall” which has been translated through the Future Tense not as Simple Present Tense, as it should be. In that sense, the communicative translation method comes to the fore in this part that differs from the formal equivalence used for the semantic translation method.

The most important thing is the function of the message, which has been preserved by taking full account of its importance in legal texts. So, the use of different translation methods which may be named as hybrid translation method can be a requirement in the translation process.

Sample 4:

HAVE YOUR SAY! which is a manual on the revised European Charter on the Participation of Young People in Local and Regional Life translated on behalf of the Ministry of Youth and Sports, Republic of Turkey, examining of the Charter when translated into Turkish as a Hybrid Translation Method is as follows:

Source Text:

Preface

“The Congress of Local and Regional Authorities of the Council of Europe, as a main institutional pillar of the Council of Europe, is deeply committed to fostering greater participation of young people in the democratic structures and processes of our societies, particularly at the grass-roots level at which the representatives of the Congress undertake so much of their work.” The preface’s translation has been done as follows:

Target Text:

“Avrupa Konseyi Yerel ve Bölgesel Yönetimler Kongresi, Avrupa Konseyi’nin temel kurumsal yapılarından biri olarak, gençlerin, halka yakın düzey başta olmak üzere toplumlarımızın, demokratik yapılarına ve süreçlerine daha üst seviyede katılım sağlamalarını desteklemeye kendisini

adamıştır. Kongre temsilcileri bunu çalışmalarının büyük bir parçası olarak üstlenmektedir.”

Discussions:

This translation has the characteristic of the both the dynamic and formal equivalences, because communicative translation method is more comprehensible, particularly when target of the translator is to focus on the effect to inform the readership. Semantic translation method follows the syntactic structure that focuses on the writer and the meaning. Unless it is unavoidable, sentences in the source text should not be divided in order to adhere to the original one, but a sentence can be translated into the target language as a few sentences in the event of meaningless or incorrect sentences.

Sample 5:

COMMISSION REGULATION (EC) No 303/2008

of 2 April 2008

establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (Text with EEA relevance).

The regulation of Commission as a topic of the source text translated by the Republic of Turkey, Ministry of Environment and Urbanisation is as follows:

Source Text:

Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply:

1. 'installation' means joining two or more pieces of equipment or circuits containing or designed to contain fluorinated greenhouse gas refrigerant, with a view to assembling a system in the location where it will be operated, including the action by which refrigerant conductors of a system are joined together to complete a refrigerant circuit irrespective of the need to charge the system after assembly;

Target Text:

Madde 3

Tanımlar

İşbu yönetmeliğin amaçları doğrultusunda aşağıda belirtilen tanımlar geçerlilik arz edecektir:

1. Kurulum, florlanmış sera gazı soğutma sıvısı içeren veya içermek üzere tasarlanan iki veya daha fazla sayıda ekipman parçasının, kurulum sonrasında sistemin doldurulması ihtiyacından bağımsız olarak bir sistemin soğutucu iletkenlerinin bir soğutucu devresi oluşturmak üzere birleştirilmesi eylemi dahil olmak üzere, işletilecek olduğu mekanda bir sistem kurmak amacı ile birleştirilmesi anlamına gelmektedir.

Discussions:

Some texts require communicative or semantic translation. When a sentence or paragraph is intended to be translated just by communicative or semantic translation method, there can be some problems stem from linguistic or cultural effects leading to misleading or incomprehensibility. As is seen in the example, the audience is brought to the text by using the communicative approach. For instance, “For the purposes of this Regulation the following definitions shall apply:” has been translated into Turkish as “İşbu yönetmeliğin amaçları doğrultusunda aşağıda belirtilen tanımlar geçerlilik arz edecektir.” It is quite clear that the same message has been rendered with cultural explanations, but the terminology has been translated under the formal equivalence.

In the source text, the word “pillar” has been translated into Turkish as “yapı”. However, in EU texts, “pillar” is translated mostly as “ayak” into Turkish. On the other hand, the sentence formed like a paragraph in the original text, has been divided into two paragraphs in the target text in order to transmit the message with a more natural translation in establishing the dynamic equivalence. As a rule of the semantic translation, the syntactic structure has been kept in the target text as a first sentence “Avrupa Konseyi Yerel ve Bölgesel Yönetimler Kongresi, Avrupa Konseyi’nin temel kurumsal yapılarından biri olarak” just like in the original one: “The Congress of Local and Regional Authorities of the Council of Europe, as a main institutional pillar of the Council of Europe.”

CHAPTER V. DESCRIPTIVE TRANSLATION METHODS

5.1. AN EVALUATION OF HYBRID TRANSLATION METHOD FOR THE EU TEXTS

Task, intention and characteristics are accounted for role players of the EU texts. They should be rendered according to their order of importance and order of priority in the course of the translation. In the light of this realization, reproduction of meaning on the basis of the fidelity to the meaning and to the certain linguistic structures in the source text must be fully reflected by the translator. Knowledge of translation techniques come into play for such awareness for the reproduction of legal texts' meaning for each individual word.

Indeed, translations of the EU documents accounted in some ways as briefings, directives, regulations, press releases, financial reports, international agreements, policy statements answers to written and oral parliamentary questions, speeches and speaking notes, judicial decisions, etc., which can entail irresolvable problems for their political significance. The use of semantic and communicative translation methods alone can be insufficient or inoperative to serve to the purposes of the EU.

Even the tiniest details are not ignored due to the necessity of protecting the text's originality. Translation should be done by conceiving the original text's intention, and thus attention to communication act by steering away from the meaning a little can be sometimes needed in the target text. In connection with the function of the legal texts, language of the translation cannot be free from the original text. However, harmonization cannot be underestimated. Meaning and language, as components of the translation, are subsidiaries of the highest level of translation. Successful results can be obtained by providing consistency to wording style with an acceptable terminology and by using correct grammatical structure through the applicable methods and strategies in which affinity to the source text is established.

As to the result to be reached to meet the expectations of the EU in a successful way, translators who are in charge of the translation of EU texts have realized that this is a more challenging task that has to be initially foreseen. In comparison to other text

types, equivalency, as the scope of the EU texts, is handled under the purpose of the informative and operative texts, and the versions of other languages in EU texts alongside in English, French or German should sound quite neutral by keeping the informative feature of the texts.

Translation strategies are guiding the method of translation in line with the purpose of the source text, and translators' skills can identify those strategies as well. When a translator is confronted with some difficulties, particularly in informative texts such as technical texts, the knowledge of translation strategies help to solve the problems hindering the source text's goal to be carried out.

Different perspectives of translators can be or cannot be problem solvers; any approach to problems in the translation process would probably be affected by translators' background. With a long term translation plan, an applied strategy is actually problem-solving oriented considering the necessity of protecting the meaning. Preserving the lexical meaning is an issue that can handicap the transmission of the message in an EU text. Obscurities caused by lexical problems i.e. non-equivalence words within the concepts or objects in the target language, words or phrases in informative texts can differ from ordinary expressions, which constrain translators to choose the right strategy necessary to render the message directly and exactly. Another problem encountered in the translation process is syntactic problem that signals the structural organization. However, the achievement of the same structural compliance is not easy because of different language structures varying from one language to another. On the other hand, syntactic structure, especially as word order, grammatical relations and style involved in the semantic translation method is needed in the translation of the EU texts to convey the message into the target text. When the literal translation is applied, an exact translation is sometimes impossible due to the differences between two languages. Loan translation (calque) is one of the first strategies that come to mind in such a case.

Borrowing a word or transmitting the structure of the source text can be thought to eliminate the problems, but it is quite unfavourable, because it appears foreign to the target reader. So, the expressions which are calqued can require some

detailed explanations. Besides, the strategy of calque brings exoticism in a cross-cultural translation as is stated by Hervey, Higgins and Haywood (1995), and it should be avoided in informative texts as much as possible. Perfect target language means that the requirements of the EU based on the Acquis will be adapted to the national legal system easily.

It is assumed that the EU translation requires a special translation strategy distinguished from others such as literary translation as stated by Ahmet ÇALLI in a Translation Platform conducted by the Ministry for EU Affairs in Turkey. Mr. Çallı thinks that locality, time and people which are the core points of the content of the source text cannot be changed in domestication strategy. On the other hand, one of the most important characteristics of this strategy is that it is the necessity of rendering according to customers' expectations. Because of this, the language which is appropriate to the target audience should be determined before the terminology and the style need to be decided on.

As mentioned in “Studies on translation and multilingualism - Lawmaking in the EU multilingual environment” researched and written by Reka Somssich, Judit Varnai and Anna Berczi, because of some challenging political reasons which can cause some semantic alterations in the translation of terms, difficulties result from concept of the EU need to be redefined by the definition of narrowing or extending. In this case, conceptual changes such as creation of a new word called neologism can be carried out even it may seem so artificial and untranslatable. One of the strategies is that it is semantic neologism that is useful to reflect the meaning with a new term by benefiting from existing words within the concept of the text. In this respect, an example given below is quite illustrative:

In Portuguese, the term *perceria registada* is a newly created EU specific term for ‘registered partnership’. It was invented in order to distinguish it from the similar national concept expressed by the term *uniao de facto* (Somssich, Varnai, & Anna Berczi, 1/2010, p. 73).

According to the study, integration of foreign terms into a language might be done by protecting their original forms or by assimilating them in the target language. Furthermore, there is something very important mentioned in the study is that one of terms can be used in the text and the other can be put in brackets when domestic and

foreign terms are together in a source text. On the other hand, in case of shortage of equivalency, the foreign term might be in italics. It is exemplified with Portuguese that:

“The terms ‘dumping’, ‘roll-on’, and ‘check-out’ are used in Portuguese in their original form but in italics (p. 86).

Linguistic relationships are explained by common characteristics. When the official languages in the EU are handled, some Indo-European languages such as English, German, Dutch, Danish, Norwegian and Swedish have common vocabulary and grammatical characteristics under the Germanic languages. On the other hand, the most fascinating feature of the Indo-European languages is the use of present tense and past tense.

As for Turkish, as is stated in Wikipedia website, it emanates from Oghuz group of languages belonging to Altaic language family, and it is known with its features of vowel harmony and lack of grammatical gender. Given that affixes and suffixes are generally used, creation of a new word is inherently indispensable. A new word created through calque and neologism under the title of word formation can lead to alteration of the word’s meaning as well.

As is seen in the example below, terms used commonly in some languages such as French and English lead to differences in meaning which is an important issue:

The French term *actuel* cannot be translated by the English term *actual* because that latter means ‘real’ while the French term refers to something ‘current’ or ‘topical’. The same applies in the case of the French term *completer*, the equivalent of which is not the English term *complete* (meaning ‘finish’) because *completer* means ‘supplement’, which is the correct equivalent. On the other hand the term definitely is not equivalent to the French version *definitivement*, but its correct equivalent would be *completement*. The English term *generate* cannot be translated by the French word *generer*, either, because its semantic equivalent is *produire* (Somssich, Várnai, & Berczi, 1/2010, p. 93).

It can be useful to see some terms used common in English and Turkish:

| <u>English</u> | <u>Turkish</u> |
|----------------|----------------|
| autonomous | otonom |
| bureaucracy | bürokrasi |
| declaration | deklarasyon |
| democracy | demokrasi |
| diplomacy | diplomasi |
| industry | endüstri |

Inherited from common ancestors or barrowing from a language or languages can lead to changes in meaning or additional meanings away from the source text, and as a result, false friends bursts into sight in the target language. Some examples of false friends that are also adopted in Turkish are to be understood from the web site of the wikipedia:

| Original French | Calque (Loanword) | Meaning in English | Turkish equivalent |
|----------------------------|------------------------------|-------------------------------|---------------------------|
| contrôle | kontrol | control | denetim |
| criteres | kriter | criteria | ölçüt |
| donnee | done | data | veri |
| facteur | faktör | factor | etken |
| specifique | spesifik | specific | özellikli |

Another problem in the translation of the EU texts is whether terms are being used according to the source text's context. Conceiving the drafting language and text means there are equivalencies in the target language as well. When viewed from this aspect, translation of a text will probably be of higher quality if done in a descriptive way. Socio-cultural factors, type of text, type of audience are all affect the consistency with the source language.

Consequently, one can say that hybrid translation method for translation of European texts can be the best way to solve some problems, especially problems of equivalence, by applying the domestication and foreignization strategies together.

VI. CONCLUSION

Linguistic policy bonds to the cultural task within the frame of communication in general. In source language and target language, the message should be the focus to avoid the loss of meaning. It is intended to convey the closest meaning in translation of *Acquis Communautaire* by emphasizing the content of the message for each word or sentence. There are three pillars of the European Union's language policy.

The first one is multilingualism, which helps to carry out the challenging goals in each nation in the Europe. Multilingualism and multiculturalism provide fundamental values by actualizing their own social, cultural, educational, business and political priorities. Multilingual and multicultural integration such as exchange of information, act of mobility, multilingual education and interactive learning are encouraging elements of multilingualism. The harmonisation of national laws to homogenous interpretation will make the sufficient legal uniformity easy in the target language. Multilingualism is supporter of the EU law as a tool for 500 million people who will be able to contribute to the democracy. A great effort is made by the DGT for all official languages' translations and the identification and implementation of linguistic norms on behalf of the Commission's multilingual communication. Transmission of the legal, political, social and cultural messages can be achieved through the translation of EU legal acts to all official languages.

The second pillar is terminological unity in translation of the EU texts. Recognition of the meaning or word in target language's legal culture within the context of the source text makes really hard to transmit cultural expressions or words. In the course of translation, the translators can face some complexities stem from the cultural context of the law. Law and culture are tightly linked to each other and some issues about internal law, external law and culture of the law should be considered in the translation process to raise the level of equivalence of a term or wording.

Finally, the last pillar is Eurojargon. Euroterms used in European Union's legislative acts under the conceptual and contextual definitions are formed by legal, social and cultural levels by the way of abbreviations and sobriquets to be able to

identify European texts to set up a common language. It is aimed at reaching to people on a wide level such as politicians, journalists, economics, local authorities, academics, specialists, etc. in EU documents by the use of Eurojargon which is known as a comprehensive guide. Furthermore, it is useful to indicate the key role of terms. Question of untranslatability is a big issue that differences in styling, meaning, grammatical structure and vocabulary in the target language prevent the sameness. As mentioned earlier, translation of multilingual documents are a heavy burden for translators that should be rendered in a coherent corpus of law to common terminology or expressions in the target text. The approach on comprehensibility and clarity intended by the exact terminology and context of the source text depend on the exact translation pattern, which enables to remove some boundaries and poor translation.

Textual information which will help solving some problems in response to the misunderstanding in communicative act is primarily espoused. What many things would like to be focused on translation of EU texts can be defined such as:

- the purpose of the source text,
- the message in the content of the source text
- the principal impacts of the source text and its prominent linguistic features,
- the determination of the author's aims
- the audience and its expectations,
- the decisions about translation techniques and methods.

In the institutional environment, communicative function and linguistic equality are not relative notions for the EU texts. It is obvious that legal texts having a peculiar meaning in the EU encompass to some problems which can make the EU legal texts opaque. So, each language in the EU should be protected in terms of their linguistic authenticity in order to implement the law by ensuring the consistency in their translations.

The primary aim is not to impress the audience; in some cases, it is transmission of the messages as neutral as possible by rejecting all emotional

discourses of the translator and original style of the source text. The translation of EU texts can be a new path for the citizens as a joint practical guide. For that reason, documents as a prerequisite of the EU are rendered to keep authenticity for all official languages' versions to make them equally accessible to all citizens.

To be able to answer the questions, without excluding the receivers, the knowledge of legal systems in member states as well as knowledge of the target texts' function, the communicative approach is preferred, especially when the language of the source text is different from the target language. The term of dynamic equivalence can be identified as a way of transmitting the meaning, form and message into the target language as close as possible to the source language and to the citizens' own cultures. However, problems with loss of meaning, obstacles, distortion of the source text's meaning and / or message and lack of communicative competence in the target text will cause impairment as ambiguity in the target text.

Communicative translation method undertakes the task of removing the cultural differences between the source language and target language. Pertaining to the communicative content, legal translations can require some grammatical modifications when necessary. The use of passive constructions or paraphrasing in translation of the original text is supposed to provide strong emphasis and to remove ambiguities in the context of the communicative translation method.

Accessing to the preciseness and diverging from vagueness in meaning within the linguistic and cultural languages are core points in the target language. Cultural transposition, which is common in EU texts, cannot be provided by semantic translation method on all occasions and in equal measure. As a consequence, the translator should probe cultural assumptions between languages.

The translation of EU texts is generally regarded suspicious, thus, they sometimes need to be domesticated in which linguistic and cultural values are manifested in original legal texts as mentioned above. However, problems occur as a result of rewriting of foreign legal text by domestic discourses or dialects and protecting political and legal messages or cultural and social effects which are not

akin in different languages and cultures. One thing should be achieved for domestication strategy is that it is a way of assimilation in the target culture by keeping the messages in the target text.

When the aim of the translation strategies is thought in the context of the cultural language, it is seen that communicative acts mark the different cultures in the EU. Linguistic and cultural plurality which can pave the way to complexity is likely to be reflected in target texts as in original texts in legal texts. Some translators can prefer to consider the word's / words' meaning or can prefer to reject the word's / words' meaning such as use of omission, even it is not desired by the EU due to the complexity and challenging situations for unfamiliar or incomprehensible contexts in the source text. Besides, some obscurities in target texts are removed through the use of the cultural context of the source text in the society.

Method or methods can be defined by similarities or differences between the languages and cultures. Between the source and target languages, familiarities such as grammatical structures, words and sentences will help to facilitate the transmission of messages through the semantic translation method having a formal equivalence. Literalness of legal texts in their environment makes the translatability of the original text difficult, because it is a threat to loss of meaning due to linguistic and cultural differences. That is to say, the more knowledge about function of the original text and linguistic and cultural knowledge both in source language and target language, the more translatability! Linguistic and cultural constructions between the source text and target text should be identical or very near to the context, function and message of the source text. To what extent the harmonization is going to be ensured in the translation work is understood by the way of the orders, laws, obligations, etc. submitted in EU texts. At this point, in order to achieve the transmission of messages, the grammatical and cultural equivalences of the source language are required to ensure the integrity between the source text and target text.

To find out the best translation method may not be easy as it is thought in legal texts. Choosing the right methods and strategies such as neologism, calque, paraphrasing, quoting from the original text or borrowing shall be providers of

terminological equivalents in legal translation. Developing an appropriate strategy or strategies would hamper any kind of losing for meaning and effectiveness by attributing to the communicative function of the source text and by regarding the semantic, cultural, formal and stylistic features of the source text. On the other hand, according to the EU authorities, more attention should be given to avoid misleading translation which will result in contextual disputes in legal systems.

Without compromising, the principles of translation for EU texts can be listed as:

- adding to the target text or omitting from the source text,
- carrying out the terminological fidelity and providing accuracy with a consistency between the source text and target text,
- avoiding grammatical, syntactical, linguistic or textual errors,
- avoiding ambiguity in punctuation,
- benefiting from the relevant documents already translated,
- keeping the original text form.

As is known, Turkey wishes to be a part of the Europe in every sense. Once Turkey becomes a member state, the necessity of qualified translators to work in EU institutions as official translators will be understood. As mentioned earlier, Turkey has to be careful in the translation of Acquis which will ensure the harmonisation of Turkish's legislation with the EU. "The Secretariat General for the European Union Affairs of Turkey" took the first step in the pre-accession stage by preparing the "Glossary for the EU Basic Terms" in 2003. In this respect, the aforementioned glossary includes about 2,600 key terms used in the texts of the EU in cooperation with the Translation Coordination Unit's staff, and so, the consistency of texts will be provided when translated into Turkish. On the other hand, the second step was taken for "Glossary for the European Union (English - Turkish)" with the help of faculty members in 2009.

Translators in Turkey should form the target text as natural, readable and comprehensible to sound like a Turkish legislation as far as possible. It is obvious that English articles and prepositions make the translation too wordy when translated into Turkish. Some differences and difficulties can appear in which subordinate clauses are generally used in English. Turkish drafting should not be different from the original one, but should be away from the imitations and alterations. In short, translations must be legally watertight. From the legal point of view, structural differences between English and Turkish cause to search the most applicable translation method. It is a fact that English EU texts based on conditional sentences are translated into Turkish in accordance with the basic conditional sentences which directly indicates commands and permissions.

Communicative and semantic approaches using some strategies together will not be efficient or sufficient alone in multilingual texts and in their specific contents which often include specific terms and explanations; therefore, the content relative with specific domains should be translated keeping the original, that is to say, accuracy should be provided for the effectiveness of the target text. With regard to contents of EU law, translators can prefer mixed method namely hybridity emanated from communicative and semantic translation methods. Hybrid translation method can ensure some helpful approaches to the translation process by taking into account linguistic and cultural differences and their similarities. Adverse impacts such as ambiguities and obscurities pose significant problems by hampering terminological comprehensibility and sufficient grammatical structure resulted as translation errors, therefore, hybridization method in cooperation with the reader-oriented, dynamic and formal approaches can be used to remove those negativeneases. Documents of *Acquis Communautaire* and its translations are handled in the context of the language policy, intercultural communication and equivalence. Thus, hybridity will be a solution.

In this thesis, my hypothesis is to study the communicative translation method and semantic translation method in the translation of the EU texts. Question of which method is more efficient to meet requirements and demands of the European Union is stressed in this study within the scope of the translation of the EU texts and qualities of

translators. When it is insisted on the use of foreignization strategy signalling the ambiguity or domestication strategy signalling the loss in meaning individually, legal affect and its significance will be missed since the translation seems unnatural and inexplicit. As a result, it has been realised that both communicative translation method and semantic translation method are not sufficient individually. It is envisaged that the importance of the content of the message of the EU, foreign concepts, foreign institutions, unknown laws, which will be understood better by people in Turkey and in other countries through the hybrid translation method.

Consequently, translators have reason to create or implement different translation methods and strategies different from the way they generally do in target texts. Hybrid translation method is the most recommended method both in the translation of the EU texts into Turkish and into others by involving the approaches of semantic and communication methods and by removing the risks of missing information and drawbacks as lack of messages in the target text.

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SAMPLES:**The Communicative Translation Method:****Sample Text 1**

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<http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:31991L0676>

Sample Text 2

DIRECTIVE 2007/60/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2007 on the assessment and management of flood risks. 6.11.2007. EN Official Journal of the European Union L 288/27
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32007L0060>

Sample Text 3

Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work . Official Journal L 216 , 20/08/1994 P. 0012 - 0020.
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31994L0033>

Sample Text 4

Have Your Say!: Manual on the Revised European Charter on the Participation of Young People in Local and Regional Life. ISBN 978-92-8716239-7.

Sample Text 5

COMMISSION REGULATION (EC) No 303/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (Text with EEA relevance). 3.4.2008. EN Official Journal of the European Union L 92/3. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008R0303>

The Semantic Translation Method:**Sample Text 1**

TWINNING PROJECT on "CAPACITY BUILDING ON WATER QUALITY MONITORING" Turkey - The Netherlands - France - Spain - BÜYÜK MENDERES BASIN WATER QUALITY MONITORING PROGRAMME (DRAFT)

Sample Text 2

TWINNING PROJECT on "CAPACITY BUILDING ON WATER QUALITY MONITORING" Turkey - The Netherlands - France - Spain - BÜYÜK MENDERES BASIN WATER QUALITY MONITORING PROGRAMME (DRAFT).

Sample Text 3

DIRECTIVE 96/71/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 1996 concerning the posting of workers in the framework of the provision of services. Official Journal L 018 , 21/01/1997 P. 0001 - 0006.

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31996L0071>

Sample Text 4

Have Your Say!: Manual on the Revised European Charter on the Participation of Young People in Local and Regional Life. ISBN 978-92-8716239-7.

Sample Text 5

COMMISSION REGULATION (EC) No 303/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing

certain fluorinated greenhouse gases (Text with EEA relevance). 3.4.2008
Official Journal of the European Union L 92/3.

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008R0303>

The Hybrid Translation Method:

Sample Text 1

DIRECTIVE 2000/60/EC OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL of 23 October 2000. Official Journal L 327, 22/12/2000 P.
0001 - 0073.

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32000L0060>

Sample Text 2

TWINNING PROJECT on "CAPACITY BUILDING ON WATER
QUALITY MONITORING" Turkey - The Netherlands - France - Spain -
BÜYÜK MENDERES BASIN WATER QUALITY MONITORING
PROGRAMME (DRAFT).

Sample Text 3

Council Directive 94/33/EC of 22 June 1994 on the protection of young
people at work.

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31994L0033>

Sampe Text 4

COMMISSION REGULATION (EC) No 308/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States (Text with EEA relevance). L 92/28 Official Journal of the European Union 3.4.2008.
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008R0308>

Sample Text 5

COMMISSION REGULATION (EC) No 303/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (Text with EEA relevance). 3.4.2008 Official Journal of the European Union L 92/3.
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008R0303>

ABSTRACT

KARAASLAN, Aslihan, A Study on the Communicative and Semantic Translation Methods in the Translation of EU Texts, Master's Thesis, Ankara, 2014.

The European Union is recognized with its efforts uniting its member states and citizens under the same roof. Freedom, justice and security in the frame of sustainable development for the economic growth with full employment are the aims of establishment of European monetary union. In this respect, promotion and protection of the Union values such as peace, economical development, mutual respect and mutual understanding between people aiming at the observation of human rights, especially thanks to the interlinguistics and intercultural communication within the politics of multilingualism in the EU, integration of international laws are carried out. The language policy of the European Union is shaped by the obligation of being equal for all official languages both in original texts and in their translations. The translator's competence comes into play in this process which helps to ensure the accuracy and validity of translations rendered in Member States and in Turkey. This is ensured by some important elements such as education and training, translation skills, ability of meeting the expectations of translation of the EU texts.

In this thesis, communicative and semantic translation methods, as general translation methods, have been introduced through some samples and by comparison of communicative and semantic translation methods including EU texts' functions and their effects in the target text. Add to this in the study, communicative and semantic translation methods are handled according to some approaches and strategies based on dynamic, formal and functionality. Hence, this thesis is grounded on the hybrid translation method's applicability and efficiency in translation of the EU texts by combining two translation approaches named foreignization and domestication.

As a result, it is seen that the use of communicative and semantic translation methods together called as "Hybrid Translation Method" which plays an important

role in converging the target text to the source text to achieve the harmonization of national laws with EU laws.

Key Words:

1. The Language Policy in the EU
2. Multilingualism
3. Communicative Translation Method,
4. Semantic Translation Method
5. Equivalence,
6. Hybrid Translation Method

ÖZET

KARAASLAN, Aslıhan, AB Metinlerinin Çevirisinde İletişimsel ve Anlamsal Çeviri Metodları üzerine bir çalışma, Yüksek Lisans Tezi, 2014.

Avrupa Birliği, tam istihdamın gerçekleştirilerek, sürdürülebilir kalkınmanın ve özellikle de parasal birliğin sağlanması amacıyla üye devletlerini ve vatandaşlarını özgürlük, adalet ve güvenlik çatısı altında birleştirme çabalarıyla bilinmektedir. Bu doğrultuda, insan haklarının ve uluslararası kanunların entegrasyonunu amaçlayan barış hareketi, ekonomik kalkınma, insanlar arasında karşılıklı saygı ve karşılıklı anlayış gibi değerler dillerarası ve kültürler arası iletişimin geliştirilmesi Birliğin çokdillilik politikası kapsamında gerçekleştirilmektedir. Gerek resmi dillere ait orjinal metinlerde gerekse bu metinler ile çevirilerinin arasında olması gereken eşdeğerlik Avrupa Birliği'nin dil politikasını şekillendirmektedir. Çevirmenin yetkinliği eğitim-öğretim, çeviri becerileri ve çeviride beklentilerin karşılanması gibi önemli unsurlar ile sağlanmaktadır.

Bu çalışmada, genel çeviri yöntemleri olarak bilinen İletişimsel ve Anlamsal Çeviri Yöntemleri, Avrupa Birliği metinlerinin işlevselliğinin yani bilgi verici özelliğinin de göz önünde bulundurularak Türkçe'ye ve diğer dillere çevirilmesi sürecinde kullanılan dinamik, biçimsel ve işlevselci yaklaşımların ve bunlara bağlı stratejilerin hedef metin içerisindeki etkileri örneklerle ve karşılaştırma yoluyla anlatılmıştır. Dolayısıyla, bu tez yabancılaştırma ve yerleştirme olarak isimlendirilen çeviri yaklaşımlarına atıfta bulunularak "Hibrit (Melez) Çeviri Yönteminin" AB metinlerinin çevirisinde uygulanabilirliği ve etkinliğine dayanmaktadır.

Sonuç olarak, İletişimsel ve Anlamsal Çeviri Yöntemlerinin birarada kullanılması olarak adlandırılan "Hibrit Çeviri Yöntemi'nin" ulusal kanunların AB kanunlarına uyumlaştırılması açısından hedef dili kaynak dile yaklaştırmasında önemli rol üstlendiği görülmektedir.

Anahtar Sözcükler:

1. AB'nin Dil Politikası,
2. Çokdillilik
3. İletişimsel Çeviri Yöntemi
4. Anlamsal Çeviri Yöntemi
5. Eşdeğerlik
6. Hibrit (Melez) Çeviri Yöntemi