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LANGUAGE FOR SPECIFIC PURPOSES: UKRAINIAN LEGAL TERMS OF OBLIGATION

The article presents the focal role of language for specific purposes in contemporary linguistics by looking at the term in its broad and narrow senses within applied linguistics (AL). At first, the emphasis lies with the definition of Language for Specific Purposes (LSP) and what it deals with, to be followed by the proposed classification. Next, Ukrainian legal terms of obligation provide a favourable ground to suggest an elaborated classification of the LSP determinants. Finally, the analysis made leads to the conclusion of what LSP is and how it can be interpreted in AL.

В статье рассматривается занимаемая в прикладной лингвистике (ПЛ) ключевая роль языка профессиональной ориентации, или языка для обособленных целей (ЯОЦ), в широком и узком смыслах. В начале ставится вопрос о четком определении самого термина в ПЛ и области его применения, а также предлагается классификация ЯОЦ. Далее, с помощью украинских терминов права обязательств выводится классификация языковых детерминантов ЯОЦ. В заключение обобщается анализ, что является ЯОЦ и как его трактуют в прикладной лингвистике.

Key words: Language for Specific Purposes (LSP), applied linguistics (AL), term, sublanguage, law of obligation, limited domain of reference, limited purpose and orientation, limited mode of communication, specialised knowledge and skills, Ukrainian, English.

Ключевые слова: язык для обособленных целей (ЯОЦ), прикладная лингвистика (ПЛ), термин, подъязык, право обязательств, ограниченное референтное поле, ограниченная цель и направленность языка, ограниченный режим коммуникации, профессиональные знания и навыки, украинский язык, английский язык.

Nowadays, it is no surprise that the modern world is changing at an incredible pace and the new communication technologies are sky-rocketing. Taken the externalities, it is the time certain linguistic trends were duly scrutinized with the respective solutions to come along. With an intensified focus on pragmatics in such areas as business communication, political technologies, international law, diplomacy and negotiation, that solid ground of well-recognized subject

fields has loosened dramatically in the recent decades by yielding the palm to the interdisciplinary study. No longer may the mere analysis of law, legislative norms and regulations or various fields in linguistics hold attention as opposed to the framework of linguistics and law, linguistics and politics, linguistics and business, etc. Thus, it arrives obvious why the designated roles are ascribed to language for specific purposes.

The term **Language for Specific Purposes** (**LSP**), or language for special purposes has been given a wide range of interpretations (Strevens 1977; Widdowson 1983; Johns & Dudley-Evans 1991; Hutchinson & Waters 1987; Swales 2000; Norris 2006; Upton 2012; Holovanova 2004; Kyyak 2008; Superanska 2009) [1-7].

Today, we'll be looking at this term in its broad and narrow senses while we are going to differentiate the two areas within applied linguistics with a certain focus on the applicable approaches in relation to language for specific purposes, (i) focus on the learners' needs when dealing with education and training, and (ii) focus on the research associated with language variation across a required subject field, thus, making a branch of applied linguistics. At the same time please mind that content or theme-based language instruction (CBI) as another approach may also be confused with LSP. Next, in order to make it easier to grasp the existing gap in linguistics, I'll appreciate if you could follow it up with a number of examples to be provided. I'm sure that some Ukrainian terms randomly sampled from the field of law of obligation will do their best to demonstrate the specifics of the arguable points. Finally, we will arrive at the conclusion of why LSP as being variously labeled internationally and shaped to meet different learners' needs and achieve the goals, i.e. those of scholars and teaching language instructors, has brought some good deal of confusion into the term usage and term interpretations, and to top it all, sum it up with perspective vision for future developments.

1. What is Language for Specific Purposes?

Given an incredibly huge content that can be found and analysed on language for specific purposes, or language for special purposes, or a sub-language, professional jargon, or professional discourse, or professional communication, etc., leaving out the particulars of ESP that stands for English for specific purposes, it may appear sound to, firstly, highlight the contemporary trends in LSP as a field of linguistic studies, and secondly, rest on some examples of exclusive word-formation or structure of the terminological set as oftentimes encountered with the Ukrainian legal terms that denote obligation.

Thus, Norris (2006) emphasizes three main components to be goals of foreign language instruction when describing higher education in the USA. One of them links to knowledge acquisition of language skills for general commu-

nication use. Another relates to exposing learners to other cultures and ideas while the last but not the least aims at fostering an appreciation of varieties and peculiarities and differences in cultures and ethnical mindsets. Such an interpretation leaves much room for spotting and identifying roles of scholars and FL instructors within the application of LSP [7, p. 577].

Along with Johns & Dudley-Evans (1991) Norris definitely highlights that irrespective of its history in AL, LSP primarily existed as language instruction itself, with very few remarks as to its practice. The key function refers to specific needs of some learners to immediately master the language in the areas that are beyond generalized or dispositional knowledge.

According to Jonathan Trace, Thom Hudson and James Dean Brown (University of Hawaii at Manoa) (2015), "**LSP courses are those in which the methodology, the content, the objectives, the materials, the teaching, and the assessment practices all stem from specific, target language uses based on an identified set of specialized needs**" [8]. To this extent, commonly deliverable LSP courses among a variety of others can include such as Ukrainian for Business and Law, German for Nanotechnology Engineering, French for Wines and Cuisine, Portuguese for Pilgrimage. With each case specified, we may see that the content and core of the language instruction get narrowed to a specific context or "even a particular subset of tasks and skills". The scholars by cross-referring to Widdowson (1983) state that "the context and the people involved, e.g., learners, professionals in the field, drive LSP curriculum — unlike general purposes language instruction, which is often driven by theory alone."

In addition, a lot of other scholars view LSP as an umbrella term which shelters diverse teaching contexts and particularise ESP – English for specific purposes, as opposed to English for general purposes, where the latter breaks down into English for Academic Purposes (EAP) "involving pre-experience, simultaneous / in-service and post-experience courses", and English for Occupational Purposes (EOP) for study in a specific discipline (pre-study, in-study, post-study) or as a school subject (independent or integrated), according to Milevica Bojović (2015), with a subsequent break-down into more specific divisions in their respective fields [9, p. 487], i.e. EAP for Science and Technology (EST), EAP for Medical Purposes (EMP), English for (Academic) Legal Purposes (ELP), English for Management, Finance and Economics, etc.

At the same time, Elżbieta Danuta Lesiak-Bielawska (2015) in the article "English for Specific Purposes in Historical Perspective" published in Issue 46 of *English for Specific Purposes World*, broadens the teaching contexts by adding English for Professional Purposes (EPP) to the above mentioned EAP and EOP [10].

Importantly, among the differentiated range of EAP, EST and EOP the literature mentions a great deal of the said branches of study (e.g. see Swales 2000)

whereas it is English alone, which falls under scrutiny with the focus limited to FL instruction [6]. Remarkably, very little attention is paid to other languages irrespective of their family – Germanic, Romance or Slavic, etc.

This is exactly where a shift would be required to notice and scrutinize the other languages, not only for a need in coordination of operational activities by international companies, promotion of cutting-edge technologies, or FL instruction, but also for identifying potential objectives, evaluations and assessments of language structures, syntax, semantics and pragmatics in general and speech acts in discourse, in particular.

In our opinion, Lorenzo Fiorito (Metalogicon 2005, p. 43) sounds appropriate when specifying that "LSP is used for a segment of natural language differing from other segments of the same language from a syntactic and/or lexical point of view". Then Fiorito continues that LSP is "the particular language used in a body of texts dealing with a limited subject area […], in which the authors of the documents share a common vocabulary and common habits of word usage" (the same source).

As we can see LSP, on the one hand, being analysed as a synergy of the methodological toolkit with the content, objectives, materials, FL instruction and assessment practices, all enclustered to meet the learners' needs in specific target language use, opposes to the language study that embodies investigations into syntax, lexis, semantics, discourse, etc., on the other hand.

Importantly, the latter in relation to the languages other than English is very little discussed except in the academic fields, and moreover, hardly found in professional non-English journals. To put all dots above the 'i's, let's follow the most recent proceedings of the 21st Conference on Language for Specific Purposes, held 28-30 June 2017 on *Interdisciplinary knowledge-making: Challenges for LSP Research*, where under focus of the contemporary interest across the world are LSP issues but again mostly associated with English. For instance, Kjersti Fløttum (University of Bergen) highlights the role of language in the climate change issue, based on a cross-disciplinary initiative; Maria Teresa Musacchio (University of Padova) draws the attention to *Banking on text: Interdisciplinary perspectives on communication in economics and finance*; Paul Thompson (University of Birmingham, UK) views interdisciplinary research discourses about environmental change through corpus analysis, – each presenting a work as a keynote speaker. As regards the sessions, the focus would barely shift to other languages, e.g. Cinzia Bevitori (University of Bologna) presents a paper on *Debating 'migration': a corpus-assisted discourse analysis approach to interdisciplinary research*; Stephen Bremner (City University of Hong Kong) analyses professional discourse in a changing workplace: the case of academia; Tamara Cabrera (Indiana University-Purdue University Indianapolis) speaks

on *Think and Talk like an Expert. Specialized Knowledge Acquisition for LSP Learners*; and Alan Chong (University of Toronto) analyses *Balancing Promise and Reality via Media Strategy and Language in Science Press Conferences*, which are just very few to mention among the others.

Consequently, the contemporary world has stepped into the field in which English undoubtedly prevails, leaving the other world languages fall behind. It comes as no surprise, taken that English is the *de facto* language of academia and science.

Further, LSP as a methodology and FL instruction has recently developed into a fashion rather than a branch of applied linguistics crafted by academicians and for academicians. The point here is that "many textbooks, aspiring to meet the contemporary market demand halfway, are business-focused from the beginner's level (A1) and students learn business terminology in a foreign language from the very start" (Иновације у настави, XXVIII, 2015/1, p. 132) as seen by Marina D. Milovanović (MA), Marina S. Radić Branisavljević and Jasna D. Petrović from Singidunum University, Belgrade in their article.

We would favour the definition of LSP ushered by Strevens (1988), however, on the one hand, broadening its scope to somewhat more and greater than mere teaching content and FL instruction, and on the other, adding some theoretical value to the designated essential characteristics of specific purpose instruction. According to Strevens (1988) [1, pp. 1-2], LSP includes the following instruction attributes: "(i) designed to meet specified needs of the learner; (ii) related in content (its themes and topics) to particular disciplines, occupations, and activities; (iii) centered on the language appropriate to those activities, in syntax, lexis, discourse, semantics." We find it reasonable to enlarge the scope of interpretation based on due respect to the relevance of theoretical linguistics background inasmuch LSP "incorporates both linguistics and content area knowledge that is specific to a particular context based on the needs of the learners." [8].

Apart from the above, Hutchson and Water's definition for LSP deserves while mentioning, for LSP, ESP in particular, is seen as an approach rather than a product, without involvement of a certain kind of language or methodology.

2. Ukrainian Terms in Law of Obligation

As described above, **Ukrainian for Specific Purposes** (**USP**) following the ESP model, in particular, and as well as languages for specific purposes, is viewed as a functional variety of the Ukrainian language (1) related to a particular subject field of activity, (2) spoken by a limited number of speakers in contrast with the total number of the Ukrainian speakers, (3) and aims to satisfy the specific communicative needs of such speakers in the professional environment.

Narrowed by the title, it is needless to say that the investigation plunges into the USP (Law) or even shrinking to Ukrainian for Law of Obligation. Thus,

when the Ukrainian language is used in such restrictive setting, it goes without saying that the resultant form can easily be called Ukrainian for Specific Purposes. Keeping well in mind there is no generally accepted definition in applied linguistics for this phenomenon, we agree with Lorenzo Fionito that "a number of factors are usually present when the portion of a natural language is restricted enough for specialty use" [11] and suggest that his elaborated classification of the LSP determinants [11, pp. 44-45] be appropriate for the setting of Ukrainian for Law of Obligation.

1. Under a circumstance in which the set of objects and relations to which the linguistic expressions (Ukrainian legal terms of obligation) refer appears to be relatively small, we may speak of such a language peculiarity as **limited domain of reference**.

2. The particular nature and type of the existing or prospect relationships among the participants in the course of linguistic exchange as well as the communicative goal, or purpose of the exchange oriented at the achievement of such goals and satisfaction of specific needs in the professional field couple to **limited purpose and orientation**.

3. Legal communication can be spoken and/or written. There are constraints on the form of expression, although. The time and space constraints of certain communication modes may be mirrored in compressed (or telegraphic) language forms. The said embodies into **limited mode of communication**.

4. When dealing with laws, ordinances, regulations in domestic laws and treaties, conventions, compacts and international contracts and agreements in the domains of Public International Law or Private International Law, judgments and decisions by arbitration courts, and depositions, etc., the language user community becomes identifiable due to the mere fact of belonging to a certain group of lawyers, advocates, solicitors and barristers, paralegals and judges or just those who share specialized knowledge and skills in the professional field and who communicate under restrictions of domain, and purpose, and mode by using the specialized lexicon and linguistic (terminological) set expressions in the solid and oftentimes irreversible form, for the change in the form would result in shifted semantics. These language users being participants of the communication exchange enforce the particular situation-tailored or customized patterns of usage and ensure the coherence, integrity, completeness and structure of the Ukrainian for Law (USP) as a linguistic system. Therefore, it is fair enough to name **community of participants sharing specialized knowledge and skills** another factor determining USP.

As a matter of fact, USP and Ukrainian for Law of Obligation in particular, makes use only of a part of the lexical, semantic, morphological, syntactic, and pragmatic structures in the Ukrainian language. Such restrictions on the

Ukrainian grammar, "once detected and encoded in the form of rules, can be exploited for research purposes, by greatly reducing the number of possibilities to be considered" [11, p. 45].

Consequently, the most outstanding peculiarity of USP and Ukrainian for Law of Obligation in particular, is its specialized lexicon. Not only is the number of legal terms of obligation along with their possible interpretations significantly restricted, but also rules of productive legal term formation may be of a certain kind, and such noticeably encountered under an anticipated circumstance and/or in specific contexts appear to be exclusive to the USP and/or Ukrainian for Law of Obligation or to a group of related USP, i.e. Ukrainian for Civil Proceedings, Ukrainian for Criminal Proceedings, Ukrainian for Banking, Ukrainian for M&A, etc.

Handling a legal text in any of its forms either a contract or agreement or a court ruling, it is at a glance one may catch that such a text contains a variety of terms and terminological expressions set restrictively in a designated sequence. Such terms and/or legal set expressions of obligation are construed by means of typical affixes and/or word order, e.g. *право людини на освіту* 'a right to education', where the attribute *людини* in the post-position is restrictively set and cannot transfer to the pre-position even if transformed into an adjective *людський*; *післядипломна освіта* 'postgraduate education' and *дошкільна освіта* 'preschool education' both construed with prefixation, *самозайнята особа* '[a] self-employed [person]', *трудовий договір* 'a labo(u)r contract', *довіреність* 'a POA (power of attorney)', *потужність* 'capacity' and *вірогідність* 'probability' where in both the cases the Ukrainian suffix *-ість* corresponds the English suffix *-ity*, *задовольнити потреби громадян* 'to meet the civil needs, to satisfy the needs of the citizens'.

Corporate Ukrainian for Law of Obligation makes frequent uses of Latin, Greek French and Italian borrowings, acronyms and abbreviations, which strictly observe the rules of noun phrase formation, or nominal pattern settings in the Ukrainian grammar and/or have their own morphological characteristics: *співзасновник* 'a co-founder', *співвласник* 'a co-owner' but *координатор* 'a coordinator', *координація* 'coordination', *відео-дзвінок* 'a video-call', *відео-конференція* 'a video-conference', *діаграма* 'a diagram(me)', *піктограма* 'a pictogram(me)', *аналіз* 'analysis', *криза* 'a crisis', *в'язниця* 'prison', *суд присяжних* 'jury', *суддя* 'judge', *прийом* 'a technique'; *брутто* 'brutto', *нетто* 'netto', *банк* 'a bank', *банкрот* 'a bankrupt', *фірма* 'a firm', etc.; *законодавство* 'legislation', *законотворчість* 'legislature', *вуз* 'a higher educational establishment'.

Ukrainian for Law of Obligation employs symbolic legal expressions, such as *права та обов'язки* 'rights and obligations', *відповідно до законодавства*

57

'according the law', ***приватне право*** 'private law', ***публічне право*** 'public law', ***установчі документи (компанії)*** 'constitutional documents (of a company)', ***Кабінет Міністрів України*** 'Cabinet of Ministers of Ukraine', etc.

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

Next, another instance is that some question forms, stylistic inversions and conversational pieces can be silent in Ukrainian for Law of Obligation. Word order in the grammar may materially influence the semantics if reversed: ***фізичні особи, що є клієнтами банку*** '[the] bank's individual customers' and ***клієнти банку, які є фізичними особами*** '[the] bank's customers individuals'. Additionally, Ukrainian for Law of Obligation contains certain syntactic constructions that are unknown in the general Ukrainian, in which case the corresponding production and order rules should make partner of the USP grammar: ***договір*** 'a contract' → ***укладати договір*** 'to enter into a contract / to conclude a contract', ***зміна (-и)*** 'a change, -(s)' → ***вносити зміни*** 'to modify / change / amend', ***правочин*** 'a deal / deed' → ***укладати правочин*** 'to make a deal, to enter into a deed', etc.

To sum it up, we would turn to R. Kittredge's *Sublanguages*, published in *American Journal of Computational Linguistics* (Vol. VIII, n. 2, April-June 1982, pp. 73-84), that "From a language's inventory of devices, each sublanguage seems to make a rather distinctive and limited selection. Stock market reports avoid repetition of the same verb in successive sentences, using synonyms instead, whereas technical manuals apparently avoid synonymy at the expense of lexical repetition."

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

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