

Frame-Semantic Perspectives on Bilingual Legal Dictionaries for Cross-Systemic Translation

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Abstract

Legal translators face the formidable task of making legal texts, embedded in a foreign legal system of reference, accessible to an expert audience in the target language. Unlike most specialized fields such as medicine or technology, this undertaking requires constant legal comparison due to the uniqueness of legal systems and the extreme system-dependence of legal terminology. Consequently, bilingual dictionaries must meet specific requirements when used as tools for legal translation, as several interlingual transfer strategies have been introduced that now coexist. This paper examines the various techniques, from identifying fully established functional equivalents to creating neologisms in the target legal language, from a frame-semantic perspective. Such an approach enables translators to examine the complex knowledge uniquely associated with linguistic signs proposed by dictionaries within specific legal systems and to make informed decisions when selecting and combining legal translation techniques to convey system-dependent legal knowledge across nations.

Keywords: legal dictionary; legal terminology; legal translation; frame semantics; equivalence

1 Introduction

The creation of bilingual legal dictionaries presents challenges in both scholarship and practice, as the legal field exhibits unique features – most notably, extreme system dependence – that are largely irrelevant in other domains. Consequently, legal translation models inherently involve a comparative analysis of concepts embedded in different national legal systems, making it impossible to create bilingual legal glossaries with one-to-one correspondence. To address this, translation and legal scholars have developed various transfer strategies aimed at rendering legal texts accessible to jurists within the target legal system.

This paper summarizes key observations and requirements for contrastive legal lexicography and assesses the various translation techniques specifically developed for this field from the perspective of frame semantics. This approach is grounded in a poststructuralist linguistic theory stemming from the works of Fillmore (1976), which focuses on holistic and

complex knowledge segments cognitively evoked by linguistic signs and consequently rejects the strict distinction between linguistic knowledge on the one hand and encyclopedic knowledge on the other (Busse, 2012). Such fruitful focus on the epistemic dimension has led to the application of frame semantics to specialized languages, particularly through the Frame-Based Terminology approach developed by Faber (2022), and specifically to legal translation, which Engberg (2021) conceptualizes as an act of knowledge communication. Against the backdrop of the difficulties in establishing equivalence and ensuring translatability, which are issues extensively discussed in legal linguistics and translation studies, such cognitive and epistemic approach enables the reconstruction of knowledge segments associated with linguistic signs in law. This, in turn, facilitates decision-making when selecting or combining target-language options presented by dictionaries for the purpose of inter-systemic legal communication.

2 System-Dependence and Directionality in Bilingual Dictionaries

One of the main features of legal terminology, often cited as a distinctive criterion of law within LSP research and specialized translation studies, is its extreme dependence on a specific legal system. This creates significant challenges in cross-systemic translation scenarios, where source and target languages are inevitably embedded in different legal cultures. While the linkage between a specialized language and its *referential system* is a well-established concept in terminology (Sager, Dungworth, & McDonald, 1980, pp. 70–80), it plays a uniquely prominent and practical role in the legal field. In his influential work on law as a special case in translation, Sandrini (1999, p. 30) observes that dictionaries often present entries that fail to account for the system-dependence of legal terms, rendering them ineffective tools for legal translators. This is primarily because cross-systemic legal translation is conceptualized not merely as a transfer from a source to a target language, but also from a source to a target legal system. Unlike other categories of specialized translation, this dual transfer makes legal comparison an intrinsic step in any viable translation model (Pommer, 2006).

This imposes new requirements for classifying legal language in cases of pluricentricity: An *English legal language* only exists when embedded in a specific Anglophone legal system, such as those of the U.S., England, or Australia (Nazarov, 2025). Law is considered a meta-physical phenomenon (Mattila, 2006, p. 105), constructed within a nation to objectively reflect the values and norms of its society. Designations and concepts therefore differ significantly, even across different English legal languages. For instance, the terms *solicitor* and *barrister*, which are two distinct types of lawyers in the UK, have no standing as legal terms in the U.S., where no such distinction exists. From a frame-semantic perspective, no meaning can be associated with these two linguistic signs; that is, no legally established knowledge is evoked when they are perceived by U.S. jurists. Similarly, the designation *Basic Law* evokes institutionalized legal knowledge only within the Hong Kong legal system, where it refers to a crucial constitutional concept. In other cases, the same designations are found in different legal languages but activate different semantic fields. The term *bailiff*, for example, exists in both England and the U.S., yet it refers to what in France is understood as a *huissier de justice* in the former system and to a law-enforcement officer present during a court

proceeding in the latter. These differences preclude the translation of any text containing such a term without precise contextualization within its source system, which means that bilingual dictionary entries cannot be proposed without these specific differentiations.

De Groot (1999, p. 214) argues that bilingual dictionaries, unless they consist of two official languages from a single multilingual system, should be restricted to two legal systems due to the necessity of constant legal comparison. In this context, a dictionary would be specifically tailored to a translation scenario involving a particular pair of source and target languages. A generalized English metalanguage cannot serve as the target language for either a dictionary or a translation scenario. To illustrate this point, de Groot (2002, pp. 227–228) presents the English translation of the Dutch Civil Code by Haanappel and Mackaay, which systematically employs the legal English of Quebec as its target language. Although this approach might curtail accessibility and usability due to the limited prominence of this specific legal terminology in the world, the legal comparatist does not criticize this choice. In fact, he suggests enhancing usability by translating the code into the legal languages of other Anglophone nations as well.

This requirement necessarily raises the question of directionality, which is a less pivotal topic in translation and terminology work relating to other domains such as medicine or technology. In the legal field, however, unidirectionality – to use a term pertaining to contrastive linguistics (Tekin, 2012) – is considered indispensable and, for that reason, source and proposed target terms may not be reversed (de Groot, 1999, p. 214). This issue is of great relevance for cross-systemic translation scenarios: Harvey (2002, p. 44), for instance, proposes a set of established translation techniques for law and presents backtranslation (*rétrotraduction*) as an advantage of the formal translation strategy over functional equivalents (see chapter 4). This would, however, create a bidirectional link between the common-law *notary* and the French *notaire*, two roles that present significant differences. For inter-systemic contexts, this must be rejected as a criterion, as the goal in court-certified legal translation is not to create a parallel language version, as is the case in joint drafting (*corédaction*) within multilingual systems like those of Switzerland or the European Union (Dullion, 2014). Its function is rather defined as communicating knowledge using linguistic signs that provide a jurist from the target nation with access to a foreign, system-dependent legal text (Engberg, 2021). As tools specifically used for translation purposes, bilingual dictionaries must also fulfill this requirement. De Groot (2002, p. 232) specifically criticizes that some legal dictionaries do reverse this direction, a practice he legally classifies as defective performance (*Schlechtleistung*; *Leistungsstörung*), a deficiency so severe that it reportedly could justify unwinding the purchasing agreement for such a dictionary.

3 Equivalence Between Legal Languages

Given the observed system dependence of law, the question of equivalence is regularly presented as a key issue in bilingual legal dictionaries. De Groot insists that a dictionary must clearly state whether a proposed translation is an *approximate equivalent* to the source term or whether there is only *partial equivalence*; however, it must avoid creating the impression of presenting fixed *standard equivalents*. In the not uncommon case where no equivalence exists at all, the dictionary is likewise required to make this gap transparent

by employing alternative transfer strategies such as paraphrasing (de Groot, 1999, p. 213). Regarding contrastive legal terminology work aimed at creating specialized dictionaries and terminological databases, Sandrini (1999, p. 30) claims that no equation or absolute equivalence can be expected between source and target terms. This objective is categorically rejected for legal terminology, which must instead focus on comparing individual concepts and describing their similarities and differences.

In this applied scenario, the theoretical observations on inequivalence in legal linguistics become clear. Many scholars, such as Grass (1999, p. 34), Kjær (1995, p. 51), and Pommer (2006, p. 65), advocate for a general principle of inequivalence between terminologies embedded in different legal systems. These researchers, however, do not present this thesis as an obstacle but as a foundational assumption upon which any comparative and translational models must be built. Others, predominantly legal comparatists, claim that law is fundamentally untranslatable and that any attempt to render a system-dependent legal text into another legal language is a “sublime aim never to be truly achieved” (Kischel, 2009, p. 7). Both presumptions rely on the same core argument: Identicalness between two legal terms from different legal systems is impossible. Given the general sociocultural dependence of language and recent research on the culture-specificity of non-legal specialized languages (Gautier, 2019), exact semantic correspondence can be rejected outside of law as well and cannot be considered a universal requirement for contrastive terminology and translation.

It is clear, however, that a medical dictionary proposing the French *pneumonie* as a translation of the English *pneumonia* does not require in-depth analyses of the differences between French and Anglophone medical cultures, which have in fact historically shaped each concept. In law, the transfer of terms like *Basic Law* (Hong Kong) or *solicitor* (UK) presents as many challenges as more transnationally comparable terms such as *contract*, since their legal effects are palpable. As Lundmark (1999, p. 63) states, there can be no perfect bilingual legal dictionary when source and target languages refer to different systems; users must therefore accept that transfer will remain inexact. Instead, the legal scholar suggests establishing bilingual legal encyclopaedias containing exhaustive descriptions. From a frame-semantic perspective, this suggests making the many details of highly complex and interconnected knowledge segments in law transparent to translators and terminologists. This aligns with Bocquet (2008, pp. 15–16), who conclusively denies a clear separation between a dictionary and an encyclopaedia in the legal field, arguing that it makes little sense to exclude translators as non-jurist recipients from the detailed knowledge of encyclopaedias designed for legal experts.

4 Frames and Translation Strategies in Law

The relevance of the epistemic dimension becomes apparent in the lack of semantic correspondence between source and target terms. Unlike bilingual dictionaries for subject matters like medicine or physics, such reference works for the legal field cannot limit themselves to simple translation without further explanation of terms. Glossaries (or word lists), therefore, serve only as memory aids for those who have already acquired and distinguished the relevant knowledge segments (de Groot, 1999, p. 213); they do not provide a tool for

recipients to grasp the meaning of the proposed terms or their interrelations (Lönneker-Rodman & Ziem, 2018, p. 254). Similarly, Sandrini (1999, p. 30) criticizes dictionaries for frequently proposing entries that merely juxtapose designations without additional information, a practice he deems useless for legal translation. The fact that several options are often suggested in law stems from the asymmetry between legal languages, where comparable concepts are available, but the choice depends on the context of the source term's use. Grass (1999, p. 6) rightly considers it a weakness of bilingual dictionaries to propose target-language designations without defining the source term, a failure that complicates the selection of a suitable equivalent. According to Bowker (2011), term banks in general tend to present entries without specifying linguistic context, a tendency linked to the flawed assumption that terms are monosemic within a given domain. Wiesmann (2004, p. 151) similarly rejects the usability of dictionaries for legal translation when no domain-specific and linguistic context is provided, when translated elements remain uncontextualized, and when similarities and differences between source and target terms are not made explicit.

The uniqueness of legal systems and cultures gives rise to specific requirements for bilingual legal dictionaries. The choice of so-called *functional equivalents* is a preferred translation strategy, as it proposes target-language concepts that are already established within the target legal system. From a frame-semantic perspective, this involves selecting a linguistic sign capable of evoking well-established knowledge among jurists who are experts of that system. At first glance, this appears to be an ideal tool for facilitating understanding. However, the risks associated with this strategy are crucial, as a culturally created concept carries significant target-system dependence, which can distort the source term to the point of being inadequately understood. This occurs, for example, when the French supreme court, the *Cour de Cassation*, is rendered in German as *Bundesgerichtshof*. This translation linguistically implies a hierarchy within a federal system that also includes state courts, a structure that does not exist in France. Consequently, the knowledge evoked by this linguistic sign by a German lawyer would be unsuitable for depicting the frame activated by the French term, which is embedded in a non-federal, centralized nation. Conversely, the functional comparison of the French *rupture conventionnelle* and the German *Aufhebung*, which share no formal correspondence, seems to face few obstacles, as both represent an alternative agreement for terminating employment, albeit linked to different requirements and processes. The decision to apply a functional approach therefore depends heavily on the term's context within the legal text, as the importance of various knowledge elements must be carefully evaluated. Nevertheless, differences in epistemic elements are inevitable.

Among the various transfer strategies often classified as alternative solutions, which implies the preponderance of the functional approach, *formal equivalence* is a frequent technique. This strategy involves translating as literally as possible, which would mean rendering the French *Conseil constitutionnel* as *Constitutional Council* in English. According to Harvey (2002, p. 44), the advantage of this strategy lies in its strong reflection of and respect for the source legal culture. Given the court-centric nature of legal translation, adequately mirroring the source system contributes to a successful outcome. However, the unfamiliarity of the resulting designations can complicate comprehension for target-system jurists, and the strategy can sometimes lead to the creation of false friends. The scholar exemplifies this based on the erroneous translation of the French *droit commun* as *common law*, and *Haute*

Cour de Justice, a court competent for criminal charges against the President, as *High Court of Justice*. In both cases, the English terms evoke frames that do not represent the knowledge elements pertaining to the respective source terms; instead, they convey knowledge entirely irrelevant to the target text.

Descriptive translation is a technique in which cultural specificities are explained using general-language terms. This is exemplified, by the same author, by the transfer of the French criminal category *délit*, a type of crime distinct from the less serious *contravention* and the more serious *crime*, without selecting an established equivalent (a functional approach) such as *misdemeanor*. Instead, it might be described as an *intermediate offence* (Harvey, 2002, p. 46). The scholar argues that the impossibility of backtranslation presents an obstacle to this method; however, this claim must be called into question given the necessary unidirectionality of legal translation (see chapter 2). From a frame-semantic perspective, descriptive equivalents facilitate the cross-systemic communication of system-dependent knowledge in situations where no unique linguistic sign in the target language is sufficient, or where the functional equivalent presents issues due to its intrinsic linkage to a specific legal concept within the target system. Such a conclusion, however, is always dependent on the term's context of use, since, as previously mentioned, it is impossible to evoke knowledge segments that are identical between the systems in question. The technique of *lexical expansion* can also be regarded as a descriptive one as words are willingly added to the linguistic sign in the target language "as a means of compensating for terminological incongruency," which is illustrated by Šarčević (1997, p. 250) on the expanding of the term *délit* towards *délit civil* in Canadian French in order to reflect the Canadian English *tort*.

This example, however, can also be aligned with the strategy of creating *neologisms*, which is regularly proposed for the legal field. As Grass (1999, p. 52) notes, such neologisms often emerge from literal translation. For instance, the frequent German rendering of the French *Cour de Cassation* as *Kassationshof* (see, for example, Griebel, 2013) relies on a formal technique but also introduces a new term into the German legal text, as no institution known as a *Kassationshof* exists in the German legal system. In this specific case, sufficient knowledge can, in fact, be evoked within a German legal audience: While the term *Kassation* is no longer part of contemporary German legal terminology, it historically existed as a concept, allowing jurists to associate epistemic elements with this linguistic sign. Neologisms, therefore, can be justified for legal translation from a frame-semantic perspective as well.

An even more controversial technique is *non-translation*, where a source term is transferred verbatim into the target text. If a legal translator, following Geeroms' (2002) recommendation not to functionally translate the French *cassation* due to its uniqueness, were to render the same institution for an American audience with a phrase such as *The Cour de Cassation affirms the lower court's decision*, this would implicitly expect the legal recipient to understand French. As Stolze (1999, p. 49) rightly points out, there is little justification for choosing this technique. It is unreasonable to expect a legal scholar in the U.S. system to cognitively activate any knowledge segment associated with this unfamiliar linguistic sign. For this reason, many researchers propose combining non-translation with a paraphrase or a footnote that provides an explanation in general language.

A fruitful example can be found in the largest English-to-German legal dictionary *Wörterbuch Recht, Wirtschaft & Politik*, which proposes the following entry:

Supreme C[ourt] n (of the United States) (the) (Abk SC) *Am* Oberstes Bundesgericht *n* (das) (*in Washington*). ① Besetzt mit 9 Bundesrichtern (8 *Associate Judges* unter dem *Chief* → *Justice*). Höchstes Rechtsmittelgericht gegenüber Entscheidungen der Bundesgerichte und (in bestimmten Fällen) der einzelstaatlichen Gerichte. Der *Supreme Court* erfüllt Funktionen, die in der Bundesrepublik dem Bundesgerichtshof (und den anderen oberen Bundesgerichten) zufallen. Erstinstanzliches Gericht: a) ausschließliche Zuständigkeit in Streitsachen zwischen 2 oder mehr Einzelstaaten sowie in Rechtsstreitigkeiten gegen ausländische Botschafter oder Gesandte; b) (mit den Einzelstaaten) konkurrierende Zuständigkeit für Klagen ausländischer Botschafter oder Gesandter; ferner für Streitsachen zwischen den Vereinigten Staaten und einem Einzelstaat und für solche eines Einzelstaates gegen Angehörige eines anderen Einzelstaates oder gegen Ausländer. (Dietl & Lorenz, 2016, pp. 197–198)

Many relevant frame elements are provided in this entry to establish a foundation for decision-making within the knowledge communication process. The German translation suggestion *Oberstes Bundesgericht* constitutes a descriptive equivalent, as it translates to *Highest Federal Court*. The frame elements evoked by these linguistic signs within the German legal system are the hierarchy of the court and its embeddedness in a federal system. If the American legal term is used in a source text where these two (main) knowledge elements are central and sufficient, this descriptive equivalent proves suitable for conveying adequate knowledge without causing semantic or legal confusion. At the same time, the dictionary provides extensive details that constitute an elaborate basis for frame extraction. It primarily defines the court as a *höchstes Rechtsmittelgericht*, which is another descriptive equivalent focusing on its appellate function as a court of last resort – a function that may be the main focus in a specific source text. The entry then compares SCOTUS to a German institution, providing a functional equivalent: the *Bundesgerichtshof*. It also emphasizes that this comparison must remain applicable to the other appropriate jurisdictions, as the German system divides its court structure into several branches, resulting in separate supreme employment court (*Bundesarbeitsgericht*) and a supreme administrative court (*Bundesverwaltungsgericht*), for example. When all or some of these knowledge elements are relevant in a source text, a comparison to a functional equivalent, either in the main text or in a footnote, can provide the necessary knowledge to a German jurist. The entry further outlines scenarios where SCOTUS acts as a court of original jurisdiction, a function linked, for example, to specific diplomatic contexts. These frame elements cannot be evoked by the German linguistic signs proposed as functional or descriptive equivalents, which is why the inclusion of this information in the entry provides a basis for a footnote that can be added to the source text and combined with one of these equivalents, along with non-translation of the original term in brackets, if the source text uses the American concept in this specific context.

5 Conclusion

Various translation techniques are specifically adapted for the legal field to facilitate cross-systemic communication and the application of foreign legal texts in court proceedings. As tools and terminological databases for such undertakings, bilingual dictionaries face domain-specific challenges. These are primarily linked to the extreme system dependence of legal language, a characteristic often said to preclude the establishment of equivalence between terminologies embedded in different legal systems.

A frame-semantic approach allows for the prioritization and strategic application of different transfer options by focusing on the cognitive and epistemic dimensions of legal concepts. The functional approach, which holds a certain preponderance in inter-systemic legal translation and legal comparison, involves selecting a legal term that exists in the target system and thereby evokes a firmly established, complex knowledge segment. If its frame elements distort the source text and prove unsuitable for the specific context, alternative translation techniques can be selected. The strategic choice among non-translation, paraphrasing, formal translation, descriptive equivalents, lexical expansion, footnotes, or even neologisms – often in combination – makes it possible to systematically convey knowledge to jurists of the target system by creating linguistic signs that adequately reflect the relevant frame elements of the source text. When it is acknowledged that identical knowledge segments cannot be evoked in both systems, and that this is not the goal of any cross-systemic legal translation, frame semantics serves as a valuable tool for evaluating the options presented in bilingual terminological databases. It facilitates a comparative decision-making process aligned with the source-text context. Ideally, bilingual dictionaries should present the various linguistic signs generated by suitable established translation techniques in order to provide a helpful and effective tool for legal translators to extract frame elements relevant to the context, which allows them to convey complex legal knowledge across nations.

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