

University of Pécs  
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SUMMARY OF THE DOCTORAL THESIS

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**THE ROLE OF TERMINOLOGY WORK IN QUALITY LAW MAKING**

**HUNGARIAN-ITALIAN COMPARATIVE TERMINOLOGY AT THE  
FIELD OF CONSTITUTIONAL LAW**

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## **1. Summary of the research project and research objectives**

The aim of my research is to find out what kind of approach, methods of work, and modern, reliable IT tools can help the terminological legislative editing, translation work and quality legislation within the constitutional law domain. In addition to the constitutional law, there are some areas of science which, although not primarily legal, are still essential in the field of constitutional law, such as terminology, in using their results, working methods and their theoretical background. Therefore my research is focusing on the constitutional law, legislation and terminology, the approaches, methods and tools of these three disciplines. The relationship between the three fields of science provides theoretical and practical solutions for quality terminology preparation, quality legislation and, consequently ensuring quality translation. To identify and resolve terminology problems, it is important to apply the right tools and to ensure consultation with professionals. In addition, jurisprudence evaluates and regulates the issue of (mother) language in several ways: the right to use the mother tongue, the right to access law in the mother tongue, general language rights, the question of language and identity, the concept of official, national and state language, minority language rights etc. All these issues are identified at both national and international levels, identified as collective or individual rights, in homogeneous or heterogeneous linguistic media and in single or multilingual states. Mother tongue is the most common means of social communication between individuals. It is the basic tool for learning, thinking, and learning foreign languages and also it is the essential communication channel between the individual and the state.

With regard to the information disclosure process of today, and based on the law and terminology, it can be stated that the number of online terminology databases, internet dictionaries, knowledge bases and online directories is increasing. Their use has become increasingly common, their quality and reliability are high, thus ensuring up-to-date information. The multi-level constitutional legal environment, the globalization, the increasing appearance and demand for enforcing basic rights wherewith the need for translation and its high quality justify the scientific examination, detailed description of these tools and also their involvement and usage in education.

Hungary's new Basic Law entered into force on January 1, 2012 and with its enforcement there have been some changes in content that emphasised the importance of single- and multilingual terminology work. During the translation of the Basic Law, and thereafter, a number

of terminological questions arose pointing to the possibilities of domestic terminological systematization of legality and to the need for the terminological processing of the Basic Law's official translations.

If there is no proper, legally accepted and elaborated terminology system, the translation of legal texts may result in different regulatory outcomes, which do not correspond to the original intention of the legislator or do not reflect it entirely.<sup>1</sup> With the usage of written legal texts the situation may worsen. The thesis does not move within the triangle of legislature-translation-terminology, as it would be too broad, but narrows the scope of research to the Basic Law. Nevertheless, from the result of this research more general conclusions can be deducted to these as well.

## **2. The subject of the thesis, research questions**

Determining and regulating factors influencing the development of the national identity - such as the right to use the mother tongue, the language of schooling or administration, individual and collective experiences related to nationalities - play a prominent role in today's national and political aspirations. The language policies, ensure linguistic rights, the definition of the individual and the state language dependence, including the official state or national language (s) and determining their continued maintenance are traditionally state responsibilities. I believe that a phenomenon can be truly understood and analysed in detail if it is examined from as many aspects as possible. In my research on constitutional law and in law, it can be stated that the linguistic and terminological questions examined are primarily due to the specificities of legal regulation, but their analysis necessarily binds to other disciplines, so the examination of certain terms had to be extended extensively to questions of terminology.

My first research question is of comprehensive nature. *I am trying to find out if terminology is helping to provide access to justice and to promote legal certainty. Hence is there a raison d'être for the terminology databases that have been developed and used by multilingual states and for the Hungarian takeover with the state involvement and their usage in quality legislation?*

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<sup>1</sup> Drinóczi Tímea – Petrétei József: Jogalkotástan. Dialóg Campus Kiadó, Budapest–Pécs 2004. 177-183. o.

The production of terminology databases is defined by international and European standards, but different types of databases are created by different nations.<sup>2</sup> Within this framework, I will analyse two European examples in detail from legal and terminological point of views: the terminology database of the Swiss Federal Chancellery *TermDat* and the Bolzano (Italy) bistro database. Due to the purpose of the research it is straightforward that modelling and analysing databases, examining the domestic implementation and practical application of the terminology procedures are necessary. Consequently, my research primarily focuses on the historical aspects of the linguistic, terminological and legal regulations of fewer countries (Switzerland, Italy, Slovakia and Hungary), focusing on the development curves in a critical way rather than overviews of the current regulations and terminology databases of several countries.

The language and terminology of the Basic Law can be identified as the most active area of state language policy, as for the state can determine and influence the legal position of language use and linguistic access through the legislative requirements set out therein. Therefore, I have defined the related research question as below: *What kind of mother tongue rights do the legal systems of the examined states ensure for their own citizens? How do these rights appear in the process of legislation and on the levels of the implementation and application of the statute?*

In my research I pay special attention to the language and terminology of the Hungarian Basic Law as well as to the terminological questions that emerge during the process of translating it into Italian. The significance of the investigation can be found in the examination of legal interpretation and legal equivalence. As a question emerged the possibility of transposing these mature aspects, the successful communication of legal content, the finding of good equivalence levels, and the presentation of socio-economic conditions created by the national legal system in other languages. Legal terminology work cannot stop at the description and comparison of the legal terms of the source- and the target language legal systems, collection and simple matching of concepts but first and foremost it should include the analysis of the constitutional system of the given state, the clarification of the legal concepts and then the achieved results should be published. Therefore, in selecting the examples analysed using terminology in the thesis, I have taken the highest level of the official language usage (legislation, enforcement, justice). The Basic Law is

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<sup>2</sup> Megale, Fabrizio: *Teorie della traduzione giuridica: Fra diritto comparato e Translation Studies (Theories on legal translation: between comparative law and Translation Studies)*. Editoriale, Napoli 2008; Bocquet, Claude: *Pour une méthode de traduction juridique*. Editions CB. Laussane 1994

the most active area of the usage of language and the state language policy since it can maintain and influence the certain language position of the state by regulating it.

My last research question focuses on the terminological problems arising from the constraints of the national legal system. *What happens if the conceptual correspondence described above does not succeed? Is there a significant difference between concepts as a result of the comparison made? How can we still ensure the adequate quality and standard of translation and terminology matching in the case when in the legal and socio-economic system of the target country has concepts that are only similar?*

By pointing out the research questions and detailed examples of translation and databases, I would like to highlight the positive elements of law enforcement between the legislator and the individual and draw attention to the importance of using correct and consequent terminology in one or even more official languages.

### **3. Description of research method and sources**

In my research, I have put great emphasis on the content and terminology analysis of legislation, the presentation of their role in case law, and the description of the terminology databases in terms of content, structure, laws and standards and their requirements. I was also heavily relying on the information technology and the general and legal science of terminology in Hungary and abroad.

To substantiate this, when discussing the relationship between language and law, the presentation of the closely related linguistic rights the thesis is in many aspects historically and philosophically motivated but it uses the theoretical framework and methodology of the traditional legal interpretation approach. The thesis basically relies on the principles of constitutional law, law comparison and terminology, the analysis and evaluation of national language rights and the terminological questions that appear in them. Thanks to this approach the starting point for the work method is the system of criteria<sup>3</sup> required by successful legislation and the experiences and

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<sup>3</sup> Drinóczi Tímea: Összehasonlító jogalkotástan: trendek és kihívások. In: Nochta Tibor – Monori Gábor (szerk.) *Ius et Ars. Ünnepi tanulmányok Visegrády Antal professzor 65. születésnapja tiszteletére*. Kódex nyomda. Pécs 2015. 159-178. o.; Drinóczi Tímea: *Az alkotmányos párbeszéd. Jogtudományi alapkutatások 1.* MTA Társadalomtudományi Kutatóközpont Jogtudományi Intézet, Budapest 2017

results of terminology research.<sup>4</sup> This approach can also be found in the compilation and analysis of the legal sources (constitutions, laws, regulations, international treaties, proposals, etc.) relating to constitutional, linguistic and human rights issues, relevant legal and terminology literature and law enforcement bodies (state and scientific).

The core issue of the thesis is the examination of legal terminology; and also strives to model the terminology workflow through the Italian and Swiss examples. Therefore the processed sources are primarily in Hungarian, Italian, French and English.

In case of the printed Hungarian law dictionaries it can be stated that while the *Hungarian- French- Hungarian legal dictionary*<sup>5</sup> available in French provides essential assistance in the processing of Swiss legal terminology in Italian the only *Hungarian - Italian legal dictionary*<sup>6</sup> was published in 1912 and has no reference basis that could be considered for research. Therefore, the examining was carried out with the available colloquial *Hungarian-Italian dictionary*<sup>7</sup>, *the Italian-Hungarian dictionary*<sup>8</sup>, *the Hungarian explanatory dictionary*<sup>9</sup>, and also I supplemented it with some relevant legal study papers published in Hungarian and Italian language and with some shorter glossaries. I have broadened the search for printed dictionaries and glossaries to the Italian, French and English language and basically relied on the Eurac Research and the mono- and multilingual dictionaries, terminological collections and internal materials published by the Swiss *Service Linguistique Centraux - Section Terminologie* (hereinafter referred to as SLC-ST).<sup>10</sup> These dictionaries I have also supplemented by the *Dizionario giuridico italiano-francese, francese-italiano dictionary published*<sup>11</sup> by Giuffrè. Based on the research of the online sources - of which the first half focused

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<sup>4</sup> Fóris Ágota: Van-e szükség magyar nyelvújításra napjainkban? A terminológia és a fordítás nyelvújítási vonatkozásai. *Glossa Iuridica* 2014/1. szám, 49-59. o.; Fóris Ágota: Osztályozási módszerek a terminológiában és ezek oktatási vonatkozásai. In: *Szaknyelv és Szakfordítás - Tanulmányok a szakfordítás és a fordítóképzés aktuális témáiról.* 2015. 27-34. o.; Fóris Ágota: A terminológia szerepe a többnyelvű Európában. In: Benő Attila – Fazakas Emese – Zsemlyei Borbála (eds.): *Többnyelvűség és kommunikáció Kelet-KözépEurópában.* (MANYE XXVI). Erdélyi Múzeum Egyesület. Kolozsvár 2015. 25-34. o.; Tamás Dóra: Legyünk kreatívak: milyen is az igazi terminológiai adatbázis? *Fordítástudomány.* XIV., 2012/1.; Tamás Dóra: Gazdasági szakszövegek fordításának terminológiai kérdéseiről. ELTE BTK Fordító-tolmácsképző Tanszék, Budapest 2014; Tamás Dóra: A jogszabály terminus megfeleltetésének kihívásairól az Alaptörvény angol nyelvű fordításaiban. In: *Jogi Fórum.* 2017

<sup>5</sup> Bárdosi Vilmos – Trócsányi László: *Magyar-francia-magyar jogi szótár.* KJK Kerszöv., Budapest 2001

<sup>6</sup> Pauletig Alajos: *Magyar-olasz jogi műszótár.* Minerva, Fiume 1912

<sup>7</sup> Koltay-Kastner Jenő – Juhász Zsuzsanna: *Magyar-olasz szótár.* Akadémiai Kiadó, Budapest 2004

<sup>8</sup> Herczeg Gyula – Juhász Zsuzsanna: *Olasz-magyar szótár.* Akadémiai Kiadó, Budapest 2001

<sup>9</sup> Pusztai Ferenc (ed.): *Magyar értelmező kéziszótár.* Akadémiai Kiadó, Budapest 2003

<sup>10</sup> SLC-ST: <https://www.bk.admin.ch/bk/fr/home/documentation/langues/termdat.html>

Eurac Research: <http://eldit.eurac.edu/>; <http://www.eurac.edu/it/research/autonomies/commul/publications>

<sup>11</sup> Tortora, Giovanni: *Dizionario giuridico italiano-francese, francese-italiano.* Giuffrè, Milano 2010

on the compilation of legislation - it can be stated that all countries (Hungary, Slovakia, Italy, Switzerland) have a free online official legal collection (with archives), in which not only the legislation in force but also the ones that had been repealed - even for decades - are available. As for the online dictionaries I was basically relying on the Italian monolingual legal dictionary <https://www.simone.it/newdiz/> operated by the Italian publisher Simone and on two other databases, the bistro and the TermDat. The purpose of the detailed analysis of the two databases was to model the description and the processing of the Hungarian constitutional law terminology, therefore their comparison does not take place in the thesis.

As far as Hungary is concerned, the Constitutional Court's decisions are basically based on the interpretation of the Basic Law and the interpretative texts published in the main issues raised by the Basic Law. From international literature I have used manuals and publications as primary sources published by the aforementioned Eurac Research<sup>12</sup> and SLC-ST<sup>13</sup> complementing them with the documents and interpretations of the bodies of some national and some international organizations. During the research, I paid particular attention to the collection, presentation and possible comparison of the legal texts referred to in the scientific literature. The analysis of the collected literature and resources together made it possible to describe today's legislative trend, to outline the procedures and working methods, to highlight the main challenges of the implementation of the legislative will into practice, to emphasize the positive elements of the jurisprudence and terminology that derive from the cooperation of experts and the modelling of the database support and assurance of the linguistic rights.

#### **4. The structure of the thesis**

The thesis consists of nine chapters. After the table of contents and the introduction, the first chapter discusses the subject matter and main issues of the research, which focuses on the importance and

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<sup>12</sup> Chiocchetti, Elena – Voltmer, Leonhard (eds.): Harmonising legal terminology. Eurac Research, Bolzano 2008; Chiocchetti Elena – Voltmer Leonhard (eds.): Normazione, armonizzazione e pianificazione linguistica. Eurac Research, Bolzano 2008; Abel, Andrea – Stuflesser, Mathias – Voltmer Leonhard (eds.): Aspects of multilingualism in european border regions. Eurac Research, Bolzano 2007; Abel, Andrea – Stuflesser Mathias – Putz, Magdalena (eds.): Plurilinguismo in Europa = Multilingualism across Europe. Eurac Research, Bolzano 2006; Mayer, Felix (ed.): Linguistics and cognitive aspects, knowledge representation and computational linguistics, terminology, lexicography and didactics. Eurac Research, Bolzano 2001

<sup>13</sup> SLC-ST: Guide de rédaction de TermDat. Règles de saisie des fiches; Comment utiliser TermDat: Interrogation; Comment utiliser TermDat: Alimentation; Précis de technique législative; Aide-mémoire de rédaction législative. Online: <https://www.bk.admin.ch/bk/fr/home/documentation>

novelty of the topic selection. Subsequently, the methods and sources of research will be summarized.

The second chapter examines the relevant international and national legislative, constitutional and terminological literature. It provides a brief summary of the interconnection of jurisprudence and terminology, including in detail the concepts of law and terminology, such concepts as legislation, law interpretation and legislative procedure. It emphasizes today's legislative principles, detailing the main tasks of the law editor, the terminologist and the specialist. It briefly outlines the relationship between the ordering and the interpretation of the law, explains the specificities of legal terminology and terminology, and the importance of legal certainty.

The third chapter gives a detailed description of the linguistic culture and structure of Switzerland, South Tyrol (Italy), Slovakia and Hungary foreseeing the linguistic, legal and terminological aspects of the two case studies. It further analyses the state organizations of South Tyrol, namely Bolzano, Switzerland, Slovakia and Hungary, and the legal framework for official language use, touching upon the constitutional provisions. For South Tyrol and Switzerland the language use model and their territorial (cantonal, provincial, and regional) competences for the regulation of language use are described in details. In case of Slovakia and Hungary the status of the Hungarian language as a majority and as a minority language is being examined with the description of the national, intergovernmental and international laws and conventions on the official language use. In the closing of the chapter - considering the variable legal content - the official language, the state language categories of the national languages and the possibilities of the official language use with its main forms of expressions will be defined.

The fourth chapter analyses in detail the basic concepts relevant to terminology theory and constitutional translation and terminology work. It also addresses the issue of definition and definability and the significance of term definition from the aspects of legal translation and terminology.

The fifth chapter deals in depth with the main stages of terminology work, the mono- and multilingual descriptive and prescriptive, and domain-oriented and text-oriented terminology. The thesis continues with the possibility of classifying and grouping the terminology work, together with a detailed analysis of its basic concepts and main phases.



The sixth chapter presents the methods of conceptual matching in the system of constitutional law and its influential factors. It draws attention to the fragmentation of the Hungarian constitutional law terminology, the boundaries of the new terms appearing in the Basic Law of Hungary and the complexity of linguistic matching methods. In this chapter according to the usual comparative analysis all together nine terms will be analysed with reference to the relevant Hungarian and Italian terminology, translation science and legal literature and with the comparison of the source and target language products.

The seventh and eighth chapters contain research results for terminology databases in form of case studies. It provides an overview of the history of the formation of the bistro Italian- German- Latin Information System for Legal Terminology (*Sistema informativo per la terminologia giuridica*) and also clarifies the need for its establishment. The following section explains in detail the work and work phases of the mixed terminology Committee which was the basis for the bistro legal terminology information system originating from the cooperation between Bolzano and the Eurac Research research centre. Subsequently, the technical architecture of the bistro terminology database and the terminology and standards of the terminologists working on the database are presented together with the institution's database maintenance practice and the possibilities and limitations of accessing the database.

The second case study discussed in the eighth chapter describes the circumstances of the creation of the terminology database TermDat in Switzerland, a description of the legal background, the workflow of the Terminology section of the Swiss Federal Chancellery (Bundeskanzlei Schweiz, Cancelleria federale, Chancellerie fédérale) and summarizes the structure and development of the data bank.

The case studies discussed in the seventh and eighth chapters as well as the nine legal terms in the sixth chapter aim to contribute to the theoretical and practical bases of the establishment of the Hungarian legal terminology database, supplementing it by evaluating linguistic rights and the linguistic situation of the Hungarians and the importance of the Hungarian language as the guardian of our culture and identity.

The conclusions of the thesis and the possibilities to utilize the main results of the research are discussed in the ninth chapter.

The bibliography contains the literature used and referred to during the preparation of the thesis together with the list of sources, charts and tables. The legislative references and online resources have been included in the list of legal acts which is part of the appendix, together with terminographical sheets for the terms analysed in chapter six.

## **5. The summary of scientific results of the research**

In my thesis I examined a specific field, the constitutional law language and its terminology in the framework of qualitative, empirical research. My aim was to find out what kind of approach, working methods, modern and reliable IT tools could help the terminology and translation work within the domain of the constitutional law and improve the quality of legal translations. According to this aim, the most important conclusions and suggestions of the research can be summarized - with reference to the structural units of the thesis - as follows.

1) In my research, I first reviewed the relevant international and national legislative, constitutional and terminological literature. I gave a short summary of the points of connection between law and terminology, including the relationship between law and language.

I considered it important to address the basic requirements for cooperation between the two disciplines, terminology and constitutional law, detailing the economic, quality and cooperation conditions for the implementation of a major constitutional law and terminology project. These principles will have a high potential for better quality / better legislation and consistent terminology, provided that there is a political commitment to adherence and implementation. Furthermore those who are educated at the appropriate level and are engaged with legislation, construction of legislation and translation on a daily basis have the necessary resources and the institutional background. As a conclusion of the chapter, I studied the function of language from the point of social and legal security and then examined the relationship between language and law and its effect in the cultural context of the society.

2) In the third chapter, in the case of South Tyrol, Switzerland and Slovakia I analysed the factors influencing the development of national consciousness in detail with particular emphasis on the issue of language and linguistic law, foreseeing the linguistic, legal and terminological

aspects of the complexity of the two case studies. This analysis clearly outlined the priority of ensuring the right to use of the mother tongue and in some places its over-regulation and the constitutional and fundamental rights of citizens' linguistic rights.

In Switzerland and South Tyrol the primacy of the concept of nation, based on mutual understanding and equality, can be determined. The territorial linguistic fragmentation in case of Switzerland and South Tyrol means unconventionally the unity of the nation. I have defined the categories of the official language, the state language and the (official) minority language based on the statutory law created for the official language by way of terminology taking into account the changing legal content. The examples presented here are based on different legal regulations, but language rights are identified as constitutional and fundamental human rights for their citizens using their mother tongue in all areas of life. Besides the involvement of the state in every case the answer for the language challenges was the construction of the institutional and scientific background. Thus problems arising from linguistic differences are solved and institutionalized within legal frameworks.

3) In the overview of the terminology, I emphasized the basic concepts of Hungarian and foreign literature. Within this, I examined the various interpretations of terminology, definition, and equivalence, and then examined the features that may be relevant to investigating legal terminology. In order to classify the equivalence levels I have examined several classifications and instead of the wide-spread three-partitioning (the total equivalence, the partial equivalence and the lack of equivalence) in terminology I have used and presented the four-partitioning (total equivalence, overlapping, inclusion and the lack of equivalence) according to the recommendation of the SLC-ST. During the description of the literature, I highlighted the basic requirements of legal science for terminology and the possibilities of cooperation between the two sciences.

4) I conducted my examinations with the possibility of classifying and grouping the terminology work, during which I focused on the basic terminology of the work, and then analysed its main sections in detail. In the depths I discussed mono- and multilingual, descriptive and prescriptive, domain-oriented and text-oriented terminology works. The aim of the analysis was on the one hand to supplement the technical part of the thesis and on the other hand to explore the possible utilization of the fundamentally non-terminological researches. At the end of the chapter

the question of equivalence and definition was analysed in detail based on the specificities of the law.

5) In the sixth chapter, taking into account the predetermined theoretical framework, I analysed nine terms of the constitutional law based on the usual methodology used in terminology in the relevant Hungarian and Italian terminological, translation and legal literature and the comparison of source and target language products, in Italy. In the course of the study, I pointed out that the analysis of terminology translation issues requires a broader approach to the terminus, else ways, the definition of conceptual equivalence levels can only be obtained through terminology methods. My aim was to examine the degree of processing and credibility of the legal terms in the domestic legal printed and electronic translation tools, their target language equivalents, and their translation solutions in the Italian language. The study was based on the multilingual comparative methodology used in terminology, based on Tamás's analysis of the Italian and Hungarian economic terms. I have found that the equivalence level of the terms is not unambiguous and difficult to interpret they essentially correspond to the requirements of the functional equivalence. During the contrastive study I also highlighted the national boundaries of the Hungarian terminology the absence and the necessity of the domestic terminological researches preceding the wording. The results of the study may contribute to avoiding and resolving different interpretative and application problems and also they duly illustrate the necessity of terminology ordination and clarification.

6) In the next chapter I present the detailed legal terminology of the bistro information system established and operated by the European Academy of Bolzano (Eurac Research). The examined bistro includes about 8.5 million terms, nearly 5,000 administrative texts, the statute-books of all the regions and over 13,000 approved terminology labels in all three official languages of the region.

The huge volume of the official texts, hence their translation and terminology clarification required modern work equipment to meet these communication and political needs. During the analysis I pointed out that the data provided by the bistro is well-organized and systematically stored and the system rapid upgradeability and its constant updating and repair possibilities offer the region a complex solution. Its use greatly contributed to the harmonization of the national terminology and the rapid and consistent publication of new, accepted terms. With my analysis and

the descriptions of the bistro's characteristics I intend to strengthen the Hungarian terminological approach and present the main steps of terminology-management in an already established database and its possible involvement in education.

7) In the second case study I described the data conditions of the The Swiss Federal Administration's terminology database - the TermDat - the circumstances of its establishment its type and structure and its data fields in details in the form of a case study which can provide a lot of edification for the creation of the Hungarian terminology databases. In the first part of the investigation, I have outlined the criteria for the creation of a single legal language (uniform law, uniform application of law, use of the same language) for Switzerland, where this must be ensured with the equality of four official languages and with the single legal validity criterion. This was supported by the rapid increase in the volume of official texts, the speeding up of translation and terminology work, the development of tools and the need to meet communication needs as soon as possible. As a closing of this chapter, I did the content analysis of the database. As a result, I have stated that the presentation of the TermDat data bank algorithm, the way in which the data can be processed, and the description of their creation, extension and maintenance can greatly contribute to the implementation of further projects.

## **6. The practical applicability of the research results**

The aim of the research was to explore the theoretical background and practical applicability of the legal terminology workflow. This thesis is intended to contribute to the elaboration of a common working method for the two sciences and to the adoption of international examples. With the results described, I would like to draw the attention of lawyers and translators to familiarize themselves with the terminological approach, the main theoretical and practical frameworks of the terminology databases of today, and - according to Tamás's observation - to transform their work strategy and become conscious users of the tools provided by terminology. An additional advantage of terminology knowledge is that translators and lawyers will be able to support their language choices in an objective manner and with professional arguments.

I wish to summarize and organize the results obtained by verifying the hypotheses formulated at the beginning of the thesis.

*1. I am trying to find out whether terminology is helping to provide access to justice and to promote legal certainty. Therefore is there a raison d'être for databases developed and used by multilingual countries and is it justified to adopt these databases into the Hungarian terminology with state involvement in order to use them for quality legislation?*

During the examination of the effect of the new IT tools and software aimed at supporting law-based work that had been recalled by today's information-based society it can be stated that they have positive effects on the legislative process, while the new methods and approaches can be identified as the basic conditions for quality legislations.

The state funded science and information network constructed by the experts of law and terminology is professionally independent as a self-sufficient institution and it can be one of the cornerstones of quality legislation. One of the key results of this cooperation can be the creation of a legal terminology database. The term described in the terminology work method (Switzerland and South Tyrol) can be an example for monolingual countries to ensure clear and consistent terminology use, accurate communication and legal certainty. Furthermore, thanks to the advantages indicated and the controlled information it can be observed that there was an improvement in quality of the translation and the time spent on the translation shortened.

*2. What mother tongue rights do the legal systems of the examined states have for their own citizens? How can these be found in the process of legislation, and in the levels of implementation and application?*

I have pointed out in my study that the right to the mother tongue and the access to the native language encompasses many subdivisions. It extends to the institution of an official language appearing at national level, the terms of the state language and the national language as well as the conditions of learning foreign languages, and is related to general linguistic rights of individuals. Legislation - as a specific regulatory activity - has been identified as a means of defending the linguistic interests and values to be protected and also as the tool of the results to be achieved. In each of the analysed countries the linguistic legislative process is deliberate and methodical and the applied methods are governed by the given socio-economic situation. The official language is the most important element of the language law of the states, which, in the case of the examined states, is to be named and regulated in the constitution without exception. Accordingly, I have interpreted mother tongue rights in the context of the official language and the linguistic rights

governing it, including the concept of the official majority and minority language used by Andrassy.<sup>14</sup> Compounding this I have found that nationals of each country have the right to use the official language both in private and public life, before courts and administrative authorities, and have the right to participate in the education in the given countries official language and to get to know the laws and regulations of the country in the official language.

*3) What happens if the conceptual correspondence described above does not succeed? Does the comparison make a significant difference in the terms? How can we still ensure the quality and standards of translation and terminology matching in cases when in the target country's socio-economic system there is only a similar concept?*

All legislative and legislative products must comply with the principles of democracy and the rule of law. Looking at the issue of Basic rights, it is important that both the legislative procedure and the content of the legal norm must respect the Basic rights. The importance of this is due to the use of the mother tongue and the access to the law in the mother tongue. If access is not realized or the wording of the law is unclear, the law cannot be recognized, breaches the Basic right of the citizen, the requirement of compliance and the passing of the legislator's will. Consequently, the state will act appropriately when it ensures quality legislation as a procedure if, in addition to the formal and substantive compliance level of legislation, it also prioritises language and terminology requirements. As for a first step in ensuring the cooperation between the two disciplines it is necessary to establish joint professional consultations and conferences.

As a result of the international and national comparative analysis, I have come to the conclusion that while at national level harmonization processes and the terminology clarification of the various jurisdictions are in the centre of terminology, the knowledge transfer between nations transcends the definition of equivalence from different legal frameworks.

The results of my research offer a variety of utilization opportunities:

- Without the exact concept of constitutional law, no intended legal effect can be achieved.

The description of the process and basic requirements of terminological cooperation within

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<sup>14</sup> Andrassy György: Nyelvi jogok. A modern állam nyelvi jogának alapvető kérdései, különös tekintettel Európára és az európai integrációra. PTE Európa Központ. Pécs 1998. 32-33. o.

constitutional law can provide the starting point for further theoretical researches on this topic and can establish and facilitate practical work in these areas;

- the terminological analysis of the domain of the constitutional law, the detailed description of the terminology work and the introduction of the presented Hungarian-Italian terminus pairs can serve as a guide for terminology, lawyer and translator training, in the practical teaching of terminology and the development of translation work methods;

- Analysing the workflow of the SLC-ST, it can be stated that supporting the terminology workflows with the database contributes to the establishment of a (constitutional) legal terminology (awareness raising), fosters appropriate cooperation with linguists, educational and research institutions and enhances the terminology's practical approach;

- the described terminology databases in form, content, editorial principles and the criteria of reliability can be used as a template for the production of the national terminology data- and knowledge basis

- The results of the thesis may be of relevance to other branches of law, the related terminology applied in practice, terminology and other related training.



## References

- Abel, Andrea – Stuflesser Mathias – Putz, Magdalena (eds.): *Plurilinguismo in Europa = Multilingualism across Europe*. Eurac Research, Bolzano 2006
- Abel, Andrea – Stuflesser, Mathias – Voltmer Leonhard (eds.): *Aspects of multilingualism in european border regions*. Eurac Research, Bolzano 2007
- Andrássy György: *Nyelvi jogok. A modern állam nyelvi jogának alapvető kérdései, különös tekintettel Európára és az európai integrációra*. PTE Európa Központ. Pécs 1998. 32-33. o.
- Bárdosi Vilmos – Trócsányi László: *Magyar–francia–magyar jogi szótár*. KJK Kerszöv., Budapest 2001
- Bocquet, Claude: *Pour une méthode de traduction juridique*. Editions CB. Laussane 1994
- Chiocchetti, Elena – Voltmer, Leonhard (eds.): *Harmonising legal terminology*. Eurac Research, Bolzano 2008
- Chiocchetti Elena – Voltmer Leonhard (eds.): *Normazione, armonizzazione e pianificazione linguistica*. Eurac Research, Bolzano 2008
- Drinóczi Tímea – Petrétei József: *Jogalkotástan*. Dialóg Campus Kiadó, Budapest–Pécs 2004. 177-183. o.
- Drinóczi Tímea: *Összehasonlító jogalkotástan: trendek és kihívások*. In: Nochta Tibor – Monori Gábor (szerk.) *Ius et Ars. Ünnepi tanulmányok Visegrády Antal professzor 65. születésnapja tiszteletére*. Kódex nyomda. Pécs 2015. 159-178. o.
- Drinóczi Tímea: *Az alkotmányos párbeszéd. Jogtudományi alap kutatások 1*. MTA Társadalomtudományi Kutatóközpont Jogtudományi Intézet, Budapest 2017
- Fóris Ágota: *Van-e szükség magyar nyelvújításra napjainkban? A terminológia és a fordítás nyelvújítási vonatkozásai*. *Glossa Iuridica* 2014/1. szám, 49-59. o.
- Fóris Ágota: *Osztályozási módszerek a terminológiában és ezek oktatási vonatkozásai*. In: *Szaknyelv és Szakfordítás - Tanulmányok a szakfordítás és a fordítóképzés aktuális témáiról*. 2015. 27-34. o.
- Fóris Ágota: *A terminológia szerepe a többnyelvű Európában*. In: Benő Attila – Fazakas Emese – Zsemlyei Borbála (eds.): *Többnyelvűség és kommunikáció Kelet-KözépEurópában*. (MANYE XXVI). Erdélyi Múzeum Egyesület. Kolozsvár 2015. 25-34. o.
- Herczeg Gyula – Juhász Zsuzsanna: *Olasz–magyar szótár*. Akadémiai Kiadó, Budapest 2001

Koltay-Kastner Jenő – Juhász Zsuzsanna: Magyar–olasz szótár. Akadémiai Kiadó, Budapest  
2004

Mayer, Felix (ed.): Linguistics and cognitive aspects, knowledge representation and computational  
linguistics, terminology, lexicography and didactics. Eurac Research, Bolzano 2001

Megale, Fabrizio: Teorie della traduzione giuridica: Fra diritto comparato e Translation Studies (Theories  
on legal translation: between comparative law and Translation Studies). Editoriale, Napoli 2008

Pauletig Alajos: Magyar–olasz jogi műszótár. Minerva, Fiume 1912

Pusztai Ferenc (ed.): Magyar értelmező kéziszótár. Akadémiai Kiadó, Budapest 2003

Tamás Dóra: Legyünk kreatívak: milyen is az igazi terminológiai adatbázis? Fordítástudomány. XIV.,  
2012/1.

Tamás Dóra: Gazdasági szakszövegek fordításának terminológiai kérdéseiről. ELTE BTK Fordító-  
tolmácsképző Tanszék, Budapest 2014

Tamás Dóra: A jogszabály terminus megfeleltetésének kihívásairól az Alaptörvény angol nyelvű  
fordításaiban. In: Jogi Fórum. 2017

Tortora, Giovanni: Dizionario giuridico italiano-francese, francese-italiano. Giuffrè, Milano 2010