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THE PHENOMENON OF HOMONYMY IN THE MODERN ENGLISH JUDICIAL TERMINOLOGY

Summary. The article is dedicated to the complex study of the homonymy phenomenon of modern English judicial terminology. The presence of homonymy is commonly feature of both general and specialized vocabulary. Homonymous relations are considered common in terminology and are explained by certain factors, in this case, by the absence of new concept nominations. We treat homonyms to be two or more linguistic signs that have the same sound, but they are not semantically related.

At the present stage, the judicial terminology is gradually developing due to the increased integration of countries and international relations and it needs standardization and improvement of its terminology.

The work is aimed at studying the features of the phenomenon of homonymy in modern English judicial terminology.

The work solves the following tasks in accordance with the main goal:

- 1) to study the phenomenon of homonymy within the terminology field of the judicial sphere;
- 2) to investigate the processes of emergence of homonym judicial terms;
- 3) to identify the classes of terminology homonyms in judicial sphere;
- 4) to investigate the specifics of the functioning of homonym terms in the field of judicial proceedings.

The relevance of this study is due to the insufficient research on judicial terminology, the need to improve this field at the current stage, and the importance of standardizing its vocabulary.

The scientific novelty of the work lies in the fact that, for the first time, the phenomenon of homonymy in modern English judicial terminology has been analyzed. The study identifies the main types of homonymous terms within the judicial domain.

Among the homonymous terms of the judicial terminology system, we distinguish inter-branch terms-homonyms that function in non-adjacent scientific and technical spheres, inter-branch terms-homonyms that belong to adjacent spheres of application, intra-branch terms-homonyms that are characterized by the same form of a lexical unit that has different meanings within the same scientific sphere, homonym terms that function in the common language and in the legal sphere simultaneously.

Inter-branch homonym terms when used in unrelated scientific and technical fields do not hinder communication between specialists. Intra-branch homonym terms are characterized by the same form of a lexical unit, which has different meanings within the same scientific field. Such terms have disadvantages, as they interfere with the correct understanding of legal documentation.

The theoretical significance of this study is determined by its contribution to the general theory of terminology.

The findings enrich scientific knowledge about the specifics of terminological nomination and the main processes involved in creating terms in modern English judicial terminology.

Key words: terminological system, judicial terminology, terminological unit, inter-branch homonymy, intra-branch homonymy, common language.

Statement of the problem. At the present stage, one of the most important tasks of linguistics is the study of terminological vocabulary, its structural and semantic features, criteria for formation and prospects for further development. In particular, a thorough analysis of professional terminologies and terminological systems that have a long period of evolution or have recently emerged is carried out. The problems of standardization and unification of terminological systems of professional spheres, the emergence of neologisms, the processes of formation of terminological units are carefully studied.

Among the aspects of term formation research, one can distinguish system-functional, lexical-semantic, and word-formation. Thus, the lexical-semantic criterion of term formation contributes to a new search for substantiating various ways of entering terminological elements into the language.

At the present stage, the terminology system of judicial proceedings is dynamically developing due to the strengthening of the integration of countries and international relations and requires standardization and improvement of its terminology.

At the present stage, the study of homonymy is conditioned by the need to study the features of this linguistic phenomenon, to highlight the prerequisites for the emergence of homonymous units, to identify criteria for distinguishing manifestations of polysemy and homonymy. It should be noted that these issues remain controversial in modern linguistics.

Analysis of recent research and publications. Legal terminological vocabulary has become an object of study for many linguists, including Yu. Babiatynska, K. Huseinova [1], O. Koval [2], O. Petrenko [3], O. Lysenko [4], S. Lytvynska [5], O. Popova, V. Krasniuk [6], O. Romaniuk, V. Bialyk [7] and others. Linguists focus special attention on the search for an evidence base that illustrates an important property of the term – the tendency to monosemy, and therefore show considerable interest in lexical-semantic processes in the terminological field.

The specifics of the implementation of the phenomenon of homonymy in the field of terminology are highlighted in scientific works by the following linguists: I. Mentynska [8], M. Lafasova [9], O. Romanova [10], O. Krasivskiy [11] and others. However, despite significant achievements in the study of this problem, in modern linguistics the issue of the implementation of the phenomenon

of homonymy in legal terminology is still a debatable issue. It should be noted that at the present stage there is no single, common interpretation of this phenomenon.

The purpose of the article is to study the features of the phenomenon of homonymy in the modern English judicial terminology system.

The main material of the study. The terms of judgment should be brought to meaning, unambiguity, stability, accessibility. Since the terms of justice are not clearly defined and unclear, it is impossible to talk about the accuracy of terminology. Inadequacies in the judicial terminological apparatus and unclear formulation of legislative concepts can result from the unclear representation of judicial concepts in the verbal form. Therefore, the study of the lexical-semantic aspect of judicial terminology is relevant [5, p. 23].

The relevance of this work is enhanced by the lack of thorough research in the field of judicial terminology, the improvement of this field at the present stage and the need to standardize its vocabulary. In the judicial terminology system, homonym terms occupy an honorable place. In view of this, they require study.

The work solves the following tasks:

- 1) to characterize the phenomenon of homonymy within the terminological field of the judicial sphere;
- 2) to study the processes of the emergence of judicial homonym terms;
- 3) to identify the types of terminological homonyms of the judicial sphere;
- 4) to learn the specifics of the functioning of judicial homonym terms.

The object of the study is the modern English judicial terminology system.

The subject is the phenomenon of homonymy in the specified terminology system.

The phenomenon of homonymy is traditionally characteristic of both general and specialized terminological vocabulary. Homonymous relations in terminology are natural and are caused by certain factors, in particular, the lack of nominations for new concepts. Homonyms are considered to be two or more homophones that are semantically unrelated.

In scientific literature, the phenomenon of homonymy is interpreted as a linguistic phenomenon that occurs when lexical units, their grammatical forms, morphemes, syntactic constructions with the same sound (or spelling) have completely different definitions. Homonymic lexical units are characterized by belonging to different semantic fields [10, p. 749].

The primary reasons for the emergence of homonyms in the field of terminology include the separation of two or more meanings within a polysemantic unit, changes in the form of expression of words that originally had different sounds, and the convergence of language units borrowed from different sources, resulting in the independent functioning of autonomous lexical units.

Linguists hold varying views on the phenomenon of homonymy in the field of terminology. Some researchers regard homonymy as a linguistic anomaly and a barrier to effective communication among specialists. In some cases, it becomes necessary to isolate a specific meaning from all those conveyed by a given linguistic form to ensure the correct interpretation of information. Additionally, homonymy often complicates the overall process of language learning, as a single linguistic form can encompass multiple meanings [10, p. 750].

Some researchers note that homonymy reflects the disorder of judicial terminology, especially at the genus-specific level, which sometimes leads to complete nonsense [5, p. 90]. A term is regarded as a nomenclature unit capable of precisely conveying the essence of a concept within a specific scientific field; therefore, homonymy cannot exist within a single terminological field.

Sometimes researchers recognize the right of homonymy to function in the terminological system, but with a tendency to its partial elimination or normalization. Other scientists focus on the importance of this phenomenon, which is explained by the enrichment of the vocabulary [10, p. 750]. It is believed that homonymous lexical units that function in related professional fields do not hinder communication between specialists.

Currently, there is a problem of drawing a demarcation line between homonymous and polysemous lexical units. We align with the perspective of scholars who believe that homonyms should be distinguished from polysemous words. It should be noted that with polysemy, one word has several correlated meanings, and with homonymy, there are several lexical units whose meanings are not characterized by associative connections. An etymological criterion was proposed to eliminate the problem of distinguishing the phenomena of polysemy and homonymy [12, p. 193]. In view of this, only lexical units that have different etymological origins should be considered homonyms. But this approach is imperfect, since in some cases it is impossible to trace the processes of word evolution.

Judicial terminology is characterized by the phenomenon of homonymy, which arises as a result of the separation of several meanings of a polysemantic word, due to the presence of certain boundaries between polysemantic and homonymous expressions. Unlike commonly used vocabulary, homonymy in the judicial terminology system is an undesirable phenomenon, since it significantly complicates the process of semantization of lexical units and causes difficulties in interpreting the term.

Since the language of jurisprudence develops very quickly, legal terms can become obsolete, some of them acquire new meanings and shades, new borrowed meanings appear [12, p. 13]. Homonymic relations are a characteristic feature of judicial terminology.

The homonym terms included in the studied terminological system can be classified as follows:

1. Inter-branch homonym terms that function in unrelated scientific and technical fields. The following key features are characteristic of inter-branch homonymy: different definitions are assigned to the terms, and these terms belong to different terminological systems.

Compare:

- *liability*

1. „obligation”, „responsibility” (judicial terminology);

2. „passive” (economic terminology).

- *collector*

1. „a person or company that collects payments from people who have not paid money they owe” (judicial terminology);

2. „electric machine collector” (pump engineering terminology);

3. „collector” (agricultural terminology);

4. „section of a sewer that collects wastewater” (construction terminology).

Among inter-branch homonyms belonging to unrelated scientific and technical fields, abbreviated lexical units are distinguished.

Compare:

• *DC*:

1. „District Court” (judicial terminology);
2. „distance between centers” (pump engineering term system);

3. „double column” (construction terminology).

2. Interdisciplinary homonymous terms that function in the related scientific and technical fields. They are connected by common processes and direct production links.

Compare:

• *libel*

1. „complaint” (the field of justice);

2. „defamation”, „disclosure of true information that is shameful to another person” (the field of notarial procedural law);

3. „a claim against a ship” (the field of maritime law);

• *action*

1. „litigation”, „plea” (the field of justice);

2. „proceedings” (the field of notarial procedural law).

3. Intra-disciplinary homonyms are terms characterized by the same form of a lexical unit that has different meanings within the same scientific field.

Compare:

• *document of title*

1. „a document confirming the existence of legal title to certain movable things” (the field of justice);

2. „document allowing the disposal of goods” (the field of justice).

• *fee*

1. „honorarium” (the field of justice);

2. „absolute ownership” (the field of justice);

3. „membership fee” (the field of justice).

It is worth noting that with intra-industry homonymy, errors in the interpretation of the content of judicial documents may occur due to the incorrect choice of the meaning of the homonym term.

4. Homonym terms that function in common language and in the judicial sphere simultaneously. Such lexical units have different meanings. Commonly used words, when entering the judicial terminology system, can change their lexical meaning.

Compare:

• *bear*

1. „bear” (common language);

2. „a speculator playing on the downside” (the field of justice).

• *action*

1. „action” (common language);

2. „case” (the field of justice).

It should be noted that the simultaneous functioning of terms in common language and legal terminology does not interfere with professional communication.

Conclusions. Thus, we can conclude that homonymic terms are an integral component of the modern English judicial terminological system. The phenomenon of homonymy arises as a result of the distinction between two or more meanings of a polysemantic lexical unit, determined by a certain demarcation line between polysemy and homonymy.

Homonym terms of the judicial sphere can function in general language, in unrelated scientific and technical spheres, in related industries, within the legal terminological field.

Among the homonymous terms of the judicial terminology system, we distinguish inter-branch terms-homonyms that function in non-adjacent scientific and technical spheres, inter-branch terms-homonyms that belong to adjacent spheres of application, intra-branch terms-homonyms that are characterized by the same form of a lexical unit that has different meanings within the same scientific sphere, homonym terms that function in general language and in the legal sphere simultaneously. It should be noted that inter-branch homonymy does not interfere with communication between specialists provided that it is implemented in non-adjacent scientific and technical spheres. However, intra-branch homonymy is a significant drawback in the interpretation of judicial documents. The presence of homonyms in legal documentation requires explanation in order to avoid misinterpretation in the legal field.

Note that homonymous terms require mandatory unification, standardization, and organization, since the proper level of formatting of judicial documentation texts contributes to the correct understanding of special information.

Prospects for further development. In the future, we plan to investigate the structural characteristics of lexical units of the modern English judicial terminology.

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Литвинко О. Явище омонімії у сучасній англійській термінології судочинства

Анотація. Стаття присвячена комплексному дослідженню феномену омонімії сучасної англійської судової термінології. Наявність омонімії характерна як для загальної, так і для спеціальної лексики. Омнімічні відношення вважаються загальноприйнятими в термінології і пояснюються певними факторами, у даному випадку відсутністю нових номінацій понять. Ми розглядаємо омнімії як два або більше мовних знаків, які мають однакове звучання, але семантично не пов'язані між собою.

На сучасному етапі судова термінологічна система поступово розвивається внаслідок посилення інтеграції країн і розвитку міжнародних відносин і потребує стандартизації та вдосконалення термінології.

Робота спрямована на вивчення особливостей явища омнімії у сучасній англійській термінології судочинства.

Робота вирішує наступні завдання відповідно до основної мети:

- 1) дослідити явище омнімії в термінологічному полі судової сфери;
- 2) вивчити процеси виникнення судових термінів-омнімії;
- 3) ідентифікувати класи термінологічних омнімії у судовій сфері;
- 4) висвітлити специфіку функціонування термінів-омнімії у сфері судочинства.

Актуальність даного дослідження зумовлена недостатньою вивченістю судової термінології, необхідністю до-

сконалення цієї галузі на сучасному етапі та важливістю стандартизації лексики.

Наукова новизна роботи полягає в тому, що вперше проаналізовано явище омнімії в сучасній англійській судовій термінології. У дослідженні визначено основні види термінів-омнімії у сфері судочинства.

Серед термінів-омнімії судочинства виокремлюємо міжгалузеві терміни-омнімії, що функціонують у несуміжних науково-технічних сферах, міжгалузеві терміни-омнімії, що належать до суміжних сфер застосування, внутрішньогалузеві терміни-омнімії, що характеризуються однаковою формою лексичної одиниці, яка має різне значення в межах однієї наукової сфери, терміни-омнімії, що функціонують у загальній мові та в сфері судочинства одночасно.

Міжгалузеві терміни-омнімії при використанні в неспоріднених науково-технічних галузях не перешкоджають спілкуванню між фахівцями. Внутрішньогалузеві терміни-омнімії характеризуються однаковою формою лексичної одиниці, яка має різне значення в межах однієї наукової галузі. Такі терміни мають недоліки, оскільки заважають правильному розумінню юридичної документації.

Теоретичне значення цього дослідження визначається його внеском у загальну теорію термінології. Отримані результати збагачують наукові знання про специфіку термінологічної номінації та основні процеси, пов'язані з терміноутворенням у сучасній англійській судовій терміносистемі.

Ключові слова: термінологічна система, судова термінологія, термінологічна одиниця, міжгалузева омнімія, внутрішньогалузева омнімія, загальна мова.