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**TERMINOLOGY**

**SCIENCE**

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**RESEARCH**

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## **HYPERTERMINOTICS – CONSIDERATIONS ON TERMINOLOGY ORGANIZATION<sup>1</sup>**

### **Abstract**

*This paper concerns hyperterminotics, a word I have created by combining terminotics, hypertext and informatics. The necessary use of computer to process terminology hypertextually inclines me towards the use of the term hyperterminotics instead of hyperterminology. Hyperterminotics refers to the situations or processing, organisation and management of terms and terminologies through hypertextual facilities within a network. It is presented as a different way of organising knowledge. If hypertext still establishes relationships between nodes, it is not on a hierarchical scale. The internaute and designer are then considered in a process of endoculturation which varies according to their paradigm of navigation. There are as many paradigms as there are ways to understand terms (strategies of thinking) and to abstract from the phenomenal world. Studying this new way of processing terms allow us to demonstrate that the traditional linear way of representing knowledge cannot account for the "polyhedral" nature of the term.*

### **1 Introduction**

The General Theory of Terminology (henceforth GTT) has borrowed from other fields, such as philosophy, from which it has taken the Porphyrian tree (Porphyrius of Tyrus, R. Lull, and later F. Bacon), trying to give monoreferentiality to a medieval metaphor, the term. From linguistics it has borrowed, according to Juan C. Sager, theories about the lexicon and its structure and formation [...] <sup>1</sup>. Since Eugen Wüster (1931), the terminological ideal has been to attempt to give one denomination to a concept (bi-univocity of the term). According to this aspect of terminology, the specificity of a terminological unit lies in its privileged relationship with other units in a field of knowledge and establishes a standardized model of knowledge representation. This

aspect of the GTT is part of the dominant problematics in artificial intelligence: knowledge representation systems. In this paper, I will try to demonstrate that the traditional linear representation of knowledge cannot account for the "polyhedral" nature of the term. This will lead me to talk about what I call hyperterminotics and give an overview of some new pathways taken by metaterminology, like the growth of interest in sociological and epistemological criteria of term aspects. Within metaterminology, hyperterminotics heralds emerging developments in the acquisition of terminology. This reflexion does refer to a range of various philosophical approaches, particularly regarding knowledge (epistemology), reality (ontology or metaphysics), and values (philosophy of culture).

## **2 Definition of Hyperterminotics**

The term hyperterminotics borrows from Budin et al. (1994) who first used hyperterminology and terminotics (1977) (first used by B. Harris<sup>2</sup> according to the information available) and later used in French by P. Auger and D. Gouadec). Terminotics contains in itself the notion of informatics and the suffix -tics, an aphaeresis from automatics, specific, says Caroline de Schaetzen to the automatised disciplines. She mentions<sup>2</sup> that once infomatics touches a sector of activity and knowledge, it creates multidisciplinary micro-fields. I have created the term hyperterminotics which concerns the situation or processing, organization and management of terms and terminologies through hypertextual facilities within a network. Moreover this text deals with philosophical aspects of terminology processing through Internet. Until now terminology processing through computers has been the only way to process terms by the use of hypertext. The obligation of having recourse to neology is that no term until now refers precisely to the activity of organizing terminology on the web. The necessary use of computers to process terminology hypertextually inclines me towards the use, in a theoretical framework, of the term hyperterminotics, constructed by the combination of hypertext, terminology and informatics, instead of hyperterminology.

The hyperterminology should mark out the hypertextual processes like the corollaries, the analogical links, etc. Finally, the need to create a new concept does not depend on the existence of lexical units having

various degrees of technicity but rather on the new ways of organizing it. That is the need of describing new terminological practices that lead to the creation of the concept: on one hand we must theorize about the uses, now frequent, of the hypertextual links, on the other hand, we must explain the concrete attempts, like the one of Cabré and Rojo realised at the IULA (Institut Universitari de Lingüística Aplicada) to organize the terminology on the web from metaterminological hypotheses that leads then to new terminological practices.

### **3 Epistemological Considerations on Hyperterminotics - Computer and Metaterminology**

Within the computational shift in linguistics in the 1970's (See Winograd quoted by Cook, 1994: 61), terminology has broken frontiers especially with the emergence of terminological data banks, which grew from 14 in 1978 to 80 in 1994 showing simultaneously the rapid development of terminotics.

The hypertextual thought elaborated by Vannevar Bush in 1945 and metaterminology elaborated in the same years, share one belief about science, namely that knowledge grows cumulatively and has to be organised in such a way that it is easy to find. The hypertextual thought was founded on the idea of association and links. In hyperterminotics, a close relationship exists to both aspects (heuristic and epistemological) involved in terminology acquisition. John McCarthy (1985: 23) distinguishes between epistemological and heuristic aspects of Artificial Intelligence.<sup>3</sup> According to him, the former deals with WHAT information can be represented, while the latter focuses on HOW that information can be represented. Referring to this distinction, I believe that heuristic -multilinear (Abramson, 1995: 7) - possibilities made possible by engineering knowledge give new epistemological overviews on the "polyhedral" nature of the term.

### **4 Overview of Metaterminology Trends**

The crucial issues raised by the new trends in terminology are at the same time challenging central orientations of occidental modernism (deconstructionism, post modernism, etc.). The treatment of terminol-



ogy in transdisciplinarity is implemented in a sociology of knowledge (See Robertson, 1996; Breton, 1992). The sociotermino-logical trends are taking part in those epistemological changes. In this respect L. Guespin (1990: 645) shows a series of differences between GTT and socioterminology: the focus on univocity versus the description of the various real scientific and technical speech interactions; wüsterians were "relying on a committee of specialists [...] to fix its terminology whereas on the other side, the socioterminological one, we have to deal with various uses of speech"; finally the GTT method classified terms in a conceptual system, while socioterminology uses discourse analysis in the various interactions which involves taking into account local practices of science and technology.

The sciences collaborate and borrow terms from other disciplines (creating scientific metaphors<sup>4</sup> (inter-domain metaphorical connections)). Judith Schangler says : "Soit des notions ou des constellations de notions déplacées hors de leur terrain d'origine et employées ailleurs, dans un autre champ de pertinence."<sup>5</sup> She calls this phenomenon 'transferts métaphoriques'. On an other hand, the new ideas emerging in the social studies of sciences as well as vulgarisation, as part of modernists values (See Breton, 1992), bring to terminological theory new avenues promoted by socioterminologists, such as Gaudin (1993: 255) that the solely logical aspects were not able to give.

## 5 General Theory of Terminology

Wüster was not the first to demonstrate the possibility of ordering knowledge in univocal nomenclatures (Carl von Linné and others had elaborated logical structures well before), but he was the first one to theorize about the applications of the logical tool. In this aspect, to avoid ambiguity, we should call him the father of metaterminology rather than terminology. The objective of the recognized founder of metaterminology, Eugen Wüster was very clear: promoting sciences with the help of a unified language. He wanted to offer unambiguous communication through descriptive records of terms and normalized terminologies. K. Opitz explains how it became a certain a solution to a certain sociolinguistic problem: "[talk about forging or masonry or farming was not easily in danger of misinterpretation. Only when our civilisation became more abstract and experience was partly replaced

by the civilisation became more abstract and experience was partly replaced by the less reliable imagination, a way had to be found to avoid the distorting influence of mass use of language. The technical term provided a way out of the dilemma for the specialist."<sup>6</sup>

The idea of bringing together all scientific disciplines in the same scheme (See Esteban, 1996) was part of a larger movement of esperantist ideas, investigations on language and reality (Felber 1994: 41) and the influence of logical positivism (Russel and Wittgentsein). According to Wüster, conceptual logic had clarified the relationships among concepts ordering them in such a way that a concept field appears (Oeser, 1994: 26). It was also responding to the social needs, socio-economical motivations in technical normalization of language, language planning and standardization and ideological transformations. Classical terminology theory is based on the equivalence between concepts and signs (univocity between sign and denotation<sup>7</sup>), precision, and coherence. Thus it underestimates the context. This positivist ideal was also near those of a contemporary, i.e. Sčerba's theory of bilingual lexicography. Rita Timmerman says: "The scientific study of specialized vocabulary is confounded with the pragmatic activity of standardization. This urge for standardization is a by-product of objectivism, which is deeply rooted in the Western philosophical and cultural tradition."<sup>8</sup> In the onomasiological approach the hierarchical tree structure is developed and identified by the terminological definitions. Constituting an object is deriving it from other concepts. Following the Vienna School, Merten and the Belgian school represented by D. Blaimpain, Marc Van Campehoudt (Merten, 1992) among others have developed a research projet called Termisti which adopts such a paradigm but also relativize it by recognizing semantic variations in the units from one micro field to another one and between different languages. Even if they have opted for a descriptive work instead of the prescriptive one of Wüster, they still edify "hierarchized" notional nets.

## **6 Interpretation versus Representation/Organization**

If we admit that representation of knowledge has a philosophical (which meaning do we attach to objects or concepts?) and a psychological sense (which relations, associations do we establish between these objects?) we must then consider hyperterminotics as dealing

more, in this aspect, with psychological considerations. On the other hand, hyperterminotics has the specificity of not establishing any hierarchical relationships between nodes. For this reason, we prefer not to use the operator representation that seem to us too near the notion of /hierarchisation/ and of /structured model/. But if it's not a representation of knowledge, how can we name the relations of the reticular net. Choosing the term interpretation, thus, would include those two previous senses of representation but would not express the idea of a set of nodes involved by the existence of a network. I believe that the term organization is more pertinent to describe analogical relationships between nodes. It has not got the sense of hierarchy, that normally expresses representation in terminology, and /system/ in its political and epistemological sense. Moreover, it takes for a hypothesis (Condamines, 1994: 32) the idea that the referent concerns perception and does not belong to a system as opposite to the concept. The weakness of Wüster was to believe that concept was equivalent to the linguistic system even though linguistic systems are not equal in all languages (Rastier, 1995: 40). Finally, after Lerat (1997: 11) we consider knowledge as an equivalent of information.

## **7 The Paradigm of Hyperterminotics**

By using the paradigm of the specialised hypermedia knowledge organisation, recently developed in Spain<sup>9</sup> by the anthropologist Arcadio Rojo jointly with the linguist M. Teresa Cabré, an understanding is made possible. Rojo's reflexion on hypertext comes from his previous thesis (See 1992: 209ff) in which he discussed the conflict of ethics in the western world (which is connected with the dichotomical way of seeing the things in Occident) and the engineering cultural invention influenced by the works of the American Robert Cavalier. Cabré (see her previous works on the diversity of terminology, terminology being understood as terminological unit and as metaterminology (theoretical approach of terms) (1993: 31, 37, 82; 1996: 18)) says she has been influenced by the Catalan Antoni M. Badia i Margarit in his way of focalising objects of study from different perspectives. The next section deals with, among others, Rojo's notion of circular text and will try to measure the contribution of Cabré and Rojo to the recently developed theory of organizing terminology.

## 8 Linearity vs Circularity?

Many publications (Piotrowski, Rojo into others) relating terminology to epistemological considerations have highlighted the idea of non-linearity and non-sequentiality of hypertext<sup>10</sup>. In a certain fashion, hypertext can be considered as a text without a beginning or any end evoking the doctrine of the eternal recurrence which has its roots in Greek philosophy<sup>11</sup>. The encyclopedists, like Ramon Lull, or other since Isidore of Seville<sup>12</sup> took spontaneously the figure of the circle, similar to the divine archetype where God is the center<sup>13</sup>. As says Thomas Walker, the system of organizing knowledge presented in the book known in English under the title 'The Book of the Gentile and the Three Wise Men' (Libre del gentil e dels très savis) "when methodically applied to life's problems, was to achieve Lull's goals: to honor God and to unify all religions [...]"<sup>14</sup>

The literature on hypertext borrowed the figure of the circle and the eternal recurrence. In fact it is more the links themselves that make the network infinite, the text still being presented in a linear way. For this reason Rojo and Cabré preferred to call this new textual phenomena circular text (1996: 417). By adopting this point of view, we would then still have to deal with the ambiguity noted by Henri Meschonnic (1996: 19) and Levy (1995: 203) between the openness and the closure of encyclopedic knowledge. We would then also have to specify the difference between the linguistic circularity of a dictionary, being the result of the dictionary as a text, which means closed on its own words<sup>15</sup>, and cognitive circularity which seems to be specified more by memes expressing openness. In this case the figure of the labyrinth should be preferred. Does circularity mean totality or an open-ended system?

Referring to Jacob Neusner's (1997: 375ff) article on paradigmatic versus historical thinking (which is chronological unlike the first one), we should not consider hypertext as a circular way, nor linear, of thinking but more on the basis of a cognitive and processing paradigm. I will define later what I mean by paradigm. A cyclical exploration of any hypertextual design would imply getting back to the beginning nodes and therefore stating that the previous exploration would appear again and so on ad infinitum and, therefore, that there is a center. On the other hand, de-linearized doesn't mean circularity as we can observe

in Budin et al. (1994). In their work on hyperterminology, they use de-linearized in the sense of de-contextualized (1994: 6) referring to the relationship between text and term, the former being linear and the latter, because it is just a fragmented unit of a text, is de-linearized. In this perspective, hyperterminology has no metaphysical, heuristic or epistemological implications but more graphical ones.

Cyclicity could be rejected in favour of a relational-reticular organization of terms together for two reasons:

- a) because of the paradigmatic nature of terminology processing throughout hypertextual navigation or in the same way of endoculturation, which also reestablishes criteria of cultural values and diversity of terms.
- b) the sites are often unfinished. The frequent use of ‚under construction‘ or ‚waiting for the next visitor‘ makes the telematic text in itself an uncompleted, unachieved work unlike the published book (an exception is Lucien Leuwen, *les Pensées de Pascal*) that is, even if its a serial publication, has a certain idea of achieved work.
- c) The web pages scroll. We do not see all the information of the various material of the nodes.

The metaphoric use of navigation (Netscape Navigator, Explorer) then reminds us of Francis Bacon's proficience referring to an idea of movement and march toward knowledge instead of a static expression of it (See Chatelain, 1996: 161, 169) as if the mind was building knowledge. In this aspect the traditional idea of an encyclopaedia doesn't fit perfectly in the sense that it had the pretention to describe all the knowledge available at that precise moment of the publication. In the terms of the philosopher P. Levy (1995: 176), we could have access to a space of knowledge instead to disciplines which are structured as territories or catégories disciplinaires (J. Schlanger, 1995: 581). The construction of hyperterminotics is thus related to a dynamic synthesis (like an open work) in perpetual movement of scientific and social activities. Hypertext then consists "en une structure d'interaction récursive entre textes (documents) et interprétations «temporairement stabilisées» (ou connaissances) destinée à produire de nouvelles élaborations sémantiques (des interprétations)" as says David Piotrowski (1996: 323). The metaterminology appears at an epistemo-logical encounter between

- a) the creation of its own field in which the metalanguage is used to build the method;
- b) the construction of any scientific field where it has the function of elaborating the conceptual framework of a field.

## **9 Hyperterminotics and Complexity - Description of Reality**

The GTT has elaborated abstract knowledge ("systematicity", coherent knowledge) which up to now has not been able to deal with empirical considerations such as the complex description and definition of reality or referent. "A scientific lexicon [Kuhn] is constitutive of a phenomenal world in the sense that it creates a taxonomy of kinds corresponding to the concepts available to the speech community living in the phenomenal world" (Ahmad 1996: 9). Terminologists should then not use the word reality, understanding the world in itself, epistemically inaccessible to the cognizer. The theory of terminology has been also very weak, to talk about concepts describing formal realities. If the referent is abstract, what would be the concept then if we know that in conceptology, the concept exists always independently of the term. In philosophy the term often changes because the point of view is changing (conceptual neology) but not the phenomenon in contrast to terminology referring to technical fields (referential neology). This perception of reality in the nomenclature dealing with concrete objects has been the starting point of the consideration on the univocity of the term.

## **10 Expert Knowledge and Lexical Knowledge and Different Degrees of Scientificity**

Hyperterminotics, concerned with the display of terminological data in a URL (Uniform Resource Locator) Web page, rejects the monoreferentiality of the term which tends to isolate fields of knowledge as developed by the School of Vienna. This new conception is an alternative to that of the GTT, not just by establishing different notional nets as adopted by TERMISTI in Belgium and by Mayer, Geer and Hanne (1990) or relating knowledge maps (two dimensional graphical displays) (Amer, 1994) which are still ranked; but also by relating

several views of the same domain (polyhierarchical relationships). In effect, some terms which belong to a field (such as economic policy) can also be used in the field of renewable energy<sup>16</sup>.

The analysis of term units shows us that they do not appear just in specialized discourse. General dictionaries have often used literary texts to illustrate scientific and technical uses and senses (Candel, 1990: 47). An absolute opposition between lexem and terms then become unavailable. Since we know that specificity of the term is not unvariable (Phal quoted by Morgenroth 1994: 13), we should study terms holistically (Handwerker (1989), Budin et al. 1994: 3; Gentilhomme, 1994: 33) within the idea of science of complexity<sup>17</sup> admitting the double function of terms: by distinguishing lexical knowledge (sign-word) and expert knowledge (sign-term), (or "vocabulaire d'orientation scientifique" (Morgenroth, 1994: 75), by taking into account cultural values, discourse, level of discourse moving the interest toward text and multi-dimensionality<sup>18</sup>. We should also better define what we mean by knowledge, information, etc. Different types of studies have been made on the communities of a computer mediated communication.

## 11 Anthropological View

The hypertextual organization of knowledge allows us to use horizontal navigation between nodes of information linking with other web pages. Rojo, by borrowing concepts from Egyptian and Hinduist points of view of history and reality (the unity in the diversity – the major theme of the Upanishad – (Diaz, 1982: 17)) modifies the traditional criteria (vertical relation which concerns the level of inclusion in a category) used to define relationships between terms. As F. Gaudin argues, sciences must be considered not as fields, but as a net of nodes. (1993: 252) These new heuristic methods give an anthropological vision of terminology organization. Terms are no longer seen as describing a homogenized, standardized knowledge but rather on the plan of culture diversities (traditions) which use the transmission and teaching of terms as a process of endoculturation, acculturation. As says Eve Sweetser, we can "agree with those semanticists who consider meaning to be rooted in human cognitive experience: experience of the cultural, social, mental and physical worlds."<sup>19</sup> This point of view deals largely with considerations involved in the axis modernity/tradition as

the problem of the culture internationalization through the web. The process of endoculturation (acculturation) should be understood in a dynamic process of scientific vulgarization which take into account the culture of the addressees<sup>20</sup>.

Jim Rosenberg thinks the phenomenon of hypertext certainly in a different way, but it shows the alternative medium of thinking: "the proposal for hypertext as a medium of thought; for hypertext inside the infrastructure of language, is a proposal for an externalization of syntax analogous to the externalization of the nervous system manifested in computer network."<sup>21</sup>

In my view the easy access to intercultural computer-mediated communication –even though the quality of the web sites is very unequal– allows us to develop encyclopedic knowledge. Because the system doesn't support all the languages' typography, for example Arabic, culture is then expressed through a transliteration and sometimes, to be accessible to more internautes, translated into English. In a certain way, this means that people understand part of the culture through the eyes of another culture, a problem that provokes lexical gaps.

This necessary translation and the domination of English in the telematic edition makes us thinking that it is hard that the nature of information, the way it is represented are so intertwined that it is hard to affirm if it belongs to universal or tradition. Even if English is used to express cultures in which English is not an official language or a vernacular language, the texts are still being culturally motivated to be interpreted according to textual semiotics. The plurality of text linked together and consulted build a new text made of which is the result the total of all the little nodes of information recuperated from a site to another one. The construction of subjectivity is rather present in the process of surfing than in the traditional semiotic relation with the linear text. C. Galinski and W. Nedobity say: "les liens notionels sont aussi important en tant qu'éléments porteur d'information que les notions elles-mêmes en tant qu'unités spécifiques de connaissance et de pensée."<sup>23</sup> This is partly due to the fact of the reticular dispersion (interpreted within the philosophy of complexity and some ideas of French philosophers (Derrida, Wunenberger) of the knowledge involved by the hypermedia organisation.



## 12 Hyperterminotic: An Ethical Definition of Paradigm

Hyperterminotic is then considered as part of knowledge of invention for many reasons: first of all, terms have to be considered within the textual semiotics, e.g. the cultural, sociological and historical boundaries, also the fields in which they appear (See Candel 1993, Rastier). In other words, taking into account those aspects of the terms as if they are considered simply as lexical unit shall also make us reconsider our own definition of scientific culture within the hypothesis of the socioterminology. Secondly, the terminologist, the web-page maker and the "internaute" are viewed as designers (science of design (H. Simon)) in their relation to electronic edition. In this aspect, terminological creation (neonymy) and transmission are a part of a decision set concerning ethical values (human choices and responsibility) that builds up the network. Perception (analysis of the situation) and decision (selection of the best road to take) are part of the different phases of learning. Nancy K Baym says that "practice theories view culture as continually reproduced and altered through the behaviour of actors making practical choices."<sup>24</sup>

In this context, a term has validity, like an historical event (Simmel, 1995: 300), if it's fixed in a time, within a community of interpretation, and, with other nodes, it forms a unity of understanding according to the paradigm chosen by the internaute and the designer. But contrarily to the idea of the history with its rigid distinction between past and present<sup>25</sup>, its careful connections form one to the other, paradigmatical view allows any analogical connections within the web "as a text ruled by the principle of universal analogy and sympathy"<sup>26</sup>

Building the network (the equivalent of domain tree) does not give priority to the specialist as it is in basic principles of the GTT but is the result of the combined work of terminologist, the specialist, the cognitivians and the internaute.

If hypertext still establishes relationships between nodes it is not on a hierarchical scale or on a classification vocation ; it allows an inner access to the non structural knowledge of the nets. Within the compound hypertext, each term becomes a node of information constitutive of a bigger article that "transcends" it: "[...] paradigms are at the same time pertinent without regard to considerations of scale and formu-

lated without interest in matters of singular context"<sup>27</sup> as it is in the sequential narrative of one-time events (historical thinking). In the tree field a set of terms represents the state of terminology in a field and, so on, a certain paradigm, evidently unstable, of the representation of knowledge (Sager, 1990: 16, Otman, 1996: 127). Christian Galinski says: "A structured set of concepts constitutes the 'skeleton' of any given scientific theory."<sup>28</sup> It doesn't automatically mean that a theoretic (conceptual) shift in science implies just a linguistic turn but that a scientific sees his thought transformed through theoretical evolutions. The term paradigm in this aspect is taken as a concrete scientific and terminological system achievement (See Ahmad 1996: 8) in a certain period of time, that's what makes it complex and unstable<sup>29</sup>. Maurizio Gotti says: *nostra convizione infatti que esistano dei nessi indiscibili tra l'apparato epistemologico di una certa disciplina e la realizzazzione del suo linguaggio*".<sup>30</sup> We would rather take it in a ethical and metaphysical perspective stating that navigating through terms within a net and creating links are basically making ethical and conceptual decisions concerning the type of conceptual information requested on the term. Jacob Neusner (1997: 359) says: "A paradigm predetermines and selects happening in accord with a pattern possessed of its own logic and meaning, unresponsive to the illogic of happenings, wheter chaotic or ordely, from the human perspective. A model is just that, there to dictate, organize, take over, make selections, recognize connections, draw conclusions." There are as many paradigms as there are ways to understand terms (strategies of thinking) and abstract the phenomenal world proving at the same time that terminology is constitutive of a phenomenal world and not of the reality, this last being inaccessible "epistemicy" (See Borella, 1989: 100).

The General Theory of Terminology has also based its hypothesis on hierarchical criterias, in other words on a sign problematics coming from the logic tradition. The actual development of technologies, the new possibilities which offer hypertext in the process of knowledge involve reconsidering those hypothesis and passing toward a textual problematic according to Rastier's terminology (1996: 12). In this aspect, various disciplines related with terminology represent a shift of viewpoint as shown by Engel and Picht (1990: 52) with the traditional data banks and documentation banks. The new way of retrieving and keeping terminological information consists of a new orientation in the processus of knowledge structuration.<sup>31</sup>

### 13 Conclusion

Within the computer mediated communication, the "internaute" can establish almost all the logical and ontological types of relations of terminology: meronymic relation (part-whole) (as exemple-collection made of) etc. but without any distinction of importance regarding hierarchical divisions. This point of view brings us to the question of the limits of term semantism in knowledge organization referring to the ideal dictionary of Abramson: "A dictionary should be an encyclopedic database of the words of a language or languages coupled with an open-ended set of deductive access methods and multimedia display methods." (1996: 12) In this sense, the texts in which terms appear, even if they are still considered as linear and sequential, are viewed as part of open text or a work (see the concept of opera aperta of Umberto Eco) more than just simple non linear texts linked to each others as in dictionaries. Terms would then benefit from ever new contexts. This is not a goal of resolving the problem of defining the terminological units. The terms are only shown in context, as is done in some terminological dictionaries. We still see the problem of discourse levels, as we have said referring to lexical and expert knowledge. It is a fact that terms are not always used in technical or scientific text ; depending on their place in a conceptual system, it can become relatively frequent for reason of actuality (Morgenroth, 1994: 72) borrowing then characteristics of the word. Why then are we still talking about terminotic if terminological units do not exist in the absolute. This would be the topic of another article. Nevertheless we can affirm that words of the general language do not appear in a technical sense whereas terms do. That's the multidisciplinary overview on lexical uses that open the discussion on the existence or non existence of terminological units. This is the reason why we didn't try to propose any distinction between linguistic semantics and encyclopedic knowledge.

Hyperterminotic access and terminology acquisition through the web are seen as processes of endoculturation (or acculturation) which implies a set of ethical decisions made by the designer and the "internaute". Further studies on the topic would help us to understand if domain trees are necessary to understand terminological data<sup>32</sup>. If we agree with this affirmation, we would then have to verify if they can be a starting point to the holistic understanding granted by representations-interpretations such as telematic ones. If metaterminology has been

developed within logical arguments, it's now being influenced by new semantical considerations, which involve the problem of diversity of discourse and borrowing from other subject fields. The meaning of paradigm in the sense of Kuhn seems no longer efficient with the interpenetration of sciences and media which contribute says Levy "à enfler la sphère des signes sans attaches [territoriales]."<sup>33</sup> Many phenomenae have to be understood in an interdisciplinary approach and, moreover, terms do not always belong to a solely field. As remarks Budin, the fields of human sciences and humanities, unlike natural sciences such as physics, etc., "do not have any predominant paradigm (in the sense of T. S. Kuhn) but rather a plurality of theories, hypotheses, schools of thought etc. concerning the sames "objects" This means that several differing concepts are formed about the same object according to the framework of the respective theory".<sup>34</sup>

In this paper I have tried to trace a link between the pure knowledge, objectivity, the "representation" and an ontological view of terms no longer represented, but rather, interpreted and newly organized. This research would surely benify of the theoretical trends of systemics, of neurology, highlighting the link between the approaches of the reticularists and neuronists of the organization of nervous cells and the reasons that leads us to think hypertextually.

#### NOTES

<sup>1</sup> Juan C. Sager, 1990: 4.

<sup>2</sup> See *International Conference on Computational Linguistics (6: 1977)* Coling Ottawa, Canada

<sup>3</sup> 1997: 128.

<sup>4</sup> See also his previous work in collaboration with P. J. Hayes: 1969

<sup>5</sup> See A. Assal, 1995.

<sup>6</sup> Judith Schlanger, 1995: 581.

<sup>7</sup> K. Opitz, 1997 : 53.

<sup>8</sup> Jean-Jacques Wunenburger says : "La raison humaine parvient [...] à canaliser le multiple par des systèmes classificatoires, par des langages et des codes, à stabiliser le mouvant par une logique identitaire qui amarre le flux et reflux des choses à des principes simples et des substances en nombre limité." (Jeaan-Jacques Wunenburger, 1990: 10). See also in the same work p. 138: "La relativisation de la pensée

identitaire passe en ce sens par une pluralisation des procédures de représentation et d'énonciation, reposant sur un éclatement du modèle logico-grammatical qui la gouverne."

<sup>9</sup> Rita Temmerman, 1997: 49.

<sup>10</sup> See also Otman 1996: 161-162 for multidimensional links and non hierarchical relationships.

<sup>11</sup> See Michel Lenoble, 1993.

<sup>12</sup> See F. Nietzsche: 1974 : 80.

<sup>13</sup> See P. Zumthor, 1993: p. 324.

<sup>14</sup> See Jean-Marc Chatelain, 1996: 159. Nedobity (1983: 7) also refers to the circles of Euler where the most general concept is situated in the centre and is included in all more specific concepts.

<sup>15</sup> Thomas D. Walker, 1996: 199.

<sup>16</sup> Bilingual dictionaries tend even to reduce the defining vocabulary to the minimum so the reader can understand them without difficulty. About the closeness of the dictionary, see William Frawley, 1985: 10.

<sup>17</sup> Marie-France Mortureux gives the example of respiration in physics which is defined as oxydation and in biology as gaz exchange (*échange gazeux*) (1995: 21).

<sup>18</sup> About interdisciplinary approach on culture, see Pilz , 1997: 423.

<sup>19</sup> See Otman, 1996: 161-162.

<sup>20</sup> Eve Sweetser, 1990: 12. See also p. 21.

<sup>21</sup> See François Gaudin, 1993b: 143.

<sup>22</sup> Jim Rosenberg, 1996: p. 115.

<sup>23</sup> C. Galinski and W. Nedobity, 1988: 59.

<sup>24</sup> 1995: 32.

<sup>25</sup> See Neusner, 1997: 354.

<sup>26</sup> Norma Bouchard, 1995 : 502.

<sup>27</sup> Neusner 1997: 371. See also Otman 1996 92 talking about the concept of *mythical time* in J. De Kleer et J. S. Brown (1984).

<sup>28</sup> C. Galinski, 1990: 89.

<sup>29</sup> Freud was already saying that the fundamentals concepts of physics were constantly modified (See Freud, 1968 : 12). Jean-Pierre Casseyre (1994: 172) gives us an example of this problem in the history of library classification: "Les notions utilisées dans certaines des classes de la CDU ont été rapidement dépassées par l'évolution des idées scientifiques, et la classification n'a été capable d'intégrer les notions nouvelles (en physique par exemple) que de manière purement artificielle".

<sup>30</sup> Maurizio Gotti, 1991: XI.

<sup>31</sup> See Pastor Sanchez and Perez, 1996: [51] and Condamines, 1994: 37-38.

<sup>32</sup> Otman writes: "Il est admis qu'un terme scientifique ne peut fonctionner qu'à l'intérieur d'un système notionnel et qu'il tire son sens des liens [...] qu'il entretient avec l'ensemble des éléments de ce système." (1996: 126). L'organisation hiérarchique et la recherche terminologique demanderait t-elle, au contraire de l'organisation reticulaire, une connaissance élémentaire dans le domaine (See also R. Dubuc, 1992 :p. 38).

<sup>33</sup> Pierre Lévy, 1995: 202. See also K. Rajagopalan, 1996 and Erika Pisaneschi & Rosana Landi, 1998. Rajagopalan presupposes that diverse local truths concerning the same object are complementary.

<sup>34</sup> Budin, 1991: p. 338.

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## **QUALITY OF A TERMBANK FROM THE SERVICE VIEWPOINT – A CASE STUDY ON THE NOKIA TERMBANK**

### **1 Background**

Nokia is a telecommunications company which has had a termbank since 1979. The aim is to harmonize terminology used in Nokia and in its documents by collecting terminology related to Nokia. Autumn 1998 a customer survey was carried out among the users of Nokia termbank. The purpose was to find out whether the termbank has been able to serve its customers, that is, do the customers find the information they search for from the termbank and is it presented in the best possible format. The prerequisite for the existence of a termbank is that it is useful to those for whom it is intended. A termbank has to offer reliable and up-to-date information to its users. The objective was to find out how to improve customer satisfaction and how to best exploit the resources allocated for the maintenance of a termbank (financial, time and personnel available). The requirements users impose on Nokia termbank are surely to some extent applicable to other termbanks too.

### **2 Characteristics of the Nokia Termbank**

The Nokia termbank contains terms related to telecommunications and to Nokia and its products. The database is available to all Nokia personnel. In evaluating the usability of this particular termbank the first thing that has to be taken into account is that it is intended for company use. This affects the scope of the termbank, that is, from which areas terminology is to be collected.

Characteristic for Nokia termbank is the diversity of its users. Users are mostly translators and technical writers, but also designers. Since the background and needs of the users are varying, terminology



work is quite challenging. The language of the definitions can, for example, be too general for some, whereas others may think it is too specific.

Terminology work in Nokia is arranged by means of projects and it is based on close cooperation with customer documentation. The purpose is to improve and maintain clarity and uniformity of documentation and to improve intelligibility and language of documents. To further this purpose only one term is given as the preferred alternative for a concept.

### **3 Factors that Contribute to Usability**

The results of the survey attested that there are generally five factors contributing to usability of termbanks. These are the quality and reliability of information that is in the termbank, the structure and format of term records, the scope of the termbank, linguistic factors and the applications used.

#### **3.1 The Quality and Reliability of Information**

The quality of information has direct effect on usability. If the user notices that the termbank cannot be trusted as a source, he/she will no longer use the termbank. Reliability can be attained by investing on the quality of information that is put in the termbank. In practice this means that the personnel maintaining the termbank must be qualified and professional. Since the very first attempts to use the service give the user an idea of whether the termbank is reliable or not, it must at all times be carefully checked that the information that is given of a concept is reliable and that it does not conflict with some previous or already established information.

It is also much easier for the user to estimate the reliability of information if the source information is available. Further, it is easier for the user to determine reliability if he knows the methods of the terminologists and the process of working. Reliability improves when the user notices that the terminologists check the facts from many sources and ask comments from other terminologists and experts in the field.

## **3.2 The Structure and Format of Term Records**

### **3.2.1 Terms**

It is practical to mark only one term as the preferred one whenever possible. This method improves uniformity of terminology and it is a prerequisite for uniform use of terms in customer documents. The preferred term can be indicated for the user by placing it first in the list of terms or by using a distinguishable font style, for example, bold face or italics, or by underlining the term. Experience has shown that mere placing does not usually indicate to the user clearly enough that the term is the preferred one. Neither bold face is enough to indicate that the term in question is to be preferred.

Deprecated terms and synonyms must be listed in the term record, so that the user can immediately see whether the terms in question are synonyms or not. This means that the time that the user would spend on figuring out the relations between concepts is saved.

### **3.2.2 Abbreviations and Acronyms**

Telecommunications is a field full of abbreviations. Some of the abbreviations are established while others have been formulated for the purposes of only one document to avoid writing the same long term over and over again. The principle is that the terminologists do not estimate how established an abbreviation is. They merely check that the spelling follows established rules of abbreviating. The principle is that if there is an abbreviation that has been used in some document, it shall be noted in the concept or term record. As a result, there may be several term records that contain the same abbreviations. The search with the termbank program, however, lists all those term records that contain this abbreviation. It is then up to the user to determine which one is the correct one. For someone who has only an excerpt of a document this is nevertheless a much faster way to find out the non-abbreviated form than it would be to look up the document and find the term from there.

### **3.2.3 Languages of Terms**

In order to optimize the use of resources the needs of the users have to be defined. In what languages do they need terms? It has to be considered whether the need is so extensive that it is reasonable to invest in searching for terms in all those languages.

### **3.2.4 Note**

Term records usually contain term equivalents and definitions in different languages. Other information fields are used when necessary. The survey showed that definitions, equivalents or abbreviations are most often searched for—in this order. Other information fields can nevertheless be deemed very important. Nearly all respondents thought that term records should as often as possible contain additional information, either notes or examples of usage. Mere definition does not seem to be enough to clarify the meaning of a concept, because a definition is often quite short and concise since all information is given in one sentence. In some cases, the definition is so general that it does not really provide any information. Note can contain much more information in a much more undefined and unrestricted format. In addition to this, it can contain changing and quite specific information, and information about, for example, the differences in usage in different countries. This often improves intelligibility and usability.

### **3.2.5 Examples of Usage**

Examples of usage can in some cases clarify the meaning of a concept and its correct usage. Of those who answered the survey nearly all wanted examples of usage in term records. Adding these examples should, nevertheless, only be done after careful consideration: does the example really add value to the concept, that is, does it really help to understand the meaning of the concept. Adding too much information may result in difficulties in interpreting the meaning of the concept: it may be considered too general or too specific. Finding a good example can also be quite difficult. Because of this, examples of usage are only added when they really help to understand the concept or when it would not be reasonable to waste resources in writing definitions, for

example, because the concept is rarely used.

### **3.2.6 Source Information**

The source information helps in evaluating reliability of information and thus also in updating concept information. The source information is not generally, however, part of the term record, which means that the user cannot see it. If most of the users are translators, technical writers or designers, this information is nearly essential for them. Seeing the source information means less work for them. When the users see that the information is, for example, from an ISO standard they do not have to look up a pile of ISO documents and the piece of information from there. On the other hand, if they want more information, the source will tell where to look for it. Most of those who answered the survey wanted to see this piece of information.

### **3.2.7 Indicating which Terms of a Definition Are Defined in the Termbank**

In a printed, systematically organized glossary, finding a term can sometimes be difficult and time consuming. It is thus important to eliminate unnecessary searches by indicating which terms of a certain definition have been defined in the glossary. This can be done by using bold face or italics. This is not, however, necessary when using an electronic dictionary or a termbank. The user can quickly carry out a search of a word that is in some definition. Using many different kinds of markings might be only visually disturbing.

### **3.2.8 Cross-References**

A person who knows a certain field and its terminology well does not need to see cross-references. Instead, someone who is just learning a new field, be it a translator or a technical writer, may find cross references very useful. The relation between concepts can be detected easily by comparing the differences and similarities between those concepts that are pointed out in the cross-reference. Term that is often used in the meaning of another term can also be noted. This way

something that the user has only suspected can be confirmed or refuted.

### **3.3 Scope**

Scope means the fields from which terminology has been collected. Scope can be limited to cover only some specific field of technology or it can cover terminology from many different technical fields. It is important to define the needs of the users, so that if needed, the number of terms to be accepted to the termbank can be limited in a way that least affects the users. There should be firm grounds for setting the limits on the scope. Why is it reasonable to limit the scope to a specific area and how should it be limited? The purpose of Nokia termbank to serve employees of Nokia is apparent with scope. The Nokia termbank contains terminology related to Nokia, so there is, for example, documentation and telecommunications terminology in the termbank.

### **3.4 Language of the Definitions**

All of those who use Nokia termbank are not experts of different technical fields. Thus, according to the basic principles of terminology work, the definitions should contain standard language or the technical terms should be defined. This principle is not fully followed. One hypothesis of the survey was that users view the language of the definitions differently depending on their background and education. The results attested, however, that the impact is very small. Subject field specialists of different technical fields did not find the language of the definitions too general, neither did the translators or technical writers find the language too technical, or the definitions or notes too difficult to understand.

### **3.5 Applications**

Using an application that is suitable for the purposes is very important. A commercial program can prove successful, if the company manufacturing the product is committed enough to develop the product and provide technical support. The requirements of the program depend on the target audience. Questions worth thinking include for example

the following.

- Should the pronunciation of words and terms, their etymology and inflection be noted? Is this possible?
- What languages and how many language fields can the program handle at a time?
- A program that is meant for browsing dictionaries and termbanks must be able to carry out extensive searches. Is this possible?

As already mentioned, it is worthwhile to add notes, examples of usage and cross-references to term records. It is also almost essential to list synonyms, deprecated terms, abbreviations and deprecated abbreviations. The term records can thus contain quite a lot of information. The number of terms should, therefore, not be limited, and neither should the size of the fields, for example, the length of the definition or source, be limited.

#### **4 Does this Apply to Other Termbanks?**

What of this applies to other termbanks? Consequently all the abovementioned factors contribute to usability and they should be taken into account when planning the introduction and use of a termbank. Some of the factors relate to content (quality of content), some relate to the means of presenting the information (structure of the term record, application).

What most affects the ability to apply these results to other termbanks is the makeup of the target group, that is, those who use the termbank. The target group of the case study included translators, technical writers and designers. When deciding on the structure of the term records, the scope of the termbank and linguistic factors, the target group is extremely important. Instead, the quality and reliability of information is something that should be the objective at all times.

By defining the target group and its needs and taking the abovementioned factors into consideration the use of a termbank can be increased and usability improved.

## **CURRENT STATE OF AZERBAIJAN TERMINOLOGY**

Azerbaijani is one of the ancient and richest languages of the world. The areas of this language are also large. It is used not only in the Caucasus, but also in the Near and Middle East, even in Europe as a means of communication. It is not by accident that businessmen, travellers, writers who came to Azerbaijan in the XIX century, after having heard about Azerbaijani language they have said that it was equal to French. Foreigners have wondered at the beauty, rhythm of this language and tried to learn it.

After having got sovereignty, a new period began in the history of the development of Azerbaijani language.

On the basis of the Constitution, Azerbaijani has got a status of state language and it became a reason for the increase of its authority and wide use as a means of intercourse. At present Azerbaijani is applied in the offices and establishments, educational institutions, mass media, in a word, in all spheres of public life without obstacles. Azerbaijani language is used in respected international conferences, diplomatic meetings.

It is necessary to remark that the president of the Azerbaijan Republic Heydar Aliyev displays great care for the development of our native language. Personal example of our respected president has a great significance in this respect. Being rich with the new words and terms, his books and speeches connected with the problems of science, education, economy and culture, state building, internal and foreign policy, help to enrich the Azerbaijani vocabulary. As a result of Heydar Aliyev's direct activity the name and rights of Azerbaijani have been restored: it is given the opportunity to development thoroughly.

And as for terminology, we want to say, modern Azerbaijani literary language has great opportunities for making terms in different

spheres of science, technics, economy and culture.

Just that's why internal possibilities, wordbuilding means of mother tongue as basic sources are used in terms making process. During the last 20-30 years, on the base of pure Azerbaijani words and words which entered our vocabulary from other languages and universally accepted, there appeared hundreds of terms as: анлам - notion, юдянь - compensation, эюндяриш - notice, гачгын - refugee, кючкун - migrant, шящидлик - martyrdom, тяряфдаш - supporter, динляйиъи - hearer, дювлятчилик - state building, атяшкяс - cease fire, юзяляшдирмя - privatization, йеткинлик - maturity, дцнйадуйуму - worldsense, ялагяландирмя - co-ordination, ашкарлыг - publicity.

There were used different methods in making new terms by means of Azerbaijani language. One of giving additional terminological meaning to the word structure of existing words in common use.

For example, the general using word “щяйяъан” - “excitement” in Azeri means “инсанда щяр щансы бир сябядян доъан дахили тялаш” - “the inner alarm of man due to any reason”. Then the additional terminological meaning is given to that word too. The word “щяйяъан” - “excitement” is simultaneously used in the technical sphere as the specific term which expresses the notion of “тящцкя, тящцкяли вязийят” - “danger, dangerous state” /”щяйяъан сигналы” - “an alarm signal”, “щяйяъан зонасы” - “dangerous place” etc./.

Let's pay attention to the word “заман” - “time”, when we say “заман” - “time” in its general meaning, we mean “вахт, миддят” - “period, time”. Then the word “заман” - “time” getting scientific setting was admitted to the philosophical terms system of Azerbaijani language / as the category of philosophy /. The word “заман” - “time” is used in linguistic terminology system of modern Azerbaijani language too. As a term this word means form which expresses circum-stance and activity in the past, present and future tenses of the verb.

The meaning of the word “иш” - “work” in Azeri which means “фяалийят, чальшма, зящмят, ямяк” - “activity, labour” has gradually enlarged. Keeping its first meaning this word expresses specific terminological meanings too. For example, “алимин,



йазычынын, ряссамын ясяри” /“елми иш”/ - “scientist’s, writer’s, painter’s” /“шяхси иш”/ - “collective papers” /“personal work”/, “мящкямя тяряфиндян верилян ъяза” /”иш кясмяк”/ - “the punishment given by court” /”to sentence”/ etc.

There are many examples of such kind. The more productive method of making terms in modern Azerbaijani literary language is the addition of different word - building suffixes to the root of words. this method is considered to be the main source for enriching the Azerbaijani Language by new terms. About 50 suffixes are used in Azeri in term making process. Certainly, the productivity of these suffixes is not the same.

It is necessary to remark the other point, that the suffixes which are used to make terms can be added to both Azerbaijani words, and borrowings.

It is clear that not all of the scientific-technical notions are simple and compact. There are such processes and cases that their expression with one word term is not possible . Even if it is possible, emperfection is immediately revealed and the thought is not clear quite enough. That’s why sometimes there appears a need for compound terms and for terms in the form of word combinations. In these cases terms are made by joining and connection of two or more words from the semantic and grammatical points of view. For example: “радиогабуледиъи”- “receiver”, “йарымкечириъи”-“transistor”, “юзцнцидаря” - self - government”, “юзцнцидафия” - self - defence”, “гаршыдурма” - “counteraction” and others.

Terms in the form of word combinations make a part of compound terms in the Azerbaijani language. The components of such kind of terms are also connected with each other grammatically and semantically. And those terms can be distinguished from the view point of participation of parts of speech in the combination and source of components. For example; хариъи инвестисийа - foreign investment, тест цсулу - test method, дашыйыгы ракет-carrying missile, дипломатик данышыглар-diplomatic negotiations, милли мяълис-Milli Majlis, актив ямялиййат-active operation, юзял сектор-private sector, дювлят гуруъулуъу-state building, халг ъябщяси-the popular Front. etc.

Safely the loan translation method is widely used in the process of Azerbaijani term creation. Now the terms formed by loan translation method, make a great part of terms used in our language.

As we know, “loan translation”, or “calque” is originally a French word “calque”. Usually, the speech units formed by means of literal translation of foreign words and expressions into mother tongue are called “loan translations or calque”. Some of linguists explained “loan translations” as a special kind of borrowings, others as a literal translation of foreign words into native language. Even those who consider loan translation harmful for mother tongue are not few. We don’t consider loan translation as a borrowing. Loan translations are words which are formed as structure of corresponding foreign words, but don’t take their material basis.

We have to remark that, to this way when European terms were borrowed as translation loan words into Azeri their Russian forms were used. Of course, loan translations also have different types. Tens of terms as “щцаланма”-“radiation”, “ялйазмасы”-“manuscript”, “мянимсямя”-“appropriation” “дцнйаэюрцщ”-“outlook”, “ямьк интизамы”-labour discip-line”, “лцьят тяркиби”-vocabulary”, “бейнялхалг вязийят”-“international situation”, “игтисади нязярийя”-theory of economy” are formed by method of loan translation into Azerbaijani.

Besides the above mentioned methods, in modern Azerbaijani term creation process there have also been used abbreviation, i. e. making terms by shortening and reducing the words. We can say some terms in our language as an example: АТС-автоматик телефон стансийасы - ATS-automatic telephone station; ТЕЪ.-тялябя елми ъямиййати - SSS-student science society; СЕС-су електрик стансийасы - WES-water electric station: фотошякил-photograph: автоглям-fountain-pen: микрощяндяся - microgeometry.

But the abbreviation method is not so characteristic to Azerbaijani term creation.

The second way of enriching and improving the Azerbaijani terminological vocabulary is the borrowing of words /cognate and not cognate/ from other languages. In this sphere Azerbaijani language has

an ancient tradition.

Undoubtedly, definite principles are followed in process of borrowing words. First of all it is necessary to remark, terms are borrowed from the other languages on the ground of need and necessity. If there doesn't exist a word which can exactly express this or other notion on the base of inherent possibility of Azerbaijani language, or it is not possible to make such kind of word, then the other languages are addressed and the word-term for the expression of that notion borrowed and used. This process used to be this way for a long time and is remaining the same now.

According to their origins loan word and terms in our vocabulary can be divided into 2 groups:

- a) words of arabic and Persian.
- b) words of Russian and European origin.

If we take the problem historically we have to remark that passing into Azerbaijani language of to remark that passing into Azerbaijani language of words and terms of Arabic and Persian origin took place in more ancient times. In fact, the number of words and terms of those languages is more than the other loan word and terms. This is not by accident.

Beginning nearly with the VII century AD, besides the words in common use religious, scientific, educational, social terms from the Arabic language began to penetrate into Azerbaijani. Linguists and historians tried to explain its reason in different ways. Anyway, the fact is fact, historically words and terms passing into Azeri from the Arabic Language, one land are connected with accepting Islam and Koranholy book of Islamic World, on the other hand with the beginning of formation of many fields of science in the Arabic countries in ancient times. Till the XIV century the Arabic Language had a strong influence on Azerbaijani.

As for the causes of Persian words' passing into Azerbaijani language, it is necessary to note that for centuries Azerbaijan people had different contacts and relations with Persians and this point was reflected in the vocabulary of the language.

Nowadays also exist words of Persian origin in Azerbaijani terminological system.

Those borrowings penetrated into our language in oral and written forms. In fact they are words connected with linguistic and literary notions, words meaning household things' names, meal names. After the X-XI centuries AD, influence of Persian language on our language has become stronger.

By the way, it is necessary to remark that at present, the process of borrowing words and terms from the Arabic and Persian languages do not continue.

The influence of the Arabic and Persian languages on our native language gradually became weak, they had lost their prestige and have no strenght to satisfy different requirements.

In the beginning of the XIX century there happened a definite change in social life, sceince and culture of Azerbaijan. Drama, Satire genres appeared in Azerbaijan literature since that period, there happened fundamental changes in philosophy, medicine, nature study. And in its turn it was associated with uniting Azerbaijan to Russia. It is without saying, notions connected with are of these changes demanded new terms. That need could be compensated by terms not only of Arabic and Persian origin, Azerbaijan terms made on the basis of native words, but also by terms which belonged to Russian and European languages.

Thus, beginning with the second part of the XIX century Azerbaijani language used necessary terms borrowing them from Russian and through it from the other world languages, especially from the European languages.

Now, such process is continuing. When we pay attention to modern Azerbaijani terminological systems, it becomes clear, that besides pure Azerbaijani words, the terms belonging to Russian, English, Spanish, Polish and other languages also have a great significance in these systems. The words which passed into our language from Russian are used almost in all spheres of our life.

The words of English origin make the definite part of sport terms in our language. /ринг - ring, бокс - boxing, футбол - football, волейбол - volley-ball, баскетбол - basket-ball, хоккей - hockey, гол - goal, теннис - tennis, матч - match, финиш - finish, чемпион - champion, аут - out, etc./ Words of Italian origin make part of music terms /пиано - piano, контата - cantata, ария - aria, флейта - flute, квартет - quartette, дуэт - duet, концерт - concert, карнавал - carnival, опера - opera, либретто - libretto, балерина - ballerina, аккорд - chord, etc./; words of French origin make part of terms connected with different sort of clothes, trinkets, parfumerу /палто - coat, манто - mantle, костюм - costume, жакет - jacket, жилет - vest, шинел - greatcoat, одеколон - eau-de-Cologne, флакон - bottle, помада - pomade, маникюр - manicure, etc./; /мундир - uniform, ордер - warrant, штаб - headquarters, йефрейтор - corporal, фелдмаршал - Field Marshal, etc./; words of Dutch origin make part of naval terms /флот-navу, дрейф - drift, кайут - cabin, компас - compass, матрос - seaman, лосман - pilot, босман - boatswain, штурвал - steering-wheel, etc./.

As we mentioned above the greater part of words of European origin were borrowed by our language not directly, but by means of Russian. For a long time Russian has been a bridge between Azerbaijani and European languages.

It is known that after having got sovereignty, relations between Azerbaijan and European countries in the sphere of science, technique, economy and culture began to become wider. And as its result direct passing of words and terms into Azeri from European languages is observed.

Recently, words used in our language as “саммит-summit”, “имидж-image”, “рейтинг-rating”, “грант-grant”, “спикер-speaker”, менталитет-mentality” are such terms. Some parts of terms passed into Azeri from Russian and European languages form international terms.

When we say international terms we mean words having fully partially common semantics, word that are very close from the orthographic or phonological view point, words expressing notions of international importance, which are used in most of the languages with the inclusion of related and unrelated languages/ of the world. Лидер-

leader, парламент-parliament, космос-cosmos, телевизор-television set, телефон-telephone, электрик-electricity, витамин-vitamin, пикет-picket, митинг-meeting, эксперимент-experiment, плюрализм-pluralism, экстремизм-extremism, эмбарго-embargo, сепаратизм-separatism, информация-information, блокада-blockade, компания-company, реактив-reagent, ректор-rector, президент-president are those kind of words.

Some words borrowed into Azeri from Russian and by means of it from European languages are used in an unassimilated form in our mother tongue, others are assimilated graphically, phonetically, lexically, semantically, grammatically. And it happens because of specific characteristics of Azerbaijani language and need of appropriation of borrowing terms in the mother tongue.

It is known that every language has its particular phonetic system and grammatical structure. That's why in the system of our mother tongue some loan terms have changed and undergone assimilation. Undoubtedly, it is difficult to determine exactly the adaptation periods and appropriation degrees of loan word and terms. Assimilation of forms and contents of borrowings are defined by the inherent rules of the borrowing language.

For example, the use of the terms of either Arabic and Persian, or Russian and European origin by changing their phonetic structure is determined by the existence of phonemes in those words in the Azerbaijani. One can see the appropriation of words of European origin from the phonetic point of view in terms as: митинг-meeting, костюм-costume, етюд-etude, бюро-bureau, факультет-faculty.

Loan terms borrowed into Azerbaijani comply with its grammatical rules. Example, most of words as спорт-sport, митинг-meeting, пальто-coat take case suffixes of Azerbaijani language irrespective of their case properties in the native language.

Terminology Committee of Azerbaijan Academy of Sciences conducts the terminological works in our republic.

Lately at initiation of this Committee (the chairman of the committee is the president of Academy Mr. Faramaz Magsudov) hundreds

of new terms were made, much work has been done in the field of specifying, unification, systematization of existing terms by the help of specialists working in Azerbaijan scientific research institutions and in the Higher Schools, workers of mass-media and publishers, translation, inherent possibilities and means of native language; and as a result the main fields of science and technique are provided with terminology.

The expedient work of Terminology Committee, which has been taking active part in the life of the Republic for nearly 80 years, in present days is growing as in former times.

Terminology Committee works in different directions; a) systematizing and improving of terminology on separate fields of science, technique, economy and culture; d) control over correct use of existing terms in mass-media, educational system, in clerical work; c) investigation of linguistic problems of terminology; e) compiling and publication of different kinds of terminological dictionaries.

Till the present day more than one-hundred different kinds of terminological dictionaries have been compiled and published at the initiative of Terminology Committee. Polyglot dictionaries play an important part among them.

“English-Azerbaijani-Russian Dictionary of Oil-Field terms”, “English-Russian-Azerbaijani Dictionary of Mathematical Terms”, “Russian-Azerbaijani-English Dictionary of Radio-Electronics Terms”, “Explanatory Dictionary over the Information terms in Azerbaijani, Russian and English”, “Russian-Azerbaijani-English Dictionary of Astronomical Terms”, “Azerbaijani-Russian-English-Arabic Terms Dictionary on remote Earth Sounding, which were compiled lately by the committee, drew not only specialists’ attention of our republic, but also lexicographers’ and terminologists’ attention of foreign countries.

Recently, in the republic there arose a great interest for the investigation of terminological vocabulary and working out the linguistic problems of terminology.

Just during 2 years 6 monographs have been written, 5 candidates’ Dissertations defended connected with the theoretical problems of terminology.

Dear participants of the conference in former Soviet Union Republics there had not been done much work in the field of terminology as we have done.

In Azerbaijan independent terminological science has been formed in the full sense of the word.

In spite of this, nowadays we meet certain problems in making new terms in our language; in using existing terms in mass-media, in textbooks of the Higher and secondary Schools; in compiling the terminological dictionaries, glossaries.

One of the main gaps in the field of terminology is not taking into consideration quite enough inherent possibilities of mother tongue in defining or making term-word in order to express this or other notion, case, process and not to apply to existing sources even if it is necessary.

Being indifferent to richness Azerbaijani language, some specialists displaying a keep interest in borrowing damage growing our national terminology.

When some interpreters, publishers, authors of scientific works and textbooks meet some term difficulty, then finding the easy way they try to use ready foreign terms in Azerbaijani. Sometimes the attention is not paid to our vocabulary, is not taken notice of corresponding term in existing sources in order to express this or other notion.

We remind that lately in the press, tell and radio broadcasts, reports and speeches in meetings incomprehensible foreign words and terms are used as: “координасийа” - “co-ordination”; “координатор” - “co-ordinator”; “миссийа” - “mission”; “репутасийа” - “reputation”, “имий” - “image”, “рейтинг” - “rating”, “акт” - “statement”, “аксийа” - “share”, “амбисийа” - “ambition”, “легитим” - “legitimism”, “негатив” - “negative”, “позитив” - “positive”, “грант” - “grant”, “дислокасийа” - “distribution”.

Nevertheless when we look through the explanatory, translation and other dictionaries it becomes clear that there exist certain words and terms.



It is true, there is no pure language in the world. There are more or less loan words in every language. but there must be a limit in borrowing the words from foreign languages.

And the other gap observed in terminology of our language is expression of the same notion with two or three words, i.e. sometimes parallel use of two or three terms.

Because of not accepting common terminology in various fields of science, some specialists express the same notion with different terms and it creates misunderstanding in the work. For example, кибернетика - cybernetics, as there was not defined common terminology concerning fields of mathematical logic, such cases are allowed.

Sometimes it is in other way round, the equivalent of two or three terms belonging to other languages is used with one word only in Azerbaijani language. for example; at plenty of time in literature concerning theory of knowledge terms “практика”, “опыт” and “эксперимент” are translated as “experiment”.

Certainly, in common literary language it is possible to give a certain thought with various words according to its place. It doesn't become a cause of misunderstanding in written and oral speech. But in terminology it is in the other way round. Here it is demanded that every term of the field to which it belongs, serves to express only one notion, one process, one case. It is just the main point which distinguishes terms from the other words and ensures their exactness.

It is clear that monosemy, concreteness and distinctness of terms in owning separate fields of learning, diplomatic relations and educational process assume great importance.

At present in mass media some confused, incomprehensible terms are used and it is necessary to form and specify them with the help of specialists.

One more problem arise anxiety. The integration of sciences became so stronger that one field of science inevitably uses notion of other field of science. If there is carelessness, confusion may appear. That's why one of the main problems is interfields unification of

terminology. Creation of an intercourse and holding discussions between specialists working in various fields of learning is useful, while working on the terminology.

At first there may appear such an idea that making gaps is natural in the field of terminology in the country in which hundreds of papers and magazines are published and each of them has its own aim, own way, lexicon and style. It is necessary to stop chaos, confusion and misunderstanding in terminology in any way. It is not right to play with and show indifference to the language which is our greatest riches. Terminology is that field of language, which is consciously governed and interfered.

At present one of the main problems in making terms is the right use of natural language, dialects and accents.

It is not possible to go without using of sources of natural language in modern terminology. Clan language is a deep source as an ocean. There are many suitable words in the language in order to use them in biological, agricultural, geological, geographical, medical terminology. To show those words, bring them into scientific works, textbooks, dictionaries, press is of great importance.

It is clear, the specialists meet with difficulties in determining names of some notions, including plants, animals, fishes, birds. It may yield good results to apply to separate dialects and accents in these cases. But certain principles connected with that must be observed. It is not advisable to bring accidental words into terminology, which are used in limited area.

Dear conference participants, at present one of our main duties is to make explanatory terminological dictionaries, glossaries in the volume of curricula of the secondary and Higher schools. Great necessity is actually felt for these kinds of dictionaries. As you know, pupils and students can't understand part of terms which they meet in textbooks, training aids and meet with difficulties in appropriation of scientific notions. Terminology is always growing and becoming richer in connection with the develop of science and technigue, and with the changes occuring in social life. Some terms drop out of vocabulary of language because of becoming obsolete and the new terms substitute them. But

meanings of other terms become more exact, their places in the language firmly consolidated. Progress, improvement in most different fields of human activity stimulate incessant changing and developing of terminological systems. Thus, taking into consideration that terminological lexics in the most active and changeable field of vocabulary, periodical interference in it and performance of some operations in the meaning of choice and gradation in terms become important. Use of terms must be seriously observed.

But it is impossible to make only linguists responsible for making new terms and regulating terminology. Terms of every field are made by corresponding experts. Specialists know well complete or incomplete expression of the intended notion by any of the term., that is to the right or wrong use of common word creative means of language in making terms and correspondence of new terms with the word creation pattern of our language. That's why linguists, specialists from other fields of science and technique, press, publishers, television and radio workers and all of our intellectuals have to work together in term creation.

Of course, there are many problems in Azerbaijan terminology which expect their solution. I am sure, that we shall eliminate those problems with the help of related specialists.

**Mamed Gasimov.**  
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**¿LAS PORCIONES DE EFICACIA EN EL DISCURSO JURIDICO DE UN CONTRATO SON YA TERMINOS? UNA FORMA DE SECCIONAR EL DISCURSO JURÍDICO**

RESUMEN

Desde la traducción de textos especializados ya se contempla el término en su contexto comunicativo. Desde la traducción jurídica se concibe al término como un instrumento de la eficacia jurídica y se identifica tanto con ésta que no hemos resistido a la tentación de ampliar el concepto de término a toda porción de lenguaje con eficacia jurídica. La porción o unidad terminológica a que nos referimos es perfectamente reconocible y tiene un significado estable que sirve a la eficacia jurídica. El ejemplo que ilustra es siempre el contrato. Tradicionalmente se consideraba que el término caracterizaba al lenguaje de especialidad. Sin embargo, dado que el término en sentido clásico no es lo único que caracteriza al lenguaje de especialidad, sino que el lenguaje jurídico está cuajado de porciones de eficacia perfectamente acuñadas, ¿podemos equipararlas al término? Se hace un desglose del discurso en porciones atendiendo al concepto de relación jurídica entre dos sujetos jurídicos derivada del acto jurídico intencional (en este caso, del contrato).

Nos permitimos comenzar este artículo con una referencia a Jean-Claude Gémard. En un artículo sobre el lenguaje jurídico nos describe la forma clásica de desglosarlo (Gémard:1991): distingue entre las palabras de utilización general y los términos.

«La función típica del término sería caracterizar un tipo especial de discurso proporcionando al discurso un sentido y un significado propio de un campo de actividad concreto.»

Así, sería el término el que dotaría al texto de su naturaleza especializada<sup>1</sup>.

A su vez, nos habla del coocurrente, que ocurre junto al término y constituye una acuñación propia del lenguaje de especialidad, diferente de la lengua general y que necesariamente acompaña al término. Por ejemplo, al término delito lo acompaña habitualmente (casi diríamos, necesariamente) el verbo «cometer», creando el conjunto «cometer un delito».

Nos apercebimos ya de que el coocurrente se encuadra en el lenguaje de especialidad y no en el lenguaje general. Es como si el término tuviera una *vis atractiva* de algunos elementos que, sólo por proximidad con el término, estabilizan también su significado. Gémar no duda en calificarlo como lenguaje de especialidad.

En consecuencia, según la visión tradicional es el término (y el contexto comunicativo especializado, de especialista a especialista) el que dota al texto y al discurso de carácter especializado. Ahora sabemos que no sólo el término, sino también el coocurrente que lo acompaña.

El especialista (y por tanto el contexto especializado) es quien utiliza el término, de forma que el término genera lenguaje de especialidad. Definimos al término en función del especialista y el contexto comunicativo especializado (de especialista a especialista) en que lo utiliza. Así pues, el término se relaciona directamente con el especialista.

El conjunto de términos de un campo del saber constituye lo que Dalbarnet denominó «*nomenclature*». Ese conjunto de términos

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<sup>1</sup> Se hace una descripción del texto especializado en Cabré (1993:164), en que aparecen las características de la comunicación entre especialistas. Casi diríamos se describen las consecuencias, el trasunto de ese tipo de comunicación, lo que hace que la aparición del término aparezca como potestativa: «el texto especializado propiamente dicho es cualquier comunicación realizada en el seno de los lenguajes de especialidad. El documento especializado que requiere una codificación formal muy elaborada desde el punto de vista del diseño y de la expresión lingüística. (...) Cada tipo de documento, además de tener un formato específico, puede presentar también una terminología, una sintaxis y una fraseología más o menos alejadas de la lengua común».

constituye el núcleo de ese saber sobre el que se asientan los conceptos fundamentales del mismo.

Pierre Lerat, por su parte, dice que el término se caracteriza por su contenido estable y, por tanto, es más independiente del contexto que las palabras corrientes. El término, para Lerat, es una noción. Ello implica que para considerarse término debe tratarse de unidades lingüísticas integrables en los enunciados<sup>2</sup>.

Tradicionalmente, el término se presenta como un nombre que designa un concepto o noción de un saber determinado, con un contenido estable que convierte al texto y su discurso en especializados.

La definición de Lerat podemos desglosarla en los siguientes elementos:

- ◆ Unidad lingüística integrable en los enunciados
- ◆ Contenido estable
- ◆ Noción

Pues bien, esa definición, creemos, puede ampliarse, según veremos, a otras porciones de texto distintas del término en sentido clásico<sup>3</sup> (nombre que designa un concepto o noción de un saber determinado y que convierte al texto y su discurso en especializado<sup>4</sup>).

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<sup>2</sup> Al ser nociones, los términos han de ser unidades lingüísticas integrables en los enunciados, que satisfagan las condiciones, incluso en el caso de que no sigan las reglas de buena formación léxica, y al mismo tiempo, han de ser unidades de contenido estable y, por lo tanto, más independientes del contexto que las palabras corrientes (Lerat: 1997).

<sup>3</sup> Al fin y al cabo, según Duarte (1995:11), el lenguaje jurídico y administrativo, por ejemplo, es uno de los más fijados, ya que funciona sobre la base de textos; se dictan leyes, se levantan actas, se suscriben contratos, se extienden órdenes de registro, etc. Con estos textos se denuncia, se defiende, se sentencia, se absuelve, y cada uno de ellos, según su finalidad, adopta una única forma definida y precisa.

<sup>4</sup> Puede pensarse que no existe una implicación directa entre término y lenguaje de especialidad. Y aún más en el caso del derecho. Dada la transfusión

desde el lenguaje jurídico que aparece en el documento jurídico a la glosa del mismo por la prensa, que necesariamente se nutre del mismo, llega un momento en que es difícil negar al lego cierto conocimiento del derecho y uso bastante adecuado y divulgativo del término. De ahí que la distinción entre, por una

Para ello, tomemos en consideración las siguientes circunstancias o premisas de las que extraeremos conclusiones:

**El derecho tiene fuerza obligatoria: Determina comportamientos:**

La eficacia obligatoria del derecho es una característica exclusiva de este lenguaje de especialidad, que impregna inevitablemente todo el discurso jurídico; al término, al coocurrente y al resto, como veremos.

**La eficacia emana del acto jurídico intencional:**

La eficacia jurídica emana de la voluntad de un sujeto (integrado en el poder legislativo, ejecutivo o judicial, o bien de un sujeto particular en ejercicio de su voluntad autónoma por medio de la contratación).

La voluntad de dicho sujeto (por ejemplo, la voluntad contractual en el caso del contrato) se expresa mediante el consentimiento contractual que realiza el denominado acto jurídico. Por tanto, en el caso del contrato la eficacia emana del acto de otorgamiento del contrato que se formula así: «las partes convienen en obligarse de conformidad con los siguientes PACTOS». A este acto lo denominaremos acto jurídico principal.

Por tanto, los autores del documento jurídico realizan un acto jurídico (se otorga el contrato o el testamento, se dicta la sentencia, se notifica la demanda al demandado, se presenta el documento ante el tribunal).

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parte, el lenguaje especializado y, por otra parte, el lenguaje general, sea cada vez más vaga. La expresión «cometer un delito» aparece a menudo en la prensa. Todos la entendemos. ¿Hemos de negar al término (que tiene su origen en el especialista) la cualidad de término sólo porque ha emigrado a otro contexto comunicativo divulgativo? La respuesta es irrelevante. Lo que sí es cierto es que un contexto comunicativo especializado (por ejemplo, el que necesariamente tiene el texto contrato) nos permite hablar de término y coocurrente.

En cada documento jurídico el acto jurídico principal que lo caracteriza funciona como elemento unificador del texto, de forma que todas y cada una de las expresiones contenidas en el documento jurídico contribuyen a la eficacia del acto y quedan impregnadas por este ingrediente fundamental<sup>5</sup>.

El acto jurídico contrato se expresa mediante el consentimiento contractual que asume obligaciones para el futuro. Por otra parte, las obligaciones incluidas en el contrato se expresan de la siguiente forma: «el comprador se obliga a...»

### **La relación jurídica duradera**

El contrato tiene una vida limitada en el tiempo. El contrato da nacimiento a una relación jurídica contractual que perdura hasta la extinción del contrato. La relación jurídica es una situación jurídica que enmarca y da unidad al conjunto de derechos y obligaciones de los sujetos jurídicos, en este caso, los contratantes.

### **La relación jurídica genera estabilidad: las situaciones jurídicas:**

Además, el cumplimiento de las obligaciones contractuales derivadas de esa relación jurídica a veces da nacimiento a una situación jurídica duradera beneficiosa para quien recibe. Las obligaciones bien son duraderas o se agotan en un único acto. Si se trata de una obligación duradera, como en el caso del arrendamiento de vivienda, se crea una situación jurídica de disfrute del inmueble durante el término contractual. Si se trata de una obligación que se agota en un único acto (la entrega física de la cosa en la compraventa) se produce la transmisión de la propiedad y, por tanto, se genera una situación jurídica estable, la titularidad del propietario.

Por otra parte, el incumplimiento de la obligación desencadena los remedios judiciales como pueda ser la nulidad del acto ilícito, la

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<sup>5</sup> Menos quizá aquellas partes que no hacen alusión a los elementos principales del contrato, que le prestan su existencia y eficacia.



resolución del contrato, la ejecución forzosa, la ejecución sustitutoria por un tercero, que, a su vez, acaban en una situación jurídica estable.

Otros supuestos también tienen consecuencias jurídicas. Por ejemplo, el caso fortuito o fuerza mayor exonera de responsabilidad a la parte incumplidora si concurre la circunstancia de que se trate.

Una vez descrito este contexto de eficacia, nos atrevemos a decir que los elementos de la relación jurídica, es decir, los elementos de toda obligación de la relación contractual que se establece aparecerán en la frase según la disposición que veremos. Distingamos los elementos de la relación obligacional y también, como un eco, estableciendo un paralelismo, en el seno de la oración sintáctica.

Recordemos los elementos principales de la relación jurídica:

- el sujeto o sujetos (según el acto que realizan es unilateral [testamento] o bilateral [contrato]).
- el acto jurídico: acto de comprar, concesión de licencia, acto de testar, concesión de derechos de distribución exclusiva, cesión en arrendamiento, etc.
- las circunstancias de tiempo, lugar y forma en que debe cumplirse la obligación.
- el objeto de la obligación .

Como decíamos, estos elementos se relacionan con los elementos de la oración:

- el sujeto obligado: sujeto (el testador, los contratantes).
- el acto jurídico: verbo o paráfrasis verbal (otorgo testamento, se obliga a entregar...).
- el objeto de la obligación: objeto directo (se obliga a entregar *la cosa*).
- el receptor de la obligación, la otra parte contratante: objeto indirecto (se obliga a entregar la cosa *al comprador*).

Este es sólo un ejemplo de cómo se puede desglosar el lenguaje jurídico atendiendo a una de las estructuras fundamentales del derecho (la relación jurídica). Sin embargo, en otros casos podemos relacionar al discurso con otras estructuras del derecho. Así, la distinción que hizo

Kelsen entre supuesto de hecho y consecuencia jurídica tiene una expresión clara en el discurso del contrato<sup>6</sup>.

De las anteriores premisas (el derecho obligatorio que emana de un acto jurídico eficaz) deducimos dos consecuencias que después analizamos.

1ª) El acto jurídico principal como generador del documento jurídico nos lleva a defender que el verbo es un término.

2ª) Las porciones de eficacia se producen en el discurso de una forma estructurada para expresar las distintas realidades jurídicas, entre ellas, la obligación contractual (en el contexto de una relación jurídica): cada porción de discurso con eficacia jurídica representa a cada uno de los elementos de la relación jurídica (sujeto, acto, cosa, sujeto indirecto, circunstancias de la obligación).

Si, además de esta forma estructurada de producirse las porciones de eficacia, tenemos en cuenta la estabilidad del discurso jurídico en general y la predictibilidad de las porciones de eficacia (que son unidades estables e independientes que se relacionan entre sí) en un género de texto determinado (como pueda ser el contrato) es fácil deducir que dichas porciones guardan gran similitud con el término.

A continuación pasamos a analizar y justificar estas dos afirmaciones:

1º) El verbo jurídico como término. Lo llamamos «verbo jurídico» porque surte efectos jurídicos, los que le adjudica el derecho. Creemos se lo debe considerar término por las siguientes razones:

- ◆ El verbo jurídico abunda en el mundo del derecho. Tradicionalmente, el término ha sido siempre un nombre, aunque ya hay voces que hablan del verbo como término<sup>7</sup>. En el caso del derecho con

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<sup>6</sup> Por ejemplo: «en caso de quiebra del comprador (supuesto de hecho), el vendedor podrá optar por la resolución del contrato (se otorga facultad-derecho que constituye la consecuencia jurídica en caso de que se produzca el supuesto de hecho)».

<sup>7</sup> En un artículo sobre la fraseología en las lenguas de especialidad, Picht se decanta por considerar al verbo como término. Se remite a la definición que IITF Journal, Vol. 10 (1999), no 1 page 57

mucha más razón, por cuanto al derecho le interesan los actos tanto como las situaciones que generan. Nada indica que sólo debamos considerar término al resultado de la acción, (delito, compra-venta, arrendamiento, interposición de demanda o demanda), cuando al derecho le interesan también los actos (cometer un delito, comprar, vender, etc.) que desembocan en dichos resultados (sea para prohibirlos y castigarlos, o para permitirlos y secundarlos). Incluso diría que le interesan más los actos, por cuanto todo el derecho gira en torno a la persona como agente. El derecho está hecho de actos. De ahí que uno de los primeros términos que conoce el estudiante de derecho sea la *capacidad de obrar*, por contraposición a la capacidad o *personalidad jurídica*; también se habla del *autor de un delito*, de *la parte contratante* e incluso se designa a la parte procesal que demanda como *actor*. Se define al delito como *acción u omisión* penada por la ley y se habla de los actos jurídicos realizados al amparo de la autonomía de la voluntad.

- ◆ El verbo es el núcleo de la eficacia jurídica. Sin verbo no hay derecho. El derecho promueve y disuade comportamientos. Todo el derecho gira en torno a la regulación del comportamiento humano.
- ◆ Cuando va seguido de un término nombre (otorgar testamento, celebrar un contrato, hipotecar un inmueble, cometer un delito) tiene la función de coocurrente, ocurre junto al término nombre para formar una colocación terminológica<sup>8</sup>.

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Scholomann y Warner han hecho de «LSP PHRASE». Entiende se trata de una proposición compuesta por dos elementos (conceptos) como mínimo, uno de los cuales posee características de objeto y el otro de verbo. Recalamos que califica al verbo como concepto. Más adelante, en el mismo artículo, dice: «los dos conceptos que constituyen una determinada proposición pueden analizarse básicamente mediante la aplicación de los métodos que proporciona la teoría de la terminología». Esto es, la controvertida cuestión de si un verbo puede ser o no terminología, optamos por su admisión.

<sup>8</sup> Entendemos el concepto de colocación terminológica como unidad lingüística compuesta por dos unidades léxicas, cuyo significado es componencial, en la que una de ellas es autónoma semánticamente (base o núcleo), mientras que la otra (modificador) sólo se puede interpretar en el interior de la colocación y en relación con la base. Más adelante hablaremos de la porción de eficacia, que se trata de un conjunto de palabras que aparecen con un cierto grado de frecuencia como tales porque constituyen unidades de significado y,

- ◆ En muchas ocasiones, a esa colocación (verbo + nombre) se la puede sustituir por un solo verbo: Así, testar, contratar, hipotecar (ya se entiende que se hipoteca un inmueble, no hace falta explicitarlo), delinquir. De ahí que Gémar caracterizara al coocurrente como lengua de especialidad y no como lenguaje general. Los ejemplos son muchos: celebrar un contrato de compraventa (comprar o vender); ceder en arrendamiento (arrendar); gravar mediante hipoteca (hipotecar), dar en prenda el deudor (pignorar, empeñar). Sin embargo, hay supuestos en que no se da este fenómeno: gravar con una servidumbre de luces y vistas, constituir un derecho de servidumbre de luces y vistas.

Dado un documento jurídico (contrato, testamento, sentencia), podemos distinguir entre un verbo jurídico principal que unifica al texto en que se produce: otorgo contrato, otorgo testamento, etc., de los demás verbos que siguen en el texto trasunto de ese primer verbo que anuncia la aparición de los verbos subsiguientes, que concretan las obligaciones respectivas de las partes en el caso del contrato. En el caso del testamento aparecen estos verbos: instituyo herederos, lego, nombro albacea, nombro *trustee*, faculto a mi albacea, etc. El primer verbo que antecede a todos los demás es: «declaro que ésta es mi última voluntad y testamento».

Además, el verbo jurídico se relaciona en la oración con el sujeto y los complementos.

Sujeto + verbo + complementos (entre los que se encuentra necesariamente el otro sujeto en la relación jurídica bilateral [por ejemplo, en el caso del contrato]).

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más específicamente, porciones con eficacia jurídica según la división que establecemos a continuación. Así, nos interesan los fragmentos de discurso que exceden el alcance del lexema que desempeñan unas determinadas funciones comunicativas que definimos con cierta precisión en este artículo. Por tanto, no nos interesa una descripción morfo-sintáctica detallada de dichas porciones que, *grosso modo*, asociamos a la fraseología. De todas formas, distintas categorías según determinados criterios (ver Estopà 1994-1996: 46 sobre esa falta de consenso). En tanto que fraseología, la porción de eficacia constituiría una «unidad lingüística fija, desde el punto de vista morfológico, sintáctico y léxico, cuyo significado no puede deducirse del significado de sus partes».

Por lo tanto, se observa un paralelismo entre la oración y los elementos de la relación jurídica

Sujeto	verbo	sujeto
Testador	transmito	propiedad a herederos
Parte contratante	me obligo a...	respecto de...
Yo, juez	condeno a...	sujeto

2º) Todo el lenguaje (porciones) que designan los elementos de la relación jurídica que se establece es candidato a ser considerado término:

- ◆ por su naturaleza estable,
- ◆ por ser integrables en el enunciado en tanto que independientes,
- ◆ por referirse a una noción del derecho.

Una vez admitido que el acto jurídico principal es un término, también lo son las consecuencias jurídicas de ese acto, el sujeto que realiza el acto, el objeto o cosa afectado por el acto, las circunstancias en que se produce el acto.

No hay razón alguna para considerar a unos elementos términos con exclusión de los otros. Así, si testador es término, también lo es testar, instituir heredero, nombrar albacea, nombrar legatario, etc. Todos estos actos merecen también el tratamiento de término.

Aunque consten de más de una palabra.

Y una vez se acepta que el sujeto y el acto que éste realiza son términos, deberemos también dar un trato parecido a los términos que designan objetos jurídicos, aún cuando no estén constituidos por una

única palabra: derecho de crédito, derechos de autor, derecho de opción de compra, opciones, futuros, títulos valores, inmuebles, etc. El objeto jurídico es muy variado.

Aún más, también las circunstancias en que se produce el acto: en un plazo de 15 días.

Y también los estándares jurídicos: la buena fe, el orden público, lo razonable, con justa causa, la debida diligencia, la diligencia de un buen padre de familia, etc.

Las situaciones jurídicas que ha creado el acto jurídico también son dignas de ser consideradas términos: poseer a título de arrendamiento o poseer en arrendamiento, tener la propiedad, el usufructo, ser titular de un crédito hipotecario, tener la facultad de ..., o estar facultado para realizar un acto determinado.

En conclusión, el término ya no es lo que era. El término se amplía en su definición en función del ámbito de especialidad en que aparece. En derecho lo identificamos fácilmente con las que hemos denominados porciones de eficacia. Son colocaciones terminológicas, entendidas en un sentido amplio, por cuanto funcionan como unidades de significado estable. Ya Picht (1991:100) estudia la fraseología desde el punto de vista terminológico y afirma que «podría postularse una “teoría general de la fraseología LSP” aplicable a todas las lenguas en general y a todos los campos del saber y “teorías especiales de la fraseología LSP” que, en cada caso particular, podrían adoptar como objeto de estudio a una o varias lenguas y a uno o varios campos del saber». Pues bien, a eso nos hemos dedicado en este artículo.

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