

mgr Małgorzata Koloğlu

**Język prawa tureckiego na podstawie wybranych zagadnień prawa
karnego w przekładzie na język polski**

Summary

The present study was motivated by the dearth of scholarly literature addressing the subject of Turkish-to-Polish court translation, which posed a considerable challenge for the author, an experienced legal translator who has been involved in the translation of legally related documents for an extended period. Given Turkey's status as a candidate for accession to the European Union, texts concerning civil law, commercial law, and human rights have been made available in European languages such as English, German, and French. However, there remains a notable absence of scholarly works pertaining to the field of translation studies specifically focusing on the translation of legal texts. Consequently, this study represents an initial attempt to explore the linguistic characteristics of Turkish criminal law language features and aims to establish the groundwork for further research in this domain.

Over the course of history, Turkey has been subject to diverse influences, but two primary currents have significantly shaped the form of its criminal code: Islamic law and European law. Despite undergoing a comprehensive language reform, certain concepts have remained unchanged. During the era of the Ottoman Empire, while Islam exerted a significant influence on the legal system, the criminal laws of that period were intertwined with provisions based on prevailing societal customs, which did not always find their origins solely in religious precepts. This observation is unsurprising, given the vast territorial expanse of the country, which not only encompassed numerous diverse communities and religions but also, in most cases, permitted subjugated nations to retain their rights and customs. Thus, it is evident that the assimilation of non-Islamic traditions into the fabric of society was inevitable. Economic and political processes, the expansion of Europe, and internal challenges compelled the closed structure of the state to adopt radically distinct solutions. The European influence not only influenced the form of the legal system but also precipitated profound transformations in the broader Turkish society, ultimately leading to the secularization of the state and the establishment of the prevailing legal system in the Republic of Turkey.

The primary focus of this dissertation is specifically selected aspects of the language of Turkish criminal law, and its translation into Polish. Law, conceptualized as “a collection of

general norms emanating from state authorities and enforced by state coercion,” constitutes a complex phenomenon encompassing various types of norms, including enacted, customary, internal, international, civil, and criminal laws (Morawski, 2016: 26). Given the extensive scope of the concept of law, the author narrows the focus of this study to solely criminal law. The delimitation of the legal branch under investigation plays a pivotal role in determining translational units and, ultimately, establishing the optimal equivalents in the target language. This factor significantly influences the interpretation of the source text and the identification of target text signifiers, particularly in cases involving the polysemy of legal terms (Matulewska, 2013: 122-123). Moreover, in justified circumstances, a comparative analysis of definitions and provisions within the realm of civil law is undertaken to provide necessary supplementation. The empirical nature of this study aims to present the characteristics of the Turkish legal language, encompassing both legal and juridical language, and address the specific challenges encountered in translating into Polish. Additionally, it seeks to determine which established language features exert the most significant impact on translation difficulty and which translational approaches yield the most optimal results. To achieve this objective, the study incorporates a general presentation of key translation theories and historical determinants of the formation of criminal law in Turkey.

Ultimately, this work endeavors to provide the audience with essential foundations for comprehending the legal reality in Turkey. Given the distinctive structure of the Turkish language in the field of criminal law, the author aims to present translational frameworks that will facilitate future specialized translation endeavors by establishing effective tools and enhancing the quality of translated documents.