Formation of Constitutional One-word Terms in Lithuanian and English

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Summary. The article deals with contrastive word-formation analysis of Lithuanian and English one-word terms of the constitutional law. The terms were collected from the Constitution of the Republic of Lithuania (1992) and two major UK legal acts of constitutional nature translated into Modern English, namely Magna Carta (1215) and The Act of Settlement (1700) including the amendments as in force today. The research seeks to reveal how constitutional one-word terms are formed in the Lithuanian and the UK legal systems, to highlight peculiarities of term-formation in Lithuanian and English and to get insight into the most important regularities characteristic of the analysed languages. The research has been conducted using the general principles of synchronic word formation analysis, the descriptive-contrastive analysis and the quantitative analysis of the collected Lithuanian and English data. The results of the research reveal that the distribution of the formal patterns of the analysed terms is different in the investigated languages as well as the means of word-formation and frequency thereof. The results of the research are expected to provide ideas and information to the developers and researchers of legal terminology of Lithuania and other countries.

Keywords: legal terminology, constitutional law, word-formation, contrastive analysis, synchronic analysis, formal and semantic motivation.

1. Introduction

Relevance of the issue and its coverage. The terminology of the Lithuanian law and professional legal language in general started to be formed alongside the restoration of the statehood of Lithuania in 1918 (Maksimaitis, 2007, 7–13), and the terminology of
the constitutional law of Lithuania in particular is relatively young. New Lithuanian terms are constantly created to name new legal concepts. Therefore, it is worthwhile to compare their formation with the traditions and new tendencies of term formation in other languages. Comparative research not only reveals peculiarities of term formation in other languages, but allows seeing the Lithuanian terminology in a new light and assessing it more objectively. The results of comparative research provide the developers of the terminology with vital information on how to create new and improve existing terminology.

So far, comparative legal terminology research mainly tackles issues of the term semantics and translation strategies (Sandrini, 1996, 1999; Harvey, 2002; Groot & Laer, 2007; Mattila, 2006 and others). Comparative research on the formal structure of legal terms is not numerous. In Lithuania, the semantics and translation strategies of legal terms are also the main objects of the comparative legal terminology research (Kontutytė, 2008; Rackevičienė, 2008 (1), 2008 (2); Janulevičienė, Rackevičienė, 2009, 2011). The formal structure of legal terms is analysed in the works by Janulevičienė, Rackevičienė, 2009; 2010; Pogožilskaja, 2012. This paper is an attempt to contribute to the comparative research on term formation models and their peculiarities in Lithuanian and English.

**The aim and objectives of the research.** The aim of the research is to reveal the ways of formation of one-word constitutional law terms in Lithuanian and English languages. To achieve this aim several objectives are pursued:

1) to discuss the diachronic and synchronic approaches to the word formation analysis and to define the synchronic principles and the terminology of the given research;

2) to classify the analysed terms into two groups according to their relations with other words in the Lithuanian and English languages: (a) formally and semantically non-motivated terms and (b) formally and semantically motivated terms;

3) to classify the formally and semantically motivated terms according to the formal means of their formation;

4) to perform the quantitative analysis of the terms belonging to different formal patterns;

5) to draw the conclusions about prevailing formal patterns of one-word constitutional law terms in the Lithuanian and English languages.

**The object of the research.** The research deals with one-word terms of the constitutional law in Lithuanian and English. The analysed terms differ in several respects. Firstly, they represent two Indo-European language groups which are different in origin and structure: Baltic (Lithuanian) and West Germanic (English). Lithuanian is a synthetic language with a high morpheme-per-word ratio; meanwhile, English is a typical analytic language with a low morpheme-per-word ratio. This allows to assume that the ways of term formation
are different in the analysed languages. Secondly, these terms are used in two countries, Lithuanian and the UK, which have different legal systems and law traditions. The legal language of the UK is just one variety of legal English used in different countries: the UK, Ireland, the United States, Australia, New Zealand and other Commonwealth countries. The terms of the UK constitutional law were chosen for the analysis as they represent the primary original Anglo-Saxon legal system.

The data for the research were collected from the main sources of the constitutional law in Lithuania and the UK. The Lithuanian terms were collected from the Constitution of the Republic of Lithuania (1992), which is codified and exists in the form of a single document. The nature of the constitution of the UK is different from that of Lithuania or most countries in the world. It is not codified and is comprised of numerous legal acts. The most basic written documents that are regarded as the basis of the UK Constitution are Magna Carta of 1215, the Act of Settlement of 1700, the laws and customs of the Parliament, court judgements, as well as parliamentary constitutional conventions and royal prerogatives (The British Monarchist League). For the purposes of the present research translations into Modern English of two major legal acts of constitutional nature, namely Magna Carta (1215) and The Act of Settlement (1700), were chosen. By means of concordancers, 84 one-word terms relating to constitutional law were selected from the Constitution of the Republic of Lithuania and 111 terms were selected from the Magna Carta and The Act of Settlement.

The methodology of the research. The research was conducted using the general principles of synchronic word-formation analysis based on opposition method, the descriptive-comparative analysis and the quantitative analysis which enable to unveil and present the peculiarities and the dominating patterns of term formation in different languages. The principles of the word formation analysis are presented below in section 2.

2. Principles of term-formation analysis

Word formation analysis may be based on two different approaches – diachronic and synchronic. The aim of the diachronic analysis is to describe the methods of word formation in a historic perspective – to retrace the primary stems in the past which were the basis for formation of the analysed words. This approach is based on genetic word relations in different historic periods and seeks to reveal ways how the analysed words appeared in the language (Urbutis, 1978, 9–34; Jakaitienė, 2009, 226–227; Babickienė, Venckutė, 2013, 138). The aim of the synchronic analysis, on the other hand, is to describe the methods of word formation at a given (usually, present) time in the language. It seeks to reveal relations between the words existing in the language at the same period of time and to describe their functions towards each other in the word formation structure of the analysed language (Urbutis, 1978, 31–34; Jakaitienė, 2009, 226–227; Babickienė, Venckutė, 2013, 138).
Central concepts of the synchronic and diachronic word-formation have been until recently referred to by the same term ‘derivation’. During the last 30–35 years many linguists have started to use different terms referring to the diachronic word formation and its synchronic counterpart: the term “derivation” has been used for diachronic word formation processes, while synchronic relations between formally and semantically related words have been defined by the term “motivation” (Ulukhanov, 2010, 9; 20–21). Currently most linguists clearly distinguish between diachronic derivation and synchronic formal and semantic word relations.

The research presented in the article is based exclusively on the principles of synchronic word formation analysis. Therefore, the genetic word relations are not taken into consideration and only the current functional relations between words are analysed. The terms “motivation”, “motivated/motivating words” are used as central terms in the analysis emphasising the synchronic approach to the research material.

In the word formation theory, motivation is understood as the synchronic relations between the words in a given language, one of which is perceived as the motivating (forming, basic) and the other – as the motivated (formed, derived). Thus, the motivated word is a formed word based on another word, which exists in the language of the same period (Ulukhanov, 2010, 10; cf. Urbitis, 1978, 56; Jakaitienė, 2009, 238–239). One more criterion which is used in the word formation works for the definition of the motivated words is the linguistic intuition of the native speaker. A synchronically motivated word, or a synchronic derivative, is defined as a word, that in accordance with the linguistic intuition of the native speaker can be regarded as a formed one from another word; meanwhile, the question of genetic derivation and the chronology is not relevant in this case (Grzegorczykowa and Puzynina, 1979, 9).

The motivating and the motivated words interrelate formally and semantically and exhibit the following features: 1) both have the same root; 2) the meaning of one of the words is either fully incorporated into the meaning of the other, or the basic semantic features of both words are identical, but their syntactic positions or stylistics are different (Ulukhanov, 2010, 10).

For the purpose of the word-formation analysis presented in the given article, the terms are classified into formally and semantically non-motivated and formally and semantically motivated. The first group consists of words which do not constitute formal and semantic oppositions with other words in the Lithuanian and English languages. There are no words in modern Lithuanian and English which could motivate them formally and semantically and could be regarded as bases for their formation. The second group consists of words constituting formal and semantic oppositions with other words which motivate them formally and semantically and may be regarded as the bases for their formation.

The terms of the second group are classified into several sub-groups:
1) terms formed by means of suffixation;
2) terms formed by means of prefixation / prefixation and inflexion;
3) terms formed by means of inflexion;
4) terms formed by means of conversion;
5) terms formed by means of compounding.

The research includes borrowings with foreign affixes. Such borrowings are defined differently in the word formation theory as their formation is interpreted using different, diachronic and synchronic, approaches or a combination of both approaches. Their analysis, presented in the article, raises several problematic issues which are discussed below.

The first problematic issue in the analysis of the borrowings with foreign affixes is their derivational status – may they be regarded as derivatives/motivated words in the Lithuanian and English languages?

Historically the analysed borrowings with foreign affixes appeared in the Lithuanian and English languages as ready-made derivatives, i.e. they were derived in the source languages using the derivational means of the source languages and were borrowed in such form into the Lithuanian and English languages, e.g.: LT kandidatūra; EN candidature (the suffix LT -ūra/EN -ure from Old French -ure, from Latin -ura).

Researchers, who focus on the genetic word relations, do not regard such words as derivatives (unless their analysis is completely formal) in the target languages as they were borrowed into the target languages as ready-made derivatives. This argument is supported by the fact that many borrowings with foreign affixes do not form derivational oppositions with the words which could be considered their basic words in the target languages (Umbrasas, 2010, 122–124, Umbrasas, 2005, 69–70).

Other linguists analyse such borrowings alongside with other synchronic derivatives formed by means of affixation. Only those borrowings are considered derivatives which form derivational oppositions with other words motivating them formally and semantically (Urbutis, 1978, 32–33; DLKG 1994, 99, 103, 112, 136, 144).

The third group of researchers attempt to combine diachronic and synchronic approaches to the analysis of such words. By distinguishing between diachronic derivational processes and synchronic motivational word relations, the status of such words is defined as twofold. Borrowings with foreign affixes forming oppositions with ‘basic’ borrowings are not regarded as diachronic derivatives as the process of derivation in these pairs did not occur as such: both members were borrowed and formed a derivational pair in the source language. However, such borrowings are synchronically motivated as they form oppositions with the words which motivate them both formally and semantically. Thus, borrowings with foreign affixes are not derivatives diachronically, but are motivated words synchronically (Ulukhanov, 2010, 23, 33).

In the given research, borrowings with foreign affixes are analysed on the same principles of synchronic word formation analysis as other analysed terms. Alongside with other words formed by word formation means, they are called motivated words (not ‘derivatives’) emphasising the synchronic approach to their analysis.
Another problematic issue in the analysis of borrowings is their relation with the motivating words.

In most oppositions, the motivated words have both more complex formal structure than the motivating words and more complex semantic structure than the motivating words. As a rule, the whole stem of the motivating words is incorporated into the more complex stem of the motivated words, as well as the semantic components of their meaning are incorporated into the more complex meaning of the motivated words, e.g.: *LT suverenitetas (: suverenus), EN sovereignty (: sovereign).* The stem of the Lithuanian adjective *suveren-* is incorporated into the stem of the term *suverenitetas*, and the stem of the English adjective *sovereign* is incorporated into the stem of the term *sovereignty*. The same applies to the semantic structure of the words. In the definitions, the meaning of the term *sovereignty* is explained through the word *sovereign*: “Sovereignty is the quality or state of being sovereign” (Dictionary.com). However, in some Lithuanian oppositions both the motivating word and the motivated word have equally complex structure (a root + a suffix) as a motivating word of a simpler formal structure (consisting only of a root) does not exist in the Lithuanian language, e.g.: *LT organizuoti* (‘to organise’) : *organizacija* (‘organisation’).

In the word formation theory, such stems which may not be used without affixes are called bound stems; their use in the word formation processes is possible because of truncation of one of the stems (Urbutis, 1978, 121–129). In the formal and semantic oppositions between the words with bound stems, the most important criterion deciding the direction of motivation is their semantic relations. The motivated word is the word which is semantically more complex and the meaning of which is explained through the other word in the opposition (Ulukhanov, 2010, 15).

In the given case, the verb *organizuoti* semantically motivates the noun *organizacija* which describes a group of people organised in a certain way. These semantic relations allow us to consider the verb *organizuoti* to be the motivating word and the noun *organizacija* as the motivated word in the opposition. Thus, in the given research, oppositions formed by borrowings with bound stems are analysed alongside with other oppositions between motivating and motivated words.

To sum up, in the research, presented in the article, all terms are analysed by applying the same principles of synchronic word formation analysis. The analysis focuses on present-day functional relations between the words constituting formal and semantic oppositions and does not take into consideration the ways of their appearance in the investigated languages and their genetic relations. The motivated words are grouped according to the means of their formation, and the quantitative analysis of the terms of different formal patterns is conducted.
3. Analysis of the terminology and its results

The collected one-word terms of the constitutional law are divided into two categories: formally and semantically non-motivated and motivated. Formally and semantically motivated terms are further classified according to the formal means of their formation: suffixation, prefixation, prefixation-flexion, flexion, compounding and conversion.

3.1. Classification of the terms into formally and semantically motivated and non-motivated

Formally and semantically non-motivated terms are those which cannot be analysed with respect to the synchronic word-formation as there is no formal and semantic opposition for them found in modern languages, i.e. they cannot be measured by any base word used in the language of the same period. Such terms can be analysed only etymologically. Meanwhile, the formally and semantically motivated terms are the terms which constitute oppositions with other words in the modern languages which motivate their formal structure and meaning.

Chart 1 presents the distribution of the formally and semantically motivated and non-motivated one-word terms of the constitutional law in Lithuanian and English. Approximately one third of one-word terms found in the Constitution of the Republic of Lithuania are formally and semantically non-motivated (29 out of 84, i.e. 34.3 %); whereas in the legal acts of the constitutional nature of the UK the number of the non-motivated one-word terms is a little bit more than a half (57 out of 111, i.e. 52 %).

In Lithuanian the list includes the following terms: aktas, asmuo, biudžetas, deputatas, finansai, institucija, interesas, kadencija, kandidatas, karas, lytis, mandatas, ministras, pareigos, prezidentas, prokuroras, rasė, referendumas, religija, respublika, seimas, straipsnis, šeima, tauta, teisė, teritorija, žemė, žmogus.

In English a little more than a half of the analysed terms (52.2 %) are formally and semantically non-motivated. In English the list includes the following terms: abbey, abbot, act, aid, alien, ancestor, army, baron, bishop, charter, church, citizen, clergy, constable, coroner, county, court, crown, customs, dominions, duke, earl, escheat, estate, guard, heir, honour, husband, jurisdiction, king, knight, land, lord, majesty, marshal, mercy, minister, oath, order, pardon, person, power, prerogative, prince, queen, realm, religion, sheriff, statute, steward, subject, tenure, territory, throne, title.

Chart 1. Formally and semantically motivated and non-motivated one-word terms
As discussed in the theoretical background of the research, some cases of establishing the motivation of the terms formed from borrowings in Lithuanian are problematic. Some of the terms are indeed questionable, i.e. it is not possible to find the motivating member of the formal and semantic opposition which exists in Lithuanian, although some derivational elements (formants) are morphologically distinguishable. Let us have a closer look at kadencija, teritorija, religija. Such words in Lithuanian are regarded as formally and semantically non-motivated as it is impossible to find the word motivating these terms. Although at first glance it might seem that the structure of these terms comprises suffixes –ija, –cija, it is not possible to find the word motivating these terms in Lithuanian. Besides, the international suffix –(…)ija is generally used in Lithuanian to denote names of processes and actions and constitute oppositions with the verbs denoting the same processes and actions. However, neither the term kadencija, nor teritorija or religija denote a process or an action. Thus these terms were attributed to formally and semantically non-motivated ones. However, terms like kandidatūra (: kandidatas), suverenitetas (: suverenus), organizacija (: organizuoti), mobilizacija (: mobilizuoti), interpeliacija (: interpeliuoti) are regarded as formally and semantically motivated because the motivating word for these terms in Lithuanian can be found.

In English a little more than a half of the analysed terms (52.2 %) are formally and semantically non-motivated. In English the list includes the following terms: abbey, abbot, act, aid, alien, ancestor, army, baron, bishop, charter, church, citizen, clergy, constable, coroner, county, court, crown, customs, dominions, duke, earl, escheat, estate, guard, heir, honour, husband, jurisdiction, king, knight, land, lord, majesty, marshal, mercy, minister, oath, order, pardon, person, power, prerogative, prince, queen, realm, religion, sheriff, statute, steward, subject, tenure, territory, throne, title.

The same principles were used to determine the motivational status of the English terms as for the Lithuanian terms. For instance, the terms jurisdiction, religion, dominions, territory, majesty, ancestor, minister, etc. are considered non-motivated, as synchronically there is no formal and semantic opposition for these words found in English although affixes are identifiable in their formal structure. However, terms like justice, property, government, etc. are considered to be formally and semantically motivated as we can find formal and semantic oppositions for these words: just, proper, govern.

To sum up, the number of formally and semantically non-motivated terms in Lithuanian in comparison with motivated is relatively low (only 33 %); whereas in English non-motivated terms comprise more than a half (52 %).

3.2. Classification of formally and semantically motivated terms according to the means of their formation

As can be seen from Chart 1, formally and semantically motivated terms constitute the largest part of all one-word terms found in the Constitution of the Republic of Lithuania, i.e. 67 %; whereas in the sources of the constitutional law of the UK they constitute slightly
less than half, i.e. 48 %. The word-formation means are mainly the same in the analysed Lithuanian and English documents, but their frequency is different.

Chart 2 presents the distribution of the means of word-formation in the Lithuanian and English sources of the constitutional law.

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**1) Terms formed by means of suffixation**

As can be seen from Chart 2, terms formed by means of suffixation constitute the largest part and suffixation is the most frequently used means of word-formation in both languages; however in Lithuanian this means is more preferable than in English (51 % and 38 % respectively). This group includes the terms formed with foreign suffixes which are analysed alongside with other motivated terms, e.g. prokuroras : prokuratūra; amend : amendment. Both in English and in Lithuanian suffixation is largely used to form terms of the constitutional law from verbs (e.g. valdyti : valdymas; govern : government), from nouns (e.g. pilietis : pilietybė; citizen : citizenship) and from adjectives (vyriausias : vyriausybė; secure : security). In Lithuanian terms are also formed from numerals (e.g. pirmas : pirminkas) and pronouns (e.g. visas : visuomenė). It should also be noted that in some Lithuanian oppositions both the motivating word and the motivated word have a bound stem, i.e. equally complex structure (a root + a suffix), whereas the motivating word of a simpler formal structure (consisting only of a root) does not exist in the Lithuanian language e.g. organizuoti : organizacija, mobilizuoti : mobilizacija, interpeliuoti : interpeliacija, konstituoti : konstitucija, demobilizuoti : demobilizacija.

**2) Terms formed by means of conversion**

Although conversion is characteristic of English in general, only 5 % of terms are formed by this means (e.g., adjective to noun – common; verb to noun – assent). In Lithuanian, 2.4 % of terms were formed by this means (e.g. adjective to noun – kaltinamasis).
3) Terms formed by means of prefixation / prefixation and inflexion

Terms formed by means of prefixation constitute only 1 % of terms in English (e.g., subdeacon); whereas in Lithuanian they constitute 5 %. The prefixation of the analysed Lithuanian terms is combined with inflexion (e.g., apygarda).

4) Terms formed by means of inflexion

Unlike in English, in Lithuanian inflexion is used as a means of word-formation. 7 % of terms formed by means of inflexion were found in Lithuanian (e.g., apkaltinti : apkalt, paremti : parama, valdyti : valdžia).

5) Terms formed by means of compounding

The number of compounds found in the data is also relatively small. In English 4.4 % of terms are formed by means of compounding either two nouns (e.g., birthright) or an adjective and a noun (e.g., welfare); whereas in Lithuanian only 1% is formed by means of compounding a pronoun and a verb (e.g., savivalda).

To sum up, the most frequent method of term formation both in Lithuanian and English is suffixation. The groups/numbers of the terms formed by other means are much smaller. In Lithuanian, inflexion and prefixation-inflexion take the second and the third positions respectively in frequency rating; whereas in English the most frequently used methods of terms formation, after the suffixation, are conversion and compounding.

4. Conclusions

1. The number of formally and semantically non-motivated terms in Lithuanian in comparison with motivated is relatively low (only 33 %); whereas in English non-motivated terms comprise more than a half (52 %).

2. The number of semantically and formally motivated terms in Lithuanian is higher (67 %) than in English (48 %).

3. The frequency of the usage of word-formation means in the analysed languages differs as well:
   a) suffixation is the most frequent means of word-formation in both Lithuanian (51 %) and English (38 %); however, in Lithuanian this means is used more frequently and the words serving as the basis for the word-formation are more various: numerals and pronouns are used alongside with nouns, verbs and adjectives;
   b) conversion is used both in English and in Lithuanian as a means of word-formation (5 % and 2.4 % respectively); however in English the variety of the basis for word-formation is greater;
   c) in both languages terms are formed by means of prefixation, but the frequency of the usage of this means of word-formation is rather low (1 % in English and 5 % in Lithuanian), moreover, in Lithuanian prefixation is combined with inflexion;
   d) in Lithuanian inflexion is a rather frequent means of word-formation (7 %); whereas in English inflexion is never used to form words;
e) in both languages compounding is used for word-formation, but the frequency of its usage is rather low (4.4 % in English and 1 % in Lithuanian), besides the nature of the basis for word-formation is different.

4. Part of the differences of the formation of the Lithuanian and English legal terminology, revealed by the analysis, are due to the different structure of the Lithuanian and English languages. For example, inflexion as a word formation means characteristic only of Lithuanian, which is a synthetic language, meanwhile in English inflection is never used as a means of word formation as the only function of it is to produce grammatical forms of the word. Conversion, on the other hand, is more characteristic of the English language because of its analytic nature. Some differences in the formation of Lithuanian and English terminology could be accounted for by different traditions of term formation in Lithuanian and the UK. The research findings allow to make an assumption that the developers of the English terminology prefer non-motivated terms which are shorter and have a simpler structure. Meanwhile, the Lithuanian authors of the terminology give priority to more complex motivated terms, formed mostly by means of suffixation. The similar assumption is presented in the conclusions of the comparative research of criminal law terms conducted by V. Janulevičienė and S. Rackevičienė (Janulevičienė, V., Rackevičienė S., 2010, 25–27).

The authors of the present investigation expect that further research of the constitutional law terminology, which will also encompass multi-word terms, will reveal more peculiarities and characteristic regularities in Lithuanian and English term formation.

References


Sources


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**Konstitucinės teisės vientisinių terminų formaliosios sandaros ypatumai lietuvių ir anglų kalbose**

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**Anotacija.** Straipsnyje analizuojami ir gretinami lietuvių ir anglų kalbų konstitucinės teisės vientisinių (vienažodžių) terminų formaliosios sandaros modeliai. Terminai surinkti iš Lietuvos Respublikos Konstitucijos (1992) ir dviejų svarbiausių Jungtinės Karalystės konstitucinės teisės dokumentų, išverstų į šiuolaikinę anglų kalbą, – Didžiosios chartijos (Magna Carta, 1215) ir Reguliavimo aktų (Act of Settlement, 1700) – bei šiuo metu galiojančių jų pataisų. Tyrimu siekiama atskleisti, kaip kuriami konstitucinės teisės vienažodžiai terminai Lietuvos ir Jungtinės Karalystės teisės sistemose, išryškinti lietuviškų ir angliškų terminų sudarymo ypatumus bei svarbiausius dėsningumus, būdingus tiriamų kalbų terminijai. Tyrimas atliktas, remiantis bendraisiais sinchroninės žodžių darybos analizės principais bei aprašomosios-gretinamosios ir kiekvienos analizės principais. Tyrimo rezultatai atskleidžia, kokį formalieji modeliai vyrauja išstirtoje lietuviškoje ir angliškoje medžiagoje bei kokie žodžių darybos būdai dažniausiai pasirenkami, sudarant konstitucinės teisės terminus. Tikimasi, kad tyrimo rezultatai suteiks idėjų ir naudingos informacijos Lietuvos ir kitų šalių teisės terminijos kūrėjams.

**Esminiai žodžiai:** teisės terminija, konstitucinė teisė, žodžių daryba, gretinamoji analizė, sinchroninė analizė, formal ir semantinė motyvacija.

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