

## EUROSPEAK AND THE RUSSIAN TERMINOLOGY OF LAW: TRANSLATION CHALLENGES

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The paper focuses on translation challenges arising from a discrepancy between English and Russian terminological systems of law and politics and studies the possible solutions used by translators. Advantages and drawbacks of the generally accepted methods are considered, as well as the factors that usually influence the translator's decision.

The study also aims at analysing the consequences of the translators' choices. While in the source language (SL) terms are largely coined by lawyers and scholars, in the target language (TL) translators are often the people who introduce and popularise them, which makes them particularly responsible for their work. The paper provides an overview of the interaction between individual decisions made by translators and the long-term influence they make on the system of the Russian EU-related terminology.

The findings of the study can be used in training translators, interpreters and other professionals in the fields of law and politics whose responsibilities require good command of the terminology in question. Further research in this area can make a strong contribution to the efforts of terminology management.

**Keywords:** translation, translation gaps, lacunae, neologisms, terminology of politics, European Union terminology, political discourse

### 1. INTRODUCTION

The purpose of this paper is to analyse the way terms of the European Union law and politics are typically rendered in the Russian language, with particular focus on the most challenging cases. The latter include situations when those terms do not have an established dictionary equivalent; when the meaning of the original term changes to the extent that an explanation or even a new equivalent is required; or when the respective terms in the English and Russian languages are only partially similar in meaning, but the elements of the concept in one language are distributed differently among several terms of the other language.

With that view, terminological databases of the European Union were analysed, as well as a number of bilingual corpora and the EU documents available in both English and Russian. The sources of these materials included EU-maintained and independent web platforms, such as *EUR-Lex. Access to European Union law*, *InterActive Terminology for Europe*, *Terminology Coordination Unit of the Directorate-General for Translation of the European Parliament*, *Terminology Search Engine*, where available, terminological dictionaries provided the conventional definitions to the concepts in question [Black, 1990; Bledsoe & Boczek, 1987; EUR-Lex. Access to European Union law, [http](http://eur-lex.europa.eu/); Gifis, 2010; InterActive Terminology for Europe, [http](http://ia.tl.org/); McLean, McMillan, 2009; Safire, 1993; Scruton, 2007]. However, the newest terms did not appear to have been well-established and translated in the formal professional discourse, therefore, a number of publications from the quality press and their translations were additionally studied to establish the methods resorted to by translators when the term is not available in officially accepted bilingual glossaries [Ajani et al., 2016; Olsen & McCormick, 2018; Pace & Severance, 2016; Prieto Ramos & Morales, 2019, etc.].

Translation process reveals a discrepancy between the terminological systems of the two languages, in this case, English as the source and Russian as the target one, and requires

not only linguistic skills of the translator, but also careful thought on whether the resulting text can be used as a basis for further development of the Russian terminological system. The reason why translation of documents and other EU-related texts is considered in this paper as a source of terms for the Russian terminology of politics, law and economics (or a process that can even influence the existing terminological systems) is that, obviously, the Russian terminology of the European Union usually follows the original, European sources. As the new concepts are formulated in the countries of the European Union, they are first assigned a name in one or several of the EU languages, and Russian inevitably becomes secondary to this process, very often adopting a new term along with borrowing the concept it denotes. On the one hand, this expands and enriches the Russian terminology of the respective subject area, but on the other hand, certain efforts have to be made to fit the new terms in the current terminological system and align them with the main principles of the local terminology. It is essential for translators and interpreters to ensure adequate mutual understanding between participants in international communication, and the exact treatment of terms by both sides is a must for harmonising terminology [Manik, 2015].

## **2. THEORETICAL BACKGROUND OF THE STUDY**

The concept of terminology is usually considered in two aspects. On the one hand, there is the traditional general understanding of the term and its difference from other layers of vocabulary. Terms are usually defined as words or word-combinations belonging to a specific area of communication (science, art, profession, or technology) and having specific or precise meanings (expressed by their definitions) within this area. A number of criteria were developed to streamline and harmonise terminologies, including the undesirability of polysemy, synonymy or connotations and many other requirements to the form and meaning of terms.

Obviously, this is an idealistic description, as despite clear-cut theoretical provisions stipulating that terminology is a conventional semiotic system and coinage of terms should be a deliberate and conscious effort, terminology is also influenced by many linguistic and extralinguistic factors. These processes prevent it from being rigid, but at the same time lead to the phenomena considered undesirable in a well-structured system. This often poses a challenge for a translator, as he or she has to select one of the equivalents with overlapping meanings, or to coin a new term for a concept unknown at that moment in the target terminological system. Moreover, the system of terms, being part of a living language, is constantly developing. Along with the differences in the conceptual structuring of the subject area, this purely linguistic inconsistency appears to be a major source of the discrepancy between terminologies of different languages.

Another key assumption to be taken into account for the purposes of this analysis is the systemic nature of terminology. Generally speaking, systemacy is what makes any organised knowledge a special field of science and discloses the object of analysis in its different interconnections and interactions, i.e. in its dynamics. Terminological systems are seen as a linguistic reflection of certain systems of concepts which form the basis of research theories. Therefore, a key feature of terminology is its close connection with the system of concepts in the branch of knowledge it describes. The meaning of any term depends not so much on its immediate context, but on its semantic environment – the terms connected with it semantically within its terminological system, the nature of these relations and the way the semantic area is divided among these terms, which inevitably adds dynamics to the term sense formation.

Thus, the systemic approach to terminology presupposes that in selecting a suitable equivalent the translator's understanding of a separate concept represented by a certain term should be supported by broader knowledge of the whole system of political (economic, legal etc.) conceptual spheres in both languages, their interrelation and differences in the respective definitions.

### 3. OVERVIEW OF THE VOCABULARY IN QUESTION

In case of this research, the translator's task is further complicated by the multidisciplinary nature of the terminological system in question. The object of this study – the terminology of the European Union – comprises general political, economic, social and legal terms, as well as terms specific only of the European Union usage. Therefore, there are several areas of knowledge and several sets of systemic relations that influence the meaning of the terms. It should also be taken into account that a change (or broadening/narrowing) in the meaning of terms from adjacent fields is possible when they are used in the European Union context. The terminological system itself changes when the English language functions as a lingua franca to serve the needs of international law and politics. This is particularly observable in case of legal terminology, in the discrepancy between common law concepts and international realia [Kjaer, 2014].

Thus, the term *accession* can have a range of definitions in different branches of law, including “the right to all which one's own property produces”, “the acquirement by the owner of property of that which is added to or incorporated with it”, “goods that are physically united with other goods in such a manner that the identity of the original goods is not lost”, “the coming into possession of a position or dignity” etc. However, in the context of the European Union it is most often used in the meaning of “the absolute or conditional acceptance, by one or several states, of a treaty already concluded between other sovereignties” [Black, 1990, p. 14], and usually this implies an even narrower meaning of the Accession Partnership Agreement between the European Union and its new or would-be member states. The transliterated Russian term *акцессия* is traditionally used to refer to the property rights, while in the European Union context this term is most often translated descriptively: e.g., *вступление новых государств в Европейский Союз*, or, depending on the context, by a more concise form – *расширение ЕС, присоединение к ЕС*, etc.

Terms of the social sciences comprise an overwhelming proportion of the terminology in question. Although the range of issues tackled in the European Union discourse is extensive, the core terminology of the EU centres around political, economic, social and legal concepts. Being essentially of a similar nature, terms of different sciences yet vary in some respect. The most obvious distinction here can be made between the terms of natural and technical sciences and those belonging to the humanities and social sciences.

While in the exact sciences the object of research exists outside the human mind, in arts and social sciences it is something immediately connected to people, including scholars, therefore it depends much more on the individual scholar's outlook. The humanities, and especially social sciences, also depend to a larger extent on the extralinguistic factors: social and ideological ones [Anisimova, 2010]. The terms are also more dependent on the differences among research schools and approaches. This individual approach makes their terminological systems much more flexible. The differences across cultures are even more dramatic, given that not only theoretical approaches, but also governmental, economic, social and legal systems under consideration are divergent in many aspects.

Another feature of the vocabulary considered in this paper is that it is not always easy to draw the line between terms proper and other similar classes of words. Very often the border between terms and jargonisms, terms and nomenclature units, terms and words of the general language is blurred. Being a matter of the general public concern, political and economic issues are extensively discussed outside the professional discourse – in the media, Internet forums, blogs, social networks etc. In fact, more and more often new terms are coined not by professionals in the respective areas, but by journalists or active Internet users. They are usually highly connotative and expressive, and very often there is a definite evaluative component even in their form, as in *Eurogeddon* (threatened financial collapse in the Eurozone), *mistakonomics* (the economics of human errors and mistakes), *Bregret* (a repentant feeling after the British

referendum) etc.; they can be colloquial and sometimes similar to slang; they do not immediately find their place in the relevant system of concepts. Obviously, at this point they cannot be considered terms proper in the full meaning of this word.

However, as far as the diachronic studies and translation issues are concerned, such lexical units provide a lot of interesting material for research. On the one hand, their semantic and stylistic development can be observed immediately. Certain trends can be revealed in their further functioning, and projections can be made regarding their chances of developing into terms proper, lexicographic prospects and changes in their meaning. On the other hand, an inquiry into translation solutions applied to such problematic cases is of considerable importance both in the academic setting and in translation practice.

Translation of such “buzzwords” with the potential of developing into terms proper should not be neglected on account that many of them may gradually come into disuse. The ones that will remain in the language and in the conceptual system are very likely to retain the form of the first translation equivalent, as they will find their way into bilingual corpora. If they are imperfect, specific efforts will have to be made to prevent other translators from using them as a model [Anisimova, Pavlyuk, Kogotkova, 2018].

As far as nomenclature units are concerned, their impact on the target terminology is not so dramatic, as they do not present concepts applicable to a multitude of situations, but their analysis can be used to establish some trends in translation methods. Moreover, they can serve as models for coinage of new terms and nomenclature units in similar contexts of the TL.

#### 4. TRANSLATION CHALLENGES AND POSSIBLE SOLUTIONS

One of the key challenges faced by translators is the existence of lexical gaps proper – i.e., cases when a certain term in one language does not have a correspondence in another language due to differences in the cognitive structuring of the world. As far as the target language is concerned, the concept itself may either be entirely absent from its system at the moment, not precisely defined in it, or have no generally accepted and suitable wording to render it. The differences among research theories developed within certain academic traditions are enhanced by the fact that despite the increasing speed of communication, formally defined and articulated concepts sometimes appear later than the initial ideas expressed by a word. However, a translator should sometimes deal with this would-be term before it receives a precise definition. Given the pace of the conceptual and terminological development, bilingual dictionaries and glossaries are very often of little use, as even the most up-to-date online versions cannot catch up with the rate of terms coinage.

Among the recent examples are the ones connected with the current political and economic developments in the European Union, such as the British referendum to leave the organisation – *Brexit* (the possibility of Great Britain’s withdrawal from the EU), *Breturn* (return to the status quo); migration issues – *death trafficker* (operator of an inadequate vessel bringing migrants across the Mediterranean seeking to enter the EU, often ending in death), *accelerated international protection procedure* (an expedited procedure to examine an application for international protection); economic issues in the Euro zone – *bridge loan* (a short-term loan used until a person or company secures permanent financing or removes an existing obligation), *emergency liquidity assistance* (emergency loans made by the European Central Bank to banks that are struggling to stay afloat).

Other, more universal, neologisms also used in the EU context include new technology and IT-related vocabulary – *deep Web* (the part of the World Wide Web that is not discoverable by means of standard search engines), *cyber hijack* (hijack controlled remotely with the use of electronic devices), *drone* (flying machine, either autonomous or remotely piloted, used for surveillance, military sorties and deliveries); terms denoting general social and political trends – *corporatocracy* (economic and political system controlled by corporations or corporate

interests), *digital detox* (period of time during which a person refrains from using electronic devices), *pauperisation* (gradual impoverishment of the population of a region or of a social class as the result of major changes in the economy of a region or country), *reshoring* (process of returning production to the originating country from the offshore country), etc.

Attempts have been made to research terminology and align equivalents among the European Union languages, with glossaries and term corpora appearing in various fields of knowledge. A great deal of terminological work is carried out by most institutions of the European Union [Stefaniak, 2017]. However, these resources largely include equivalents in several or all languages of the European Union member states, very rarely going beyond that to suggest equivalents from other languages, such as Russian. Moreover, even the presence of a term in reliable dictionaries can be misleading, as it can be used in a new meaning, which is sometimes best translated with a new equivalent, (see the example of *accession* above).

In order to find a well-established equivalent for a term not featured in any dictionary, translators can sometimes tap into the current bilingual corpora, such as Terminology Search Engine [Terminology Search Engine, <http://>]. Nevertheless, in case when the terms to be translated are comparatively new, this solution is also complicated. While parallel texts of the most important European Union documents, such as the Treaty of Rome or the Maastricht Treaty can easily be found with high-quality translation, many recent documents featuring new terms are yet to be translated, and very often there is no previous tradition for a translator to rely on.

In fact, sometimes, a word is not firmly established in *any* terminological system at a certain point, and is not yet registered even in unilingual dictionaries. Therefore, a translator's task is to understand its meaning (and its place in the respective system of concepts), and then choose a method of translating terms without generally accepted equivalents. Various classifications of translation techniques exist. This paper includes an analysis of the following patterns most often used in practice: transcription/transliteration (which results in direct borrowing of the source term), calque translation as the most typical case of neologising in the TL (applicable to compound words or terminological word-combinations), descriptive translation (providing an extended explanation of the source term) and selecting an equivalent in the TL with a similar meaning (including generic-specific and other transformations). The following part of the article briefly dwells on the advantages and drawbacks of these methods, as well as the factors that usually influence the translator's choice.

One of the techniques that very often tempts translators is direct borrowing: transcription or transliteration of the source term. E.g., *screening* (analytical examination of the EU's acquis as the preparatory stage of accession negotiations) – *скрининг*, *ombudsman* (an official who investigates complaints about poor administration by EU institutions or other EU bodies) – *омбудсмен*. This method seems to be the easiest one, it is very often used by translators inexperienced in the field. However, when official EU-related documents are translated, the method is usually used with caution.

This approach serves to eliminate ambiguity, unnecessary associations or polysemy in the TL, which is considered beneficial for the terminological system. It is a convenient way of introducing a new concept, emphasising its novelty and lack of comparable terms in the target terminological system. However, the resulting term does not always fit into the grammatical system of the Russian language, and it does not consider the difference in the phonetic basis. The form of the direct borrowing usually does not reflect its meaning, which would be desirable to help the Russian-speaking readers of the document to figure it out.

The first two issues are sometimes solved by using hybrid terms in the TL, e.g. adding Russian productive affixes, or introducing a slight change in the sound of the word (e.g., *subsidiarity* – the principle according to which the smallest unit of society which can properly

perform a given function should be allowed to do so – *субсидиарность*), but lack of the transparency of meaning remains a problem.

This method of translation should also be avoided when the concept is not altogether new, and a native Russian equivalent, or at least a well-established borrowing, already exists. Quite often the borrowed term becomes stylistically marked, either as slang jargon, or as a word used deliberately to mislead the audience, in which case it acquires a pejorative connotation. Moreover, if we consider this process in the aspect of its impact on the terminological system, it is obvious that, though it may sometimes approximate the Russian and the English outlook in the respective areas and facilitate international communication, very often it will result in unwanted synonymy and confusion.

However, some terms are conveniently translated by transcription/transliteration, primarily international words of Latin or Greek origin. The components of such terms have already been established in many European languages, including Russian, and are perceived naturally. Examples include *assimilation* (the process whereby an immigrant community adopts the outward forms and political allegiance of a host community) – *ассимиляция*, *mediacracy* (government, usually indirectly, by the popular media) – *медиакратия* (although in this case the possibility of playing upon the term's resemblance to *mediocrity* is not preserved).

The next method to be considered is introducing a calque term. Cases with slight grammatical transformations are also included in this category here. Strictly speaking, they are usually treated as a separate translation technique, but since the focus of this paper is the semantic correspondence, and the advantages and drawbacks of these methods are similar, this allowance was made. Examples usually include terminological word-combinations: *citizens' initiative* (a European Union mechanism aimed at increasing direct democracy by enabling EU citizens to participate directly in the development of EU policies) – *гражданская инициатива*, *single institutional framework* (a mechanism to ensure the Union acting through shared institutions in order to ensure the consistency and continuity of that action) – *единые институциональные рамки*, *hierarchy of norms* (the order or importance in which a norm is considered within a legal system) – *иерархия норм*. Since terminological word-combinations currently account for the majority of new EU terms, this method is widely used. Compound words and blends are usually more difficult to render this way, given the need of preserving the meaning of both parts, but making the resulting word sound natural. Examples include *multilingualism* (the co-existence of different language communities in one geographical/political area) – *многоязычие*, *interinstitutional* (existing or occurring between institutions) – *межведомственный*.

The resulting equivalents are easily adopted by the TL, their meaning is obvious from their components, and if there is a vivid image in the original, it is often preserved in the translation. Unfortunately, the scope of this technique is limited to compound words and word-combinations. Moreover, in case the source term is highly idiomatic or based on a metaphor alien to the target culture, the meaning can become blurred until explained and assimilated by the TL.

Descriptive translation, which conveys the meaning of the word exactly, but may need a replacement if it is too long, is an important step in the development of the target terminology. E.g., *austerity* (a set of economic policies implemented with the aim of reducing government budget deficits) – *меры жесткой экономии*, *food safety* (conditions and practices that preserve the quality of food to prevent contamination and food-borne illnesses) – *гарантия чистоты пищевых продуктов*, *general-interest services* (activities considered to be of general interest by the public authorities, and subjected for this reason to specific public service obligations) – *услуги, ориентированные на общественное благо*, *environmental liability* (obligation based on the principle that a polluting party should pay for any and all damage

caused to the environment by its activities) – *ответственность за вред, нанесенный окружающей среде*, etc.

This method is quite efficient when a new concept is introduced into the Russian terminological system, as it provides a comprehensive and precise definition, postponing the nominative process until a suitable term is found.

Finally, using a term from the TL that is close in meaning to the term in the SL covers a wide range of examples, including terminologisation of a word of the general language, semantic calques based on similar metaphors, broadening/narrowing/modification of the meaning of TL words or terms, generic-specific translation etc. E.g., *mediation* (the intervention of a third party in an attempt to resolve a conflict, especially an international conflict) – *посредничество*, *pillars* (the three categories into which the various areas where the Union is active are divided) – *опоры*, *deepening* (the notion of the potential EU development seen in the increased integration of the EU) – *углубление*, etc.

This method involves other challenges, such as the choice of a proper equivalent from several variants, when the respective terms in the English and Russian languages are only partially similar in meaning. It also calls for careful thought of the target-language lexical and syntactic combinability, and knowledge of the respective terminological systems and definitions. Thus, sometimes translators introduce new meanings into the TL vocabulary – purposefully or by mistake. This results in partially false equivalents, which, when used repeatedly, tend to be integrated in the TL terminological system. E.g., the word *академический* in the Russian language does not fully coincide with the English *academic*: the collocations where it is used are different. In the word-combination *academic community* a different term is traditionally accepted – *научное сообщество*, *academic activity* – *учебный процесс*. However, recently more and more translators have opted for direct borrowing even in these contexts. Thus, the meaning of the word is broadened in the Russian language under the foreign influence, including many aspects of research and education. Many people still question this solution; however, it is currently used in official documents, and seems to be gaining popularity.

Moreover, this technique is not applicable if there is a substantial difference between the terms of the SL and the TL not clearly explained in the text, as confusion may arise. This could be a source of polysemy, if the terms chosen as equivalents are defined differently or hold a different position within the source and the target terminological systems. Thus, in case of important legal documents, when the highest precision is required, generic/specific transformations would be unacceptable. However, there are also advantages in this method: the resulting term is familiar to the TL speakers, and it serves to avoid unnecessary synonymy within the terminological system that may be caused by excessive borrowing.

## 5. CONCLUSION

Due to high intensity of the term coinage and translation processes, several translation variants often appear and subsequently coexist in the terminological system, resulting from the work of several translators or researchers. Thus, transcribed or transliterated terms are frequently used along with words of the Russian origin or descriptive translations. Different equivalents from the TL are suggested, emphasising various aspects of the source term. Even within one text, two translation techniques can be used simultaneously: one of them gives a full explanation of the meaning, and the other one suggests a shorter or a more familiar form. Further in the text, only the short form remains, as the explanation has already been given. Eventually, only time will show which of these terms will be accepted as standard ones, and which will be forgotten; until that moment there will remain unresolved cases of synonymy.

Although translation serves to approximate the two terminological systems, particularly succeeding in bridging the semantic gaps, there remains much to be done, as not only linguistic

aspects should be taken into account in translation of terminology, but also a variety of research approaches and differences in the extralinguistic reality under consideration.

It is customary to believe that terms are among the easiest aspects of the translation process, since many of them have full equivalents in the TL. However, it is not always so. When we deal with new terms, even variants may not yet exist in the TL. The concept itself may be absent, have a different interpretation or different relations with other concepts. It is the responsibility of the translator to render the idea fully and briefly, at the same time keeping the TL free from excessive borrowings, forms that have unwanted connotations, or are difficult to pronounce or understand. If in the SL terms are often coined by professionals, in the TL translators often introduce them into the system. Only good command of language and good taste prevent the translator from distorting the terminological system.

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