Legal translation

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What is legal translation?

- u Not only rendering of legal texts from the SL into the TL
- u It is a translation from one legal system into another

Categories of legal translation

u Legal translation can be categorised according to purposes:

1. Legal translation for the normative purpose.
2. Legal translation for the informative purpose.
3. Legal translation for legal or judicial purpose.

Normative purpose

u This type includes multilingual legal instruments such as that of the UN and EU documents.

u They are parallel texts, authentic, legally equivalent and have the same communicative function, though the languages are different.

UN عربي 中文 English Français Русский Español

Informative purpose

u This type refers to those texts that have descriptive or contrastive functions such as the translation of statutes, court decisions and other types of legal documents

u It intends to give information to the target readers. The ST will therefore be the only authentic legal source and the others are solely used for reference purposes.

Informative purpose

Legal Statement

Please be advised that this information is subject to change at anytime and that in case of any discrepancy between this information and the World Anti-Doping Code, the Code prevails. Always check with your International Federation or National Federation for the most up-to-date anti-doping regulations.

The official text of the Prohibited List shall be maintained by WADA in English, French and Spanish. In the event of any conflict between the English and other language versions, the English version shall prevail. For languages other than *English* WADA shall have no liability for any incorrect or inaccurate translation appearing in the List, nor for any damage incurred by mobile users as a result of the mistranslation.

Legal or judicial purpose

u This type of legal translation is informative and descriptive. It involves many legal subtypes such as

court proceedings,

contracts and agreements,

business or personal correspondence,

records,

certificates,

witness statements and

expert reports.

Features of legal English

Use of archaic terms

u Legal English is characterized by its old vocabulary.

u Common examples of these terms are 'hereby', 'thereby', 'aforesaid', 'said', 'thereby' and 'hereof'.

I . . . <u>hereby</u> confirm that the report of . . . is true and accurate account of the injuries . . .

Use of Latin and French terms

u Latin terms

bona fide - in good faith

inter alia - among other things

Ipso facto - by that very fact, as an inevitable result

u French terms

voir dire - a preliminary examination of a witness or a juror by a judge or counsel.

Use of formal terms

u Example

'I do solemnly swear to tell the truth, the whole truth and nothing but the truth'.

Common Law Words	Plain Language Words
save	except
avoid	cancel
joint and several	together and separately
instrument	legal document
provided that	if, except, however, in any event

Use of shall, must and may

u Shall is used in the imperative sense to impose a duty or obligation

u Must = shall

u May is used in legal discourse to indicate permission
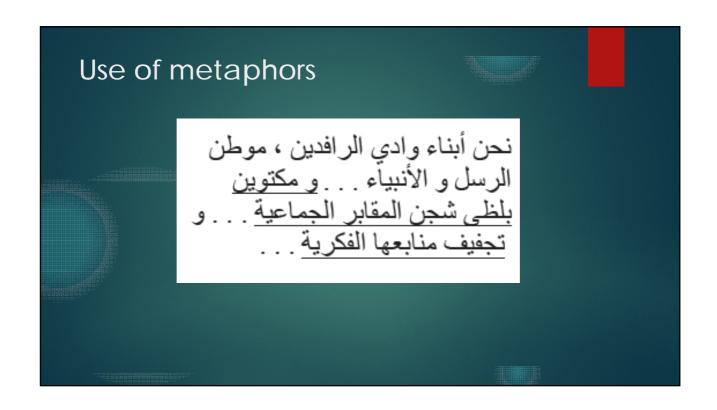
Lexical repetition

u In legal English, lexical repetition is used instead of pronouns in most of the cases where the antecedent of the pronouns cannot be figured out easily because pronouns can have ambiguous reference.

> To keep the <u>interior</u> of the property, the <u>internal</u> decorations and the <u>fixtures, furniture and effects</u> in good <u>repair and condition</u> . . . and to replace if necessary any items of the <u>fixtures, furniture and effects</u>.

Use of capital letters

> The First Party, the Second Party, the Lessor, the Lessee, the Assignor, the Company, the Agreement, the Director, the Chief, the Judge, the Supreme Court, etc.

Features of legal Arabic

Use of metaphors

نحن أبناء وادي الرافدين ، موطن الرسل و الأنبياء . . . و مكتوين بلظى شجن المقابر الجماعية . . . و تجفيف منابعها الفكرية . . .
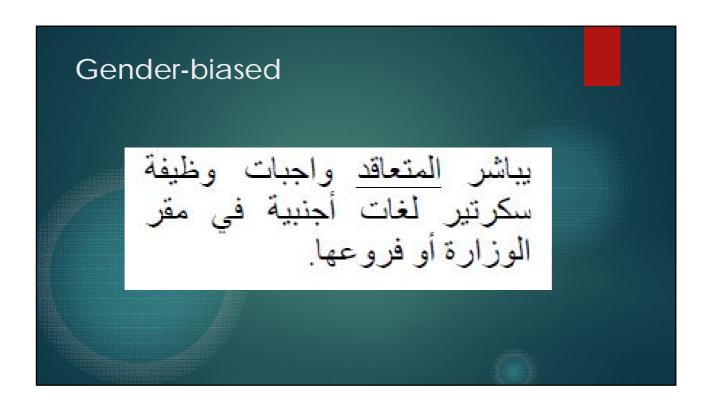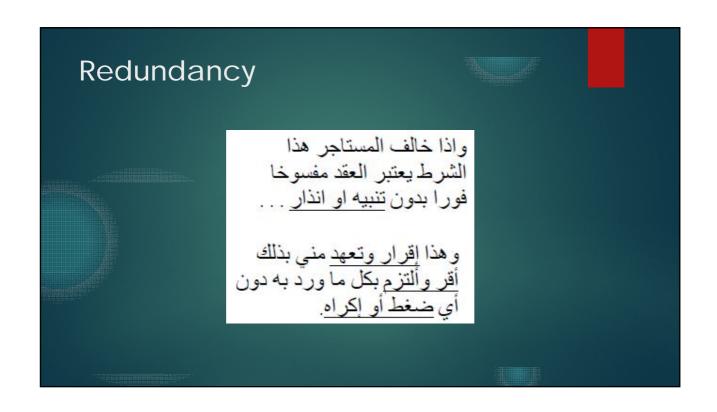
Formality

حضرة صاحب الفخامة رئيس الجمهورية السورية، و حضرة صاحب السمو الملكي أمير شرق الأردن، حضرة صاحب الجلالة ملك العراق . . . حضرة صاحب الدولة السيد فارس الخوري ، حضرة صاحب المعالي سعيد المفتي باشا . . . و صاحب العزة عبد الرحمن عزام بك

Formality

نحن زايد بن سلطان آل نهيان رئيس دولة الإمارات العربية المتحدة . . . اصدرنا القانون التالي:

الأخ العقيد معمر القذافي قائد ثورة الفاتح العظيم و ملك ملوك أفريقيا.

Gender-biased

يباشر المتعاقد واجبات وظيفة سكرتير لغات أجنبية في مقر الوزارة أو فروعها.

Redundancy

واذا خالف المستاجر هذا الشرط يعتبر العقد مفسوخا فورا بدون تنبيه او انذار . . .

و هذا إقرار وتعهد مني بذلك أقر وألتزم بكل ما ورد به دون أي ضغط أو إكراه.

General strategy

Literal translation

Rules for translation

- u Read and comprehend the text
- u Once a specific translation is used, stick to it
- u Redraft
- u Finalise
- u Read as an ST
- u Ask others to read if necessary
- u Use necessary dictionaries