

Legal Translation Explained

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Foreword

This book is designed principally to cater for the needs of students who are taking their first steps in the translation of legal English. Our aim has been to provide readers with practical guidelines; the emphasis is on the identification and solution of problems that actually arise in this area of specialized translation. With this in mind, we have grouped the contents into four main blocks, each of which is further subdivided into two chapters. Blocks one and two provide a basic introduction to the linguistic and legal backgrounds; blocks three and four suggest methodological approaches to this type of translation.

Block one ([Chapters 1 and 2](#)) deals with legal English as a linguistic system and contains pointers to the leading features of that system. The main points discussed are the ‘Plain English Campaign’, the stylistics of legal language, the classification of legal vocabulary and the analysis of lexical vagueness and syntactic ambiguity, with the needs of the translator uppermost throughout.

The second block ([Chapters 3 and 4](#)) is essentially an outline of the specific features of the Anglo-American legal system. It also contains a brief account of the differences between that system and the continental or ‘civil law’ systems prevalent in most European countries. Among the matters dealt with are the sources of law (common law, equity, statute law and case law), the court structure and the rules of procedure in civil, criminal and administrative cases.

[Chapters 5 and 6](#), which comprise the third block, are devoted to questions of translation method. Here the concept of text genre is first introduced and explained, then applied to an exploration of written and oral genres, specialist legal and professional genres such as judgements, contracts, wills or the examination of witnesses, academic genres like articles on the law published in specialist journals, and popular genres with an indirect bearing on the law, such as thrillers and courtroom dramas.

Finally, block four, made up of [Chapters 7 and 8](#), completes the methodological picture with analysis of the linguistic and stylistic resources available to the translator of legal texts. The issues covered in this section include the need for awareness of semantic fields and collocations, ways of dealing with problems of syntax (e.g. thematization, complex noun phrases in English, the use of double conjunctions in legal phraseology), and the practical application to legal translation of familiar techniques such as transposition, modulation and expansion.

We would like to take this opportunity to acknowledge the generous help with technical matters provided by Dr Frank Southworth of the School of Law at the University of the West of England, Bristol. On countless occasions during the writing of this book we have benefited from Dr Southworth’s invaluable advice on matters of terminology and have drawn on his lengthy experience as

a barrister and part-time judge to refine on our comments on English law. Any errors of legal definition or procedure that may have crept into the text are, of course, entirely the responsibility of the authors and not of our adviser.

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