

Translating Law

Bridging Legal Systems Through Legal Translation



Translating Law Translating Law

**Anabel Borja Albi, Fernando Prieto
Ramos**



Translating Law Translating Law:

Translating Law Deborah Cao, 2007-04-12 The translation of law has played an integral part in the interaction among nations in history and is playing a greater role in our increasingly interconnected world today The book investigates legal translation in its many facets as an intellectual pursuit and a profession It examines legal translation from an interdisciplinary perspective covering theoretical and practical grounds and linguistic as well as legal issues It analyses legal translation competence and various types of legal texts including contracts statutes and multilateral legal instruments presents a comparative analysis of the Common Law and the Civil Law and examines the case law from Canada Hong Kong and the European Court of Justice It attempts to demonstrate that translating law is a complex act that can enrich law culture and human experience as a whole *Translating the Social World for Law* Elizabeth Mertz, William K. Ford, Gregory Matoesian, 2016-06-22 This volume examines the linguistic problems that arise in efforts to translate between law and the social sciences We usually think of translation as pertaining to situations involving distinct languages such as English and Swahili But realistically we also know that there are many kinds of English or Swahili so that some form of translation may still be needed even between two people who both speak English including for example between English speakers who are members of different professions Law and the social sciences certainly qualify as disciplines with quite distinctive language patterns and practices as well as different orientations and goals In coordinated papers that are grounded in empirical research the volume contributors use careful linguistic analysis to understand how attempts to translate between different disciplines can misfire in systematic ways Some contributors also point the way toward more fruitful translation practices The contributors to this volume are members of an interdisciplinary working group on Legal Translation that met for a number of years The group includes scholars from law philosophy anthropology linguistics political science psychology and religious studies The members of this group approach interdisciplinary communication as a form of translation between distinct disciplinary languages or registers Although it may seem obvious that professionals in different fields speak and think differently about the world in fact experts in law and in social science too often assume that they can communicate easily when they are speaking what appears to be the same language While such experts may intellectually understand that they differ regarding their fundamental assumptions and uses of language they may nonetheless consistently underestimate the degree to which they are actually talking past one another This problem takes on real life significance when one of the fields is law where how knowledge is conveyed can affect how justice is meted out Translation and the Law Marshall Morris, 1995-12-21 This long needed reference on the innumerable and increasing ways that the law intersects with translation and interpreting features essays by scholars and professions from the United States Australia Hong Kong Iceland Israel Japan and Sweden The essays range from sophisticated treatments of historical and hence philosophical variations in concept and practice to detailed practical advice on self education Essays show a particular concern for the challenges of

courtroom discourse when the parties not only use different languages but operate from different cultural and legal traditions

Translators Law Dictionary Eric Engle, This work presents the basic legal terminology used in the English language with equivalent terms from German principally and French secondarily that is because the French term is often some cognate to English The dictionary includes definitions in English for most not all terms because sometimes a simple synonym suffices or the concept is obvious on sight to someone with at least the training of a paralegal Latin and Italian terms are also occasionally represented as well The Translator s Law Dictionary is useful to legal translators comparative lawyers and internationally active law firms as well as scholars of comparative and international law While no multilingual law dictionary authored by one person in one lifetime could ever hope to be complete this dictionary tries to present all the basics in current legal usage in the English language and equivalent concepts and terms from German and French This dictionary has focused on the procedural and substantive facts of law the indispensable structural framework to any deeper discussion of the law As well as the basics of law this law has tried to present the essentials of commercial law contracts torts corporations and taxation Obscure and ancient legal concepts and esoteric theoretical concepts are not discussed here for such are rarely if ever used in practice Rather this works presents a well rounded and reasonably complete exposition of the basic legal terminology of the world s greatest legal systems as part of the construction of the globalization of the rule of law Thus while practical and focused the work also has some hopeful utility for visionaries enabling jurists to anchor their concepts into new legal systems they will discover in the pages of this work

Legal Translation Explained Enrique Alcaraz, Brian Hughes, 2014-04-08 Focusing on the problems of translating English legal language Alcaraz and Hughes offer a wide ranging view of one of the most demanding and vital areas of contemporary translation practice Individual chapters deal with legal English as a linguistic system special concepts in the translation of legal English the genres of legal translation and offer a series of practical problems together with discussions of proposed solutions as well as insight into the pragmatic ways translators go about finding solutions The numerous examples and discussions of specific terms make the book useful both as a manual in the translation class and as an invaluable reference work for students teachers self learners and professional translators

New Approach to Legal Translation Susan Sarcevic, Susan [ar?evi?, 1997-05-07 One of the first attempts to present a comprehensive study of legal translation this book is an interdisciplinary study in law and translation theory It is not bound to any specific languages or legal systems although emphasis is placed on translation between common law and civil law jurisdictions The main focus is on the translation of texts which are authoritative sources of the law examples are cited primarily from statutes codes and constitutions Canada Switzerland and Belgium as well as instruments of the European Union and international treaties and conventions Dealing with theoretical as well as practical aspects of the subject matter the author analyses legal translation as an act of communication in the mechanism of the law thus making it necessary to redefine the goal of legal translation This book is intended for both lawyers and linguists

translation theorists legal translators and drafters legal lexicographers as well as teachers and students of translation

Legal Translation Ingrid Simonnaes, Marita Kristiansen, 2019-03-07 In this anthology renowned scholars working in the area of legal translation studies LTS focus on current issues and challenges in legal translation emerging from today's globalisation and internationalisation Considering both theoretical and practical points of view the contributions present interdisciplinary approaches to legal translation dealing with legal systems in national EU and international settings and include civil law and common law as well as supranational and private international law In addition to the historical evolution of legal systems and of legal translation the papers discuss specific features of legal language and challenges in legal translation as well as new didactic strategies to deal with the future profiles of legal translators

Legal Translation in Context Anabel Borja Albi, Fernando Prieto Ramos, 2013 What does it take to be a legal translator What is expected of legal translation professionals in the public and private sectors Following recent developments in the field there is a need to take stock of professional settings skills and related training needs This volume offers a systematic overview of the diverse professional profiles within legal translation and the wide range of communicative situations in which legal translators play their roles as mediators Contexts of professional practice have been classified into three main categories which give shape to the three parts of the book 1 legal translation in the private sector 2 legal translation for national public institutions and 3 legal translation at international organizations Practical concerns within each of these settings are analysed by experts of diverse backgrounds including several heads of institutional translation teams Commonalities and differences between contexts are identified as a means of gaining a comprehensive understanding of this multifaceted and dynamically changing profession

Translating Legal Texts Giulia Adriana Pennisi, 2012 The Oxford Handbook of Language and Law Peter Meijes Tiersma, Lawrence Solan, 2012-03-08 This book provides a state of the art account of past and current research in the interface between linguistics and law It outlines the range of legal areas in which linguistics plays an increasing role and describes the tools and approaches used by linguists and lawyers in this vibrant new field Through a combination of overview chapters case studies and theoretical descriptions the volume addresses areas such as the history and structure of legal languages its meaning and interpretation multilingualism and language rights courtroom discourse forensic identification intellectual property and linguistics and legal translation and interpretation Encyclopedic in scope the handbook includes chapters written by experts from every continent who are familiar with linguistic issues that arise in diverse legal systems including both civil and common law jurisdictions mixed systems like that of China and the emerging law of the European Union

Towards the Professionalization of Legal Translators and Court Interpreters in the EU Martina Bajčić, Katja Dobrić Basanež, 2016-12-14 The profession of legal translators and interpreters has been unjustly neglected despite its relevant role in international and multilingual legal settings In order to bridge this gap this volume brings together contributions from some of the leading experts in the field including not only scholars but also internationally

acclaimed professional legal translators and interpreters Coming from different EU Member States the contributors address the status quo of the profession of legal translators and interpreters within their respective states while proposing ways to raise the standards of the profession In particular effort is made to make the profession more uniform Union wide in terms of training and accreditation of legal translators and interpreters and quality of their services Topics covered include ISO standards for interpreting services in judicial settings EULITA Directive 2010 64 EU on the right to translation and interpretation in criminal proceedings legal translation translation of multilingual EU legislation document translation whispered interpreting and the need to introduce uniform programmes for the education and training of legal translators and interpreters Offering a mix of theory and practice the book will appeal to scholars practitioners and students with a special interest in legal translation and interpretation in the EU

Comparative Law - Engaging Translation Simone Glanert, 2014-06-27 In an era marked by processes of economic political and legal integration that are arguably unprecedented in their range and impact the translation of law has assumed a significance which it would be hard to overstate The following situations are typical A French law school is teaching French law in the English language to foreign exchange students Some US legal scholars are exploring the possibility of developing a generic or transnational constitutional law German judges are referring to foreign law in a criminal case involving an honour killing committed in Germany with a view to ascertaining the relevance of religious prescriptions European lawyers are actively working on the creation of a common private law to be translated into the 24 official languages of the European Union Since 2004 the World Bank has been issuing reports ranking the attractiveness of different legal cultures for doing business All these examples raise in one way or the other the matter of translation from a comparative legal perspective However in today's globalised world where the need to communicate beyond borders arises constantly in different guises many comparatists continue not to address the issue of translation This edited collection of essays brings together leading scholars from various cultural and disciplinary backgrounds who draw on fields such as translation studies linguistics literary theory history philosophy or sociology with a view to promoting a heightened understanding of the complex translational implications pertaining to comparative law understood both in its literal and metaphorical senses

Law, Language and Translation Rosanna Masiola, Renato Tomei, 2015-02-21 This book is a survey of how law language and translation overlap with concepts crimes and conflicts It is a transdisciplinary survey exploring the dynamics of colonialism and the globalization of crime Concepts and conflicts are used here to mean conflicting interpretations engendering real conflicts Beginning with theoretical issues and hermeneutics in chapter 2 the study moves on to definitions and applications in chapter 3 introducing cattle stealing as a comparative theme and global case study in chapter 4 Cattle stealing is also known in English as rustling duffing raiding stock theft lifting and predatorial larceny Crime and punishment are differently perceived depending on cultures and legal systems Captain Starlight was a legendary duffer in India lifting a sacred cow is a sacrilegious act Following the globalization

of crime chapter 5 deals with human rights ethnic cleansing and genocide International treaties in translation set the scene for two world wars Introducing unequal treaties e g Hong Kong chapter 6 highlights disasters caused by treaties in translation Cases feature American Indians the trail of broken treaties Maoris Treaty of Waitangi and East Africa Treaty of Wuchale

Research Handbook on Legal Semiotics Anne Wagner, Sarah Marusek, 2023-11-03 This comprehensive Research Handbook explores the wide variety of work conducted in legal semiotics to provide a broad understanding of how the law works through signs and symbols Demonstrating that law is a strategical system of fluctuating signs contributors critically analyse the ever evolving conceptualisations of law and legal discourse

The Ashgate Handbook of Legal Translation Dr King Kui Sin, Ms Anne Wagner, Professor Le Cheng, 2014-12-28 This volume investigates advances in the field of legal translation both from a theoretical and practical perspective with professional and academic insights from leading experts in the field Part I of the collection focuses on the exploration of legal translatability from a theoretical angle Covering fundamental issues such as equivalence in legal translation approaches to legal translation and the interaction between judicial interpretation and legal translation the authors offer contributions from philosophical rhetorical terminological and lexicographical perspectives Part II focuses on the analysis of legal translation from a practical perspective among different jurisdictions such as China the EU and Japan offering multiple and pluralistic viewpoints This book presents a collection of studies in legal translation which not only provide the latest international research findings among academics and practitioners but also furnish us with a new approach to and new insights into the phenomena and nature of legal translation and legal transfer The collection provides an invaluable reference for researchers practitioners academics and students specialising in law and legal translation philosophy sociology linguistics and semiotics

Research Methods in Legal Translation and Interpreting Łucja Biel, Jan Engberg, Rosario Martín Ruano, Vilelmini Sosoni, 2019-05-09 The field of Legal translation and interpreting has strongly expanded over recent years As it has developed into an independent branch of Translation Studies this book advocates for a substantiated discussion of methods and methodology as well as knowledge about the variety of approaches actually applied in the field It is argued that complex and multifaceted as it is legal translation calls for research that might cross boundaries across research approaches and disciplines in order to shed light on the many facets of this social practice The volume addresses the challenge of methodological consolidation triangulation and refinement The work presents examples of the variety of theoretical approaches which have been developed in the discipline and of the methodological sophistication which is currently being called for In this regard by combining different perspectives they expand our understanding of the roles played by legal translators and interpreters who emerge as linguistic and intercultural mediators dealing with a rich variety of legal texts as knowledge communicators and as builders of specialised knowledge as social agents performing a socially situated activity as decision makers and agents subject to and redefining power relations and as political actors shaping legal cultures and negotiating cultural identities as well as their

own professional identity Chapter 2 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license

The Language of Canon Law Judith Hahn, 2023 In this book Judith Hahn explores the legal order of the Roman Catholic Church to better understand how the Roman Catholic Church communicates as a legal institution She argues that the language of canon law reveals the political ideology of the church hierarchy and she takes up the tools of language and law scholarship to examine and challenge that language Hahn examines the grammar and terminology of canon law and how canon law language makes use of linguistic tricks and techniques to create its typical sound and discusses the comprehension difficulties that arise out of ambiguities in the law out of transfer problems between legal and common language and out of canon law's confusing mix of legal doctrinal and moral norms

Reading The Legal Case Marco Wan, 2012-08-06 This volume examines the nature function development and epistemological assumptions of the legal case in an interdisciplinary context Using the question of reading as a guiding principle it opens up new ways of understanding case law and the doctrine of precedent by bringing the law into dialogue with the humanities What happens when a legal case is read not only by lawyers but by literary critics by linguists by philosophers or by historians How do film makers and writers adapt and transform legal cases in their work How might one interpret fiction in the context of the historical development of the common law The essays in this volume test the boundaries of the legal case as a genre by inviting perspectives from other disciplines and in doing so also raise more fundamental questions of what constitutes law and legal thinking This book will be of interest to anyone seeking a better understanding of the common law the humanities and the intersection between them

Analytical Index to the Laws of Texas, 1823-1905 (both Dates Inclusive). Cadwell Walton Raines, 1906

Declarations of Interdependence Kirsten Anker, 2016-05-13 This book takes up the postcolonial challenge for law and explains how the problems of legal recognition for Indigenous peoples are tied to an orthodox theory of law Constructing a theory of legal pluralism that is both critical of law's epistemological and ontological presuppositions as well as discursive in engaging a dialogue between legal traditions Anker focusses on prominent aspects of legal discourse and process such as sovereignty proof cultural translation and negotiation With case studies and examples principally drawn from Australia and Canada the book seeks to set state law in front of its own reflection in the mirror of Indigenous rights drawing on a broad base of scholarship in addition to legal theory from philosophy literary studies anthropology social theory Indigenous studies and art As a contribution to legal theory the study advances legal pluralist approaches not just by imagining a way to make space for Indigenous legal traditions but by actually working with their insights in building theory The book will be of value to students and researchers interested in Indigenous rights as well as those working in the areas of socio legal studies legal pluralism and law and cultural diversity

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