

DIFFICULTIES AND STRATEGIES IN TRANSLATING LEGAL TEXTS

*Safaraliyeva Aziza Ashur qizi*

*Master's degree from the Uzbek State University of World Languages*

*Senior Teacher: f.f.d (DSc), professor Oybek Ahmedov Saporbayevich*

**Annotation:** Nowadays, translating legal texts into other languages is very difficult and only professional translators specializing in legal translation should be engaged in the translation of legal documents and scientific works. The purpose of this article is to analyze translation from three perspectives: translation quality, errors and difficulties encountered in the translation of legal texts and the consequences of such errors in professional activity translation. The article emphasizes the importance of good and accurate translation. The article provides general information about errors and difficulties in translating legal texts and their consequences errors in professional translation with application to the field of law.

**Key words:** translation quality, errors and difficulties in translation, legal texts, translation analysis.

**Introduction:** Legal translation often presents difficulties to translators, especially novice translators, due to its highly specialized vocabulary and 'unique' structure. According to Murici, the difficulties in translation are basically due to the differences in the different legal cultures and legal systems because the legal language has developed its characteristics to meet the demands of the legal system where it is expressed. In addition, legal translation is obviously different from other types of technical translation that tend to convey universal information with much less technical terms. It is enough to apply equivalent terms in the target language (TL) and source language (SL). Kockaert, Leuven, and Rahab in 2017, even confirm that legal translation has always been a cornerstone of professional translation and the most challenging area in technical communication. This indicates that both novice and experienced translators encounter difficulties in translating legal texts.

Such difficulties have attracted several scholars to conduct translation studies on law and its related discourse. Challenges or problems in legal texts translation, models in translating legal texts, the importance of the legal translation in the globalized world, approach in translating legal texts, are some of the translation studies dealing with a legal text translation. In addition, the need to be acknowledged in the globalized world requires companies and enterprises, especially those located in Indonesia, to translate their legal documents such as contracts, sale and purchase agreements, deed of incorporation, and others, into English.

One of the foremost challenges in translating legal texts lies in capturing the

precise meaning and intent of the original language while adapting it to the target language's legal system. Legal terms often have specific legal connotations that may not have exact equivalents in different languages. Thus, the translator must possess a nuanced understanding of both legal systems to accurately convey the intended meaning. Moreover, legal texts are known for their complexity and intricacy. They abound with technical terminology, precise definitions, and lengthy sentences. The translator must possess not only linguistic proficiency but also a deep knowledge of legal concepts to navigate through the labyrinth of legal jargon and preserve the coherence and clarity of the original text.

Strategic considerations also come into play when dealing with legal translations. One such strategy is the use of harmonization, which involves adapting legal concepts and terminology to align with the legal system of the target language while maintaining the essential legal principles. This approach facilitates comprehension for the target audience and ensures legal accuracy within the confines of the new legal framework.

Another strategy is the use of explanatory footnotes or glossaries to elucidate specific terminology or concepts that may not have direct equivalents in the target language. This helps bridge the gaps between legal systems and ensures that the translated text remains accessible and comprehensible to its intended readers. Additionally, collaboration and consultation with legal experts or professionals in the target language's legal system can greatly enhance the quality and accuracy of the translation. Their expertise can provide invaluable insights into the nuances and peculiarities of the legal language, thereby assisting the translator in making informed decisions. In essence, translating legal texts requires not only a profound understanding of language but also a comprehensive grasp of the legal systems involved. It is an intricate dance between linguistic proficiency, legal acumen, and cultural sensitivity. A delicate balancing act that the translator must embrace with wisdom and finesse.

Unlike ordinary language (the language used by people in their daily conversation), legal language is a specialized language of legal norms and related discourse. In addition, legal language is a language related to law and legal processes. Due to its specialized usage, it belongs to a specific register, a variety of languages appropriate to the legal situations of use. This is since legal language has its own vocabulary, grammatical structure, and subject matter. Besides, it allows deviant rules of grammar which are certainly not acceptable in the ordinary (standard) language. Furthermore, legal language is performative because words (as the element of language) are used to construct expressions and contain actions. Adopting the speech act theory, words are not only used to say things but are also used to do things. This means that facts in law may be changed by uttering certain words because legal effects and legal consequences are commonly obtained by merely uttering certain words. In addition, Cao also uses the term 'legal speech acts' to accommodate the performative

function of legal language. Therefore, the so-called five types of speech acts – representatives, commissives, expressives, declaratives, and directives – are indispensable by the law in achieving its purpose of regulating human behavior and society and establishing obligation, prohibition, and permission.

Moreover, legal language is technical because it involves specialized language and texts. The question of the technicality of legal language is not perceived consistently. One party argues that there is no legal language because it is merely a part of the ordinary language. The other party holds that legal language is a technical language, a specialized language which is different from the ordinary language. According to Smejkalova the core differences are related to such following aspects as speakers, stylistic features, specific vocabulary, terminology issues, and syntactic structures.

To sum up, legal language is a specialized language used in legal settings for which it is categorized as a particular register. It has its own vocabulary, grammatical structure, and subject matter. As a language register, legal language has its own typical lexical and syntactic features. Lexical features concern with the choice of words used in legal texts. Meanwhile, syntactic features concern with the structure used to arrange the lexical items in the form of phrases, clauses, or sentences.

#### **References:**

1. Al-Refo, M. Y. D. & Faqir, R. S. A. (2016). From Legal Translation to Legal Globalization: Globalization of Criminal Laws to Counter Global Crimes. *International Journal of Social Science and Humanity*, 6(4), 275-281. <http://dx.doi.org/10.7763/IJSSH.2016.V6.657>
2. Austin, J. L. (1962). *How to Do Things with Words*. Cambridge, MA: Harvard University Press.
3. Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative Research Journal*, 9(2), 27-40. <https://doi.org/10.3316/QRJ0902027>
4. Camelia, C. (2014). Errors and Difficulties in Translating Legal Texts. *Management Strategies Journal*, 26(4), 487-492.
5. Cao, D. (2007). *Translating Law*. Clevedon: Multilingual Matters.
6. Corbin, J., & Strauss, A. (2008). *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory*, 3rd ed. Thousand Oaks: Sage.
7. Danet, B. (1980). Language in the Legal Process. *Law and Society*, 14(3), 447-563. <https://doi.org/10.2307/3053192>
8. Garner, B. A. (1986). *A Dictionary of Modern Legal Usage*. Oxford: Oxford University Press.
9. Haigh, R. (2004). *Legal English*. London: Cavendish Publishing Limited.