

PalArch's Journal of Archaeology of Egypt / Egyptology

EDUCATION OF LEGAL TRANSLATION: NEEDS, HORIZON, AND CHALLENGES IN PAKISTAN

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Dr. Shair Ali Khan, Dr. Zainab Amin, Dr Samina Begum. Education Of Legal Translation: Needs, Horizon, And Challenges In Pakistan -- Palarch's Journal Of Archaeology Of Egypt/Egyptology 20(2), 356-374. ISSN 1567-214x

Keywords: Legal Translation; Education; Globalization; Internet; Teaching Legal Translation

ABSTRACT

New Pakistan needs a huge number of professional translators to be communicative agents in the global village meeting the needs of the gigantic economic project CPEC, all legal circles, diplomatic domains, and a large number of institutions along with the individual needs of people. In terms of professional legal translators, Pakistan faces a number of challenges to fill the gap in the domains of legal translations such as the utilization of legal translation tool, preparation of term banks, databases, bilingual and multilingual legal translation dictionaries, terminography of legal domains. On the other hand, the verdict of Supreme Court regarding induction of Urdu as the official language of correspondence in all the governmental, semi-governmental and other substitute organizations. So, this decision put all the institutions in a big challenge of finding and induction of huge number of professional translators in various domains such as law, medical, media, commerce, trade, economics, business, political circles and education. Hence, focusing on legal institutions, a huge number of translators are needed to be employed for the faithful transfer of legal decisions, legal texts, legal correspondence from Urdu to English and vice versa and other diplomatic languages. Therefore, looking to the dire need of professional translators in legal domains, it is the time to put translation as a subject in the educational institutions accepting the interdisciplinary nature of legal translation, and to carry out the serious text transfer activity. The International Islamic University of Pakistan Islamic has the credit of establishing a full department of Translation & Interpretation. Whereas, the law department has a big space for the education of Legal Translation. All these

challenges, future horizons, and CPEC project justify the education of legal translations in the academic programs. Therefore, the study aims at finding out the areas, needs, and space for the education of legal translation keeping in view the broad translational challenges in New Pakistan.

1-INTRODUCTION

Translation is the only transferring vehicle of languages, cultures, thoughts, and sciences. It is as ancient as the language itself when God confused the only and one language of the people of Shinar at Babylon (Genesis 11:7). Since that time the translation played the role of a faithful agent between the people of various religious, trade and cultural entities. With the passage of time and the spread of language entities and due to globalization, internationalization, digitalization, and Internet the world has turned into a global village of diverse languages and cultures. Here the need for translation is visible. The society needs a huge number of translators to be a communicative agent in this global village. The current century is the century of translation explosion, the machine translation and machine added translation, translation software, speech translation and a number of versatile nature of translating and interpreting tools are available in the market. But to meet the needs of legal translation; legal translation tool, term banks, databases, bilingual and multilingual legal translation dictionaries, terminography of legal domains, all these are the challenges of real time all over the world.

The Supreme Court of Pakistan has issued a verdict declaring Urdu as the official language of correspondence in all the governmental, semi-governmental and other substitute organizations. So, this decision put all the institutions in a big challenge of finding and induction of huge number of professional translators in various domains such as law, medical, media, commerce, trade, economics, business, political circles and education Hence focusing on legal institutions a huge number of translators are needed to be employed for the faithful transfer of legal decisions, legal texts, legal correspondence from Urdu to English and vice versa and other diplomatic languages. Therefore, looking to the dire need of professional translators in legal domains, it is the time to put translation as a subject in the educational institutions accepting the interdisciplinary nature of legal translation, and to carry out the serious text transfer activity.

Law and legal setup require a range of linguistic, cultural, communicative and transferring skills from every specialist working either in the practical legal field or in the educational institution worldwide. The European Union analyzed the same need in legal education forwarded in the Legal Education and Judicial Training in Europe (Natalia Udina 2015: 1135) emphasizing on the linguistic skills, communicative skills, and translational skills for all lawyers, judges, and workers in legal system. The need arises due to the diversity in the legal systems of various countries and difference in cultures and critical nature of language systems with differences in phonetic, morphological, syntactical and semantic domains of the smooth transferring methods.

2-Objectives of the study

The study aims at finding out the reasons that made compulsory the education of legal translation because of the complex, serious and critical nature of various linguistic legalese of Latin, Arabic and Sanskrit language embedded in the legal linguistic resources. Latin for English and Arabic and Sanskrit for Urdu are the mother languages of their legalese and phrases in Pakistani languages.

3-Statement of the problem

The statements of the problems are mentioned in the following points;

- Why the education of legal translation is important for the lawyers? In case of lacking translational skills, strategies and methods what kinds of serious errors occur that cause drastic decisions affecting the lives of many people.
- What are the translation strategies that a lawyer or law student must know for better rendering of the subject matter in any target language?
- The translation type's intra-lingual, inter-lingual and inter-semiotic (Jakobson 1966) are used in the expressing, explaining and translating process of legalese, legal texts, and legal literature both oral and written. In translation studies, oral legal translation is called 'interpreting' while the written translation is called the 'text transfer' by way of equivalent words, terms, and expressions. The question is to what extent these types should be inducted in legal education?
- What are the future horizons of legal translation in Pakistan in perspective of CPEC project?
- What are the challenges in New Pakistan for law institutions in lieu of the SC verdict regarding official correspondence in the National Language Urdu?

4-Methodology of the research study

The research is descriptive in nature whereas the researcher has to investigate the questions raised in the statement of the problems through describing the available data regarding the justification of the teaching of legal translation and its induction as a subject in the academic programs.

5-History of legal text translation

The legal texts and treaties were translated through the course of history such as the Treaty of Mesilim (Mesopotamia 2550 BC), the Treaty of Kadesh signed in 1258 BC (Breasted 1906: 367) and so on till date. With the passage of time and the spread of language entities and due to globalization, internationalization, digitalization, and the Internet the world has turned into a global village of diverse languages and cultures. Here the need for translation is visible. The society needs a huge number of translators to be a communicative agent in this global village. The current century is the century of translation explosion, the machine translation and machine added translation, translation software, speech translation and a number of versatile nature of translating and interpreting tools are in the market. Need for legal translation, legal translation tool, term banks, databases, legal translation bilingual and multilingual

dictionaries, their preparation; terminography of legal domains, all these are the challenges of real time.

6. The Types of Legal Translation:

The term “Legal Translation” carries a vast meaning being an umbrella term for all the communication rendered in the legal settings. It is the complex specialist or technical translation, as defined by Newmark, involving a serious linguistic activity which needs translational competencies, linguistic competencies, and subject matter knowledge. In terms of subject matter legal translation can be categorized, as Cao (2007) mentioned, (a) translation of domestic statutes and international treaties; (b) translation of private legal documents; (c) translation of legal scholarly works;(d) translation of case law.

Furthermore, in terms of SL text, legal translation includes enforceable law that includes statutes and non-enforceable law that includes legal scholarly works.

Sarcevic (1997: 11) classified legal translation according to the function of the legal texts in the source language in the following points:

1. Primarily prescriptive: it includes laws, regulations, codes, contracts, treaties, and conventions.

2. Primarily Descriptive/prescriptive: includes judicial decisions and legal instruments, judicial and administrative proceedings i.e. actions, pleadings, briefs, appeals, requests, and petitions.

3. Purely descriptive; it includes academic works of legal scholars such as opinions, legal textbooks, articles in various legal systems.

Cao (2007) further, classified looking to the purpose of the target language texts:

1. Normative Purpose: it means the production of equally authentic bilingual even multilingual legal texts about jurisdictions of domestic law, international legal instruments and other laws.

2. Informative Purpose: it includes the translation of statutes, court decisions, scholarly works and legal documents for the purpose of providing information to target readers.

3. General Legal /Judicial Purpose: documents of court proceedings: claims statements, pleadings, summons, contracts, agreements, ordinary texts regarding personal business correspondence, records, certificates, witness statements and exports reports.

Catherine Way (2016:1019) quoted various scholars emphasizing on the training of legal translators for the best production of complex legal texts in complex systems. Legal translation as categorized by Catherine Way (2016:1013) means the translation of legislative texts, international treaties, court and administrative documents, commercial and financial texts. Way (2016;1014) carried out an intra-university collaborative project between translation and law students to find out the image of translation. The law students while collaboratively working with the translation students, resolved practical national and international cases by providing research, summaries, and translations. The law students generally argued that such work can be done easily and better by the lawyers than translators. But at the end, they changed their image about translation confessing the important role of translators in the

real transfer of the theme, essence and cultural meanings of the texts. The translation is the transfer of linguistic, cultural and critical words.

7-Needs of Education of Legal Translation

No doubt lawyers play the role of an intermediate or surrogate addressee to translate the legal words into the daily language (Harvey 178, quoted 'Cornu 1990:23') but, there are plenty of reasons that lead both the department of translation and law towards the need of education of legal translation. I mention the reasons in the following points:

7.1. The problems of legal text translation: legal texts not only cover the words of the Lawyer and judges but it includes the words of laymen in the process of the court (Harvey 178, quoted Morris 1995, pelage 2000:126). It is the 'metalegal' language that covers the history of law, jurisprudence and the opinions of the learned legal figures. According to Hanem El-Farahaty (2016:474) quoting Alcaraz Varo, Enrique (2009: 182-192) that 'isomorphism i.e. one to one correspondence' and creativity are unattainable due to the typical and critical nature of legal textures such as 'asymmetry of systems, incongruency regarding terms, and diversity in legal cultures as mentioned by Sarcevic (1997: 360-363). Whereas the technicality of language overburdened the problems of legal translations as Hanem El-Farahaty (ibid) quoted Weisflog (1987: 179-218).

While translating such texts the translators face a number of problems which are mentioned as under:

7.1.1 Problems of Concept and Terms: Legal text is characterized with legalistic concepts, terms, styles, and language that need a meticulous study to digest them and then reproduce the same conceptual, terminological with the same legal style and language (Udian 2015: 1136). For coping with the conceptual and terminological problems the legal experts need the in-depth knowledge of cognitive linguistics, semantic domains, and lexical meanings to differentiate between the concepts that convert a word into a term of a legal domain. Mellinkoff (1982: 101) quoted Abdel Karim Mehmood et al (2010:5) mentioned four types of legalese i.e. formulaic, archaic words, redundancies, and Latin words. Aiman Kamal Al-Suabi, a professional legal translation, mentions that the main problematic of the legal translation are, a) legalese, b) legal drafting, and c) contradiction in terms.

7.1.2. Problems of Style: Another unique feature of the legal system is its special style of writing while intra-lingual writing and inter-lingual writing. In the case of non-familiarity with the style of SL and TL, this may cause drastic semantic gaps which lead two cultural entities beyond the level of humanity. Garzone (2000:3) quoted Gotti (1991:105-110) that the style of legal texts at micro-level, paragraph level, sentences level varies from all other text types, due to its rigid collocations, specific cohesive, coherent devices for the purpose of anaphoric, cataphoric and homophoric inter-textual reference. The verbosity, complexity of legal thoughts, reasoning (Mellinkoff 1963: 25) heavy sentences with informative loads (Garzone 2000:3 quoted Gustaffson 1975, Hiltunen

1984, Bhatia 1987-1994,) hypotaxis, subordinate clauses, syntactic dissimilarities.

7.1.3. The problems of Language: Legal language is formulaic, full of archaic terms, culturally rich having a special pragmatic position (Giuliana Garzone 2000: 11), due to which law is distinguished with its unique language of drafting and expression. It is called a sublanguage with its specific grammar, as Tiersma (1999:142) suggested, register, dialect, various linguistic restrictions and a ‘complex collection of linguistic habits’. The long sentence structure, technical style, legal vocabulary, foreign unusual phrases, and terms make the legal translation a challenging task (Myrteza 1999: 280). Throughout the centuries the legal language has been set up to fulfill the requirement of the legal domain, which in fact is considered the problems of legal translation. Another unique feature of legal language which creates problems during translation is the impersonal style. (ibid: 218). Usage of vague and flexible language (ibid:282 quoted in Tiersma 1999:176) also puts the translators in problems as in the words of Danet, “legal language has an inclination for using familiar words with uncommon meanings” (2005:59). Cao (2007: 142) mentioned three types of legal language i.e. normative (which creates norms, product norms and express them) performative (using words for performance and actions) and technical in the words of Charles Catton, Schauer, and Hart (as quoted by Myrteza MURICI (p.283) that legal style use context to apply a common vocabulary in a technical meaning.

7.1.4. Asymmetry Legal Systems and Cultures: Every country has its own legal system and legal culture that create a big problem for the translators because the words in one legal system can prove ambiguous and can contain a varying degree of semantic ingredients. Hence, it requires a professional have full commands of both the SL legal system culture and TL legal system culture. For example, some ‘terms of art’ in common law can only be explained in that background (Triebel 2009: 149) which in turn has no equivalent in the Islamic and Arab Civil Law (Hanem El-Farahaty 2016:475) the example of ‘lien’ and ‘pledge’ can be presented in this connection. (ibid)

7.1.5. Need for Trainings: Due to these linguistic problems Catherine Way (2016:1019) quoted various scholars emphasizing on the training of legal translators for the best translation production of complex legal texts; legislative texts, international treaties, court and administrative documents, commercial and financial texts in complex systems (Catherine Way 2016:1013). She (2016;1014) carried out an intra-university collaborative project between translation and law students to find out the image of translation. During this mutual working of law students with translation students resolving practical national and international cases by providing research, summaries, and translations, the law student generally argued that such work can be done easily and better by lawyer other than translators. But, at the end, they changed their image about translation confessing the important role of translators in the real transfer of the theme, essence and cultural meanings of the texts.

7.2. *Strategies and Tools Needed for Law Graduates/ Translators:*

7.2.1. Translation Strategies: scholars mentioned many strategies for the translation of legalese either Latinized or old English words through many strategies such as, a) Shifts strategies, b) explanation or explicitness, c) transliteration, d) paraphrasing (Al-Qinia), e) omission or deletion, f) foreignization or domestication, g) substitution and transposition (Newmark and Catford), h) Functional Adaptation (Hanem El-Farahaty 2016: 476-491). Dr. Marcus GALDIA, Professor of law at the International University of Monaco, mentioned a number of strategies for legal translations considering them “strategic tools in the theory of translation such as legal equivalence, skopos, semantic translation, and faithful translations” (2013: 78).

7.2.2. Translation Tools: there is a large number of tools that must be taught both in the Translation and Law Departments. Here is a brief summary. Dr. Marcus GALDIA mentioned a number of tools such as “access to translational tools” (2013: 81), “institutional guidelines and standardization” (2013: 82), “Thesaurus of legal language and legal discourse” (2013:83), “general and specific dictionaries” (2013: 84), “multilingual terminology database” (2013: 85), “online legal databases” (2013: 86), “methodological essentials for online databases” (p.97), “ambiguities of digital age” (p.88), “translators search strategies and lexicological dilemmas” (p.89-90).

These technical aspects justify the education of legal translation in both the law and the translation departments.

7.3. The Drastic Effect of Wrong Legal Translation: In legal translation, a single word if translated inaccurately can harm the life of a person in the court (Dr. Victoria Froltsova, quoted by Marion Marking 2016). Therefore, misinterpretation can be catastrophic (Mathieu. 2015.) There are some examples of such a catastrophic disaster which are mentioned hereby:

1. A) Wrong translation of Peace Treaty between Spanish and Philippines: The peace treaty between Spaniards and Sultan of Sulu Philippines in 1851 after three years of war on disputed land. The wrong translation convinced the Spanish that Sultan accepted their sovereign and the Sultan considered it as peace treaty as equal partners. B) The same Sultan signed an agreement with British Commercial Syndicate in 1878, the English version considered it as “sale” whereas the Philippines version mentioned it as “rental”. (Mathieu 2015). “The agreement stipulated that North Borneo was either leased or ceded to the British Syndicate (depending on the translation used) in return of the payment of 5,000 Malayan dollars per year” (Ooi Keat Gin 2004:1163).

2. Wrong wording of Italo-Ethiopian Treaty of Perpetual Peace and Friendship: signed in Wuchale in the year 1889 in which the article 17 written in Amharic version used a verb of “possibility” allowing African the “freedom of external relations” whereas in the Italian version the verb of “obligation” has been used that proved Ethiopia an Italian protectorate. So, it resulted in the first Italo-Ethiopian war. The English version is “His Majesty the King of Kings of Ethiopia can use the Government of His Majesty the King of Italy for all treatments that did business with other powers or governments.” (Danial

Berhane 2011. Text of Wuchale Treaty: 1889 Ethio-Italian Treaty: <https://hornaffairs.com/2011/08/17/text-of-wuchale-treaty-1989-ethio-italian-treaty/>)

3. Declaration of surrender sent to Japan in 1945, World War II, containing the wording “prompt and utter destruction” in case of any negative answer. The King Kantaro Suzuki was thinking about and responded one word to the reporters “mokusatsu” in the sense of “thinking”, but this polysemic expression equally means “think, silence, not worthy of comment, reject, ignore”. the translator took the word that denoted the meaning of “reject”. This mistranslation caused a catastrophic disaster of two Japanese cities. (Sergio Ruffolo 2017, Mathieu 2015)

4. UN Security Council Resolution 242 about 1967 War: During the Six Day War between Israel and Egypt the English version of UN resolution called for the “withdrawal of Israeli armed forces from *territories* occupied in the recent conflict”. The French translation is “retrait des forces armées israéliennes *des territoires* occupés lors du récent conflit.”

The British draft left a definite article “the” before “territories” giving Israel a free hand of selecting the boundaries whereas the French translation added the article “*the-des*” before the “*territories- territories*”. (Amb. Meir Rosenne. Understanding UN Security Council Resolution 242. : <http://jcpa.org/requirements-for-defensible-borders/security-council-resolution-242/>); THE 1967 AND 1973 WARS; <http://www.un.org/Depts/dpi/palestine/ch3.pdf>; <https://ecf.org.il/issues/issue/121>

5. Deletion of ‘*Future*’ caused deprivation of Reward: Crowned Miss Hungary Antonia Balint lost her title in 1991 after appearing her nude picture in the newspapers. She was honored by the court declaring that the publishing of nude picture was banned in present and future. Whereas the translation just mentioned the “*past*” ignoring the future. (Ex-Miss Hungary’s bottom line peaks after court ruling: <http://www.tradulex.com/articles/Durban.pdf>; Dimcam Shiels. 1997. Crowning glory for beauty queen stripped of her title. Independent: Thursday 24 July 1997, 00:02. : <https://www.independent.co.uk/news/crowning-glory-for-beauty-queen-stripped-of-her-title-1252190.html>

7.4. Strategies used for Legal Text Translation:

Since the ancient times the source language-oriented strategies which are, in other words, considered the literal translation, were followed for centuries (Udina 2015:1136), but with the advent linguistic theories in the fifties, cultural turns in 80s and Skopos of Vermeer (1996) all these elements were kept into consideration while translating legal texts and terms. (Udina 2015:1136). A translator needs a full background knowledge for converting such texts while a lawyer must know the basics knowledge and strategies of converting these texts and terms in a legal dress while converting them to various languages. Catherina Way (2016: 1021) applied ‘Discourse Analysis Approach’ to legal translation in which the text is translated within a social process and social events applying the production, distribution, and consumptions of both source text and target

text. New mark presented the strategies of literal translation, omission, deletion, explanation, transliteration, and paraphrase for translation and applied by the legal translators and practiced by the judges and lawyers in the vicinities of courts. Hence, various translators applied Equivalence and Skopos theories while translating the legal structure.

Radegundis Stolze (2013:63) mentioned problems of legal concepts and terminology in various shapes of abstractions that need comprehensions: Subjects and rights, conditions, actions and relations, legalistic ideas, concepts of European law. There are various linguistic features of the legal genre such as a) standard macro-structures for examples a paragraph of code, certificate, a contract et. B) a special terminology: the strategies for such text can be: literal translation, loanword, substitution by a target word, use of hypernym, translation with explicative extension, target version with source term in brackets, use of source term with a footnote, original word as a target neologism (Stolze 2013:66).

Hanem El-Farahaty (2006: 477) mentioned a number of examples regarding translating archaic terms, doublets, triplets and other culture-specific or Sharia bound terms into Arabic, I quote some of them: ‘hereunder’ and ‘hereinafter’ as (فيما يلي - which follows), ‘thereafter’ as (فيما بعد - after that), ‘Set forth’ in combination with ‘herein’ are rendered as (الواردة فيه - mentioned in it), In the Charter of the United Nations (ChUN, article 83:2) rendered as (المبينة), ‘set forth’ in the Universal Declaration of Human Rights (UNHR, article 28) rendered as: (المنصوص عليها - mentioned), ‘Foregoing’ rendered as (سابقة الذكر - aforementioned) in the (ChUN, article 77:2) followed the technique of ‘*structure shift*’.

For paraphrasing Hanem quoted Al-Qinai, Jamal (1999: 238) examples such as ‘Shadow Cabinet- الوزارة الظل’ rendered into Arabic as:

(مجموعة من زعماء المعارضة المحتمل اشتراكهم في الوزارة الجديدة التي ينتظر أن تُؤلف عندما يتولى حزبهم مقاليد الحكم)

‘Party Whip- عضو في البرلمان’ as rendered into Arabic as:

(عضو في البرلمان يعهد اليه حزبه بتطبيق الأنظمة الحزبية و يحمل نواب الحزب على حضور الجلسات الهامة)

7.5. Legal Translation Resources: In today’s digital era the legal translators should know the utilization of various types of translation software, tools and Apps for the quick production of a quality translation. I mention some of them:

- Google Translate (<https://itunes.apple.com/us/app/google-translate/id414706506?mt=8>),
- ITranslate (<https://itunes.apple.com/us/app/itranslate-translator/id288113403?mt=8>)
- TripLingo (<https://itunes.apple.com/us/app/triplingo/id596556793?mt=8>)

- SayHi (<https://itunes.apple.com/us/app/sayhi-translate/id437818260?mt=8>)
- WayGo (<https://itunes.apple.com/us/app/waygo-chinese-japanese-and-korean-translator/id496038103?mt=8>), more detail on: (<http://www.itltranslations.com/technology/5-best-translation-apps/>),
- BK Translate app; Dict Box; Dict cc; Dictionary Linguee; Google Play Books; Innovative Software translation app; Klays-Development translation apps; Microsoft Translator Reverso Dictionary. (<https://www.androidauthority.com/best-translations-apps-android-98787/>);
- Bing Translator; SDL Free Translation; DeepL Translator; Babylon Online Translator; PROMT Online Translator; Collins Dictionary translator; ImTranslator; SpanishDict; Sandy Writtenhouse. 2017. The 10 Best online Translators you can use in the Real World: <https://www.makeuseof.com/tag/best-online-translators/> retrieved on 08-05-2019 .

A large number of tools are lying on the following site : (<https://www.languagealliance.com/blog/legal-translations-30-best-tools-for-a-perfect-translation/>).

1-Dictionaries:

- **The Dictionary:** <http://www.thefreedictionary.com/>
- **Linguee:** <https://www.linguee.com/>
- **Lingvo:** <https://www.lingvolive.com/en-us>
- **WordReference:** <https://www.wordreference.com/>
- **Lexicoool:** <https://www.lexicoool.com/>

2-CAT Tool: Computer Assisted Translation:

- **SDL Trados Studio:** <https://www.sdl.com/software-and-services/translation-software/sdl-trados-studio/>
- **Memoq:** <https://www.memoq.com/en/>
- **Poedit:** <https://poedit.net/>
- **Metacat:**

3-Machin Translation:

- **Google Translate:** <https://translate.google.com/>
- **Microsoft Translate:** <https://www.bing.com/translator/>
- **SDL Free Translation:** <https://www.freetranslation.com/>
- **Reverso Translation:** http://www.reverso.net/text_translation.aspx?lang=EN
- **Prompt Online Translator:** <https://www.online-translator.com/>

4-Translation Management Tools:

- **BaccS:** <http://www.ibaccs.com/>
- **Memsources:** <https://www.memsources.com/>

- **Plunet:** <https://www.plunet.com/en/>
- **Rulingo:** <http://rulingo.com/>
- **Wordbee:** <https://www.wordbee.com/>
- **Zanata:** <http://zanata.org/>

5-Translation Memory Tools:

- **Wordfast** **Anywhere:**
https://www.wordfast.com/products/wordfast_anywhere
- **OmegaT:** <https://omegat.org/>
- **Fusion Translate:** <http://www.jivefusiontech.com/>
- **Across:** <https://www.my-across.net/en>
- **Déjà vu X3 Free:** <https://atril.com/product/deja-vu-x3-free/>
- **Fluency** **Now:**
<https://www.westernstandard.com/Fluency/FluencyNow.aspx>

6-Productivity tools:

- **Grammarly:** <https://www.grammarly.com/>
- **OpenOffice:** <https://www.openoffice.org/>
- **Google Drive:** <https://drive.google.com/>
- **Podio:** <https://podio.com/>

7.6. The Interdisciplinary Status of Legal Translation:

Research studies for the last thirty years proved the interdisciplinary status of legal translation due to its triangle link with linguistics, law and translation studies as Fernando Prieto Ramos (2014:266) mentioned its interdisciplinary place in between Law and Linguistic in the following figure:

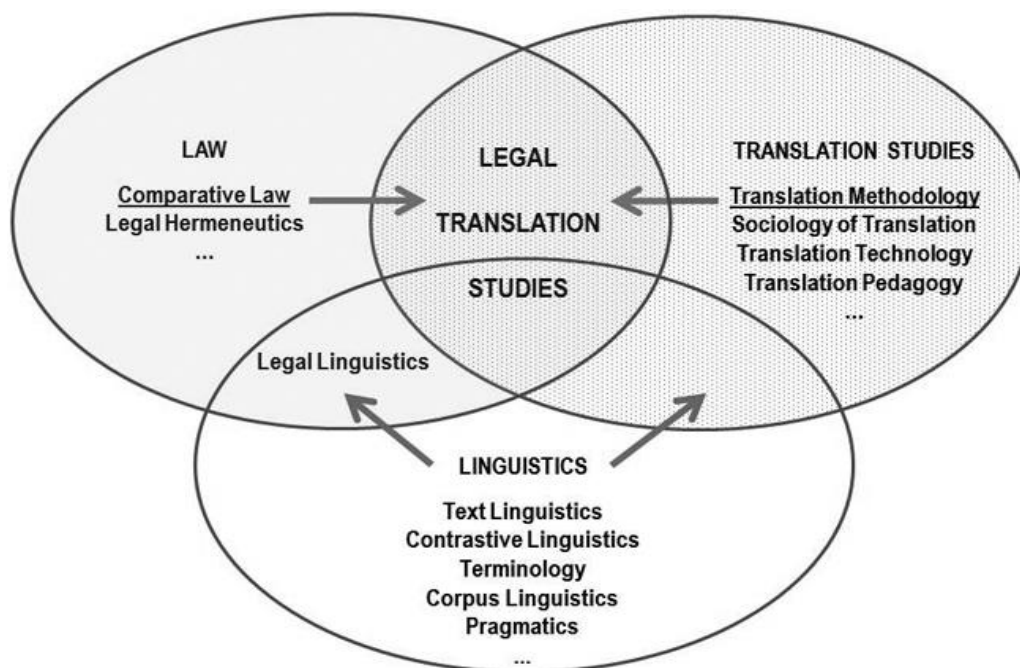


Diagram taken from Fernando Prieto Ramos: 2014 Legal Translation Studies as Interdiscipline: Scope and Evolution: <https://www.erudit.org/fr/revues/meta/2014-v59-n2-meta01604/1027475ar/>

7.7. Legal translation at various venues:

The industry of legal translation is growing very fast due to day to day complex lifestyle and human dealings; disputes, courts matters and a large number of war and business issues around the globe. Every country has its specific legal system, legal culture, and legal procedure that need perfect well-versed translators in the field.

7.7.1. Legal Translation Programs:

There are universities that offer legal translation program some of them are as follow:

- 1- LLM in Legal Translation, University of London, School of Advance Studies, 12 months' full time, 24 months' halftime. website: <https://www.sas.ac.uk/graduate-study/our-courses/masters-degrees/llm-legal-translation>
- 2- LLM in Legal Translation, **University of London**: Full-time or part-time, Duration: 12 to 24 months, Languages: Unspecified Website: <http://ials.sas.ac.uk/study/courses/llm-legal-translation>
- 3- MS in Translation, NYU School of Professional Studies, Duration: 12 months to 5 years, Duration: Full-time or part-time: Website: <http://www.scps.nyu.edu/academics/departments/foreign-languages/academic-offerings/ms-in-translation.html>
- 4- Master's Degree in Legal Translation and Judicial Interpreting. University of Barcelona. https://www.uab.cat/web/postgraduate/master-in-legal-translation-and-judicial-interpreting/general-information-1217916968009.html?param1-3337_en?param2-2002/
- 5- Translation (Business and Legal) MA/PGDip, Middlesex University, duration 2 years: website: <http://www.mdx.ac.uk/courses/postgraduate/business-and-legal-translation>
- 6- Translation MA, University of Surrey, duration: 1-2 years, Full-time or part-time: Website: <https://www.surrey.ac.uk/postgraduate/translation-ma-2018>
- 7- Online Legal Translation, University of Arizona, Duration: 16 weeks full program.
 - Website: <https://ce.arizona.edu/non-credit/translation-certificate-program-application>
- 8- Curso extensivo de traducción jurídica, International House Barcelona, Duration: 12 months Languages: English/Spanish
 - Website: <http://www.ihes.com/bcn/traduccion/juridica.html>
- 9- International Paralegal and Legal Translation Major, Babel University, Cost: Unknown, Attendance: Full-time, Duration: 2 years, Languages: English/Japanese
 - Website: <http://www.babel.edu/en/program/bupst4/>

10- University Master's Degree in Professional English-Spanish Translation, Universitat Rovirai Virgili, Cost: Unknown, Attendance: Full-time, Duration: 1 year, Languages: Spanish/English

- Website: <http://www.urv.cat/en/studies/master/courses/translation-english-spanish/>

11- Legal Translation, **R.I.S.C Legal Academy**, Attendance: Part-time, Duration 4 days, Languages: Arabic/English

- Website: <http://www.risceg.com/new/legal-translation-course/#1491424134432-d7d7457f-316d>

12- Legal Translation Course, Unika Atma Jaya, Attendance: Part-time, Duration 32 hours per level (x 3 levels), Languages: Indonesian/English

- Website: <http://ppb.atmajaya.ac.id/Web/Konten.aspx?gid=program-ppb&cid=legal-translation-course>

13- Certificate in Translation & Interpreting, **Loyola University New Orleans**, Cost: \$2,255 to \$3,182, Attendance: Full-time or part-time, Duration: 3 to 4 semesters, Languages: Spanish/English

- Website: <http://cas.loyno.edu/part-time/certificate-translation-and-interpreting>

14- Certificate in Spanish Legal Translation, **John Jay College of Criminal Justice**, Attendance: Part-time, Duration: 6 courses, Languages: English/Spanish

- Website: <https://www.jjay.cuny.edu/certificate-spanish-legal-translation>

15- College Credit Certificate in Translation, **Miami Dade College**, Cost: \$3,546.60, Attendance: Part-time, Duration: 1 year, Languages: English/Spanish

- Website: <http://www.mdc.edu/translationstudies/>

16- Graduate Certificate in Legal Translation, **McGill University**, Attendance: Full-time or part-time, Duration: 1 to 3 years, Languages: English/French

- Website: <http://www.mcgill.ca/continuingstudies/programs-and-courses/translation/graduate-programs/graduate-certificate-legal-translation>

17- Translation Studies Certificate, **University of Denver**, Attendance: Full-time or part-time, Duration: Unspecified, Languages: Spanish/English

- Website: <https://universitycollege.du.edu/ga/degree/certificate/translation-studies-online/degreeid/439>

18- Graduate Certificate (Gr. Cert.) Legal Translation. Website: McGill School of Continuing Studies, website: <https://www.mcgill.ca/continuingstudies/program/graduate-certificate-gr-cert-legal-translation>

8. Horizon

It is evident that the horizons for legal translation in Pakistan are bright and growing due to the dire need for professional legal translators. There are a plenty of reasons for the growing horizons. I mention them as under:

- International Legal Translation Industry:** Legal Translation is highly technical translation worldwide. Its international market is, no doubt, growing rapidly due to business, e-commerce, war and its offshoots in the shapes of refugee's crises, cross cultural relations, economic/trade dealings round the

globe in almost more than 7000 spoken languages of the world. The legal translation companies need both professional legal translators, legal specialists and legal linguists to meet the need of the international growing market.

b. *Jobs for Legal Experts/Law Graduates and Legal Translators:*

- i. **CPEC:** This is a huge trade hub that provides a big space for translators generally and for legal translators specifically. The corridor crosses the borders of various languages such as Gilgiti, Chilasi, Hindko, Pashto, Siraiki, Balochi and Brahawi languages. Whereas in between all these languages, English, Urdu, and Arabic would be the main functional languages dealing with the Chinese language. A huge number of legal translators would be inducted to deal with various legal issues and contracts between the speakers of the above-mentioned languages.
- ii. **Foreign Diplomats and Missions:** In the heart of Pakistan i.e. the Capital Islamabad, a large number of foreign diplomats and missionaries are living. They need different types of legal documents to be translated for various purposes which creates a big space for legal professional translators and law specialists.
- iii. **Various companies serving legal translation:** In Pakistan, there are local institutions and personal dealings providing legal translation services. They are in need of acquiring highly professional legal translators to meet the needs of the market. They must be capable of doing this critical type of translation service.
- iv. **Legal Rates:** Translation pricing models vary from language to language according to frequent use and rare use of the languages. They include per word model, per character model, per page model or per image model. A list of pricing models provided by 'Stracker Translation' for specialized translation in Standard and Advance levels dividing the languages in 3 tiers. In the standard level, English <>Arabic and English <>Urdu legal translation costs per word 13 US cent to 16 US cent, for English <> Panjabi and English <> Pashto 16 US cent to 19 US cent. For advance level translation the company needs lawyer with translation professionals or translators with Law domain specialty with high rates than the mentioned.

9. *Challenges of Legal Translation in New Pakistan:*

The field of translation is emerging newly in Pakistan and the need of legal professional translators is growing day by day due to various reasons that justify the education of legal translation. I briefly mention the major challenges in this regards in the following points:

- **CPEC Project:** this project is basically an economic hub that produces a vast range of jobs and venues for the experts of various domains. The most critical area is the communication between various entities that can only be possible through translation and interpretation. there is a dire need of legal translators for the faithful transfer of the legal documents and contracts.
- **Foreign Diplomats & Missions:** A large number of foreign diplomats of various languages are living in Islamabad and throughout the countries in their concerned consulates. They need professional legal experts and translators

for the faithful translation of their legal documents, legal deeds, contracts and laws/regulations of their country in the language of the country.

- **HC verdict about Correspondence in Urdu:** The Supreme Court of Pakistan has issued a verdict to use Urdu as a language of correspondence in all governmental, semi-governmental and other institutions. This decision put all the institutions is a big challenge of finding and induction of huge number of professional translators in various domains such law, medical, media, commerce, trade, economics, business, political and education. A huge number of translators are needed to be employed for the faithful transfer of legal decision from Urdu to English and vice versa. This a big challenge of producing expert legal translators capable of doing legal practice and having full knowledge of translation, converting and expressing skills.

- In the constitution of Pakistan 1973 article 251 declares with the words “arrangements shall be made for {Urdu} being used for official and other purposes within {next} fifteen years”. Declaring by a sub-clause “the use of English till arrangements” and by another sub-clause the promotion of “provincial languages”. (Ali Raj. 2017. The Case of Urdu as Pakistan’s official language. Herald Dawn, May 11, 2017, 05:10 pm. <https://herald.dawn.com/news/1153737> (Retrieved on 9-5-2019)

- With the approval of Prime Minister Nawaz Sharif, the Cabinet Secretariat issued a memo to all the Ministries on July 6, 2015, regarding translating the paperwork, signboards and websites into Urdu, which was, further, explained by the Federal Minister Ahsan Iqbal in his interview with ‘Time magazine’ on July 18, 2015, by saying “Urdu will be the second medium of language and all official business will be bilingual“. (Ali Raj. 2017. The Case of Urdu as Pakistan’s official language. Herald Dawn, May 11, 2017 05:10 pm. <https://herald.dawn.com/news/1153737> (Retrieved on 9-5-2019)

- A three-member bench of Supreme Court led by Justice Jawwad S. Khawaja issued the verdict to all governmental circles for adopting Urdu as official language on 8th September 2015, saying “in the governance of the federation and the provinces there is hardly any necessity for the use of the colonial language [English] which cannot be understood by the public at large”. (Ali Raj. 2017. The Case of Urdu as Pakistan’s official language. Herald Dawn, May 11, 2017 05:10 pm. <https://herald.dawn.com/news/1153737> (Retrieved on 9-5-2019)

- **Government Websites Lost in Translation:** Cabinet Division Websites put all the data on ‘Google Translate’; the software translation needs a meticulous ‘post-editing’, without it what funny and erroneous translation appeared on the most important government websites. Here are some examples:

- 1. “*autonomous bodies*” –translated as “*Khudmukhtar laashein*” which in back translation shows “the independent dead bodies”.

- 2. “wings” translated as “punk” which in back translation becomes “feathers”. (Riaz ul Haq. Govt websites lost in Urdu Translation. The Express Tribune- Punjab –Pakistan, March 19, 2018: <https://tribune.com.pk/story/1663662/1-govt-websites-lost-urdu-translation/>

- Ministry of Education:

- 3. “*Situation Vacant*” translated as “*Khaali Suratay Haal*” which in back translation becomes “empty situation”.
 - Looking to the order of the Supreme Court and the Prime Minister there is no single accurate website that is correctly translated into Urdu from the Source Language English. It seriously justifies but intensifies the need of professional translation not only in legal domain but for a large number of divisions and ministries.
 - **Lack of legal translation institutions and Courses:** Pakistan lacks institutions that provide the education of legal translation at various academic levels such as BS, MS and Ph.D. Whereas at foreign universities there are academic degree programs for legal translation.
 - **Mythical Concepts of Bilingualized Translators:** It is a myth that every bilingual can translate. The above discussion proved that the translators without the subject knowledge and the subject expert without the translation studies basics sometimes commit blunders on the cost of human lives, financial losses, damages.

9.1. How to meet the Challenges?

To meet these great challenges to producing professional translators in various fields specifically in the field of Law, the Department of Translation & Interpretation and the Department of Law at International Islamic University Islamabad can play a lasting role by launching courses with mutual collaboration. Because Legal translation requires from a legal translator competency beyond language and translation theory. For attaining such competencies, Fabrizio Marrela (2012: 82) suggested a joint work of translation and legal comparison. Therefore, it is the time to put Translation as a subject in the educational institutions to create a sense of interdisciplinary and to meet the needs of this serious text transfer activity at one hand. At other hand, the Department of Law and the Department of Translation & Interpretation shall launch a bi-departmental MS program in Legal Translation. For which both the BS Law graduates and BS T&I graduates would be eligible.

It is worth mentioning that the International Islamic University of Pakistan has the credit of establishing a full department of Translation & Interpretation that offers BS Translation and Interpretation 4 years’ degree program, MS Translation Studies a two years’ programs and Diploma and Certificate in Professional Translating and Interpreting. The law department has a big space for the education of Legal Translation.

Therefore, this research study proposes MS Legal Translation in collaboration of both the departments. This would be a debut academic program in Pakistan but in the International foreign universities there are examples of such as mentioned above at 7.7.1.

10. CONCLUSION

The paper concluded findings of this discussion in the following points:

- The Legal text is one of the complex texts full of a variety of complex latinized, Islamized and sanskritized terminologies that needs full background knowledge of each and every word, term, and concept.
- Legal translation is the most complex and serious translation in the sense it can be life taking, destructive and catastrophic.
- Legal drafting, legal language and legalese are the areas that need special education both in the law departments and in the translation department.
- Lawyers and judges interpret and translate the legal texts in their daily routine proceedings. They must know the translational and interpretational strategies, theories, shifts categories, their influences, and the coping strategies to deal with the complex nature of the legal texts and terminologies.
- The national and international industry of legal translation is growing rapidly that needs professional translators and law experts at the same time.
- CPEC project is an economic explosion that brings jobs and venues for a large number of professional translators specifically legal translators and experts.
- With the intrusion of Arab investors after the proclamation of Saudi Crown Prince Mohammad bin Salman, a high level of trilingual legal translation i.e. Arabic-Urdu-Chinese is emerging.
- To meet the challenges of legal translation in Pakistan and specifically in perspective of CPEC economic giant project that creates Chinese<> Urdu, Chinese<> English and Chinese <> Arabic translation, the research suggests the induction of a bi-departmental academic MS program in Legal Translation.
- All the above discussions strongly justify and suggest the education of legal translation in New Pakistan. It is, further, suggested to induct the subject of translation in the curricula and academic programs.

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