



## ORIGINAL PAPER

# A Reflective Approach to Legal Translation Issues

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### Abstract

The paper features an interdisciplinary landscape of the complex topic of legal translation, successfully combining linguistics (both diachronic and synchronic), sociolinguistics, pragmalinguistics, intercultural communication and, last but not least, translation studies. Therefore, the investigation is carried out at the theoretical and applied level in order to derive an in-depth understanding of the multilayered competence of the legal translator within the framework of the EU. The research hypotheses, validated throughout the paper, are centred around the need to define: the functional characteristics of legal language, more particularly, of English as a legal *lingua franca* at the level of the European Union; the evolution of English legal language in relation to translation effectiveness and efficiency; the status and dynamics of legal translation (perhaps, playing the most important role among specialised translation branches); the legal translators' competence (in line with the all-encompassing EMT framework); recurrent problems in the translation of legal texts (more precisely, our corpus-based approach involves directives on culture, media and audio-visual matters) alongside general lexical features and stylistic specificities of the texts in question, and the frequency rate of translation procedures used.

**Keywords:** *translation of legal texts; lingua franca; dynamics of legal translation.*

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### **Introduction**

The relationship between language and law has been the concern of many scholars. According to Salmi Tolonen (Tolonen, 2001:505) this is not only due to the fact that law would not exist without language, but also because legal language is regulated by the pragmatic aims of the text. Furthermore, legal matters and the related legal language have pervaded the social arena.

Axiomatically, law has a linguistic form; there would be no law without language. Law is mediated through language, partially through spoken language, partially through written language. Legal practitioners and laypersons always ask for the precise meaning of a certain piece of law as engaged in the process of understanding the law. In linguistics, the researcher aims at investigating the meaning of the text, thus contributing to a correct understanding of the law.

Translation particularities in terms of legal language have led to a series of theories within the field of linguistics and translation studies, while interrelated dimensions of these main areas of research have been systematically focused upon. Within the present thesis our research analysis focuses on the specific lexical particularities and translation procedures frequently encountered in the translation process of legal language and a corpus-based analysis.

### **The nature of legal language: a translation – oriented approach**

The concept of *international legal English* in any specific legal field is controversial and it demands specific approaches based on socio-cultural contexts, i.e. specific legal systems. In this respect, the learners should start from “the essential elements of a contract under English law [...] to use the language they have learnt in order to compare their own country’s contract law” (Chartrand, Millar and Wiltshire, 2003:10-11). According to Tiersma “Legal English means the language of the law of England, America” (Tiersma, 2008:7), of other countries whose official language is English and of most of the countries who internationally interact within business and international affairs and trade.

Earlier, Trosborg (1991) advocated that law reflects society, and a legal system of a particular nation or a speech community is a reflection of its culture and its institutional traditions and regularities. Because of this close interaction between the legal system and the culture of a nation, legal translation becomes more difficult. Therefore, sustaining the importance of the cultural variable in all kinds of translation, in general, and in legal translation, in particular, linguists and sociologists “emphasize the importance of cultural awareness on behalf of the legal translator beside his ability to manipulate over the linguistic barriers of the two languages” (Trosborg, 1991:78)

Though there is no single answer to the question of how legal language came to be what it is. According to Tiersma, the British Celts has a less significant the impact o on the English legal system, while the Germanic invaders who spoke Anglo-Saxon or Old English grounded the basis of a type of legal language, the remains of which have survived until today, examples such as “bequeath”, “theft”, “guilt”, and “land” can attest this historical reality. Furthermore, the Anglo-Saxons made extensive use of alliteration in their legal language, which survived in today’s legal language expressions such as “aid and abet”, “any and all” (Tiersma, 2008:8).

Later on, the spread of Christianity played a significant role in the evolution of language and law of England in 597 AD, as it promoted writing in Latin. Thus, the influence of the Roman Catholic Church and, implicitly, of the Latin language had

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obvious effects on England's legal matters; as the use of Latin as legal language introduced terms such as "client", "admit" and "mediate" (Tiersma, 2008:8).

The time span after the Duke of Normandy had claimed the English throne and invaded England in 1066 indicates further linguistic and social influences the Norman Conquest had on the written legal language that replaced English with Latin. Even though, beginning with 1210, the language of statutes was French, it was not until two hundred years after the Conquest that French became the language of oral pleadings in the royal courts and it remained so for the next one or two centuries. A reversed situation occurred starting with 1417, when King Henry, while fighting the French, dissolved the Norman linguistic bonds and ordered that most of his official documents to be written in English.

At this point we could identify two main influences upon legal English historical development, i.e. the traditional Latin influence that developed across centuries and the emergence of French, both languages functioned alongside within the field of legal language, especially in its written form. We can still encounter evidences of the fact that the writs were drafted in Latin for so long - even nowadays many of them have Latin names. Moreover, Latin is still present in expressions relating to the names of cases and parties; for example in England the term for the crown in criminal cases is "Rex or Regina" (Tiersma, 2008:8).

After the era of Anglo-French as a living language, French became extensively used within the legal profession, especially by lawyers and judges. A series of French terms are still highly frequent in current legal English, such as "accounts" "payable/receivable", "attorney" "court martial" (Tiersma, 2008:7). Similarly to early Anglo-Saxon era, where structures containing the association of two words with closely related meaning, such as "to have and to hold", this type of repetitions are to be encountered in legal French as well, often containing a native English word together with the equivalent French term, for as most of the inhabitants at the time were partially bilingual and thus at least one of the terms could have been easily understood, for example, "acknowledge and confess", "had and received", "will and testament", "fit and proper". (Tiersma, 2008:8)

Historical researchers within this field testify the fact that during Middle Ages, the legal profession made use of three different languages, while throughout the rest of the 17th century, the influence of Latin and legal French decreased, and in 1731, the Parliament permanently ended the use of French and Latin in legal proceedings. However, it became difficult to translate many French and Latin terms into English, taking into consideration that the exact words of legal authorities mattered very much to the profession.

Cumulatively, legal English stems from Latin and French and therefore has got several layers. Most of the technical vocabulary in legal English derives directly from French or Latin and not from Anglo-Saxon; Latin and Norman French terminology still exists side by side in legal texts:

Anglo-Saxon	Norman French
bed	offer
freedom	liberty
land	country
worth	value

Starting with the 18th century, Tiersma (2008) mentions a slow simplification of the legal language. The author equally discusses the efforts of “plain legal English Campaign” within the 19th century. But despite these efforts at simplification and clarification, the gap between legal language and everyday language is still very wide. The complexity of the legal register is highly obvious in written documents, which are often not easily understood by the general readership.

On 26 April 1998 the legal language and traditions that characterised British courts for decades were swept away in a set of rules published in an 800-page document by Lord Chancellor’s Department (Woodhouse, 2001:42). Old Latin and French law terms such as writ or plaintiff were replaced by “plain legal English” terms. Despite of these efforts to make legal language easier for understanding, the present day legal English continues to be a highly specialised and distinctive field of English.

Moving forward in the attempt to explain the phenomenon of an international English Language, we share Salmi Tolonen’s perspective, based on the views advocated by Fairclough and Foucaultin that “technologisation” is the process of the authorities to bring changes in society (Tolonen, 2001: 506). Thus, as suggested, these changes are generally imposed by the most *powerful players*, who manage to change or influence the social reality by means of language.

According to Luttermann, within Europe and within European Union, “legal language is multilingual”. This entails numerous language relations regarding the protection and distribution of language, as well as procedural questions. Formal language law distinguishes between *treaty languages*, *official languages*, *working languages* and *language of a case* (Luttermann, 2009: 318-319).

*Treaty languages* are of main importance as they are the languages used for the interpretation of the Constituting Treaty of the European Union. They are regulated by primary law Treaty establishing the European Community. This first denotes the original text in German, French, Italian and Dutch. The wording of each version is authentic. This regulation was extended in the respective accession documents to the official languages of the joining member states.

*Official Languages* are those languages used externally by the Community organs. At the moment there are 24 official languages: Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Irish, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, Swedish and Croatian. Regulations and documents of general validity have to be written down in these languages and published in the Official Journal; the respective language version is concurrent with the versions in other languages. In the same way, collections of decisions of European jurisdiction must be published in all official languages.

Furthermore, a member state may address a document to a Community organ in one of the official languages and demand and answer in this language. An organ must answer a member state in the language of this state (Lutermann, 2009: 318).

*Working Languages* are languages in which the Community organs work internally in communication with one another. They are also set down in the Council Regulation. In this respect, Lutermann mentions Article 1, Regulation no.1/58, where working languages are treated equally like the official languages. It is only regarding details that the Community organs can decide for themselves within the autonomy of their own rule of procedure. Yet, he reveals the fact that “in practice languages are no longer treated in identical fashion. For instance the Commission has officially determined that all internal documents must be published in German, English and

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French” (Lutermann, 2009: 318-319). But even this regulation is not always adhered to as commission staff regularly use only English or French.

*Languages of a case* denote the language used in legal proceedings before the European Court of Justice. In his work, *Multilingualism in the European Union Status Quo and Perspectives: The Reference Language Model*, Lutermann states that all official languages and Gaelic can be languages of a case (Lutermann, 2009). According to Lutermann, the plaintiff has the privilege of language choice and may choose of the 24 languages as the language of a case. This language then dominates all the stages of the court case. The parties have to submit their documents in it. The closing arguments and the sentence are binding only in the language of the case, not also in the other languages. This means that the European Court is the only Community organ in which procedures are not legally binding on a multilingual level. The sentence must be published in the official collection of the Court in all official languages.

During the last two decades the interdependence between modern societies has increased political and economic cooperation between countries in Europe and brought legal, political and language systems into closer contact. Today ordinary citizens are required a higher level of institutional literacy in order to participate with full standing. Therefore, a speaker of a language other than English would choose English as a language of communication and publication and this can be understood as an integrating effort of one’s own writing into the cultural and stylistic conventions of an Anglophone tradition.

The fundamental assumption is that a person with knowledge of the source and target languages has basic *translation ability*. This basic ability to translate derives from knowing more than one language, if there is a sufficient degree of functional overlap - this means that he/she is able to perform the task of translating from one language into the other, naturally subject to the constraints posed by the extent of the individual’s knowledge of the respective languages, most notably the second language (Toury, 2012: 190).

What is also at stake is the translator's metalinguistic ability to analyse and compare the meaning of different linguistic structures and to switch to another mode of expression in order to express “the same thing” in other words (Toury, 2012: 189) or to paraphrase it.

Likewise, Newmark (1981) sees a good translator as having developed and proven mastery of reading comprehension ability in a foreign language, knowledge of the subject (in other words, a specialized language as well as encyclopaedic knowledge about the topic), sensitivity to language (source language and target language alike), ability to write in the target language clearly, concisely, resourcefully and effectively.

According to Shreve (1997), the translator's competence is communicative in nature - the translator mediates communication by converting the source language text into the target language text to be used by the target readership in another culture, showing appropriate language use and a correct construction and organization of the discourse. Microscopically, we detect *grammar competence* (also termed *formal competence*), *sociolinguistic competence* (also socio-cultural competence; context-embeddedness or knowledge of the relationship between language and its extra-linguistic context, awareness of language variations - intraspeaker variation as identity markers - geographical, temporal, social dialects; interspeaker variation with regard to level of formality/tenor, field and mode), *discourse competence* (ability to combine form and meaning to achieve unified spoken or written text in different genres), *strategic*

*competence* (mastery of communication strategies to improve communication or to avoid or compensate for breakdowns), and intercultural competence (roughly equated to awareness of cultural specificities).

Vilceanu links these sub-competences to the task of the translator, i.e. to the deconstruction and construction of a text, and puts forward a threefold perspective: the traditional *areas of activity* (technical, literary, religious, medical translator, etc.), the *modes of translation* (oral or written) and the translator's choice or focus depending on the text type (mainly, *semantic vs. communicative translation*). (Vilceanu, 2004: 294).

Growing aware of professional specialisation and lifelong learning requirements to meet the contemporary market demands, translators undertake considerable efforts to answer both general and specialised translation loads. Under the circumstances, special attention has been attached to the current collaborative work across Europe with a view to defining a common framework of translator training programmes. Thus, based on the EMT (European Master's in Translation) framework, a partnership project between the European Commission and the relevant academic community in Europe that aims to establish a quality label for university translation programmes at master's level that meet agreed standards in education, Vilceanu (2011: 343-344) advocates that the translator's competence harmoniously combines multidimensional complex features which, according to the author, can be characterised as follows:

- the interpersonal dimension: the translator's work is not self-contained; it interrelates interactively, being shaped by internal and external factors alike. Translators initiate and maintain socio-professional relations; they network and accomplish tasks on translation events via cooperation.
- the product dimension: the end product as the translation deliverable seemed to be attached overriding importance as readily available for assessment and use. The translator is committedly-oriented to quality assurance as a career management prerequisite;
- language competence as twofold: language mastery (L1 and L2) as well as specialised knowledge acquisition in order to secure a smooth, natural and an error-free version of the original;
- the sociolinguistic dimension: translation is context embedded; therefore, the translator has to channel resources and perform accommodation work with respect to language variation, more specifically in what concerns field-related variation, dialectal variation, etc.
- text dimension: the translator should be able to recognise, internalise and produce a variety of texts in a variety of formats;
- thematic competence: the translator should acquire encyclopaedic or protocol knowledge so as to enhance functional adequacy. In this respect, literature recommends the organisation of information into thematic maps via top down or bottom up processing of information;
- technological competence: undoubtedly, the mastery of IT tools will secure the translator's professional growth-orientation and career management alongside membership to virtual communities of practices (forums, chat rooms, associations) and interconnectivity.

With a view to the process of translation, we need first and foremost to highlight the two major categories, i.e. literary and non-literary translation. While the first category is strictly connected to the translation of serious imaginative literature, the second category comprises all the other text types, which starting with the last decades

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of the previous century started to increase in number, constituting an overwhelming translation body with whom translators are daily faced in an attempt to meet the requirements of the clients and the quality assurance conditions imposed by this market.

A landmark in the theory and practice of translation is certainly represented by Vinay and Darbelnet's epoch-making work "Stylistique comparée du français et de l'anglais", where the two influential authors within the field of Translation Studies discuss the idea of conceptual unit (*unité de pensée*), lexicological unit (*unité lexicologique*) and translation unit (*unité de traduction*), and referred to the unit of translation as a compound lexicological unit that conveys one single concept (Vinay and Darbelnet, 1995: 37-43).

The two authors (Vinay and Darbelnet, 1995: 37-43) divide the units of translation into three main types:

- *functional units (unités fonctionnelles)* - a set of elements that display the same syntactic function, though do not always sharing the same conceptual unit, thus not suitable to be regarded as units.

e.g. *Il habite / Saint-Sauveur / à deux pas / en meublé / chez ses parents.*

- *semantic units (unités sémantiques)* - a conceptual unit:

e.g. *sur le champ:immediately / on the spot (Ro. pe loc)*

- *dialectic units (unités dialectiques)*: pinpointing a way of rationalising:

e.g. *en effet: actually (Ro. într-adevăr)*

- *prosodic units (unités prosodiques)*: in close connection to intonation:

e.g. *Ça alors! You don't say! (Ro. Nu mai spune!)*

A further classification of translation units indicates the following grouping:

- *simple units (unités simples)* – there is correspondence between the number of translation. Units and the number of words/lexemes:

e.g. *Il gagne 5000 dollars. He earns \$ dollars. (Ro. El câștigă 5000 de dolari).*

- *diluted units (unités diluées)*: compound lexemes that form a conceptual unit

e.g. *simple soldat : private (Ro. soldat)*

- *fractional units (unités fractionnaires)*> where the lexeme comprises several conceptual units:

e.g. *re/couvrir – re/cover (Ro. a acoperi din nou).*

According to the degree of internal internal cohesion we can distinguish between:

- *idioms (idiotismes)*:

e.g. *l'échapper belle: to have a narrow escape (Ro. a scăpa ca prin urechile acului)*

- *collocations (groupements par affinité)*:

e.g. *un refus catégorique : a flat denial (Ro. un refuz categoric)*

As postulated by prominent translation theorists such as Newmark (1981), no clear-cut rules can indicate a clear characterisation of translation units, for as it depends on the translator's skills and competences as well as on his/her experience and expertise.

Generally speaking, when referring to translation units we can regard them as the linguistic units which the translator uses when translating.

An array of translation units classification and grouping has been proposed by scholars, ranging from individual word and group to clause and sentence and even higher levels such as *text* and *intertextual* levels (Beaugrande and Dressler, 1981). However, even if most of the time a translator is mainly focused on shorter structures at clause and sentence level, special attention should be attached to context and the *function* of the whole text.

Translation units and translation procedures are to be seen as interrelated concepts, considering the fact that we use translation proceeds to investigate of formal elements which will be interpreted semantically and pragmatically (language in use).

Starting with Vinay and Darbelnet who first proposed and described seven fundamental translation methods or procedures, well known researchers such as Newmark (1981), Delisle *et al.* (1999), Bassnett (2002) or Toury (2012) established further taxonomies and particular features of translating procedures. We shall focus on the classification proposed by Vinay and Darbelnet's (1995) , considering at the same time remarks and recommendations proposed by Newmark (1981), while attempting to define and classify the translation procedures as methods applied by translators when they formulate equivalence for the purpose of transferring elements of meaning from the Source Text (ST) to the Target Text (TT) (Delisle, Lee-Jahnke and Cormier, 1999: 81-83).

Vinay and Darbelnet identify two basic translation modes: *direct translation* (*traduction directe*) and *oblique translation* (*traduction oblique*), the former covering structural and conceptual parallelism between the two languages (Vinay and Darbelnet, 1995: 46). Each mode encompasses a number of procedures, although not in equal proportions.

According to Vinay and Darbelnet (1995: 1-41) we can categorize the translation procedures in:

- *borrowings*: the simplest method used mainly for the realization of a stylistic effect;  
e.g. En. *Job: Responsible retail customers*  
Ro. *Loc de muncă: responsabil clientelă retail*
- *calque*: each of the elements in a borrowed expression are translated literally;  
e.g. En. *European Commission; NATO (The North Atlantic Treaty Organisation)*  
Ro. *Comisia Europeană; NATO*
- *shift*: the replacement of one word class with another word class;  
e.g. En. *The documents must be compliant with the new requirements*  
Ro. *Documentele trebuie să fie în conformitate cu noile cerințe*
- *modulation*: a variation of the message due to a change in the point of view;  
e.g. En. *The documents must be in compliance with the new requirements;*  
Ro. *Documentele trebuie să respecte noile cerințe*
- *literal translation*: the word for word translation;  
e.g. En. *The law applies without exception*  
Ro. *Legea se aplica fara excepție*
- *equivalence*: applied especially in translating idioms, clichés and proverbs;  
e.g. En. *high school, Law School*  
Ro. *liceu, Facultatea de Drept*



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- *adaptation*: when the situation referred to by the original message is unknown in the target culture and therefore the translator must create an equivalent situation.

e.g. En. *mile*  
Ro. *kilometru, leghe*

The classification provided above and most of the terminology used by Vinay and Darbelnet were further mentioned, adapted and reinforced by Newmark (1981), Chestermann (1997) and Bassnett (2002) in specialised scientific research studies within the translation studies field. The prevailing analysis method that defines each of the previously mentioned procedures reveals that the linguistic units of the source language are compared to those of the target language in order to obtain general operative solutions for the translator.

In *Routledge Encyclopedia of Translation Studies*, Baker and Saldanha (2009: 117) describe another fundamental approach to translation, the *skopos* theory. Presented by the authors as *Vermeer's Skopos theory* after its initiator, the German linguist Hans Vermeer (2000), *skopos theory* regards translation as “a specific form of human action which is determined by its purpose” (Baker and Saldanha 2009: 117). The term *skopos*, derived from Greek, is used as a technical term for the purpose of the translation. According to the authors, *skopos* must be defined before translation can begin, as “to translate means to produce a text in a target setting for a target purpose and target addressees in target circumstances” (Baker and Saldanha 2009: 117).

*Skopos* allows for different translations of one and the same text according to the purpose of translation, which is target language text-oriented, which engenders variability. Reiss (2000) and Vermeer (2000) enlarge on the principles shaping translation:

In the translation process the phase of analysis means considering the function of the texts. First the translator should establish the *text type* and therefore should ask – and answer questions such as: which basic communicative form is realised in the concrete text with the help of written texts? – Is it:

- a. *The communication of content – information type*
- b. *The communication of artistically organized concept – expressive type*
- c. *The communication of content with a persuasive character – operative type.*

(Reiss, 2000:163)

The second stage is to establish the *text variety*, “i.e. the classification of a given text according to specifically structured socio-cultural patterns of communication belonging to specific language communities”. (Reiss, 2000:165)

The third stage of the analysis means the analysis of style, “where strategy and tactics are directed by type and variety.” (Reiss, 2000:166)

After analysing the function of the text, text type and text variety, comes the phase of reverbalsation. The theory behind this is: “The text type determines the general method for translating; The text variety demands consideration for language and text structure conventions.” (Reiss, 2000:166)

Cozma emphasises that besides the previously defined prescriptive translation strategies one should take into consideration translation norms which are regarded rather “as reflections of the preferences towards certain textual practices” (Cozma, 2008: 19).

Within this context ambiguities may occur due to various factors which influence the translation process. Additionally, we have to take into consideration that apart from norms, procedures and techniques, translation implies the translator’s choice

“to decide what kind of relation is appropriate in each particular case” (Chesterman 1997: 69).

Regulations have a general scope and are directly applied to each Member State. According to Vilceanu “a Member State has no power to apply a regulation incompletely or to select only those provisions of which it approves as a means of ensuring that an instrument which is opposed at the time of its adoption or which runs counter to its perceived national interest is not given effect.” (Vilceanu, 2014: 44)

We cannot speak thus of an overlapping legislative sphere between regulations and national laws. The Council of the European Commission is responsible with the issuance of these documents, which, based on these grounds, they lack the essential features of legislation of this kind (Vilceanu, 2014: 45). However, if Regulations are enacted in cooperation of the European Parliament, they are described as legislative acts.

A regulation starts entering into force even from the day it is laid down. If the officials do not establish a date, the regulation is validated at latest on the twentieth day following its publication in the Official Journal of the European Union (OJ).

As Regulations are meant to substitute national law, they are considered the most effective legal instruments provided by the Treaty.

Having defined the professional dimension of translators and the contemporary requirements of the translation market within the theoretical framework of Translation Studies, we further propose a corpus-based analysis in order to highlight specific features and particularities of legal translation issues. We propose a close investigation of a particular type of legal instruments within the EU, our investigation choice being motivated by actual tendencies imposed to each Member State to rally to European policies and common goals.

The translation of European legal documents was and continues to stand as a steadily rising domain of activity, because of the constant expansion in the Commission's areas of activity and since more official EU languages were added when new members joined the EU in 2004 and 2007, as stated by the Directorate-General for Translation, the European Commission's in-house translation service.

Within this context we sought to design and implement a corpus-based analysis in order to emphasize particular features of legal translation issues. Without claiming completeness and due to space limitation requirements, we aimed at designing a bilingual English-Romanian specialized corpus, which can be quickly constructed for specific purposes. Thus, by means of our corpus we aim at investigating legal translation particularities of EU legal instruments, i.e. of EU Directives issued in the sectors of Culture and Audiovisual and Media. With respect to the field of analysis, i.e. culture and media, our investigation is motivated by the fact that the European Union (EU), within the framework of the Maastricht Treaty, is enabled to take action in the field of culture in order to safeguard, disseminate and develop culture in Europe. Based on the primary focus of directives, i.e. the unification of the law, we aimed at investigating translation issues of such legal instruments which do not imposing obligations to the citizens of the EU, but address directly the Member States, in our case in order to implement EU measures in support of cultural initiatives such as the Culture Programme and the European Capital of Culture initiative.

### **Conclusions**

In conclusion, we state that English contract language is part of the English legal language and it can be considered a sub language which serves to specific purposes

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within a certain domain. Considering this approach a linguist or legal translator could evolve by examining the linguistic nature of legal texts, how they are constructed, the use of vocabulary, the meaning of legal utterance, how these aspects change over time.

Thus, based on the theoretical investigations and grammatical analyses undertaken, we have reached the following conclusions:

- ✓ Diachronically, legal language is highly complex, dominated by various strata of loans and borrowings displayed at various linguistic levels.
- ✓ Most of the technical vocabulary in legal English derives directly from French or Latin.
- ✓ Nowadays legal language reveals complex lexical features, and despite the efforts at simplification and clarification, the gap between legal language and General English is still very wide.
- ✓ Within the *ESP* framework the concept of *international legal English* becomes controversial, as it demands specific procedures based on certain socio-cultural contexts.
- ✓ The multilingual setting of the EU gives rise to the so-called *community paradox*, i.e. the intense use of a language - that becomes a *lingua franca*, which, paradoxically, has to be further translated into different languages.

We sought to outline the specificity of legal language and its particular translation-related features. Current tendencies with a view of translation competences in the field of legal language are framed within the EMT framework: the interpersonal dimension; the product dimension; language competence as twofold; the sociolinguistic dimension; text dimension; thematic competence; technological competence.

Consequently, specialisation, especially in legal translations and documents drafting, could not function without knowing the social and cultural background of the language, as legal translations reveal meanings within certain situations or contexts. All these complex facets of the specific contract language are to be taken into consideration when drafting or translating a contract as more than perhaps in any other domain the threat of misunderstanding is hiding within each paragraph.

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