

Reseñas/Book Reviews



Legal Translation in Context. Professional Issues and Prospects

Anabel Borja Albi, Fernando Prieto Ramos (eds).

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In recent years, legal translation research has reached high degrees of excellence. Gone are the days when contributions, though valuable, were fragmented, lacking in theoretical framework, and showed a great chasm between academic theory and professional practice. The present situation is characterized by a fruitful combination of theory and practice, with scholars who have often been (or still are) practising translators, as exemplified by the present volume.

The book is divided into three main sections. The first, devoted to legal translation in the private sector, starts with JAN ENGBERG's "Comparative law for translation: The key to successful mediation between legal systems", which argues for the usefulness of comparative law when it comes to solving specific translation problems and distinguishes between multilingual legal terminology, which is the really complicated task because of asymmetries, and legal translation, a much more feasible task which becomes easier if the translator is aided by consultation of scholarly debate between legal experts.

"Certified translators in Europe and the Americas: Accreditation practices and challenges", by FRANCISCO VIGIER, PERLA KLEIN and NANCY FESTINGER, deals with the always controversial issue of the requirements and standards demanded from those responsible for producing valid legal translations. A look at European countries and the Americas reveals a great diversity of practices, from countries where there is no specific title for official legal translators as such to others with specific, government-endorsed titles, and with backgrounds ranging from no specific training to university degrees plus membership of professional associations.

In “Freelance translation for multinational corporations and law firms”, ANABEL BORJA ALBI makes a detailed analysis of the figure of the freelance translator, which starts with the initial decision to abandon general projects and embrace a specialized area (in this case, law), and includes necessary steps like networking with specialists and interacting with clients, and, as hinted in other chapters in this book, a comparative knowledge of specific areas of law in order to respond to the demands placed upon them. Issues like text genres and CAT tools also become relevant, and the use of validated bilingual texts is recommended, either in general or in order to develop personal glossaries through extraction software.

The last contribution in this section, “Challenges of the freelance legal translator: Lifelong learning, ethics and other key professional issues”, by JOÃO ESTEVES-FERREIRA, deals with training and ethical problems, which first and foremost include not accepting projects for which one is not qualified – a recurrent dilemma in the present crisis situation. Another important topic, seldom addressed in academic literature but certainly with an influence upon the end result, is pricing and the conflict between time spent (including research and documentation) and word-based pricing (favoured by clients for cost-control and budgeting reasons).

The second part of the book focuses on national public institutions, starting with “Translating for domestic courts in multicultural regions: Issues and new development in Europe and the United States of America”, by JUAN MIGUEL ORTEGA, CYNTHIA GIAMBRUNO and ERIK HERTOOG, dealing with criminal proceedings and the right to fair trial after landmark decisions of the ECHR. Here the authors discuss quality issues and, especially, the future changes after Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings.

LEO HICKEY, in “Translating for the police, prosecutors and courts: The case of English letters of request”, comments on the drafting of LoR’s and the relationship between the translator and investigators. A detailed analysis is made of the various parts of the document, with an emphasis on official names and pre-existing translations, but also with remarks on the translator’s choices between foreignization and naturalization, and the variety of styles (police style, legal styles) within documents.

RAMÓN GARRIDO NOMBELA’S “Translating for government departments: The case of the Spanish Ministry of Foreign Affairs and Co-Operation” starts out pointing out the extent to which translation degrees ignore the

public sector, with its specific requirements, including teamwork and anonymity, intertextuality and formal restrictions.

The section ends with a contribution by JEAN-CLAUDE GÉMAR, “Translating vs co-drafting law in bilingual countries: Beyond the Canadian odyssey”, and aptly explains why a discipline like jurilinguistics was born in such a complicated context. Examples are shown which illustrate the mechanics of co-drafting, leading to solutions which would be unthinkable in “traditional” translation. The merits of co-drafting are praised in contrast with translation, including the added – but by no means minor – advantage that the two texts are placed on an equal footing.

The third part looks at legal translation at international organizations and starts with a joint paper by SUSAN ŠARĀEVIČ and COLIN ROBERTSON, “The work of lawyer-linguists in the EU institutions”. The chapter focuses on lawyer-linguists, specialized lawyers with high-level language abilities responsible for translation but also for revision and legal advice. Some of the tasks described are the translation of references for preliminary rulings to the Court of Justice of the European Union, the monitoring of legislative quality and revision of draft Commission decisions, and early intervention in cases where drafters are not native speakers of the language used.

A similar, but much wider sphere, is discussed in XINGMIN ZHAO and DEBORAH CAO’s “Legal translation at the United Nations”. The chapter offers attractive information on the recruitment and training procedures and the training provided. After a brief analysis of the most usual text types translated, major issues are discussed, such as the diversity of issues and the occasional problems caused by different options in various languages. In the conclusions, the authors point out the need for better use of information tools and improved training, especially for exchange between translators and academics and among translators themselves.

The practices of an always controversial body are analyzed by ALEXANDRA TOMIĆ and ANA BELTRÁN MONTOLIÚ in “Translation at the International Criminal Court”, where the requirements vary from the basic documentation in the working or official languages, to the most intricate problems caused by the “situation languages” arising from each specific case. In these contexts, there is a procedure in place which allows the court to use complete glossaries of terms in less standardised languages.

MURIEL MILLET’s “Legal translation at Interpol” is a complete description of the practices at Interpol, including instances of non-translation (in the case

of notices), the translation techniques used, a trend towards monolingualism in English, and the implications of the need for speed and quality, leading towards self-revision and partly solved through enhanced access to documentation.

The sphere of trade and business is represented by the chapter by FERNANDO PRIETO RAMOS, whose “Legal translation at the World Trade Organization” offers valuable information on the types of texts translated and the high demands placed on translators in terms of quality and deadlines, which are reflected in the recruiting procedure, often implying double qualifications in law and translation.

The last chapter, “Technology at the service of specialized translators at international organizations”, by OLIVIER PASTEUR, focuses on the tools available to WTO translators, including translation memories, terminology databases, digital dictation and speech recognition, and ultimately machine translation, although the author expresses serious doubts regarding the false idea that it may render human translators unnecessary.

In sum, this is an interesting volume, one of whose strengths is the fact that many of its contributors are practitioners themselves and, therefore, their insights combine the professional perspective with a sound theoretical framework. Another detail which will surely contribute to help towards the success of this publication is that, despite the wide variety of issues and bodies covered, the focus on institutional legal translation is maintained throughout, which will make all sections attractive to scholars, practitioners and students, especially because of the balance between general topics (with an emphasis on professional demands) and specific case studies. Mention must be made of the extensive bibliography given, which makes this book an invaluable starting point for further research.

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