

Translation and Legal Terminology: Techniques for Coping with the Untranslatability of Legal Terms between Arabic and English

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Abstract : Technical lexicon is witnessing a large upsurge in the use of new terminologies whose emergence is an inevitable result of the spread of high-quality technology, the existence of scientific paradigms and the fast growth of research in different disciplines. One important subfield of terminology is legal terminology, which forms a crucial part of legal studies, and whose translation from one legal system into another is deemed a formidable and arduous task that needs to be properly performed by legal translators. Indeed, the issue of untranslatability of legal terms, particularly between originally unrelated languages, like legal Arabic and legal English, has long been a real challenge in legal translation. It stems from the conceptual incongruency between legal terms of different legal languages, which are derived from different legal cultures and legal systems. Such conceptual asymmetry is owing to the fact that law has no universal reference and that legal language is what determines the degree of difference in conceptual correspondence. The present paper argues that although conceptual asymmetry, which is the main reason for the issue of untranslatability of legal terms, cannot be denied in legal translation, there exist certain translation techniques which, if properly adopted, would resolve the issue of untranslatability of legal terms and therefore achieve acceptable legal translation. Hence, the question of untranslatability of legal terms should no longer exist within the context of legal translation.

Keywords : conceptual incongruency, Legal terms, translation techniques, untranslatability

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