

Monks, P. (2008). Cao, Deborah (2007). Translating Law. *The Journal of Specialised Translation*, 9, 135-136. <https://doi.org/10.26034/cm.jostrans.2008.689>

This article is publish under a *Creative Commons Attribution 4.0 International* (CC BY):
<https://creativecommons.org/licenses/by/4.0>



© Pieta Monks, 2008

Cao, Deborah (2007). *Translating Law*. Clevedon/Buffalo/Toronto: Multilingual Matters. Topics in Translation, pp. xii, 189. £39.95 / US \$ 69.95 / CAN \$ 79.95. ISBN 13 9781853599545

"Translating law is challenging – but it can be learnt" (5)

There is a widely held belief that although translation of many areas of applied language can be taught without a specialist knowledge background, law is not one of them. Such an idea does not even seem to occur to Dr. Cao. Her well-written, accessible and concise book is designed for both translators without a legal background and lawyers without translation training. Its aim is to give both these groups the knowledge and skills necessary to work as legal translators.

Translating Law is a very welcome addition to the few books that tackle the huge field of law from a translator's point of view. Dr Cao is one of those rare individuals who demonstrates not only thorough knowledge of the theory and practice of both translation and law, but is able to marshal and interweave these two subjects in an exemplary interdisciplinary approach. Not only that, but she also covers a wide variety of languages (including Chinese, German and French), with English (GB, US, Canada and Australia) generally as the language of comparison.

The structure of the book is clear: after initially emphasising the increasing importance of legal translation in our global society, she then goes on, in the first half of the book, to look at theoretical issues in legal translation, including analysis of the special status of legal translation (its illocutionary force) and the factors that makes this field particularly challenging for translators.

The second part of the book looks at practical issues such as: terminological issues; legal concepts; ordinary meaning v. legal meaning; legal synonyms, and linguistic and legal uncertainty. She also looks at translating domestic, as opposed to international legal texts, and when this would be necessary, (useful to answer students' questions of the purpose and function of translation domestic texts), and the differences in text typology. She presents a wealth of practical examples to illustrate the differences, helping trainee legal translators avoid particular pitfalls. The description of the differing terms and functions of the legal profession in English speaking countries and in non-English speaking countries (due, of course, to differences in education and training) will be particularly useful to students, (e.g. *barristers* and *solicitors* in England, *attorneys* in the US and *avocats* and *notaires* in France etc.) (60-62). I also was very interested in the rationale behind the complex syntactical structures typical of certain English legal texts and, in particular, the origin of

apparent pairs of similes, word strings, which are designed to create all-inclusiveness:

[I]t is believed that this tradition goes back to early history. An early Anglo-Saxon linguistic tradition was the conjoining of two similar words with closely related meaning, and they were often alliterative as well...this doubling continued in Law French in the medieval English law [...]. It often involved the pairing of a native English word first with the equivalent French word second, for instance, *advise and bequeath*, *break and enter*, *acknowledge and confess*[...]. (89/90)

And one of the examples she gives of conceptual differences between different legal cultures is that of the French *droit* and the English *law*:

...in France, the essence of law lies in the general ideas it inspires, not the technical rules by which it achieves these ends. In contrast, the English Common Law primarily sees law as a body of rules and procedures and remedies that form the machinery of justice as administered by the courts, rather than statements of general principles and rules of ideal conduct. (57)

Throughout she presents guidelines for tackling these differences and difficulties in translation. Case law relating to language issues and linguistic disputes is also cited where possible.

Of course, practical linguistic examples across languages are like gold-dust to those teaching legal translation – they bring concepts and theories alive to students, and Deborah Cao has many more of these for the readers of this book. For such a concise, affordable book the wealth of scholarship, analysis and practical examples contained within it is impressive. In short, this will be a very welcome addition to any institution that teaches legal translation.

Pieta Monks
London Metropolitan University
p.monks@londonmet.ac.uk