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Cheng, Le, Sin, King Kui and Wagner, Anne (eds) (2014). *The Ashgate Handbook of Legal Translation*. Farnham: Ashgate, pp. 325, £90/€120. ISBN: 978-1-4094-6966-7.

The book contains two parts: a theoretical one with eight contributions and a practical one with nine contributions.

The overall quality of the book is good. However, the language quality of the papers varies, and in some of them, quite a number of grammatical problems as well as spelling inconsistencies between American and British English are observed.

The title is definitely inadequate and misleading as far as the book content is concerned as it suggests that it is a sort of reference book in the field of legal translation. Instead, the reader finds a random selection of chapters that are loosely related topically. Therefore, one cannot escape the conclusion that the title seems to have been invented irrespective of the content mainly for marketing purposes. The impression is enhanced by chapters on translation into very niche languages.

The very first paper by Mariusz Jerzy Golecki, entitled: "Translation vs. Decoding Strategies in Law and Economics Scholarship", is devoted to the methodology of law and economics and some parallels observed between them. The author claims that "translation concerns the substitution of legal meanings and terms by economic assumptions and relations between some parameters, decoding is being developed and treated as a kind of linguistic game in the Wittgensteinian sense" (15). Though the chapter is interesting and provides an insight into the applicability of the economics of law to legal reasoning, it does not deal with the problem of legal translation as such understood either as interlingual translation (or 'translation proper') or intralingual translation (cf. Jakobson 1959/1966). The chapter definitely relates to the philosophy of law and its constant development in the light of social and economic changes. Nevertheless, in no way whatsoever does it touch upon the topic outlined by the book title.

I especially enjoyed reading four of the chapters from the first part, for the following reasons:

- (i) chapter 2, by Anne Wagner, King Kui Sin and Le Cheng, which focuses on the complex issue of cultural transfer and conceptualisation in legal discourse in which the authors provide argumentation for the relativity of legal translation and the necessity to adjust the target text to the communicative needs of target text recipients. The authors skillfully combine the theories of law and translation with translational practice.
- (ii) chapter 3 by Janet Ainsworth entitled: "Lost in Translation? Linguistic Diversity and the Elusive Quest for Plain Meaning in the Law" in which she states that "ideal legal translation – or,

at least accurate and faithful translation enabling translated texts to function as truly equivalent texts – seems forever beyond our grasp” (47). The author concludes that the plain meaning of the law is unattainable as each legal system is deeply culturally rooted and therefore legal translation is only some sort of “approximation of an ideal translation” (53).

- (iii) chapter 4 by Jenny Leung, which is devoted to equivalence as one of the legal fictions. After presenting a brief, but refreshing, outline of the legal fictions’ purpose and function, she focuses on multilingual jurisdictions and the overt and covert functions of such fictions also pointing out the threat of the possibility of retrospective application of the law as a result of interpreting laws by jurists.
- (iv) being a supporter of parametric approaches, I must mention chapter 7 by Fernando Prieto Ramos on parameters for problem-solving in legal translation.

Part II of the book is dominated by chapters based on case studies. Chapter 10 by Łucja Biel should be mentioned here as especially worth reading as it is devoted to the usage of corpus-linguistics tools for the analysis of legal texts. One must realise that computer-assisted translation shall not be able to exist soon without corpus linguistics software, which helps in finding equivalents at terminological and phraseological (collocation) levels.

Due to the editorial limitations, it is impossible to discuss every chapter in detail. Therefore, I will limit myself and proceed to the general overview of the book. To sum up, apart from the inappropriate title and some linguistic deficiencies, I highly recommend reading the monograph to legal linguists, legal translators and legal translation teachers dealing especially with legal translation in bilingual and multilingual jurisdictions and also with translation between languages rooted in different language systems (or cultures). I find many ideas of the authors valuable and refreshing. Although many problems discussed in the monograph are intuitively sensed by numerous legal translators, they are rarely identified so accurately and illustrated with such suitable examples.

Bibliography

- **Jakobson, Roman** (1959/1966). “On Linguistic Aspects of Translation.” Reuben A. Brower (ed.) *On Translation*. New York: Oxford University Press, 232-239.

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