

## **THE QUALIFIED LEGAL TRANSLATOR IS A LAWYER TRAINED IN TRANSLATION**

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### **NEW DEVELOPMENTS AND LEGAL TRANSLATION**

Contemporary political, economic and technological development have greatly influenced to an even greater degree the various factors on which translation depends. Thus, there is, among other things, a disproportionate increase in the demand for technical translation in relation to general translation needs; the rate at which new technical terms appear is much higher than the rate at which new general vocabulary does; there has also been an increase in the demand for knowledge of specialised language as well as an increase in specialised language itself; deadlines for the completion of translation work have also become increasingly shorter. Technical translation has therefore been under great pressure as far as its bulk, the speed of its production and its quality are concerned. It has already become apparent in the translation market that the present supply of specialized translators are not able to hold up under these pressures<sup>1</sup>. The new blood of translators now flowing into the market are not, however, satisfactorily equipped to handle these new demands. On the contrary, it seems that it is believed that it is the translators who should impose their conditions on the market and not the other way round! If today's gap in the supply of translators is due to variables that could not have been previously foreseen, then a future gap in this supply will be the fault of those responsible for the training of translators. For, if the present supply of translators is not able to satisfy market needs, we believe this is because technical translation training has been placed on the wrong basis.

Legal translation is of great significance not only because it makes up a large proportion of technical translation work, but also because legal texts are responsible for international communication at an institutional level. Furthermore, it ensures the equality of the European Union member States which is a basic precondition of the European ideal. Therefore, providing for effective legal translation and the creation of qualified legal translators is of prime political significance within the framework of the European Union.

There is more than one way in which to know a language<sup>2</sup>. One who possesses general knowledge of a language does not necessarily possess a specialised knowledge of it. The question is whether one can possess a satisfactory specialised knowledge of a language without, however, possessing a satisfactory general knowledge of this same language. Despite the fact that excellent specialised knowledge of a language depends on the excellent general knowledge of this language, it is possible contrary to common belief, for someone to use foreign legalese adeptly, without being fluent or proficient in this language in general. Thus, in practice, we see that a lawyer well-versed in the specialised legal language of two tongues is able to comprehend and transfer a legal text into another language in a satisfactory manner, while he may have difficulty in composing a simple letter in this language<sup>3</sup>. We may consequently conclude that it is possible to possess a good specialised knowledge of a language without a good general knowledge of it<sup>4</sup>.

These facts, in relation to the training of translators, mean that training in foreign specialised language is connected to the SL centres for the development of specialised language. These observations lead us to the formulation of the following rule: *When the text to be translated demands general knowledge of the language and of its cultural background, the training of the translator should be general or linguistic. When the text to be translated demands specialised knowledge of the language and knowledge of particular part of the cultural environment, then the training of the translator should take place in the respective schools.* The range of this principle could be so wide as to include technical schools, such as schools for graphic designers, plumbers or chefs. If this were to be the one end of the range, at the other end would surely be legal translation.

### **PASSIVE, SEMI-PASSIVE AND ACTIVE TRANSLATION**

We feel it necessary to insert a new category between those of active and passive translation, that of semi-passive: this for the better comprehension of the functioning of legal translation to which this category particularly pertains.

Thus, passive translation takes place when the translator translates mechanically, with glossaries and dictionaries and other aids without fully comprehending a large proportion of the text.

Semi-passive translation takes place when the translator understands the words and the meaning of the isolated text, but is unaware of the SL cultural background of the text and as a result is unable to interpret it into the corresponding TL culture of which he may also be unaware.

Active translation is when the translator is familiar both with the specialised language of the SL and the TL as well as with their cultural background.

### **DEFINITION OF THE LEGAL TRANSLATOR'S DUTIES**

The outlining of the policy for the training of legal translators presupposes the description of the legal translators qualifications which in turn requires a job description, the standard being mainly what is and not what should be. Therefore, before we proceed, let us define the duties of the legal translator.

### **THE FULL AND LIMITED RANGE LEGAL TRANSLATOR**

First of all, we deem it necessary to draw the distinction between the full range and limited range legal translator which have to do with the range of his abilities and duties. Of course, full range legal translation capacity is a matter of degree. We therefore have different types of legal translators as well as different types of legal translation which may more or less be divided into the following categories.

### **TYPES OF LEGAL TRANSLATION**

a) Special purpose standardised legal translation which can be further divided into:  
– translation of parallel texts where translation and original text are equally authoritative;  
– standardised document translation as within certain organizations like the European Court or any organization producing or using translation according to certain more or less standardised strict specifications.

b) Translation of legislation for publication or information at the governmental level or for international organizations;

c) Translation of legal treatises;

d) Freelance legal translation for information;

The first type probably demands the least skill while the last is the cream of the legal translation crop<sup>5</sup>.

Therefore, legal translators who have been trained for a specific purpose and who are employed by a certain service are not legal translators in the wider sense of the term<sup>6</sup>. Indeed, the legal translator in the wider sense and the special purpose legal translator are as different as an actor and a marionette. The actor interprets his part which presupposes that he has understood the play and that he possesses both general and theatrical education. The freelance translator has neither a boss nor a general policy to guide him. Every document has its own particularities and each client his own demands. The legal translator must be able on his own to translate a text into a complex legal and linguistic framework. The present analysis has in mind the translator in the wider sense.

### **LEGAL TRANSLATION: A MULTI-DISCIPLINARY APPROACH**

Legal translation involves so many particularities and it demands the combination of so many different skills and knowledge of so many bits of information that it may well be called the cream of the technical translation crop. These particularities constitute legal translation and training in this field very heavily culturally bound – so much so, that the multi-disciplinary nature of legal translation becomes immediately apparent<sup>6</sup>. Although it is indisputable that legal translation requires a multi-disciplinary approach and consequently multi-disciplinary training, this fact does not suffice in determining exactly what type of multi-disciplinary approach is to be employed. The contribution of the two variables of law and language need to be fully measured.

Just as in translation itself, so the teaching of translation, has also become more and more a matter of „economy“, that is a setting of priorities where the problem is not in adhering to the principles of perfection in translating and training<sup>7</sup>. It is more a matter of which principles to sacrifice in favour of which others. In order therefore to outline the educational policy for legal translation what needs to be taken into account is not only the contribution of each of the disciplines involved in the training, but also other economic and professional factors.

The assumption is that at least one foreign language is taught in law schools (in the EU one foreign language will be taught at the primary school level and another will be introduced at the secondary school level)<sup>8</sup> and classes of legal terminology are also given. Thus, the comparison that follows is based on the law graduate who is acquainted with at least one or two foreign languages on the one hand and on the other, the translation graduate who has taken legal translation courses.

#### **LEGAL TRANSLATION TRAINING PART OF COMPARATIVE LAW**

As we have already mentioned, legal translation is a very complex procedure which requires special and demanding profession. A brief overview of the particularities, as they have been shaped by current factors, gives the flavour of the procedure. Therefore:

- legal translation has more to do with the transfer of one legal system into another than with a language transfer (the legal system is more important than the language)<sup>9</sup>;
- legal translation requires a high degree of interpretation which presupposes a deep knowledge and understanding of the text, the target and source legal system (further to the target and source specialised languages and terminology)<sup>10</sup>;
- legal terminology, especially in the Anglo-Saxon legal system, is not very concrete and strongly depends on many factors beyond the frequent lack of equivalents. Specialised dictionaries, when they exist, are merely an auxiliary tool, there to inspire or remind, but not to guide. The best dictionary in legal translation is the translator himself<sup>11</sup>;

- the basic tool of the legal translator is not the dictionary, as established above, but the legal treatise to which he must be able to refer quickly and effectively<sup>12</sup>;
- the required speed for the production of the translation<sup>13</sup> is such that often demands the quick comprehension of the source text and nearly automatic or instinctive renderings<sup>14</sup>;
- in most countries the singular wording of legal text and the register in general require the deep knowledge of the legal environment. Legal language is a community language: the legal community is a „communication community“<sup>15</sup>;
- all of these factors become further complicated by the fact that the translator is forced to work from or towards a pluricentric legal and/or linguistic environment<sup>16</sup>;
- the translator's diverse options are deeply influenced by the aim and use of the translation, the readership and the target language and country<sup>17</sup>;
- if the legal translator is to be considered full-range, then he must have the ability to answer to all complicated manifestations of this profession in the widest sense.

The truly impressive picture painted above intimates the complexities and particularities of the full-range translator's duties leaving a strong legal taste. These variables could certainly constitute the object of a detailed and precise study, but the above description creates the strong impression that legal translation is chiefly a procedure of comparison of legal systems and transfer from one legal system into another all of which naturally fall into the discipline of comparative law<sup>18</sup>. The skills required for the attainment of this goal naturally place the translator in the field of law. Whether the legal translator acquires these skills through studies in a School of Law, or any other type of school or through practice is another matter altogether. We wish to show that as far as time, effort, effectiveness, cost and other factors are concerned it is to the interest of the professional to acquire these skills through law studies in a law school.

### **VARIABLES**

In order to properly outline the educational policy for legal translation it would be useful to measure, if possible, the following variables in terms of the two above-mentioned law and translation graduates:

- a) the difference between possessed knowledge and knowledge needed in order to become a qualified full range legal translator;
  - b) the number of years needed from the moment of graduation from the above-mentioned schools in order to acquire the qualifications of a full range legal translator;
  - c) the difference between possessed knowledge and knowledge needed in order to successfully translate a specific text;
  - d) a comparison between the best possible translations done by the two graduates without any time limit;
  - e) the difference in the time required by each graduate for the best possible translation of a text.
- In accordance with the above, the following also need to be measured:
- f) the versatility of the respective programmes, i.e. how far the courses taught in the respective schools can be attended by others who do not aim at becoming legal translators;
  - g) the versatility of the studies as a whole, i.e. how far the courses that make up legal translation training can be applied to other professional activities;
  - h) the professional flexibility of the two translators which is inextricably intertwined with the above and very much a necessity in today's changing economy;
  - i) the suitability of the environment where the studies take place;
  - j) the cost of studies;
  - k) the length of studies.

## **TRANSLATION GRADUATES LEARN HOW TO TRANSLATE LEGAL TEXTS THROUGH PRACTICE**

The teaching of law in translation schools does not of course create legal translators. Courses about law and legal systems in translation schools have as an aim the exposure of the general translator to a multicultural world of which he must have some idea. They are also useful in acquainting the general translator with a field with which he may have to deal at some time in the future. It is of course a step in the right direction to attempt to expose the translation student to a multi-cultural environment, but in no way must this leave the impression that this exposure creates legal translators. Furthermore, there is no way a translator can acquire the deep knowledge, the aforementioned understanding and the legal instinct of two or more legal systems with a simple glossing over during a one-year multi-disciplinary course. Consequently, the final product of translation schools is not full range legal translators as defined above, ready to embark on their career, but candidates prepared to begin their studies. The studies required by a qualified legal translator would logically have to last at least four more years after completing a three or four-year translation course! The absence of real training in legal translation leads one to the conclusion that legal translation is learned through practice and the would be legal translator becomes qualified only after years of practice, i.e. he becomes a type of self-taught quasi-lawyer. What translation schools do is offer a faint idea, a fleeting contact with legal culture, a hint of the legal cosmos not with the aim of creating legal translators, but with the aim of providing translators with an auspicious start to their true legal translation training which is in fact practicing on legal texts. If legal translation training means the creation of legal translators, then existing legal translation training is a myth either as part of the main courses of a translation school or as a postgraduate course.

### **A LAW GRADUATE WITH A KNOWLEDGE OF FOREIGN LANGUAGES IS A LEGAL TRANSLATOR – A TRANSLATION GRADUATE IS NOT**

A law graduate with a knowledge of languages is closer to being a legal translator than a translation graduate. Given the legal training and the knowledge of highly specialised language that the law graduate possesses, he is already in a position to translate a legal text, if not at the same rate as a fully qualified professional, then at least on the level of a limited range translator. Members of the legal profession also have the advantage that a lawyer is, by definition, an active member in the general culture and an able handler of language and logic. In comparison, the only things the translation graduate has to show for himself are a good general knowledge of language and translation skills and a mere taste of legal knowledge. Even if we accept that they are at this stage both limited range translators, the law graduate is much closer to the target of the full range translator. Let it be noted that in practice, lawyers versed in the legal terminology of two languages often translate legal documents themselves, either for reasons of economy or time and they do this without the slightest training in translation<sup>19</sup>. Indeed, many have said that translation may be a talent and not a matter of training. On the contrary, law demands deliberate, long-term study. We believe that the comparison of the translations done by a law graduate on the one hand and a translation graduate on the other, plus the latter at a severe disadvantage. It is more useful, however, to measure the difficulty, the probability and the difference in time from the point of their graduation in acquiring the necessary skills leading to the minimum qualifications required to be a qualified legal translator. Because we believe that again the odds are in favour of the law graduate, the conclusion is that the training programmes for legal translation should be part of law studies or an extension of law studies.

## **MULTI-PURPOSE STUDIES AND PROFESSIONAL FLEXIBILITY**

An overwhelming percentage of the courses required to qualify a legal translator are inseparable from the study of the discipline of law. Thus, the study of foreign law and its history, foreign specialised legal language and terminology and comparative law as well as a general knowledge of foreign languages make up the tools of the future lawyer, whether he becomes involved in translation on a full-time or a part-time basis, or not at all. These courses may therefore be taught to other law students who are not interested in legal translation as well as be used for other professional goals by lawyers/translators. For example, in a law school, courses in foreign language, foreign legal terminology, foreign law, comparative law, etc. can be attended by students who do not aim at becoming legal translators. In this way these courses are taken advantage of to the full. On the other hand, the extensive law studies, either in school or in practice, have for the translator only one use: his qualification as a legal translator. Furthermore, the greatest part of the courses attended by a student of legal translation cannot be attended by translation students who aim at a different specialisation. It could turn out to be, in other words, a waste of time.

If legal translation is considered to belong to the discipline of comparative law, this discipline may lead to a profession in the wider sense (a lawyer of foreign law) to which legal translation would belong. The professional flexibility within this framework for the lawyer/translator is great. Thus, if the lawyer trained in this manner does not finally become involved in translation or decides to abandon translation at a later stage, his studies will not have gone to waste. For example, the courses attended by a legal translator/lawyer can be useful if he wants to work as a lawyer, a professor of foreign law, a specialist in comparative law, a company lawyer of a firm that deals mainly with other countries, a lexicographer or a diplomat.

Contrarily, the arduous and long-term training of the translation graduate/legal translator will go to waste if he finally decides for one reason or another not to become involved with legal translation either in the beginning of his career or somewhere along the way. For the translation school graduate the course of studies can only lead to one profession: that of the legal translator.

Flexibility and alternative solutions are priorities in today's economy. Besides the fact that creating legal translators from translation graduates is far from cost-effective, who and which system can predict the exact demand for legal translation for each combination of languages after five or ten years when today's students will be channelled into the market? Because the market is the best judge, the system that we suggest allows the market to decide without negative repercussions for those who decide to invest in these qualifications.

## **LEGAL TRANSLATION TRAINING BELONGS IN LAW SCHOOLS AND LEGAL TRANSLATION IN LAW OFFICES**

Since the object of study of legal translators is closer to the discipline of law, it is much easier and more cost-effective to incorporate legal translation training in the law schools. In this manner, law schools will be able to directly produce legal translators at graduation, or at most in an additional year following their undergraduate work. Thus, when the greatest part of the core courses for the specific qualification are of a legal nature, the law school is the most suitable environment. It will also be possible to create legal translators with further specialisation in, say, Commercial Law, something quite complex or even impossible if the traditional modes for legal translation training are to be followed. The production in such a short period of time and at such lower cost of legal translators with great professional flexibility lies directly in line with the spirit of today's economy.

Furthermore, lawyers/legal translators will work in the environment where both they and legal translation itself belong. The communication between lawyer and legal translator will be between two lawyers rendering this communication easier and more constructive. In this spirit, legal translation should be part of the activities and areas of specialisations of specific legal offices and not of translation agencies which have nothing to do with law and more often than not, nothing to do with language either!

### **SUGGESTED SOLUTIONS**

a) Legal translation to be included at the undergraduate level of law studies as an elective course<sup>20</sup>. Legal translation will belong to a module of courses that will include foreign law, legal terminology, comparative law and possibly other related subjects, such as bilingual drafting, which in some bilingual or multilingual countries is of greater importance<sup>21</sup>.

b) A Legal Translation Department within the School of Law at the post-graduate level. A department of this type can include the above-mentioned courses, but at a more advanced level, as well as other courses that cannot be included at the undergraduate level. The post-graduate department could function parallelly with the undergraduate module. Such post-graduate courses could perhaps function along with further specialisation courses or they could cover languages and legal systems that it could not be possible to include at the undergraduate level, such as languages of limited diffusion and legal systems of small countries.

c) Special schools for training in the specialised languages of widely related disciplines. These schools will include a wide range of courses belonging to related disciplines (sandwich courses) along with training in the language and terminology of these disciplines and foreign culture. Thus, we can have schools where law, political science and economics will be taught. The graduates of these schools will be specialists in the specialised language and foreign culture in these areas of study. Just as groups of similar disciplines will be taught, so can groups of languages according to different criteria. For example, the groups of languages may be determined by a linguistic relation (e.g. Latin-based languages), geographical location (e.g. Balkan languages) or by a relation of an economic nature (e.g. English, Norwegian and Greek as languages of shipping countries). A college of this sort has already been established in England<sup>22</sup>. These schools can also solve to a satisfactory degree the future market needs of translators and people with knowledge of languages of limited diffusion.

Law will still be taught, however, in translation schools in order to ensure that certain gaps are covered and as necessary part of the general overview of language and culture because general and specialised translation are never completely separate. Nevertheless, retaining these courses should not create the impression that they create legal translators. General translators should only be considered an auxiliary source for the translation of legal texts and drawing from this source should only be done in cases of emergency when a need for a legal translation cannot otherwise be covered.

The counter arguments to these proposals are few and they do not deny that these suggestions are desirable, but question merely how possible it is to put them into effect. The most common counter argument is that lawyers should not normally accept to undertake extra studies in order to follow this type of career which is considered less respectable and less lucrative than the exercise of the legal profession. This may be partially true if the legal translator's qualifications were to be acquired through non-multitarget further studies, but less so if these qualifications can be granted at a postgraduate stage as part of a module of similar

courses. Also, the profession of legal translator may be chosen by many lawyers for personal reasons. A classic example of this is female lawyers who sometimes give up the legal profession when they become mothers. It is also possible for practicing lawyers to share these two activities or to translate on a part-time basis. Professional legal translation is judged by its quality and not by whether it is full or part time job for the translator.

Finally, the argument that translating would not be in the lawyer's interest from a financial point of view may not be at all true at least in some countries. Inflation and the unemployment of lawyers in some countries, especially in southern Europe, range from worrisome to tragic.

Of course reactions against this system do not come from the translation schools, but from traditional translators who feel their interests are being threatened due to the decrease in their field of activity. Reactions are greater from those who have already specialised in this type of translation and who base their livelihood on it. Their fear is not justified, however, for they have already developed into quasi-lawyers as we have already mentioned and the effects of the implementation of this new system will not be felt until long after most of the dissidents have retired.

### **LANGUAGES OF LIMITED DIFFUSION**

The problem of „small" languages or languages of limited diffusion (LLDs), as they are called, is of great political significance (as was recently shown in December 1994/January 1995 by the violent reaction on the part of the Netherlands, Belgium and Greece to France's proposal during its presidency of the EU concerning the principle of the number of EU working languages). The political significance lies in the fact that the elimination of LLDs not only creates practical problems in the respective countries, but is also an insult to their sense of national pride. Even if there is the political intention to protect these languages, they are still at risk if there is not some system to naturally ensure training in these languages either for translation purposes or for international use. The problem of translation of LLDs becomes even more acute in the case of translation of specialised texts from one LLD into another. The problem arises, for example, in the translation of legal texts from Finnish into Dutch. If we accept that legal translation between two LLDs is necessarily undertaken by a generalist translator, great inequality between the languages is created since the translation by definition will be slow and of low quality. It has been supported elsewhere<sup>23</sup> that the solution to the problem of technical translation of LLDs lies in the creation of a new type of specialised translator who will translate only one type of text (e.g. legal) from and into more than one language, one or more of which will be LLDs. The adoption of such a system is more suitable to the above-mentioned suggestion c), i.e. the establishment of special schools for the training in specialised languages of related disciplines.

Another possible way of supporting legal translations amongst LLDs is teaching them in very large law schools or subsidising training in these languages outside law institutions followed by studies in the respective countries, i.e. a variation on and a combination of the EU Lingua and Erasmus programmes.

### **EPILOGUE**

The outlining of the policy for training in legal translation should take international developments and their effects on translation seriously into account. The policy for the legal translation training has not been based on a clearly understood definition of the legal translator<sup>24</sup>. It is doubtful whether those responsible for outlining the policy for the training of legal translators have taken into account the continually increasing amount of legal translation for information and the necessary speed for its production; neither do they seem to sufficiently



take into consideration the future state of the market. The policy for training legal translators is at present short-sighted. The inability to see deeply into the problems of contemporary legal translation lie probably in the fact that many of those who teach or write about it do translate, but have little to do with the everyday ongoing routine of translation in the market<sup>25</sup>. They therefore tend to view translation as a linguistic or scientific task and not as a service<sup>26</sup>. One necessary way to experience what legal translation in the free market really means is to go four days and nights without sleep translating some 300 pages of legal text<sup>27</sup>. The fact that for many of us this is a way of life and not the exception to the rule shows that we, the people who daily struggles with these practical problems, have a strong say in these matters.

If language barriers create problems for legal translation because they hinder the availability, the speed or the quality of translation, that is something policy for the training of legal translators must take into account. The present situation reeks of the past – a past dominated by education in literary translation.

### NOTES

1. As regards the bad quality of legal translation either due to passive translation or even by lawyers, see discussion in the session «The Use of Expert Systems in Comparative Law», XIV International Congress of Comparative law, Athens, 1994, Hellenic Institute of International and Foreign Law (to be published).

2. There are different ways in which someone can be bilingual. See: «Bilingual Skills Certificate and Certificate of Community Interpreting» of the Institute of Linguists.

3. As to the opinion that general culture training is a basis for effective specialised translation see: Jean-Claude G mar, Traduction g n rale et traduction sp cialis e, Fonctions de la version g n rale, instrument du traducteur, in: La traduction: l'universitaire et le praticien, Congr s Universitaire du Qu bec   Montr al, 28-31 Mai 1980, Editions de l' Universit  de Ottawa, pp. 283-290.

4. Our experience shows that a specialist translates a technical text easier than a generalist a general text. Specialised texts are of course very difficult to translate by non-specialists. Reference to such difficulties (due to the extensive use of dictionaries or to the «talking with specialists») shows that it does not occur to the authors that a translator could, if not should, be a specialist himself. Such ideas show how strongly literary translation mentality predominates, as in: Anthony Pym, Translation and text transfer, An essay on the principles of intercultural communication, Peter Lang, 1992 at 122 and Wallace J. Schwab, Pour qu' une traduction soit legale..., Proceedings, VIII Word Congress of FIT, Montreal, 1977, p. 117.

5. No legal translation is fully «free» or even fully standardised. Translation of parallel EU legislation may have its «free» part: Vassilis Koutsivitis, La traduction juridique: libert  et contraintes, in: La libert  en traduction, Actes du colloque international tenu   l'ESIT, Juin 1990, Centre de recherche en traductologie, Universit  Paris III, pp. 139-149 at 145-146.

6. Certain conclusions about legal translation training concern limited range translators and do not permit universal conclusions as in: Susan Sarcevic, Translation and the Law, an Interdisciplinary Approach, in: Mary Snell Hornhy et al. (eds) Translation Studies: an Interdiscipline, John Benjamins 1994, pp. 302-307.

7. Susan Sarcevic, *ibid.*; Louise Rayar, Law and Language – Postgraduate Training of Legal Translators, Proceedings, XII World Congress of FIT, Belgrade 1990, pp. 643-646.

8. Socrates/Comenius EU programmes.

9. Vassilis Koutsivitis, *op.cit.*; Susan Sarcevic, *op. cit.*

10. Louise Rayar, *Translating the Law: Method or Madness?* In: *Proceedings, International Forum of Legal Translation, Warsaw, 1992, TEPIS, pp. 62-71.*

11. Further to the problem of neologisms which apply to all kinds of technical translation. Legal translation often involves simultaneous «exogenous» terminology-creation. As regards the two approaches of terminology-creation by scientists or by linguists, see: Yves Gambier: *Vers une histoire sociale de la terminologie*, in: Mary Snell Hornby et al.(eds) *ibid.* pp. 255-266 at 256. An effective exogenous terminology-creation requires though considerable linguistic knowledge. (Terminology-creation could be «exogenous» or «endogenous»: René Haeseryn, *The Role of Specialized, Non-Literary Translation In the Development of the Vocabulary of General and Specialized Language, Babel, No3/1977, vol. XXIII, pp. 103-106, at 104.*)

12. If «a translator should be a walking encyclopedia» (Vilen N Komissarov, *The Translator's Professional Competence, Proceedings, XIII World Congress of FIT, Brighton, 1993, pp. 231-238 at 233*), a legal translator should be a walking legal library.

13. Rates of 70 pages/10 hours as a usual practice and a record of 125 pages within 10 hours have been reported in: Stuard Elgord, *Legal translation in Israel*, in: *Proceedings, International Forum of Legal Translation, Warsaw, 1992, pp. 75-80 at 78.* Even the 1-2 pages per hour of good translation required in final exams of translation schools is not achievable even through the use of bilingual dictionaries – absolutely impossible if using monolingual dictionaries or treatises is necessary as is nearly always the case. The speed required for most of the translation for information makes it in fact not different from «sight translation» and there is no time for preparation or reflection. Any teaching «sight legal translation» should be impossible for non-lawyers and this could be a negative test against translation graduates. As regards teaching of «sight translation»: see: Sylvia Pratt, *L'importance de la traduction á vue pour l'enseignement de l'interprétation et de la traduction* , in: *Proceedings, XII World Congress of FIT, Belgrade, 1990, pp. 596-605*; Maurizio Viezzi, *The training of translators and interpreters – remarks and suggestions, Proceedings, XII World Congress of FIT, Belgrade, 1990, pp. 472-478.*

14. An indispensable capacity of a good translator is the automatic finding of equivalents without conscious reflection. The role of the translation professor is to help his students to achieve that: Krank Ledwidge, *Un faux postulat: on enseigne mieux la traduction vers sa langue maternelle*, in: *La traduction: l'universitaire et le praticien, op.cit., p. 277.*«Students can learn to translate before they are able to reflect, intelligently, upon what they have been doing», Mladen Jovanovic, *What Do We Teach?*, *Proceedings, XII World Congress of FIT, Belgrade, 1990, pp. 466-471 at 471.* Another test to verify the professional ability of the legal translator is precis writing. If a translator really understands the text, he should be able to summarize it.

15. Not only are there no dictionaries for the microlanguages but someone has to actively participate in the everyday life of the relevant professional microcosmos to know them. Hans Schwarz, *Legal and Administrative Language, Babel, No 1/1977, vol. XXIII, pp. 19-22*; Maurizio Viezzi, *op.cit.*pp. 474-475. In fact, translation graduates learn legal language as a «foreign» microlanguage first and then legal translation. See also: Joanna Channel 1988, *Psycholinguistic Considerations in the Study of L2 Vocabulary Acquisition*, in: R. Carter and M. McCarth, *Vocabulary and Language Teaching, Longman, pp. 83-96.*

16. Sandor Karcsay, Theoretical and Methodological Differences of Sociological and Technical-Scientific Translation, *Babel*, No. 3/1977, vol. XXIII, p. 116-119 at 118.

17. Peter Newmark, Communicative and Semantic Translation, *Babel*, No.4/1977, vol. XXIII, p.163; Eugene A Nida. The Setting of Communication: A Largely Overlooked Factor in Translation, *Babel*, No 3-4/1978, vol. XXIV, p. 114-117; Mary Snell-Hornby, *Translation Studies-An Intergrated Approach*, John Benjamins, 1988, p. 111-130.

18. Groot, Gerard-Rene, de, Problems of Legal Translation from the Point of View of a Comparative Lawyer, in: *Netherlands Reports to the XII International Congress of Comparative Law*, The Hague 1987, TMC Asser Institut, 1-19

19. Some lawyers develop capabilities of «natural legal translation» based on the mere fact that they can handle both legal languages but there are not bilingual in any other respect. As regards natural translation, see Vilen N. Komissarov op.cit.

20. A hint of this idea was considered in Berlin. see: Heidemarie Salevsky, «Issues in training translators and interpreters for the 21st century, in: *Proceedings, XII World Congress of FIT*, Belgrade 1991, pp. 453-459 at 457.

21. As in the University of Ottawa, see: Alexandre Covacs, *La réalisation de la version française des lois fédérales du Canada*, in: *La traduction et l'universitaire*, op. cit. pp. 223-242 at 241.

22. *The Financial Times*, 1 Nov. 1995, p. 8

23. Ioannis Manganaras, *The New Technical Translator Languages of Limited Diffusion in a Changing World and a New Technique for Their Defense*, *Proceedings, XIII World Congress of FIT*, Brighton 1993, pp. 610-616.

24. «No effective training of translators is possible unless it is based on correct understanding of what makes a good translator (...)At present, however, the problem remains largely unexplored.» Vilen N Kommissarov, op.cit.p. 231.

25. As regards the importance of practical experience for and in the teaching translation see: Hildergund Bühler, *Training Professional Translators and Interpreters: From Practice to Theory – From Theory to Practice*, *Proceedings, XII Word Congress of FIT*, Belgrade, 1990, pp. 460-465 and Roda P. Roberts, *Cooperative education in translation and interpretation*, id. pp. .500-505. «The task of training future translators will preferably have to be taken over by practicing professionals with academic qualifications or by academics with professional experience» (Bühler id. p. 462) «While many professors of translation have had previous practical experience in the field, only a few maintain any regular contact within the profession; most, absorbed by their teaching and research duties, lose sight of the evolution of the profession» (Roberts id. p. 500).

26. As regards the importance of simulation of the real conditions in translation training see: Jean Vienne, *Pour une pédagogie de la traduction en situation*, in *Translation Studies: an Interdiscipline*, op. cit. pp. 421-429.

27. Night translation should be introduced as a special course in translation schools as in medical schools and the army.