

The Challenges of Legal Translation: Towards Equality of Meaning between the Letter and Spirit of the Law

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Abstract: The letter-of-the-law/spirit-of-the law dichotomy has long played an important role in the interpretation and application of legal rules and principles, both within the national legal system and beyond. The relationship between language and the law is so intimate that it is not far-fetched to say that law is essentially language. In effect, law is substantially formulated through written language and the two are structurally similar. Given the breadth of legal translation, this article aims to describe and analyze the legal translation operations; while attempting to determine the significance of the field to professional legal translators. This article also aims to explore the notion of the lawyer's ethical responsibility to go "beyond" the letter of the law and to comply with the "spirit" or "purpose" of the law. At the same time, this article recognizes the aspirational value and, potentially, the practical significance of the spirit of the law, particularly in the work of practicing lawyers.

Key words: legal translation, law, language, norms, effects.

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I. BACKGROUND TO THE STUDY

The translating activity applied to legal texts has a rich and long history punctuated since the Greek and Roman antiquity at least². Its future is nevertheless promising, especially in the current context of globalization where the law is implemented and is called upon to a major role. Since the end of the Second World War, mechanisms of the translating operation, dismantled and analysed by the language theorists, are now better known, as are the object and purpose of the translation³.

The translating operation, however, falls within the scope of a specific domain and language is the common denominator to legal translation, with everything done to avoid ambiguities, shortcomings and limitations, which can come out of the nature of the human mind⁴.

The result of the translating operation remains random, relative and subject to challenges according to the point of view. However, before speaking about the translation of legal texts, it is first agreed to focus on the nature and scope of the language of the law, but considered as a language of specialty; as the problem of translation applied to the legal text arises in these terms.

The translating activity, in spite of undeniable achievements, always poses a problem of credibility, or even of visibility. Like the alchemist in his secret laboratory, the translator is perceived as the sorcerer's apprentice of the language, with which he would play to the dice. This is because the translator is expected to perform miracles permanently⁵.

However, translating a text is a matter of "words". The words are in the language, which is itself subject to the general system of language.

Each language organizes the distribution of its semantic fields in a different way; the meaning being constructed differently according to the Languages; a "discourse" cannot bear the same meaning for all categories of readers⁶. Nida himself reminds us that "when is only one language, communication is never

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²Nielsen, Sandro (1994) *The bilingual LSP dictionary. Principles and practice for legal language*. Gunter Narr Verlag. ISBN 978-3-8233-4533-6.

³Danet, Brenda (1980): "Language in the Legal Process". *Law and Society Review* 14: p. 445.

⁴Maxwell, P.B. (1976): *The Interpretation of Statutes*. 12th ed. by P. St. J. Langan, Bombay, Tripathi, p. 61.

⁵ See Weston, M. (1983): "Problems and Principles in Legal Translation". *The Incorporated Linguist* 22-4: pp. 209.

⁶Elmiger, Daniel (February 2013) "Translating international gender-equality institutional/legal texts: The example of 'gender' in Spanish". *Gender and Language*. *Equinox*. 7 (1): 75–96. Doi:10.1558/genl.v7i1.75.

absolute, because two people never understand the words in an identical way. A fortiori, one should not expect a perfect equivalence between two languages”⁷.

Not only the words, but also the environment influences the law-making process and this does affect the legal translation directly. Even in the same language, the meaning of a legal term may differ from system to system. Thus, the word "domicile" has one meaning in English law and quite different meanings in American jurisdictions, for example ⁸.

Moreover, the use of technical terms undeniably generates advantages, the least of which is the accuracy of the language and the conciseness of the message. Each law domain has its own terms and this poses to the translator the problem of correspondence between languages. Why is legal language so formal and complex? Legal language is an instrument for legal certainty. Through language lawyers try to avoid ambiguity in texts (statutes).

In addition, law is built on authority and tradition. Language helps in building an illusion of consistency⁹. Language must remain fixed and stable. This uniformity inspires confidence. Complex and difficult language keeps the law inaccessible, ensures lawyer's indispensability and enhances their status.¹⁰ The purpose of this work is to critically identify technical issues posed by legal translation and suggest practical and concrete solutions. Apart from general introduction and conclusion, the present paper is divided into three main parts. Part one focuses on legal language and translation, part two describes the problem of legal translation and part three presents the art and techniques of equivalence in legal translation.

II. LEGAL LANGUAGE AND TRANSLATION

Legal language refers to the language of the law in addition to the language related to the law and the legal process. As mentioned above, it is a highly specialized and technical discourse. The Constitution of the Republic of Rwanda of 2003 as revised to date recognises three official languages: Kinyarwanda, English and French¹¹. In the chapter on fundamental rights, language rights are emphasized. Each accused person has the right to a trial in the language he or she understands. If that is not possible, he/she has the right to an interpreter. Each detainee has the right to be informed of the reason of his detention in a language he/she understands. After arrest a person must be informed in a language he understands that he/she has the right to remain silent and what the consequences of making any statement are¹².

In formal translation of legal texts, legal language must be used. Legal language tries to cover all possibilities by being overly specific¹³. However, if the text does not faithfully reflect both the letter and the spirit of its content, can it be said that the translating operation has fully achieved its goal? A translation is, of course, incomplete. When the legal translator does not succeed in establishing the potential equivalence between two texts, on the dual level of law and language, it definitely affects the substance of the law and that translator has done incomplete work. It is at this level that resides then the problem of the particular language of the law.

2.1. The Language of Law

It is rare for a legal text to be of a general character without containing a few terms belonging to a specific field of knowledge. The translator then uses an analysis of terminology more or less pushed according to the degree of specialization of the term and, for this, passes through the channel of a specialist language¹⁴.

To translate, you must not only know and understand the terms of the subject area but also know how to interpret the notions of which they are, as well as the words of the current language; in other words: the language and speech specific to specialists in this field, the way of saying things in this specialty, etc.

2.2. General and specialized language

People are always looking for reliable criteria to the specialized character of one legal meaning in relation to another. The explanations in the introductory pages of this paper, for example, give an idea of the

⁷Nida, E. et Taber, C. (1971): *La traduction: théorie et méthode*. Londres, p. 134.

⁸Nadelmann, K. H. & Mehren, A. T. Van (1966-1967): "Equivalences in Treaties in the Conflicts Field". *15 The American Journal of Comparative Law*, at 195.

⁹Nielsen, Sandro (2010). "Translational Creativity: Translating Genre Conventions in Statutes". *VertimoStudijos*. 3: 23–35.

¹⁰Danet, Brenda (1980): "Language in the Legal Process". *Law and Society Review* 14: pp. 445-564.

¹¹ Article 8 of the Constitution of the Republic of Rwanda of 2003 revised in 2015 in official gazette n° special of 24/12/2015.

¹² Article 29; see also article 9 of the International Covenant on Civil and Political Rights (ICCPR) of 1966.

¹³ See Cao, D. (2014). Afterword: The trials and tribulations of legal translation. In L. Cheng, K. Kui Sin, & A. Wagner (Eds.), *The Ashgate handbook of legal translation* (pp. 313–315). Farnham, UK: Ashgate, p. 606.

¹⁴Nida, E. A. (1964): *Toward a Science of Translating*. Leiden, p. 22.

difficulties that one can clearly face by distinguishing a word from the current language of another which would belong to a "specialized" domain¹⁵.

The criterion of differentiation usually used by legal specialists is that of the conditions of use of words according to the situations, the use made of it, and not their linguistic form, often misleading. In everyday language and in specialized vocabularies, there is a number of terms that can be attributed indifferently to one or the other. Common words like "agreement", "act", "request" or "term" seem to belong to the common language. However, they are equally and clearly specialized in their field (law) rather than being considered as "general" or "current". In addition, when they are qualified (synallagmatic agreement, binding instrument, incidental claim, extinctive term), their presence in the language of lawyers is hardly in doubt. If the use confers its first (or objective) semantic value to a word, it is however the context of its use (the word put into discourse, therefore envisaged in a subjective way) which determines its real meaning. Hence, there is a difficulty, for both the legal language professional and the layman, to determine precisely, if at all possible and when, one moves from the current language to the specialized language.

2.3. Law as a specialty language

Law is not an exact science, and its language suffers from the polysemy prevailing in the social sciences. The very term that characterizes it designates something which depends on the objective or subjective context, (law as a system) or (law equals rights). Same thing for one of the key terms of the law: an act, for instance, is subject to two meanings. Under a common appearance sometimes conceals a meaning, a notion that escapes the understanding of the ordinary man. The language of the law is composed of words that constitute the unique standard language. The vocabulary of law reflects the civilization that produced it. The more advanced it is, the more rich, complex and diverse it is. It varies however, from one language to another. The meaning, the connotations, values and semantic peculiarities are the culmination of a long tradition, the reflection of a millennium culture.

The language of the law also carries concepts that are related to a tradition, a culture¹⁶, to a system, and which have no equivalent in other languages and systems, English or French. One can mention for example: Common law, consideration, corporation, equity, personality, trust, or; act (negotium), quasi-contract, quasi-offense, indictment, police custody, etc.

Lazar Focsaneanu emphasizes this singularity of legal language which "has forged a proper terminology and phraseology"¹⁷. For him, therefore, the "difficulties of translation are only greater"¹⁸. This is reflected in the work of the comparatists. When presenting a system of foreign law, some, for the sake of precision, are reluctant to propose an equivalent to the concept analyzed, preferring to use the foreign word in italics¹⁹.

The words like "corporate governance", "right", "public interest" have an infinite number of definitions depending on countries and systems, sometimes within the same country or system, according to schools of thought, doctrines and ideologies. It is worth emphasizing that the language of law does not escape the phenomenon of polysemy. All these characteristics, apart from polysemy, inherent in human language, make the language of law and its texts a singular domain. This singularity is not without implications for the translation of legal texts, especially when the original text is a statutory instrument and not merely the provision of information (report, study), or knowledge (legal treaty).

III. PROBLEM OF LEGAL TRANSLATION

Legal translation involves rendering a legal text for source language (SL) to a target language (TI). Thus legal translation is a type of specialist or technical translation. The legal translator should be highly qualified and have an excellent command of both languages in addition to special knowledge and expertise in legal matters.

3.1. General

Whatever the type of text to be translated, the legal translators are confronted with some technical obstacles which are linguistic related, such as lexical, syntactic, stylistic difficulties. Roughly the same, although

¹⁵Rey, A. (1991): *Le Petit Robert*, Paris, p. 18.

¹⁶Sarcevic, S. (1985): "Translation of Culture-Bound Terms in Laws". *Multilingua*, vol. 4, no 3, p. 127.

¹⁷Focsaneanu, L. (1971): "Les langues comme moyen d'expression du droit international". *Annuaire français de droit international*. 16, Paris, p. 262.

¹⁸*Ibidem*.

¹⁹David, R. et Jauffret-Spinozi C. (1992): *Les grands systèmes de droit contemporains*, 10^e éd., Paris, p. 11.

the difficulties were not from one language to another, translation cannot be reduced to words, turns and expressions contained in the original text. In some areas, and this is the case with the law, it will be a question of passing from one system to another, not only in the letter but also in the spirit of the target text, that this entails risks and changes.

Legal translation is a technical activity, in the sense that it engages a "specialized" language²⁰, which differs both in the current language and in other fields. The translating operation poses particular difficulties for the translator which derive from the nature of the language of the law. As any other specialty language belonging to the field of science, the language of law conveys notions peculiar to a tradition, culture and produces texts that are most often rules or standards and legal effects.

The legal text, by its prescriptive nature, is often of effects likely to implement some form of responsibility, obligation. This aspect alone should suffice to distinguish the legal text from others. Comparative lawyers, in particular, emphasize the singular character of the law, and therefore its translation in another language. To summarize the main points, apart from the legal standard, the main arguments put forward by the translator to justify this singularity constitute the lack of correspondence between concepts and concepts between legal systems, the specificity of languages and cultures expressing strong social traditions distant from one another and the legal effects of equivalence. In fact, if one does not translate to understand but to explain, would the legal translation aim at a different goal?

Technically, when translating a legal text, the translator's mechanisms to apply are fundamentally different from those that the translating operation in general requires; in any case a text is made of words (currents) and terms (techniques) which convey more or less complex notions and developed. These words are organized in speech according to syntax, grammatical functions specific to a given language and in a particular style, depending on the field and function of the text. In fact, a good meaning of the text is that one which will have a precise meaning for the reader²¹.

However, the fundamental problems will be found in the legal norm and concepts that do not coincide from one system to another. In legal translation, the issue is multiplied by two. If it is difficult to agree on the meaning in one language, it is easy to imagine the difficulty of comparison of languages, on the one hand, and systems, on the other.

The Comparative lawyer Rodolfo Sacco recalled it in these terms: "The Translation difficulties are due ... to the fact that the report between word and concept is not the same in all legal languages"²². An example will suffice. The term "Minister of Justice", a notion common to most languages, would seem to cover the same semantic field, say, between French and English. In reality, can it be said that "Keeper of the Seals" is the equivalent of Attorney General (United States) or Lord, High Chancellor (Great-Britain)? The difference of the present cultures pierces under the function. The equivalence here is quite functional, and identity, misleading. In legal English words have different meaning and use from ordinary language. For example, one hears of construction of a contract, or about parties seeking relief. The question here is whether legal translation is all about language of law or language of norms.

3.2. The language of law, language of norms

The legal standard confers all its specificity on the legal text and, therefore, to its translation. For J. B. Herbots, the difference between the legal translation and the "translation itself" is that in the former, the text's translation is a legal rule, a judicial decision or an act to produce legal consequences²³. These consequences are inevitable. They are inherent in the law and constitute a contingency prior to any objective approach of legal systems. The law essentially is a text bearing norms or rules (of law), provisions and prescriptions with binding character. The failure to do so exposes the perpetrator to sanctions on the part of the public authorities. The translator must take account of this particularity of the legal text. Just as he must know that each sub-set belonging to the broad disciplines has its code, its standards, and that each type of text that it produces meets imperatives or "servitudes" of linguistic differences.

3.3. The law carries legal effects

²⁰Lerat, P. (1995): *Les langues spécialisées*. Paris, Presses universitaires de France, p. 123.

²¹Gémar, J.-C. (1990): "La traduction juridique: art ou technique d'interprétation?", Ottawa, *Revue Générale de Droit* (1987) 18 *RGD*, pp. 495-514.

²²Sacco, R. (1987): "La traduction juridique. Un point de vue italien". 28 *Cahiers de droit*. Québec, p. 850.

²³Herbots, J.B. (1987): "La traduction juridique. Un point de vue belge". 28 *Cahiers de droit*. Québec, p. 814.

The legal text also carries effects that are beyond the layman and sometimes even the lawyer, but who cannot be ignored by the translator. In legal translation, the equivalence of texts (text of origin=text of destination) is not confined to translating the letter and rendering the spirit. A legal text carries legal effects. These can be equivalent in both texts, failing when the translator will have failed in his task. One thing is to translate from one language into another a text under the same system of law, although this exercise is of the most delicate job. Another thing will be to translate from a system of law to another - such as English and French, emphasizes Kelsen²⁴ and *a fortiori* when traditions are located at the opposite of each other (tradition of written law versus tradition of unwritten law), such as the Common law of England and the Civil law of France or Quebec.

Then the problem arises at the moment of interpretation of the texts according to the method proper to each system from the simplest to the most complex²⁵. The interpretation of the legal text, for example the law, which is more generally used in the courts, is the surest criterion for the equivalence sought and achieved or not. However, as a small part of the translated texts are challenged in court, the equivalence status of the vast majority of translations remains virtual, leaving the public, the casual reader or the user of the text in the illusion of the certainty induced by the sacredness of writing. Translating is undoubtedly a difficult art. In the light of all the foregoing, should we conclude to the impossibility of this particular form of translation? Reality demonstrates the contrary, when we consider together the art and techniques of equivalence.

IV. ART AND TECHNIQUES OF EQUIVALENCE

4.1. Overview

Several options are presented to the translator when placed in front of the original text. He may opt for either a translation which is close to the formulation, the words, or for a freer approach. In other words, it is an option to consider either the letter or the spirit. Each scientific method has its opponents and its supporters. The law is no exception. Authors who claim the specificity of the law and its translation into a foreign language argue that the content of the text makes its translation difficult, if not impossible: it would not be possible to get it as it is from a language and a system in another language and in another system.

Closely linked to a culture and tradition, the law, because it is substantial to a language, could not be easily translated. In addition, a single formula does not seem to be necessary, that the translating operation is subject to many variables (nature of the text, purpose and standards, legal and linguistic standards, etc.), number of lawyers rely on the method they deem most appropriate, languages and systems and the particularities of the location²⁶ to achieve the goal. However, regardless of the method used, the purpose of legal translation is to achieve, at least, the equivalence of texts.

4.2. The equivalence or quest of sense

The concept of equivalence is based on the principle of universality of the language²⁷. It is a realistic goal when situations are comparable. It will then be necessary to agree not on nature, but on its degree. The principle of "functional" equivalence, which applies to the translation of pragmatic texts, applies also to legal texts. Whatever the nature of the text to be translated, the principle remains the same: to convey a message, whatever form and content, from one text to another, so that it gets well received by the recipient.

Vinay and Darbelnet have established the postulate: Only the meaning counts, in other words the result, since one does not translate to understand, but to make understand. A translation which would not be faithful is a faulty translation, whether the reader is aware of it or not. It is in the principle of equivalence of texts that a (successful) translation must be identical to the original, its true copy, to the point of being able to be substituted. At the most, it is its "form" and the "background"²⁸. That is to say, on the one hand, that translation has more visible part: the words, their arrangement, the grammar or syntax; and, on the other hand, in what the reader (or listener) grasps or believes to grasp: that is actually the text and its meaning.

²⁴Kelsen, H. (1962): *Théorie pure du droit*. Paris, Dalloz.

²⁵Beaupré, M. (1986): *Interpreting Bilingual Legislation*. Toronto, Carswell; Crépeau, P. (1993): "L'affaire *Daigle* et la Cour suprême du Canada ou la méconnaissance de la tradition civiliste". *Mélanges Germain Brière*. E. Caparros (éd.). Montréal, Wilson & Lafleur, p. 217.

²⁶Bowers, F. (1989): *Linguistic Aspects of Legislative Expression*. Vancouver; Groot, G.R. De (1987): "Problems of Legal Translation from the Point of View of a Comparative Lawyer". 28 *Cahiers de droit*. Québec, p. 793.

²⁷François, F. (1968): "Le langage et ses fonctions". *Le Langage*, vol. 25 l'Encyclopédie de la Pléiade, Paris, pp3-5.

²⁸Vinay, J.-P. (1967): "Peut-on enseigner la traduction?", Montréal, *Journal des traducteurs*, II, 4, p. 141.

4.3. Between equivalence of norms and equivalence of words

The problem of the equivalence of the legal effects of the translated text does not arise in the same terms for the translator and for the lawyer. By way of illustration, it will first be said that the linguistic equivalence, considering itself to be part of the legal letter, hence the meaning, being respected²⁹. The second will seek to achieve legal equivalence, considering that, since the rule was defined, the rest follows ipso facto³⁰. Now, in one case as in the other, it is the meeting and the harmonious fusion of the two constituent elements of the text - format and content - which will produce desirable equivalence.

4.4. Purposes and means of equivalence

In law, as pointed out by G.L. Certomà³¹, the translating operation poses problems of a particular type to the translator. The problem is legal: are both texts equally authentic? This question applies to any legal translation.

It would therefore be necessary to distinguish, after having established an exhaustive typology of the legal texts, the nature of the text, the purposes of the means available to the translator or team set up to carry out the translation. It would also be important to provide for the method (s) of translation to be applied in such cases, depending on the envisaged communication and situation for the text in question: treaty or law, will or contract, collective agreement, insurance policy, judgment, etc. Each method, each process has merits and disadvantages. The translation literally corresponds historically to certain texts and choices of society. Is equivalence, whether qualified or not, ultimately a myth? The major domestic legal texts, if need be, demonstrate opposite, as stated in the following concluding parts.

V. FINDINGS AND RECOMMENDATIONS

Legal translation is considered by many to be extremely challenging. Particular challenges are posed by the specificity of legal language and, in particular, the system-bound nature of legal terminology and differences between the common law and civil law systems³².

Legal translation is a challenging process. Legal translation, as institutional, culture dependent translation, requires of a translator to be fully linguistically proficient in the source and target languages, as well as to be perfectly familiar with the cultures and legal systems of the source and target countries³³.

One of the challenges of legal translation lies in the fact that legal terminology is very system and country specific. Many times the legal terminology in the source language cannot be translated directly, or literally³⁴. This issue brings forth the functional equivalence. Functional equivalence finding is the process, where the translator understands the concept in the source language and finds a way to express the same concept in the target language in the way, in which the equivalent conveys the same meaning and intent as the original. This can be achieved through finding a phrase of the same meaning, lexical expansion, or descriptive paraphrasing³⁵.

Consequently, the method that the legal translator chooses depends on the degree of equivalence within the concept. While near equivalence may require the translator to simply find a phrase in the target language with the same meaning, non-equivalence needs more involvement, where the translator needs to paraphrase carefully, without losing any of the original information and intent³⁶.

Between the two extremes represented by literal translation and substantive legal translation, there is no doubt that, depending on the context, there is other acceptable or satisfactory solutions. Translate does not only employ the "words" of the foreign text, but makes the overall interpretation of it.

But it is up to the translator to say the text. When the two meet in a harmonious way, the law is then illustrated and grows out of the encounter³⁷. Ultimately, it is the state (or political) will that decides of the equivalence, real or supposed significance, of two texts, of two dispositions.

The translator, usually alone in front of his text, cannot rely on its own resources to achieve equivalence sought. Now, in legal translation, this equivalence is at least random. It is worth noting that legal

²⁹Nadelmann, K. H. & Mehren, A. T. Van (1966-1967): "Equivalences in Treaties in the Conflicts Field". *15 The American Journal of Comparative Law*.

³⁰*Ibidem*.

³¹Certomà, G.L. (1986): "Problems of Juridical Translations in Legal Science" *Law and Australian Legal Thinking in the 1980s*. Sydney, p. 67.

³²Sarčević, S. (2000): *New Approach to Legal Translation*, London: Kluwer Law International, p. 67.

³³Nida, E. A. (2001): *Language and Culture: Contexts in Translating*, John Benjamins Publishing Co., p. 321.

³⁴Sarčević, S. (1997): *New Approach to Legal Translation*, The Hague: Kluwer Law International, pp. 234-268.

³⁵*Ibidem*.

³⁶Harvey, M. (2002): *What's so Special about Legal Translation?* Meta, p. 121.

³⁷Cao, D. (2007). *Translating law*, Clevedon, UK: Multilingual Matters, p. 24.

translation can never be rigorously exact. It is an approximate or a fairly accurate operation, the margin of which human error should be assessed. In sum, a legal translation is a mere presumption, which the persons concerned must always be able to challenge by reference to authentic text. Presumption is the word that brings this debate back to its proper proportion. It is this ability to challenge the presumption of the translation of a text that gives legal translation its uniqueness to other fields, thus contributing to make it one of the most difficult specialties to practice³⁸.

The translator's responsibility in this regard is particularly engaged. It is expected of him, in fact, that he will succeed in the improbable summary of the letter of the law underlying the text and the system governing it, while expressing in the message of translated concepts the original content according to the canons of the language of the recipient's law.

In the most demanding hypotheses, the translator should bring together the competence of the comparative jurist and the linguistic know-how³⁹. He would also have to assume the interpreter of the law to evaluate the potential effects of his translation. To translate, the legal translator should necessarily pass through the interpretation in its comparative analysis of languages and legal systems as well. The same is true when drafting the constitution and other statutes.

However, this is more than a personal interpretation, because it is not final and subject to revision. In the best case, the translated text is only a compromise⁴⁰ or even a simple presumption⁴¹. To translate a legal text is to extract meaning to produce a satisfactory translation from the double point of view of the letter and the spirit of that text. Through its role as mediator between law and language, it will provide the jurist with valuable insights on his language, even a better understanding of his texts, once they are sifted through the translation⁴². Legal translation not only facilitates understanding but also protects the right of each party and ensures that all parties concerned adhere to the terms and conditions of the working/social relationship.

With globalization and internationalization, mobility of citizens has increased. People travel and migrate for various purposes. This creates a need to ensure their rights are protected in case of breach of law of the host countries. It is on this importance of legal translation that we stop our study. We cannot purport to have exhausted all the current issues of the legal translation. We are humbly requesting other potential researchers in the domain to complete this study by exploiting the following sounding point: critical analysis of legal translation as translation for special purposes: a functional approach.

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³⁸ See for instance Cooray, L.J.M. (1985): *Changing the Language of the Law. The Sri Lanka Experience*. Québec, Presses de l'Université Laval, p. 69.

³⁹ See also Lane, A. (1982): "Legal and Administrative Terminology and Translation Problems", p. 223; Sarcevic, S. (2015). *Language and culture in EU law: Multidisciplinary perspectives*, Farnham, UK: Ashgate, p. 32.

⁴⁰ See Schroth, P.W. (1986): "Legal Translation". *American Journal of Comparative Law*. 34, suppl., p. 54.

⁴¹ Focsaneanu, L. (1971): "Les langues comme moyen d'expression du droit international". *Annuaire français de droit international*. 16, Paris, p. 290.

⁴² Williams, C. (2011). Legal English and plain English: An update. *ESP Across Cultures*, 8, 139–151. Retrieved from https://www.academia.edu/1619329/Legal_English_and_Plain_language_an_update.

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