

Book Review:

Alcaraz, E., & Hughes, B. (2002). *Legal Translation Explained*. Manchester: St. Jerome Publishing. ISBN: 978-1-900650-57-2.

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Abstract: This review critically examines *Legal Translation Explained* (2002) by Enrique Alcaraz and Brian Hughes, a seminal work in the field of legal translation. The book offers a comprehensive integration of linguistic, legal, and translational perspectives, positioning the translator as a bicultural and bilingual mediator. Structured around genre-based and functionalist principles, the book explores legal language, translation equivalence, legal systems, and text typologies, while providing practical strategies for addressing terminological, stylistic, and procedural challenges. This review analyzes the book's contribution to legal translation pedagogy and theory, highlighting its alignment with key frameworks such as Skopos theory, functional equivalence, and intercultural legal communication. The enduring relevance of the book is also evaluated in light of recent developments in legal translation studies.



Ultimately, the review argues that Alcaraz and Hughes's work remains an indispensable resource for both scholars and practitioners seeking to navigate the complexities of legal-linguistic mediation.

Keywords: legal translation; functional equivalence; Skopos theory; legal discourse; translation pedagogy; intercultural communication; Alcaraz and Hughes; bilingual competence.

Legal Translation Explained by Enrique Alcaraz and Brian Hughes is a foundational work in the field of legal translation, widely appreciated for its clarity, interdisciplinary integration, and enduring relevance. First published in 2002 by St. Jerome Publishing as part of the *Translation Practices Explained* series and now available under Routledge, the book represents a landmark in efforts to bridge the theoretical and professional dimensions of legal translation. Aimed at both novice translators and seasoned professionals, it succeeds in contextualizing the challenges of legal translation within both linguistic and legal paradigms. It offers an accessible yet rigorous analysis of how translators must mediate between legal systems, languages, and cultures in order to produce legally functional and linguistically sound translations.

The authors combine complementary expertise: Enrique Alcaraz was a renowned Spanish linguist and expert in English for Specific Purposes, while Brian Hughes brings the practical insight of a legal practitioner and translator. Together, they approach legal translation not merely as a language transfer activity but as a process involving complex decision-making, deep bicultural knowledge, and a strong grasp of legal institutions and discourse practices. Their central argument is that legal translators are not just linguistic intermediaries but cultural and juridical negotiators who must understand the source and target legal systems, adapt to differing discourse norms, and ensure that the translated document achieves an equivalent legal effect. This aligns closely with key principles advanced by legal translation theorists such as Susan Šarčević (1997), who emphasized the importance of functional equivalence and system-bound translation strategies, and Jean-Claude Gémar (1995), who underscored the role of the translator as an intercultural communicator between legal traditions.

The book opens with Chapter 1, which lays the linguistic foundation by examining the characteristics of legal English. Here, Alcaraz and Hughes (2002) dissect the syntactic and lexical features that distinguish legal English from general language, including its use of archaic terms (e.g., *hereto, aforementioned*), Latinisms (*habeas corpus, inter alia*), passive constructions, and nominalizations. These features, while promoting formality and precision, often impede readability and present translation difficulties, especially when the target language favors clarity or directness. The authors also introduce the impact of the Plain English movement, which seeks to make legal texts more transparent. The translator's task, they argue, is to balance fidelity to the formal, often traditional structure of legal discourse with an awareness of the communicative needs of the target legal culture. This tension – between tradition and transparency – is a recurring theme throughout the book and mirrors real-world challenges in legal drafting and translation.

Chapter 2 serves as the theoretical backbone of the book. It addresses one of the most debated concepts in translation studies: equivalence. Alcaraz and Hughes (2002) argue that in legal contexts, literal or formal equivalence is often unachievable or even misleading. Instead, what matters is functional equivalence: the target text must fulfill the same legal purpose and produce the same effect within the target legal system as the source text does in its original system. To illustrate this, the authors provide examples such as *consideration* in Anglo-American contract law, a concept without a direct civil law counterpart. The translator must understand the legal function of such a term and find a way to render it in the target language either through reformulation, explanation, or cultural substitution. The chapter draws on Skopos theory (Vermeer, 1989), particularly the idea that translation is purpose-driven, and aligns with Šarčević's model of legal-functional equivalence, reinforcing the notion that meaning in legal translation is context-dependent and deeply tied to institutional structures.

In Chapter 3, the authors shift to the importance of understanding the English legal system. This section is not merely descriptive but pedagogical: it explains the structural differences between statute law, common law, and equity, as well as the roles of judges, solicitors, and barristers. For translators, such knowledge is vital

because legal terms derive their meaning from these institutional contexts. For example, the term *injunction* carries a specific connotation within English equity law and cannot simply be rendered as a generic command or order in another language. Translators must know whether such remedies exist in the target legal system and how they are categorized. The authors stress that legal translators must engage in continuous comparative legal research to ensure terminological and functional accuracy.

Chapter 4 explores the procedural dimensions of law, focusing on the differences between civil, criminal, and administrative proceedings. This chapter is particularly valuable for translators dealing with case law, court documents, or litigation materials. The authors explain legal concepts such as *burden of proof*, *plea bargain*, and *judicial review* in terms of their procedural implications. For instance, *plea bargaining* is a cornerstone of many Anglo-American criminal systems but has no equivalent in inquisitorial legal systems, which prioritize judicial investigation over negotiation. Translators must decide whether to explain, paraphrase, or footnote such terms to preserve their function while ensuring comprehensibility in the target legal culture. This chapter implicitly reflects the influence of Bhatia's (2004) genre analysis, particularly in its attention to how legal actions are structured and understood differently across systems.

Chapters 5 and 6 are dedicated to legal genres. Chapter 5 addresses authoritative and institutional texts – statutes, court decisions, legal opinions – highlighting their rigid structure, hierarchical language, and prescriptive tone. Such texts resist stylistic modification and demand a high degree of fidelity. For instance, the translation of a statute must preserve its hierarchical syntax and often its impersonal voice, as these carry legal authority. Chapter 6 focuses on transactional and performative texts such as contracts, wills, deeds, and memoranda of understanding. These texts include formulaic language, boilerplate clauses (e.g., *severability*, *entire agreement clause*), and specific rhetorical structures. While some terms may have recognized equivalents (e.g., *force majeure*), others must be adapted according to local legal practice. The authors emphasize that translators must not only translate the words but also understand the legal operation of these documents in both source and target jurisdictions. These chapters

exemplify the interdisciplinary nature of legal translation, requiring a marriage of discourse analysis, translation theory, and legal pragmatism.

In Chapter 7, the authors address lexical challenges, including false friends, polysemous terms, and culturally embedded expressions. Terms like *execution* can refer to both the carrying out of a contract and the enforcement of a court order, or even capital punishment, depending on context. The translator must be attentive to such nuances and employ strategies such as disambiguation or clarification. The authors recommend the use of parallel corpora, bilingual legal dictionaries, and consultation with legal professionals. They illustrate how legal meaning is often unstable and contextually constructed, reinforcing the idea that legal translators must be adept at semantic analysis and contextual reasoning.

Chapter 8 turns to syntactic and stylistic issues. Legal English often favors long, embedded clauses, passive constructions, and impersonal phrasing to maintain neutrality and general applicability. However, target languages may prioritize brevity, clarity, or even active voice. Translators must make informed decisions about when to restructure sentences, how to maintain cohesion, and whether to prioritize readability or legal fidelity. The authors also address stylistic modulation and sentence segmentation, offering practical guidance for achieving textual coherence while respecting the rhetorical conventions of legal discourse in the target language. These discussions reflect current best practices in translator training, particularly as outlined by Kelly (2005) and the PACTE group (2005), who emphasize the importance of strategic and textual competence.

The book concludes by reaffirming its central premise: that legal translation is not a subordinate activity to law or linguistics, but a discipline in its own right, requiring specialized skills, theoretical insight, and a commitment to ongoing learning. Alcaraz and Hughes (2002) advocate a holistic view of the translator as a reflective practitioner who combines linguistic knowledge, legal understanding, and intercultural sensitivity. They urge translators to cultivate bicultural and bilingual awareness, echoing Gémar's (1995) claim that legal translators are architects of meaning who must ensure that legal texts are not only understood but also perform their intended legal functions.

Importantly, the authors present legal translation not as a mechanical task of equivalence substitution but as a dynamic, interpretive, and socially consequential act. The translator's decisions can influence legal outcomes, shape international relations, and affect real lives. This ethical and functional view of the translator's role is a powerful message that resonates throughout the book.

More than two decades after its initial publication, *Legal Translation Explained* remains a cornerstone of legal translation education. Its blend of theoretical rigor and practical insight continues to make it a key text in classrooms, training programs, and professional settings. Whether one is dealing with multilingual contracts, comparative legal analysis, or court document translation, this book equips readers with the tools and mindset required for excellence. It offers more than techniques; it offers an epistemological framework for understanding and practicing legal translation as a specialized, interdisciplinary, and deeply responsible endeavor.

Conflict of interest

The author declares that there is no conflict of interest.

AI Use statement

AI was not used in the paper.

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