

ALCARAZ VARÓ, Enrique and Brian HUGHES, *Diccionario de términos jurídicos*, 6th edition. Barcelona: Editorial Ariel. 2001. 723 pp. ISBN: 84-344-0520-2 (Hb).

In the process of translating a document written in English for the *Comisión Española de Ayuda al Refugiado*, for which I do volunteer work, I encountered some serious problems in the translation of various of the concepts included in the discussion of 'Exclusion Clauses'. The document in question deliberated on not only the various definitions of the terms 'refugees', 'acts constituting excludable crimes', 'breaches of the Geneva Convention', etc., terms with which I had already met in previous translations, but also with human rights issues that raised questions which spill over into other areas of substantive law (defining rights and duties), for example, cases also concerning criminal, tort, or administrative law (Dworkin 1985).

A review of the literature on translating applied to refugee or immigration procedures showed that very little work has been done in this area. There are a few documents which have been translated from English or French into Spanish (castellano), for instance, United Nations documents. As well, there are some documents on the web which can provide help, such as an interesting article, Immigration court terminology, written by Dagoberto Orrantia and also published in *Proteus* (Vol. VI, No. 4 - Fall 1997). He sends his readers to what he calls 'the most voluminous sample of current documents in English and Spanish', a 'series of press releases from the Immigration and Naturalization Service (<http://www.ins.usdoc.gov/>)'. Other useful web pages may be (www.derechos.org) (www.commissioner.coe.int), the Council of Europe page and (v2.vlex.com), although this latter site deals mostly with civil law.

And there has also been some early work carried out, along the lines of *English for Specific Purposes*, on legal language itself, but mostly in English. For instance, Danet (1980) examined lexical features characteristic of legal English. Among others, she found the following uses to be typical of legal language in general: 1) technical terms ('default'); 2) common terms with atypical meanings ('assignment' meaning 'the transfer of a right, interest or title', rather than 'a task set'); 3) words which are foreign, especially Latinate, and those which have archaic uses; 4) polysyllabic words with uncommon meanings ('divestment' of non-citizen status); 5) uncommon prepositional or adverbial groups which have the same meaning as other much more common words ('in the event of' meaning 'if'); 6) vagueness or lack of specificity ('..., the case for an individual's complicity in international crimes committed by his or her organization is stronger if the individual member in question holds a *position of importance* within the organization'); 7) the use of multiple negatives; and, 8) the use of combinations of words which might, or might not, have the same sense (usually combinations of English and French words, as in 'will and testament').

Some of the syntactic problems discussed by Danet (1980) include: 1) groupings of nominalizations; 2) the unusual placement of prepositional phrases; 3) lengthy sentences punctuated in uncommon fashion, such as five or six consecutive semicolons; 4) the use of many embedded clauses; 5) the use of reduced relatives in sequence; and, 6) in general, a lack of cohesion, because of the need to repeat specific anaphora ('the lessee ..., in the case that said lessee...').

All of these factors make legal language difficult to comprehend, and present even more problems when the translation is inverse, that is, in my case, from English into Spanish. To help solve some of these problems, there is an excellent Spanish-English dictionary of legal terms authored by two colleagues, Enrique Alcaraz Varó and Brian Hughes, from the University of Alicante. Now in its sixth edition, the *Diccionario de términos jurídicos* (Editorial Ariel, 2001), is a formidable tool.

The dictionary has two parts. The first, consisting of 419 pages, deals with English terms and their Spanish equivalents, while the second part, comprehending 305 pages, presents the Spanish terms and their English equivalents. The fact that the second section, Spanish to English, is shorter than the English to Spanish section may seem to be an inconvenience for the Spanish-to-English translator. However, because of its extensive explanations, this dictionary is a perfect companion for translation work both from and into Spanish. For example, in the translation of the term *carear*, as in *careo de testigos*, the entry for *carear* offers *confront*; when the translator checks the entry for *confront* in the English section of the dictionary, she finds a *nota bene* from the authors: 'The Spanish judicial tactic of confronting the accused with a hostile witness to check their versions of events against one another has no exact parallel in English law'. This type of note is a great aid, since it reassures the translator that she must look for a suitable phrase, understandable to the English-reading public, rather than try to search for an exact term, which, of course, does not exist.

In fact, the dictionary provides ample cross-references in both languages, thereby cutting down on translating time. In translating, from English into Spanish, a document about the citizenship laws in Latvia, I found in the source text the following terms: *alien*, *stateless person*, *naturalized citizen*, and *natural citizen*. The Spanish entry for *ciudadanía* covers three different related terms in Spanish: *ciudadanía*, *ciudadano nacionalizado o naturalizado* and *ciudadano por nacimiento*. In the English section, the dictionary gives for *citizenship* only two terms but also suggests, as further references, the terms *subject*, *naturalization*, and *registration*. By going to these entries, the translator is able to gather a range of possible terms from which a lexical choice can more correctly be made, and is, as well, made more aware of possible differences between some of the terms in the source and the target language.

Furthermore, many entries offer useful information as to what other terms may be used in contrast to the term being looked for. For example, for *naturalized citizen* the dictionary lists an opposite term, *V. natural-born citizen*. The dictionary also gives example sentences which help the translator to understand in which context particular terms might be used. For *prima facie*, the authors give the following example: 'The plaintiff built up a strong *prima facie* case suggesting that the defendant has dismissed him unfairly'.

The dictionary is equally helpful to the translator in cases in which, in one language, there is a term that might be thought to be translatable in the other language by any number of terms. This is the case with the Spanish term *sentencia*, which, mistakenly, a translator might believe possible to render as either *sentence* or *judgment*. The authors of the dictionary caution the translator against such inaccuracies. In the entry for *sentence*, they offer the following explanation: 'A diferencia de lo que ocurre

en español, la palabra *sentence* se emplea única y exclusivamente para designar la pena impuesta en juicios penales y, por tanto, *judgment* y *sentence* no son intercambiables’.

It is difficult to find fault with such an excellent tool, especially when there are few others that come up to its standards. However, for translating in the area of human rights issues, admittedly not the subject matter that the dictionary professes to cover, there are a few shortcomings. Although the dictionary includes many new terms, such as *hacking*, these usually do not concern areas such as human rights. One suggestion to improve the dictionary’s scope would be to include a glossary of commonly abbreviated terms, such as ACNUR-UNHCR, ONG-NGO and the names of tribunals. With the increasing immigrant population in Spain, there will surely be more and more need for translation terms concerning, for instance, the Geneva Convention, the Ley de Extranjería, and other documents referring to citizenship in Europe. The inclusion of these entries in new editions of this already useful dictionary would be of considerable help to both professional and volunteer translators.

REFERENCES

- Danet, B. (1980). Language in the legal process, *Law and Society Review*, 14: 445-564.
- Dworkin, R. (1985). *A Matter of Principle*. Cambridge, Mass: Harvard University Press.

JoAnne Neff van Aertselaer
Universidad Complutense