Ain Shams University

Faculty of Education

Department of Curriculum & Instruction

A Task-Based Program in International Legal English for Developing Law Students' Translation Skills of Legal Texts

A Dissertation
**Submitted for the PhD Degree in Education
(Curriculum & EFL Instruction)**

By
Sherine Mohamed Ali Khedr

Supervised by

Dr. Zeinab Ali El-Naggar	**Dr. Mohamed S. Abdel Wahab**
Professor Emeritus of TEFL	Professor of Private International Law
Faculty of Education,	Faculty of Law,
Ain Shams University	Cairo University

2017

Approval Sheet

Student Name: Sherine Mohamed Ali Khedr

Dissertation Title: A Task-Based Program in International Legal English for Developing Law Students' Translation Skills of Legal Texts

Degree: PhD Degree in Education (Curriculum & EFL Instruction).

Examination Date: 29/8/2017

The Dissertation was Examined and Approved by

No.   Committee

1. **Dr. Zeinab Ali El-Naggar**
   Professor Emeritus of TEFL, Faculty of Education, Ain Shams University (Chief and supervisor).

2. **Dr. Ahmed Abo El-Wafa Mohamed** Professor of Public International Law, Faculty of Law, Cairo University (examiner).

3. **Dr. Magdy Mahdy Ali** Professor of TEFL, Faculty of Education, Ain Shams University (examiner).

4. **Dr. Mohamed S. Abdel Wahab**
   Professor of Private International Law, Faculty of Law, Cairo University (supervisor).

Approval Seal

Approval of the Faculty Council on:

Approval of the University Council on:

بسم الله الرحمن الرحيم

قالوا

سبحانك لا علم لنا
إلا ما علمتنا إنك أنت
العليم الحكيم

صدق الله العظيم

Acknowledgements

Abstract

The present study attempts to examine the effect of an international legal English program within the paradigm of Task-based Language Teaching (TBLT) on developing law students' translation skills. One experimental group of 36 third-year law students of both genders participated in the study. A pre-post legal translation test of 5 translation tasks into Arabic and into English was prepared and administered to the experimental group. A task-based program of four task-based units that integrates the translation skills and varied types of legal texts was prepared and taught. Drawing on t-test at the 0.05 level of significance, the quantitative results of the study revealed statistical significant differences between the pre- and post-test mean scores of the experimental group in the legal translation skills in terms of the reading comprehension and legal writing skills. The qualitative results showed the type of translation (into Arabic or English) students performed better highlighting the best mastered translation skills and the types of translation deviations students made. The study concluded that the program was effective in developing law students' legal translation skills.

Key words: Task-based Instruction, Legal English, Legal translation skills, Legal texts.

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Chapter Four (Results and Discussion)

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List of Abbreviations

Abbreviation	Full Form
SL	Source Language
TL	Target Language
ST	Source Text
TT	Target Text
TBI	Task-based Instruction
TBLT	Task-based Language Teaching
EFL	English as a Foreign Language
ILEC	International Legal English Certificate

Introduction:

One of the recent effects of globalization is that law has spilled over its national borders creating new international settings and activities. Lawyers involved in international business and trade negotiations are often forced to use a foreign language, mainly English. Hence, English has become the lingua franca of the international legal community and the professional practice.

Recently, increased interest in legal translation has been noticed requiring a high level of subject matter expertise (Matulewska & Gortych-Michalak, 2014; Rodríguez-Castro & Sullivan, 2015). Legal translation has been of great demand because it permeates a huge majority of interactions and transactions that are carried out on a daily basis (McAuliffe, 2016). Legal texts are responsible for international communication at an institutional level (Laurea, 2012; Cao, 2014; Gotti, 2016).

Legal translation is seen as an inter-lingual, inter-legal, and inter-cultural communication (Cao, 2014). It is a functional style that contains a number of unusual features due to the unique combination of language and law (Laurea, 2012). Such combination has resulted in the relevant professional competencies and complexities where legal translators are often bewildered (Gotti, 2016). To this end, legal linguistics has shown that the transfer of information not only takes place within the context of legal systems, but also concerns two predominantly technical language systems (Hargitt, 2013).

Legal translators are formed and developed in several ways. Mainly, they are developed from lawyers who master a foreign language professionally. A non-lawyer will rarely read a contract or statute in

English and understand the meaning and consequences of every provision (Hargitt, 2013). The ideal legal translator is thus a comparative lawyer familiar with source and target languages and has a deep insight into the legal system of the country of the target language (McAuliffe, 2016). In this regard, Gémar (as cited in Pozzo & Jacometti, 2006) affirms that "the translator should combine the competence of the comparative jurist and the know-how of the linguist" (p. 77).

Practically speaking, lawyers and legal professionals dedicate themselves to law studies and in many cases do not have necessary knowledge, skills and talents to carry out translations of legal texts (Вернигорова, 2010). Yet, to become a legal translator, one has to study legal translation (Moreno, 2016). That is why, it is crucially important for law students and legal professionals to study not only the law and English as separate subjects, but take legal translation courses and practice in legal English (Melinda, 2013; Cao, 2014). The far more important issue is making lawyers more aware of the nature of the medium in which they operate. In order to work successfully – and internationally – any lawyer must not only have a good command of the English language (both general and legal), but also possess – at the very least – basic skills of legal translation (Künnecke, 2013; McAuliffe, 2016).

Legal translation prerequisites many different skills that are mainly centered on reading comprehension and writing skills (Robert, 2012; Goźdź-Roszkowski, 2016; Ruusila & Lindroos, 2016). Learners of translation are expected to be characterized with the ability to read with sufficient depth of comprehension in a foreign language, and the competence to write the target language correctly, clearly, economically and resourcefully (Amer, 2010). In line with this view, Rahemi (2013) and Gotti (2016) emphasize the central role of translators as 'readers' and

'writers' concluding that translators must call into play all the skills employed by competent readers in order to grasp and interpret the source text and must also possess the linguistic skills of writers when they produce the target text. Arguably, this ideal skills set is substantially unattainable in practice (Goddard, 2009). Mastering these skills require some innate abilities, which should be developed to the requisite standard in the educational process (Cao, 2014; Matulewska & Gortych-Michalak, 2014).

By the same token, numerous researchers have emphasized the difficult and synthetic character of legal translation. It is the translation of legal jargon between languages that results in arguably the most interesting problems in the realm of legal linguistics and translation (Hargitt, 2013). As far as legal translation between English and Arabic is concerned, researchers have documented a number of problems that arise when translating from English to Arabic and vice versa. Such problems are mainly related to long complex sentence structure, passive voice, modal verbs, and lack of conjunctive and cohesive relations (Zedan, 2015; Moreno, 2016); lexical repetition, archaic terms, syntactic complexity, and the necessity of qualifying the application of the legislative rules (Noman, 2014); old-fashioned adverbs, participles, and euphemisms (El-Farahaty, 2016). It goes without saying that the use of such features in scholarly legal writings and professional legal settings requires novice lawyers and law students to be trained in them (Matulewska & Gortych-Michalak, 2014).

Correspondingly, many institutions have tried to meet law students and novice lawyers' expectations. Educational institutions such as universities have reacted to the needs for legal translation courses. That is why more and more courses have been offered (Burukina, 2013; Hargitt,