

**Difficulties and Problems That Encounter BA Students at private  
Jordanian Universities when Translating Lexical Legal Terms**

الصعوبات والمشكلات التي يواجهها طلبة البكالوريوس في الجامعات الخاصة

الأردنية عند ترجمة المصطلحات القانونية المعجمية

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## Authorization

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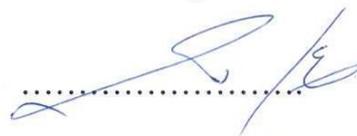
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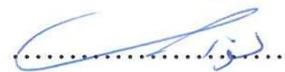
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## **Dedication**

*I dedicate this thesis to my parents: my father Issa EL-Sadik Ahmad who always supports me in my study and teaches me how to be a strong person and my mother Nouria who always stands beside me.*

*I dedicate this thesis also to the rest of my family and friends whom without them I wouldn't be here.*

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# **Difficulties and Problems That Encounter BA Students at Private Jordanian Universities when Translating Lexical Legal Terms**

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## **Abstract**

This study aims at investigating the problems and difficulties those BA students at private Jordanian universities encounter when translating lexical legal terms in order to know who has the higher proficiency males or females and to provide the right strategies and techniques to avoid these difficulties. The sample of this study is 50 undergraduate students (16 males) and (34 females) who are major in English and Translation. They were selected from three different private universities: (AL-Zaytoonah University), (Amman AL-Ahlyiah University) and (Middle East University). In order to achieve the goals of the study the researcher used two instruments: (a) translation test that includes 15 legal sentences, and (b) interviews with three experts in the field of teaching translation. The results of this study show that the students encounter a number of difficulties when translating lexical legal terms. These difficulties have to do with student's lack of knowledge of legal vocabularies, lack of knowledge of using translation techniques and methods in a correct way and lack of competence in understanding the meaning. The study recommends that students learn the right techniques to translate legal texts. It also shows that they should familiarize themselves with legal terms and legal texts in order to achieve high quality translation.

**Keywords: Lexical difficulties, Legal translation, Translation techniques, Legal terms.**

## الصعوبات والمشكلات التي يواجهها طلبة البكالوريوس في الجامعات الخاصة الاردنية عند ترجمة

### المصطلحات القانونية المعجمية

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الملخص

تهدف هذه الدراسة الى تحديد الصعوبات والمشكلات التي يواجهها طلبة البكالوريوس في الجامعات الاردنية الخاصة عند ترجمة المصطلحات القانونية المعجمية كما تهدف الى معرفة من هو الاكثر كفاءة الذكور ام الاناث، وماهي الأساليب والطرق لتغلب على هذه الصعوبات. تتكون عينة هذه الدراسة من 50 طالب بكالوريوس من تخصص اللغة الانجليزية والترجمة (16 من الذكور) و(36 من الاناث) تم اختيارهم من ثلاثة جامعات خاصة:(جامعة الزيتونة، جامعة عمان الاهلية، جامعة الشرق الاوسط).

ومن اجل تحقيق اهداف هذه الدراسة استخدم الباحث اذاتان اثنتان اجراء امتحان ترجمة تضمن 15 جملة قانونية. جراء مقابلات مع ثلاثة خبراء في مجال اللغة الانجليزية والترجمة من (الجامعة الاهلية والجامعة الزيتونة والجامعة العربية المفتوحة). وقد اوضحت نتائج هذه الدراسة ان الطلبة يواجهون صعوبات في ترجمة المصطلحات القانونية المعجمية وهذه الصعوبات هي قلة معرفة الطلبة للمصطلحات القانونية وقلة معرفتهم لاستخدام اساليب الترجمة وطرقها بشكل صحيح. وقد اوصت الدراسة انه يجب على الطلبة ان يتعلموا الاساليب الصحيحة في ترجمة النصوص القانونية وايضا اظهرت انه يجب عليهم معرفة المصطلحات والنصوص القانونية لكي يستطيعوا تحقيق مستوى عالي من الترجمة.

**الكلمات المفتاحية:** الصعوبات المعجمية، الترجمة القانونية، تقنيات الترجمة، المصطلحات القانونية.

## **Chapter one**

### **Introduction**

#### **1.0 Background of the study**

Our modern societies are in continuous change where everything is gaining more flexibility in terms of applications and theorizations. This applies to language. Languages worldwide are highly efficient tools in our lives especially in digesting the new changes in communities. Because of the cultural, religious and political development, new lexical terms are added to language and therefore to dictionaries. Therefore, students and language experts have to be updated with the latest change to keep pace with these changes. However, this development in language affects different users particularly translators who deal not only with lexical words but also with the cultural background of the terms which makes it harder to translators to digest these new changes.

Students of translation are the most affected by these developments. Students who deal with legal texts encounter difficulties during the process of translating. Legal translation subsumes different forms and categories such as contracts, agreements, UN (United Nations) resolutions and court proceeding, etc. In order to have an accurate and appropriate translation, the translator should translate the legal terms from the source language and transfer them to the target language (Cao, 2007).

In addition to that, the translator should be knowledgeable in register because having good knowledge of different types of registers can be very helpful. Halliday (1978, p.33) defined

register as "the language we speak or write which varies according to the type of situation". On the other hand, Weston defined registers as language varieties characterized i.e. by their "formal properties "grammar and lexis". (Weston, 1993, p.1).

Legal translation has boundaries in terms of the legal and cultural system that has been followed in different countries, which makes it difficult for the translator to reach a balanced equivalent text that gives a suitable meaning for each translated term. Therefore, translators should bear in mind the differences between languages concerned between English as Indo-European language and Arabic as Semitic language which belong to different language families, , thus translators who translate into Arabic face even more difficulties on different linguistic levels, such as terminological (i.e. Shari'a Law vs. Common Law terms), syntactic (i.e. modals and passive structures' incongruities), or textual (i.e. lexical repetition and punctuation marks). (Farhaty, 2016)

The English and Arabic legal systems are different because of the function and cultural background of each system. The legal English is linked to a common law where many terms of art can be understood through the common law background only. Legal Arabic depends heavily on Islamic law and Civil law, For example: Saudi Arabia uses the Qur'an and Prophetic tradition (*Sunnah*) form many aspects of life, where as Egypt follows both Islamic and Civil Law.(Triebel , 2009, P.49).

The English law is difficult because it contains archaic and Latin terms that Lawyers tend to use. Therefore the Old and Middle English words comprise a large part of the legal lexis.

They continue to be used in the English legal documents, in spite of the claims that they are replaced by simpler English terms.(Mellinkoff, 1963, p.13).

Due to this fact, legal translation is difficult especially for undergraduate students who have to deal with cultural difficulties, syntactic difficulties, and lexical difficulties. This study will investigate the difficulties and problems that face BA (Bachelor degree) students when translating lexical legal terms. The researcher has chosen this topic in order to show the difficulties when translating lexical legal terms. The researcher believes that lexical legal terms are difficult for students to translate so the researcher select this topic in order to find the reasons behind these difficulties and help them to avoid these difficulties by conducting a test that included lexical legal terms and gave it to the BA students, from their private universities to get the results from their translation.

### **1.1. Statement of the problem**

As mentioned earlier it can be seen that Legal translation has many difficulties and problems. Lexical problems are one of these difficulties that students often encounter. Therefore this study will investigate these difficulties and it will clarify and show the reasons behind these difficulties and problems that BA students at Jordanian private universities encounter when translating lexical legal terms. It will also explore who are the most competent in translation (males or females) and provide the strategies and techniques to avoid these difficulties.

### **1.2. Research Questions.**

In order to achieve the research objectives, this study will answer the following questions:

- 1- What are the difficulties that encounter BA students at Jordanian universities when translating lexical legal terms?
- 2- Who are the most competent in translating lexical legal terms (males or females)?
- 3- What are the techniques and strategies to overcome these difficulties?

### **1.3. Research Objectives.**

This study aims at the following:

- 1- Identify the difficulties that BA students encounter when translating lexical legal terms.
- 2- Determine who is the most competent in translating lexical legal terms (males or females).
- 3- Explore the techniques and strategies to overcome these difficulties.

### **1.4. Significance of the study**

This study is significant because few studies have explored the problems and difficulties of translating lexical legal terms. However, this study is different with respect to the sample, the method of investigation and the type of legal texts. This study will benefit students of translation and translators to overcome these problems and difficulties.

### **1.5 Delimitations of the Study**

This study was conducted in Amman Jordan during the second semester of the academic year 2016/2017. The Student test was conducted to three private universities, Amman AL-Ahlyyia University, AL- Zaytoonah University of Jordan and the Middle East University.

### **1.6 Limitations of the Study**

The findings of the study cannot be generalized to all BA students. They are limited to the sample of the study which is the second semester BA students of the academic year 2016/2017 in The Middle East University, Amman AL-Ahlyyia University and AL-Zaytoonah University. The results of the study are restricted to the instrument used in the study.

## 1.7. Definition of Terms

**Lexical Difficulties:** (Theoretically),it refers to the absence of equivalent terminology in the target languages, in this case demands constant comparison between the systems of the source language and the target language (El-Farahaty, 2016).(Operationally),They are defined as the difficulties that BA students encounter when translating lexical legal terms due to the lack of an equivalent term in the target language.

**Legal Translation:** (Theoretically), it is defined as one of the many branches of technical translation that deals with legal texts, which include, contracts, powers of attorney, agreements, constitutions, laws and regulations, etc. (Al Najjar, 2011).(Operationally) ,It is defined as the type of translation that involves translating legal-related documents and terms, where BA students encounter a number of difficulties when translating.

**Translation Techniques:** (Theoretically), it is defined as the linguistic procedures that aim to achieve equivalence during the process of translation and are evident in the translated text(Maruenda & Santaemilia, 2012).(Operationally) , they are defined as the techniques that the BA students can employ when translating lexical legal terms from the SL into the TL.

**Legal Terms:** (Theoretically) ,they are defined as a scarce collection of lexical terms that are not used outside of law matters. This group of terms usually include Old and Middle English words, and even Latin terms (Chromá, 2011).(Operationally) ,they are defined as the lexical terms that BA students encounter difficulties in translating from the SL into the TL.

## **Chapter Two**

### **Review of Literature**

#### **2.0 Introduction**

This chapter comprises two sections; the first is a brief review of the theoretical framework proposed by major scholars in the study field; and the second is a review of some empirical studies. These two sections will highlight three main headings 1- studies related to translation and legal translation. 2- Studies related to legal text and legal language 3- Problems related to the legal style and lexis.

#### **2.1 Review of Theoretical Studies**

##### **2.1.1 Studies related to translation and legal translation:**

Translation is a process we use to transfer the meaning from language to another language. Scholars have discussed this issue and came up with different point of views about translation. According to Nida (1964), in translation, there are two essential sorts of equivalence: (1) Formal equivalence which resembles semantic translation of Newmark, and (2) dynamic equivalence which resembles the communicative translation.

Ellis (1965) considers training in translation as an important issue to produce a positive transfer or a negative one. Expanding practice builds the positive exchange, and with little practice, negative exchange happens.

Bassnett (1980) presents the translation theory and the translation process where she tries to give translation the type of legacy it advocates through the type of translation input and the type of learning attitudes among translators and what strategies and important issues regarding the topic of translation study are all about. She maintained that the relatively recent acceptance of the term Translation Studies may perhaps surprise those who had always assumed that such a discipline existed already in view of the widespread use of the term 'translation', particularly in the process of foreign language learning.

Newmark (1988) states that there is a difference between translation methods and translation procedures. He explains that, translation methods deal with the whole texts, while translation procedures are used for smaller parts of language and sentences. He suggested two methods (semantic and communicative) from the following methods of translation:

**Word-for-word translation.** This described as an interlinear translation that exists among lines, where the SL word-order is very important to be preserved and the words translated singly by their most common meanings, out of context. Cultural words are translated literally. The advantages of this method is to understand the mechanics of the source language or to analyze difficult text as a pre-translation process.

**Literal translation.** Here the SL grammatical constructions are converted to their nearest TL equivalents, but the lexical words are again translated singly, out of context.

**Faithful translation .**It attempts to produce the precise contextual meaning of the original within the constraints of the TL grammatical structures.

**Semantic translation.** It differs from 'faithful translation' because it focuses on the aesthetic value and the rhetorical beauty of the SL text, emphasizing on 'meaning' where appropriate and how beautifies the meaning.

**Adaptation.** This is the freest form of translation; and is used mainly for plays (comedies) and poetry; the themes, characters, plots are usually preserved, and the SL culture is converted to the TL culture and the text is rewritten.

**Free translation.** It produces the TL text without the style, form, or content of the original.

**Idiomatic translation.** It reproduces the 'message' of the original but tends to distort nuances of meaning by preferring colloquialisms and idioms where these do not exist in the original.

**Communicative translation.** It attempts to render the exact contextual meaning of the original in such a way that both content and language are readily acceptable and comprehensible to the readership. (Newmark. 1988b: PP. 45-47).

Harvey (2002) and Sarcevic (2000) indicate that legal text is informative and a special text, that provides the reader with some information. Sarcevic adds an expressive classification to the legal text. Hence, a legal text would fall under informative texts category.

Sarcevic (2000) says that the right translation strategy is the one that could differentiate between literary and non-literary texts. Legal texts are classified as non-literary text; it needs neither creativity nor hermeneutics in translation. It is currently known as special-purpose texts. She categorizes the functional equivalence in legal texts into three group or levels: Near-Equivalence (NE), Partial Equivalence (PE) and Non-Equivalence (No.E).

Hatim, Buckley, and Shunnaq (1995) engage themselves with translating legal texts and their model, without stepping in the field of legal translation theory. Farghal and Shunnaq (1992) maintain that errors in translating a legal sentence in any contract could have a terrible consequence. They add that a number of considerations should be taken into account when translating the legal text. The focus of thought is on the system of culture's law, which means that the translation of legal text is limited to the culture of the SL and its suitability for the translated legal text in the TL. At its simplest level, it deals with the translation of legal documents such as rules and contracts. They continue, legal translation is one of the most complicated translations. It needs a professional consideration as it depends on the law's culture of the two languages. Any legal translator should have an understanding of the two cultures. Thus, in order to simplify the difficulty in legal translation between Arabic and English, academic research ought to be encouraged to shed light on the markedly sensitive nature of legal texts.

Trosborg (1994) and Garzone (2000) discuss the meaning of verb forms in legal speech acts from a translation perspective. Trosborg (1994) argues that the modal verb shall have an imperative meaning in the legal English language; while Garzone (2000) points that this modal alternatively have a performative meaning in legal texts depending on the context. Garzone emphasizes the significance of pragmatic considerations in settling on the right translation strategy to adopt.

Hatim and Meson(1999) suggest that the translator efforts may reflect the different researchable techniques, theories and other branches of literature or linguistics. They also try to strict the gap between the practice and theory in translation studies. They state that we are the prisoners of the language, through answering the question 'is translation impossible? They explained that in its strongest form, this linguistic determinism would suggest that we are, in fact, prisoners of the language we speak and incapable of conceptualizing in categories other than those of our native tongue. Actually, humans can be successful in learning the second language through achieving a high degree of competence, which means that translators can transfer the meaning from the (SL) to the (TL) successfully just because they can understand the meaning of the language. (pp 29-30).

Smith (1995) indicates that to achieve successful legal translation the translator should follow three prerequisites: The legal translator: Must (1) be competent in the target language specific legal writing style. (2) Possess familiarity with the relevant terminology; (3) must acquire a basic knowledge of the legal systems, both in the source language and the target language.

Geber (2005) suggests that there are various steps that the translator must follow before he starts of the process of translating 1-include the source text format, subject style, and text type. 2- Transfer the meaning of the source language in suitable target language structure and words. 3- Revise the first draft carefully to make sure that it is a good translation.

Qing-guang (2009) argues that the effect of the conceptual meaning of the original text affect the translation of the students, they may mistranslate the text. He explained that the translator should be knowledgeable in linguistics as well as in cognitive knowledge.

### **2.1.2 Studies related to legal text and legal language:**

Legal text and legal language are related to each other we cannot have a legal text without using legal words, so we cannot separate them. Scholars discuss them in various studies. According to Crystal and Davy (1969), the legal language is communicative. They explain the language of the legal text and assume that the words of the text needs a high degree of linguistic conservation to keep the instruction in them, e.g., police reports, court judgments, regulation and protocols, constitution, charters. According to them, the legal texts are predictable, formulaic and almost mathematic.

Vermeer (1982) supports the idea that legal criteria should be taken into account when selecting the most appropriate translation strategy since the legal text is linked and determined by legal context.

Bhatia (1994) points out that legal document are followed by the ‘cognitive structuring’ which focuses on the core propositions, along with all the conditions under which applies. They are presented as a single syntactic structure, often considered as great length and complexity.

Gibbons (2003) argues that most linguists believe that everyday conversation is the most fundamental form of the language, which is often referring to participants and actions around the speakers. Legal language plays an important role in the negotiation, construction, implementation of legal justice and interpretation.

Bouharaoui (2008) discusses that English legal text; it has own specific layout features when they are drafted, among which are paragraph indentation, division, punctuation, bold-typing, capitalization, and italicization.....etc. He states that the legal text has a function for each of these norms.

### **2.1.3 Problems related to the style and lexis:**

Style and lexis problems are included in different types of translation. Therefore, scholars mentioned them in their studies. According to Dijk (1985), the legal text has its own specific features such as lexical features which are characterized by common terms with uncommon meaning Syntactic features which are the grammatical properties with binary values, Prosodic features, that appear when we put sounds together in connecting speech.

Abu Al Haijaa (2007) indicates that translators face two main challenges: the lexis-related challenge (i.e referential aspect) and the structural- related challenge (stylistic aspect). He explains that the word just get the meaning within a specific context.

## **2.2. Review of Previous Studies**

This section sheds a spot of light on regional and international investigations related to the legal translation and lexical legal terms.

### **2.2.1 Studies related to legal translation problems:**

There are various researchers who investigated the use of legal translation and lexical problems and reached different results. Such as, Fargahal and Shunnaq (1992) who made a study which focus on the problematic areas encountered by MA students who wanted to translate a United Nation legal document. The sample is selected from Yarmouk University (May 1991).The students UN received a translation training they were allowed to use different references during their exam. The findings showed that the problematic area to them was related to layout (appearance of the text) and syntax (related to clause), tenor - related problems.

Abu-Ghazal (1996) aimed to highlight the linguistic and legal translation problems facing translators in general and M.A in particular. The sample was gives to 20 graduate translation students. Findings showed students problems divided into two categories: cohesion problems and lexis problems.

Ditlevesen and Engberg (2007) conducted a study discuss why the translation of high standardized legal texts was easy and difficult at the same time. The researcher analyzed some examples from Danish report to translate into English, then he evaluated them a word-for-word translation and compared the translation with other translation as a result, translators concluded that standardized legal texts may be easy if the translator takes the necessary time to make sure of his / her choices.

Biel (2008) described the ways used for equivalence in legal terms and how they are evolved. The researcher used an electronic tool (global translator community): a translator asked questions and received answers to her questions from other members. In most cases, the answers provided information on equivalent translation from relevant websites and dictionaries. As a result of the finding of the suitable equivalents of legal terms was a source of consort and time-consuming problems faced by legal translators in their practice.

Fakhouri (2008) conducted a study to show the role of pragmatic and functional considerations in legal translation. For carrying out the study, she chooses a group of graduate students studying applied Linguistics and Translation at An-Najah National University. She used a "Power of Attorney" text to be translated twice by the students from English into Arabic; once as a part of a Legal thriller novel and another as a classified newspaper advertisement. The study has shown that the application of pragmatic and functional perspectives to legal translation can provide valuable insights to the translator, reinforcing the premise that legal translation is essentially an act of communication.

Monzo (2009) did a research project to be carried out by a Spanish team, and aimed to highlight, describe and explain part of translation and interpreting field by focusing on the communication of law in official context. The interments were interviews and questionnaire. The sample was official and professional translators. The findings were that the translator must be knowledgeable of two languages to be able to solve problems.

Golvar (2009) examined in his research the relationship connection between the type of the two gender of the translator and the gender of the evaluator of the translation of that translator. He tested a sample which consisted of 60 participants, 30 males and 30 females to achieve good results. The test comprised of 20 questions about a chapter in a short story with three -multiple- choices answer. One related to translation of females and one translation of males and the other one was a wrong translation .The examined participants were requested to choose the appropriate translation that coordinates with their own translation if they were the translators. The results of the study revealed that there were no differences between the two genders' translation and attributed that to the easiness of the text used in the translation text.

Dweik & Suleiman (2013) explored the problems that Jordanian graduate students encounter when translating English culturally-bound expressions. 60 M.A graduate students were selected from three Jordanian universities. A translation test was given which comprises of 20 statements of culture-bound expressions based on Newmark's classification of cultural terms: collocations, idioms, and proverbs. The researcher also used interviews with experts in translation to have more extra facts about problems, reasons, and answers. The study discovered several kinds of translation problems such as the inability to give the right equivalence in the target language, and lack of knowledge of translation techniques and strategies.

## **Chapter Three**

### **Methods and Procedures**

#### **3.0. Introduction**

This chapter includes a general review of the methodology that the researcher followed in this study. The research adopted a quality and analytical approach which reflects the frequencies and percentages that used in the analysis. It will also explain how the test was carried out and how the data were analyzed. An analytical approach is going to be used to in order to reveal the percentages and frequencies resulting from the analysis of the data.

#### **3.1. Population and sample of the study**

The population of the current study consists of BA students majoring in English translation at the private universities. The sample was 50 undergraduate students majoring in translation summer course (2016-2017). It is classified into its demographic characteristics as reflowing tables show:

**Table (1)**

Demographic characteristics for the study sample

<b>Gender</b>	<b>Sample</b>	
	<b>Frequency</b>	<b>Percentage</b>
Male	16	32%
Female	34	68%
<b>Total</b>	50	100%

Table (1) shows that the percentage of males (32.0%) and the percentage of females (68.0%)

**Table (2)**

## Demographic Characteristics of the Sample (University)

University	Sample	
	Frequency	Percentage %
AL-Zaytoonah University	25	50%
Middle East University	15	30%
Amman AL-Ahlyiah University	10	20%
<b>Total</b>	50	100%

Table 2 shows the variable percentage that each and every university has achieved according to the selected sample. It shows that the (AL-Zaytoonah University) achieved (50 %), and (Amman AL-Ahlyiah University) achieved (30%) and (The Middle East university) (20%).

## **3.2. Research Instruments**

To achieve the goals of this study, the researcher used analytical approach to collect and analyze the data and later on to present the results.

### **3.2. 1 Research test**

The researcher has designed a test and gave it to 50 undergraduate students after achieving its validity and reliability. The test consists of 15 different lexical legal sentences for translating from English into Arabic .The sentences were suitable for different student levels. The aim of the test is to measure the amount and kind of difficulties that translation students face in translating lexical legal terms. In the test, the researcher has used different measurements applied through sentences to measure student's knowledge of lexical legal terms, their ability to process the differences of terms among the two languages and to explore the students' use of diverse translation techniques.

### **3.2.2 Interviews**

The researcher has made interviews with three experts in the field of teaching English and translation. The interviews included four questions related to the objective of this study. The researcher introduces herself and her research subject. This technique would help the researcher to prove the results and to collect more information about this study.

### **3.2.3 Validity of the instruments**

The test was given to experts to judge the extent to which the test is valid and reliable. For this reason, the test was designed to meet such requirements of the validity of the test.

### 3.2.4 Reliability of instruments

To reach a degree of reliability of the test, the researcher has used test and retest to different group of students. The test and retest had the same characteristics, in order to know if the students achieve stability. After that the test was conducted again for the same participants. The results were compared and to ensure test stability. The stability revealed in table (3) (Cronbach's alpha): **Cronbach's alpha** is the trivial name used for tau-equivalent reliability as a (lower bound) estimate of the reliability.

**Table (3)**

#### **Cronbach's alpha for the study field's**

<b>Field number</b>	<b>Field</b>	<b>Value of (<math>\alpha</math>)</b>
1	Total	<b>0.862</b>

Table 3 shows that the total of Cronbach's alpha for the study fields was high values; this will lead to the stability of the results for this study.

### **3.3 Data collections:**

Research data were collected from printed books, articles, dictionaries and studies related to the statement of the problem. The sample consisted of 50 undergraduate students selected from three private universities: Amman AL-Ahalyia University and AL-Zaytoonah University and Middle East University.

### **3.4 Procedures of the study**

The researcher followed the steps below in conducting the study:

- 1- Reviewing the theoretical literature and empirical studies related to the issue under investigation.
- 2- Developing the instrument: Test submitted to university professors to achieve their validity.
- 3- Taking into consideration the committee comments.
- 4- Identifying the population and sample of the study.
- 5- Preparing the test.
- 6- Establishing the validity and reliability of the designed test.
- 7- Obtaining a permission letter from the Middle East University to facilitate the research.
- 8- Analyzing and interpreting data the results of which will be illustrated via tables and discussion.
- 9- Presenting the results of the test.
- 10- Findings will be presented in tables and results will be discussed by referring to the studies mentioned in literature reviews.
- 11- Drawing conclusion, and providing recommendation and suggestions for further studies.
- 12- All references were listed according to APA.

## **Chapter Four**

### **Results of the Study**

#### **4.0 Introduction:**

This chapter aims to show and explain the results of the questions that were raised in this study. It also aims to analyze the data and to explore the difficulties that BA students encounter when translating lexical legal terms. The questions of the study are the followings:

**Question 1: What are the difficulties that encounter BA students at Jordanian private universities when translating lexical legal terms?**

To answer this question, results of students' performance in the test are submitted in table (4) below. The answers are classified into four categories: correct answer (CA), acceptable answer (AT), wrong answer (WT) and no answer (NT). At the end of the chapter researcher adds more results and information from interviewing experts in the field of translation.

Table (4)

## Results of students

NO	Statement	ANWERS				Difficulty
		CT	AT	WT	NT	%
1	All such payments shall be made to <u>Landlord</u> at <u>Landlord's</u> address as set forth in the <u>preamble</u> to this <u>Agreement</u> on or before the due date and without demand.	23	8	19	0	38%
2	<u>Tenant</u> shall make no alterations to the buildings or improvements on the Premises or construct any building or make any other improvements on the Premises without the prior written consent of <u>Landlord</u> .	29	4	15	2	34%
3	Husband shall pay to Wife <u>spousal support</u> in the sum of 100jd	30	9	11	0	22%
4	<u>Tenant</u> shall <u>comply</u> with any and all laws, ordinances, rules and orders of any and all governmental or <u>quasi-governmental</u>	11	24	10	5	30%

	<u>authorities</u> affecting the cleanliness, use, occupancy and preservation of the <u>Premises</u> .					
5	<u>The parties</u> here to agree as follow.	15	4	29	2	62%
6	<u>Hereinafter</u> referred to as wife.	38	1	9	2	22%
7	The total rent for the term <u>hereof</u> is the sum of 100jd.	10	16	22	2	48%
8	The <u>Lessee</u> shall pay to the <u>Lessor</u> at the office of the <u>Lessor</u> .	40	4	3	3	12%
9	Every fault which causes <u>damage</u> to another <u>obliges</u> that who has committed this fault to repair it.	2	28	17	3	40%
10	No one shall be <u>presumed guilty</u> of a criminal <u>offence</u> .	2	19	24	5	58%
11	Before a <u>judgment</u> of <u>conviction</u> has entered into force with regard to him or her.	4	13	22	11	66%
12	It is the case when somebody gives <u>authority</u> to another to act in his name as his <u>agent</u> .	12	11	17	10	54%

13	If a <u>provision</u> is not included <u>therein</u> , then reference shall be made to the <u>Civil Code</u> , otherwise <u>provisions</u> of commercial <u>practice</u> , and <u>guidance by judicial, jurisprudent interpretation</u> and <u>equality principles</u> shall be applied.	15	5	8	22	60%
14	So long as <u>the Loan Agreement</u> is in effect the warranties <u>herein</u> shall be true and correct.	1	1	35	13	96%
15	The <u>contractor</u> shall not assign the Contract or any part <u>thereof</u> or benefit or interest <u>therein</u> without the <u>prior consent</u> of the Employer.	3	3	29	15	88%

As it can be seen from the above table that the statement No (14) which is " So long as the Loan Agreement is in effect the warranties herein shall be true and correct.." Ranked first with a difficulty level that reached up to (96%) and the statement No (8) which is "The Lessee shall pay to the Lessor at the office of the Lessor" ranked last with a difficulty level up to (12%).

**Statement No (1)**

<b>Statement</b>	All such payments shall be made to Landlord at Landlord's address as set forth in the preamble to this Agreement on or before the due date and without demand.							
<b>Answer</b>	يجب تقديم جميع هذه الدفعات إلى صاحب العقار على عنوانه الوارد في مقدمة هذه الاتفاقية في الموعد المحدد أو قبل ذلك ودون أن يطلب ذلك.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	Freq	Percentage	Freq	Percentage	Freq	Percentage	freq	Percentage
<b>Male</b>	4	8%	2	4%	10	20%	0	0%
<b>Female</b>	19	38%	6	12%	9	18%	0	0%
<b>Total</b>	23	46%	8	16%	19	38%	0	0%

This statement shows that only (23) students (46%) provided the correct translation (4) males (8%) and (19) females (38%). Meanwhile, (8) of the respondents (16%) rendered an acceptable translation: (6) females (12%) and (2) males (4%). Only (19) students (38%) provided wrong answers: (10) males (20%) and (9) females (18), while (0) students (0%) provided no answer.

**Statement No (2)**

<b>Statement</b>	Tenant shall make no alterations to the buildings or improvements on the Premises or construct any building or make any other improvements on the Premises without the prior written consent of Landlord.							
<b>Answer</b>	يجب على المستأجر عدم القيام بأي تغييرات على المباني أو عمل تحسينات على الموقع أو تشييد أي بناء أو عمل أي تحسينات أخرى على الموقع دون موافقة خطية مسبقة من صاحب العقار.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	Freq	Percentage	Freq	Percentage	Freq	Percentage	Freq	Percentage
<b>Male</b>	7	14%	2	4%	7	14%	0	0%
<b>female</b>	22	44%	2	4%	8	16%	2	4%
<b>Total</b>	29	58%	4	8%	15	30%	2	4%

This statement shows that (29) students (58%) provided the correct translation (7) males (14%) and (22) females (44%). Meanwhile, (4) of the respondents (8%) rendered an acceptable translation (2) females (4%) and (2) males (4%). Only (15) students (30%) provided wrong answers: (7) males (14%) and (8) females (16%) while (2) students (4%) provided no answer (0) males (0%) and (2) females (4%).

**Statement No (3)**

<b>Statement</b>	Husband shall pay to Wife spousal support in the sum of 100jd							
<b>Answer</b>	يدفع الزوج إلى الزوجة نفقة مقدارها 100 دينار أردني.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	Freq	Percentage	Freq	Percentage	freq	Percentage	Freq	Percentage
<b>Male</b>	11	22%	3	6%	2	4%	0	0%
<b>female</b>	19	38%	6	12%	9	18%	0	0%
<b>Total</b>	30	60%	9	18%	11	22%	0	0%

This statement shows that only (30) students (60%) provided the correct translation (11) males (22%) and (19) females (38%). Meanwhile, (9) of the respondents (18%) rendered an acceptable translation: (6) females (12%) and (3) males (6%). Only (11) students (22%) provided wrong answer: (2) males (4%) and (9) females (18) while (0) students (0%) provided no answer.

**Statement NO (4)**

<b>Statement</b>	Tenant shall comply with any and all laws, ordinances, rules and orders of any and all governmental or quasi-governmental authorities affecting the cleanliness, use, occupancy and preservation of the Premises.							
<b>Answer</b>	يلتزم المستأجر بأي وكافة القوانين والمواثيق والقواعد والقرارات الصادرة عن أي وكافة الجهات الحكومية أو شبه الحكومية فيما يتعلق بنظافة الموقع واستخدامه وإشغاله والحفاظ عليه.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	Freq	Percentage	Freq	Percentage	freq	Percentage	Freq	Percentage
<b>Male</b>	5	10%	7	14%	3	6%	1	2%
<b>female</b>	6	12%	17	34%	7	14%	4	8%
<b>Total</b>	11	22%	24	48%	10	20%	5	10%

This statement shows that (11) students (22%) provided the correct translation (5) males (10%) and (6) females (12%). Meanwhile, (24) of the respondents (48%) rendered an acceptable translation: (7) females (14%) and (17) males (34%). Only (10) students (20%) provided wrong answer: (7) males (14%) and (3) females (16%) while (5) students (10%) provided no answer (1) males (2%) and (4) females (8%).

**Statement No (5)**

<b>Statement</b>	The parties here to agree as follow.							
<b>Answer</b>	يوافق الطرفان في هذه الاتفاقية على ما يلي:							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	Freq	Percentage	Freq	Percentage	freq	Percentage	freq	Percentage
<b>Male</b>	2	4%	2	4%	11	22%	1	2%
<b>female</b>	13	26%	2	4%	18	36%	1	2%
<b>Total</b>	15	30%	4	8%	19	58%	2	4%

This statement shows that (15) students (30%) provided the correct translation (2) males (4%) and (13) females (26%). Meanwhile, (4) of the respondents (8%) rendered an acceptable translation: (2) females (4%) and (2) males (4%). Only (19) students (58%) provided wrong answer: (11) males (22%) and (18) females (36%) while (2) students (4%) provided no answer (1) males (2%) and (1) females (2%).

**Statement No (6)**

<b>Statement</b>	Hereinafter referred to as wife.							
<b>Answer</b>	يشار اليها فيما يلي بالزوجة.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	Freq	Percentage	Freq	Percentage
<b>Male</b>	13	26%	1	2%	2	4%	6	12%
<b>female</b>	25	50%	0	0%	7	14%	2	4%
<b>Total</b>	38	76%	1	2%	9	18%	8	16%

This statement shows that (38) students (76%) provided the correct translation (13) males (26%) and (25) females (50%). Meanwhile, (1) of the respondents (2%) rendered an acceptable translation: (1) females (2%) and (0) males (0%). Only (9) students (18%) provided wrong answer: (2) males (4%) and (7) females (14%) while (8) students (16%) provided no answer (6) males (12%) and (2) females (4%).

**Statement No (7)**

<b>Statement</b>	The total rent for the term hereof is the sum of 100jd.							
<b>Answer</b>	يكون إجمالي مبلغ الإيجار عن المدة المحددة هنا هو 100 دينار أردني.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	freq	Percentage	freq	Percentage
<b>Male</b>	5	10%	3	6%	8	16%	0	0%
<b>female</b>	5	10%	13	26%	14	28%	2	4%
<b>Total</b>	10	20%	16	32%	22	44%	2	4%

This statement shows that (10) students (20%) provided the correct translation (5) males (10%) and (5) females (10%). Meanwhile, (16) of the respondents (32%) rendered an acceptable translation: (13) females (26%) and (3) males (6%). Only (22) students (44%) provided wrong answer: (8) males (16%) and (14) females (28%) while (2) students (4%) provided no answer (0) males (0%) and (2) females (4%).

**Statement No (8)**

<b>Statement</b>	The Lessee shall pay to the Lessor at the office of the Lessor.							
<b>Answer</b>	يدفع المستأجر إلى المؤجر في مكتب المؤجر.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	freq	Percentage	Freq	Percentage
<b>Male</b>	13	26%	2	4%	1	2%	0	0%
<b>female</b>	27	54%	2	4%	2	4%	3	6%
<b>Total</b>	40	80%	4	8%	3	6%	3	6%

This statement shows that (40) students (80%) provided the correct translation (13) males (26%) and (27) females (54%). Meanwhile, (4) of the respondents (8%) rendered an acceptable translation: (2) females (4%) and (2) males (4%). Only (3) students (6%) provided wrong answer: (1) males (2%) and (2) females (4%) while (3) students (6%) provided no answer (0) males (0%) and (3) females (6%).

**Statement No (9)**

<b>Statement</b>	Every fault which causes damage to another obliges that who has committed this fault to repair it.							
<b>Answer</b>	يلتزم من ارتكب أي خطأ نتج عنه ضرر على الآخر بالتعويض عن هذا الخطأ.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	Freq	Percentage	Freq	Percentage	freq	Percentage	freq	Percentage
<b>Male</b>	0	0%	10	20%	6	12	0%	0%
<b>female</b>	2	4%	18	36%	11	22	3%	6%
<b>Total</b>	2	4%	28	56%	17	34	3%	6%

This statement shows that (2) students (4%) provided the correct translation (0) males (0%) and (2) females (4%). Meanwhile, (28) of the respondents (56%) rendered an acceptable translation: (18) females (36%) and (10) males (20%). Only (17) students (34%) provided wrong answer: (6) males (12%) and (11) females (22%) while (3) students (6%) provided no answer (0) males (0%) and (3) females (6%).

**Statement No (10)**

<b>Statement</b>	No one shall be presumed guilty of a criminal offence.							
<b>Answer</b>	ينبغي عدم الافتراض بأن الشخص مذنب بجنحة جنائية.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	Freq	Percentage	Freq	Percentage	freq	Percentage	Freq	Percentage
<b>Male</b>	0	0%	5	10%	11	22%	0	0%
<b>female</b>	2	4%	14	28%	13	26%	5	10%
<b>Total</b>	2	4%	19	38%	24	48%	5	10%

This statement shows that (2) students (4%) provided the correct translation (0) males (0%) and (2) females (4%). Meanwhile, (19) of the respondents (38%) rendered an acceptable translation: (14) females (28%) and (5) males (10%). Only (10) students (20%) provided wrong answer: (7) males (14%) and (3) females (16%) while (5) students (10%) provided no answer (1) males (2%) and (4) females (8%).

**Statement No (11)**

<b>Statement</b>	Before a judgment of conviction has entered into force with regard to him or her.							
<b>Answer</b>	قبل دخول الحكم بإدانتته أو إدانتها حيز التنفيذ.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	freq	Percentage	freq	Percentage
<b>Male</b>	2	4%	6	12%	8	16%	0	0%
<b>female</b>	2	4%	7	14%	14	28%	11	22%
<b>Total</b>	4	8%	13	26%	22	44%	11	22%

This statement shows that (4) students (8%) provided the correct translation (2) males (4%) and (2) females (4%). Meanwhile, (13) of the respondents (26%) rendered an acceptable translation: (7) females (14%) and (6) males (12%). Only (22) students (44%) provided wrong answer: (14) males (28%) and (8) females (16%) while (11) students (22%) provided no answer (0) males (0%) and (11) females (22%).

**Statement No (12)**

<b>Statement</b>	It is the case when somebody gives authority to another to act in his name as his agent.							
<b>Answer</b>	في حالة قيام شخص ما بإعطاء شخص آخر صلاحية التصرف نيابة عنه.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	freq	Percentage	Freq	Percentage
<b>Male</b>	7	14%	1	2%	7	14%	1	2%
<b>female</b>	5	10%	10	20%	10	20%	9	18%
<b>Total</b>	12	24%	11	22%	17	34%	10	20%

This statement shows that (12) students (24%) provided the correct translation (7) males (14%) and (5) females (10%). Meanwhile, (11) of the respondents (22%) rendered an acceptable translation: (10) females (20%) and (1) males (20%). Only (17) students (34%) provided wrong answer: (7) males (14%) and (10) females (20%) while (10) students (20%) provided no answer (1) males (2%) and (2) females (18%).

**Statement No (13)**

<b>Statement</b>	If a provision is not included therein, then reference shall be made to the Civil Code, otherwise provisions of commercial practice, and guidance by judicial, jurisprudent interpretation and equality principles shall be applied.							
<b>Answer</b>	في حال عدم شمول حكم هنا فينبغي الرجوع إلى القانون المدني وخلافا لذلك تنطبق أحكام الممارسات التجارية والتوجيهات الواردة في التفسيرات القضائية أو الفقهية ومبادئ المساواة.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	freq	Percentage	Freq	Percentage
<b>Male</b>	6	12%	1	2%	2	4%	7	14%
<b>female</b>	9	18%	4	8%	6	12	15	30%
<b>Total</b>	15	30%	5	10%	8	16	22	44%

This statement shows that (15) students (30%) provided the correct translation (6) males (12%) and (9) females (18%). Meanwhile, (5) of the respondents (10%) rendered an acceptable translation: (4) females (8%) and (1) males (2%). Only (8) students (16%) provided wrong answer: (2) males (4%) and (6) females (12%) while (22) students (44%) provided no answer (7) males (14%) and (15) females (30%).

**Statement No (14)**

<b>Statement</b>	So long as the Loan Agreement is in effect the warranties herein shall be true and correct.							
<b>Answer</b>	تظل الضمانات الواردة هنا سارية المفعول طوال مدة سريان اتفاق القرض.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	freq	Percentage	freq	Percentage
<b>Male</b>	0	0%	0	0%	13	26%	3	6%
<b>female</b>	1	2%	1	2%	22	44%	10	20%
<b>Total</b>	1	2%	1	2%	35	70%	13	26%

This statement shows that (1) students (2%) provided the correct translation (0) males (0%) and (1) females (2%). Meanwhile, (1) of the respondents (2%) rendered an acceptable translation: (1) females (2%) and (0) males (0%). Only (35) students (70%) provided wrong answer: (13) males (26%) and (22) females (44%) while (13) students (26%) provided no answer (3) males (6%) and (10) females (20%)

**Statement No (15)**

<b>Statement</b>	The contractor shall not assign the Contract or any part thereof or benefit or interest therein without the prior consent of the Employer.							
<b>Answer</b>	لا يجوز للمقاول التنازل عن العقد أو أي جزء أو منفعة أو مصلحة دون موافقة مسبقة من صاحب العمل.							
<b>Gender</b>	<b>Correct Answer</b>		<b>Acceptable Answer</b>		<b>Wrong Answer</b>		<b>No Answer</b>	
	freq	Percentage	Freq	Percentage	freq	Percentage	Freq	Percentage
<b>Male</b>	0	0%	0	0%	13	26%	3	6%
<b>female</b>	3	6%	3	6%	16	32%	12	24%
<b>Total</b>	3	6%	3	6%	29	58%	15	30%

This statement shows that (3) students (6%) provided the correct translation: (0) males \and (3) females (6%). Meanwhile, (3) of the respondents (6%) rendered an acceptable translation: (3) females (6%) and (0) males (0%). Only (29) students (58%) provided wrong answer: (13) males (26%) and (16) females (32%) while (15) students (30%) provided no answer (3) males (6%) and (12) females (24%).

The findings of this question were also concluded from interviews with three experts in the field of translation.

The first expert was Dr-Suleiman AL-Abbas from ALArabyia Open University whose experience in the field of teaching translation's more than 38 years. He stated that the most common difficulties that B.A students encounter when translating lexical legal terms can be summed up in the following points:

1. The students background in the legal language is not of a good standard. The language of law is even difficult in Arabic as a mother tongue because it may have many different meanings and it can be easily understood properly by those who are involved in the legal field. In this case, it will be difficult to transfer the text which is not well-understood into another language such as English.
2. There are many words and expressions that have different meanings in the legal English which can be understood by experience. Even legal dictionaries may not show the difference. For example, the words shall and may that have the meaning of سوف وربما في النصوص العامة have the sense of obligation in the legal texts and they are translated into على المستأجر أن يدفع.....

The second expert was Dr-Amna ALSaleh from ALZaytouna University whose experience in the field of teaching translation's more than 40 years. She stated that the most common difficulties that encounter students when translating lexical legal terms are 1- the differences between countries she argues that each country has its unique legal systemand, consequently, legal terms. So many SL expressions may not have precise equivalents in the TL. 2- Legal terms and expressions are fixed and need to be memorized. 3- Redundancy, synonymy and repetition are stylistic features of legal texts. She added that the reasons behind these difficulties are, firstly, the difference between cultural backgrounds of the SL and the TL,

secondly, the lack of command of the TL, thirdly, the lack of knowledge about the legal system in general, and fourthly, the lack of practice.

The third expert was Dr- Bader Dweik from Amman ALAhlyia University his experience in the field of teaching English and the field of translation' more than 35 years. He stated that there are several difficulties that encounter BA students when translating lexical legal terms 1- (linguistic and non linguistic).2- misusing the translation means such as translating by using (Google translator). He added that the reasons behind these difficulties are 1-The lack of knowledge of legal language and weak legal background.2- the lack of competence of legal language vocabulary.3- the using of wrong translation methods such as word by word translation.4-translating out of context.

## Q2: who are the most competent in translating lexical legal terms Males or Females?

T-test analysis used to know the differences between the pair groups as shown in the table below:

**Table (5)**

Results of the T-Test Analysis differences between the pair groups

Test	gender	Mean	Std. Deviation	T	Sig.
Difficulties that BA students encounter when translating lexical legal terms.	Male	26.1875	3.95337	.605	.630
	female	25.1765	7.86427		

Table (5) shows the means and SD of both males and females. The table illustrates that there is no significant difference due to the gender.

The three experts note that the performance of students depends on the standard of linguistic proficiency, students' efforts and experience.

### **Q3.what are the right techniques and strategies to overcome these difficulties?**

The results of this question were revealed from the interviews of the three experts that mentioned earlier. According to Doctor Sulimen Al-Abbas the following solutions may help in overcoming the difficulties:

1-The students need to read as much as they can in the field of law in both languages (in our case English and Arabic) to get a wide background in the field.

2-They need to practice translation in the field as much as they can, and not to feel worried about the mistakes they may commit. To know their mistakes, they have to consult someone has a good experience in the field to draw their attention to their mistakes.

3-To practice this skill more and more, they may resort to good translations of legal texts. They can translate the texts by themselves, and then check the good translation to know their mistake. There are many books that include good translation texts on which they can rely on.

4-Modern technology can help a lot in solving these problems encounter, but this depends on the ability of the student to know the mistakes. For example, when a student resorts to machine translation, he must have be competent to edit the translation, which may include many mistakes that may be committed in machine translation. Also, when they resort to dictionaries, printed or electronic, they must have the ability to select the meaning which is the most suitable to the context.

Dr-Amna ALSaleh states that improve of translation and legal translation can be better accomplished by people who are specialized in the field. She adds that technology can help as long as one can use it professionally.

Dr- Bader Dweik states that to solve the difficulties of translating lexical legal terms students should practice, should read more legal text and use dictionaries that specialize in the legal field.

## **Chapter Five**

### **Discussion, Conclusion and Recommendations**

#### **Introduction:**

This chapter introduces a short summary and discussion of the findings of the study. It presents the problems and difficulties that BA students encounter when translating lexical legal terms through explaining the questions of the study. It also includes the opinions and studies from the literature review. It will also include suggestions and recommendations for further studies.

#### **5.1 Discussion of the Results of Question One**

##### **Q1. What are the difficulties that encounter BA students at Jordanian universities when translating lexical legal terms?**

The results of this question showed that students have difficulties when translating lexical legal terms or legal sentences due to their lack of knowledge, especially in legal terminology. They mistranslated legal sentences and legal terms because of their lack of competence of the legal text and because they were affected by the conceptual meaning of the original text. Also, due to their lack of using translation techniques and legal vocabulary, they often uses word-by-word translation, which is definitely wrong in translating legal texts. Therefore, the students have problems in differentiating between the using of translation methods and translation techniques; they also have problems of achieving the right equivalent term which makes them face difficulties in translating legal texts.

The results of this question agree with Qing-guang (2009) who argues that students mistranslate texts because they are affected by the conceptual meaning of the original text. Also agree with Dweik & Suleiman (2013) who state that students' mistranslation is due to their lack of knowledge of translation techniques and strategies. The problems of lexical legal terms also occur due to the misuse of dictionaries. Students often tend to use dictionary when they translate any text without giving any attention to the topic or the terminology of the text and as we know legal terminology has its own specific terms which require special English language dictionaries. These results also agree with Abu-Ghazal (1996) who says that lexis problems are one of the legal translation problems.

## **5.2 Discussion of the Results of Question Two**

### **Q2: Who is more competent in translating lexical legal terms (males or females)?**

The results of this question show that there is no significant difference between females and males. However, the performance of students depends on the standard of linguistic proficiency, student's efforts and experience. These results agree with Golvar (2009) who describes the relation between the performance of the translator and gender, and who discovered that there are no differences between genders in translation.

### **5.3 Discussion Related to the Results of Question Three**

#### **Q3.what are the right techniques and strategies to avoid these difficulties?**

The results of this question showed that the right techniques and strategies to avoid or solve these difficulties are 1- Students should use the borrowing technique, legal translation borrowed several terms from archaic and Latin languages.2-They should use the Functional Equivalence strategy this strategy uses the TL legal concept, the function of which is similar to that of the SL legal concept. Some researchers regard this strategy as an ideal strategy for translation. 3- They should practice on translating legal text.4- students should read and know more about legal language and cultural background of the SL and TL.5- Students should know more about translation methods and what is the right method that they have to use when they translate legal text. 6- Students should memorize the vocabulary of legal terminology because it's fixed.7- the students should use dictionaries specialized in legal terminology.

## **5.5 Conclusion**

The results of this study show that the test indicates that the students at private Jordanian universities encounter difficulties and problems when translating lexical legal terms. In fact these difficulties are encountered due to the students lack of knowledge; their knowledge is poor in the legal terminology and in the cultural background of the TL and SL. Students tend to use wrong translation methods and they are affected by the conceptual meaning of the original text which makes them mistranslate the text. In addition to that the study shows that there is no difference between students (males or females) performance. To avoid these difficulties students should 1- practice 2- read 3- memorize legal vocabulary, and use the right method.

## **5.6 Recommendation for Future Research**

- Students must have knowledge about using translation techniques and methods and know how to differentiate between them.
- Students should know that legal translation has its specific terms and they should use dictionaries specialized in legal vocabularies.
- Students should be qualified in English language.
- Students should be competent in understanding the text.
- They should learn more about legal language background and its terminology.
- They should learn how to use the right technique when translating legal text.
- They should familiarize with legal text and terms in order to achieve high quality of competence.

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Garzone, G. (2000). 'Legal Translation and Functionalist Approaches: a Contradiction in Terms?' In ASTTI/ETI, pp. 395-414.

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## Appendix A

### Translation Test

Female  Male

- Translate the following legal sentences :
  1. All such payments shall be made to Landlord at Landlord's address as set forth in the preamble to this Agreement on or before the due date and without demand.
  2. Tenant shall make no alterations to the buildings or improvements on the Premises or construct any building or make any other improvements on the Premises without the prior written consent of Landlord.
  3. Husband shall pay to Wife spousal support in the sum of 100jd.
  4. Tenant shall comply with any and all laws, ordinances, rules and orders of any and all governmental or quasi-governmental authorities affecting the cleanliness, use, occupancy and preservation of the Premises.
  5. The parties here to agree as follow.

6. Hereinafter referred to as wife.
  
7. The total rent for the term *hereof* is the sum of 100jd.
  
8. *The Lessee shall pay to the Lessor at the office of the Lessor.*
  
9. Every fault which causes damage to another obliges that who has committed this fault to repair it.
  
10. No one shall be presumed guilty of a criminal offence.
  
11. Before a judgment of conviction has entered into force with regard to him or her.
  
12. It is the case when somebody gives authority to another to act in his name as his agent.

13. If a provision is not included therein, then reference shall be made to the Civil Code, otherwise provisions of commercial practice, and guidance by judicial, jurisprudential interpretation and equality principles shall be applied.
  
14. So long as the Loan Agreement is in effect the warranties herein shall be true and correct.
  
15. The contractor shall not assign the Contract or any part thereof or benefit or interest therein without the prior consent of the Employer.

Thank you

## Appendix B

### Model Answers for the Translation Test

Model Translation provided by:

- 1 .Name: Mohammed Ayyad.
2. Specialization: Translation.
- 3 .Place of the work: Talal Abu Ghazala Organization.
4. Work experience: Translation legal documents.

### اختبار ترجمة

□ فتاة □ شاب

• يرجى ترجمة العبارات القانونية التالية:

- 1- يجب تقديم جميع هذه الدفعات إلى صاحب العقار على عنوانها لوارد في مقدمة هذه الاتفاقية في الموعد المحدد أو قبل ذلك ودون أن يطلب ذلك.
- 2- يجب على المستأجر عدم القيام بأي تغييرات على المباني أو عمل تحسينات على الموقع أو تشييد أي بناء أو عمل أي تحسينات أخرى على الموقع دون موافقة خطية مسبقة من صاحب العقار.
- 3- يدفع الزوج إلى الزوجة نفقة مقدارها 100 دينار اردني
- 4- يلتزم المستأجر بأي وكافة القوانين والمواثيق والقواعد والقرارات الصادرة عن أي وكافة الجهات الحكومية أو شبه الحكومية فيما يتعلق بنظافة الموقع واستخدامه وإشغاله والحفاظ عليه.
- 5- يوافق الطرفان في هذه الاتفاقية على ما يلي:
- 6- يشار إليها فيما يلي بالزوجة.

- 7- يكون إجمالي مبلغ الإيجار عن المدة المحددة هنا هو 100 دينار اردني
- 8- يدفع المستأجر إلى المؤجر في مكتب المؤجر
- 9- يلتزم من ارتكب أي خطأ نتج عنه ضرر على الآخر بالتعويض عن هذا الخطأ
- 10- ينبغي عدم الافتراض بأن الشخص مذنب بجنحة جنائية
- 11- قبل دخول الحكم بإدانته أو إدانتها حيز النفاذ
- 12- في حالة قيام شخص ما بإعطاء شخص آخر صلاحية التصرف نيابة عنه
- 13- في حال عدم شمول حكم هنا، فينبغي الرجوع إلى القانون المدني، وخلافاً لذلك تنطبق أحكام الممارسات التجارية والتوجيهات الواردة في التفسيرات القضائية أو الفقهية ومبادئ المساواة
- 14- تظل الضمانات الواردة هنا سارية المفعول طوال مدة سريان اتفاقية القرض.
- 15- لا يجوز للمقاول التنازل عن العقد أو أي جزء أو منفعة أو مصلحة فيه دون موافقة مسبقة من صاحب العمل.

## اختبار ترجمة

□ شاب

• يرجى ترجمة العبارات القانونية التالية:

- ١- يجب تقديم جميع هذه الدفعات إلى صاحب العقار على عنوانه الوارد في مقدمة هذه الاتفاقية في الموعد المحدد أو قبل ذلك ودون أن يطلب ذلك.
- ٢- يجب على المستأجر عدم القيام بأي تغييرات على المباني أو عمل تحسينات على الموقع أو تشييد أي بناء أو عمل أي تحسينات أخرى على الموقع دون موافقة خطية مسبقة من صاحب العقار.
- ٣- يدفع الزوج إلى الزوجة نفقة مقدارها ١٠٠ دينار اردني
- ٤- يلتزم المستأجر بأي وكافة القوانين والمواثيق والقواعد والقرارات الصادرة عن أي وكافة الجهات الحكومية أو شبه الحكومية فيما يتعلق بنظافة الموقع واستخدامه وإشغاله والحفاظ عليه.
- ٥- يوافق الطرفان في هذه الاتفاقية على ما يلي:
- ٦- يشار إليها فيما يلي بالزوجة.
- ٧- يكون إجمالي مبلغ الإيجار عن المدة المحددة هنا هو ١٠٠ دينار اردني
- ٨- يدفع المستأجر إلى المؤجر في مكتب المؤجر
- ٩- يلتزم من ارتكب أي خطأ نتج عنه ضرر على الآخر بالتعويض عن هذا الخطأ
- ١٠- ينبغي عدم الافتراض بأن الشخص مذنب بجناية جنائية
- ١١- قبل دخول الحكم بإدانته أو إدانتها حيز النفاذ
- ١٢- في حالة قيام شخص ما بإعطاء شخص آخر صلاحية التصرف نيابة عنه
- ١٣- في حال عدم شمول حكم هنا، فينبغي الرجوع إلى القانون المدني، وخلافاً لذلك تنطبق أحكام الممارسات التجارية والتوجيهات الواردة في التفسيرات القضائية أو الفقهية ومبادئ المساواة
- ١٤- تظل الضمانات الواردة هنا سارية المفعول طوال مدة سريان اتفاقية القرض.
- ١٥- لا يجوز للمقاوم التنازل عن العقد أو أي جزء أو منفعة أو مصلحة فيه دون موافقة مسبقة من صاحب العمل.

شكرا لكم



الرقم: د/ع 997/5  
التاريخ: 2017/5/28

د. محمد الحناقطر المحترم  
قسم اللغة الإنجليزية وآدابها  
كلية الآداب والعلوم

تحية طيبة، وبعد،

**الموضوع: تعيين المشرف وإقرار عنوان الرسالة وخطتها**

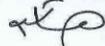
بناءً على القرار رقم (997-13/2016/2017) تقرر تعيينكم مشرفاً متضرداً على رسالة الماجستير التي ستقوم بإعدادها الطالبة ميسون عيسى الصادق (401510013)، تخصص اللغة الإنجليزية وآدابها الموسومة بالعنوان:

عنوان الرسالة	
Difficulties and Problems that Encounter BA Students at Private Universities When Translating Lexical Legal Terms	(واللغة المكتوبة فيها)
الصعوبات والمشكلات التي تواجه طلبة البكالوريوس في الجامعات الخاصة عند ترجمة المصطلحات القانونية المعجمية	(مترجماً إلى اللغة العربية/الإنجليزية)

وذلك اعتباراً من بداية للفصل الدراسي الثاني من العام الجامعي 2017/2016 ولمدة فصلين دراسيين، وحسب التعليمات المعمول بها في الجامعة.

**وتفضلوا بقبول فائق الاحترام والتقدير**

ق.أ. عميد الدراسات العليا والبحث العلمي



الدكتور هشام أبو صايمة

تسخر:

- عميد الكلية المعنى
- دائرة القبول والتسجيل
- ملف الطالب

## Appendix C

## The MEU Permission Letter (1)

**MEU** جامعة الشرق الأوسط  
MIDDLE EAST UNIVERSITY  
مكتب رئيس الجامعة  
Presidents Office

الرقم: در/ع/26/ 1165  
التاريخ: 3/7/2017

صفاة الأستاذ الدكتور رئيس جامعة عمان الأهلية المحترم

تحية طيبة وبعد،،،

أرجو التكرم بتسهيل مهمة طالبة ميسون عيسى الصالح أحمد وزمها الجامعي (401510013) ماجستير لغة إنجليزية وأدبها في جامعة الشرق الأوسط لتطبيق الأداة المحددة للبحث المعنون :-

«الصعوبات والمشاكل التي تواجه طلاب الكالوريوس في ترجمة المصطلحات القانونية المعجمية»

وتفضلوا بقبول فائق الاحترام والتقدير

  
2017  
أ.د. أحمد محمد الحجد  
MIDDLE EAST UNIVERSITY

 هاتف: (00962 6) 4790222 فاكس: (00962 6) 4129613 بريد إلكتروني: info@meu.edu.jo  
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## The MEU Permission Letter (2)

**MEU** جامعة الشرق الأوسط  
MIDDLE EAST UNIVERSITY

مكتب رئيس الجامعة  
President's Office

الرقم: در/ع/26/ 1166  
التاريخ: 2017/7/3

مطوفة الأستاذ الدكتور رئيس جامعة الزيتونة الأردنية المحترم

تحية طيبة وبعد،،،

أرجو التكرم بتسهيل مهمة الطالبة ميسون عيسى الصادق أحمد ورقمها الجامعي (401510013) ماجستير لغة إنجليزية وآدابها في جامعة الشرق الأوسط لتطبيق الأداة المعدة للبحث المبين به:

\*الصعوبات والمشاكل التي تواجه طلاب الكالوريوس  
في ترجمة المصطلحات القانونية المعجمية

وتفضلوا بقبول فائق الاحترام والتقدير



د. محمد محمود الحدادي  
Dr. Mohamed Al-Hadidi

15.21 / 1/1/17  
2017

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