

Investigating Legal Texts Problems Encountered by Sudanese Undergraduate Students in Translation

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Abstract

This study aims at investigating problems encountered by Sudanese university students when translating English legal texts. The researcher adopted a descriptive analytical method to collect the data of the study. The tools used for collecting data is a questionnaire for 50 university students and teachers of English language, Faculty of Arts at Al Neelain University, International University of Africa, Khartoum University, Sudan University of Science and Technology and Islamic Institute for Translation. To analyze the data, the researcher used the Statistical Package for Social Science (SPSS). The findings of the study revealed that the majority of Sudanese university students EFL faced problems in translating legal text. According to the findings of the study, the researcher has recommended the following: mother tongue interference should be taken into consideration when teaching legal text. Teachers should deliver more exercises concerning legal text. Students should give more attention to English legal text.

Keywords: misunderstanding in terms, legal rights, competence, awareness, translation

INTRODUCTION

Legal translation is the translation of texts within the field of law. As law is a culture-dependent subject field, legal translation is not necessarily linguistically transparent. Intransparency in translation

can be avoided somewhat by use of Latin legal terminology, where possible. Intransparency can lead to expensive misunderstandings in terms of a contract, for example, resulting in avoidable lawsuits. Legal translation is thus usually done by specialized law translators. Conflicts over the legal impact of translation can be avoided by indicating that the text is “authentic” i.e. legally operative on its own terms or instead is merely a “convenience translation”, which itself is not legally operative. Most legal writing is exact and technical, seeking to precisely define legally binding rights and duties. Thus, precise correspondence of these rights and duties in the source text and in the translation is essential. As well as understanding and precisely translating the legal rights and duties established in the translated text, legal translators must also bear in mind the legal system of the source text(ST) and the legal system of target text(TT) which may differ greatly from each other: Anglo-American common law, Islamic law, or customary tribal law for examples. The translator therefore has to be guided by certain standards of linguistic, social and cultural equivalence between the language used in the source text(ST) to produce a text (TT) in the target language. The approaches to legal translation have been mostly oriented towards the preservation of the letter rather than effective rendering in the target language, legal texts having always been accorded the status of “sensitive” texts and treated as such. A challenge to the unquestioned application of a “strictly literal” approach to legal translation came only in the nineteenth and early twentieth centuries(Sarcevic,2000,p.24).Different approaches to translation should not be confused with different approaches to translation theory. Linguistic and cultural hurdles pose the greatest difficulties ever to be encountered by professional translators and students of translation. Cultural difficulties will be solved by course of time as students proceed with their work on translation. However, linguistics difficulties can be dealt with in classroom settings as part of the translation syllabus. Again, the present study will only focus on addressing legal translation. This part of the thesis is concerned is that students of English language and translation in Sudanese universities face problems in rendering Arabic legal text into English and the opposite also holds valid. The viable thing in relation to this present study is to explore quite closely these problematic areas found in Arabic and English legal texts with providing solutions and

drawing attention of the students. The study aims to explore the extent to which contrastive studies can contribute to the field of language teaching as well as translation in a way that enriches both realms and enhances the of students' languages competence and awareness. It also aims to elaborate on the question of legalization as a global phenomenon found across the languages of the world with specific reference to English and Arabic and to address the issue of legalization in English and Arabic with the aim of pinpointing the differences and similarities and to further work out and establish an approach pertaining to their handling in a way that helps remove the obstacles involved in the translation process.

According to Jersy Wroblewski (1988) (cited in El Achkar et al., 2005), legal language comes from natural language to which specialized words and specific meanings corresponding to the legal natural of that discourse are added. The difference between natural language and legal language is mostly semantic, not syntactic. It depends on the words as well as on their specific meanings. As inappropriate translation of a text may lead to major problems or lawsuits or may also incur a loss of money, only professional translators specializing in translating legal texts are supposed to be competent enough to translate such documents from the source language(SL) to the target language(TL). Legal translators often consult bilingual law dictionaries, encyclopedias and/ or websites. Most forms of legal texts require clearly and accurately defined rights and duties for all. It is very important to ensure precise correspondence of these rights and duties between the source text and the translated target text. In the legal field, where legal terms are grounded in country-specific legal systems, legal translators face numerous factors that influence their ability to translate certain terms, which will inevitably lead to a major translation problem. Most of the significant reference textbooks on legal translation are solely devoted to questions of terminology, while characteristic considerations tend to be ignored. The present study is highly restricted to the study of legalization in English and Arabic with no handling whatsoever to the other branches of syntax of the two languages in question. As a representative sample of population, the study is restricted to the undergraduate students of different Sudanese universities. The paper aims to examine the following research questions:

-To what extent can the similarities and differences be addressed to facilitate their rendering in the languages in question?

-What are the problems and solutions should be considered in this study?

-Do undergraduate students actually benefit from exposure to a contrastive analysis approach with the aim of handing the hurdles involved in the legalization systems of both languages?

CONCEPTUAL BACKGROUND

Definition of Translation

There are some definitions of translation. Nida states that translation consists of reproducing in the receptor language the closest natural equivalence of the source language message, first in terms of meaning and secondly in terms of style. Newmark in Rudi Hartono states that translation is rendering the meaning of a text into another language in the way that the author intended the text. From the definitions above the translation has the same term "equivalence". The meaning, context, though, or message of both source of reproducing in the receptor language, the closest natural are equivalent to the message of source language. The first is meaning and secondly is style. The meaning of source language must equivalent. The reader of translation who knows the target language only will be confused if the target language is influenced by the source language. Translation is the communication of the meaning of a source- language text (SLT) by means of an equivalent target- language text(TLT). The English language draws a terminological distinction(not all languages do) between translating (a written text) and interpreting(oral or sign-language communication between users of different languages); under this distinction, translation can begin only after the appearance of writing within a language community.

A translator always risks inadvertently (دون قصد) introducing source- language words, grammar, or syntax into the target- language rendering. On the other hand, such "spill-overs" have sometimes imported useful source-language calques and loanwords that have enriched target languages. Translators including early translators of

sacred texts, have helped shape the very languages into which they have translated.

Definition of Legal Texts

A legal text is very different from ordinary speech. It is any piece of writing that carries an obligation or allows certain actions or things, makes a binding promise, or sets out penalties to be imposed in case of violation (انتهاك). This is especially true of authoritative legal texts: those that create, modify, or terminate the rights and obligations of individuals or institutions. Such texts are what Austin (1962) might have called "written performatives". Lawyers often refer to them as operative or dispositive.

Authoritative legal texts come in a variety of genres. They include documents such as: constitutions, contracts, deeds, orders/judgments/decrees, pleadings, statutes, wills. Each genre of legal text tends to have its own stereotypical format and is generally written in legal language or "legalese" (الكلام القانوني). Thus, a contract contains one or more promises, a will contains verbs that transfer property at death, and a deed transfers property during the lifetime of its maker. "Laws are in essence attempts to control human behavior, mainly through a system of penalties for law breaking. The Law exists to discourage murder and theft, and bad faith in business dealing among other offences". (Gibbons, 1994, p.3) The concern is a special language that has been developed to become the domain of special people, in a professional rather than a social sense. Referring to a definition of special languages as "semi-autonomous, complex semiotic systems based on and derived from general language",

Sager (1990) makes the point that the effective use of such special languages "is restricted to people who have received special education and who use these languages for communication with their professional peers and associates in the same or related fields of knowledge" (p. 105).

Gibbons (1994, p.3) makes the point that "... the basic concepts of rights and obligations of a member of a community are deeply embedded in the fabric of language itself, and existed before there were codified laws." He argues that language precedes laws, and has hence constructed and continues to construct them, rather than the opposite. Even the concepts of "murder" and "guilt", for instance, did exist in languages even before laws were conceived or codified

(Gibbons, 1994, p.3). Another view of the origins of legal texts can be gleaned from Maley: "Particularly in literate cultures, once norms and proceedings are recorded, standardized and institutionalized, a special legal language develops, representing a predictable process and pattern of functional specialization.

In the Anglo-Saxon common law system, a discrete legal language has been apparent since post-conquest England, which in many essentials has persisted to the present day." (Maley, 1994, p.11). Although Maley can be interpreted as saying that legal concepts had existed first and that a special language was created or developed to cater for these concepts, it can be argued that the "discrete legal language" referred to was in fact part of the existing language which was then modified, or simply exclusively allocated for use by legal practitioners and judges. There is evidence to support the second interpretation. We all use the words "actual", "bodily" and "harm" in our everyday conversation. They are neither technical nor highly learned terms. In combining the three words together, the Penal Code has given a completely new meaning to this combination in the criminal charge "assault occasioning actual bodily harm". The word "actual" is the key element in proving the charge against the offender. It means that the skin of the victim should have been opened through the use of personal force or of a certain weapon before the charge could be found proven. More interestingly, from a technical viewpoint is the fact that: If a person is caused a hurt or injury resulting, not in physical injury, but in an injury to the state of his mind for the time being, that is within the definition of actual bodily harm. An assault which causes a hysterical and nervous condition is an assault occasioning actual bodily harm." (Bartley, 1982, p. 59). Thus, we have a situation where "actual bodily" actually refers to "bodily" as well as "mentally". This is obviously contrary to our normal understanding of the word bodily to mean just the opposite of "mentally". "Weapon" is another term that is used differently in a legal sense. Contrary to the general idea we usually associate to this word, namely war machines and firearms, in law it simply means anything that is used to commit an assault offence. But back to "actual", the precise meaning of the term, in a legal sense, becomes even more important and crucial when it is contrasted with another term, "grievous", in another criminal charge (under the Act *بموجب القانون*) : "assault occasioning grievous bodily harm". "Actual" and "grievous" are modifiers of crimes at

different levels of seriousness expressed through the use of words that had already existed in the English language but were then made to acquire specific and precise meaning for the proper conduct of law. The superlativeness of "grievous" is obvious in this charge as it was in Mark Anthony's "And "grievously" hath Caesar answered it" (William Shakespeare, Julius Caesar; Act 3 Scene 2). The time span separating the two usages of this term, nearly three hundred years, has changed neither its main concept nor its superlativeness. It is only that the law has given it a significantly technical weight which the prosecution would usually endeavor to prove and the defense would either deny or downgrade to "actual", in which case the lesser charge would then carry a lesser sentence. It is this special usage, or special meaning, given to ordinary words that made Mellinkoff theorizes that "... the language of the law depends for survival upon those it unites in priesthood – the lawyers ... only the lawyers can exploit the capabilities of the language of the law" (Mellinkoff, 1963, pp. 453 - 454). Others have even suggested that the legal language can be reduced to English only in translation (within the same language), and consequently that the language of the law is not yet a part of English until such translation process has been achieved.

Morrison (1989), who is critical of Mellinkoff's "rhetoric" and the "excesses" of others, makes the point that the debate surrounding the language of law is not unique, as it has also existed in the area of philosophy and mathematics, among others. The question at the core of the controversy, according to her, is whether or not lawyers, after all, use the language, and if the answer is in the negative, as some suggest, they actually failed to prove their case beyond doubt and in fact had created more questions than answers. She sums up her argument, without exaggerating to prove the correctness of her point of view, but strongly enough to rebut the argument that the language of law and the ordinary language are not one and the same. "Is there, then, "no truth" in some form of the "expert's only" study?

The answer is, there is some truth. There is something distinctive about how lawyers speak, although this feature is not distinctive to only legal language; and there is something distinctive about the meanings of some "legal" words although this distinctive feature falls short of turning the language of the law into a technical language that only lawyers speak and falls short of being unique to legal language." (Morrison, 1989, pp. 286- 287) the distinctness that

Morrison (1989) refers to is in the high level of care lawyers" use in their speech rather than technicality, and that this level of care itself is responsible for making the language of law somewhat alien to non-lawyers. She further makes the point that speaking carefully rather than technically is not exclusively limited to the legal profession. Whilst it is true that lawyers make a distinction between "verdict" and "judgment", "accused" and "defendant", "summons" and "subpoena", it is also true that this is motivated by lawyers" preference for particular terms to refer to particular persons, things or concepts. This is not unlike the colorist whose range of colors he knows by name is wider than that used by lay persons. A colorist may refer to Persian turquoise or American turquoise, while a lay person may refer to both as shades of blue. In both cases, the use by lawyers and colorist of the "preference-among-meanings phenomenon", as Morrison calls it, that is the preferred term chosen from a range of very close options, could lead to difficulties in conversations between lawyers and colorists on the one hand and lay persons, on the other. She concludes that both use their words more carefully, but not technically. However, she refers to their words more carefully, but not technically.

However, she refers to their words as "jargon" or "trade talk", without elaborating on whether this in itself in not considered a precursor for the existence of a technical language, which I call here "legal language".

Legal Styles

All legal languages are distinct languages unto themselves- each is highly specialized with its own style, shaped by the legal traditions and culture of the relevant country.

Difficulties of Legal Translation

Translation consists of a lot more than simply taking a text writing in a language and converting the text to a completely different language. In order for it to make sense and flow in a clear and accurately conveyed legal language, the translator must command a deep knowledge of a legal systems referred.

It is simply not enough to be simply proficient in two languages to do specialized translations in the legal field. Specialized

legal knowledge is an absolute requirement and involves years of study.

Numerous skills are at play when you are translating, and legal documents, in particular, demand a lot from the translator. Serious challenges are often faced by translators when assigned a legal project. With such texts, there is simply no room (مجال) for error: the smallest of errors can have very serious consequences and can be very expensive (مكلفة جدا) for the client.

REVIEW OF LITERATURE

Translating legal documents is regarded by many researchers as one of the most arduous endeavors; research on legal translation between English and Arabic is predominantly restricted to purely semantic or syntactic issues. For instance, AbuGhazal (1996) outlined a number of syntactic and semantic problems in legal translation from English into Arabic, by analyzing graduate students translations. He primarily aimed at detecting the linguistic and translation problems facing translators in general.

Bentham (1782) developed a radically empiricist theory of the meaning of words, which supported his utilitarianism and his legal theory. He wanted to abandon what he considered to be a nonsensical mythology of natural rights and duties. Linguistic acts struck him as respectable empirical phenomena, and he made them an essential element of his theory of law. He based his "legal positivism" on his claims about the meaning and use of words. Language had not been especially important to the natural law theorists whose views Bentham despised, so philosophy of language has no special role in explaining the nature of law. Bentham (1782), by contrast, needed the "sensible" phenomenon of a perceptible, intelligible linguistic act for his purpose of expounding the nature of law by reference to empirical phenomena.

In 1994, Hart's book "The Concept of Law" raised issues that have occupied legal philosophers ever since and at the same time; he borrowed J.L. Austin's method of "using a sharpened awareness of words to sharpen our perception of the phenomena" (Hart, 1994, p. 14). That method sets the background for the two problems: "Language and the normativity of law", and "The Semantic Sting". Hart's observations about the use of language in law were the basis of

an innovative approach to the challenge of explaining the normativity of law, a problem for legal theory that can be clearly seen, Hart claimed, in the faulty explanation of normative language that had captivated Bentham.

Ronald Dworkin (1968), has opposed Hart's theory of law on the basis that his whole approach to legal philosophy is undermined or "stung" by his approach to words, that he wrongly thought "that lawyers all follow certain linguistic criteria for judging propositions of law" (Dworkin, 1986, p. 45). That is Dworkin's "semantic sting" argument, an argument in the philosophy of language that has set an agenda for much recent debate in philosophy of law.

Mellinkoff (1963) was concerned with what the language of law is and investigated the history of legal language, and brought the language of law down into practice.

In their book, Crystal and Davy (1969) devoted one chapter to the language of legal documents, supported with examples taken from an insurance policy and a purchase agreement. They wrote that "of all the uses of language, it [legal language] is perhaps the least communicative, in that it is designed not so much to enlighten language-users at large as to allow one expert to register information for scrutiny by another" (p. 112).

A legal text for them exhibits a high degree of linguistic conservation, included in written instruction such as court judgments, police reports, constitutions, charters, treaties, protocols and regulation (p. 205). They described legal texts as formulaic, predictable and almost mathematic.

Newmark (1982) is another theorist of general translation to comment on legal translation. He noted a difference in the translation of legal documents for information purposes and those which are "concurrently valid in the TL [target language] community." Concerning "foreign laws, wills, and conveyancing" translated for information purpose only, Newmark suggested that literal or semantic translation, in his own term, is necessary. On the other hand, he stressed that "the formal register of the TL must be respected in dealing with documents that are to be concurrently valid in the TL community." In Newmark's view, such translations require the communicative approach that is target language oriented (Newmark, 1982, p. 47). In this regard, Newmark is one of the few linguists to recognize that the status of a legal text is instrumental in

determining its use in practice. Emery (1989) explored the linguistic features of Arabic legal documentary texts and compared them with their English counterparts.

Emery ended up recommending that trainee translators should develop a sense of appreciation of the structural and stylistic differences between English and Arabic discourse to help produce acceptable translations of legal documents. Though he only made limited inroads into the area of legal translation theory or practice, Emery's article is actually one of the very few works that investigated general features of Arabic legal language, an area of research that has inexplicably been disregarded by Arab translators and theorists.

Al-Bitar (1995) illustrated how legal language differs from other common-core English varieties. In her study, she studied twelve bilateral legal agreements and contracts signed during the years 1962-1993. She investigated two main areas of nominal group in addition to other grammatical units: complexity of the noun phrase and type of modification. Her main conclusions were that the differences lay in the heavy use of complex noun phrases and the high frequency of relative clauses and prepositional relative clauses as post-nominal modifiers of the finite in legal texts (pp. 47- 62).

House (1997) distinguished between two basic types of translation strategies: overt translation in which the target text receivers are overtly not the same as the source text receivers, and covert translation in which the target text receivers are the same as the source text receivers.

According to House, the latter group includes texts that are not addressed exclusively to the source texts receivers, such as commercial texts, scientific texts, journalistic articles ... etc. (pp. 1997-194). Although House does not mention parallel legal texts, which would also belong to this group; in fact all special purpose texts would fall under her category of covert translation.

Hickey (1998) argued that any translation of a legal text must be able to affect its readers the way the ST was able of doing to its readers. She states that the translator must ask herself how the original text reader would have been affected and ensure an analogical reader will be affected similarly by his reading of the text but not by any other means (pp. 224-225). Hickey failed to see that a TT might be directed towards different readers in a different context.

In this case, it is pointless to pursue a similar effect on the part of the translator.

Hatim, Shunnaq and Buckley (1995) occupied themselves with listing legal texts and their model translations, without setting foot in the field of legal translation theory.

The above studies ignored the pragmatic factors related to legal discourse. Such an approach, which extensively stresses the sensitivity of legal texts, may contribute to the creation of misconceptions about legal translation. In other words, it helps depict it as a process of interlingual transfer (Sarcevic, 2000, p. 2) within an array of restrictions.

Sarcevic (2000), in her book which has a comprehensive survey of legal translation, wrote in connection with parallel legal texts, "While lawyers cannot expect translators to produce parallel texts which are equal in meaning, they do expect them to produce parallel texts which are equal in legal effect. Thus the translator's main task is to produce a text that will lead to the same legal effects in practice" (p. 71).

As Sarcevic (2000) indicated, "the basic unit of legal translation is the text, not the word" (p. 5). Terminological equivalence has an important role to play, but "legal equivalence" used to describe a relationship at the level of the text may have an even greater importance" (p. 48). The translator must be able "to understand not only what the words mean and what a sentence means, but also what legal effect it is supposed to have, and how to achieve that legal effect in the other language" (pp. 70-71).

Dickins et al (2003) offered a progressive representation of various translation problems, accompanied by lots of practical work in developing underlying principles for solving the problems. Theoretical issues were discussed only in so far as they relate to developing proficiency in method.

Although a wide range of texts were dealt with in this book, little attention was directed towards legal texts in the form of pedagogic practice within a framework of more general linguistic issues ignoring the peculiarity of legal texts.

Butt and Castle (2006) burrowed into the roots of traditional legal language and its peculiar characteristics that make legal documents aloof from its users. They proposed a step-by-step guide to drafting in the modern style, using examples from four types of legal

documents: leases, company constitutions, wills and conveyances. Moreover, they emphasized the benefits of drafting in plain language and confirming the fruitfulness of its use. Like Mellinkoff (1982), they surveyed the reasons for the current alarming state of legal drafting, as well as provided guidance on how to draft well. Their book is the most recent addition to the Plain English Movement that is discussed in the next chapter. It argues that it is actually "safe" and constructive to break away from old ways of legal drafting into simpler, more communicative ones. Making use of the available literature on pragmatics, the concept of legal equivalence, and the changing role of the translator, the study scrutinizes the applicability to the translation of contracts through comparing and analyzing the translation under investigation.

METHODOLOGY OF THE STUDY

This paper is descriptive and analytic study that adopts the qualitative approach of data collection. Particularly, students questionnaire is employed in Arabic and English. The questionnaire has been administered to 50 students in their final year. These are Sudanese students whose native language is Arabic and taking English as their majors. The questionnaire is intended to measure the students' translation ability in both languages. Marking the questionnaire, the results will be taken to investigate the weakness and strengths to help formulate a syllabus of English based on contrastive study in English to be taught to students of translation. To conduct this experiment, 50 students have been selected and divided into two major groups, namely control group and experiment group. Both groups will be taught for 20 days, one, and the experiment group through contrastive teaching, the other in English. Full description of the data collection technique is given at the methodology part of this research.

RESULTS

This part investigates the views of five EFL university teachers and students from different universities (in Khartoum State) on translating English legal texts by Sudanese undergraduates. These teachers were selected to take part in the study because of their

knowledge and experience of translation and their availability and willingness to participate. The questionnaire aims to investigate the following:

The data were inserted in the SPSS program and the following results were obtained.

Table 1: Students have problem in legal text words.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly disagree	2	4.0	4.0	4.0
	Disagree	12	24.0	24.0	28.0
	Agree	19	38.0	38.0	66.0
	strongly agree	17	34.0	34.0	100.0
	Total	50	100.0	100.0	

The above table shows that the performance of the participants' answers about students have problem in legal text words. Participants who agree that their percentage is 70%. This result proves the fact that students have problem understanding legal texts words perfectly.

Table 2. Teaching legal text at universities is very rare.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly disagree	12	24.0	24.0	24.0
	Disagree	10	20.0	20.0	44.0
	Agree	14	28.0	28.0	72.0
	strongly agree	14	28.0	28.0	100.0
	Total	50	100.0	100.0	

The above table shows that the performance of the participants' answers about teaching legal texts at universities is very rare. Participants who agree and their percentage is 58%. This result shows, there is no concern of teaching legal translation.

DISCUSSION

This paper set out with aim of examining legal test problems encountered by Sudanese undergraduate Students in translation

from teachers' prospective. The results show that most of the interviewees agreed that legal texts assist in English language translation, particularly legalizations in many ways. For instance, they are considered to be an authentic source of data for language teachers. Another important finding was that legalization provides real texts in which words and their equivalents are actually used by non-native speakers they show the different uses and senses of words in different contexts or situations of language use. In addition, it is proved that through the legalization-based approach, learners can take part in the learning process by investigating equivalents of words and looking at how words are differently used in different contexts. It is also confirmed that, learners have the chance of becoming autonomous learners so that they can better learn the language. In this concern, Hickey (1998) argued that any translation of a legal text must be able to affect its readers the way the ST was able of doing to its readers. She states that the translator must ask herself how the original text reader would have been affected and ensure an analogical TT1 reader will be affected similarly by his reading of the text but not by any other means (pp. 224-225). Hickey failed to see that a TT might be directed towards different readers in a different context. In this case, it is pointless to pursue a similar effect on the part of the translator. One unanticipated finding was that most of the participants do not practically use translation in their classrooms. There are several possible explanations for this result. It could be attributed to the fact that using translation presents teachers with several practical obstacles such as the time they require to familiarize their students with translation use. In addition, the large amount of search results they might get when searching the legalization, etc. despite these challenges, teachers can make using translation both easy and beneficial. For instance, they can limit the search results by telling their students exactly what they have to do so that they can avoid being confused by the large results. They can tailor these data to suit the needs of students. Based on the findings, and for EFL teachers and students to fully exploit translation, it is suggested by the researcher that both teachers and students should be trained on how to practically use translation in language teaching and learning.

CONCLUSION

The aim of this paper is to investigate Legal Test Problems Encountered by Sudanese Undergraduate Students in Translation the research questions raised are as follows.

- 1-What are the similarities and differences between the Arabic and English legal text?
- 2-To what extent can the similarities and differences be addressed to facilitate their rendering in the languages in question?

The study adopts the analytical approach. Particularly, teacher questionnaire is adopted. The subjects were EFL teachers from different Sudanese universities. The findings of this paper showed that English language teachers have ability towards employing translation in solving problems encountered by Sudanese undergraduates in translating English legal texts. This is attributed to many factors such as being authentic source of data for language teachers, they show the different uses and senses of words in different contexts, etcetera. Another finding is that nearly all the teachers involved in the study do not practically use translation in their classrooms. These findings have an important implication for the cruciality of EFL teachers on translation usage in language translation.

REFERENCES

1. Nida, A. Eugene(1964). *Towards a Science of Translating with Special Reference to Principles and Procedures Involved in Bible Translation*. Leiden: Brill.
2. Sarcevic, S. (2000). *New Approach to Legal Translation*. The Hague: Kluwer Law International.
3. Wroblewski, J. (1988). *les langages juridiques: une typologie*. Droit et Societe, 8, 13 – 26.
4. Newmark, P.P. (1982). *Approaches to Translation*. Oxford: Pergamon Press.
5. Newmark, P.P. (1988). *A Textbook of Translation*. London: Prentice-Hall International Ltd.

6. Austin, J.L. (1962). *How to Do Things with Words*. Oxford: Clarendon Press.
7. Gibbons, J. (1994). *Language and the Law*. London and New York: Longman.
8. Sager, J.C. (1990). *A Practical Course in Terminology Processing*, Amsterdam: John Benjamins Publishing Co.
9. Maley, Y. (1994). The Language of the Law. In *Language and the Law*, edited by John Gibbons, 11. London and New York: Longman.
10. Bartley, R. (1982). *Crawford Proof in Criminal caseSs* (Fourth Edition). Sydney, Melbourne: the Law Book Company Ltd.
11. Mellinkoff, D. (1982). *Legal Writing: Sense and Nonsense*. St. Paul: West Publishing Co.
12. Morrison, M. J. (1989). *Excursions into the Nature of Legal Language*. Cleveland State Law Review, Vol. 37, 271.
13. Abu-Ghazal, Q. (1996). *Major problems in legal translation*. Irbid, Jordan: MA Study, Yarmouk University.
14. Bentham, J. (1782). *Of Laws in General*, H.L.A.Hart ed., Athlone Press 1970, London.
15. Hart, H.L.A. (1994). *The Concept of Law*, 2d ed., Oxford: Clarendon Press.
16. Dworkin, R. (1986). *Is There Really No Right Answer in Hard Cases?*. In *A Matter of Principle*, Oxford: Clarendon, 1986.
17. Crystal, D. & Derek, D. (1969). *Investigating English Style*. Bloomington: Indiana University Press.
18. Hatim, B., B. R. & Shunnaq, A. (1995). *The Legal Translator at Work: A Practical Guide*. Irbid, Jordan: Dar Al-Hilal for Translation.
19. Al-Bitar, T. (1995). *Some Syntactic and Lexical Characteristics of Legal Agreements and Contracts Written in English*. Amman, Jordan: MA Study, University of Jordan.
20. House, J. (1997). *Translation Quality Assessment: A Model Revisited*. Tübingen, Germany: Gunter Narr.
21. Butt P. & Castle R. (2006). *Modern Legal Drafting: A Guide to Using Clearer Language*. Cambridge: Cambridge University Press.
22. Hickey, L. (1998). Perlocutionary equivalence: Marking, exegesis and recontextualisation. *The Pragmatics of Translation*, ed. Leo Hickey, 217-232. Clevedon: Multilingual Matters.
23. Emery, P.G. (1989). *Legal Arabic Text: Implications for Translation*. Babel 35, 35-40.
24. Dickins, J., Sandor H. & Ian, H. (2003). *Thinking Arabic Translation: A Course in Translation Method: Arabic to English*. London: Routledge.