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# 29 Legal translation

**Abstract:** Legal translation has always been a field that, on the one hand, derives its importance from practical needs of people involved in globalized legal relations as well as in the judiciary system of multilingual societies and language minorities, and, on the other hand, stirs a special interest in translation studies because of the specific relation between language and law and, in recent studies, between culture and law.

In the following article we will begin with some general assumptions about language and law, attempting to clarify these assumptions with some central definitions, and subsequently, we will proceed to the important role that comparative law plays here, and the key factors determining legal translation combining them in a layered model allowing for a concise synopsis of legal translation.

## 1 Language and law

Di Lucia (1994) brought forward a precise analysis of the relationship between language and law, identifying three basic oppositions:

1. comparison of language and law vs conception of law as language
2. linguisticity of law vs linguisticity of the norm
3. ontology of the normative vs semiotics of the normative

The historical school of law put forward two analogies between law and language: First, both evolved in the same way from natural practice by the people. Second, after this spontaneous creation both are further investigated by experts, lawyers and grammaticians (Savigny 1814). Linguists compared language and law by highlighting the fact that both are human institutions relying on their systematicity. The comparison of law and language, however, has had only a minor impact in modern translation studies, e. g. the role of interpretation of a text from both viewpoints (Engberg 2002). Translation is interested in language as a communication tool within law and not so much as an abstract system that may be compared to law.

In opposition to these early approaches to the relation of law and language, the analytical philosophy of the twentieth century (with philosophers like L.F.L. Oppenheim and Norberto Bobbio) defined law as a corpus of texts, of communications which constitute the object of the meta-language of jurists. This view can be misleading as it conceals the nature of Law as a special domain and the role of legal language as a

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language for special purposes. The conception of law as language, however, is still a well-received assumption in linguistics and also in translation studies, and is often brought forward as evidence for the importance of language for law and a linguistic approach to legal translation. The Italian linguist Cortelazzo, for example, states that "Il diritto non si serve della lingua, ma è fatto di lingua" (Cortelazzo 1997: 36) "Law doesn't make use of language, it is made of language" (translation by author).

Seeing law as a corpus of language products (a class of sentences) represents the approach of the linguisticity of law, in the sense that what legal science does is a semantic and syntactic analysis of a corpus of texts. There is however, serious criticism against this approach: not all norms are linguistic facts, there are norms which pre-exist written law, and there are also norms which have been codified ex post by legislation, as the comparative lawyer Sacco demonstrates: "Il diritto non ha bisogno della parola. Il diritto preesiste alla parola articolata" (1990: 14) "Law does not need language" (Sacco 2000: 117), "Law precedes the spoken or written word" (translation by author). This means that law represents something beyond language and texts. Comparative law identifies this with the social function of legal norms which has important reflections on translation as will be shown further on when we speak about translation and comparative law.

For the scope of this contribution we see law as a specific domain which sets its own rules and constraints for all kind of communication purposes. This is in line with the definition of specialised communication (Fachkommunikation) by Hoffmann (1993) who places specific knowledge and cognitive processes at the centre of his definition, stating that specialized communication is the "exteriorization and interiorization of knowledge systems and cognitive processes, motivated or stimulated externally or internally, concentrating on subject-matter events or sequences of events" (Hoffmann 1993: 614, translation by author). For law, therefore we may speak of a specific communicative framework which is "intimately linked to the discipline's methodology, and they [the experts] package information in ways that conform to a discipline's norms, values, and ideology" (Berkenkotter and Huckin 1995: 1). Hence, there can be no doubt that "legal language is a technical language and legal translation is technical translation involving special language texts" (Cao 2007: 17).

## 2 Towards a definition of legal translation

What distinguishes legal translation from other types of technical translations is the adjective legal; legal may imply the translation of *legal* texts. Going into detail, this simple assumption could be challenged, simply by questioning the criteria that identify a legal text. This is by no means an academic question since a precise characterization and categorization of legal texts is not available, and has been a desiderata for research for a long time (see Busse 2000: 658). Furthermore, such criteria would have

to take into account not just linguistic features of texts, but foremost their role within an institutional context: "Nicht durch den sprachlichen Charakter, sondern durch ihre Rolle in einem institutionellen Handlungszusammenhang bekommen Gesetzestexte ihre 'normative Funktion'" (Busse 2000: 660) "the normative function of statutes is not derived from their linguistic features but comes from their role within an institutional framework of action" (translation by the author). Yet, many base their understanding of legal translation on the notion of legal text. Gemar (1995: 124), for instance, distinguished between "translating the law" and "translating legal texts", a consideration which implies that laws and statutes might not be legal texts or at least that there is a huge difference between them and other kinds of legal texts.

A second meaning of legal in legal translation would be its differentiation from translations in other subject areas. Legal translation would then be the translation within the field of law of any texts that are needed in law. The field of law is not clear-cut nor well-defined: anything may be of importance when seen from a normative or regulative perspective. Thus, legal provisions may be taken in every aspect of life, or in other words, legal thinking is just a normative view on reality, making law trans-disciplinary in its nature (Cornu 1990: 23; Gémar 1979: 51, Sandrini 1999: 14). Furthermore, law is system-bound and thus split up into a great number of independent communicative settings. We tend to assume a more general view on the definition of legal language insofar as to comprise all communication acts occurring in the course of legal actions taken by legal experts, lay people, and administrative personnel. Such a description devolves the differentiating criteria onto the question of what constitutes a legal action; it takes us out of the linguistic discussion into the subject-specific realm of law. Every text with some legal importance may be seen as a legal text. Engberg (2002), thus, argues that in a criminal procedure even a restaurant bill may constitute a legal text when it is used as evidence. This is why Engberg bases his definition of legal translation not on the text type of the source text, but on the function of the translated text as well as the context of the translation itself: "By way of definition, I take legal translation to be translation of texts for legal purposes and in legal settings, i.e., a functionally– and situationally – defined translation type" (Engberg 2002: 375).

Function is central to the German Skopos theory of translation (Vermeer 1996, Nord 1997) which lends itself to translation in professional settings and the new multimodal types of software and web localization (Nord 2012), focusing on the role the target text has to play within the subject community. In this sense, translation has to cater for the receiver of the text and "the translation of legal texts is (or ought to be) receiver oriented" (Šarčević 2000: 1), an approach that has been discussed theoretically (Madsen 1997) as well as tested against parallel legal texts and authoritative translations (Šarčević 1997, 2000) with the conclusion that it is not just the function of the target text and the receiver that influence the decisions of the translator but mainly the legal context in which the translation is to be used: "By suggesting that the translation strategy for contracts is determined primarily by function, he [Vermeer]

disregards the fact that legal texts are subject to legal rules governing their usage in the mechanism of the law" (Šarčević 2000: 330). Accordingly, Šarčević defines legal translation as an "act of communication within the mechanism of the law" (Šarčević 1997: 56) in itself as opposed to a mere act of linguistic transcoding. Again, the specificity of law as a subject and a discourse community is seen as the primary criterion for translation which should render ideas and thoughts but never words or language: "à traduire l'idée avant de s'attacher au mot" (Sparer 1979: 68).

The strategies to achieve this may be variegated but are always a function of the overall purpose of the specific translation task and the legal setting in which it takes place. In accordance with Hoffmann's definition of specialist communication (1993: 614) and taking recourse to the definition offered by the translation studies terminology (Delisle, Lee-Jahnke and Cormier 1999: 188) we may define legal translation as

> a purposeful activity of exteriorizing legal knowledge systems, legal cognitive processes and norms, induced, selected and weighted from an offer of information (interpretation), aiming at disseminating them in another language (interlingual) and/or in another legal system (transcultural) while assessing their legal effect against the background of relevant supra- national and international regulations.

In law each text is the result of an application of legal knowledge systems as well as legal cognitive processes, and each act of communication reflects a world of normative ideas and projects them into the text which serves a specific communicative need. What will be exteriorized by the translator in the target text depends on the purpose of the translation and the legal setting in which the target text will be used. Through interpretation of the source text, the translator inevitably chooses, selects and weighs, and therefore acts as a sort of filter for the text. The legal effect of the target text has to be seen in conjunction with the purpose of the target text, and since people from different legal backgrounds communicate in translation, the relevant supranational and international regulations must be taken into account. It should be stressed here that there is no fixed meaning in a legal text which can be transcoded into another language with the help of a dictionary; meaning is rather constructed in communication by specific communicative parameters (Engberg 2002). Training and education of the translator will be decisive in this respect; for he or she must be able to judge legal implications and effects in the text which is possible only with appropriate legal knowledge (Jackson 1995). With the growing importance of international legal settings and regional legal systems like European law, the target text has to be checked not only for its legal effect in the target legal system but also for its implications within supranational or international legal frameworks where one language may be used by one or more legal systems as well as by the supranational legal setting.

For many, all these elements make legal translation one of the most difficult types of technical translation requiring a great deal of legal knowledge and a fine grasp of legal reasoning. On the other hand, Harvey (2002) challenges the special status of

legal translation as the most difficult type of specialist translation and pinpoints its specificity to the fact that it "stands at the crossroads of three areas of inquiry – legal theory, language theory and translation theory – that are fundamentally indeterminate, largely because of their reliance on natural language" (Harvey 2002: 182).

Our definition identifies an inter-lingual type of legal translation when two languages within one coherent cognitive context are involved and the source as well as the target text both refer to the same legal system. This would apply to bilingual legal settings, to the translation of legal texts for foreigners, to translations done in the course of legal procedures with interested parties with a foreign language. Even if in these cases, both source and target text relate to the same legal framework, it should be observed, though, that in the case of involved persons originating from a foreign country, translators must take into account the different knowledge background of these persons who may tend to interpret texts with the norms and the concepts of the legal system of their country of origin in mind. Furthermore, the translator must decide which words and terms to use in the target language to verbalize the legal contents represented in the source text; it is important for her to know in which legal system(s) the target language is used and how words and phrases are used there. Thus, knowledge about the legal system of the source text as well as some knowledge about the legal system(s) of the target text is important even for this type of translation.

It becomes essential, however, in the case of a transcultural type of legal translation when source and target text refer to different legal systems requiring even more comparative awareness from the translator.

A third type of translation may be identified with the growing importance of international legal settings. Of special interest will be the cases of supranational law where two or more countries conclude an international agreement to regulate a specific legal matter in a common way, e. g. international agreements like the WTO, but also more complex regional legal systems such as European law. One could argue that this represents the relatively simple case of a translation from language A to language B within the same supranational legal framework. However, this would be a rather naive assumption because in most cases a neutral legal language for supranational law does not exist and has to be created anew (Kjær 2007: 71). A translator or text producer inevitably uses his own terminology or legal language, which is the language of his legal system to express new legal thoughts which then become part of the new supranational framework, a situation that might lead to misunderstandings when two legal systems use the same language. Harmonization would be necessary.

For these kind of legal contexts we may adapt our definition of legal translation in the following way; legal translation within the framework of supranational law would then be the:

> purposeful activity of exteriorizing supranational legal knowledge systems, legal cognitive processes and norms, which are selected and weighted from a source text constituting an offer of information, aiming at disseminating them in another language against the background of national and local legal systems, while assessing their legal effect.

Three different types of legal translation can, thus, be identified: the translation within one legal system, the translation between different legal systems and the translation in an international context. All of them require the legal translator to possess competences of legal knowledge and to some degree also in comparative law.

## 3 Culture-specificity

Independent legal systems are the reason for culture-specific legal texts and a major concern for legal translators trying to bridge those differences. National legal systems are a relatively late phenomenon in legal history dating back only about two hundred years. Previously, Europe cultivated its century-old tradition of Roman Law, the *ius commune*, in one common language, namely Latin. Even though the ius commune was only subsidiary law in addition to the particular rights of each region or country, it soon formed a common legal basis because of its adaptability.

This situation changed with the advent of the nation states in Europe, each developing its own structure of statutes and laws. The object of jurisprudence was thus narrowed down to national law, a process heavily criticized by many scholars especially by legal historians in the second half of the nineteenth century: Rudolf von Jhering even called this a degradation of legal sciences:

> Die Wissenschaft ist zur Landesjurisprudenz degradiert, die wissenschaftlichen Gränzen fallen in der Jurisprudenz mit den politischen zusammen. Eine demüthigende, unwürdige Form für eine Wissenschaft! (Jhering 1852: 15)
>
> *[Legal science has been degraded to a national jurisprudence, its research borders now correspond to political borders: a humiliating and shameful situation for a research discipline! (translation by author)]*

A critical viewpoint that is still raised today when the social dimension of law is emphasized and legal systems are embedded in a broader historical picture.

> L'étude du droit municipal … est certes indispensable, mais la connaissance du droit ne peut se développer sans la pris en compte de la dimension historique et comparative, sans rencontrer les autres sciences sociales et les sciences du vivant (Moréteau 2005: 411)
>
> *The study of municipal law is obviously necessary, but the knowledge of law cannot be advanced without taking into account the historical and comparative dimension, as well as the other social sciences. (translation by author)*

Contrary to the situation in the sciences, law and all legal communication acts are made by and within national legal systems; there is no universal law because "référents opératoires universels" (Pelage 2000: 127) are lacking. National legislative bodies are autonomous in releasing regulations and laws reflecting the democratic principle of societies.

> "à la différence du spécialiste d'anatomie comparée, le juriste n'a pas cette terminologie de référence. Il ne dispose que de langues nationales attachées à des droits nationaux" (Moréteau 2005: 427).
>
> In contrast to experts in comparative anatomy, legal experts don't have such a terminology of reference, having at their disposal only national languages bound to national legal systems. (translation by author)

Thus, legal language is always bound to a legal system, it serves as a means of communication in a specific national law. There are so many legal languages as there are legal systems, even within one natural language:

> The system-specificity of legal language is responsible for the fact that within a single language there is not one legal language, like, for instance, there is a single medical, chemical or economic language. A language has as many legal languages as there are systems using this language as a legal language. (De Groot 2000: 131)

For translation, this means that the translator has to take into account that each legal system has its own legal language and that translation always involves two languages that may be tied to different legal systems. In this sense, Kerby (1982) argues that legal translation involves a change of language but also some sort of transfer form one legal system to another: „non seulement le passage d'un langua à une autre, mais encore la transportation d'une système de droit à un autre" (Jean Kerby 1982: 5). This fact constitutes a major source of difficulty for legal translations when the source text is bound to one legal system and the target text to another, or when the receivers of the target text are influenced not just by another language but also by another legal system. Every translation has to be done into a specific legal language, i. e. into a language that is used by a national legal system. De Groot (2000, 2008) states rightfully that "it is of primary importance to establish that one legal language must be translated into another legal language" (De Groot 2000: 132).

The difference between national legal systems is determined by the respective cultures and traditions; we may speak of legal families, the two most important being civil law and common law. The relatedness of legal systems, thus, strongly affects the degree of difficulty of a specific translation task (Kocbek 2009: 49, Sandrini 1998: 866) because a translator "is able to transfer into another language (or 'code') only what he or she understands ('decodes') in the source text" (Chromá 2009: 29). Knowledge about the legal system of the source text is, therefore, of vital importance. In cases where the target text refers to another legal system or even where the target text refers to the same legal system but changes into a language whose primary speakers are familiar with a different legal system, knowledge about a second legal system as well as some sort of comparative knowledge will be necessary. Thus, translation constitutes a linguistic process combined with legal interpretation, legal hermeneutics as well as an assessment of the legal effects of the target text.

> Dans certain domains, dont le droit, il s'agira de passer d'un système à un autre, non seulement dans la lettre mais aussi dans l'esprit des cultures juridiques en présence, avec tout se que cela comporte de risques et de changements possibles (Gemar 2002: 119).
>
> *For certain domains, including law, this means moving from one system to another, not just the language but also the spirit of legal cultures involved, with all the risks and changes this might entail. (translation by author)*

In contrast to the systematic approach of comparative law where differences and similarities of legal provisions or even whole branches of law are spread out in specific publications, a translation involves a more targeted and situational comparison focusing on the communicative aspect of the texts involved, their embedding in the respective legal system as well as the legal effects specific decisions of the translator regarding choice of words and terms will have. A comparison of legal concepts relevant to the texts would also be necessary to some degree, though a comprehensive systematic comparison of legal concepts should be the task of legal terminology (Sandrini 1996).

For texts and terms to deliver a specific legal effect, it must be clear what legal concepts, institutions, provisions and thoughts they are refering to; this is achieved by interpretation of the source text and an evaluation of translation options for the target language based on a comparison. The key for such an evaluation is the function specific institutions, concepts or notions have within their respective legal systems: "la fonction, clé de la comparaison" (Moréteau 2005: 419). From a comparison of text-specific legal concepts and institutions for both legal systems involved – "quelle est sa fonction, quel est le problème qu'elle vient résoudre ?" (Moréteau 2005: 420) *What is its function, what kind of problem should be addressed? (translation by author)* – the translator derives a sound basis for his linguistic decisions in compliance with the translation brief and in accordance with the intended use of the target text (Pommer 2006).

> Een goed translateur [is] eigenlijk een binnen-buiten gekeerd comparatist, en een goed comparatist eigenlijk een buitenst-binnen gekeerd translateur (Kisch 1977: 119)
>
> *A good translator [is] actually an inside-outwards looking comparatist, and a good comparatist actually an outside-inwards looking translateur. (translation by author)*

Accordingly, equivalence is a non-issue to our understanding of legal translation. Every relation between the target text and the source text might only be established from a specific viewpoint using specific criteria; the target text and its features are, moreover, heavily bound to the personality, knowledge and competences of the translator as well as to situational parameters regarding the translation process. This is in contrast to numerous older approaches in translation studies that elevate the relationship between source text and target text to the core of their studies. In a legal context, however, equivalence or variance of whatever, plays a subordinate role in relation to the legal function of the target text and its repercussions within

its envisaged context. What remains unchanged is not so much a question of textual features; it is a question of situational factors of the translation process as well as of conscientious decisions by the translator. Thus, in the context of the system-specificity of law, a text is embedded in a net of provisions, statutes and norms; when the text becomes a source text for translation, it must be clear from the start what the role of the target text should be, for whom it will be translated, in what context it will be used and what legal consequences it should have.

## 4 Interpretation

As such, legal texts constitute a tool which is used to achieve specific objectives in law. The process used in law to identify the legal function of a text is called interpretation. Interpretation does not identify meaning as commonly assumed; it defines meaning in a specific legal context under specific legal constraints including traditional canons of statutory interpretation, legislative history, and purpose.

Understanding the source text in the sense of being able to assess its legal effects as well as its embedding in the legal system it belongs to, is a prerequisite for legal translation. The translator "must be able to assess not only one of the possible contextual meanings of a text, but the relevant legal meaning of the text, i.e. the meaning that a legal practitioner would reach when reading the text" (Engberg 2002: 376).

Legal language may also be viewed from a semiotic perspective as done by Jackson for whom the key to understanding legal texts lies in the knowledge of the legal system and not so much in linguistic knowledge: "what impedes comprehension is not the language but the legal concepts expressed by the language" (Jackson 1995: 117), because legal words make sense only within the context of the legal system itself. Law "is a set of technical concepts, related to each other in a particular system of signification" (Jackson 1995: 138). The main interpretative criteria "that influence the sense of these expressions: the linguistic, the systematic and the functional contexts" (Wroblewski 2000: 155) or the traditional methods of interpretation as proposed by legal theorists, i.e. literal meaning, historical meaning, systematic embedding, teleological interpretation are subject to a hierarchical structure when applied, with the literal or grammatical interpretation clearly subordinated to the other, specifically legal interpretation methods.

A special case is the simultaneous production of multilingual legal texts (multilingual drafting) in international organisations or supranational law; here the "uniform interpretation and application of parallel texts" (Šarčević 1997: 87) must be ensured and the distinction between source and target blurs.

The role of interpretation for translation does not stop with the source text; the translation, i.e. the target text, too, will be the object of interpretation, albeit

by a different audience under different situational parameters. The audience of the target text, for example, may be familiar with a different legal environment or legal system and apply different interpretation methods to it. For the target text to be able to fulfill its legal function as requested by the translation specifications and the communicative situation, the translator has to take into account and evaluate potential interpretation cases for the target text and be aware of the specific interpretation rules of the target legal system: "La traduction doit toujours avoir présentes à l'esprit les règles d'interprétation du pays vers lequel il traduit" (Tallon 1995: 341).

How the target text is interpreted may also depend on the status of the translation: is it legally binding or merely for informational purposes. Wiesmann (2004: 141) distinguishes four possible cases:

1. informative source text → informative target text
2. legally binding source text → informative target text
3. informative source text → legally binding target text
4. legally binding source text → legally binding target text

Combining this approach with the three types of legal translation, it is clear that the cases where the target becomes a legally binding text (3 and 4) require the biggest effort on part of the translator to ensure a correlation of the interpretative potential of both texts. Authoritative or authentic translations (Šarčević 1997: 20) within the framework of a multilingual legal system or supranational legal settings constitute sources of law and become legally binding instruments in the target legal systems.

Transparency as well as objectivity in legal translation can be achieved only with clear instructions given to the translator. Models like exhaustive translation-oriented text analysis by Nord (1991) or the more formalized Structured Translation Specifications as exemplified by Melby (2011) are of great help when integrated with specific legal aspects including all parameters which may have an impact on the translation process (Sandrini 2009, Wiesmann 2004: 82). This is why, "when selecting a translation strategy for legal texts, legal considerations must prevail" (Šarčević 2003: 2).

## 5 A layered model of legal translation

Legal translation represents a complex type of translation which is characterized by the intrinsic features of law as well as the situational parameters of the specific translation specifications. Within the theory of action, Madsen (1997) describes three decisive universes that cover „the essential factors that are relevant to translation of legal texts" (Madsen 1997: 291): the legal, the textual and the translator's universe. The legal universe covers the extra-linguistic reality, the world of legal actions, "the mechanisms of law" (Šarčević 1997: 55), i. e. the field of law with all its characterizing

features while the textual universe comprises the descriptions of legal actions fixed in a text and the third one encompasses all factors specific for the individual translation task. Madsen analyses the ties between the legal text and the legal reality and comes to the conclusion that „the cornerstone of a model for translation of legal texts must be the rooting of the legal text in a legal system" (Madsen 1997: 292), meaning that top priority should be given to the legal embedding and the legal effects of both the source as well as the target text. It would be difficult, though, to establish a hierarchy between these universes of action considering that the legal knowledge and the interpreting competence of the translator strongly influence her decisions and, consequently, the legal potential of the target text.

Having said that, the three universes or layers allow for a categorization and differentiation of the parameters in legal translation. The main parameter assigned to the legal universe is the role of the legal systems involved and the legal content or legal effects of the texts. What legal system does the source text belong to? In what legal setting is the source text originally used? What is the legal background of the addressee of the source text? Does the translator have the appropriate legal knowledge and training to assess the interpretative potential of the source text? And with respect to the target text: In what legal system will the target text be rooted? What legal action will be performed with the target text? In what legal setting will it be used? From what legal background do the receivers of the target text come? Is there an intentional shift with regard to the interpretative potential of both texts?

The parameters of language, textual features and purpose are assigned to the textual universe and the following questions must be asked: What type of text is the source text? Is the source text a legal binding text? Who is the author of the text? What is the language of the source text? What is the original communicative intent of the text? Who are the recipients of the source text, specialists or non-specialists? And with respect to the target text: What is the communicative intent of the target text? Who are the recipients of the target text (specialists or non-specialists)? What is the language of the target text and in which legal systems is it spoken? What will be the communicative setting of the target text?

Thirdly, the translator's universe is responsible for the following parameters: purpose and overall situation of the translation task, the person of the translator and his knowledge. What is the purpose of the translation and what are the specifications as outlined e. g. in the structured translation specification set (Melby 2011)? What are the interpretative capabilities of the translator? How much legal knowledge does he have? What is the status of the translator? Will the target text be an authoritative translation? Is there translation technology involved?

Combining this explicative approach with a juxtaposition of source and target text and the role of the translator as a mediator in between we propose a layered model of legal translation where each layer represents one of the three universes with the translator's universe representing a bridge which separates the source text from the target text as shown in the graphical scheme shown on this page. The schematic

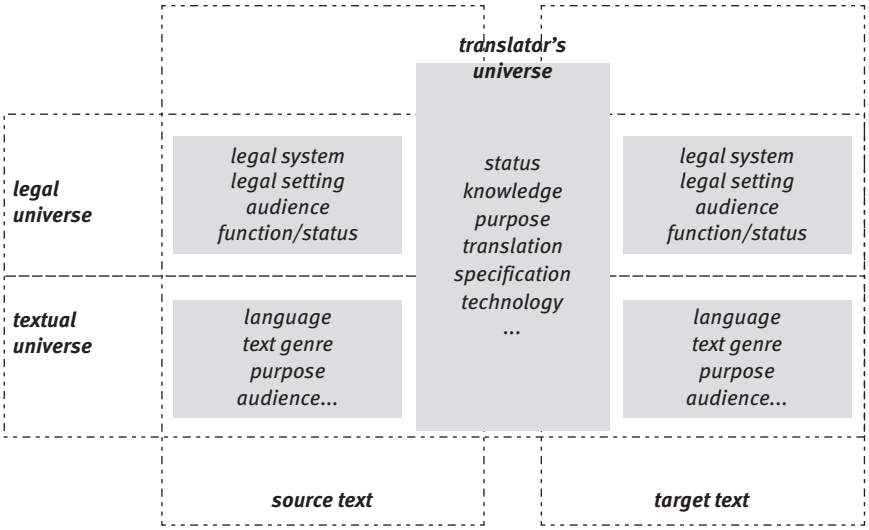


**Figure 1:** Layered model of legal translation.

representation brings all the factors into perspective attributing them to a specific layer. With the help of this structure we can analyze legal translation by selecting aspects from each layer and putting them into perspective. For example,the legal context and the communicative intent of the target text, or the type of text and its status and the status of the translation, and so on. The different perspectives on legal translation and the different functions of this type of translation can, thus, be represented.

It is the interaction of these multiple factors that make legal translation an interesting type of LSP translation: "If legal translation is unusually challenging, this can be attributed not to one particular aspect but rather to the cumulative effect of the various difficulties mentioned" (Harvey 2002: 182). This multifaceted and transdisciplinary aspect represents a challenge not only to the legal translator on the job but also to translation studies.

# 6 Conclusions

Legal translation work has long been a pillar of multilingual societies or organizations, but it has mostly failed to gain greater public recognition. Slowly, the perception by the public is changing and the importance of legal translation is increasingly recognized in research and training programs. The European Union has introduced the Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings, the European Legal Interpreters and Translators Association (EULITA) has been founded and has already undertaken efforts to foster quality in legal translation

and translators training programs, as well as various other initiatives have recently been undertaken to increase the professionalization of legal translation.

However, it has to be stressed that a sound theoretical framework is necessary for all this. With the proposed layered model of legal translation all relevant aspects can be factored in when it comes to explain legal translation as a specific type of LSP translation, or when new training programs shall be planned, or even when one has to organize legal translation work.

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