

City University of Hong Kong

**Information on a Course
offered by Department of Linguistics and Translation
with effect from Semester A in 2014 / 2015**

Part I

Course Title: Legal Translation

Course Code: LT6505

Course Duration: 1 Semester

Credit Units: 3

Level: P6

Medium of Instruction & Assessment: English is the primary medium of instruction and assessment, but where necessary, Chinese is used for discussing issues relating to legal translation.

Prerequisites: Nil

Precursors: Nil

Equivalent Courses: CTL6505 Legal Translation

Exclusive Courses: Nil

Part II

Course Aims

This course aims to help students understand and explore (1) the nature and problems of translation and some of the major approaches to translation; (2) the problems inherent in legal translation with a special emphasis on those in the context of Hong Kong; and (3) the principles and techniques of legal translation. It equips them with the linguistic and conceptual tools for analysing and translating various types of legal texts.

Course Intended Learning Outcomes (CILOs)

Upon successful completion of this course, students should be able to:

No.	CILOs	Weighting (if applicable)
1.	Give a clear account of the nature of translation in general and the special features of legal translation in particular	
2.	Apply the linguistic and conceptual tools for analyzing legal texts	
3.	Apply the basic techniques for translating a variety of legal texts	
4.	Conduct critical evaluation of translated legal texts	

Teaching and Learning Activities (TLAs)

(Indicative of likely activities and tasks designed to facilitate students' achievement of the CILOs. Final details will be provided to students in their first week of attendance in this course)

CILO No.	TLAs	Hours/week (if applicable)
CILO 1	Lecture; tutorial	2 hours lecture;
CILO 2-4	Lecture; tutorial (class exercises)	1 hour tutorial

Assessment Tasks/Activities

(Indicative of likely activities and tasks designed to assess how well the students achieve the CILOs. Final details will be provided to students in their first week of attendance in this course)

CILO No.	Type of Assessment Tasks/Activities	Weighting (if applicable)	Remarks
CILO 1	1 short discussion paper (10 pages)	10%	
CILO 2	1 home assignment	10%	
CILO 3	1 home assignment	10%	
CILO 4	1 home assignment	10%	
CILOs 1-4	Final examination (1 discussion question and 2 – 3 translation questions) (3 hours)	60%	

Grading of Student Achievement:

Refer to Grading of Courses in the Academic Regulations for Taught Postgraduate Degrees.

Grading pattern: Standard (A+, A, A-...F). Grading is based on student performance in assessment tasks/activities.

Excellent (A-, A, A+)	Good (B-, B, B+)	Adequate (C-, C, C+)	Marginal (D)
Strong evidence of original thinking in legal translation and critique of translated legal texts; superior grasp of subject matter; strong evidence of extensive knowledge base; excellent capacity in analysing, synthesizing and translating	Some evidence of original thinking in legal translation and critique of translated legal texts; good grasp of subject matter; some evidence of extensive knowledge base; Good evidence of critical capacity, analytical ability and translation skills	Some attempts in original thinking in legal translation and critique of translated legal texts; reasonable understanding of issues in legal translation; some evidence of familiarity with literature; some capacity to analyse and translate	Little evidence of original thinking in legal translation and critique of translated legal texts; limited knowledge and understanding of issues in legal translation; weakness in critical, analytical and translation skills

Part III

Keyword Syllabus

The nature of translation; problems of legal translation; principles of legal translation; methods of legal translation; translation of legislation; translation of private legal documents

Recommended Reading Text(s)

English references

Cheung, Anne S. Y. 1997. "Towards a Bilingual Legal System—The Development of Chinese Chinese Legal Language." *Loy L. A. International & Comparative Law Journal*. Vol. 19:315. 315 – 336.

Coode, George. 1852. *Legislative Expression or The Language of the Written Law*. In Appendix to Stanley Robinson, *Drafting: its applications to conveyancing and commercial documents*. London: Butterworths, 1980.

De Leo, David. 1998. "Pitfalls in Legal Translation." *Translation Journal* URL: <http://accurapid.com/journal/09legal/1.htm>.

Frandberg, Ake. "Legal Concepts." *Routledge Encyclopedia of Philosophy*. London: Routledge.

Haas, W. 1968. "The Theory of Translation." In G. H. R. (Ed.), *The Theory of Meaning*. Oxford: OUP, 86 – 108.

Li, Zong E. (n.d.). *Notes on Legal Translation*. Unpublished lecture notes.

- Madsen, Dorte. "A model for translation of legal texts." In Marry Snell-Hornby, Zuzana Jettmarova and Klaus Kaindl (Eds.), *Translation As Intercultural Communication: Selected Papers from the EST Congress – Prague 1995*. Amsterdam: John Benjamins. 291 – 299.
- Meredith, R. Clive. 1970. "Some Notes on English Legal Translation." *META* XXIV, 1. 54 – 67.
- Nida, Eugene A. 1971. "Semantic components in translation theory." In G. E. Perren and J. L. M. Trun (Eds.), *Applications of Linguistics: Selected Papers of the Second International Congress of Applied Linguistics*. Cambridge: CUP. 341 – 348.
- Nida, Eugene A. and Taber, Charles R. 1982. *The Theory and Practice of Translation*. Leiden: E. J. Brill.
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- Sin, King-kui. 1989. "Meaning, Translation and Bilingual Legislation." Proceedings of First International Conference on Language and Law. Ed. Paul Pupier & Jose Woehrling. Montreal: Wilson & Lafleur Ltee. 509-515.
- _____. 1992. "The Translatability of Law." In Thomas H. T. Leed (Ed.), *Research on Chinese Linguistics in Hong Kong*. Hong Kong: The Linguistic Society of Hong. 86-100.
- _____. 1998. "The Common Law in Uncommon Chinese: Linguistic Anomalies and Cultural Shock." *Journal of Translation* No. 2. 127-140
- _____. 1999. "The Missing Link between Language and Law: Problems of Legislative Translation in Hong Kong." In Kjell Herberts & Joseph G. Turi (Eds.), *Multilingual Cities and Abo Akademi University, Vaasa*, 195-210.
- Sin, King-kui and Roebuck. 1993. "The Ego and I and Ngo: Theoretical Problems in the Translation of the Common Law into Chinese." In Raymond Wacks (Ed.), *Hong Kong, China and 1997: Essays in Legal Theory*. Hong Kong: Hong Kong University Press, 185-209.
- _____. 1996. "Language Engineering for Legal Transplantation: Conceptual Problems in Creating Common Law Chinese." *Language and Communication* Vol. 16, No.3, 235-254.
- Smith, Lee Smith. 1994. "Foreign Law in Translation: Problems and Sources." In Richard A. Danner and Marie-Louise H. Bernal (Eds.), *Introduction to Foreign Legal Systems*. New York: Oceana Publications, Inc., 268 – 271.
- Zhao, Yuhong. 2000. "Legal Translation in the Legislative Genre." *Journal of Translation Studies*. No. 4, March 2000. 19 – 44.
- Selected articles of Law Draftsman. *Hong Kong Lawyer*.

Chinese references

- 陳忠誠. 1992. *法窗譯話*. 北京: 中國對外翻譯出版公司.
- 黃薇薇. (年份不詳). “在法律上使用中文.” 未發表演講稿.
- 季益廣、喬金祥. 2000. “法律文本翻譯中詞語詞義的選擇和確立.” *上海科技翻譯* 2000 No.3. 34 – 37.
- 李克興. 1997. “論法律翻譯的基本原則.” 載於香港翻譯學會 *翻譯季刊* 第 3&4 期. 176 – 202.
- 李文陽. 1994. “淺論法律英語的語言特點及翻譯.” *中國翻譯* 1994 年第 6 期. 13 – 16.
- 陸汶遜. 1998. “法律詞彙翻譯切戒望文生義.” *上海科技翻譯* 1998 No. 2. 32 – 33.
- 陸文慧. 1991. “基本法的英譯問題.” 載於劉靖之編 *翻譯新論集*. 香港: 商務印書館.. 319 – 334.
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- 歐成威. 1991. “雙語立法在香港的發展.” 載於劉靖之編 *翻譯新論集*. 香港: 商務印書館. 293 – 301.
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- 孫萬彪. 2003. *英漢法律翻譯教程*. 上海: 上海外語教育.
- 譚劍虹. 1992. “法律中譯與中文法律體系的意義.” 澳門過渡期語言發展路向國際學術研討會演講辭.
- 蕭雲樞. 2001. “英漢法律術語的特點、詞源及翻譯.” *中國翻譯*. 第 22 卷 第 3 期. 44 – 47.

Online Resources

《雙語法例資料系統》(Bilingual Laws Information System)
<http://www.justice.gov.hk>
www.justice.gov.hk/homeglos
www.qis.net/chinalaw/lawchinl.htm