



UDK: 81'25.35'071.5

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## THE FEATURES OF LEGAL TERM TRANSLATION AND THE ESSENCE OF THE PRAGMATIC APPROACH IN THE TRANSLATION PROCESS

Annotation

This article explores the intricacies of legal term translation and emphasizes the importance of the pragmatic approach in ensuring accurate and context-sensitive translations. Legal terminology, often deeply rooted in specific cultural and legal systems, poses unique challenges for translators. The study highlights how a pragmatic approach aids in addressing these challenges by considering the functional equivalence, cultural nuances, and intended purpose of the translated text. By examining case studies and theoretical frameworks, the article underscores the role of linguistic precision and contextual understanding in legal translations. The findings suggest that effective legal translation requires a combination of linguistic skills, cultural competence, and pragmatic strategies to bridge the gap between differing legal systems and audiences.

**Key words:** legal terms, pragmatic approach, functional equivalence, cultural nuances, linguistic precision, legal systems, translation strategies, cross-cultural communication, translation challenges.

## ОСОБЕННОСТИ ПЕРЕВОДА ЮРИДИЧЕСКИХ ТЕРМИНОВ И СУЩНОСТЬ ПРАГМАТИЧЕСКОГО ПОДХОДА В ПРОЦЕССЕ ПЕРЕВОДА

Аннотация

В данной статье исследуются тонкости перевода юридических терминов и подчеркивается важность прагматического подхода в обеспечении точного и контекстуально-ориентированного перевода. Юридическая терминология, зачастую глубоко укорененная в конкретных культурно-правовых системах, ставит перед переводчиками уникальные задачи. Исследование показывает, как прагматический подход помогает решить эти проблемы, учитывая функциональную эквивалентность, культурные нюансы и целевое назначение переводимого текста. Рассматривая конкретные примеры и теоретические основы, статья подчеркивает роль лингвистической точности и контекстуального понимания в юридических переводах. Результаты свидетельствуют о том, что эффективный юридический перевод требует сочетания языковых навыков, культурной компетенции и прагматических стратегий для преодоления разрыва между различными правовыми системами и целевой аудиторией.

Ключевые слова: юридические термины, прагматический подход, функциональная эквивалентность, культурные нюансы, лингвистическая точность, правовые системы, стратегии перевода, межкультурная коммуникация, проблемы перевода.

## YURIDIK TERMINLARNING TARJIMA XUSUSIYATLARI VA TARJIMA JARAYONIDA PRAGMATIK YONDASHUVNING MOHIYATI

Annotatsiya

Ushbu maqola yuridik atamalarini tarjima qilishning nozik jihatlarini o'rganadi va aniq hamda kontekstga mos tarjimalarni ta'minlashda pragmatik yondashuvning muhimligini ta'kidlaydi. Muayyan madaniy va huquqiy tizimlarga chuqur bog'liq bo'lgan yuridik terminologiya tarjimonlar uchun o'ziga xos qiyinchiliklar tug'diradi. Tadqiqot pragmatik yondashuv tarjima qilingan matnning funksional ekvivalentligi, madaniy nozikliklarini va ko'zlangan maqsadini hisobga olgan holda ushbu qiyinchiliklarni bartaraf etishda qanday yordam berishini ko'rsatadi. Maqola keys-stadilar va nazariy asoslarni tahlil qilish orqali yuridik tarjimalarda lingvistik aniqlik va kontekstual tushunchaning rolini ta'kidlaydi. Olingan natijalar shuni ko'rsatadiki, samarali yuridik tarjima turli huquqiy tizimlar va auditoriyalar o'rtasidagi farqlarni qoplash uchun lingvistik ko'nikmalar, madaniy kompetensiya va pragmatik strategiyalarning uyg'unligini talab etadi.

**Kalit so'zlar:** yuridik atamalar, pragmatik yondashuv, funksional ekvivalentlik, madaniy nozikliklar, lingvistik aniqlik, huquqiy tizimlar, tarjima strategiyalari, madaniyatlararo muloqot, tarjima qilish muammolari.

**Introduction.** Legal translation is a specialized field of translation that bridges the gap between distinct legal systems and linguistic frameworks. The complexity of this task arises from the unique characteristics of legal language, which is often rich in technical terms, culturally embedded concepts, and system-specific structures. These features make the translation of legal texts a challenging endeavour that requires more than a simple transfer of words from one language to another. Instead, it demands a nuanced approach that accounts for both linguistic and cultural differences. The pragmatic approach to legal translation has emerged as a

crucial strategy to address these challenges. [10] Unlike purely literal translations, which risk distorting the original meaning or failing to capture the intended legal effect, the pragmatic approach prioritizes functional equivalence. This means that the translation seeks to replicate not just the words, but also the purpose and effect of the original text within the target legal and linguistic context. Such an approach is essential when translating legal documents like contracts, statutes, or court judgments, where precision and clarity are paramount.

In this context, understanding the cultural and systemic nuances of legal terms is critical. Legal terminology

often carries meanings that are deeply rooted in the legal traditions of a specific jurisdiction. [7] For instance, terms like “tort” or “consideration” in English law have no direct equivalents in many other legal systems. This necessitates a translator who not only has linguistic expertise but also possesses a deep understanding of both the source and target legal systems. This study explores the features of legal term translation and the role of the pragmatic approach in ensuring accurate and effective translations. By examining the theoretical underpinnings of legal translation and analyzing practical case studies, this research highlights the significance of cultural and contextual awareness in overcoming the inherent challenges of legal translation. The findings of this study aim to provide valuable insights for translators, legal professionals, and researchers interested in improving the quality and reliability of legal translations in an increasingly globalized world.

A literature review. Legal translation has been a subject of extensive academic inquiry, primarily due to its complexity and critical importance in cross-border legal communication. Scholars such as Šarčević [2] have emphasized the unique characteristics of legal language, including its precision, formality, and reliance on system-specific terminology. These features distinguish legal translation from other types of specialized translation and highlight the necessity of a nuanced approach that goes beyond word-for-word rendering.

Cao [1] introduced the concept of “functional equivalence” as a cornerstone of legal translation, arguing that translations must preserve the legal effect of the source text in the target legal system. This perspective aligns with the pragmatic approach, which prioritizes the intended function and context of legal texts. Similarly, Gémár [5] underscored the cultural embeddedness of legal language, noting that translators must navigate differences in legal traditions, values, and societal norms to produce effective translations.

Biel [4] explored the role of linguistic precision and clarity in legal translation, emphasizing the risks of ambiguity and misinterpretation. Her work highlighted the importance of using terminological resources and legal dictionaries, although she cautioned against their limitations due to jurisdictional variations. Alcaraz and Hughes [3] further elaborated on the challenges posed by untranslatable terms, advocating for strategies such as paraphrasing and explanatory notes to convey their meanings. More recent studies, including those by Monzó [8] and Garzone [6], have focused on the practical application of theoretical frameworks. They argue that successful legal translation requires a combination of linguistic expertise, legal knowledge, and cultural competence. These studies also emphasize the need for ongoing collaboration between translators and legal professionals to ensure accuracy and consistency.

This literature review highlights the consensus among scholars on the importance of a pragmatic, culturally aware approach to legal translation. It serves as a foundation for further exploration into the methodologies and strategies that enhance the quality of legal translations in diverse legal contexts.

**Research methodology.** This study employs a qualitative research methodology to explore the features of legal term translation and the role of the pragmatic approach in the translation process. The methodology is designed to analyze the theoretical and practical aspects of legal translation, focusing on strategies that address linguistic, cultural, and systemic challenges.

#### Research design

The study is structured into two main components: theoretical analysis and case study evaluation. The theoretical analysis involves an in-depth review of existing literature on

legal translation, including scholarly works, legal dictionaries, and industry guidelines. This review provides a foundation for understanding the principles, challenges, and strategies associated with legal term translation. The second component focuses on practical case studies. [9] A selection of translated legal texts, including contracts, statutes, and international agreements, is analyzed to identify common challenges and successful strategies. These case studies illustrate the application of the pragmatic approach in real-world scenarios and highlight its effectiveness in preserving the meaning and function of the source text.

#### Data collection

Data for this study is collected from multiple sources, including:

Scholarly publications: articles, books, and journals on legal translation and the pragmatic approach.

Translated legal texts: samples from multilingual jurisdictions where legal documents are produced in multiple languages.

Expert opinions: insights from professional translators and legal practitioners through interviews and published commentaries.

#### Data Analysis

The collected data is analyzed using content analysis techniques to identify recurring themes and patterns. The theoretical analysis focuses on categorizing challenges in legal translation, while the case study analysis examines the application of the pragmatic approach and its outcomes. The findings are synthesized to provide a comprehensive understanding of the role of pragmatics in legal translation.

#### Justification

A qualitative approach is chosen because it allows for an in-depth exploration of the contextual and cultural factors influencing legal translation. The combination of theoretical analysis and practical case studies ensures a holistic understanding of the topic, bridging the gap between academic theory and professional practice.

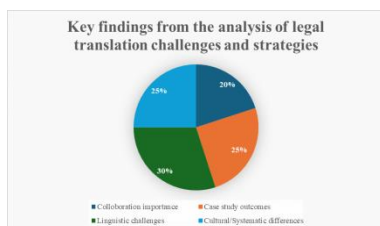
**Analysis and results.** The analysis of legal term translation, focusing on the pragmatic approach, reveals several critical insights into the challenges and strategies involved in translating legal texts effectively. This section synthesizes findings from theoretical analysis and case study evaluations to demonstrate how the pragmatic approach enhances the quality and functionality of legal translations.

The analysis highlights that legal language is highly specialized and context-dependent, making direct translations often inadequate. Terms such as consideration in English law or usufruct in civil law systems lack direct equivalents in other languages, creating ambiguities. These challenges are compounded by syntactic complexities, formal structures, and system-specific legal norms.

Legal terms are deeply embedded in the legal systems and cultural contexts of their origin. For instance, the term common law has a broader implication beyond its literal translation, referring to an entire legal tradition. The pragmatic approach, which emphasizes functional equivalence, proves effective in addressing these cultural and systemic disparities by considering the intended legal function and adapting the translation to fit the target context.

The evaluation of translated legal texts demonstrates that the pragmatic approach significantly enhances translation accuracy and effectiveness. For instance, in the translation of international contracts, the use of paraphrasing and explanatory notes helped bridge gaps between differing legal systems. Similarly, in translated court judgments, the pragmatic approach ensured that legal intent and implications were preserved, avoiding misinterpretation.

Figure. Key findings from the analysis of legal translation challenges and strategies



The pie chart represents the key findings from the analysis of legal translation challenges and strategies, focusing on the pragmatic approach. The distribution of the categories highlights their relative significance:

**Linguistic challenges (30%):** this category dominates the analysis, emphasizing the complexity of legal language, including specialized terminology, formal structures, and syntactic difficulties. Translators face significant hurdles in ensuring linguistic precision without losing the essence of the source text.

**Cultural and systemic differences (25%):** these differences account for a substantial portion of the challenges, as legal terms are deeply rooted in specific legal traditions and cultural contexts. The pragmatic approach helps address these differences by prioritizing functional equivalence and adapting translations to the target context.

**Case study outcomes (25%):** case studies demonstrate how pragmatic strategies such as paraphrasing and explanatory notes enhance translation quality. They also highlight the practical application of theoretical frameworks to overcome linguistic and cultural barriers.

**Collaboration importance (20%):** collaboration between legal translators and professionals is crucial for achieving accurate and contextually appropriate translations. This finding underscores the value of interdisciplinary teamwork in addressing jurisdiction-specific nuances and resolving ambiguities.

The chart visually communicates the balanced focus of the study, with linguistic challenges being slightly more emphasized, followed closely by cultural/systemic differences and case study outcomes. Collaboration, while slightly smaller in proportion, remains an essential factor in improving translation effectiveness.

The results underscore the importance of collaboration between translators and legal professionals. Legal translators with access to expert guidance were more successful in producing accurate translations that aligned with the target legal system's conventions. This collaboration also helped in

resolving issues related to untranslatable terms and jurisdictional nuances.

The analysis confirms that the pragmatic approach, with its emphasis on functional equivalence, cultural awareness, and context, is essential for effective legal term translation. By addressing linguistic, cultural, and systemic challenges, this approach ensures that the translated text fulfills its intended purpose, preserving the legal meaning and effect of the original text in the target language.

**Conclusion.** Legal translation is a highly specialized field that requires a nuanced understanding of both linguistic and legal frameworks. This study underscores the challenges associated with translating legal terms, which are often deeply rooted in specific legal systems and cultural contexts. The pragmatic approach has proven to be an essential strategy in addressing these challenges, as it prioritizes functional equivalence and ensures that translations maintain the legal intent and purpose of the source text. Through a combination of theoretical insights and case study analyses, the findings demonstrate that linguistic precision, cultural awareness, and contextual understanding are vital for effective legal translations.

The analysis also reveals the importance of collaboration between legal translators and professionals. This interdisciplinary approach allows translators to navigate untranslatable terms and systemic differences more effectively, ensuring that the final product meets the standards of both the source and target legal systems. Additionally, the study highlights the value of practical strategies such as paraphrasing and explanatory notes, which bridge the gap between differing legal traditions.

To enhance the quality of legal translations, several recommendations are proposed. First, legal translators should undergo specialized training that combines linguistic expertise with legal knowledge. This training will prepare them to handle the complexities of legal texts. Second, fostering collaboration between translators and legal professionals can improve accuracy and consistency. Third, adopting pragmatic strategies, including functional equivalence and cultural adaptation, can address systemic differences. Finally, the use of advanced technological tools, such as updated legal glossaries and translation software, can further support translators in producing precise and contextually appropriate work. By adopting these recommendations, the field of legal translation can achieve higher standards of accuracy and reliability, enabling seamless communication across diverse legal systems and cultures.

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