Legal Contract Translation Problems: Voices from Sudanese Translation Practitioners

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Abstract

This exploratory study is set to investigate Sudanese translation practitioners' perceptions about language-related challenges encountered when translating legal contracts. It attempts to explore those practitioners' perceptions and views about these difficulties in the Gulf context, specifically in Oman and the UAE, and compare them with related findings from empirical literature. The significance of the present study stems from the fact that the results may help legal translation practitioners to improve their practices. To achieve the study objectives a questionnaire was designed and distributed to thirty-three Sudanese translation practitioners to collect data. Additionally, relevant literature was reviewed to pinpoint the gaps in this area and support information stemming from the questionnaire. The findings show that translation practitioners' perceptions about legal contracts translation challenges are consistent with findings in the empirical literature. The study specifically shows that the most apparent challenges are: language-related challenges, followed by style-related challenges, culture-specific challenges, and culture-specific challenges, respectively. The study also concluded with some key relevant recommendations: First, legal contracts should be translated by well-trained and certified translators. Second, workshops and training on legal translation should be conducted periodically and training should be one of the requirements for practising and joining legal translation industry. Moreover, translators of legal contracts should be accredited individually and that should be conducted by experts and specialized bodies.

Key Words: Legal translation, language-related challenges, legal contract translation problems, legal contract challenges, Sudanese legal practitioners' perceptions

Introduction

Translation in general is a phenomenon that has a huge effect on people everyday life (Hatim & Monday, 2004, and Newmark, 1991). Legal translation in particular is of paramount importance because it takes place in international institutions and organizations such as EU and UN, etc. Today's world involves an increasing amount of agreements, negotiations and disputes between nations and individuals, and makes legal translation crucial and even indispensable professional practice (Duraner, 2012,). Therefore, legal translation training has come into prominence to ensure that translators in the sector are well-trained and competent. However, it presents the biggest problems to translators (Simonnaes, 2012).This is because legal language is, unlike general language characterized by certain syntactic, semantic, morphological, terminological, genre, abbreviations pragmatic and stylistic features which make it challenging for translators. Legal translation differs from other types of translation in two major ways: the legal system and the terms which associated with it. Therefore, understanding the legal terms and its translation to another language depends heavily on the understanding of its place in legal system to which it belongs to (Al Aqad, 2014). For examples, the Arabic language has some words which have the same lexical structure, same phoneme and morpheme but different meaning due to the legal system and the terms belong to that system (Al Aqad, 2014).This means that the translator can only translate the legal term into the target language (TL) if he/ she understood its position in the legal system of the TL. Further, legal translation is difficult than any other types of technical translation because of the system-bound nature of legal terminology unlike scientific or other technical terminology as each country has its own legal terminology which has no counterpart in other legal systems (Kananer, 2005). Translation practitioners need to consider the gap between legal systems, lack of equivalence and their effect on the produced text. Moreover, legal documents entail specific laws, rights or obligations, their language layout and wording demand preciseness and expressiveness and can have no other interpretations apart from the ones stated (Alwai & Fakhouri, 2010). Additionally, the legal text exhibits a high degree of linguistic conservation, including written instruction such as court judgments, police reports, constitutions, charters, treaties, protocols and regulation (Crystal & Davy, 1969).The genesis of legal language terms is mostly Latin which make legal terms it even more challenging and less accessible (Hargitt, 2013). Legal language is imbued with legal concepts and terms and making it highly formulized with long-winded sentences and technical terms in order to ensure precision and avoid any possible misinterpretation (Alwazna, 2013).

Further, legal translation is considered one of the types of translations where the translator is subject to stringent semantic constraints at all levels due to the peculiar features of the language of legal language on the one hand and the culturally mediated nature of legal discourse on the other (Wang & Sin 2013).Therefore, legal translation requires usage of translation methodology according to the challenges it possesses. This is a small scale research addresses translation practitioners' views about some of the language-related challenges that faced by translators when translating legal text, notably contracts between Arabic and English to find some possible ways for alleviating them.

Statement of the Problem

Translation has become as a gateway for understanding and dealing with other nations and their civilizations (Al Aqad, 2014). Therefore, in this age of globalization and the internet, the need for competent translator is of utmost importance that ever. Because "Legal text represents one of

the most translated types of texts in today's world as a result of the processes of unification of Europe, and economic globalization" (Melinda, 2011, p.357).Legal texts present an instance of pragmatic texts whose aim is essentially to convey information without aiming to produce any aesthetic effects it is the case of literary translation (Melinda, 2011). However, legal translation is considered as not an easy task due to the nature of legal discourse because legal translation is highly specialized and culture dependent (Shiflett, n.d.)."Unlike general English text, legal English text is much more difficult to translate because legal English translation is not only about transferring the meaning but it also deals with finding the appropriate legal expressions in target language" (Karjo, 2015, p.352) .The researcher, in his capacity as an English language teacher, linguist and postgraduate student and based on his practical experience in the field of translation, has observed that translation practitioners between English to Arabic and vice versa often encounter many linguistic and non-linguistic challenges when translating legal contracts and agreements. Therefore, the idea of this research is formulated from a general observation and practical experience in the field of applied linguistics in general and translation in particular. This observation is supported by several research findings.

Legal translation is considered by many as extremely challenging. Additionally, Harvey, (2002) claims that translating legal text is considered to be one of the most arduous and demanding jobs that encountered by translators because of the system-bound nature of legal terminology and its special syntactic, semantic and pragmatic rules Šarcevic (2000). Farghal & Shunnaq (1992 and 1999) classify contract translation linguistic-related problems into three categories: syntax-related problems, layout-related problems, and tenor-related problems. Legal language is a jargon which primarily characterized by a complex and specialized lexicon, which requires interpretation to be understood and often makes the language completely foreign and incomprehensible to a layperson (Hargitt, 2013). Further, legal translation has been seen as a highly sensitive area in translation due to its complex syntax and peculiar convention of legal drafting and differences in source and target languages (Frade, 2015). According to Baker (1992) the most common problems that legal translators face during the rendering of a legal text are the lack of verbal/ functional equivalence in the target language. It requires highly competent translator whose task is to stay faithful to the intent, tone, and the format of the original, source legal document and make the text clearer and understandable to the receiver without take ant creative liberty which is considered unacceptable in the formal constraints of legal language (Shiflett, n.d.). A legal translator must be able to use the language effectively to express legal actions and achieve the desired effect. For this to be achieved, all linguistic and non-linguistic challenges in legal translation and contracts translation in particular need to be identified from the practitioners' perspectives in order to address them in an effective manner. Therefore, the present study necessary address gaps in the literature in view of what has been done and/or yet needs to be done, addressed to some extent by the research questions that follow.

Objectives of the Study
With reference to the study questions and problem, this study intends to achieve the following aims:
- To explore some of the language–related challenges that translators encounter when translating legal contracts between English and Arabic;
- To find out the reasons behind these challenges;
- To determine how far these challenges impact on their quality of translation

- To investigate how do they cope with these challenges;
- To suggest and provide some possible strategies which could help translation practitioners to overcome these challenges and inform translation pedagogy.

Study Questions

The study seeks to answer the following questions:

1. What are the translation practitioners' perceptions about the language-related challenges that they encounter when translating legal contracts?

2. Why do they encounter such kind of challenges?

3. How do these challenges impact on their quality of translation?

4. How do they respond to these challenges?

 5. What are the possible strategies that could be offered to help translators to overcome these challenges?

Methods

        The main objective of this part is to describe the methodological part of the study, primarily the subjects, instruments (questionnaires and collection of relevant literature), piloting, validity and reliability issues, as well as the procedures of the main study. The choice of the methodological approach to tackle a research problem should be appropriate to the research questions and should reflect the research topic because the methodology shapes why a certain approach is used and how is to be used (Dörnyei & Toguchi 2010). Thus, the quantitative method was in this study employed to collect data and analyze data, as well as interpret the results. Additionally, Silverman (2007) asserts that the research method should not be pre-determined; rather that it should be chosen because it is appropriate to what the researcher trying to find out. Therefore, a quantitative method was employed to collect data. The quantitative approaches offer practicality in terms of data collection and analysis and provide reliable and replicable data (Dörnyei & Toguchi 2010). Therefore, quantitative method is appropriate for this research because it would help to explore translation practitioners' views, opinions, experience about difficulties and problems that encountered when translating legal contracts and agreements from English into Arabic and vice versa. According to Silverman (2007), no method in qualitative and quantitative research is intrinsically better than any other, choosing a method depends on what a researcher is trying to find out and everything in a research project depends on the research problem being analyzed. In addition, Tashakkori & Teddlie (2003, p.15) add "the ultimate goal of any research project is to answer the questions that were set forth at the beginning of the project". Therefore, quantitative methods are useful if they provide better opportunities for answering research questions, helping the researchers to meet the criteria for evaluating "goodness" of their answers better than do single approach designs. The present study is conducted in the Sultanate of Oman where the researcher has been working for a number of years. Therefore the study problem which is based on my own observation and practical experience as a freelance translator and as a teacher in the field of English as a foreign language and translator of legal contracts and documents.The study aims at exploring translation practitioners' perceptions and views about the language-related challenges that they encounter when translating legal contracts and agreements. The methodological approach which underlies this study is quantitative. The study is based on 33 translation practitioners who were selected randomly.The rationale behind choosing this number of participants is for practical reasons because the study is just small scale complementary research and the researcher finds these people accessible. All the participants are Sudanese

nationals and they all share similar educational and cultural background. Years of teaching experience vary among them. Additionally, a questionnaire explores translation practitioners about the linguistic challenges was piloted and administered to 33 translation practitioners. Questionnaire reliability will be established using various methods such as expert and statistical validation. As for data analysis, frequency and percentage will be used for statistical analysis. The item of high frequency and percentage reflects the most significant, required answers for the study questions.

Focal Theories and Concepts

Key studies on language-related challenges encountered by translation practitioners when translating legal texts in general and legal contracts and documents in particular will be reviewed and discussed to put this study into perspective and pinpoint the gaps in the existing relevant literature. Translational problems and challenges in legal English, international studies related to legal translation challenges, and regional Arab world studies related to legal translation challenges were highlighted and discussed. Most of the studies were carried out empirically from error analysis perspectives by giving a legal translation texts to legal translators to translate them from English into Arabic and vice versa and then analysing the errors to find out difficulties translation may have encountered (Abu-Ghazal, 1996; Aghagozadeh, 2012; Al Aqad, 2014; Al-Bitar, 1995; Al-Nakhalah, 2013; Al Najjar, 2011; Al Shehab, Alawi & Fakhori, ; Bostanji, 2010; 2010; Elayyan, 2010; Farghal & Shunnaq 1992). However, there are few studies which focus on legal translators' perceptions about the difficulties and challenges that they face when translating legal contracts from English into Arabic and vice versa. The findings of translators' perceptions will be compared, contrasted and discussed with the findings of empirical studies in the relevant literature.

Analysis and Discussion

This part addresses the analysis of data, discussion and the data presentation. The results are presented to depict the entire population. The data is displayed in tables and charts and it is also discussed and connected with the relevant literature. Method of analysis includes statistical approach that is adopted in the questionnaire and depends on frequency and percentage. The item of high frequency and percentage reflects the most significant, required answers for the study questions. Tables used through out to demonstrate the results of the study. Having collected both the qualitative data, the next step is the analysis which demands frequencies and percentages for analyzing the quantitative. Procedures for establishing validity and reliability were applied to the tools of inquiry. Moreover the main aims of this study are: to explore some of the linguistic challenges that translators encounter when translating legal contracts; to find out the reasons behind these challenges; to determine how far these challenges impact their quality of translation to investigate how do they cope up with these challenges and to suggest and provide some possible strategies which could help translation practitioners to overcome these challenges and inform translation pedagogy. One method was used to collect data from the participants and different methods of data analysis were employed to increase confidence in the data and enhance the study validity reliability and credibility. All data collection methods and analysis, participants, sampling were discussed.

The results of the questionnaire and the analysis were carried out on the basis of the questions of the study. The results are discussed as follows:

What are the Translators' Perceptions about Some of the Linguistic Challenges that Encounter When Translating Legal Contracts and Agreements?

Table 1 *Translation Practitioners' Perceptions about Some of the Language-related Challenges Encountered when Translating Legal Contracts and Agreements*

No.	Statement	SD		D		N		A		SA	
		F	%	F	%	F	%	F	%	F	%
1.	It is challenging to translate Arabic legal contracts into English and vice versa.	2	6	7	21	2	6	16	48	5	15
2.	I sometimes find the structure of legal sentences quite long and difficult for me when translating legal contracts between English and Arabic.	0	0	4	12	6	18	16	48	6	18
3.	Legal text layout constitutes a great difficulty for me when translating legal contracts between English and Arabic.	2	6	13	39	6	18	15	45	6	18
4.	Culture-specific legal terms are always challenging for me when translating legal contracts between English and Arabic.	2	6	7	21	10	30	13	39	4	12
5.	Punctuation and capitalization cause many difficulties for me when translating legal contracts between English and Arabic.	3	9	17	51	3	9	6	18	4	12
6.	Translating modal verbs, i.e. *shall, will, must, may, etc.* is one of the challenges when translating between English and Arabic.	4	12	6	18	5	15	4	12	4	12
7.	Tenses used in legal contracts create difficulty for me when translating between English and Arabic.	4	12	16	48	6	18	4	18	2	6
8.	It is difficult for me to understand French and Latin words when translating legal contracts between English and Arabic.	1	3	7	21	1	36	9	27	2	6

Table (1) depicts translation practitioners' perceptions and views about legal translation in general and contracts and agreements in particular. In response to item one in the questionnaire, 48% of the respondents "agreed" that it is challenging for them to translate Arabic legal contracts into English and vice versa, while 6% of the respondents "disagreed" with the statement and 6% reported by "not sure' 'This is quite evident that translating legal contract is perceived by participants as something challenging. This finding is supported by (Bostanji, 2010):

> The major challenge in legal translation is how to overcome the conceptual differences among languages. Translation practitioners have to render concepts into TL (target language) which differ from those familiar to its society not just minor decorations or connotations but primarily for institutional reasons. (p.64).

Concerning item two, 48% of the respondents "agreed" that the structure of legal sentence is quite long and difficult for them when translating legal contracts between English and Arabic and only 12% "disagreed" with the statement. This corroborates with Haigh (2004) and Crystal &

Davy (1969) that legal sentence is complex and quite different from other types of sentences and legal English register employs complex sentence which is rarely found in other registers. As for item three, legal text layout, 45% the respondents "agreed" that the legal text layout constitutes a great difficulty for them when translating legal contracts between English and Arabic, while 39% reported by "a disagreement" and 18% were not sure. This result corroborates with Farghal & Shunnaq's (1992) study findings that:

> As to layout-related problems, the researchers discussed the issue of capitalization in English which has no counterpart in Arabic. As for tenor-related problems, they highlighted the difficulty faced by students in differentiating between formal an informal expressions. The researchers pointed out that, with respect to legal language that: "layout refers to the sketch or plan of the text's physical appearance". This related to paraphrasing, indentation, and graphitic choices, capitalizing, italicizing, underlying and bold-typing. In legal contracts and agreements, some words are purposefully written in capitals to emphasizing their importance in the document. (p.208).

It is quite obvious that legal text layout constitutes a great difficulty for translators when translating legal contracts from English into Arabic.

Regarding item four, 39% of the respondents "agreed" that culture-specific legal terms are always challenging for them when translating legal contracts between English and Arabic. On the other hand, 21% of the respondents "disagreed", and 30% reported by "not sure". It could be argued that culture-specific legal terms are not a big issue for a considerable number of the respondents and but yet it still a source of challenge for some of them. This lends support to this view:

> Legal translation is among the varieties of translations where the translator subject to stringent semantic constraints at all level due to the peculiar features of the language of English law on the one hand and the culturally mediated nature of legal discourse on the other" (Wang & Sin, 2013, p.883).

As for item only 18% of the respondent believed that punctuation and capitalization cause difficulty for them five, when translating legal contracts between English and Arabic, however, 51% reported by "disagree" and only 9% were not sure. It is quite evident that the majority of the respondents believed that writing mechanics are a problem for them when translating legal contracts between English and Arabic.

In response to item six, only 12% of the respondents "agreed" that translating modals such as *shall, will, must, may*, etc. is one of the challenges that they encountered in legal translation, whereas 18% "disagreed' 'and 15% said "not sure". It is quite clear that the respondents believed that translating modal is not a big problem for them. However this contradicts Al Najjar (2011) findings:

> Novice translators faced different kinds of challenges when translating contracts and agreements. The challenges can be categorized into the following: semantic-related challenges (including mistranslations, comprehension-related errors, and referential errors); style-related challenges (including misuse of capitalization, punctuation, formal and informal and usage of modal verbs like "shall"; grammar-related challenges (including tenses and subject-verb agreement); and research-related challenges such as googling (i.e. using Google Translation Software haphazardly) . (p. xiv).

Concerning item seven, 18% of the respondents "agreed" that translating tenses used in legal contracts create difficulty for them when translating between English and Arabic. On the other hand, 48% "disagreed", and only 18% were not sure. It is quite clear that tenses used in legal contracts are not a source of difficulty for these particular respondents.

Finally, for item 8, 27% of the respondents believed that it was difficult for them to understand French and Latin words when translating legal contracts between English and Arabic, 21% "disagreed", and 36% were not sure. This is supported by Hargitt's (2013) view:

"The genesis of legal language terms is mostly Latin which makes it even challenging and less accessible" (Hargitt, 2013, p.427).

Table 2 *Translation Practitioners' Perceptions about Some of the Language-related Challenges Encountered when translating Legal Contracts and Agreements*

No.	Statement	SD		D		N		A		SA	
		F	%	F	%	F		F	%	F	%
9.	It is difficult for me to understand legal contracts when translating between English and Arabic.	11	33	14	42	2		5	15	0	0
10.	I find it difficult to find suitable equivalent to terms when translating legal contracts between English and Arabic.	6	18	15	45	4		6	18	1	3
11.	I find concepts in legal contracts difficult for me when translating legal contracts between English and Arabic.	5	15	14	42	4		8	24	0	0
12.	I find legal abbreviations difficult when translating legal contracts between English and Arabic.	6	18	8	24	5		8	24	5	15
13.	I find legal binomial expressions and parallel structures, i.e. *direct or supervise, liable and responsible, generally and specifically,* etc. difficult when translating legal contracts between English and Arabic.	5	15	12	36	4		7	21	3	9
14.	I find it difficult to translate multiple negatives when translating legal contracts between English and Arabic.	3	9	17	51	6		3	9	3	9
15.	It is challenging to translate words and expressions, i.e. *hereinafter, hereto, hereby, aforesaid, whosoever, herein,* etc. when translating legal contracts between English and Arabic.	7	21	14	42	3	9	7	21	0	0
16.	It is difficult to translate doublets, i.e. *will and bequests, aid and abet, cease and desist, last will and testament,* etc. when translating legal contracts between English and Arabic.	4	12	12	36	3	9	11	33	1	3

This table (2) illustrates legal translation practitioners' views and perceptions about difficulties and challenges that encountered when translating legal contracts between English and Arabic. As for item nine, 15% of the respondents 'agreed" that they find it difficult to understand legal contracts, 42% "disagreed", and only 6% were not sure. It is quite obvious that the majority

of the respondents believed that it was not difficult for them to understand legal contracts when translating between English and Arabic.

Regarding item ten, 18% of the respondents "agreed" that finding suitable equivalent terms is a problem for them when translating legal contracts, 6% were not sure, and 45% "disagreed". Interestingly these findings contradict Baker's (1999) view:

> ....the most common problems that legal translators face during the rendering of a legal text are the lack of verbal / functional equivalence in the target language. It requires highly competent translator whose task is to stay faithful to the intent, tone, and the format of the original, source legal document and make the text clear and understandable to the receiver without take any creative liberty which is considered unacceptable in the formal constraints of legal language (p.301).

In response to item eleven, 24% of the respondents believed that they found concepts in legal contracts difficult for them to understand when translating legal contracts between English and Arabic, 42 % "disagreed", and 12% were not sure. It could be argued that the respondents might be experienced translators and that they believed that they do not have any problems with the translation of legal concepts. This contradicts Kananer's (2005) view:

> legal translation is difficult than any other types of technical translation because of the system-bound nature of legal terminology unlike scientific or other technical terminology as each country has its own legal terminology which has no counterpart in other legal systems (p.1).

As for item twelve, 24% of the respondents "agreed" that they found it difficult to understand legal abbreviations when translating legal contracts between English and Arabic, 24 % "disagreed", and 15% were not sure. It is quite evident that the legal abbreviations were indeed a big issue for them when translating legal contracts between English and Arabic.

Concerning item thirteen, whether the respondents find legal binomial expressions and parallel structures, i.e. *direct or supervise, liable and responsible, generally and specifically,* etc. difficult when translating legal contracts between English and Arabic or not.21% of the respondents believed that was indeed difficult for them, 36% "disagreed", and only 12% were not sure. Again, this may be due to their substantial experience in legal translation.

As for item fourteen, 9% "agreed" regarding the difficulty involved in translating multiple negatives when translating legal contracts between English and Arabic, 51% believed that it was not difficult for them, and 18% said they were "not sure". It is quite evident that the majority of the respondents (51%) believed that multiple negatives were a problem for them when translating legal contracts between English and Arabic.

Regarding item fifteen, 21% respondents believed that it was challenging for them to translate words and expressions, i.e. *hereinafter, hereto, hereby, aforesaid, whosoever, herein,* etc. when translating legal contracts between English and Arabic. Whereas, 42% "disagreed', and only 9% were not sure.

Finally, item sixteen, 33% of the respondents "agreed" that it was difficult to translate doublets, i.e. *will and bequests, aid and abet, cease and desist, last will and testament,* etc. when translating legal contracts between English and Arabic. On the other hand, 36% "disagreed", and 9% were not sure. This is consistent with this Karjo's (2015) view:

> "Unlike general English text, legal English text is much more difficult to translate because legal English translation is not only about transferring the meaning but it also deals with finding the appropriate legal expressions in target language" (Karjo, p.352) .

Why do Translation Practitioners Encounter such Kind of Challenges?

In response to this question here are some of the extracts from the questionnaire's open-ended questions. A translation practitioner believed that:
 "We are not exposed to legal context as the way we are exposed to other types of texts".
Based on this response, it could be argued that lack of exposure and unfamiliarity with legal discourse could be one of the reasons which let them encounter such difficulties and challenges when translating legal contracts between English and Arabic.

- **Culture-related factors:** Another respondent said, because "they [legal contracts and agreements] are based on the inherent incongruity of legal systems, cultures and languages."

 Yet another translation practitioner said: "How to find a suitable equivalent. "And" Rendering languages to other languages sometimes can be tough."
A translator believed that: Because the translators lack legal knowledge of legal register, context as well as the opportunity to gain it or to be exposed to it. Also, culture-related problems are due to the minimal exposure to the other languages".

- **Language-related factors:** A translator expressed that: "the differences between ST & TT legal systems in addition to, many legal terms in English are originated from other modern and ancient European languages".

Another respondent added: "The main reason is that the legal texts are written by technical writers."
Other: Another similar view: 'lack of legal background, knowledge and experience. Long sentences and punctuation, etc. could be one of the challenges
A translator said: 'there are so many local abbreviations that the translator has to know, also the names of the new coined words which differ from one Arab country to another."
To sum up, all the previous extracts illustrate some of the main reasons behind the challenges in translating legal contracts between English and Arabic. Lack of legal knowledge and awareness of the target context as well as the linguistic and culture-related factors could be the major reasons. It is worth mentioning that, the above mentioned reasons are consistent with other findings in the literature such as (Al Bostanji, 2010; Alabi, 2011; Al Najjar,2011; Al-Nakhalah, 2013; Alwazna, 2013; Elayyan, 2010; Frade, 2015; Hargitt, 2013; Karjo, 2015; Simonnaes, 2012; BÁZLIK, 2009 and Wang & Sin, 2013).

How do these Challenges Impact Translators' Quality of Translation?

As for this question, several extracts from the qualitative data (open-ended questions) were selected to answer this question.

A translation practitioner reported that: 'these challenges impact my translation quality positively by giving me more confidence to learn more about legal terms."
Another respondent said: 'they could distort the original meaning of the texts and could impact on quality criteria".

Another translation practitioner said: "Always very much. The strongest lexicon-legal terms, the strongest produced text I can have. This will inform me to make up my mind to change legal expressions."

Moreover, a respondent reported that "the challenges affect the quality of legal translation with nearly 25%. (Knowledge of the "legal language used is of great importance, especially when translation from Arabic into English".
Yet another translation practitioner said: "Understanding the meaning of terminology in the source language is helpful in translating the target language, but not much as I can get some assistance from my colleagues".
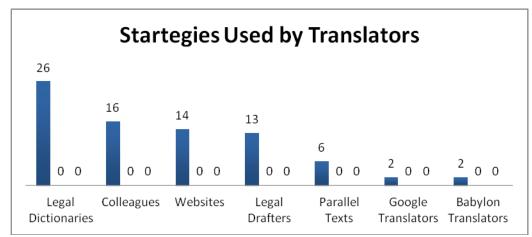
Another translator reported: "I sometimes spend a life puzzling over the meaning of words". Impact at first was quite big, but with experience it came to a minimum".
This corroborates with Karjo's (2015) statement: 'Unlike general English text, legal English text is much more difficult to translate because legal English translation is not only about transferring the meaning but it also deals with finding the appropriate legal expressions in target language" (p.352)

A close look at the above mentioned respondents' views, it could be argued that these challenges whether language-related, culture-related or others can have a great impact on the quality of the legal contracts translation. It seems it is quite obvious these challenges can affect the quality of the translated texts in a negative way and they distort the rendered meaning of the whole document or contracts. Therefore, legal translation practitioners need to exert their efforts and put their supreme attention into these challenges by addressing them using the appropriate strategies.

How do they Respond to these Challenges?
As for this question, respondents have reported many strategies for coping with these challenges. The graph (1) below illustrates some of their strategies for dealing with these translation challenges.

Figure 1 **Strategies Used by Translators to Overcome Translational Legal Contracts Challenges**

This figure 1, displays the respondents' views and perceptions about the strategies that they used in dealing with these challenges. The vast majority of the translation practitioners' (79%) reported that they used legal dictionaries as a coping strategy to deal with all legal contracts language-related challenges. On the other hand 48% of the respondents said that they consult their colleagues to help them overcome such challenges. 39% of the respondent's believed that they sought help from legal drafters to respond to challenges and difficulties. Additionally, 18% of the respondents reported that they used parallel texts to deal with such challenges.6% of the respondents reported that they used Google Translate and Corpora Database to help them overcome any difficulty or problem that they encounter with the translation of legal contracts. Moreover, 6% of them said that they used Babylon Translators to deal with these language-related challenges.

To sum up, there are several strategies were reported to have been used by the surveyed respondents to solve all their translation challenges. It is quite evident that coping strategies such as legal dictionaries and consulting colleagues are much more used than other strategies. Therefore, having the right legal dictionaries is something of utmost importance for legal translators to deal with legal texts translation challenges. Moreover, translator's familiarity with translation websites and software is also quite important to deal with legal translation salient problems and difficulties.

What are the Possible Strategies that could be offered to Help Translators to Overcome these Challenges?

As for the question, the surveyed respondents reported many strategies which could be used to overcome legal contracts translation challenges. One of the respondents believed that: legal terms should be unified. He said*: 'unifying of legal terms English-Arabic including culture-specific ones. Translators should get familiar with many books and dictionaries of legal language which are available in the field.''*

Another respondent reported: 'Translation needs practice, reading and keeping up-to- date with the websites because some terms and expressions you cannot find them in any dictionary and even in Google translation or any site that can translate; sometimes you need to bring a suitable translation for a phrase or a word not found in dictionaries''.

Yet another translator said: 'Translators should look for a better choice of words and sentences and legal training for those who are starting to become legal translators is a must. Translators should read all samples of standard contracts or legal texts in mother tongue to learn and recognize the Standard English legal writing and how to draft and formulate legal writing. Translators should be familiar with the contemporary law and legal knowledge. Moreover, suitable legal courses training should be offered in the field of legal translation."

The above two example quotations from the participants' open-question answers show the importance of using the appropriate legal translation dictionaries whether print or electronic dictionaries in helping translators dealing with legal translation problems and challenges in general and legal contracts translation challenges in particular. Again, familiarity with legal discourse and systems is useful for legal translators and could help translation practitioners dealing with legal contracts translational difficulties and problems.

A translation practitioner added: *"orientation and persistent development in the field of legal translation can provide better answers to* these challenges".

Another respondent reported: translators need to "try to learn the standard clauses which are used in all or say most of the legal contracts, read agreements, laws, regulations into both Arabic and English as much as you can and avoid using Google translation too much because that will give you ready solution and deprives you from storing meaning in your memory to use in the future. Translators need to read parallel texts to increase their knowledge in the field of (law, customs, religions, etc.)."

Another respondent said: 'We need to read contract samples "English and Arabic" and must try as much as we can to use legal terms am expressions, besides, a legal translator must have broad knowledge and background in areas of law, courts, disputes, arbitrations, civil and criminal procedures. Moreover, our Arabic websites are generally very poor comparable to English websites, our Arabic translated texts should be available throughout the internet to provide the contribution. Translators also must get themselves educated and cultured in such areas."

These two example quotations also supported the importance of legal knowledge and background in legal translation in general. There are some recommended strategies such as use of parallel text, familiarity with legal systems and target cultures, having Arabic legal translation-related websites, etc.

A translation practitioner suggested:

"Translation of legal documents contains many inherent difficulties. We have to be aware of the fact that this type of translation is burdened with both intricacies of literary translations and technicalities. Translator should have a deep understanding of the original text as well as full-knowledge of how to deal with intraspecific terminologies. We must be careful not to alter meaning. Therefore, translation of legal documents requires more precision and care. Legal translation should be more literal than focusing on terminological issues, translators are in need for more training that focuses on the application of pragmatics, legal translation, translation competence

presupposes not only in-depth knowledge of legal terminology, but also thorough understanding of the communicative legal function of such texts.''

Understanding the legal text is a key factor in successful translation. But, the nature of legal terms and discourse make it incomprehensible and difficult for translators. But the in-depth-knowledge and awareness of legal translation can help in this regard.

Another translation practitioner recommended:
"We need to get rid of old-fashion way of drafting and wording legal documents. Further, drafters need to use punctuation to clarify meaning, and they need to shorten legal sentences used in legal documents". Additionally, universities should add more samples of legal texts in their curricula; training institutes for legal translators should be established. Finally, training courses for translators and these courses should be made available to keep up with changes in translation, and exams for accrediting translators should be rum even after they get their titles."

Another translator suggested: "I would recommend that more exposure to and guidance by professionals will help much in improving the standard. I would also suggest that the translator in general should have common knowledge and common sense. Moreover, conducing legal translation workshop by experts on how to use current legal translation strategies is needed".

Summary of Findings
The purpose of the study was to investigate translation practitioners' views and perceptions about language-related difficulties and challenges encountered when translating legal contracts between English and Arabic. Of a particular interest, was exploring their perceptions about the reasons behind these challenges. The study went further to investigate how the participants responded to these challenges. Further, to what extent these challenges had an impact on the quality of their translations and what are the possible strategies that translation practitioners can be utilized to cope with these challenges. The main data collection methods used to generate data was a questionnaire and therefore the research is not claiming that the results can be generalized due to its tools of data collection limitations. The results were highlighted and compared to previous empirical findings from the literature to see how far translation practitioners' perceptions are similar or different from the existing empirical findings. The findings showed that the majority of the respondents "agreed" that the translation challenges in legal contacts are not only language-related ones but they involve non-linguistic and other culture-specific challenges. The respondents repeatedly said that they have been utilizing different types of strategies to overcome such challenges such as using legal dictionaries, consulting their colleagues and using translation technology and software. They believed that these challenges have impacted the quality of their translation negatively and sometimes even they wasted their time to look for a meaning for certain legal clause or expression while missing out on the bigger picture of the whole legal text. The respondents have suggested many strategies for helping legal translation practitioners to improve their translation skills. Regular training is one of the most recommended strategies as well as having a legal background and knowledge is mandatory for successful legal translation. Finally,

the results are consistent to some extent with other relevant empirical findings in the literature in both the Arab world and the international contexts.

Recommendations and Implications

This study is indeed significant but it has several limitations which merit consideration. The scope of the study covers only 33 translation practitioners which might not be representative sample to the whole population and which may impede the generalization of the study findings. The findings of the study have been illustrative rather than conclusive and they can illuminate and give insights into legal translation problems and challenges in general and to the challenges of legal contracts translation in particular. The study argues for how legal translational challenges are perceived by translation practitioners. Taking into account the results of the study, the study offers the following recommendations and implications:

- The study recommends that legal translation courses and training should be offered periodically by experts in both translation and law, since having a legal background, understanding and knowledge can help a lot in coping with legal translation challenges in general and legal contracts translation in particular.
- Further, translators need to familiarize themselves with the legal systems of both the source and target languages before they start translating legal documents. As the legal systems vary from one country to another even if they speak the same language.
- Additionally, cooperation between legal translator and legal drafters should be established as it would help in coping with such challenges. Moreover, legal translators should have legal drafting background to carry out their job more successfully. Institutions teaching legal translation professionally should be established.
- Finally, legal translation should be more literal than focusing on terminological issues; translators are in need for more training that focuses on the application of pragmatics to legal translation. Translation competence presupposes not only in-depth knowledge of legal terminology, but also thorough understanding of the communicative legal function of such texts.
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The study has practical implications for improving legal translation pedagogy, translation syllabus, / textbooks designers and translation teachers. The findings might help translation syllabus-designers/ textbook writers and decision-makers to organize training courses which may help translation to develop their professional skills and expertise. Each translator working in the field of legal translation should be accredited individually.

Conclusion

This study has investigated and explored Sudanese legal translation practitioners' perceptions and views about the challenges and difficulties encountered when translating legal contracts and compared their views to the existing findings from relevant empirical literature. Some of the key challenges are compared and reported. The findings of this study have significant implications for translation practitioners in general and legal translators in particular. The study concludes with some key recommendations for practitioners and decision makers. Concerned authorities need to ensure that legal translators are well-trained accredited, and have the professional skills and expertise that can help them to carry out their jobs successfully. Finally, the findings of the study

provide supporting evidence about the importance training in legal translation as it has several challenges which demand well-trained and competent legal translators.

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APPENDIX
Translation Practitioners' Survey

Dear Participant,

This survey intends to investigate translation practitioners' perceptions about legal contracts and the language-related challenges encountered during translating. You are kindly requested to answer the questions in this questionnaire to the best of your knowledge and ability and provide the researcher with appropriate ideas and suggestions. You may be assured that your responses will remain confidential and will be used for research purposes only. Your identity will not be disclosed when reporting my research .findings

Thank you very much for your cooperation!

Part One: Background Information: Please circle the suitable answer

1. Your degree: **A. B. A   B. Higher Diploma   C. M.A   D. MPhil   E. PhD**
2. Specialty: **A. Law   B. English   C. Business   D. Others specify....**
3. Years of Experience :   **2-5   6-10   10-15   15- 20   20- 30**
4. How often do you translate legal contracts? **Never   Sometimes   Always**

Part Two: What views do translation practitioners hold about legal contracts' language-related challenges between English to Arabic and vice versa?

Using the following scale, please indicate your agreement about translators' views in the translation of legal contracts from Arabic into English and from English into Arabic.

1.   **Strongly Disagree (SD)   = 1**
2.   **Disagree (D)   = 2**
3.   **Neutral (N)   = 3**
4.   **Agree (A)   = 4**
5.   **Strongly Agree (SA)   = 5**

No	Statement	SD	D	N	A	SA
1.	It is challenging to translate Arabic legal contracts into English and vice versa.					
2.	I sometimes find the structure of legal sentences quite long and difficult for me when translating legal contracts between English and Arabic.					
3.	Legal text layout constitutes a great difficulty for me when translating legal contracts between English and Arabic.					
4.	Culture-specific legal terms are always challenging for me when translating legal contracts between English and Arabic.					
5.	Punctuation and capitalization cause many difficulties for me when translating legal contracts between English and Arabic.					
6.	Translating modal verbs, i.e. *shall, will, must, may, etc.* is one of the challenges in legal translation					
7.	Tenses used in legal contracts create difficulty for me when translating between English and Arabic.					
8.	It is difficult for me to understand French and Latin words when translating legal contracts between English and Arabic.					
10.	It is difficult for me to understand legal contracts when translating between English and Arabic.					

9.	I find it difficult to find suitable equivalent to terms when translating legal contracts between English and Arabic.					
10.	I find concepts in legal contracts difficult for me when translating legal contracts between English and Arabic.					
11.	I find legal abbreviations difficult when translating legal contracts between English and Arabic.					
12.	I find legal binomial expressions and parallel structures, i.e. *direct or supervise, liable and responsible, generally and specifically,* etc. difficult when translating legal contracts between English and Arabic.					
13.	I find it difficult to translate multiple negatives when translating legal contracts between English and Arabic.					
14.	It is challenging to translate words and expressions, i.e. *hereinafter, hereto, hereby, aforesaid, whosoever, herein,* etc. when translating legal contracts between English and Arabic.					
15.	It is difficult to translate doublets, i.e. *will and bequests, aid and abet, cease and desist, last will and testament,* etc. when translating legal contracts between English and Arabic.					
Part Three: Please, answer the following questions						
1.	What do you think of legal translation in general?					
2.	In your opinion, what are the main challenges that translation practitioners might face when translating legal contracts? E.g. linguistic, culture-related, translator's legal knowledge....etc.					
3.	In your capacity as a translation practitioner, what are the reasons behind these challenges?					
4.	What type of legal texts do you frequently translate?					

5.	Which specific strategies are particularly important in overcoming these difficulties and challenges?
	   a. Legal dictionaries
	   b. Colleagues
	   c. The internet websites
	   d. Legal drafters
	   e. Google translators
	   f. Babylon translator
	   g. Parallel texts
	   h. others, please specify:..........................					

6.	How often do you translate the following? **a.** commercial contracts and agreements. Sometimes Never Always **b.** political agreements and treaties. Sometimes Never Always **d.** personal documents, i.e. birth, marriage, school, etc. Sometimes Never Always **e.** administrative and organizational documents i.e. minutes of meeting, rules and regulations, business letters, etc. Sometimes Never Always f. legislations, constitutions, court pleadings, etc. Sometimes Never Always
7.	What is the level of difficulty do you encounter in the translation of legal contracts from English to Arabic compared to the translation from Arabic to English; please provide rating 1-5? **a.** English into Arabic ( ) **b.** Arabic into English ( )
8.	What do you suggest could be done to address these language-related challenges and promote legal contracts translation quality?
9.	How did these challenges impact on your produced texts?
10.	Do you have anything to add or any further comments or suggestions and recommendations to make?

Thank you very much for your cooperation!
Mr. Holi Ibrahim Holi Ali