

CHAPTER I

INTRODUCTION

1.1. Background of the Study

Translation is used for a variety of communication purposes, including multilingual notices, export instructions, tourist publicity, official documents, reports, papers, articles, correspondence, and textbooks (Setiadi, 2019). While translation is widely used for purposes it becomes particularly important in the realm of legal language, which requires a precise and specialized form of communication to convey societal functions accurately. Legal translation, therefore, demands not only linguistic expertise but also a deep understanding of the legal systems involved, as it bridges the gap between different legal frameworks and cultures. Legal terminology's specialized meanings present a challenge in conveying unique legal concepts in English (Liu, 2024). Translation error happens, the altered meaning can create a significant obstacle between cultures. Therefore, accurately conveying meaning through a good translation is essential. Additionally, Larson (1998) highlighted that the aim of translation is to reproduce the original content in a way that communicates the intended message clearly, while using the natural grammar and vocabulary of the target language.

Once formed, legal language frequently becomes exclusive, serving only specific groups such as legal professionals who are well-versed in its terminology. This exclusivity stems from fixed meanings and specialized terminology that the general public does not have easy access to. This feature of legal language is important because it gives the legal system authority and credibility. The precise,

unambiguous nature of legal English ensures that laws are consistently applied, lowering the risk of misinterpretation.

The primary issue in translating legal texts lies in the intrinsic complexity of legal language, which often includes specialized terms and phrases that may not have direct equivalents in other languages (Munday, 2008). This complexity is further exacerbated by cultural differences that influence how legal concepts are interpreted and applied across various jurisdictions. These factors make it particularly challenging for translators to ensure both linguistic accuracy and cultural relevance in their work. Misinterpretations in legal translations can lead to serious legal consequences, such as contract breaches or misapplication of laws, highlighting the high stakes involved. Moreover, Machali (1998) emphasizes that a translation is considered high quality when it faithfully delivers the intended message, ensuring equivalence between the source and target languages to prevent any misrepresentation or information loss. Maintaining the original tone, style, and cultural elements is essential for preserving translation quality, enabling precise communication while respecting linguistic and cultural subtleties.

The concept of quality is explored, emphasizing how its subjective nature makes it challenging to define in a way that allows for measurable evaluation in translated texts. House's (1997) model for assessing translation quality is introduced, offering an in-depth examination of its structured approach and the significant impact it has had on the discipline of translation studies. House developed a Translation Quality Assessment model based on linguistic analysis and functional pragmatics, especially in the context of text. The model assesses translation quality by comparing the source text and the target text, focusing on

function and meaning. Furthermore, Nababan et al (2012) introduced a more practical and widely adopted translation quality assessment (TQA) model by formulating indicators based on Mildred Larson's theory, which are acceptability, readability, and accuracy. This study will evaluate the translation of words, clauses, phrases, and sentences in legal documents using Nababan's of indicators.

To further assist this study, research on translation using the translation quality assessment approach specifically on legal texts is also taken into consideration. The research titled "Quality Assessment in Legal Translation. A Case Study" by Loredana Punga dan Denisa Ungurean (2022) examines a case study of the translation of legal documents from Romanian to English, specifically conclusions in criminal cases. The study used the American Translators Association's (ATA) standardized evaluation grid to assess translation quality based on the type and severity of errors. The analysis showed that although mechanical aspects such as grammar, spelling and punctuation were translated well, there were many misunderstanding errors that interfered with the reader's understanding of the legal content and intent of the source text. Errors such as incorrect selection of legal terms, language style that does not fit the legal context, and mismatch of sentence structure with original meaning were the main findings. The study emphasizes the importance of standardized evaluation tools such as the ATA grid to improve the quality of legal translation in Romania, while highlighting the urgent need for transdisciplinary training for legal translators, as the quality of translation has a direct impact on the legal justice received by individuals.

Investigates the use of translation quality assessment theory in the specific context of translation. In the study entitled “The Application of House’s (2015) Translation Quality Assessment Model to Arabic-English Translation” by Ali Ali Ahmed Al-Aizari (Al-Aizari, 2023) aims to examine the application of Juliane House's translation quality assessment model to Arabic literary works translated into English, particularly El Tayeb Salih's short story *The Doum Tree of Wad Hamid* translated by Denys Johnson-Davies. This study is motivated by the typical challenges in literary translation, especially the cultural gap between the source and target languages which often results in the loss of artistic nuance and cultural meaning in the translated text. Using a descriptive-comparative approach, the author compares the source text (ST) and the translated text (TT) based on the parameters of field, tenor, mode, as well as genre and interpersonal function. In-depth analyses identified a range of overt errors classified into seven types, including significant meaning change, source language system deviation, cultural filtering, and creative translation. The results of this study suggest that House's model is effective in assessing the quality of literary translation, but still has limitations in classifying errors more specifically. Therefore, the author recommends further development of this model, as well as the need to translate literary works into a more contextual and cultural variety of the target language.

Similar research was also conducted by Kullab et al (2023) with the title “The Applicability of House’s (2015) Translation Quality Assessment Model on Fiction: Evidence from Mahfouz’s *Midaq Alley*” explores the applicability of House's (2015) Translation Quality Assessment (TQA) model to literary texts, specifically Naguib Mahfouz's novel *Midaq Alley*. The study highlights the

absence of in-depth research in the evaluation of fiction translation quality and proposes modifications to House's TQA model to improve its accuracy. The main findings show that previous studies failed to distinguish well between narrative text and character dialogue, which turned out to be crucial for comprehensive evaluation. The analysis found significant differences in social attitudes, reader participation levels, and medium types between narrative and character dialogue. Thus, the researcher recommends using the revised TQA model to help translators capture these nuances effectively. In addition, this study emphasizes the importance of further research across different languages and genres to deepen the understanding of translation quality from the reader's perspective. Thus, the enhanced TQA model is expected to become a more accurate evaluation tool for literary translation.

The fourth study entitled “How to Raise Quality Assurance in Legal Translation: The Question of Objectivity” by Alireza Akbari (Akbari, 2018) examines the importance of quality in legal translation and proposes new approaches to improve quality assurance in the field. The background of this study focuses on the challenges faced by legal translators due to the complexity of legal language that is often incomprehensible to laypeople. The researcher also conducted a survey to collect data from professionals in the legal translation field regarding their experiences with quality assessment. The results show that the new approach can help reduce subjectivity in legal translation quality assessment by providing a clear methodology for evaluation, thereby improving quality standards in the professional environment. Other studies also show the application of TQA models based on function such as a study conducted by Sofyan & Tarigan

(2020) entitled “Quality Assessment on the Translation of Professional Translators” discussing the effectiveness of the function-based translation quality assessment (TQA) model in assessing the quality of translation from English to Indonesian. The background of this study focuses on the challenges faced in objectively assessing translation quality, given that many existing models still contain elements of subjectivity. This study aims to evaluate the accuracy of a newly developed function-based TQA model involving 15 professional translators. The results show that the function-based TQA model is effective in assessing the translation quality of professional translators. The average assessment results showed that all the translated texts were above the adequate level, with some reaching the ‘successful’ category and others ‘almost completely successful’. Despite some inaccuracies in word choice and sentence structure, the results were generally comprehensible to the target readers.

In addition, last previous studies in the area of translation quality by using Nababan’s Translation Quality Assessment (2012) also have been done. In the study entitled " Techniques and Quality of Civil War: Whose Side Are You On? Comic Translation” by Barezzi et al (2018) discusses the application of translation techniques and the quality of translation results in Marvel Civil War comics: Whose Side Are You On? parts 1 and 2. The background of this research is based on the complexity of comic translation as a form of multimodal communication that combines linguistic, visual, and cultural elements, and demands a deep semiotic understanding. This research uses a qualitative case study-based approach with data collection techniques through document analysis, questionnaire distribution, and focus group discussions. The results show that the

comic translation is considered to have good quality overall. The study also found that the translator's background influenced the selection of translation techniques used. The findings emphasise the importance of combining linguistic strategies and cultural understanding in translating visual works such as comics to effectively convey the message to the target readers.

While previous studies have explored the application of translation quality assessment aspects in translation, there is still a gap in exploring the theory and specific context of legal translation in Indonesia. While most studies have focussed on the translation of literary text or have different cultural contexts, this study specifically examines the translation quality of legal documents in the context of Indonesian legislation. This is important because legal language has its own complexities and nuances that require a different approach to assessment, especially in enabling more accurate translation. The author recognises that it is important to analyse legal documents in order to maintain a good quality translation. In addition, the importance of the translator's ability to translate legal texts in the working world will certainly be needed. Therefore, this research is conducted to find out how legal texts are translated by assessing their translation quality using a Nababan's indicators and translation quality assessment theory, namely acceptability, readability, and accuracy.

1.2. Research Question

How is the quality of legal document translation assessed based on the indicators of acceptability, readability, and accuracy?

1.3. Purpose of the Study

Based on the research question above, the purpose of the study is to evaluate the quality of english translation of legal text by applying the indicators of acceptability, readability, and accuracy. By focusing on these indicators, the study aims to provide a comprehensive analysis of the translation quality of legal documents.

1.4. Scope of the Study

This research focuses on the translation of legal documents, specifically analyzing words, phrases, and clauses within legal text. This research uses a qualitative approach to examine the translation strategies utilized and to assess the translation quality based on the indicators of acceptability, readability, and accuracy.

1.5. Significances of the Study

This study aims to contribute to the development of translation studies, particularly in the translation of legal texts, by applying the Translation Quality Assessment (TQA) approach. Theoretically, this research is expected to broaden readers' understanding of evaluating translation quality in legal texts, focusing on three keys: acceptability, readability, and accuracy. Practically, this study

provides guidance on translation strategies that can be employed in translating legal texts and offers methods for assessing translation quality based on these aspects. By doing so, this research enriches translation theory and serves as a practical reference for translators in producing high quality legal translation.

