

## TRANSLATING LEGAL TEXTS: LINGUISTIC AND INTERCULTURAL PERSPECTIVE

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**Abstract.** Linguistics and translation science are closely intertwined, with each enhancing the other. Translation serves as a practical application of linguistic theories, acting as a large-scale natural experiment by comparing linguistic and speech units across two languages during real-life intercultural communication. Examining translation allows for the discovery of significant features that might not be evident in monolingual research settings. The article considers the nuances of translating a legal text from English to Uzbek within the context of intercultural communication.

**Annotatsiya.** Lingvistika va tarjima sohalari bir-biriga uzviy bog'liq bo'lib, bir-birini to'ldirib turadi. Tarjima jarayoni madaniyatlararo muloqot davomida ikki til nutq birliklari hamda lingvistikaga nisbatan keng ko'lamli jarayon hisoblanadi. Tarjimaning ustida izlanish bir til tadqiqotida mavjud bo'lmagan muhim til xususiyatlarini namoyon bo'lishiga imkon yaratadi. Ushbu maqola madaniyatlararo muloqot doirasida qonun materiallarini o'ziga xos jihatlarini ingliz tilidan o'zbek tiliga tarjima qilgan holda yoritib beradi.

**Key words:** equivalence, legal texts, intra-linguistic compensation, lexico-semantic system;

**Kalit so'zlar:** ekvivalentlilik, qonunchilik matnlari, intra-lingvistik kompensatsiya, leksik-semantik uslub;

The notion of translation as a conduit of interaction between languages and cultures is recognized in both Uzbek and international translation studies. Many scholars assert that this approach involves the creation of a new text through translation, one that effectively replaces the original in a different culture, language and communicative context. The translator, as an intermediary, possess not only bilingual proficiency but also bicultural understanding. Despite this, the issue of translation equivalence to the original text remains a significant concern in both theoretical and practical discussions.

In academic discourse, terms such as “equivalence”, “adequacy”, “identity”, and “similarity” are used interchangeably. While some researchers view these terms as synonymous, others distinguish between them. However, it is advisable to use the term “equivalence” with qualifiers such as “relative”, “contextual”, or “informal”. The less rigid connotation of “equivalence” has contributed its preference in contemporary

translation studies. Nevertheless, identity, usefulness, and similarity are still within the same semantic field and occasionally overlap in usage.

Russian scientist V. Vinogradov asserts that equivalence implies the preservation of relative equality of the content, semantic, stylistic, functional and communicative information contained in the original and the translation.<sup>1</sup> The concept of translation equivalence is complex and often depends on how well the original text is produced in the target language. The idea emphasizes that achieving a complete and multi-faceted equivalence is inherently challenging.

Therefore, if we define equivalence as the precise correspondence of the translated text to the original, we must admit some key points agreed upon by most translators.

Firstly, absolute equivalence, or perfect identity between the original and translated text is unattainable for several reasons. The renowned French linguist and translator J. Munen highlights a few primary reasons:

- The specificity of the semantics of language signs in different languages;
- Incompatibility of “world pictures” created by languages;
- Differences in the reality itself, culture and civilization of speakers of different languages.<sup>2</sup>

Secondly, despite the inherent challenges of translation, it remains possible to overcome them. The necessity for translating diverse materials, the growing importance of translation and increasing demand for translators in facilitating inter language and intercultural exchange demonstrate that foreign cultures can indeed be understood, perceived, described, studied, and ultimately conveyed through another language. According to J. Munen, bilingual communication mediated by the translator’s activity is never absolute, but at the same time, it is always possible.<sup>3</sup>

Finally, the concept of the equivalence mainly applies to the overall text, and the meaning of the whole text is more than just adding up the meanings of individual parts. However, each part of the text also has its own meaning and carries specific information. The meaning of the entire text comes from the meanings of these parts, and the goal of the translation is to convey texts meaning accurately.<sup>4</sup>

Legal discourse is unique because it includes many national and cultural specifics that show how individuals relate to the State and each other. Legal texts need to be precise and trustworthy; they dictate certain actions, establish principles for

<sup>1</sup> Vinogradov B.C. Problema ekvivalentnosti i tip perevodimogo teksta. 2004

<sup>2</sup> Komissarov V.N. Obshchaya teoriya perevoda. Problemy perevodovedeniya v osveshchenli zarubezhnykh uchenykh. 2000. Page 184.

<sup>3</sup> Komissarov V.N. Obshchaya teoriya perevoda. Problemy perevodovedeniya v osveshchenli zarubezhnykh uchenykh. 2000. Page 192.

<sup>4</sup> M.T.Irisqulov, N.M.Qambarov, K.D.Tukhtaeva “Theory and practice of translation” Tashkent-2020. P.215

resolving disputes, and create rules for social behavior. When translating a legal text in written form, the translator has no time constraints and can frequently consult the original text, dictionaries, encyclopedias, and other reference materials. This process, according to experts, should ensure that the translation is as equivalent to the original as possible. This is crucial when both the original text and its translation need to have the same legal authority.

The importance of legal texts on these topics is growing, especially now, as legal professionals increasingly engage in international cooperation. This includes combating global issues such as terrorism, drug and weapon trafficking, human trafficking, and financial crimes. There is a practical necessity to align national laws with international legal standards and to share practices among police, courts, prosecutors, and correctional agencies across different countries.

These factors not only enhance the role and responsibility of legal text translators but also expand the definition of a “legal text”. Today, a legal text encompasses more than just formal legal documents. It also includes other forms of written and spoken texts that address legal issues, such as debates in scholarly books, articles, newspaper and magazine pieces, professional discussions, electronic media content and conversations among various groups within the population.

Achieving equivalence in translating a legal text, which extends beyond the mere text of a legal document, necessitates a higher degree of linguistic and cultural expertise from the translator. Generally, to produce equivalent, the translator employs various mechanisms of intra- and extra- linguistic compensation. These mechanisms allow the translator to convey accurately and comprehensively the original text’s semantic content. Practical evidence indicates that the most challenging aspect is not translating the legal terms themselves- terms that are well-documented in explanatory and bilingual dictionaries and reference materials – but rather the units of the lexico-semantic system of the language. These units are used commonly in legal texts with meanings shaped by linguistic and cultural context.

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