مجلة العلوم القانونية و الاجتماعية

Journal of legal and social studies

Issn: 2507-7333

Eissn: 2676-1742

The question of scientific translation between linguistics and law

إشكالية الترجمة العلمية بين اللغة و القانون

MORTET Farida*,

Université Abdelhamid Ibn Badis Mostaganem (Algérie), farida.mortet@univ-mosta.dz

Date d'envoi: 01 / 03 / 2026	date d'acceptation:01/05 /2026	Date de publication: 01/06 /2026

* **Corresponding Author,**

Abstract

Through this presentation, entitled “The Question of Scientific Translation between Linguistics and Law,” we aim to shed light on a highly relevant topic, particularly concerning the main theme of the national congress: language and jurisdiction in Algerian society.

In this context, we pose the following question: What competencies must a legal translator or jurist consider when translating/drafting legal reports? How can they translate and interpret while avoiding contrasts, especially when translating from Arabic to Spanish? To address this issue, we emphasize the unique characteristics and importance of this type of translation. Furthermore, we present relevant examples from the medico-legal context, translated from Arabic to Spanish, to analyze the contrasts and highlight the wide range of competencies required of a legal translator.

Keywords: Translation; medico-legal; contrasts, Arabic, Spanish

Introduction:

Currently, due to the development and complexity of social life, the field of specialized languages provides specialists with a much richer and more effective knowledge base in scientific and legal domains. This gives rise to the challenges and difficulties of scientific-legal translation from Arabic to Spanish, which constitutes the corpus of our communication entitled "The Question of Scientific Translation Between the Linguistic and the Legal."

The interdisciplinarity and correlation between the domain of justice means that translators are faced with translating medical and legal reports, which demands greater prudence and responsibility, especially in the case of Arabic-Spanish translation. This is not only due to the existing linguistic contrasts but also to the sensitive context, such as a crime or offense.

Therefore, through our reflection on this topic, we intend to offer more theoretical and practical strategies for this type of multicontextual translation, since these reports combine legal, medical-scientific, and linguistic contexts.

1. Particularities of Medical-Legal Translation:

First of all, it is worth recalling that the concept of jurilinguistics[1] was coined by Jean-Claude Gémar (1982) to describe the reality of professionals responsible for drafting—not translating—Canadian laws simultaneously in the country's two official languages, and that it has served as an umbrella term for studies

that have analyzed the relationship between language and law, which is above all a social phenomenon[2].

The first challenge lies in the fact that similarities between languages, although they rarely cause problems, are often considered a topic that has already been extensively explored. However, their importance is fundamental, since intralinguistic differences and contrasts reveal only the surface of the great cultural and psychological diversity of speakers of each language. Many political and social tensions originate in a lack of awareness or inattention to these divergences between languages, as well as between different social levels within the same language. Our perception of the world is profoundly influenced by the language we have learned and by the conditions under which that learning took place.

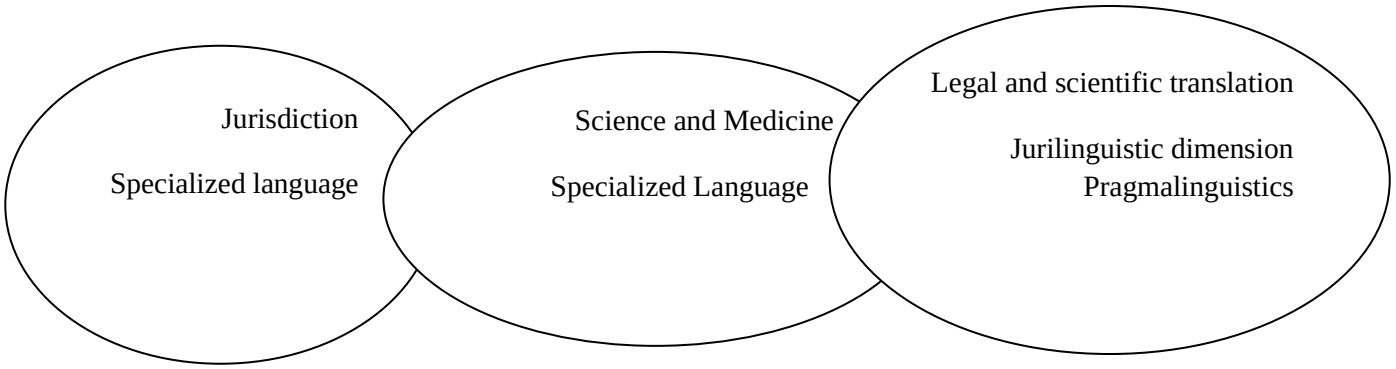
Understanding that this perception varies between individuals would represent a significant step forward in resolving numerous conflicts, both personal and collective. Within our capabilities, we propose to analyze a practical case that exemplifies this type of situation, exploring the more or less appropriate ways of addressing the challenges they entail. Based on our experience in translating legal and contractual documents between Arabic and Spanish, we have identified characteristics specific to each language and the necessary adaptations in the translation process. These adaptations follow rules that, with time and practice, become norms, according to the polysystems theory (Toury, 1995). In this work, we seek to present the key differences between legal and scientific language in Arabic and Spanish, using contextualized and relevant phrases in the description of a crime.

2. Disciplines involved in the legal field:

[1] Javier Moreno Rivero and Juan Jiménez-Salcedo, Jurilinguistics as a Framework for Legal Translation: Genres, Corpus, and Formation, Translation Studies, Madrid, V10 N5209, 2020, p. 11.

[2] - Rodilla, M. A., The Theory of Law. Salamanca, Ratio Legis, 2013, p2

The alliance between jurisdiction, specialized language, and linguistics highlights further problems and issues concerning the challenges faced by translators; this controversy can be outlined in the diagram below:



Scheme N 1: Interdisciplinarity in jurisdiction[6]

Interest in the intersection of language and law is a necessity. In recent years, this interest has taken shape in the emergence of a new area of interdisciplinary study that combines linguistics and law. While a broad definition would imply the linguistic study of legislation exclusively, it would exclude all those legal realities that have gained so much relevance in recent years: for example, legal scholarship and jurisprudence. Among the diverse labels for the interdisciplinary study of language and law, jurilinguistics is the one that most likely seems to offer the most advantages.

Arabic	**Spanish**
عثر عليه مقتولا بطعنة خنجر على مستوى عنقه /عدم التصريح بالنية المسبقة لفعل الذبح أو القتل/ (لا تظهر كلمة مذبوحا المسطر عليها في الترجمة الاسبانية)	-Fue matado con un puñal a nivel del cuello o fue degollado
-قد وجد ميتا (حيادية في توصيف سبب القتل أو الموت) بينما في الترجمة الثانية المترجم يكتب: وجد مقتولا بدلا من ميتا	-Se encontró ya matado (En lugar de traducir muerto)
حسب التحاليل الطبية و جدت مواد تسمم محقونة (مقصودة بفعل فاعل)	-Las pruebas médicas revelaron que se inyectaron sustancias tóxicas.

[6] – Our scheme

حسب التقرير الطبي لمعاينة الضحية هناك أثار حقنة مادة سامة في الدم تعود لأيام. (غموض: هل تم أخذ الحقنة إراديا أم بفعل فاعل آخر)	- Según el informe médico que examinó a la víctima, en la sangre se encontraron restos de una inyección tóxica que databan de varios días atrás. La misma confusión está en la traducción.

With the purpose of guiding and structuring our study in a scientific and rigorous manner, we have presented some examples based on the idea that in the exercise of their profession, sworn translators often face the translation of medico-legal documents, and of course, the medico-legal texts that most frequently require a sworn translation are those presented as evidence before the courts.

Analyzing the examples cited in the table, we note that the descriptive scientific language in the original Arabic is very precise: first example الرقبة على خنجر بطعنة مقتولا, but in the Spanish translation, the translator may fall into confusion: He was killed / beheaded, which in Arabic means مذبوحا, which is not in the original sentence.

In the second example, there is a problem in translating while expressing the intention of the act, whether the victim vaccinated themselves or was poisoned by another person. From here, we reaffirm the great importance of specialized languages or so-called “professional languages”[7] both in the task of the translator and in that of the jurist with equal parts.

Conclusión:

In conclusion, it is worth highlighting that the vast field of jurilinguistics remains open in Algerian universities to all experts and researchers who wish to contribute, especially in the scientific sphere. This

7 Roberto M.A. and Oscar D.F., Specialized Translation and Translation Specializations. Publication of the Universitat Jaume I, 2011, p 5

is due, on the one hand, to the current pandemic era, and on the other hand, to the excessive number of crimes and clandestine migrations from Southern and Sub-Saharan Africa to Algeria and from there to the other side of the Mediterranean Sea. Therefore, translators and legal researchers must commit to exploring this new scientific branch further. To clarify, training in language and law can be combined to theorize this new jurilinguistic approach because there is still a lack of useful methodologies for investigating the theoretical and practical foundations of this new discipline. Furthermore, consideration should be given to training translators and lawyers in scientific and medical terminology, that is, giving primacy to specialized language as an interesting branch that complements the work of the translator and the lawyer equally; this confirms the importance of language in its circumstantial context of use, that is, pragmalinguistics, which enters into an effective mission with jurilinguistics.

Bibliography

1. Books:

- Amparo, H.A., Translation and Translation Studies. Introduction to Translation Studies. Madrid: Cátedra, 2011.

- Roberto M.A. and Oscar D.F., Specialized Translation and Translation Specializations. Publication of the Universitat Jaume I, 2011.

- Rodilla, M.A., The Theory of Law. Salamanca: Ratio Legis, 2013.

- Journal Articles:

- Javier Moreno Rivero and Juan Jiménez-Salcedo, Jurislinguistics as a Framework for Legal Translation: Genres, Corpus, and Training. Translation Studies, Madrid, Vol. 10, No. 5209, 2020, p. 11.

- Mayoral Asensio, Roberto. 2004. "Specific Languages and Specialized Translation. Legal Translation." In Manual of Documentation and Terminology for Specialized Translation, edited by Rosario Consuelo

Gonzalo García and Valentín García Yebra, 49-72. Madrid: Arco Libros S. L.

-Herrero Cecilia, Juan. Theories of Pragmatics, Textual Linguistics, and Discourse Analysis. University of Castilla-La Mancha Press, Cuenca, 2006, 205 pp.

-Dictionaries:

-Manuel C. Feria García: Dictionary of Arabic-Spanish Legal Terms. Ariel Publishers, Barcelona, 2006, 414 pp.