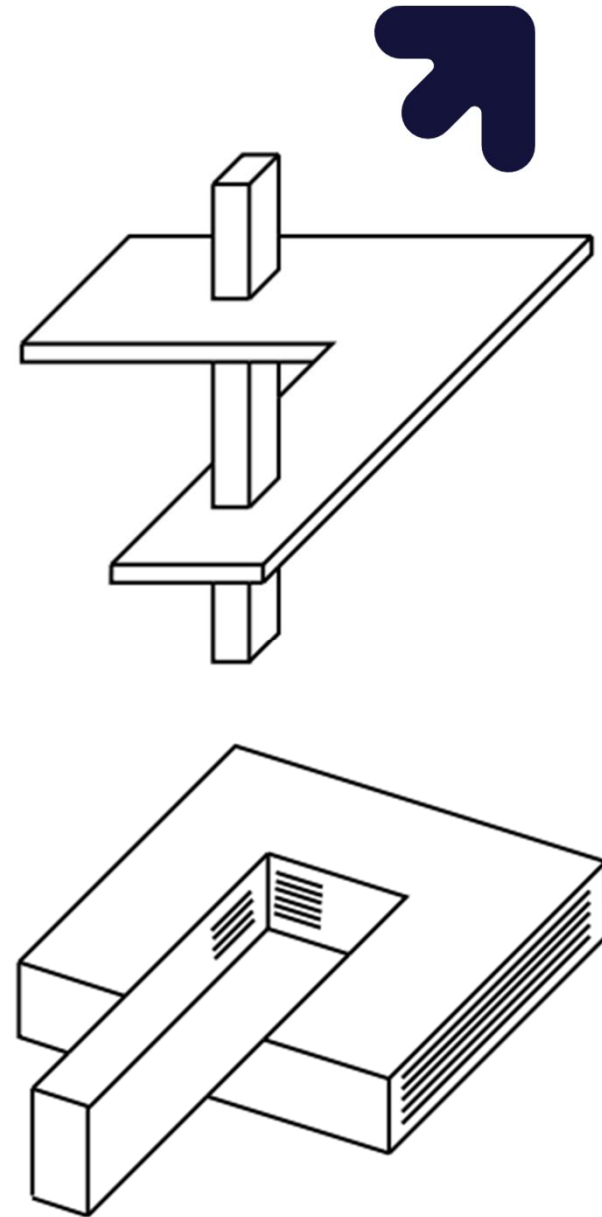# Peculiarities of Polish academic legal writing in English translation: field experts vs. algorithms

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LANGUAGE
ASLING
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1. Academic legal writing

- Requirement of publishing in English, at least titles and abstracts

- Law "first and foremost a national phenomenon" (Šarčević 1997)

- Legal language: obscure, formalized, unintelligible to non-lawyers (Kurek 2015)

- Metalanguage: references to legislation and judgments plus commentaries

- Non-legislative texts: richer lexis than legislation (Pieńkos 2002)

- Legal translation "cognitive juggling and negotiating" of two legal languages, legal solutions from different legal systems, genre conventions (Scott 2017)

- Little research on academic legal writing - more on legislation and judgments

2. Revising English as a Lingua Franca (ELF)

- Translations of legal scholarhip - example of EFL by untrained multilinguals (Albl-Mikasa 2017)

- ELF "cross-linguistic influence" from L1, "unconventional lexical choices", (Albl-Mikasa et al. 2017)

- ELF: interpreting *brain stoppers*, translation *flow blockers* (Albl-Mikasa 2017)

- More mistranslations and longer processing time (Albl-Mikasa et al. 2017)

- Bilingual lawyers faster than translation students, but more word-for-word, mostly borderline quality (L1 translation, Orlando 2015)

3. Post-editing machine translation (PEMT)

- MT more successful with routine or pre-edited texts (Biel 2021)

- EU eTranslation handles legislation or judgments, but trained on such texts

- Greater cognitive effort in PEMT as compared to revision (O'Brien 2022)

- More like translation than revision (do Carmo & Moorkens 2020)

- Extra skills vs translation competence (Nitzke & Hansen-Schirra 2021)

- Adequacy problems require greater cognitive effort than acceptability errors (Daems et al. 2017)

- Acceptable translations may be inadequate in context (Voita et al. 2019)

4. ELF & MT versions and suggested translations: Latin

ST item	ELF	MT DeepL (free)	MT eTranslation (general text)	Suggested translations
de lege lata	de lege lata	de lege lata	de lege lata *de lege years [omission]	as the law stands (lex lata)
de lege ferenda	de lege ferenda	de lege ferenda	de lege ferenda	as the law should be (lex ferenda)
vacatio legis	vacatio legis	vacatio legis	vacatio legis	[explanation]

4. ELF & MT versions and suggested translations: Quirks

ST item	ELF	MT DeepL (free)	MT eTranslation (general text)	Suggested translations
doktryna	*doctrine	*doctrine	*doctrine	legal scholarship legal literature
ustawodawca	legislator	legislator	legislator	legislator parliament legislature law/legislation
przesłanka	*premise prerequisite	prerequisite condition *premise	condition	condition grounds prerequisite criterion principle

5. Field experts vs. algorithms

Both ELF translations and MT output:

- disregard target language conventions (recipient expectations)

- involve considerable research: terminology, but also "innocent" lexical items

MT often with fewer acceptabiity errors

ELF writers seem to rely on bilingual dictionaries and not to appreciate the "juggling" required

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Thank you!

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