

City University of Hong Kong
Course Syllabus

offered by Department of Linguistics and Translation
with effect from Semester B 2023 / 24

Part I Course Overview

Course Title:	<u>Legal Translation</u>
Course Code:	<u>LT6505</u>
Course Duration:	<u>One Semester</u>
Credit Units:	<u>3</u>
Level:	<u>P6</u>
Medium of Instruction:	<u>English is the primary medium of instruction and assessment, but where necessary, Chinese is used for discussing issues relating to legal translation.</u>
Medium of Assessment:	<u>English is the primary medium of instruction and assessment, but where necessary, Chinese is used for discussing issues relating to legal translation.</u>
Prerequisites: (Course Code and Title)	<u>Nil</u>
Precursors: (Course Code and Title)	<u>Nil</u>
Equivalent Courses: (Course Code and Title)	<u>CTL6505 Legal Translation</u>
Exclusive Courses: (Course Code and Title)	<u>Nil</u>

Part II Course Details

1. Abstract

This course aims to help students understand and explore (1) the nature and problems of translation and some of the major approaches to translation; (2) the problems inherent in legal translation with a special emphasis on those in the context of Hong Kong; and (3) the principles and techniques of legal translation. It equips them with the linguistic and conceptual tools for analysing and translating various types of legal texts.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick ✓ where appropriate)		
			A1	A2	A3
1.	Give a clear account of the nature of translation in general and the special features of legal translation in particular		✓	✓	
2.	Apply the linguistic and conceptual tools for analyzing legal texts		✓	✓	
3.	Apply the basic techniques for translating a variety of legal texts		✓	✓	✓
4.	Conduct critical evaluation of translated legal texts		✓	✓	
		100%			

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.						Hours/week (if applicable)
		1	2	3	4			
1	Lecture; class activities	✓	✓	✓	✓			3 hours
2	Home assignment	✓	✓	✓	✓			

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.						Weighting	Remarks
	1	2	3	4				
Continuous Assessment: 60%								
Class participation	✓	✓	✓	✓			10%	
2 translation assignments	✓	✓	✓	✓			40%	
1 legal research paper	✓	✓	✓	✓			10%	
Examination: 40% (duration: 2 hours) 2 pieces of translation and 2 short questions (CILO No. 1-4)								
							100%	

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Applicable to students admitted in Semester A 2022/23 and thereafter

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B)	Marginal (B-, C+, C)	Failure (F)
1. Class Participation	Attendance and participation in class discussion	High attendance and enthusiastic participation in class discussion	Significant attendance and active participation in class discussion	Basic attendance and inadequate participation in class discussion	Not reaching marginal level of participation
2. Translation assignments	Ability to apply skills and techniques to translating different legal texts	Highly readable and accurate translation	Largely readable and accurate translation	Clumsy and occasional inaccuracies	Unreadable and inaccurate translation
3. Legal Research Paper	A research paper for students to understand how the legal system works	Excellent research and rich content with coherent writing	Good research and rich content with coherent writing	Marginally adequate research and content with incoherent writing	Inadequate research and content with incoherent writing
4. Examination	Ability to master skills and techniques to translating different legal texts; demonstrate subject matter knowledge	Highly readable and accurate translation; demonstrate excellent command of subject matter	Largely readable and accurate translation; demonstrate good command of subject matter	Clumsy and occasional inaccuracies; demonstrate marginal command of subject matter	Unreadable and inaccurate translation; demonstrate poor command of subject matter

Applicable to students admitted before Semester A 2022/23

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
1. Class Participation	Attendance and participation in class discussion	High attendance and enthusiastic participation in class discussion	Significant attendance and active participation in class discussion	Fair attendance and occasionally active participation in class discussion	Basic attendance and inadequate participation in class discussion	Not reaching marginal level of participation
2. Translation assignments	Ability to apply skills and techniques to translating different legal texts	Highly readable and accurate translation	Largely readable and accurate translation	Clumsy and/ or occasional inaccuracies	Clumsy and plenty of mistranslations	Unreadable and inaccurate translation
3. Legal Research Paper	A research paper for students to understand how the legal system works	Excellent research and rich content with coherent writing	Good research and rich content with coherent writing	Fair research and content with occasionally incoherent writing	Marginally adequate research and content with incoherent writing	Inadequate research and content with incoherent writing
4. Examination	Ability to master skills and techniques to translating different legal texts; demonstrate subject matter knowledge	Highly readable and accurate translation; demonstrate excellent command of subject matter	Largely readable and accurate translation; demonstrate good command of subject matter	Clumsy and/ or occasional inaccuracies; demonstrate fair command of subject matter	Clumsy and plenty of mistranslations; demonstrate marginal command of subject matter	Unreadable and inaccurate translation; demonstrate poor command of subject matter

Part III Other Information (more details can be provided separately in the teaching plan)

1. Keyword Syllabus

(An indication of the key topics of the course)

The nature of translation; problems of legal translation; principles of legal translation; methods of legal translation; translation of legislation; translation of private legal documents

2. Reading List

2.1 Compulsory Readings

(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)

1.	Cheung, Anne S. Y. 1997. "Towards a Bilingual Legal System—The Development of Chinese
2.	Frandsberg, Ake. "Legal Concepts." <i>Routledge Encyclopaedia of Philosophy</i> . London:
3.	Haas, W. 1968. "The Theory of Translation." In G. H. R. (Ed.), <i>The Theory of Meaning</i> . Oxford: OUP, 86 – 108.
4.	Nida, Eugene A. 1971. "Semantic components in translation theory." In G. E. Perren and J. L. M. Trun (Eds.), <i>Applications of Linguistics: Selected Papers of the Second International Congress of Applied Linguistics</i> . Cambridge: CUP. 341 – 348.
5.	Nida, Eugene A. and Taber, Charles R. 1982. <i>The Theory and Practice of Translation</i> . Leiden: E. J. Brill.
6.	Sarcevic, Susan. 1997. <i>New Approaches to Legal Translation</i> . The Hague: Kluwer Law.
7.	Sin, King-kui. 1989. "Meaning, Translation and Bilingual Legislation." Proceedings of First International Conference on Language and Law. Ed. Paul Papiers & Jose Woehrling. Montreal: Wilson & Lafleur Ltee. 509-515.
8.	_____. 1992. "The Translatability of Law." In Thomas H. T. Leed (Ed.), <i>Research on Chinese Linguistics in Hong Kong</i> . Hong Kong: The Linguistic Society of Hong. 86-100
9.	_____. 1998. "The Common Law in Uncommon Chinese: Linguistic Anomalies and Cultural Shock." <i>Journal of Translation</i> No. 2. 127-140
10.	_____. 1999. "The Missing Link between Language and Law: Problems of Legislative Translation in Hong Kong." In Kjell Herberts & Joseph G. Turi (Eds.), <i>Multilingual Cities and Abo Akademi University, Vaasa</i> , 195-210.
11.	Sin, King-kui and Roebuck. 1993. "The Ego and I and Ngo: Theoretical Problems in the Translation of the Common Law into Chinese." In Raymond Wacks (Ed.), <i>Hong Kong, China and 1997: Essays in Legal Theory</i> . Hong Kong: Hong Kong University Press, 185-209.
12.	_____. 1996. "Language Engineering for Legal Transplantation: Conceptual Problems in Creating Common Law Chinese." <i>Language and Communication</i> Vol. 16, No.3, 235-254.

13.	Smith, Lee Smith. 1994. "Foreign Law in Translation: Problems and Sources." In Richard A. Danner and Marie-Louise H. Bernal (Eds.), <i>Introduction to Foreign Legal Systems</i> . New York: Oceana Publications, Inc., 268 – 271.
14.	Zhao, Yuhong. 2000. "Legal Translation in the Legislative Genre." <i>Journal of Translation Studies</i> . No. 4, March 2000. 19 – 44.
15.	陳忠誠 1992 <i>法窗譯話</i> 北京: 中國對外翻譯出版公司
16.	季益廣、喬金祥 2000 「法律文本翻譯中詞語詞義的選擇和確立」 <i>上海科技翻譯</i> 2000 No.3. 34 – 37
17.	李克興 1997 「論法律翻譯的基本原則」 載於香港翻譯學會 <i>翻譯季刊</i> 第 3&4 期. 176 – 202
18.	陸汶遜 1998 「法律詞彙翻譯切戒望文生義」 <i>上海科技翻譯</i> 1998 No. 2. 32 – 33
19.	陸文慧 1991 「基本法的英譯問題」 載於劉靖之編 <i>翻譯新論集</i> 香港: 商務印書館 319 – 334
20.	_____ (編) 2002 <i>法律翻譯: 從實踐出發</i> 香港: 中華書局
21.	孫萬彪 2003 <i>英漢法律翻譯教程</i> 上海: 上海外語教育
22.	蕭雲樞 2001 「英漢法律術語的特點、詞源及翻譯」 <i>中國翻譯</i> 第 22 卷 第 3 期. 44 – 47
23.	王道庚 2006 《法律翻譯: 理論與實踐》, 香港, 香港城市大學出版社
24.	Chan, Clara Ho-yan (2014). 《法律翻譯系列: 兩岸三地合約法主要詞彙》 (<i>Legal Translation Series: Key Terms in Contract Law of Hong Kong, Mainland China and Taiwan</i>). Hong Kong: City University of Hong Kong Press.
25.	Chan, Clara Ho-yan (2015). 《法律翻譯系列: 兩岸三地侵權法主要詞彙》 (<i>Legal Translation Series: Key Terms in Tort Law of Hong Kong, Mainland China and Taiwan</i>). Hong Kong: City University of Hong Kong Press.

Online Resources

1.	雙語法例資料系統 (Bilingual Laws Information System) (http://www.justice.gov.hk) www.justice.gov.hk/homeglos www.qis.net/chinalaw/lawchinl.htm
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2.2 Additional Readings

(Additional references for students to learn to expand their knowledge about the subject.)

1.	Coode, George. 1852. <i>Legislative Expression or The Language of the Written Law</i> . In Appendix to Stanley Robinson, <i>Drafting: its applications to conveyancing and commercial documents</i> . London: Butterworths, 1980.
2.	De Leo, David. 1998. "Pitfalls in Legal Translation." <i>Translation Journal</i> URL: http://accurapid.com/journal/09legal/1.htm .
3.	Li, Zong E. (n.d.). <i>Notes on Legal Translation</i> . Unpublished lecture notes.

4.	Madsen, Dorte. “A model for translation of legal texts.” In Marry Snell-Hornby, Zuzana Jettmarova and Klaus Kaindl (Eds.), <i>Translation As Intercultural Communication: Selected Papers from the EST Congress – Prague 1995</i> . Amsterdam: John Benjamins. 291 – 299.
5.	Meredith, R. Clive. 1970. “Some Notes on English Legal Translation.” <i>META</i> XXIV, 1. 54 – 67.
6.	Schulte, Rainer and Biguemet. Eds. 1992. <i>Theories of Translation</i> . Chicago: The University of Chicago Press.
7.	黃薇薇 (年份不詳) 「在法律上使用中文」 未發表演講稿
8.	李文陽 1994 「淺論法律英語的語言特點及翻譯」 <i>中國翻譯</i> 1994 年第 6 期. 13 – 16
9.	歐成威 1991 「雙語立法在香港的發展」 載於劉靖之編 <i>翻譯新論集</i> . 香港: 商務印書
10.	屈成熹 1968 「從語言學觀點看翻譯問題」 載於殷張蘭熙等著 <i>翻譯藝術</i> . 台北: 國際文化事業有限公司 99 – 119
11.	宋雷 1998 「涉外合同翻譯常見錯誤評析」 <i>中國翻譯</i> 1998 年第 6 期 22 – 25
12.	宋小莊 1997 「從‘和’、‘及’譯為‘or’看基本法英文本對中文本的解釋」 載於香港翻譯學會 <i>翻譯季刊</i> 第 3&4 期 84 – 89
13.	譚劍虹 1992 「法律中譯與中文法律體系的意義」 澳門過渡期語言發展路向國際學術研討會演講辭