

TRANSLATION OF LEGAL CONTRACTS: 10 REASONS TO HIRE A PROFESSIONAL TRANSLATOR

*Eider Iturbe**

English contracts are a key tool of negotiation used by international businesses, independent bilingual contractors, law firms and government bodies with international ties. We live in a time of globalization and a digital revolution that puts information at anyone's fingertips, in real time, regardless of where they live in the world. This opens the door to new forms of communication and negotiation. The pioneers of companies like Google, Amazon and Microsoft have taken the lead here, showing that the mark of a good business, aside from its empathy and determination, is its ability to predict future consumer trends. The influence of English has and will have a lot of importance in the culture of Spanish businesses, for the following reasons:

- English is the official or dual-official language of 57 countries, including The United States, United Kingdom, Ireland, Australia, New Zealand, India, South Africa and Canada.
- Great Britain (through its sailors, soldiers, pilgrims, merchants and missionaries) has been at the forefront of spreading English to every corner of the planet with a clear and firm message of its significance for the United Kingdom's business and global cooperative efforts.
- Today the majority of former British Colonies maintain its [Britain's] historical legacy by continuing to use English as their official language (along with their respective native tongues) since it has been; over the course of centuries, the language of business and education.
- Colonization has produced an intercultural phenomenon converting these villages into multilingual communities where speaking English well, is paramount to entering universities, high level job placements in the workforce or even determining one's social status.
- Nevertheless it has been the more influential British Colonies (The United States, Australia and Canada, where the native language has been all but extinguished) that determined that English would be the most spoken language in the world, and moreover an indispensable tool in business and society.

Any business, that relies on fluidity or financial necessity, is likely to globalize. For them, they must be prepared to contract or sub-contract to professional translators who are familiar with the culture, the language (in this case English) and the legislation of whatever country they will be exporting to. During the negotiation phase as well as the corporate communication phase the importance of a professional English translator becomes clear.

It's essential that contracts are written by the lawyers who advise the business in their international negotiations and that the contracts are then translated to English by a professional translator.

Next I will explain the keys to a good translation (in this case specifically referencing contracts translated from Spanish to English), focusing solely on the competence of the selected professional translator. This person should be a native English speaker, they should be bilingual, knowing both English and Spanish, they should be immersed in both cultures or have a strong awareness of both Spanish and their native English cultures and they should have an academic background or have studied translating in an academic setting while developing the following skills:

Passion

Translators tend to be very passionate about their work. They use all their means and resources to deliver every project in excellent shape, as if it was their own baby.

Translation Skills

A good translator must have a specific linguistic education. They should master not only the foreign language they work with, but also the skills of translation (as discussed in the previous section).

Curiosity

A translator is curious and motivated to keep on learning new words and expressions. The learning process of a translator is never-ending.

Rich Vocabulary

A good translator must have a wide lexicon, not only in the foreign language but also in their mother tongue. This will make the translation process easier and the quality of the translation higher. Translators also acquire technical terms in specific fields, such as business, law, sciences, engineering, etc.

Clarity

A good translator's goal is to express the idea of the source text as clearly as possible, without ambiguity. They should avoid difficult structures when they can use simple ones.

Honesty

Translators are humans after all, therefore it is normal for them to not know some expressions or words. Nevertheless they shouldn't just skip it, but they should conduct research and note it down for future reference.

Humble Pride

A good translator should always deliver a translation that they can be proud of, but at the same time be humble enough to accept possible corrections (constructive criticisms) from the editor/proofreader. The most important thing in the end is always the quality of the translation.

Translation Quality

Great translators are obsessed with quality.

Resources

In order to achieve the aforementioned quality, a good translator should use all available resources at their disposal.

Accuracy

A good translator should provide an exact transfer of information. Despite it being tempting sometimes, the translator should not correct the source text, trying to maintain its “spirit” instead.

Translators know different translation techniques, that they have learned throughout their professional careers to respect, in this case, the requirements of their clients. These techniques can vary in function depending on if the client needs a word for word translation, something more communicative or something semantic, this is why translators use their training and experience to make an educated determination of each type of translation.

Finally, I want to highlight the importance of the formal translation process that translators follow like a methodology; throughout this process, professional translators have a library of linguistic expressions that they rigorously apply to their work to achieve a translation of the highest caliber and without error.

Without translation, we would be living in provinces bordering on silence.

George Steiner

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