

most arduous tasks for translators and interpreters respectively. Sarcevic (2000: 13) states that

unlike medicine, chemistry, computer science, and other disciplines of the exact sciences, law remains first and foremost a national phenomenon. Each national or municipal law, as it is called, constitutes an independent legal system with its own terminological apparatus and underlying conceptual structure, its own rules of classification, sources of law, methodological approaches, and socio-economic principles. . . . Due to differences in historical and cultural development, the elements of the source legal system cannot be simply transposed into the target legal system. As a result, the main challenge to the legal translator is the incongruency of legal systems.

Mattila (2007:37) contributes to the difficulty of legal translation by stating that

it is in the sphere of international cooperation where the risks attaching to transmission of legal messages are the greatest. Legal documents originating from a foreign State very commonly have to be translated, for example to be executed in the country where a debtor habitually resides. This task is highly difficult and errors often occur in legal translations.

Mattila stresses that such translation problems are aggravated when a need surfaces to operate through an intermediary language, before the final translation. An example could be when one is translating a text from French into English (as intermediary) and then into Arabic.

Despite the continued emphasis on preserving the letter of the law in legal translation, the basic unit of translation is not the word but the text. Since a text derives its meaning from one or more legal systems, legal translation is essentially a process of translating legal systems. Accordingly, it follows that, if legal translation is to be effective, the so-called search for equivalents cannot be reduced to a process of matching up 'equivalents'.