

Translation Issues in Kurdish-English Official Documents: A Contrastive-Comparative Approach

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Abstract

An official translation encompasses the translation of any text that functions as a legally binding instrument, depending on countries' particular legal systems. Therefore, it requires the translator to have a specialised knowledge of different legal systems simultaneously, as well as their terminologies and concepts. This study scrutinises the translation of different official documents from Kurdish into English as a means to reflect features of legal translation and legal variances between the two cultures. The aim is to explore the characteristics of legal Kurdish and English within their legal contexts plus the challenges of legal translation. The study examines a parallel corpus of official documents including the rhetorical structure of seventy-five Kurdish texts translated into English. The texts are written in Sorani Kurdish and translated into English by authorised legal translators. A contrastive-comparative approach using a function-based methodology is used in order to determine official translation norms. The study postulates that the texts and their translations do not share any typical formal features since they are motivated by two different cultures. The findings indicate that they are indeed different from each other by particular traits of lexis, form and style that are context-specific and customary as anticipated.

Keyword: Adequacy Conditions; Fidelity; Legal Translation; LSP; Official Documents; Skopos; Translation Ethics

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Introduction

Official documents in general and company's documents in particular are among the most often translated specialised texts due to their capacious compliance with local regulations that enhance their global operations. Providing accurate translations of a company's certificates and decrees enhance the stakeholder's credibility and ensure clarity for target receivers across different cultures. It signifies the company's obligation to a clear communication, acquiescence and understanding of specific legal systems of different countries with reference to linguistic and cultural backgrounds. Translating any company's official documents constitutes part of the legal domain and can be generally defined as "translations that meet the requirements to serve as legally valid instruments in a target country" (Asensio, 2003, p. 1). Although legal style is considered as "the unstated conventions by which a language operates" (White, 1982, p. 423), both legal style and vocabulary can be presented with assorted labels in recognition of the special feature of legal language syntactically,

lexically, stylistically and pragmatically. According to Haigh (2009), legal English style and vocabulary developed from various languages including Anglo-Saxon, Latin and French. Trosborg (1995a, 1995b) categorised English legal language as a language for specific purpose (LSP). Likewise, others like Kittredge and Lehrberger (1982), Bhatia (1993), and Kurzon (1997) refer to it as sublanguage, genre, and register, respectively. However, very few studies addressed Kurdish legal language. They are either broadly indicative of only semantic or syntactic issues between English and Kurdish, or have typically engaged in the study of legal terms abstractedly, i.e., in terms of its oddness and translatability, with limited attention to the English-Kurdish corpus-based studies (e.g., Sigar and Shukri 2023; and Mohammad 2023). In addition, company documents within Kurdish translation studies directed by corpus-based research have not been investigated yet. Therefore, this study mainly explores legal translation practices and performance through applied translation studies. The aim is to benefit translator training since one of the considerable restraints apropos the application of legal corpora is their confidentiality and availability, in particular for the lesser-known languages like legal Kurdish. A parallel corpus of written-texts is employed in order to investigate how the legal language features with

reference to style and lexicon differ across languages and from general language per se as well. In this study, legal style can be demarcated providing Smith's (1995) view who relates it to the linguistic features of the inscribed legal language plus the mechanisms whereby legal issues are approached, governed and resolved (p, 190). Consequently, the discussion of the features of Kurdish-English legal discourse that includes authentic official texts provides a comparative analysis to show the similarities and differences between the two languages. This will help in the identification of the challenging linguistic and cultural areas that a translator may possibly face in the translation process. The study aims at exploring official translation norms by seeking to answer the following questions:

1. What are the shared trends as regard to Kurdish and English legal systems?
2. What are the specific legal government of legal English and legal Kurdish?
3. What are the norms and/or the translation constraints reducing the number of translation choices in translating official documents?

Translational Legal Framework

As an interdisciplinary field, legal translation analysis is centred on the interaction between translation studies itself and comparative law, cultural studies, terminology and linguistics. The cross-linguistic variation of the two languages helps translators and researchers to come closer to the nature of an individual legal language and its disparity from other languages in relation to law, culture and terminology. Kurdish and English legal systems cover the specialist subject fields under cultural translation in which a translator delimits his/her strategy considering restraints mandated by the text type, text function and conditions of reception. The examination and discussion of the translation practice in this field therefore requires a method that comprises fidelity to the source text (ST) and operates in a linguistic and cultural community that is dissimilar to the one they derived from. This aligns with Skopos model (Reiß and Vermeer 2013) which is considered a turn in translation studies from linguistic theories to more sociocultural approaches. According to this method, “adequacy refers to the qualities of a target text with regard to the translation brief: the translation should be ‘adequate’ to the requirements of the brief” (Nord, 1997, p. 35). In this sense, (in)adequate translation will be assigned in reference to the function or communicative act of the receiver. If the

skopos demands an alteration of function, the condition will no longer be considered fidelity to the ST but adequacy or suitability apropos to the skopos. Although this scheme supports the translation adequacy and examines equivalence in relation to several variables rather than being considered as one-to-one correspondence, it does not clearly offer certain adequacy settings for official translation. Asensio (2003, pp. 40–43) elaborated Nord's method of 'translation brief' and overtly explains clear adequacy conditions for official translation in terms of 'success conditions' and 'effectiveness conditions'. He designates that the successful recognition of an adequate equivalence in official documents should meet ethical conditions such as the consideration of the functions of the STs and the transference of complete, comprehensible and relevant information considering linguistic, cultural and legal norms of both languages. In addition, the acceptability of the translated texts (TTs) depends not only on the administrative authority, but also the client if the latter is not the policy maker itself. In this sense, providing adequate and effective translations within legal domains require translators to visibly segregate their annotations from the information given in the ST. Asensio (2003) further explains that "all the elements of the source text must be indicated, such as any changes that may have been

made, information that has been erased or added, damage, illegible words, or incomplete text (within square brackets)” (pp. 41). This necessitates the involvement of some conventions and norms in order to observe the elements of the given genre since maintaining the integrity of any genre is related to the adherence to conventions and norms of its culture. The official texts and their translation are formed and observed on the basis of norms and conventions produced usually due to recurrence of certain institutionalised properties. Different to other scholars such as Even-Zohar (1978/2021) and Toury (1995) who associated the concept of ‘adequacy’ to equivalence, Chesterman (2016, p. 62) suggests ‘expectancy norms’ which contemplates the anticipations of the target receivers. According to this type of norms, translators not only bargain for the TL acceptability and accessibility both linguistically and culturally, but also the TL receiver’s expectations when it comes to certain text types. In addition, translating a text undergoes both ‘global’ and ‘local’ strategies. A number of local strategies need to be considered so as to cover certain manoeuvrability in the text in relation to the target language linguistic, cultural and stylistic norms to assure acceptability and accessibility. On the one hand, one of the theories that translation strategies basically imply to ‘change something’ in the TL as reactions

to different norms and so as to reach the dominant version of the ST, Chesterman (2016) classifies three main categories. He identified them as 'syntactic changes', 'semantic changes', and 'pragmatic changes'. Syntactic changes include "literal translation, loan, calque, transposition, unit shift, phrase structure change, clause structure change, sentence structure change, cohesion change, level shift and scheme change". Semantic changes consist of "synonymy, antonymy, hyponymy, converses, abstraction change, distribution change, emphasis change, paraphrase, trop change and other semantic change". Pragmatic changes comprise "cultural filtering, explicitness change, information change, interpersonal change, illocutionary change, coherence change, partial translation, visibility change, trans-editing, other pragmatic changes" (pp. 89–109). Global strategies, on the other hand, refer to "the translator's initial decision about the general nature of the appropriate relation between target and source texts, about how freely to translate, about what kinds of intertextual resemblance should be given" (Chesterman, 2016, pp 88). Global or translation brief, therefore, includes translation function, text type, register, readership and so forth. An adequate translation thus is well-defined in the relationship between translation brief and local strategies. This approach would seem to be enviably relevant for the

investigation of the translation of official documents in the course of this study.

Methods and Materials

This research employs a qualitative approach that is supported by quantitative analysis based on a contrastive-comparative approach. It includes an interlingual parallel authentic corpus of the rhetorical structure of seventy-five Sorani Kurdish texts conjoined with their English translations in Iraqi Kurdistan. The texts consist of 25 certificates of company's corporation, 25 approval decrees of company corporation and 25 decrees of appointing and/ or changing company's authorised manager. They are considered periodical as they were issued and translated within roughly the same period between (2017–2023). They are translated from Kurdish into English by a number of Kurdish translators who gave consent for the texts to be used with their names kept confidential in the study. Kurdish–English legal translation provides a pioneering examination of the issues located in legal translation between the two languages. The study follows the skopos and the text-type theories joined with Asensio's (2003) methods of practice considerations in *Translating Official Documents*. It establishes a function-based methodology and the two-way comparisons between the STs and TTs in order to

inspect the features of legal discourse in both languages and cover the different translation procedures employed in the translation process.

The information practice analysis of this study is a top-down process. The consideration of the act of official translation as a communicative and creative activity rather than as a mere process of comparing two languages triggers the specification of parameters and assists in reducing the current translation choices in the course of this study. At a micro-textual level, the official translated texts are regarded as being conducted in the most anticipated and conventional way considering success adequacy conditions while the macro-textual will encounter the anticipations of the receivers. In case this is not pursued by the translator, it will inflict incomprehension or understood as eccentric and unconventional, i.e., Chesterman's (2016) concept of expectancy norms. The micro-translation choices represent different available means of articulation. This encounters success adequacy conditions which can be designed as a correlation between translation brief and strategies. The local translation strategies adopted in the course of this study are considered to be rational choices, including addition, omission, deviance, lexical choice, preserving or disregarding stylistic features.

Features of English and Kurdish Legal Discourse

Legal writing is usually categorised by an impersonal style and widespread adoptions of declarations indicating rights and obligations. However, different legal languages may have their custom styles. The Kurdish texts used in the course of this study are considered to be official documents for being authentic, authoritative, and legally valid. They are originally written in Kurdish, issued and ratified by the Kurdistan Regional Government (KRG), i.e., the Ministry of Trade and Industry. They are translated into English by legal translators who are permitted by the authority, more specifically by the Judicial Council. This permission can be clearly seen within all the TTs employed in the course of analysis of this study (Table 1).

Table 1: Authorisation

<i>Name</i> Centre for Legal Translation of All Languages
Authorised by Judicial Council– Presidency of <i>City</i> Area
Court of Appeal
Address:
E-mail:
Phone No.

Depending on Cao' classification (2007, pp. 9–10), the texts used in the course of this study can be categorised as legislative texts and more specifically, private legal texts since the communicative purpose of these texts are 'normative' and 'informative'. This can be an answer to the questions raised by this study as regard to shared patterns of the two legal systems as normative framework indicates that the general function of the STs is directive, i.e., grants authorisation and rights, mandates responsibility and imposes prohibition. Informative refers to the language used within the text as the focus is on the content. The content includes sentences which are grammatically created through the arrangement of words and phrases. The syntax of the legal texts includes the formal and sometimes objective written style plus remarkable complex and long sentences (Table 2). Being a case with most legal languages, it can be regarded as a general trend and considered to be essential due to the intricacy of the topics and the anticipated nature of judicial law (Salmi–Tolonen, 2004, p. 1173). With regard to the use of formal register, however, the Kurdish certificates of the company's incorporations include first personal pronouns 'من', 'م', and 'ئێمه' which are translated into '*me/my*', '*I*', and '*we*', respectively (Table 2). Similar to French (Baker, 2018, p. 108)¹, the

¹ The use of '*vous*' form instead of '*tu*' form in the French language and/or translation indicates a level of formality and politeness (Baker, 2018, p. 108)

Kurdish personal pronoun 'من' (BT: I) is sometimes expected to be changed into 'ئێمه' (BT: we) in Kurdish texts in order to indicate formality. Nevertheless, the legal texts in the course of this study does not follow this technique either to ensure the provision of accurate translations as much as possible.

Table 2: Register

ST	من، به پی دهسته لاتم وهک تۆمارکاری کۆمپانیاکان، پالپشتی بهرواری سهرو ئهکهه که تۆمارکردنی گری بهستی کۆمپانیاکه ئهجامدرا به پی ی جی به جی کردنی ئهحکامهکانی یاسای کۆمپانیاکان وهکۆمپانیای ناوبراو به دامهزراو دادنریت له بهرواری ئهوه روژدا.
TT	According to my authority as companies' registrar, I hereby certify the above-mentioned date to be the registration date of the company's contract pursuant to the application of the provisions of companies' code. The above-mentioned company is considered as an incorporated company on that date.

Above word level, long sentences are also considered another feature of Kurdish official documents of which they are maintained while translated into English. According to Crystal and Davy (2013, pp. 201–203), sentence length in English legal sentences refers to all the necessary information as an independent unit through placing conjunctive information into the form of a complex sentence that is capable of standing apart. The same can be true for the Kurdish legal sentences as well and the way they are translated into English leads to the maintenance of varied stylistic and aesthetic values of the ST in the TT. It should be noted that in relation to orthography, some Kurdish texts (see Table 2) display issues in the conventional spelling system of Kurdish. Though non-standardization of Kurdish might be a factor behind the use of such spelling, yet the incompetency of the writer cannot be excluded as well since legal language is a formal register, it should follow a set of format that is consistent in terms of use and free of spelling mistakes. For example, there is consistency in relation to the use of the form of most of the words in Sorani Kurdish, such as 'جێیه‌جیکردن' (BT: application) and not 'جی به‌جی کردن', or 'داده‌نریت'

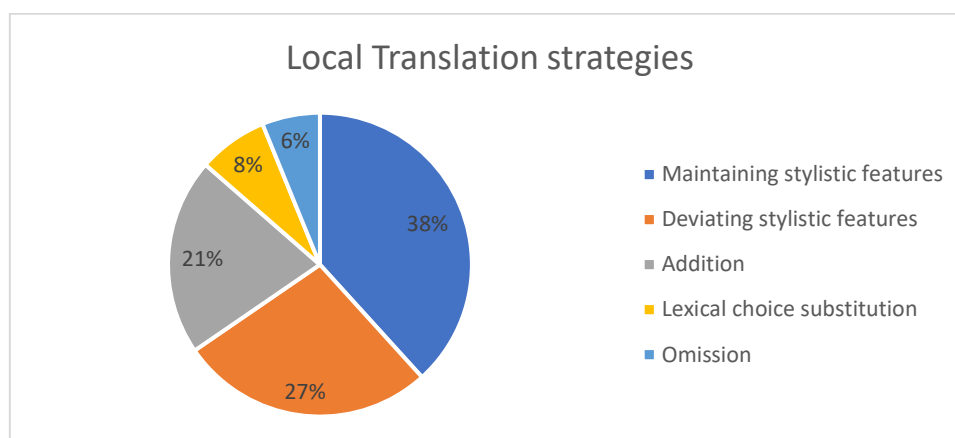
(BT: considered) and not ‘دادنریت’, etc². However, this was not applied in the Kurdish example given above. Moreover, the Kurdish translator did not interfere to improve the original text, considering that these kinds of misspellings may not affect the meaning of the given text. Newmark (1981, pp. 128–129) indicates that “when extra linguistic reality is wrong in the source text, the translator must say so, misstatements must be either corrected or glossed. This responsibility is more important than monitoring the quality of the writing in the source–language text”. Conversely when it comes to legal translations, Pickens (1983) advocates that the translator has minimum of freedom to improve the content of any text (p. 93). In this sense, it is arguable that legal translators should translate accurate information, yet they should not alter the content of the ST, regardless what they think about it as this touches the ‘ethical conditions’. Considering Asensio’s (2003) adequacy conditions, this study however endorses that the translator must designate misspelling as one of the damaged elements of ST between square brackets.

The trust of authorised administrative bodies and/or private entities, as the receivers of the official documents, in official translators is an

² There are some more spelling mistakes in the table given above, but they are not explained in the course of analysis of this study due to their clarity and the study’s limitation.

indispensable condition since official translation is closely associated with ethical considerations. All the data included in the course of this study provides the name and address of the translation centres plus the name, stamp and signature of the translators who performed the translation. The translator's declaration can be seen at the bottom of the texts, declaring that the texts translated are true and accurate of the genuine documents. Although these notations are not placed between brackets, they are clearly separated from the official content by lines. This denotes that the maintenance of ethical adequacy is determined at macro-level. However, the relationship between the translation brief and local strategies needs to be explored as well so as to further examine the constraints setting the mount of translation choices in relation to this type of adequacy condition. The micro-translation strategies adopted in the data of this study embody cases of omission, addition, lexical choice substitutions, maintaining and deviating stylistic features (Chart 1).

Chart 1: Local Translation Strategies



The considerable stylistic variations between the two languages may require different conventions to maintain or deviate the ST style in the TT. Overall, the translators tried, to a considerable percentage, to maintain the same ST style in the TTs with reference to register, cultural features and incomplete information. Formal stylistic structures and vocabularies of the Kurdish texts reflected in the English translated texts in terms of standard parameters. The effect of these parameters can be comprehended through the choices that have been made in the TTs, as correspondences for the STs both at and/or above word level. For instance, the translation of 'سەرەتاكان' into '*paperwork*' at word level indicates that the translator considers the domain which is a legal field so as to provide a formal and functional correspondence instead of translating it literally into '*beginnings*', i.e., inadequate correspondence. Above word level, the expression 'پالپشت'

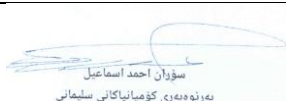
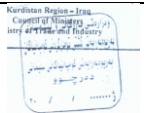
'به و دهسه لاتهی که پیمان دراوه' is translated into '*by virtue of the authority vested in us*'. Similar to the ST, the TT correspondence is usually used in a formal register to refer to an action or a result that is being achieved due to the legal authority or entitlement vested in someone. The conservation of the ST formality register in the TL conveys the tone of objectivity of the TTs, an element of legal domain indicating what is being transferred are facts and not opinions. The rendition of the statement 'به ناوی خوی گه وره و میهره بان' into in '*the Name of Allah, Most Gracious, Most Merciful*' is regarded as the preservation of cultural features and more specifically, the religious formula. This kind of expression is a literal translation of Holy Quran which is originally written in Arabic. It is considered to be meaningful as an intertextual reference in Kurdish. This kind of intertextuality might be incongruous in non-Islamic systems since it is not related to the legitimacy of the official documents. However, its preservation in the TTs shows the legal format of the STs in terms of the legal style of writing of a type of text. All the certificates in the course of analysis of this study have the same style of writing with having this Quranic expression as introductory statement and their translations retained the same style as well. This denotes the establishment of adequacy conditions as all the elements of the STs are included in the TTs. In addition, the

translated texts include incomplete information that constitute part of the ST outline but it is irrelevant to the legal validity of the official documents. For instance, the Kurdish date scheme ‘ / / رێکەوتی کوردی ٢٧ ’ is usually included in all the Kurdish official documents without being filled. It is translated into ‘*the Kurdish Year / / 27—*’ which indicates the inclusiveness of all the elements of the STs in the TTs as part of adequacy conditions.

The percentages of the deviation of stylistic features are less if compared to the ST stylistic maintenance in the course of analysis of this study (Chart 1). Unless otherwise there is a strong motive to deviate, the majority of the TTs adhered to the ST’s order, meaning and style. Some cases in the course of analysis of this study, however, manifest the effect of failing to reflect certain stylistic features. For example, the translation between the two different semiotic modes such as verbal signs into non-verbal signs can be seen in almost all of the texts. This kind of translation, which is known as Inter-semiotic translation (Jacobson, 1959/2021), is occurred when translators cannot copy signatures and stamps included in the STs as they are considered to be a special distinctive and characteristic marks of authorisation. Instead of coping them, s/he performs an Inter-semiotic translation by adding a sentence explain that ‘the ST is signed and/

or stamped by ‘*authorised names*’ (Table 3). Signatures and stamps are regarded as symbols and signs and they can be interpreted in terms of the notation for authorisation of an official figure or place in the Kurdish official texts. They are therefore considered legally binding and must be referred to in the TTs as well in one way or another. According to Asensio’s (2003) adequacy conditions, this type of official translation could be a deviation in style since there is the convention that within a text anything “included between square brackets [...] belongs to the translator and not to the source text” (pp. 65).

Table 3: Inter-semiotic Translation

STs		
TTs	➤ Signed by <i>Name</i> , Manager of Directorate of Companies, Directorate of Companies	➤ Stamped by Ministry of trade and Industry, General Directorate of

		Registration of Companies, Directorate of Companies
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Official texts written under Sharia are different from legal English texts not only in terms providing cultural and religious features but also proper names. The Kurdish fore names are usually followed by their middle names and then surnames and sometimes the fourth names may require as well. An additional issue in translation of official documents from Kurdish into English is the manifestation of personal names in a different writing system. According to Asensio (2003, p. 89), since the translation of personal and/or proper names is attesting to the truth of certain stated facts and identifications, it might not be sensible to convert the spelling between two different languages. For instance, the Kurdish title 'شیخ' (BT: Sheikh) has been abbreviated and translated into 'Sh', while it was originally written next to the surname of the manager of a company in the Kurdish official documents. The words '*sheikh*' and its abbreviation '*Sh*' represent different connotative

meanings culturally and geographically. In the Kurdish areas, the full Kurdish spelling is used without abbreviation to refer to religious figures or someone who descended from a Sunni Muslim backgrounds. In Arabic, this word may represent chief or wise old man as well and its often abbreviated into 'Sh' in English as an honourable title for high-ranking Muslim leaders and clerics in Somali society (Lewis (1998, p. 143); IFLA Committee on Cataloguing (1987, p. 24)). Therefore, providing such translation should include what is standard in the TL and not what is less common. As specified by Asensio (2003, p. 44), this kind of translation has more to do with 'personal decisions' rather than "with professional associations and their decisions about what is right or wrong" or what is known as 'codes of ethics'.

Amplification constitutes 21 % of the local strategy which is called translation by addition in an effort to secure more legible and articulate TT since it does not affect the ST meaning. For instance, the addition of '*with a capital*' in the TT does not alter the contextual meaning of the ST (Table 4). The translator espoused a receiver-oriented translation which can be viewed in reference of Newmark's (1988) communicative approach as it makes the TT structure more grammatical, coherence and natural without affecting the ST intended meaning. However, according to Asensio's (2003) success conditions,

this addition may contradict the translation brief since it is not being placed between brackets and can be considered as part of the ST.

Table 4: Amplification

ST	ئەم بېروانامەيە دەردەكەين بۆ دۆلەتبايون لە بەرەواری پۆژی دامەزداندى كۆمپانىيە (Blue Icon) بۆ بازىرگانی گشتى ئەلكترونى / سنوردار ١٠٠٠٠٠٠ يەك ملیون دینارى عیراقى
TT	We issue this certificate to assert the corporation date of (Blue Icon Company for General Trading and Electronic Services/Ltd.) with a capital of 1000,000 IQD, one million Iraqi Dinars

Translators' signature and seal regarded important since these official documents are to be used in another country. All the translated official texts in this study contain stamps and signatures of the translators to confirm the genuineness of the texts and their

translation and that they are issued by a recognised authority in Kurdistan Regional government. Since KRG is not part of the Hague Apostille, the addition of the translator's signature and sign can be used to validate the authenticity and legitimacy of the document. In addition, the translator's confirmation in reference to the accuracy of content of the text might make it legally binding abroad. One of the reasons that the word '*hereby*' is added in the TT might be the fact that in almost all the official documents, there is always a prelude which outlines a reason why the document should exist (Table 2). This term is considered as an LSP since it is a formal adverb often used at the beginning of a sentence in legal and official documents meaning '*by this...*' Another feature of the Kurdish-English legal texts, as far as style is concerned, is the addition of punctuation in the English texts while it does not exist in the STs (Table 4). It is commonly accepted that punctuation helps clarifying meaning and reading a piece of writing loudly. However, in legal English the non-application of punctuation is premeditated. Crystal and Davy (2013, p. 200) claim that the reason to either the tractability of adding or omitting its signs to be an effort for counterfeit or the understanding of the system of punctuation as inconsequential in exposing the grammatical or logical structure of written language. In this sense, the translator breaches

the anticipation of the target recipients since legal layout of the TT was not formulated as an unbreakable block of writing.

Abbreviations can also be an example of the deviation of stylistic feature in this study. However, this kind of substitution is due to the legal ST available style. Substitution here alludes to a kind of translation that “may bear little or no morpho-syntactic or semantic relations to the source text” (Taylor C., 1998, p. 52). For example, when different writing systems involved in translation, substitution may occur as the case of translating the Kurdish full word ‘سنوردار’ (BT: Limited) into its abbreviated form in English ‘Ltd’. This kind of substitution does not affect the ST semantically. The style of writing changes from using a full word into the abbreviated one and this is due to commonality of the kind of abbreviated word in the legal English texts. Omission constitutes the lowest level in the course of analysis of this study. It is usually considered to be an extremely risky strategy when dealing with official translation. However, it might be a convenient solution in certain cases where the omission ‘does not harm’ the meaning (Baker, 2018, p. 43) or the deleted meaning has no literal translation or is compensated in the TL. For instance, the Kurdish word ‘زایینی’ (BT: AD or Anno Domini) is omitted in the TT. Instead, only the date ‘٢٠١٦/٩/٥’ is translated into ‘05/09/2016’ (Table 5). In this case, the deleted word

does not affect the meaning because it is considered to be empty of meaning if added next to the translated date in the TL.

Table 5: Omission Strategy

ST	ریکھوتی زایینی : ٢٠١٦/٩/٥
TT	05/09/2016

Three-language formula illustrates part of the omission cases of this study. The KRG's legal system acquired from the Iraqi legal system which contains both law and Sharia as well as statutes and regulations. Despite the fact that all the Kurdistan region's laws have been translated from Arabic and published in Kurdish, some of the Arabic legal terms remained untranslated either due to their non-lexicalization in Kurdish or sensitivity in terms of use. In a number of the Kurdish texts translated into English in the course of analysis of this study, some Arabic words can be detected. For example, the Arabic word 'إعفاء' (BT: exempt) is placed between brackets next to the Kurdish word 'به‌خشین' (BT: exempt) (Table 6). Although the third language must be kept in the English translation (Asensio, 2003, p. 74), it is deleted due to the belief that it will not inflict harm to the meaning of the ST in the TT. In the field of law, omissions are hard to

be justified since they are more considered as failure to translate part of a given ST or an indication of negligence on the part of the translator. The two-language formula of the ST denotes meaning emphasis in terms of the use of a legal term that considered to be sensitive. The Kurdish word 'به‌خشین' is polysemous that as a verb, it may mean both '*exempt*' and '*donate*' and this could be a reason behind the use of the two-language formula in the Kurdish official document, i.e., to emphasize the exact meaning.

Table 6: Three-Language Formula

ST	ئاماژە بە کۆنوسی بریاری کۆمپانیای (Name) له ٢٠١٧/٨/٢٧ که بریاردرا به به‌خشینی (أعفاء) به‌ریوه‌به‌ری ریپیدراوی پیشوو (Name).....
TT	Referring to the decree minutes of (Name) on 27-08-2017 in which it has been decided to exempt the company's former authorized manager (Name)....

Conclusions

Kurdish Legal language has evolved to meet the demands of special legal systems and its translation needs to consider both style

and terminology. Kurdish official translations, as renditions of legally valid documents, are generally based on objectivity and formal register, but they are also derived from legal traditions and culture. This kind of translation can therefore be defined as a specialised and cultural reliance transformation. It is the legal translator's responsibility to be not only loyal to the intention, style, and form of the original, but also make it clear and comprehensible to the receiver, excluding any unconventional flexibility which is regarded as intolerable within the legal translation brief. However, a differentiation needs to be made between the ethical principles of individuals and groups. The former refers to the translator's personal decision about what is considered to be correct or incorrect while the latter means shared information such as brief which might belong to a group or professional associations' decision about what is right or wrong. Kurdish official translators thus play an essential role in the process of communication between different legal systems. Their choices may guide, encourage or fail recipients in considering an enterprise. They need to focus more on the stylistic features, such as length of sentences, (im)personal style, cultural and other certain stylistic features both at and above word level. Successful and effective translations of the official texts determine a number of local strategies that would secure their

acceptability in accordance with the linguistic and stylistic norms of the TL. The objective of official translation thus should be the production of an adequate translation which can be accomplished when translators consider translation brief, i.e., translation function, text type and readership before employing any strategies or reasoned decisions.

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گرفته‌کانی وەرگێڕانی بەلگەنامە فەرمییەکان لە زمانی کوردییەوه بۆ زمانی ئینگلیزی

بە بەکاربردنی ڕێبازی بەراوردکاری-بەرانەرییە

وەرگێڕانی فەرمی وەرگێڕانی هەر دەقیك دەگێتەوه که بەگوێرەى سیستەمى یاسای تایبەتى ولاتان وەك ئامرازىكى یاسای پابەند کار دەکات. بۆیه ئەم جووره وەرگێڕانه پێویستی به وەرگێڕیک هەیه، که له هەمانکاتدا کۆزانیاری تایبەتى له سەر سیستەمى یاسای جیاواز و زاراوه و چه‌مکه یاساییەکانیش هەبێت. ئەم توێژینەوهیه بەدواداچوون بۆ وەرگێڕانی بەلگەنامە فەرمییە جیاوازه‌کان له زمانی کوردییەوه بۆ زمانی ئینگلیزی دەکات، وەك ئامرازىك بۆ ڕەنگدانەوهى تایبەتمەندیەکانى وەرگێڕانى یاسای و جیاوازی یاسای نیوان هەردوو کەلتووَره‌که. ئامانج له شیکردنەوه‌که، خستنه‌رووی ئاسته‌نگه‌کانى وەرگێڕانى یاسای و تایبەتمەندیەکانى زمانی یاسای کوردی و زمانی ئینگلیزیه له چێوه یاساییەکانیاندا. توێژینەوه‌که له کۆمه‌لیك بەلگەنامەى فەرمی ده‌کۆڵێته‌وه که پیکهاته‌ى ڕه‌وانبێژى هه‌فتا و پینج ده‌قى کوردی وەرگێڕدراون بۆ زمانی ئینگلیزی. ده‌قه‌کان به زمانی کوردی سۆرانى نووسراون و له‌لایه‌ن وەرگێڕى یاسای ڕیگه‌پێدراوه‌وه وەرگێڕدراوه بۆ زمانی ئینگلیزی. له‌م توێژینەوه‌دا ڕێبازى لیکۆڵینه‌وه‌ى (بەرانەری-بەراوردکارییانه) به‌کارهێنای مێتۆدۆلۆژیای (بنه‌مای-ئەرکی) په‌یره‌و‌کراوه بۆ دیاریکردنى به‌ند و باوه‌کانى (نۆرمه‌کان) وەرگێڕانى فەرمی. توێژینەوه‌که پێیوايه که ده‌قه‌کان و وەرگێڕانه‌کانیان هیچ تایبەتمەندییه‌كى فەرمی هاوبه‌شیان نییه، چونکه له‌لایه‌ن دوو فەره‌ه‌نگى جیاوازه‌وه هاندراون. وەك پێشبینی ده‌کرا، ئەنجامه‌کان ئەوه ده‌رده‌خه‌ن که ده‌قى سه‌رچاوه و ده‌قى وەرگێردراو له راس‌تیدا له یه‌کتر جیاوازن به‌هۆى بوونی تایبەتمەندیی فەره‌ه‌نگى و شیوه و شیوازه‌وه که هه‌ریه‌که‌یان له سه‌ر پاشخانیکى تایبەت و نه‌ریتیا نه‌بێت.

وشه سه ره كيه كان: مه رجه كانى گونجاندن ، دلسۆزى، وه رگيرانى ياسايى، زمان بۆ مه به ستي
تاييه ت (LSP)، به لگه نامه ي فه رمى، سكۆپه س، ئاكارى وه رگيران

قضايا الترجمة في الوثائق الرسمية الكردية-الإنجليزية باستخدام المنهج المقارن التقابلي

تتضمن الترجمة الرسمية، ترجمة أي نص يعمل كأداة ملزمة قانونًا، اعتمادًا على الأنظمة القانونية الخاصة لكل دولة. لذلك يتطلب هذا النوع من الترجمة أن يكون لدى المترجم معرفة متخصصة في نفس الوقت بمختلف الأنظمة القانونية والمصطلحات والمفاهيم القانونية. تبحث هذه الدراسة في ترجمة الوثائق الرسمية المختلفة من اللغة الكردية إلى اللغة الإنجليزية كوسيلة لانعكاس سمات الترجمة القانونية والاختلافات القانونية بين الثقافتين. الهدف من هذا البحث هو استكشاف خصائص اللغة القانونية الكردية والإنجليزية ضمن سياقاتهما القانونية بالإضافة إلى تحديات الترجمة القانونية. يدرس البحث مجموعة موازية من الوثائق الرسمية بما في ذلك البنية البلاغية لخمسة وسبعين نصا كرديا مترجما إلى اللغة الإنجليزية. تم إتباع نهج المقارن التقابلي باستخدام المنهجية القائمة على مبدأ-عملي من أجل تحديد معايير الترجمة الرسمية. تفترض الدراسة أن النصوص وترجماتهم لا تشترك أي سمات شكلية نموذجية لأنهم مستوحاة من الثقافتين المختلفتين. كما هو المتوقع، تشير النتائج إلى أن النص المصدر وترجمته يختلفان بالفعل عن بعضهما البعض من خلال السمات اللغوية المعينة مثل المعجم والشكل والأسلوب التي ترجع كل من هذه الصفات الى الخاصية اللغوية و العرفية محددة.

الكلمات المفتاحية: شروط الكفاية، الإخلاص، الترجمة القانونية، اللغة لغرض خاص (LSP)، الوثيقة الرسمية، سكوبس، الأخلاقيات الترجمة