

PROBLEM SOLVING IN TRANSLATING INDONESIA LEGAL DOCUMENTS TO ENGLISH

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Abstract

Legal translation is a translation made for interest and has a legal nature; an example of legal translation is the translation of a notary deed. This translation includes institutional translation because it has a close relationship in culture and is quite difficult to translate by ordinary people. Therefore, here the author will look for several solutions that can be used by other translators when they want to translate the exact legal text. Here the author finds several techniques that can be used in translating legal texts and some online references that can be used when finding an equivalent or term in the law. There are several strategies used by the author when translating notarial deed documents, such as the use of literal translation, adaptive translation, calque translation, official translation, cultural equivalence, transference, and various online references that are used to support better translation results

Keywords: *translation, legal terms, translation methods, legal documents*

Background

Language is one of the main communication tools used by humans to keep communicating with each other. Language also has a vital role in people's lives because, with the help of language, people can understand and enforce the law in their lives or use language that can be understood. This type of written legal text will also be needed by everyone that can be used to make laws and regulations, lawsuits, company deeds, and others.

Legal text translation is one of the most challenging translations because there are differences in the style of language used in legal texts with other types of texts. Based on Harvey, M. (2002), translating legal texts is not easy because every translator must combine the terms technical text translation with the expertise of translating literary texts. Translating legal texts is not easy. Not

everyone can translate this type of text because legal texts have their difficulties. The difficulties in question, such as the existence of legal terms unknown to ordinary people, must maintain the characteristic language of legal texts and must understand the legal context to resolve the incompatibility.

Based on Kocbek, A. (2017), A notary deed is a legal deed that contains matters relating to law. This notarial deed is an authentic deed that has long been valid in Indonesia, so the contents of the notary deed are also in Indonesian. Another problem also arises when a foreigner wants to be a party to the notary deed because the foreign party must know the contents. A translator is needed to translate the document into the target language, namely English, to overcome this problem. Here translators must understand legal terminology in different languages, cultures, and what systems

exist in law. Here the role of the translator is needed because they have to translate the content or message in the source language into the target language. Translators will bridge the cultural differences and legal systems in the two languages. Gotti, M. (2016) said that translating a notarial deed is not easy because it is a legal document and many factors influence it. The factors that influence it are different cultures, environments, and languages.

In addition, legal translations are more challenging to translate than other types of texts because the contents of legal texts contain several legal terms that are less familiar to ordinary people and even ordinary translators (O. I. B. Hariyanto, et, al 2022). Here, translators of legal texts must understand legal terms in the source and target languages. Therefore, the author will find out what translation methods can translate legal texts. The author also uses several online sources of information as references in determining legal terms in source language text to the target language.

Research Methods

Hidayat, A. (2020) said that not all translation techniques could be applied to only one translated text. Several factors influence it, such as various types of texts, differences in knowledge, culture, linguistic elements, and others. Karnain and Purwitasari A. (2019) mentioned that several translation strategies could be used when translating a text, such as using loan words, paraphrasing sentences, functional equivalents, descriptive equivalents, and subtracting some elements.

Based on research conducted by Siregar, R. (2017), which revealed that in translating a text, the translator would not use only one technique in translating but requires several translation techniques to produce a good translation. Their research uses nine techniques in translating the text: borrowing, calque, literal,

transposition, modulation, equivalence, adaptation, addition, omission/deletion.

Siregar, C.R. (2020) analyzed 7 of the eight translation methods Newmark applied. The translation methods used in the research include the following: literal translation, faithful translation, semantic translation, adaptation translation, free translation, idiomatic translation, communicative.

Prasaja, Y. B. A. (2017) stated that there are three main stages in translation, namely the pre-production stage, the production stage, and the post-production stage. In addition, these stages can be broken down into several processes. The process is preparing, looking for references, translating, revising, editing, proofreading, reviewing, and submitting translations.

In carrying out these activities, the author will use important points used by previous research, add some references, and receive input from lecturers and office managers regarding the translation results (Marsevani M., 2022). To produce a good translation and achieve the target, the author will use several steps in translating documents/archives at PT Riau Pangan Lestari, which are carried out during the internship program.

The following are the steps used in the translation process carried out during the internship:

a) Preparation

The most important thing to do before translating documents is preparation, so translators must prepare everything needed when translating documents in a company.

b) Looking for references

Here the author looked for some materials that have been used as a source of reading material when carrying out the translation program. This enables the author to determine the most appropriate words/sentences based on the type of document (adjusted depending on the type of document).

c) Translating documents/archives

The translation referred to here was translating text from specific languages into other languages. At the time of translating, the author must adjust it with accurate information so that the submission contained in the original document can be translated into the target document. The method used by the author in translating this legal document was descriptive, so the data has been grouped based on SL and TL in the process and has been explained descriptively.

d) Editing

The next step after translating was editing. The author only referred to the review from the previous step when referring to editing. In this step, the writer only edited and revised the translation segment that has been done. Then the author must also ensure that the translation was accurate with the original document.

e) Proofreading

The next stage that has been carried out is the proofreading stage or the correction stage, which is carried out without referring to the original text. The main focus in this proofreading was to see how the translated text sounds natural and reads smoothly in the target language. In addition, the author also checked whether the punctuation and capital letters were used correctly or not. Document formatting should also be checked in proofreading to improve the translation results, such as the placement of images or the fonts used.

f) Report

The author provides a report to the company regarding the results of the translation that has been carried out. All translation reports of legal documents/files provided by the author to the office manager at PT Riau Pangan Lestari indicate that the internship program has ended.

Finding

The output of this program is to provide translations of company documents/archives provided by the office manager to authors to be translated from Indonesian to English. The author wanted to translate various types of company documents, such as Deed of incorporation and Company PPAT letters (law), company SOPs, and other archives. However, in this study, the author only discusses the company's legal translation entitled "Notary Deed." The output is finished on time from the time given by this internship program, which is four months. The results of the output design will be determined by the author based on references. Then the author also continues to follow several aspects requested by the company.

This internship program is implemented at PT Riau Pangan Lestar for four months, starting from the entry of apprentices on February 15, 2021, to June 15, 2021. In carrying out this internship program, some results that will be reported every week are reported in the form of a logbook made for translation interns. The contents of this logbook are the titles of documents/archives that have been translated, the time for carrying out activities each week, the number of translated documents/archives that have been done, and links to access the documents.

The results of each activity carried out will be reported to the company and lecturers regularly. The output of this program is the translation of documents/archives related to the company, such as essential documents, company SOPs, and others. This output is made in preparation for the company's needs for future global expansion. In this case, the author will explain the translation results with the process developed to produce a good translation. The following is the process carried out by the author when translating documents/archives:

1. Preparation

Preparation is an activity carried out by apprentices and their supervisors before starting/carrying out apprenticeship activities of participants. At the implementation time, the supervisor directs the students to explain what students will do while carrying out the internship program. In this phase, the supervisor will explain how implementing this activity is carried out, starting from debriefing on how to translate correctly and adequately, explaining the purpose of a translator internship, making a logbook, and making an internship report. Here the supervisor will help the author complete the internship report as the final goal of this program. In addition, the author will look for a suitable company to serve as a place to carry out this internship program, namely a translator from Indonesian to English, or vice versa. The author will carry out this internship program at the PT Riau Pangan Lestari company, which trades distributors and snack food agents.

2. Looking for references

This reference search is done to increase the author's knowledge when he wants to do the translation. This reference search is essential because when the author receives documents/archives from the company, the author must determine what types of documents/archives he will translate, whether it documents/archives regarding the law, accounting, or so on. Using terms in a document/archives will also confuse the author to translate it into the correct target language. Therefore the author needs to look for references to shorten the time when working on it.

The author will use various reading sources as a translation reference in this section. In addition, various documents/archives will be translated, so the author will use references from the website to shorten the translation time. The references used in translating a document/archive are as follows:

- a) Legal terms in English and Indonesian

<https://lahanindustri.wordpress.com/2018/02/09/istilah-legal-atau-hukum-dalam-bahasa-inggris-dan-indonesia/>

No	Bahasa	English
1	Akta	Deed
2	Akta dibawah tangan	Privately Made Deed / Privata Deed
3	Akta ootaris	Notarial deed
4	Almuts Akta	Original of the deed
5	Salinan / Turunan akta	Official duplicate copy of the deed / Certified duplicate copy of the deed
6	Pelekan Akta	Extract of the deed
7	Akta dibawah tangan yang dilegalisasi oleh notaris	Privately Made Deed signed before and attested by notary
8	Akta dibawah tangan yang di-waarmerken (gewaarmerkt)	Privately Made Deed registered with the notary's office
9	Dokumen yang telah diuliskan/dilegalisir	Certified copy

Picture 4.1 References about Legal terms

<https://www.englishcafe.co.id/istilah-istilah-hukum-dalam-bahasa-inggris/>



Picture 4.2 References about Legal terms

- b) Use of Glosbe Dictionary

<https://glosbe.com/id/en/berhadapan%20dengan%20saya>



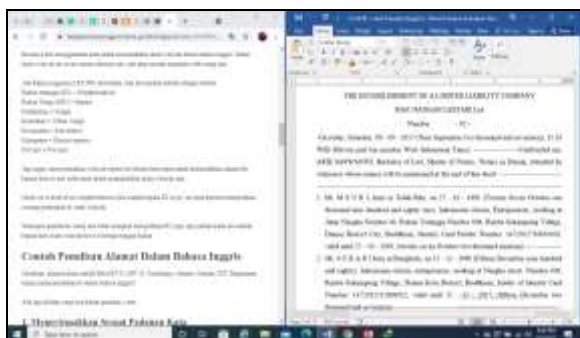
Picture 4.3 Glosbe Dictionary

- c) Using ProZ.com to search for a specific term in SL to TL.

<https://www.proz.com/search/>



- d) <https://belajarbahasainggrisonline-gratis.blogspot.com/2019/08/apa-bahasa-inggrisnya-rt-rw-kelurahan.html>



Picture 4.4 References for Language Features

the author must translate documents/archives in the company. Before translating documents/ archives in a company, the author has to get an internship preparation briefing from the lecturer and carry out whatever the company will ask the author. Here, the author will first sort the documents based on the documents/archives to be translated. After finishing sorting, the author will take the next step to translate the text. If an obstacle is encountered in determining the right words, the author will look for references that fit the context and continue the translation again. Here the author translated the documents/archives using a laptop and typed them manually when translating them.



Picture 4.6 Translating Activities

- e) <https://akuntanonline.com/kumpulan-istilah-istilah-dalam-akuntansi/>



Picture 4.5 Terms in Accounting

Discussion

From the research results that have been done, there are two strategies used in translating this notarial deed; the strategy is based on word translation and sentence translation. Here the author uses several methods in translation, and the results are as follows:

- a. Literal Translation (sentence level)

A literal translation is different from word-for-word translation only in considering TL grammatical structure in its result. However, still, words are translated by their ordinary meaning. In this translation method, the sentence translate word by word, but the result follows the nearest grammatical structure of TL.

3. Translating documents/archives

The translating stage is the core stage of this internship program, where

SL : Menghadap kepada saya,
.....

Pasal 1

TL : Appear before me,

Article 1

When translating the sentence word for word, the result will be "menghadap kepada saya." While in the Literal method, the word "menghadap" is placed in the front of "kepada" and "saya." It follows the grammatical structure of Bahasa. There are no untranslated words in those samples above because the TL text transfers the entire message of SL text accurately.

b. Adaptive Translation (sentence level)

Adaptation translation is about communicating meaning through adapting the translation for a particular style. Refresh to the type of translation which is used mainly for plays and poems.

SL : Selanjutnya akta ini disebut sebagai Pihak Pertama.

TL : Hereinafter in this deed is referred to as the First Party.

Some cultural expressions with different concepts between SL and TL require adaptation, such as the example below:

SL : Menghadap kepada saya,
.....

Sarjana Hukum

TL : Appear before me,

Graduate at Law

Here it can be seen that the SL and TL in question have different meanings. If translated directly, the SL of "Menghadap kepada saya" is "Facing me" in TL, but there is an adaptation in the sentence and the correct translation result is to use "Appear before me".

c. Official Translation (word level)

The translation used in this official translation is one in which

there is a legal term that has been legally defined as the institution. The term referred to here is a technical term that has been used in an institution.

SL : Perseroan terbatas yang didirikan menurut **Akta Notaris**, tertanggal

TL : a limited liability established under **Notarial Deed**, dated

d. Cultural Equivalence (word level)

The cultural equivalence translation method is that the translation is done by replacing the word culture in SL and TL. Usually, translators will adapt their translations to the culture of each country, even though the translation of words in SL and TL is not accurate. Newmark, P. (1998). The purpose of using this translation method is to make the translation results easier to understand by TL readers, and the implied messages in SL can be conveyed/described in TL.

SL : **Demikianlah** akta ini dibuat ...

TL : **In witness whereof**, this deed is drawn up ...

Based on the translation, the word "Demikianlah" can be interpreted as "that all" in the TL. TL readers will feel confused if they read it because the context to be conveyed is unclear; therefore, the translator must replace the word culture in SL and TL. Then the message can be conveyed and understood by TL, such as, "In witness whereof" which is defined as an expression of profit to close the deed formally.

e. Transference (word level)

The transference translation method is a translation method by transferring the language in SL to TL. This translation method is usually

used by translating it directly and without changing the words in the SL. This strategy is the easiest strategy to apply in translating.

SL : Warga Negara Indonesia, wiraswasta, bertempat tinggal di Jalan Nangka, **Rukun Tetangga No 006, Kelurahan Rimba Sekampung,** Kecamatan Dumai Kota,

TL : Indonesian citizen, entrepreneur, residing at Nangka street, **Rukun Tetangga No 006, Kelurahan Rimba Sekampung,** Dumai Kota District,

From the example above, it can be concluded that the SL and TL in this text use a transference strategy. Not all words are translated into English in notary documents because sometimes TL does not recognize the term from the neighborhood association. As for other factors, such as differences in administrative areas in SL and TL countries.

f. Calque (word level)

Calque is a literal or borrowed translation strategy for collocations or common phrases known in the source language. Calque translation can be defined as taking the meaning of words in TL and translating them with equivalent words in TL.

SL : Jasa ketenagakerjaan, **konsultasi management dan administrasi,**

TL : Employment services, **management and administration consultations,**

Based on the example above, the calque translation strategy is carried out by simply transferring the phrases that are in SL to TL, such as “**konsultasi management dan administrasi**” translated into “management and administration consulting,” which is adapted to the spelling and structure of SL into TL.

4. Editing

The next step that must be done after translating the document/archive is to edit the translation that has been made. This editing is done so that the author can produce a better translation for the company. This translation editing is done only to re-check whether the translation results are accurate with the original documents/archives. Editing is also done such as grammatical errors, errors in the use of words/sentences, and others.

5. Proofreading

The proofreading stage is the stage of correcting the author's translation without referring to the original text again. Here, the author only focuses on proofreading to see how the translated documents/archives sound natural when read by the target language. The author will also check the translation results, whether they have used the proper punctuation or capital letters or not, to re-check the placement of images or fonts in documents/archives whether they are appropriate or not. Proofreading is done so that the translation results look even better.

6. Report for company

In this section, the author will provide a report to the company regarding the results of the translation of documents/archives made. The translation results that have been done will be collected into one file, and the author will provide this report to the office manager at the end of the internship program.

In carrying out the internship program, the author found several obstacles in translating documents/archives provided by the company. The obstacles found included:

- a) Limited vocabulary

The author experienced this obstacle when working on the translation in the form of documents/archives regarding the law. Based on Haryanti, D. (2019), the obstacle that is often faced by someone when translating is the limited understanding of vocabulary and the inability to determine the proper equivalent based on the context.

Here, the author is not very familiar with the vocabulary in the field of law, so this is a challenge for the author to translate it into a good translation that deserves to be read. For this reason, the author must look for various sources regarding legal terms in English to translate them into the target language correctly. It is also necessary to consider the selection and use of appropriate vocabulary to produce a good translation.

b) Time Limitation

The next obstacle experienced by the author is the limited time of the work. Here the author is given four months to translate the documents/archives provided by the company. This is a problem for writers because the company will not provide documents/archives to authors for translation every time. Some documents are confidential and cannot be disseminated by the author, so that the author must wait for the following document to be translated.

However, these obstacles can be overcome because the author has made a timeline for the process. In addition, to make it easier for the author to overcome the processing time, the author also makes a logbook. This logbook contains reports of activities carried out by the author when translating legal documents/archives. In addition, this logbook is also used to monitor the work process of the author while translating the text.

c) Limited company documents/archives

The next obstacle experienced by the author is the limited number of documents/archives to be translated.

Authors are required to translate texts/documents with a minimum of weekly word translations. This internship program lasts for four months, and the author must be able to translate as much as 15,000 – 30,000 words during the internship program.

To solve this problem, the author communicates with the office manager to provide the documents/archives to translate, and then the company will prepare the documents/archives. After preparing the documents/archives, the office manager will give the documents/archives to the author and ask to be translated into English. The documents/archives provided are also varied, such as company SOPs, company files, company documents, and others. After getting the document/archive, the author will start translating.

After completing this translation activity, several changes occurred to the author and the company.

The changes experienced by the author during the internship are being able to manage the work time well so that the translation results can be completed on time, gaining new knowledge about translation, understanding new vocabulary, and reaching the target of translation results. In implementing this internship, the author has successfully translated all documents/archives provided by the company for translation. In addition, the author also gains experience from this internship program and can increase knowledge about the knowledge contained in the translator, both in translating legal documents or other documents.

The changes experienced by the company are not so many; it is just that the company is preparing several documents needed for the benefit of the company's development and aims to expand the company's network of cooperation with foreign countries. The company provides several documents for translation from Indonesian to English,

including the Deed of Establishment, company letters, and all SOPs in the company. Some translations will be provided to the office manager, which is helpful for future global expansion.

Conclusion

Here the author finds several problems faced when he wants to translate legal texts, and the translated document is a document containing a notary deed. The problems encountered were varied, such as problems in linguistics and non-linguistics. From this problem, the author realized that several factors affect

translating legal documents. The factor in question is the existence of cultural differences and the legal system that exists in the source language and the target language. Here, the author is looking for ways to overcome the problems when translating legal documents. There are several strategies used by the author when translating notarial deed documents, such as literal translation, adaptive translation, calque translation, and various online references, that are used to support better translation results.

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