

## PETER NEWMARK'S CONTRIBUTION TO LEGAL TRANSLATION

ONDŘEJ KLALBAL

### ABSTRACT

This paper reflects upon the relevance of the ideas of Peter Newmark to legal translation. Even though legal translation was not the focus of Newmark's interest, he makes several references to legal translation in his writings, mostly in relation to authoritative statements, which is a broad category of texts introduced by Newmark and including legal and administrative texts. The paper provides a critical analysis of his ideas and puts them into today's legal translation studies context. The second part of the paper includes a brief and non-exhaustive overview of Newmark's concepts that have been echoed in legal translation studies, namely his list of translation techniques, and his dichotomy of semantic and communicative translation.

**Keywords:** legal translation; Peter Newmark; semantic translation; literal translation; authoritative texts; translation procedures

### 1. Introduction

Peter Newmark is most probably not the first name that comes to mind in connection with legal translation and legal translation studies<sup>1</sup>. And understandably so. He produced most of his writings and wrote his seminal books well before the field was established (cf. Prieto Ramos 2014). It does not mean, however, that he ignores the translation of legal texts in his work. Against this background, the aim of this paper is thus twofold. First, the paper aims to critically review what Peter Newmark explicitly said about legal translation in light of today's state of the development of the field. Second, the paper also

---

<sup>1</sup> *This paper aims to pay tribute to the contribution of Zuzana Jettmarová to the field of translation studies. Nearly ten years ago, I defended my Master's thesis at Charles University on Peter Newmark's contribution to translation studies to present Newmark's ideas to readers in Czech. The thesis supervised by Zuzana Jettmarová sparked my interest in translations studies and translation research. With the benefit of hindsight, I must admit that the journey to the defended thesis was not easy since my supervisor expected me, an MA student at that time, to apply the same scientific rigour as she herself admirably did throughout her career. However, it served as motivation and inspiration for my further academic career, and now I have been involved in (legal) translation research for a decade. Therefore, when I was thinking about the topic of my contribution to this issue in honour of Zuzana Jettmarová, I decided to combine my current field of academic interest, i.e. legal translation, with the topic of my thesis born under her supervision, and revisit some of the ideas of Peter Newmark in relation to legal translation.*

aims to discuss a number of concepts introduced by Peter Newmark,<sup>2</sup> which have been applied by various authors to legal translation even though they were not created with legal translation in mind. Such concepts include the dichotomy of semantic and communication translation, and the use of translation procedures that are especially relevant in legal translation.

## 2. Newmark's references to legal texts

Newmark's references to legal translation and translation of legal texts are rather scarce, which is not surprising given the wide scope of his academic interest. In *Approaches to Translation*, Newmark devotes merely one short paragraph (Newmark 1981: 47) to the translation of legal texts arguing that legal translation is the most restricted form of translation<sup>3</sup> since "every word has to be rendered, differences in terminology and function noted, and as much attention paid to the content as to intention and all possible interpretations and misinterpretations of the text – all legal texts are definitions". However brief, a number of important points are made in the paragraph, especially the importance of not restricting the interpretative scope of the source text. The idea that all legal texts are definitions is also thought-provoking. I believe that for the statement to hold, *definition* should be understood broadly in the sense that legal texts in fact *define* rights and obligations of the parties (e.g. contracts, legislation) or their legal situations (judgment).

Later, Newmark makes a number of additional comments on legal translation (Newmark 1993: 16), which are summed up below (in italics) together with my commentary.

- *Legal translations must be flawless both referentially and linguistically unlike any other translation.*

This is a valid requirement for legal translation with referential accuracy being possibly of more importance since referential errors may cause legal consequences, e.g. when a legal concept is mistranslated or parties to a contract are mistaken.

- *Terms of art have to be translated by their exact equivalents, and if these do not exist, they have to be transferred and closely defined.*

The weakness of this recommendation is the meaning of an exact equivalent.<sup>4</sup> Regrettably, Newmark does not mention whether this is a cultural or functional equivalent. Possibly an exact equivalent could be a term arrived at through componential analysis with corresponding essential elements. The use of a transference, a borrowing or a calque together with a definition, that is in fact the use of a translation couplet, is undoubtedly a useful procedure as also discussed below.

- *Non-legal terms have to be precisely accounted for.*

The meaning of this recommendation remains rather obscure.

---

<sup>2</sup> For a detailed overview of Newmark's contribution to translation studies in general and his full bibliography, see Klabal (2014).

<sup>3</sup> This statement about the restrictive nature of legal translation has been quoted by various authors (e.g. Šarčević 1997: 112, Loiacono 2016) as a basis for describing the specific of legal translations.

<sup>4</sup> Newmark often described the requirement imposed on the translation of legal and administrative texts as "exactness" (e.g. also Newmark 1993: 72), which is a term that is not generally used in translations studies.

- *Pitfalls are innumerable. Newmark goes on to give examples of false friends, polysemous words.*

Legal translation undoubtedly involves many pitfalls as also attested by legal translation scholars (cf. Alcaráz Varó and Hughes 2002). Specifically, Chromá (2011) addresses the polysemy of legal language and Bázlik and Böhmerová (2019) the issue of false friends.

- *When terms are used non-technically, as in ordinary language, and without collocations, they should be translated literally.*

This recommendation is in line with Newmark's advocacy for the use of literal translation as discussed below. The problem is that it is formulated rather generally and to have any didactic value should be supplied with examples.

- *Semi-legal collocations may have several meanings.*

This is indeed true but may apply to other fields as well.

- *The essence of legal language is not spoken but written, so the question to be asked should be "Would you see that in a legal document?"*

This is a useful recommendation also relevant for teaching purposes, reminding students to maintain the right register.

- *Many target-focused style strategies are abandoned in legal translation. Newmark exemplifies this with cases of terms being translated literally.*

Once again, Newmark favours literal translation. I believe that this recommendation should not be applied to legal translation since legal texts should be transparent in terms of their style and read as naturally as possible. For example, when translating into English, the recommendation not to use *doublets* or *archaic language* is a style strategy and should be applied even in translation, not only in drafting of original texts.

Newmark (1993: 16) also argues that legal terminology and language are more orderly than those of other fields, particularly medicine, which is also rather a sweeping generalization. In fact, medical terminology, based in many languages on Latin with a systematic use of prefixes and suffixes, is highly orderly. On the contrary, legal terminology with the prevalence of doublets, and in the case of English many synonyms or jurisdiction-specific terms may be seen as far from being orderly.

Later, Newmark (1999: 191) comments, in response to the ideas of Susan Šarčević, on creativity in legal translation, which he endorses if applied for the benefit of improved clarity, emphasis and effect.<sup>5</sup> Otherwise, Newmark believed that legal translation did not allow for creativity, which was challenged by Šarčević (1997: 161), who argued that the fact that legal translation was a restricted form of translation, in fact, emphasizes the decision-making process of a legal translator (cf. Levý 1998, Way 2014).

### 3. Authoritative texts

Most references to legal texts in Newmark's writing can be found in relation to text functions and text classification. Initially, Newmark (1981: 12) uses three text categories: expressive, informative and vocative, with vocative texts involving an effect on the reader. Later, Newmark drops the term *vocative* and subdivides this category into persuasive

---

<sup>5</sup> It is interesting to see the progressive development in Newmark's approach, since improving clarity in translation of legal texts is an option that was advised against in his early writings on legal texts.

(e.g. promotional texts) and directive texts (legal texts), which I believe is a more convenient classification since grouping legal and administrative texts together with other “vocative” texts may excessively blur the differences between these categories.<sup>6</sup> In self-reflection, Newmark (1999: 192) admits that Šarčević “rightly criticizes me for grouping legal under ‘expressive’ rather than ‘directive’ or ‘persuasive’ texts”. He adds (1999: 192) that these texts have to be elegantly written/translated without a trace of idiolect.

Probably most Newmark’s references address the status of legal texts as authoritative texts, which is a category coined by Newmark and often used as a basis for his prescriptive translation rules. A special category of authoritative texts includes authoritative statements defined (Newmark 1982: 375) as “non-literary texts which derive a large measure of their authority either from the political, social or academic status of their authors and or from the high quality of their writing”. The definition shows that Newmark conceives of the category as a very broad one. Importantly for this paper, the category also covers administrative, official and legal texts arguably by virtue of the status of their author rather than the quality of writing. Newmark argues that the reason for including administrative and legal texts is their performativity, i.e. “each proposition is a performance or speech act”. In fact, this is also rather a sweeping statement not applicable to all legal texts. While it is true that legislation or contracts are performative in nature, many legal texts such as academic articles or legal opinions are not.

This category involves a tension between focus on the author and on the reader. Newmark argues (1982: 375) that despite the similarities between literary texts and authoritative statements, the latter are addressed primarily to the readers and must be comprehensible to them. This may be at odds with Newmark’s general guidelines that such texts should normally be translated semantically<sup>7</sup> (cf. Newmark 1982: 376). However, many legal texts, with the translation of EU legislation being a prime example, are also translated instrumentally (cf. Nord 1997) and are supposed to have the same effect on recipients in all languages, which is in conflict with the use of semantic translation. Newmark also argues that it is not necessary to adapt the text for target language readers since, unless it is a case of international organizations, it will more or less remain within the source language culture. While this may hold for some translation jobs, many legal texts may be translated to operate also in the target language environment.<sup>8</sup> In addition, English is often used as a legal lingua franca, which blurs the role of the source language and culture.

Such recommendations and their non-applicability to the entire group of authoritative texts show the weakness of delimiting such a broad category of texts. For example, Newmark (2003: 126) argues that “new technologies in translation will not impact the translation of literal texts and other authoritative statements”. While it is true that many

---

<sup>6</sup> Interestingly, Newmark himself (1982: 29) was aware of such heterogeneity stating that unlike other vocative texts, which should be translated communicatively, legal texts should be translated semantically.

<sup>7</sup> Translating semantically means “the translator attempts, within the bare syntactic and semantic constraints of the TL, to reproduce the precise contextual meaning of the author” (1981: 22). In other words, a semantic translation tends to reproduce the form of the original as closely as TL norms will allow; furthermore, no effort is made to shift ST into a target cultural context.

<sup>8</sup> For example, terms and conditions of an online shop operating in more countries may be translated, and legally adapted, for different contexts.

studies show that machine translation is still not an adequate tool for translating legal texts, computer assisted translation tools are widely used, not least in the EU.

Since Newmark uses his text categories to make generalizations and judgments about the respective groups of texts, he describes the language of authoritative statements as “literal and denotative” (Newmark 1982: 375), grammatical structures are likely to be formal (Newmark 1982: 376). Newmark also posits (1982: 378) that “the closer the authoritative statement to an official and formal style, the fewer problems are likely in the translation of syntax”. This statement reveals the fact that Newmark may not have realized the syntactic complexity of legal texts, which is very often their hallmark (cf. Tiersma 1999). In addition, the degree of difficulty when translating syntax also depends on the characteristics of the language we translate from/to and the means that are available in the target language.

Newmark (1982: 380) also comments on the translation of legal terminology, especially on the indeterminacy of certain legal terms, where the conceptual nucleus and the periphery must be recognized. He goes on to argue (1982: 381) that “the closer a key-term draws to a legal term... the more inadequate a translation without a transference and definition”. In other words, Newmark suggests that legal terms should be translated by combination of two translation techniques. Alternatively, Newmark (1982: 37) also mentions another strategy for significant concepts of the source language lacking a precise equivalent in the target language. The strategy lies in a componential analysis of the term at its first citation followed by a translation label. He also makes the distinction between documentary translation of legal terms when translating a paper on country’s institutions, and instrumental translation of an officially translated law (presumably in multilingual jurisdictions) or official treaties, where transference and borrowing should not be used.

Rather cryptically, Newmark (1982: 388) posits that “an international treaty or law must be translated in accordance with a recognized convention agreed by both parties”. He admits that the result often looks like a literal translation, in lexical rather than grammatical terms, except for institutional terms. With respect to institutional terms, he believes that they involve a divergence between a loan translation and the double false friend conundrum. He also, rightly, argues that a law may be translated into another language either semantically or communicatively, depending on the use. The uses basically include either an instrumental translation of legislation in bilingual or multilingual jurisdictions, or a documentary translation of law for informative purposes in monolingual jurisdictions such as the Czech Republic (cf. Klabal 2017). According to Newmark, semantic translation should make use of translation couplets, explanatory parentheses, glosses etc., while communicative translation relies on cultural equivalents.

The different approach to translating different legal texts is also mentioned by Gemar (2015: 716), who argues, in relation to the translation of dictionaries of law that great jurist’s words and style would not be translated the same way as a contract, and he subsumes the former under Newmark’s authoritative statements. While this may be a good example of what a legal text amounting to an authoritative statement could look like, e.g. a dissenting opinion of Supreme Court justice, the bulk of everyday legal translation involves precisely texts like contracts.

From the translator’s point of view, “authoritative statements resemble serious literary works in demanding close attention to the two main and equally important articula-

tions of meaning, the word and the sentence...” (Newmark 1982: 375). For example, when arguing against cutting long sentences when translating into English, Newmark (1998: 37) goes as far as to argue that “Thomas Mann, Proust and any legal document, any official statement should never have their punctuation, syntax and even vocabulary treated in this way”<sup>9</sup>

Worth mentioning is also Newmark’s plea for standardization of translations of some national legal and administrative terms (1982: 385). Newmark believes that governments, possibly through the embassies, should issue glossaries of the official translation of the terms for their main institutions and bodies, noting that even reputable dictionaries often provide “amateurish translations that carry no authority” for some institutional terms. While the practical value of such suggestions is undisputed, the implementation may be rather difficult. First, governments are usually not very good at procuring language-related services (cf. Klabal 2017). Second, various national institutions usually deal with the translation of their websites or documents themselves, two conflicting translations of a term or an institutional proper name can be found on different government websites. Third, the translation of legal terms other than names of institutions may very often vary depending on the context and purpose of translation, so providing one equivalent may be misleading or even counter-productive, since it may lead translators to believe that context is of less importance in legal translation, which is far from the truth. Lastly, even if best efforts are made to provide high-quality translations, there may still be terms translated sub-optimally.

#### **4. Newmark’s ideas resonating in legal translation studies**

In light of the variety of topics addressed by Newmark in his texts, much of what he has written is of general relevance. Therefore, it is not surprising that many of his ideas are randomly quoted in legal translation papers including, without limitation, text classification (Garzone 2010, Berūkštienė 2016), service translation (Duběda 2021), frequency of terminology (Chromá 2007), untranslatability (Mac Aodha 2014), or the importance of collocations (Biel 2012). There are, however, two areas that have been built on repeatedly, namely translation procedures and the opposition of semantic and communicative translation, which will be discussed in more detail.

##### **4.1 Translation procedures**

Since legal translation involves many situations when it is necessary to deal with cases of non-equivalence and thus employ a translation strategy, it is not surprising that Newmark’s (1981, 1988) comprehensive overview of translation procedures/techniques is

---

<sup>9</sup> It is true that splitting sentences is not a preferred method in legal translation, but not because it is a sign of the author’s style, but to make the use of the document, and back-references to it, more convenient. In fact, the use of *semi-colon* is a recommended practice to keep ideas within one sentence in formal terms, but introduce some degree of separation at the same time.

often applied to the translation of legal and institutional terms (cf. Kozanecka et al. 2017, Anesa 2014), as well to legal translation training.

For Newmark, “literal translation” was the main translation procedure<sup>10</sup>, which should be used whenever it secures referential and pragmatic equivalence (Newmark 1988: 69). Such support for literal translation is sometimes mentioned by scholars (e.g. Šarčević 1997) with respect to institutional proper names, where its use makes sense. However, Newmark promoted its use on a much wider scale, and effectively refused any theories that sought distancing from the words of the source language and conveying the ideas only. As debatable as such a recommendation is for translation in general, it could be tempting to apply it to legal translation. Leaving apart terminology, where literal translation could be one of the strategies used to compensate for lack of equivalence and conceptual asymmetry, I believe it should be avoided as far as possible in legal translation on the textual or discursive level. In fact, I argue elsewhere (cf. Klabal 2020) that deverbalization, which is what Newmark is essentially advising against, is key to understanding the meaning of legal texts and transferring it correctly. Given the complexity of legal texts, any pleas for literal translation pose the risk of staying on the surface level, without actually understanding the meaning.

Other translation procedures that are especially relevant to legal translation include recognized translation, translation labels, translation couplets and translator’s notes. Recognized translation is a fitting term to label a commonly used translation procedure for official terms, warranting its use in legal translation. Another useful procedure, which has been already mentioned above, is that of translation couplets. In fact, it is not a single procedure, but rather a combination of two (or possibly more) procedures. In legal translation, it may be used when a combination of a borrowing or a calque is complemented with a descriptive or functional equivalent. It is especially useful for introducing legal institutions and concepts from one context to another. Newmark even mentions the use of triplets and quadruplets where three or four translation procedures are used. A relevant issue raised by Newmark (1981: 71) is the sequence of the procedures. This is a decision that must be made when introducing names of foreign legal bodies such as courts or public authorities when the translator must decide whether to keep the borrowing in the SL first and later provide a translation, or vice versa. Legal translators also often make use of a procedure called by Newmark translation label, which essentially means a neologism. In this respect, Newmark’s requirement (1982: 81) that such neologism be grammatically acceptable and semantically transparent holds for legal terms without any qualifications.

Newmark was also a strong proponent of translator’s notes, and thus it is not surprising that Vázquez y del Árbol (2016) refers to his opinions on the use of the notes. Even though legal translation may be seen as an area which lends itself to the use of translator’s notes, especially in the case of sworn translations, where any translator’s interventions are prohibited, their actual use is on the decline despite the variety of their uses that Vázquez y del Árbol identifies.

---

<sup>10</sup> As explained below, literal translation is a translation procedure that may be used in semantic and communicative translation, which are translation methods.

## 4.2 Semantic vs. communicative translation

Similarly to many translation scholars (cf. Pym 2012: 15), Newmark also introduces a dichotomy of translation methods, namely semantic vs. communicative translation. His reason for introducing these terms is the fact that he considered the previous oppositions too diverging, and wanted to coin terms that would show higher convergence.<sup>11</sup> Newmark himself (1991: 10) considered the distinction to be his “most important contribution to translation theory”, so it is only logical that it is a widely quoted aspect of his theory, with legal translation being no exception in this respect (e.g. Chromá 2007, Hjort-Pedersen and Faber 2001). Newmark himself recommended semantic translation for legal texts as explained above.

Semantic translation means (Newmark 1982: 376) that “the translator must render, in as far as the syntactic and associative constraints of the target language allow”, the precise contextual meaning of the original texts. It must be stressed that semantic translation does not equal literal translation, which is, as mentioned above, a translation procedure that may be used in both semantic and communicative translation. Unfortunately, Newmark did not use the terms entirely consistently, which also led to inconsistent use by some later authors referring to Newmark (e.g. Palumbo 2009).

In light of the fact that semantic translation is often recommended as the method of choice for legal texts, the most important trap to avoid is conceiving of semantic translation as literalism, which is a widely held misconception about legal translation. To explain the requirements imposed on legal translation, I see it useful to introduce the requirements of fidelity and transparency used by Arturo (2019). Fidelity means for many strict adherence to the source text, possibly without even adding a comma, not to mention splitting sentences, even if that means that the target text will read like a translation. This essentially resonates with Newmark’s idea of semantic translation with one caveat: Newmark repeatedly makes clear that semantic translation should not amount to translationese. The limited applicability of semantic translation to legal translation becomes clearer once we realize that while legal translations should be indeed faithful, they should be also transparent. This means that they flow as an original written in the target language conforming to the target language’s grammatical, syntactical and idiomatic conventions. This is at odds with Newmark’s recommendation even though it is a key quality of legal translations for their use in legal practice.

A fitting definition of an acceptable legal translation is that by Nielsen (2010) who concludes that “an acceptable legal translation is not one in which all the terms have been translated correctly but the rest of the text is grammatically, idiomatically and stylistically wrong. An acceptable legal translation is one that contains correctly translated terms, utterances that have been translated correctly according to their pragmatic function, and textual conventions that are familiar to the intended readers of target texts and conform with target-language genre conventions.” I believe that this definition clearly shows that good legal translations indeed makes use of both semantic and communicative methods, which makes Newmark’s rather prescriptive promotion of semantic translation controversial.

---

<sup>11</sup> For a detailed comparison of semantic and communicative translation, see Newmark (1991: 11–13).



## 5. Conclusion

This paper aimed to discuss the contribution of Peter Newmark's ideas to the field of legal translation studies. Despite the fact that Newmark himself addressed legal translation explicitly rather sparingly (most notably Newmark 1982), his ideas provide food for thought and get quoted in contemporary legal translation studies research as shown above. While it can be argued that Newmark's category of authoritative statements introduced specifically to include legal texts has not attracted much scholarly attention, possibly because of its heterogeneity, other concepts, such as translation procedures or the notion of semantic translation, have been either successfully applied or critically reviewed in legal translation studies. It is only to be hoped that the development of legal translation studies since Newmark's times has shown that legal translation can be trained successfully (cf. Klalal 2020) and legal language may become less of a minefield, which was the view held by Newmark (1993: 17).

---

## REFERENCES

- Alcaraz Varó, Enrique – Hughes, Brian (2002) *Legal Translation Explained*, Manchester: St. Jerome.
- Anesa, Patrizia (2014) 'Translating end-user license agreements: issues, strategies and technique', *ASP* 65: 87–102.
- Arturo, Paola (2019) 'A Methodological Approach to Contract Translation', <https://www.ata-divisions.org/LawD/a-methodological-approach-to-contract-translation/> (access: 29. 3. 2023).
- Bázlik, Miroslav – Böhmerová, Ada (2019) *Legal English and Its Lexical and Grammatical Structure for Czech Lawyers and Translators: A Proficiency-Level Coursebook Ideal for Both Classroom and Self-Study*, Prague: Wolters Kluwer.
- Berůkštieně, Donata (2016) 'Legal Discourse Reconsidered: Genres of Legal Texts', *Comparative Legilinguistics* 28: 89–119.
- Biel, Łucja (2012) 'Areas of Similarity and Difference in Legal Phraseology: Collocations of Key Terms in UK and Polish Company Law', in Antonio Pamiés, José Manuel Pazos Bretaña, and Lucía Luque Nadal (eds.), *Phraseology and Discourse: Cross-Linguistic and Corpus-Based Approaches*, Baltmannsweiler: Schneider Verlag, 225–233.
- Chromá, Marta (2007) 'Cross-cultural traps in legal translation', in C. Candlin, and M. Gotti (eds.), *Intercultural aspects of specialized communication* (2nd ed.), Bern: Peter Lang, 197–221.
- Chromá, Marta (2011) 'Synonymy and Polysemy in Legal Terminology and Their Applications to Bilingual and Bijural Translation', *Research in Language* 9(1): 31–50.
- Duběda, Tomáš (2021) 'Legal translation into a non-mother tongue: The role of L1 revision', *Target* 33(2): 207–227.
- Garzone, Giuliana (2000) 'Legal Translation and Functionalist Approaches: A Contradiction in Terms', *La Traduction Juridique: Histoire, théorie(s) et pratique*, ETI/ASTTI, Genève, 395–414.
- Gémar Jean-Claude (2015) 'Dictionary of the Civil Code', *J. Civ. L. Stud.* 8(2): 711–721.
- Hjort-Pedersen, Mette – Faber, Dorrit (2001) 'Lexical ambiguity and legal translation: A discussion', *Multilingua – Journal of Cross-Cultural and Interlanguage Communication* 20(4): 379–392.
- Klalal, Ondřej (2014) *Peter Newmark a jeho přínos translatologii* [MA Diploma Thesis], Prague: Charles University, Faculty of Arts, Institute of Translation Studies.
- Klalal, Ondřej (2017) 'Quality Assurance in Translating National Legislation: The Case of Czech Companies and Cooperatives Act', *Czech and Slovak Linguistic Review* 1–2: 87–104.
- Klalal, Ondřej (2020) *Developing Legal Translation Competence: A Step-by-Step Approach*. Olomouc [Doctoral dissertation]. Palacký University Olomouc, Faculty of Arts.

- Kozanecka, Paulina – Matulewska, Aleksandra – Trzaskawka, Paula (2017) *Methodology for Interlingual Comparison of Legal Terminology. Towards General Legilinguistic Translatology*, Poznań: CONTACT.
- Levý, Jiří (1998) *Umění překladu*, Prague: Ivo Železný.
- Loiacono, Rocco (2016) *The Translation of Proper Names in Legal Translation*, Rome: Aracne.
- Mac Aodha, Máirtín (2014) 'Legal translation – an impossible task?', *Semiotica* 20: 207–221.
- Newmark, Peter (1973) 'Twenty-three restricted rules of translation', *Incorporated Linguist* 12: 9–15.
- Newmark, Peter (1981) *Approaches to translation*, New York: Pergamon Press.
- Newmark, Peter (1982) 'The Translation of Authoritative Statements: a Discussion', *Meta* 27(4): 375–391.
- Newmark, Peter (1988) *A textbook of translation*, New York: Prentice-Hall International.
- Newmark, Peter (1991) *About translation*, Philadelphia: Multilingual Matters.
- Newmark, Peter (1993) *Paragraphs on translation*, Philadelphia: Multilingual Matters.
- Newmark, Peter (1998) *More paragraphs on translation*, Philadelphia: Multilingual Matters.
- Newmark, Peter (1999) 'Translation Now No. 3', *The Linguist* 38(6): 190–192.
- Newmark, Peter (2003) 'Translation Now No. 25', *The Linguist* 42(4): 125–127.
- Nielsen, Sandro (2010) 'Translational Creativity: Translating Genre Conventions in Statutes', *Vertimo Studijos* 3: 23–35.
- Nord, Christiane (1997) *Translation as Purposeful Activity*, Manchester: St. Jerome.
- Palumbo, Giuseppe (2009) *Key terms in translation studies*, New York: Continuum.
- Prieto Ramos, Fernando (2014) 'Legal Translation Studies as Interdiscipline: Scope and Evolution', *Meta* 59(2): 260–277.
- Pym, Anthony (2012) *On translator ethics: principles for mediation between cultures*, Amsterdam: John Benjamins.
- Šarčević, Susan (1997) *New Approach to Legal Translation*, Hague: Kluwer Law International.
- Tiersma, Peter (1999) *Legal Language*, Chicago: University of Chicago Press.
- Vázquez y del Árbol, Esther (2016) 'Técnicas de traducción jurídico-económica: evaluación y posibles aplicaciones de las notas del traductor', *Onomázein*, 34: 55–69.
- Way, Catherine (2014) 'Structuring a Legal Translation Course: A Framework for Decision-Making in Legal Translator Training', in Le Cheng, King Kui Sin, and Anne Wagner (eds.), *The Ashgate Handbook of Legal Translation*, Farnham: Ashgate, 135–152.

---

## RESUMÉ

Tento příspěvek představuje zamyšlení nad relevancí myšlenek Petera Newmarka pro oblast právního překladu. Přestože právní překlad nebyl předmětem Newmarkova akademického zájmu, v některých svých dílech se o právním překladu a právních textech zmiňuje, a to zejména ve vztahu k autoritativním textům, což je široká kategorie textů, kterou Newmark vymezil a která podle něj zahrnuje i právní a administrativní texty. Newmarkovy myšlenky jsou podrobeny kritické analýze z pohledu dnešní právní translatologie. V druhé části pak příspěvek stručně představuje vybrané Newmarkovy pojmy, které se ujal či rezonovaly i v právní translatologii, a to překladatelské postupy a dichotomii sémantického a komunikativního překladu.

*Mgr. et Mgr. Ondřej Klbal, Ph.D.*  
*Katedra anglistiky a amerikanistiky, Filozofická fakulta,*  
*Univerzita Palackého v Olomouci*  
*ondrej.klbal@upol.cz*