

Analysis of Errors in the Translation of Legal Texts from English into Kurdish

Vian Ibrahim Ali, Hakar Hazim M. Ameen, Haneen Islam Saleem
PhD in Kurdish Syntax, Department of Kurdish, University of Duhok
vian.iboibo@uod.ac

PhD in Applied Linguistics and Translation, Department of Translation,
University of Duhok hakar.hazim@uod.ac
MA in English Language and Linguistics, Department of Translation,
University of Duhok haneen.islam@uod.ac

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Abstract:

The translation of legal texts is often considered one of the most difficult types due to the potential consequences of any misinterpretation. Translation students at the University of Duhok struggle with legal translation and make errors when translating legal documents from English into Kurdish due to the absence of sufficient resources. For the lack of research in this area, this study investigates the types and frequencies of errors made by senior students at the Department of Translation at the University of Duhok to identify common translation errors and understand the challenges faced by students in this specialized field. By employing a mixed method, the study analyzes the errors found in 58 samples of a legal document translated from English into Kurdish. The study adopted Na Pham's (2005) model for analyzing translation errors. The analysis of the data uncovered a total of 1272 errors. The errors were categorized into grammatical, syntactical, morphological, and collocational types. Grammatical errors were found to be the most frequent, constituting 49.89% of the total, with preposition misuse and case marker errors being the most dominant. Syntactical errors accounted for 22.01% and included missing verbs and incorrect word order. As represented by 26.10% of the total, morphological errors were primarily caused by wrong word selection. Collocational errors were the least frequent type at 2.98%. This research aims to contribute to improving the students' curriculum by identifying the most common areas of weakness for students and educators. The study also calls for further research in this area to better understand the challenges and strategies for effective legal translation.

Keywords: error analysis, legal translation, Na Pham (2015), translation students.

1. Introduction

Translation is usually defined as the process of conveying messages by transferring the meaning from one language into another. It is a technique that is used to transfer the meaning of a source language text into the target language using words which have direct equivalence, new words or terms, foreign words written in target language or through using some foreign words to fit into the target language (Farghal & Shunnaq, 1992, p. 205). There are different types of translations based on the text type and the context of use such as commercial, medical, legal translation, etc. The difficulty of translating each type varies as each one of them is different in role, nature, and characteristics. This difference makes each type unique compared to the rest of types. Legal translation, for example, has played an important role in connecting different cultures together. In fact, it plays an important role in the recent globalized world with the ever-increasing demand for legal translation.

It has been always acknowledged that legal texts are complex and hard to translate. Accordingly, they require knowledge and experience in addition to special skills on the part of translators to translate this type of texts (ibid, p. 210). This paper attempts to improve the overall quality of the translations. It is therefore an essential step in ensuring that legal documents are accurately and effectively translated for the intended audience by the selected students.

1. Research Problems

In this study, the researchers try to address the following questions:

1. Do students make a lot of errors when translating legal document from English into Kurdish?
2. What types of errors do they make?
3. How is the frequency distribution of the produced errors?

2. Hypotheses:

The study hypothesizes the following:

1. The students of Translation Department make many errors when they translate legal documents from English into Kurdish due to the

difficult nature of legal language and to the lack of the sufficient Kurdish legal vocabularies.

2. The grammatical errors are the most recurring type.

3. Aims and Limitations of the Study

The primary aim of this study is to identify and categorize the types of errors made by students to pinpoint the areas of difficulty that students most face. The study is limited to analyzing **linguistic errors** in the translations of **legal contracts** from **English into Behdini Kurdish** made by the **fourth year students at the Department of Translation** in the University of Duhok.

4. Significance of the Study

The current study is expected to hold a significant value for the students of translation departments, translation teachers, researchers in the field of translation studies, and legal translators. It is expected to provide students with valuable perceptions into the challenges and common errors that arise during the translation tasks.

Teachers also can benefit from the findings of this study to identify the common errors made by students and provide targeted instruction to address them by focusing on areas of struggle. Identifying the areas of straggling will also help the department to manage a better modular curriculum design that focuses on the challenges discovered.

The findings can be useful for other researchers who are conducting similar studies through comparing results and findings. Finally, it can help legal translators to perform better as they will be introduced to the most common errors along with their corrections.

5. Research Methodology

1. Data Collection

This study employs both qualitative and quantitative methods. The data were collected from the Department of Translation in the University of Duhok. Fifty eight senior students participated in this study. They translated a legal document from English into Kurdish. The researchers then identified, classified, and analyzed the errors produced according to Na Pham model (2005).

2. Participants

The data source of this study is the translation of a legal text by fourth year students of the Translation Department where students study legal translation subject during the last two semesters, the seventh and eighth. All the participating students had successfully completed the seventh semester in which they taught the translation of legal documents from English into Kurdish. The following semester involves the opposite direction of translation. The task was assigned and the samples were collected during the eighth semester.

3. Research Instrument and Procedures

The participants were tasked with the translation of an Exclusive Distribution Agreement (see appendix 1) as being one of the most prominent examples of legal documents. Translating such documents allows students to work on authentic and legally binding documents commonly encountered in their future professional practice. The accuracy is highly required in such translations as any mistranslation may have serious consequences. Participants were asked to produce a translation that is as accurate, complete, and faithful to the original content as possible. After collecting data, the translated texts were analyzed following the steps suggested by Corder (1974, p.45) in conducting an error analysis: data collection, identification, description, explanation, and evaluation of errors. All errors were then classified, counted and tabulated, analyzed, and prepared for discussion.

4. Data Analysis and the Adopted Model

For the purpose of study, data were analyzed according to Quynh Na Pham's (2005, p. 130) framework of error analysis. The model divides errors into three main categories, namely, comprehension, linguistic, and translation errors as shown in Figure 1. As the study is limited to the linguistic errors, a short account about this category is presented in this section.

The linguistic errors are divided in turn into five sub-categories. They include grammatical, syntactical, morphological, collocational, and inappropriate word form. The grammatical errors such as the lack of agreement between the subject and the verb, incorrect verb tense or

verb aspects, incorrect case of nouns, pronouns, and adjectives. The syntactical ones relate to items larger than words, such as phrases, clauses, or sentences or sentence fragments or mis-ordering of sentence elements (word order). Morphological errors include failure to comply with the norms in supplying any part of these word classes successfully. Collocational errors are those committed in the idiomatic usage of the target language. The last sub-category under linguistic errors is inappropriate word form which involves using an incorrect word form (though the word itself is correct in terms of meaning) such as using an -ing form of a verb where the base form is required.

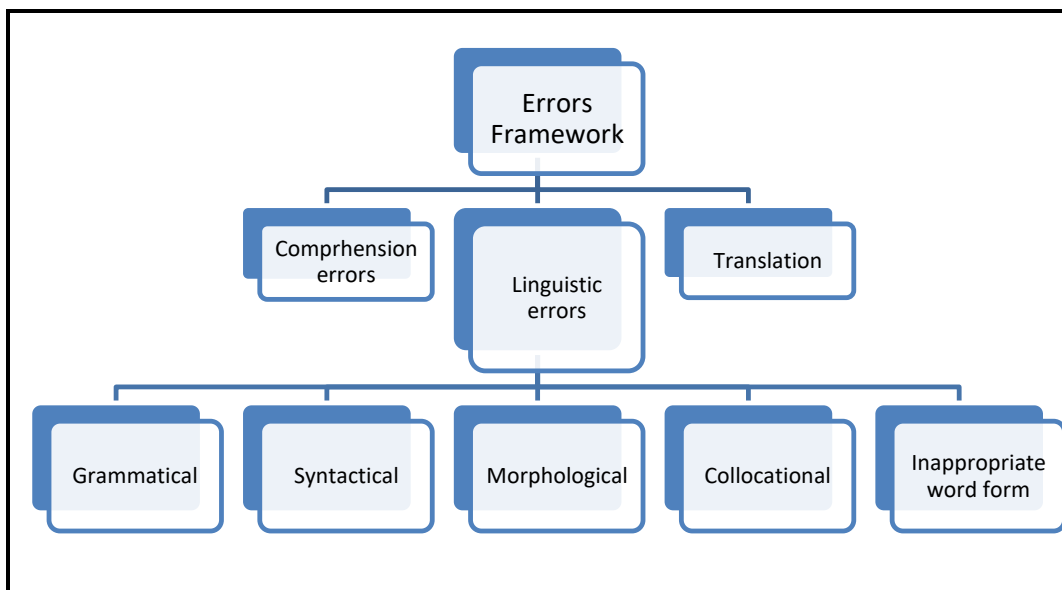


Figure 1: Na Pham's (2005) Taxonomy of Errors

6. Literature Review

According to Vinay and Darbelnet (1958, p.75), translation is a passage from the source language to the target language which results in a text that is both correct and idiomatic. However, achieving a completely error-free translation remains challenging since translation is a complex task that depends on various factors including text type, context, and skillfulness of the translator. Since legal texts are generally considered more complex than other types of texts such as political, economic, media, etc. due to a number of reasons, translators are more likely to produce errors.

There are several difficulties in the field of legal translation due to linguistic differences, cultural quirks, and different legal systems. Translators grapple with lexical ambiguity, syntactic intricacies, and

the multifaceted nature of legal terminology, each posing formidable barriers (Gentzler, 1993, p.45). Furthermore, the foundational differences in structure and terminology between the source and target legal systems exacerbate these difficulties (Mellinkoff, 1963, p.32).

Alcaraz Varó & Hughes (2014, p. 102) argue that the various common errors in legal translation encompass the mistranslations of legal terms, inconsistency in terminology, inaccurate conveying of legal concepts and the legal terminology divergence between different languages. Additionally, any grammatical error, a lexical omission, or a syntactic ambiguity may severely compromise the clarity and accuracy of a translated text (Cao, 2007, p.54).

Despite the expanding relevance of legal translation, there is a remarkable lack of research on the linguistic issues involved in translating legal documents into Kurdish. Kurdish, a language with little presence in the legal translation field (Ahmadi & Masoud, 2020, p.87), poses distinct linguistic and cultural obstacles. As a result, an in-depth examination of errors produced by translation students when translating legal texts from English to Kurdish is required.

To summarize, legal translation is considered a specialized and challenging task that requires the translation students to know linguistic complexities of legal texts and deal with such texts with accuracy and precision. Also understanding the challenges and errors faced in legal translation is essential for teachers to developing effective teaching materials, curriculum, and programs which contribute to improving the quality of the translated texts.

7. Previous Studies

Several studies have explored the error analysis of students' translations. Here, a brief overview of some pertinent studies is presented. A study by Farghal and Shunnaq (1992) investigated the problems faced by the postgraduate translation students when translating legal texts. They assigned a United Nations (UN) legal text to thirteen of MA translation students at the University of Yarmouk. The study findings underlined three key problematic areas: syntax, tenor, and layout. They concluded that Arab translation students face major difficulties in translating legal texts, particularly when it comes

to managing syntactic discontinuity. They also found out that most of the participants were not fully aware of the text layout features text in addition to having tenor problems in their lexical choice. Based on findings, the researchers suggested a translation training program for the students so they become aware of the main challenges and characteristics of the legal texts.

A study conducted by Abu-Ghazal (1996) aimed at identifying the translation and linguistic difficulties that all translators in general and EFL MA students in particular encounter. In order to accomplish this, he examined how graduate students at Yarmouk University would translate several UN resolutions from English into Arabic. The study revealed several syntactic and semantic challenges that are associated with translating legal texts from English into Arabic. The study arrived at the conclusion that before practicing legal translation as a profession, students need to receive extensive training in the field of legal translation.

Khodabandeh (2007) examined the translation of thirty Persian and thirty English legal headlines. The headlines were translated by 58 Iranian EFL participants. The findings showed that the participants had made both grammatical and lexical errors. The most significant conclusion was that the mispronouncing, omitting articles, auxiliaries, and prepositions accounted for the largest percentage of translation errors..

The challenges faced by Iraqi EFL students when translating legal collocations into Arabic were studied by Faris and Shahu (2013). The errors made by the translation students were the main focus of their investigation. Twenty senior college students were given fifteen sentences with collocations in order to translate them from English into Arabic. The study found that 70% of the students had trouble translating English collocations into Arabic. Overgeneralization, collocation variability, and culturally-based idiomatic collocations were the three main categories of these challenges. According to the study, the main causes behind those errors were the failure to use collocations in addition to the cultural variations between the two languages.

A study by Zuhour and Fatima (2015) was conducted at the University of Tabuk. They investigated the most common errors types made by forty female students in both departments of English and Translation. The study's conclusions demonstrated that the majority of language errors were related to grammar (including issues with tenses, syntactic, prepositions, subject-verb agreement, and the articles use); punctuation errors (including issues with missing, misusing, or adding punctuation); and spelling errors (which included issues with substitution, addition, omission, disordering, odd words, and segmentation).

Mohammed (2018) explored the language challenges that students had at the Saudi Arabia's Prince Sattam bin Abdulaziz University when translating texts from Arabic into English. The study's main focus was on how these issues might affect education. The study found that the students made mostly lexical and grammatical errors. The resulted errors complicated and hindered the translation from Arabic into English. The study suggested a number of requirements and processes for student admittance to the English Department, including the need to update the curriculum, provide fresh approaches to instruction, and put in place a set of guidelines for translation evaluation.

Pratama and Dewi (2022) conducted a study on errors made by students in translating news and legal texts. The texts were taken from the Jakarta Post and they consisted of 22 paragraphs. The texts were translated into Bahasa Indonesian to investigate the students' translation errors which were eventually classified into five different types as suggested by Vilar et al. (2006). The study revealed the detection of 108 translation errors which included (60,2%) of incorrect words, (18.5%) of wrong use of punctuations with (12,03%) and (0,9%) of missing words and wrong word order respectively.

8. Error Analysis in Translation

Error analysis, a form of linguistic scrutiny, examines the errors made by language learners. It involves dissecting the type, frequency, nature, and root causes of linguistic failures. Richards et al. (1973)

describe error analysis as "the activity to expose errors found in both writing and speaking." (p. 172).

Analyzing errors of translation helps understanding the translation process and the tactics translators use to transfer ideas from one language into another (Lungu, 2003, p. 323). Hurtado (2017) describes error analysis in translation field as "the study of any errors, deviations, or discrepancies that occur during the translation process" (p. 109). According to James (2014), the analysis of translation errors refers to the systematic examination of the errors made by translators. It is "A technique that aims at identifying the underlying causes of errors in order to develop strategies help translators overcoming them in the future" (p. 23). In fact, error analysis is widely employed in translation studies to improve the quality of translation and understand the complexities arise during the translation process. Gile (2009, p. 283) explains that one of the primary goals of error analysis is to identify all types of errors made by the translator, determine their underlying causes, and accordingly suggest improvements for the translation process.

To sum up, error analysis is considered an essential tool used by scholars and translators to better understand and address the complex issues involved in translation. Through this analytical process, both teachers and professional translators can formulate strategies to mitigate errors, thereby producing translations of better quality.

9. Legal Translation

Legal translation refers to the translation of any legal text related to the field of law. A legal text is defined as any document used in a legal system and drafted in accordance with the applicable laws of a country (Gotti & Šarčević, 2006, p. 82). Legal texts cover an extensive list of documents including certificates (marriage, birth, etc.), proxies, employment contracts, agreements (confidentiality, distribution, etc.), testaments, and affidavits.

The legal translation is usually seen complex because it depends on numerous factors. The translation of an original legal text into a suitable equivalent text in a different language, along with its linguistic and legal interpretation, is crucial and not an easy step.

According to Chromá (2007, p. 206), translating legal documents entails transferring legal information from one language and culture to another while accounting for the goals of the translation and the variations in the legal systems. According to Harvey (2002, p. 179), translating legal texts can be challenging due to the system-bound nature of the language and its unique semantic, pragmatic, and syntactic rules (Šarcevic, 2000, p. 98).

Baker (1992, p. 78) states that the target language's lack of functional and verbal equivalency is the most frequent problem faced by legal translators when rendering legal texts. Legal translation therefore needs highly competent and skillful translators whose job it is to maintain the original legal document's format, intent, and tone.

An efficient use of language is essential for a legal translator in order to convey and express any legal text and produce the intended results. To do this, scholars must identify all linguistic and non-linguistic challenges that cause unwanted errors in legal translation in order to properly address them.

10. Analysis of the Results and Discussion

To ensure consistency and systematicity in the analysis, the errors were categorized based on an established error categorization framework by Na Pham (2005). The model deals with a comprehensive range of error types related to translation, comprehension, and linguistic errors. As mentioned earlier, the current study is limited to analyzing the linguistic errors only. The analysis was carried out by four translation teachers who are highly qualified in teaching translation. The data analysis was conducted following these major steps: (i) examining of students' samples, (ii) revising a reference (golden) translation performed by two professional legal translators competent in both English and Kurdish (see appendix 2), (iii) identifying errors made by students using the golden translation as a reference (see appendix 3), (iv) through using the suggested framework, the errors were classified, categorized, counted, tabulated and analyzed. The analysis revealed the following types of errors:

1. Grammatical errors

The following grammatical errors were found in the translations of the participants:

- a. Agreement:** according to Sulaivani (2001, p. 26), agreement is a grammatical feature that refers to the concord in number, person, and gender. In Behdini Kurdish, a verb must agree in number and person with both the subject and the object on sentence level while it must agree with number and gender on phrase level. In addition, if the past tense is intransitive, there should be a number agreement between the subject and the verb. However, when it is transitive, the agreement should exist between the object and the verb. If the sentence is in present simple the agreement is between the subject and the verb if the latter is transitive. In most cases, participants did not take the subject-verb or the object-verb into consideration. For instance, in the phrase *دا کو بشیوهیهکی یاسایی پابه‌ند* (هەردوو لایەن ... بیت، هەردوو لایەن هەردوو (لایەن) [the two parties] is plural.
- b. Tense:** unlike English, there are three tenses in Behdini Kurdish: present, past and future according to Ahmed (1999, p. 30-33). When translating tenses between the source and the target texts, the use of incorrect tense is obvious. For example, the phrase [the parties mutually agreed as follows] has been translated by a number of participants into *ب قی شیوهی هەردوو لایەن بشیوهیهکی هەقبەش* (ریکدکەش) or *ب (هەردوو لایەن ب هاوبەشانه دی ریککەش)* while the correct translation is supposed to be *بقی شیوهی هەردوو لایەن بشیوهیهکی* (هەقبەش ریککەش) since the tense is past. In addition, there were wrong tenses used to refer to specific events. For example, the phrase [was entered into this 5th day of October, 2019] was translated into *(ل سالا 2019 دی هینته گریدان)* which exactly means: “it **will be*** entered into in 2019” while the correct translation is [... it was entered into in 2019] since it refers to a past event.

c. **Mood:** as Abo Zaid (2012, p. 37) states, the basic verb moods in Behdini Kurdish are either conditional or non-conditional and each has different morphological markers. The (با ، -ب) markers are used with the past tense (e.g. هاتبا ، هاتبم) while the (ب-) marker is used with the future tense as in (بهيم). Very frequently, the students wrongly used the conditional mood instead of the non-conditional as in the translation of the ST phrase [... a corporation having its offices in New York]. The phrase was translated into (... كوميپانيهك كو ئوفيس ههين ل نيويورك) which exactly means [a corporation that must have its office in New York]. The phrase must be translated into Kurdish using the correct mood and becomes:(... كوميپانيهك كو ئوفيس ل نيويورك ههنه).

d. **Use of prepositions:** prepositions are classified into two types in Behdini Kurdish: simple and compound. Simple prepositions include (ي ، ف ، ه ، ل ، ب ، ژ ، ...) which consist of one morpheme that either precede or follow the adjacent word. The compound ones on the other hand include Four groups as the following:

First group: (ژ - دا، ژ - را ، ژ - فه)

Second group: (د - دا، د - را ، د - فه)

Third group: (ب - دا، ب - را ، ب - فه)

Four group: (ف - دا، ف - را ، ف - فه)

These four groups of compound prepositions in Kurdish are extraordinarily different from their equivalents in English as each consists of two separate parts that embrace the intended word and get attached to the word as a prefix and a suffix. Majority of preposition related errors produced by participating students included compound prepositions and the way they are arranged and attached to the intended word. Examples include the omission of the first part in the following translations:

e.g. (خشتهيي نهی دا ***): the prefix “د” is required.

(فيري دا ***): the prefix “د” is required.

(ههريمي دا ***): the prefix “د” is required.

Other types of errors produced by the participants included merging a simple preposition such as (ل) with the second part of a complex one like (دا) or (فه) forming an ill-formed preposition that is not grammatically accepted as stated below:

Wrong form

نوكه ويڤه ل

ماوي ئهڤي ريكهفتني دال

ڤيري دال

دهڤري دال

Correct form

نوكه ويڤه ژ

ماوي ئهڤي ريكهفتني دا د

ل ڤيري **

ل دهڤري **

e. **Case markers:** in Behdini Kurdish, the selection of the morphological case markers depends on the gender and pluralization markers which are different for each case whether it is genitive or indirect (Ali, 2015, p. 153). In genitive case, the (ا) marker is used with female gender while (ئ) marker is used with male gender. As for pluralization, (ين) is added to the end of the first noun in a noun phrase and agrees with it.

e.g.

(نازادي كچا): Azads daughter vs (نازادي كچين): Azad's daughters

(ئيكى قوتايين): The top student vs (ئيكى قوتايين): The top students

In indirect case, different markers are used with different genders. The (ئ) marker, for example, is used when the gender is female while (ى) with male gender as illustrated in the following example:

e.g. (قهلمى نهرينى): Nasreen's pen **but** (نازادي قهلمى): Azad's pen

The data analysis revealed some violations to the above rules leading to produce case errors. These errors included wrong use of genitive case markers or totally eliminating them from the phrase or the sentence as illustrated by the following examples:

1. (2019 چريا ئيكى ** 5 ئهڤ ريكهفتنه ل **)

As noticed in example 1, students did not use the case marker (ئ) properly with the date format after the day and the year. The correct form must be:

(ئ 2019 چريا ئيكى ل ئهڤ ريكهفتنه ل 5 ئ)

2. (لسهر بنهمايى تاييهت دهستنيشاندهت ** گهشه پيدر دابهشكر)

In example 2, the indirect case marker (ی) was not attached to the object (دابەشکەر) which is considered a violation to the Kurdish grammatical rules.

Another violation to case rules in Kurdish involved exchanging case markers in different sentences in an unacceptable way as indicated in the following samples:

Wrong form

دامەزرینت گەشەپێدەر دابەشکەر (ی)

Correct form

((دامەزرینت گەشەپێدەر دابەشکەری))

Comment: The case marker (ی), not (ئ), is used with a masculine object in Kurdish. In this sentence, the gender of the object (گەشەپێدەر) is male.

Also, participants made errors in using pluralization markers erroneously as it appears in the following cases:

Wrong form

ویلايەتا نیوجیرسی (هەمی ناوچین)

Correct form

ویلايەتا نیوجیرسی (هەمی ناوچا)

Comment: (ین) which is used in Kurdish as a pluralization marker, is mistakenly used instead of (ا). The latter is supposed to be used for feminine singular nouns.

In some other cases, the same pluralization marker (ین) is used instead of (ان). In Kurdish grammar (ین) is used with genitive case while (ان) is used with indirect case. Consider the following example:

Wrong form

بۆ هەر سەبارەت فرۆشتنا بەرھەمان بۆ هەر بکرەکی سەبارەت فرۆشتنا بەرھەمین ((بکرەکی))

Correct form

Comment: in the same way, (ین) is mistakenly used instead of (ان). The latter is supposed to be used for indirect case/ plural nouns.

2. Syntactical errors

The norm sentence structure of Behdidni Kurdish is (SOV). However, this structure can change for certain purposes such as emphasis (Miho, 2012, p. 51-107). Failure to recognize the correct structure will result in *wrong word order* errors which are found to be included in the syntactical category of errors produced in the current study. In fact, the syntactical category included three sub-categories: missing verb, missing phrase, and wrong word order as explained below:

a. Missing verb: many cases of missing verb were detected in the translations of the students. For example, in translation the source phrase [existing under the laws of the State of New Jersey], a number of participants translated it into “ل ژیر ههبوونا یاساین و یلایهتا” and “نیوجیرسی” and “ل دویف یاساین و یلایهتا نیوجیرسی”. The verb “کار دکهت” is missing in both sentences. The correct translation must include this verb and becomes:

“ل ژیر یاساین و یلایهتا نیوجیرسی کار دکهت”.

b. Missing phrase: some essential elements found to be missing in many phrases. The sentence in Kurdish cannot survive without such elements. A very clear example of this error was found in the translation of the phrase “ژ لای” (means *by* in English as in: by the first party). This Kurdish phrase composed from three different elements: the preposition “ژ”, the noun “لا”, and the genitive case marker “ی”. In Kurdish, this phrase must be followed by either a noun or a pronoun. Otherwise, the phrase will be syntactically ill-formed since the complement is missing.

c. Wrong word order: this type of error included miss-ordering of the sentence elements in a way that disrupt the meaning of the target sentence. For instance, the source sentence [a corporation having its offices in 5 Village Court, Hazlet NJ] was translated in six different orders. Each order indicates a different meaning in Kurdish as illustrated below:

1. ((کومپانییهک لگهل نفیسینگه ها ل 5 گوندین دادگه ها هازلایت ئین جی))
[a corporation and its offices in 5 villages of the court of Hazlet NJ.]
2. ((کومپانییهک لگهل نفیسینگه ها ل 5 دادگه هین گوندا هازلایت ئین جی))
[a corporation with its offices in 5 courts of villages in Hazlet NJ.]
3. ((کومپانییهک لگهل نفیسینگه ها ل 5 دادگه هین گوندی ههنه هازلایت ئین جی))
[a corporation with its offices exist in 5 courts of village in Hazlet NJ.]
4. ((کومپانییهک لگهل نفیسینگه ها ل دادگه ها 5 گوندان هازلایت ئین جی))
[a corporation with its offices in the court of 5 villages in Hazlet NJ.]
5. ((کومپانییهک لگهل نفیسینگه ها ل 5 بنگه هین گوندی هازلایت ئین جی))
[a corporation with its offices in 5 centers of the Hazlet NJ village.]
6. ((دهزگه ههک کو نفیسینگه ها ل مهیدانا 5 گوندان ههنه، هازلایت ئین جی))
[an institution that has offices in 5 villages Hazlet NJ.]

The source sentence is “A corporation having its offices in 5 Villages Court, Hazlet NJ” and the best translation would be:

كۆمپانیەك كو نفیسینگههین وئ ل جادا قیلج كورت 5 ل باژیری هازلیت نین جهی "ههنه"

3. Morphological errors:

The major types of morphological errors comprised the wrong word selection and coining new neologisms.

a. Wrong word selection: selecting wrong words by the students caused deviation from the intended meaning in the source text. The reason behind such type of error is usually due to having insufficient number of Kurdish legal vocabularies which makes them select an improper word that doesn't fit the intended meaning and consequently change the meaning of the target text. Using the word (رازیبون) [consent] instead of (ریککهفتن) [agreement] in the following sentence represents a good example:

(لدویف نهف چهندا هاتی رازی دین) which exactly means [Consent to the following]. An accurate and correct translation of such a phrase should be: (لدویف نهف چهندا هاتی ریککهفتن).

Another good example is the number of wrong Kurdish words students used for the English word [territory] in source sentence [Developer is appointing the Distributor hereunder with respect to the sale of Products to any purchasers whose principal place of business is located in the following described territory (the "Territory")]. The word was translated by the students into:

(همریم) – [region]	(ناوجه) – [area]
(عەرد) – [land]	(زهفی) – [arable or land]
(جهه) – [place]	(ناخ) – [soil, home, place of living]
(خاك) – [homeland]	(ویلايهت) – [state]

In this context, the best correct translation for the word [territory] would be (دهشم).

Coining neologisms: when students fail to find the correct word in translation, they either select a wrong word or instead, coin a new word that doesn't exist in the target language. For example, students coined the words (گهشهکەر), (پیشقهبر), and (پیشئێخەر) as a translation for

the word [developer]. These three words do not exist in Kurdish language but only as phrasal verbs in specific contexts, not this one. The correct equivalent word for this word in Kurdish is (گهشهپێدەر).

4. Collocational errors:

Collocations, as a universal phenomenon of most human languages which indicates the tendency of native speakers to use certain words together, require a good level of proficiency on the part of the students especially with legal translation. In fact, many participants failed to maintain collocations as a result of their ignorance about the proper way of using them. For instance, they failed in using the adverb-noun correct collocations in the following sentence where they used (دبن) with (یاساین) instead of (ل ژیر):

(یاساین ویلایهتا نیوجیرسی *دبن) [under the laws of the State of New Jersey].

Another example is the word (تاک) which means (one or odd). Some students collocated this word with (دابەشکەر) to indicate “sole distributor”. In Behdini the word (نێکانه) is usually collocated with (دابەشکەری نێکانه) is such a context as (دابەشکەر).

A detailed analysis of the frequency and type of each error in the translation of the selected text has revealed that 1272 errors were identified. Table 1 demonstrates the number and percentage of each error type and sub-type.

Table 1 Frequency of Errors

Error type	Error frequency & percentage	Sub-type	Frequency	Errors percentage
Grammatical	622 errors 49.89%	Agreement	17	1.33%
		Tense	137	10.77%
		Mood	25	1.96%
		Use of preposition	261	20.51%
		Case markers	182	14.30%
Syntactical	280 errors 22.01%	Missing verb	106	8.33%
		Missing phrase	72	5.66%
		Wrong word order	102	8.01%
Morphological	332 errors 26.10%	Wrong word selection	319	25.07%
		Coining neologisms	13	1.02%
Collocational	38 errors 2.98%	Collocational	38	2.98%
Inappropriate word form	0 errors 00.00%	Inappropriate word form	0	0.00%
Errors total	1272			

As the table shows, the *grammatical errors* (49.89%) are the most frequent, accounting for nearly half of all errors. Within this category the *preposition usage* (20.51%) is the most common grammatical error followed by *case marker errors* (14.30%), *tense errors* (10.77%), *agreement errors* (1.33%), and *mood errors* (1.96%). *Syntactical errors* (22.01%) are the second most frequent type. The most common error are *missing verbs* (8.33%) which are followed by *missing phrases* (5.66%) and *wrong word order* (8.01%). As for *morphological errors* (26.10%) that involve mistakes in word formation, the *wrong word selection* (25.07%) is the most common type while a small number of errors (1.02%) involve coining neologisms. *Collocational errors* were (2.98%) of the total percentage and involved using words together in a way that sounds unnatural. Interestingly, there were no instances of *inappropriate word form errors* in the translations analyzed (0.00%). This suggests that students are quite aware of using correct word forms. The frequency and percentage of each error type is visualized in Figure 2.

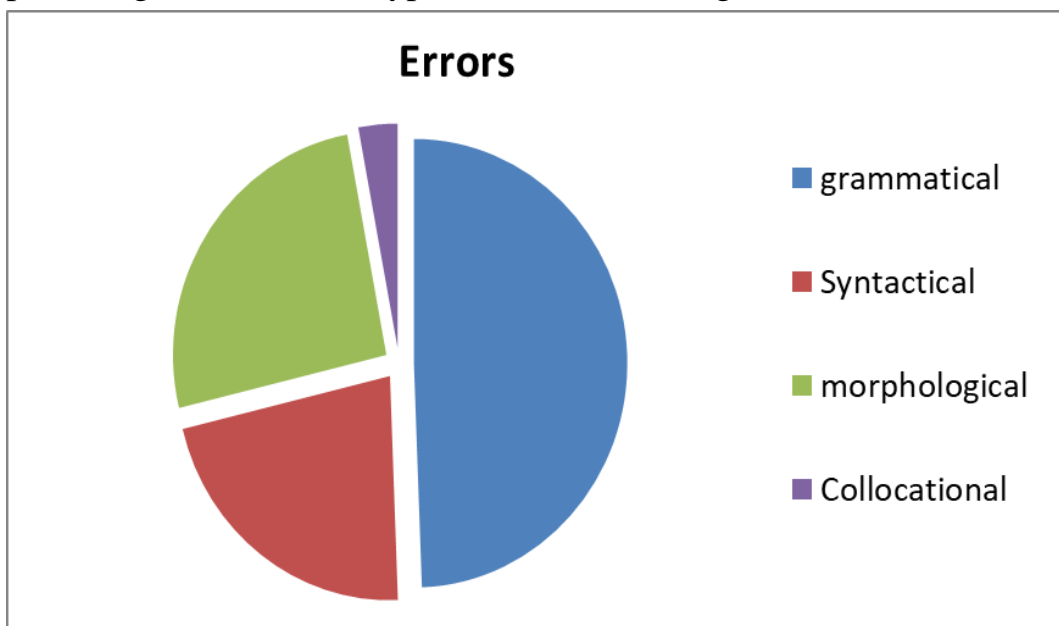


Figure 2: Error Percentages

This data suggests that students struggled most with grammar, particularly using prepositions and case markers correctly. They also faced challenges with sentence structure and word formation.

11. Conclusion:

This study concludes that translation students at the University of Duhok encounter considerable challenges when translating legal documents from English into Kurdish, with grammatical errors being the most common. Misusing prepositions and case markers frequently indicates that students are in need for further instruction and practice. Furthermore, syntactical errors represented by missing verbs or phrases in addition to morphological errors including incorrect word selection emphasize the necessity for more instructing and training on structuring sentences and using vocabularies more properly.

In order to avoid or reduce such types of errors, the study recommends the following strategies:

1. Students must be encouraged to use English-Kurdish legal dictionaries and glossaries to enhance their understanding of legal terminology.
2. Revising the current syllabus in particular and the whole curriculum in general. The study recommends teaching students the Kurdish grammar for at least three semesters instead of two (the first and second currently).
3. Running, if possible, extra training courses and workshops that focus on challenges and techniques followed to overcome them. Such courses must emphasize on legal terminology, contextual use, and grammatical accuracy in order to prepare students to better deal with the complexities they face in legal translation.
4. More research must be undertaken to find out and explore more reasons behind these problems. The study recommends further research aiming at examining more aspects and error patterns that could be found in other types of legal documents and comparing the performance of students who belong to different departments of translation in other academic institutions.

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Appendices

Appendix 1

(Source Text)

EXCLUSIVE DISTRIBUTION AGREEMENT

THIS AGREEMENT is entered into this 5th day of October, 2019 by and between the first party, CSEN International Ltd. (hereinafter referred to as "Developer"), a corporation having its offices in New York, USA, existing under the laws of the State of New Jersey and the second party, Kinetic Supply LLC (hereinafter referred to as "Distributor") a corporation having its offices in 5 Village Court, Hazlet NJ, existing under the laws of the State of New Jersey.

WITNESSETH:

In consideration of the mutual covenants and conditions herein contained, and intending to be legally bound hereby, the parties mutually agree as follows:

1. Products and Territory

- 1.1 Products.** Developer hereby appoints Distributor on an exclusive basis as its sole distributor for the sale of the products set forth in Schedule A (hereinafter referred to as the "Products") in the Territory (as defined below) during the term of this Agreement.
- 1.2 Territory.** Developer is appointing Distributor hereunder with respect to the sale of Products to any purchasers whose principal place of business is located in the following described territory (the "Territory"): The whole area of New Jersey State.
- 1.3 Best Efforts.** Distributor shall use its best efforts to promote and sell the Products to the maximum number of responsible customers in the Territory.
- 1.4 Sales Limited to Territory.** Distributor shall not respond to orders from any prospective purchaser with its principal place of business located outside the Territory. If Distributor receives any order from a prospective purchaser whose principal place of business is located outside the Territory, Distributor shall immediately refer that order to Developer. Distributor shall not accept any such orders. Distributor may not deliver or tender any Products outside of the Territory. Distributor shall not sell any Products to a purchaser if Distributor knows or has reason to believe that such purchaser intends to remove those Products from the Territory.

Appendix 2

(Target Text)

ريڻڪڪهفتناما تايبهت يا دابهشڪرنى

ٺهڻ ريڻڪڪهفتنامه ل روزا ۵۱ چريا ٺيڪي ل سالا ۲۰۱۹ ڏناڦهرا دوو لايهنان (كومپانين) دا هاتيه گريدان، لايهني ٺيڪي: كومپانيا (سى ٺيس ٺي ٺين) يا ٺيڦدهولهتيا سنوردار، (ڙ ڦيره ويڻهه ڏي وهڪ "گهشهپندهر" نمازه پي هيته ڪرن) ڪو ٺفيسينگهين وي ل باڙيري نيويورڪ ل ويلايهتيا ٺيڪگرتي بين ٺمريڪا ههنه و ل ڙير ياساين ويلايهتا نيوجيرسي ڪار ڏڪهت. لايهني دووي: كومپانيا (ڪينيٽيڪ سهپلاي) يا بهرپرسيارهتيا سنوردار (ڙ ڦيره ويڻهه ڏي وهڪ "دابهشڪر" نمازه پي هيته ڪرن) ڪو ٺفيسينگهين وي ل جادا فيلچ ڪورٽ ۵ ل باڙيري هازلٽ NJ ههنه و ل ڙير ياساين ويلايهتا نيوجيرسي ڪار ڏڪهت.

شاهدحال:

هدردو لايهني ب بهرچاڦ وهرگرتا پيمان و مدرجين ههڻشڪ پين ڪو د ڦيريدا هاتينه ديار ڪرن و ب نياز ا پابهندبوونا لايهنان ب ريڪارين ياساي؛ ب ههڻشڪي ل سهر ٺهڻان خالين ل خوراي ريڻڪڪهفتن:

۱. بهرهم و دهڦهر

۱, ۱ بهرهم: "گهشهپندهر" د ماوي ٺهڻي ريڻڪڪهفتناميدا "دابهشڪر" ي ل سهر بنهه مايه ڪي تايبهت وهڪ دابهشڪري خواهه پي ٺيڪانه بو فروتا بهرهمين ديار ڪري د خشتي (أ) دا ل دهڦهري (وهڪ ل خوراي هاتيه ديار ڪرن) دهستيشاندڪهت (ڙ ڦيره ويڻهه ڏي وهڪ "بهرهم" نمازه پي هيته ڪرن).

۱, ۲ دهڦهر: "گهشهپندهر" "دابهشڪر" ي ڙيو فروتا بهرهمان بو ههر بڪره ڪي جهي ڪاري وي پي سهره ڪي ڏڪهڻيه دهڦهرا ديار ڪري دهستيشاندڪهت ("دهڦهر") ڪو ههمي دهڦهرا ويلايهتا نيوجيرسي بخوفه دگريت.

۱, ۳ باشتين ههول: پيدڦيه دابهشڪر باشتين ههول بو بهرچاڦڪرن و هاندانا فروتا بهرهمان بو زورترين (ڙمارا) بڪرين ڙي بهرپرس ل "دهڦهر" ي بدهت.

۱, ۴ سنوري فروتنى بو دهڦهري: پيدڦيه "دابهشڪر" بهرسفا داخوازيين هيچ بڪره ڪي چاههريڪري ندهت ڪو جهي بازرگانيا وي پي سهره ڪي بڪهڻيه دهڦهري "دهڦهري". ٺهگهر "دابهشڪر" ي داخوازيه ڙ ههر بڪره ڪي چاههريڪري وهرگرت ڪو جهي بازرگانيا وي پي سهره ڪي بڪهڻيه دهڦهري دهڦهري، پيدڦيه ٺيڪسهر وي داخوازيي بگههينته "گهشهپندهر". نايبت "دابهشڪر" هيچ داخوازيه ڪا وهڪي ڦي وهرگريت. "دابهشڪر" هيچ بهرهمه ڪي ناگههينته دهڦهري دهڦهري. نايبت "دابهشڪر" هيچ بهرهمه ڪي بفروشيته بڪره ڪي ٺهگهر بزانيت نياز ا بڪري ٺهوه ٺهڻان بهرهمان بڦه گوهيسته دهڦهري "دهڦهر" ي.

تحليل الأخطاء في ترجمة النصوص القانونية من الإنجليزية إلى الكردية

فيان ابراهيم علي - دكتوراه في النحو الكوردي - قسم اللغة الكوردية - جامعة دهوك

(viyan.iboibo@uod.ac)

هكار حازم محمد أمين - دكتوراه في علم اللغة التطبيقي والترجمة - قسم الترجمة - جامعة

دهوك

(hakar.hazim@uod.ac)

حنين إسلام سليم - ماجستير في اللغة الأنجليزية وعلم اللغة - قسم الترجمة - جامعة

دهوك

(haneen.islam@uod.ac)

المستخلص:

غالبًا ما تعتبر ترجمة النصوص القانونية من أصعب أنواع الترجمة بسبب العواقب المحتملة لأي تفسير خاطئ. يواجه طلاب الترجمة في جامعة دهوك صعوبات مع مادة الترجمة القانونية ويرتكبون بسبب ذلك أخطاء عند ترجمة المستندات القانونية من الإنجليزية إلى الكردية وذلك لعدم توفر المصادر اللازمة. نظرا لندرة البحوث والدراسات العلمية في هذا المجال، تبحث هذه الدراسة في أنواع وتكرار الأخطاء التي يرتكبها طلاب السنة النهائية في القسم المذكور لتحديد أخطاء الترجمة الشائعة المرتكبة لديهم وفهم التحديات التي يواجهونها في هذا المجال التخصصي. من خلال استخدام منهجية متعددة (كمية و نوعية) قامت الدراسة بتحليل الأخطاء الموجودة في 58 عينة عبارة عن ترجمة لوثيقة قانونية من اللغة الإنجليزية إلى الكردية من قبل 58 طالبًا في السنة الرابعة. ولأن الدراسة توقعت أن تكون الأخطاء النحوية هي السائدة نتيجة التفاوت النحوي بين هاتين اللغتين، فقد اعتمدت نموذج نا فام (2005) المعتمد لتحليل أخطاء الترجمة. من خلال تحليل البيانات تم تشخيص 1272 خطأ نحويًا تم تصنيفها إلى أخطاء قواعدية، ونحوية، وصرفية، ومتلازمات لفظية. أظهرت نتائج الدراسة أن الأخطاء القواعدية هي الأخطاء الأكثر شيوعًا، حيث شككت 49.89% من الإجمالي، مع كون عدم استخدام حروف الجر بشكل صحيح وأخطاء أشكال الإعراب الأكثر شيوعًا. بلغت

نسبة الأخطاء النحوية 22.01% وشملت الأفعال المفقودة وترتيب الكلمات غير الصحيح. تمثل الأخطاء الصرفية 26.10% من الإجمالي، وقد تمثلت في المقام الأول باختيار الكلمات الخاطئة. وكانت أخطاء المتلازمات اللفظية هي الأقل شيوعاً بنسبة 2.98%. يهدف هذا البحث إلى المساهمة في تحسين المناهج الدراسية للطلاب من خلال تحديد مواطن الضعف الأكثر شيوعاً لدى الطلاب والمعلمين. وتدعو الدراسة أيضاً إلى إجراء مزيد من البحث في هذا المجال لفهم التحديات والاستراتيجيات الخاصة بالترجمة القانونية الفعالة بشكل أفضل.

الكلمات المفتاحية: تحليل الأخطاء، الترجمة القانونية، نافام (2015)، طلاب الترجمة