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The Role of Forensic Translation in Courtrooms Contexts

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Abstract

The aim of this study is to highlight an in-depth, crucial function of forensic translation and interpretation in legal contexts in general and courtrooms in particular. The study shows that forensic translator/interpreters are usually required and nominated by judges to interpret or translate in trials and proceedings as the judges do not have the right to do the translation themselves in courts of law. The main role of translators is not to act as solicitors, judges, or jury to release or punish wrongdoers. Rather they help the judges and jury in courts of law to make sure that the message is accurately conveyed and justice is done for everyone. The study targeted the legal translators and offenders in gulf countries who play significant roles in legal contexts and courtroom trials. The rationale for this study was due to nonnative speakers of Arabic language who move to this area in search of employment, tourism and other purposes. Those monolingual speakers always need advocates, as well as translators when they are involved in crimes. The study also shows that the linguistic power that interpreters use exerts a coercive force, particularly on witnesses and defendants, and that such linguistic coerciveness on the part of interpreters influences other participants in the judicial proceeding. The forensic translators participate in courtroom trials through either mitigating or magnifying the culpability of defendants through a variety of linguistic mechanisms. They modify inaccurate lexical choice by the defendants in trials. They focus on the use of source language rather than target language words and phrases, the use of definitions and calques, the improper addition or deletion of repair mechanisms and of hesitation forms such as pauses and fillers, and the addition of polite forms of address to convey solidarity, to adhere to cultural norms, and to avoid face threatening acts. The judges and attorneys are shown to have been influenced by the lexical choices of interpreters. The data were collected from different resources and references, related to law and forensic linguistics and translation. Moreover, some articles related to the field are consulted. The researcher reflects on the term in relation to linguistics and translation in the legal context whether in proceedings in the courtrooms or any other forensic cases. Therefore, this type of translation is urgently needed to ensure the right verdict and avoid flaws that take place in courts of law. Finally, the researcher presents some recommendations.

Keywords: Forensic, Legal Context, Forensic Linguistics, Forensic Interpreter, Courtroom.