



## Parallel texts to translate cultural references in last wills and testaments (EN-GAL): A didactic case study

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**Abstract:** Careful consideration of cultural elements is required in the transfer of legal texts within the field of specialized translation, according to Borja (2000, p. 163). The translator faces a set of difficulties not only when finding the suitable equivalences between legal systems, but also when mediating between cultures. Last wills constitute a type of legal text that is subjected to a fixed macrostructure (Alcaraz *et al.*, 2006, p. 371) frequently bestrewed with cultural elements. This paper presents a practical perspective on translating five culturally-bound elements in a last will and testament originally drafted in English and translated into Galician by 36 final-year translation students. Furthermore, the proper use of parallel texts will also be dealt with, considering that these 'authentic texts' (Nord, 2010, p. 13) provide essential linguistic and cultural information during the translation process. Non-professional translators, undergraduates, in this case, search for and use the parallel texts they need to carry out an in-depth analysis to extract those sections that guide their work (Roiss, 2009, p. 134). Parallel texts were attached to their assignment and later examined to reinforce student's learning process of legal translation module. The analysis has shown that most students could identify a set of parallel texts, suitable for the transfer of the five cultural items discussed here. By carrying out this practice, students have learnt not only where to find these texts while taking this module but also how to use them as a useful translation tool.

**Keywords:** legal translation; cultural references; parallel texts; didactics; last wills and testaments.

### I. Objective

This paper is divided into two parts. The first one discusses the theoretical framework contextualizing the translation study of culturally-bound elements, with a special focus on how these elements are part of legal documents and, due to this, are potential translation obstacles for



undergraduates. This leads to the discussion of the last wills and testaments as legal texts that encapsulate culture within the legal domain.

The second part of this paper is centered on the practical analysis of five translation difficulties found in a legal translation module exercise carried out by 36 final-year undergraduate students organized into work groups. This section will detail the translation solutions provided by these students, including the analysis of the parallel texts provided by them to complete one of the translation assignments for their continuous assessment of the legal translation module English>Galician (Tradución Xurídica-Administrativa idioma I: inglés>galego) taught at the University of Vigo, Translation and Linguistics Department.

In short, this paper is aimed at revealing the ability of each work group to detect at least the five most relevant culturally-bound elements typically included in last wills and testaments, analyzing the translation solutions provided, and assessing these undergraduates' documentary skills in their selection of the most suitable parallel texts to complete the mandatory translation task successfully. These five items were considered as initial translation obstacles by this group of students in a prior exercise. This justifies the suitability of the items studied in this paper.

## 2. Culturally-bound elements, translation studies and legal translation

Newmark (1998, p. 94) defined “language” as an expression of culture. Following this thread of thought, Legalese, as a specialized language, also expresses culture. In the communication/mediation between cultures, translation is the activity that can involve at least two languages and two cultural traditions (Toury, 1995, p. 200). Hence, this process requires a profound knowledge of the expression of culture through language.

The study of culturally-bound elements, also known as *Realia*, Culture-Specific Items, and Cultural References, has been the academic interest of several scholars such as Baker (1992), Bassnett (1991), Hermans (1999), Katan (1999), Leppihalme (1994, 1997), Marco (2004), Mayoral (1994), Newmark (1988), Nord (1994), Santoyo (1987, 1994), Snell-Hornby (1988), Vlachov and Florin (1969). Out of these views and classifications of cultural elements, Katan's 1999 model suits our purposes since this scholar mentions a category under which the legal scenario is fully represented: “values of society and its hierarchy”.

Since legal rules and statutes stem from custom, doctrine, jurisprudence, and tradition, each culture, hence, each legal system is based on legal history, sociology of law, and tradition. Thus, Katan, wisely related culture to the values and hierarchies developed by societies. Legal translators must, therefore, be aware of the cultural component inserted in legal documents, and this awareness can only be awoken through the study of traditional comparative law. In other words, as Cao (2007, p. 23) affirms, every legal language reflects the history and culture of the corresponding legal system. Soriano & Oliveira (2021, p. 512) argue that legal translators must not only be trained to fully acquire the competences related to the practice of translation, but expand their knowledge on essential legal matters.

Stolze (2013, p. 59) observes this relationship between culture, society, and legal rules that operate within it in her definition of “law”: “according to its purpose, [law] is a system of social



convention defined by social agreement and legislation that regulates the orderly living together of people within their culture”. Laws have been created and developed in history to deal with all aspects of life: offense and crime, trade, family affairs, administration, education, etc. “Law and education govern societies” (Stolze, 2013, p. 59).

Now that the inclusion of culture in legal documents has been introduced, Szal’s description of how culture is embedded in legal texts eases the detection of culturally-bound elements. The five points below (Szal, 2014, p. 72-80) may be useful from a didactic point of view since they may help undergraduates spot culture in legal Source Texts (STs):

- a) Szal affirms that culture can be embedded in terminological concepts. Therefore, some terms are not comparable between languages. As a result, false friends take place, such as in the following frequently made mistakes: 1. “Prorroque,” which may be used in a last will and testament to refer to a deadline that is postponed to grant a gift to a charitable organization, cannot be translated into Galician as a “prórroga” since it would be understood as an extension of said deadline. Precisely the opposite of what the ST is trying to convey. 2. Another example also applied to the text type studied here would be the term ‘affirmation’, which cannot be translated into Galician as “afirmación” due to the English meaning of affirmation: solemn pledge or undertaking in this text type, and honored by the witnesses undersigning the last will and testament.
- b) Culture may also be embedded in the linguistic form: A functional style is required to suit the legal purpose of these texts. The target reader expects a combination of 1) terminology related to each branch, type, and division of law; 2) a set of performative verbs and appropriate selection of tenses; and 3) word compounding, which is a result of the use of formulaic language and archaisms.
- c) The syntactic level also reflects culture within legal texts. The way sentences are connected to create idiomatic structures and using Legalese is evidence of how tradition has crystallized into texts.
- d) Culturally-bound elements embedded within the text structure: Recurring situations (tradition and custom) lead to the creation of text types. As Göpferich (1995) affirms, a fixed structure of texts reinforces intelligibility for the communication partners within a culture. Text structure can reflect cultural norms, so translators must be in the know not only of text types between languages and cultural norms. These norms will determine the superstructure and macrostructure of each legal text, such as contracts, powers of attorneys, deeds, and last wills and testaments, among other texts of a legal nature.
- e) The pragmatic level lodges culture since social life can be organized following different procedures suiting each society’s needs. This is the case of Law. Legal structures and systems have an impact on the text level. This fact impacts on the translating process, demanding the implementation of compensation techniques to surmount cultural incongruences between texts. Stolze (1999, p. 225) mentions some strategies to mediate between cultures within specialized contexts: adaptation, explanation, modification, paraphrasing...



Concerning Legal Translation, Kocbek (2008, p. 54) emphasizes the need to become not just an intercultural expert since “translating means comparing cultures” (Nord, 1997, p. 34) but also an interdisciplinary expert who is capable of acquiring a thorough knowledge of the legal systems involved in translation. Each of these systems constitutes decisive elements of culture that affect communication practices<sup>1</sup>. For instance, the governing law clause included in a last will and testament will specify under which law and jurisdiction the document shall be valid. As a result, only one legal system can be adopted as a communication framework, and the search for an equivalent target culture law would be useless. This means that the principle of cultural embeddedness may be applied strictly regarding linguistic aspects of the text. In contrast, the cultural foundation of the text (the legal system and its governing law) must be shared by both the ST and the Target Text (TT).

### 3. Last wills and testaments: Acts, codes and cultural differences

Last wills and testaments have been regulated in the UK (England and Wales) since 1837 in the *Wills Act* and the *Administration of Estates Act 1925*<sup>2</sup>. According to the *Wills Act*:

It shall be lawful for every person to devise, bequeath, or dispose of, by his will executed in manner herein-after required, all real estate and all personal estate which he shall be entitled to, either at law or in equity, at the time of his death, and which, if not so devised, bequeathed, or disposed of, would devolve upon his executor or administrator (*Will Act 1837*, c. 26, Section 3).

This Act drafts the requirements to give, devise, and bequeath a valid Will; it includes the role of the witnesses, the circumstances under which a Will can be revoked, the consequences of marriage or the dissolution of a marriage on a Will, among other rules.

The *Administration of Estates Act 1925* states the basic regulations for managing estates. This act specifies the appointment and duties of personal representatives, the administration of assets, and the distribution of a residuary estate.

The role of trustees and their legal duties have been addressed in the *Trustee Act 1925* and the *Trustee Act 2000*. Other regulations, which may be of help for translators to sort out terminological matters and comprehend the management of English and Welsh estates, worth reading are the *Non-Contentious Probate Rules 1987* (when any of its beneficiaries has not contested the Will) and the *Civil Procedure Rules Part 57* (to seek a solution to those Wills that have been contested). The *Civil Procedure Rules* fulfill a similar function as the Spanish *Ley de Enjuiciamiento Civil*.

Last wills and testaments in the USA are rooted in the English legal tradition, Common Law. Each State counts on its legislation, which keeps the state’s traditions and customs, compiled in Statutes known as the *State Probate Code*. History and tradition have influenced the legislation implemented in the USA. As a result, a set of British Acts can be seen in current Statutes: Statute

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<sup>1</sup> Regarding communication practices, Rebecchi & Silva’s (2018, p. 298-318) study on the translation of obituaries is an excellent example of how cultural peculiarities observed in the same written genre differ between languages (English-Portuguese), thus, demonstrating that cultural matters cannot be overlooked during the practice of specialized translation.

<sup>2</sup> Both documents are available online: <https://www.legislation.gov.uk/ukpga/Will4and1Vict/7/26/contents> and <https://www.legislation.gov.uk/ukpga/Geo5/15-16/23/contents>



of Uses (1536), Statute of Wills (1540), Statute of Frauds (1676), and the Wills mentioned above Act. Since 1969, a unifying process regarding testamentary matters (Wills and Trusts) has prevailed, and, as a consequence, the *Uniform Probate Code* was passed. Currently, a third part of the States have totally or substantially adopted the *Uniform Probate Code* and almost every State has implemented certain specific sections once adaptations to their particular needs were carried out (Legerén, 2009, p. 31). This code was amended in 1990 (Article II), and in 2008, *Amendments to UPC*, which each State must adopt.

In Galicia, testamentary dispositions have been regulated by the *Lei 2/2006 do 14 de xuño de dereito civil de Galicia, Título X, Da Sucesión por causa de morte* (Law 2/2006, June 14th, Galician Civil Law, Chapter X, Succession to the Estate of Deceased Persons) and by the Spanish *Civil Code Sections 662-743*.

Despite the differing codes and regulations, the English-speaking and the Galician-speaking cultures share the result of implementing the law related to the act of succession: a Will is the act by which a person disposes of all or part of their assets after their death. Nevertheless, the procedure, the superstructure, and the macrostructure of last wills and testaments do not coincide from a cultural point of view.

Vazquez y del Árbol (2013) has identified the main differences between English Wills and Spanish Wills. Those differences can also be observed in Galician Wills since Galicia is one of Spain's 17 Autonomous Communities this explains why the Spanish legal system has its influence in the Galician one<sup>3</sup>. In English, Wills are generally drafted by the testator/testatrix in the first person, whereas, in Galician, these texts are written in the third person. In English, the first paragraph refers to the place (county and/or state) where the last will and testament is being executed and may include the name of the solicitor. In Galician, the notary office and the official association of notaries are mentioned in this first part of the document to complete the preamble and the appearance section. Macrostructures also differ: the English document includes titles for each part, such as 'Expenses and Taxes' and 'Personal Representative'; the Galician Will does not include titles for each clause. The appearance before a notary is mentioned in the text, followed by a section where the notary declares that the testator/testatrix has full capacity to execute the will. Also, the Stipulations section will give a cardinal number to each stipulation. To end, in the Galician Will, the notary authenticates the identity of the testator and, if required, the identity of the witnesses attending the signing of the instrument.

The English one will stipulate the disposition of the property, that is, who shall be the beneficiaries. In contrast, the Civil Code of Galicia stipulates who is entitled to inherit the deceased person's estate. In this sense, the English legislation does not determine a minimum amount of estate per offspring.

Other cultural matters which cannot be overlooked are related to who has the right to inherit first. Within the British system (England and Wales), the spouse will be the first to inherit. This is not the case in Galicia (nor Spain), where the law establishes that children and their

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<sup>3</sup> The Spanish legal system is based on the unity of the Nation contained in the Constitution. It recognizes and guarantees the right to autonomy of the different nationalities and regions, as well as solidarity between them. With this starting point, the Organic Law of the Judiciary establishes the constitution, operation and government of the courts and tribunals.

descendants have the right to inherit first. In the UK, relatives and other people who depend on the deceased person have a right to the estate. However, in Galicia, only family members are entitled to inherit.

The number of attending witnesses also varies under British and Galician laws: two witnesses are required within the English system, and both must see how the testator signs the will without being allowed to receive any benefit in exchange for their participation. Witnesses in Galicia must appear before the notary and sign as such without acknowledging the testator's/testatrix's signature.

British law requires a medical examination if there are any issues regarding the deceased person's legal competence to create the will. In Spain and Galicia, the notary must choose two doctors responsible for certifying the legal ability of the testator/testatrix.

Undoubtedly, these procedures embedded in differing cultural and legal systems must be part of the legal translator's cultural knowledge to avoid misinterpretations of STs and implementation of inappropriate translation strategies, thus hindering a complete and faithful production of a functional TT.

#### **4. The case study: Source text and method**

This case study has been based on two main pillars: the selection of the ST and the organization of the translation tasks among the undergraduates. The first page of an online last will and testament template was the chosen text. The Common Law provenance of the text may be detected, mostly through the macrostructure of the language. Still, a cursory scan of the text shows certain culturally-bound features that must be carefully addressed throughout the translation process. The following have been the cultural items under analysis once the work groups had completed a previous task in which there were to select those items which they considered as potential translation obstacles within the last will and testaments text type: personal representative, personal property, residuary estate, beneficial interest, and tenancy in common.

These five elements appear in the 357-word text, which was translated from English to Galician by 36 undergraduates who were divided into 12 practical teams. These groups had a week to translate this extract of the will and were allowed to use every available source. This task had to be completed not only with the handing in of the final TT, but also with three more sets of documents: 1. The groups had to hand in the difficulties spotted in the ST. These would be marked on the ST and briefly commented on regarding possible translation solutions to become part of the TT. 2. Each group member had to hand in the parts of the text which were individually dealt with before the production of the final TT. This allows the professor to study each section of the material thoroughly and have a clear sense of how each team arranged the work. 3. The inclusion of three parallel and/or documentary texts per member of the team to justify the solutions to conceptual difficulties and translation problems solved by these documents. Each team member had to highlight in each parallel text the term, excerpt, formulaic language, archaism, etc. spotted in each parallel text and suitable for the TT.

By extracting the information gathered in the ST by each team member and reading each of the parallel and/or documentary texts used in the process, data can be obtained regarding, firstly, the ability of each team to identify the five culturally-bound elements, which are commonly and





frequently present in last wills and testaments drafted in English as mentioned above, and secondly, the ability to choose suitable parallel and documentary texts. Each of these parallel and documentary texts was handed in to the professor to be revised and, therefore, become useful tools to aid the translation process and surmount the text's obstacles. The results discussed below demonstrate how the right selection of these texts can be the key to solving translation obstacles and producing a functional TT, easily recognizable and acceptable by the target culture readers.

## 5. A description of the five culturally-bound elements under analysis

This terminological study is culturally grounded and is based on Pérez-Manglano's (2019) comparative description. This author and notary in the United Kingdom has drafted and explained the key concepts related to the ST's culture and legal system concerning the last will and testament text type. Precisely, the ST translated as an assignment by these undergraduate teams includes some terms embedded in culture, according to this legal expert. The extract of the ST, where these cultural items can be seen, will be provided before the suggested terminological approach (English>Galician).

### 5.1 Culturally-bound element No. 1: Personal representative

ST: •SECOND: I direct that the expenses of my funeral and burial [or cremation] be paid out of my estate in such amount as my Personal Representative may deem proper and without regard to any limitation in the applicable law or rule of court as to the amount of such expenses and without the necessity of court approval.

In English-speaking culture, in this paper the UK and the USA, a personal representative carries out a key role as the person appointed on duty to deal with the estate, debts, taxes, trusts, and other arrangements related to the deceased and their will. This right is granted by the testator/testatrix, and any person of his/her personal choice can be appointed as such.

English and Welsh last wills and testaments establish a difference between two types of personal representatives: the person chosen by the testator/testatrix, this is, the executor/executrix, and the person appointed by the judicial authority, the administrator or administratrix. The personal representative and/or administrator will be allowed to sell part of the estate to fulfill the payment of the deceased's debts. Such duties are not shared by the Galician *testamenteiro*, who is not granted the right to sell any part of the estate without the heirs' consent.

Within the Spanish and Galician Legal System, the role of personal representatives is not as freely granted, since heirs have the right by law to administer the estate.

The translation of 'personal representative' into Galician is *testamenteiro* or *representante personal* as a literal translation of the source term. The Galician judicial authority or a notary public will appoint a *testamenteiro dativo*. The term *partidor* or *partidor contador* is more specific, since this person's duty demands the creation of an inventory of the goods and the division of the estate into parts to be given to the heirs. This is beyond the role of the *testamenteiro* and, therefore, both terms cannot be considered within the Galician inheritance system as synonyms.



## 5.2 Culturally-bound element No. 2: Tangible personal property (chattels)

ST: •I direct that (a) all estate, inheritance, succession and other death taxes and duties occasioned by my death, whether incurred with respect to property passing by this Will or otherwise, but excluding any generation-skipping tax, and (b) all cost of packing, shipping, insurance and other charges incidental to the distribution of any tangible personal property herein, shall be paid by my Personal Representative out of the principal of my residuary estate (as hereinafter defined) with no right of reimbursement from any recipient of such property.

‘Personal property’ can be translated into Galician as *bens mobles* or *patrimonio mobiliario*. Last wills in English do not split property based on personal or real property, as opposed to the Galician will. Pérez-Manglano (2019) also suggests using the term *dereitos persoais* as another suitable term to label these types of goods. The calque *propiedade persoal* should be avoided.

## 5.3 Culturally-bound element No. 3: Residuary estate

ST: •I direct that (a) all estate, inheritance, succession and other death taxes and duties occasioned by my death, whether incurred with respect to property passing by this Will or otherwise, but excluding any generation-skipping tax, and (b) all cost of packing, shipping, insurance and other charges incidental to the distribution of any tangible personal property herein, shall be paid by my Personal Representative out of the principal of my residuary estate (as hereinafter defined) with no right of reimbursement from any recipient of such property.

This is the part of the estate which must be distributed after every previous clause has been fulfilled and debts have been duly paid for. Other synonyms may be used in English with the same legal value: residual estate, remainder of the estate, remainder, or residue.

The translation of this item into Galician must avoid the use of the word *residual*. Therefore, the term *patrimonio residual* is discouraged due to the negative connotation of the word residual in Galician, ‘relativo ou pertencente ao residuo’ (as defined by the *Dicionario de Galego, Digalego*, back-translation: ‘related or belonging to waste’).

In English, this residuary estate may be referring to a considerable amount of the estate and the residuary gift can be the most important disposition of this legal document. The residuary estate may even be distributed by the deceased person as a trust.

The Spanish Civil Code uses the word *remanente* under Sections 764, 1032, and 1034 which could be, due to linguistic and legal proximity, chosen in Galician as the equivalent term: *patrimonio remanente*.

## 5.4 Culturally-bound element No. 4: Beneficial interest

ST: •THIRD: I hereby confirm my intention that the beneficial interest in all property, real or personal, tangible or intangible (including joint checking or saving accounts in any bank or savings and loan association or credit union), which is registered or held, at the time of my death, jointly in the names of myself and any other person (including tenancy by the entireties, but excluding any tenancy in common), shall pass by right of survivorship or operation of law and outside the terms of this Will to such other person if he or she survives me.





English Property Law distinguishes two types of property owners: legal owners and beneficial owners. Beneficial owners may not hold ownership of the property, but have a right to become the beneficiary of said property. Legal owners and beneficial are not necessarily the same person. A trustee, for example, is unlikely to become the beneficiary of a trust.

‘Beneficial interest’ cannot be translated into Galician as *interese benéfico* or *titular e beneficiario*. Instead, other terms which suit the Civil Law European system are more appropriate according to context *dereito de titularidade real*, *dereito de/como beneficiario/a ultimola*, *participación real*.

## 5.5 Culturally-bound element No. 5: Tenancy in common

ST: •THIRD: I hereby confirm my intention that the beneficial interest in all property, real or personal, tangible or intangible (including joint checking or saving accounts in any bank or savings and loan association or credit union), which is registered or held, at the time of my death, jointly in the names of myself and any other person (including tenancy by the entireties, but excluding any tenancy in common), shall pass by right of survivorship or operation of law and outside the terms of this Will to such other person if he or she survives me.

Two types of tenancy can be described in Common Law: joint tenancy and tenancy in common. The first refers to the right of each holder of the property once one of those holders passes away, independently of the dispositions in the will or intestacy Laws.

Under tenancy in common, each co-owner has a part or a share of the property, but once one of the co-owners passes away, said co-ownership shall be part of the last will and testament.

Both concepts are, according to Pérez-Manglano, inexistent within Spanish and Galician regulations and laws. The right of survivorship is close to the Galician concept *usufruto vitalicio*. In Galicia the *usufrutuarios* have the right to use, benefit from, and enjoy the property but are not strictly considered the co-owners of such.

Therefore, ‘tenancy in common’ should be translated as *cotitularidade de bens* or *copropiedade*.

## 6. Results

To translate the five items frequently found in the last wills and testaments, each group followed different translation strategies. Literal translation<sup>4</sup> was chosen 11 out of 12 times to translate the term ‘personal representative’, this is, *representante persoal* in these 11 TTs. Explication was chosen 10 out of 12 times to translate personal property and unfortunately 2 groups were not able to translate correctly this terminological reference. Only 5 of the 12 teams could search for the appropriate target culture terms and not using the literal translation of ‘residuary estate’ into Galician. The term chosen to translate ‘beneficial interest’ was based on the term’s meaning in the source culture; 11 out of 12 versions were satisfactory, whereas only one version was inexact. ‘Tenancy in common’ was the most difficult cultural item to deal with, according to the results obtained: 9 out of 12 teams chose inexact terms to surmount this difficulty. Table 1 and Table 2 show the culturally-related-to-terminology translation difficulties discussed here, and

<sup>4</sup> As defined and explained by Hurtado Albir (2001, p. 269).



the translation solutions provided by these 12 teams (items in italics emphasize non-suitable TT versions):

Table 1: Teams 1-7 translation English-Galician solutions to transfer legal culturally-bound elements

Legal Cultural Element	Team 1	Team 2	Team 3	Team 4	Team 5	Team 6	Team 7
Personal representative/ representante e persoal do causante	Representante persoal	Testamen teiro	Representan te persoal	Representan te persoal	Representant e persoal	Representante persoal	Representan te persoal
Personal property  Dereitos persoais	Bens mobles materiais	Ben moble tanxible	Bens persoais de carácter material	<i>Propiedade persoal</i>	Propiedade persoal e tanxible	Ben persoal tanxible	Ben tanxible
Residuary estate Patrimonio remanente	<i>Patrimonio residual</i>	<i>Patrimonio residual</i>	Activos remanentes	Patrimonio remanente	Remanente da herdanza	<i>Patrimonio residual</i>	<i>Patrimonio residual</i>
Beneficial interest (beneficial owner) Propietario real ou titular real	Usufruto de todos os bens	Beneficio derivado do dereito a posuír	Usufruto dos meus bens	<i>Beneficio propio</i>	Usufruto de todos os bens	Usufruto (o uso e aproveitament o)	Usufruto de calquera ben
Tenancy in common Coproiedade e ou cotitularidad e de bens	Coproiedade	Condomi nio	Pertenzas comúns	Condominio en común	Ben mancomunad o	Tenencia en común	Arrendamen to en común

Source: Self-created content

[Description] **Legal Cultural Element:** Personal representative/ representante persoal do causante, Personal property Dereitos persoais, Residuary estate Patrimonio remanente, Beneficial interest (beneficial owner) Propietario real ou titular real, Tenancy in common Coproiedade ou cotitularidade de bens.; **Team 1:** Representante persoal, Bens mobles materiais, *Patrimonio residual*, Usufruto de todos os bens, Coproiedade.; **Team 2:** Testamenteiro, Ben moble tanxible, *Patrimonio residual*, Beneficio derivado do dereito a posuír, condomínio.; **Team 3:** Representante persoal, Bens persoais de carácter material, Activos remanentes, Usufruto dos meus bens, Pertenzas comúns.; **Team 4:** Representante persoal; *Propiedade persoal*, Patrimonio remanente, *Beneficio propio*, Condominio en común.; **Team 5:** Representante persoal, Propiedade persoal e tanxible, Remanente da herdanza, Usufruto de todos os bens, Ben mancomunado.; **Team 6:** Representante persoal, Ben persoal tanxible, *Patrimonio residual*, Usufruto (o uso e aproveitamento), Tenencia en común.; **Team 7:** Representante persoal, Ben tanxible, *Patrimonio residual*, Usufruto de calquera bem, Arrendamento en común. [End of Description].



Table 2: Teams 8-12 translation English&gt;Galician solutions to transfer legal culturally-bound elements

Legal Cultural Element	Team 8	Team 9	Team 10	Team 11	Team 12
Personal representative/ representante persoal do causante	Representante persoal	Representante persoal	Representante persoal	Representante persoal	Representante persoal
Personal property Dereitos persoais	<i>Pertenza persoal</i>	Ben tanxible	Ben persoal material	Propiedade persoal tanxible	Ben persoal tanxible
Residuary estate Patrimonio remanente	Patrimonio remanente	<i>Patrimonio residual</i>	Remanente da herdanza	<i>Patrimonio principal residual</i>	<i>Patrimonio residual</i>
Beneficial interest (beneficial owner) Propietario real ou titular real	Usufruto	Usufruto	Dereito de usufruto	Usufruto	Usufruto
Tenancy in common Coproiedade ou cotitularidade de bens	<i>Bens mancomunados</i>	<i>Tenencias en común</i>	<i>Arrendatorio en común</i>	<i>Tenencia en común</i>	<i>Posesións de partes indivisas</i>

Source: Self-created content

[Description] **Legal Cultural Element:** Personal representative/ representante persoal do causante, Personal property Dereitos persoais, Residuary estate Patrimonio remanente, Beneficial interest (beneficial owner) Propietario real ou titular real, Tenancy in common Coproiedade ou cotitularidade de bens.; **Team 8:** Representante persoal, *Pertenza persoal*, Patrimonio remanente, Usufruto, *Bens mancomunados*.; **Team 9:** Representante persoal, Ben tanxible, *Patrimonio residual*, Usufruto, *Tenencias en común*.; **Team 10:** Representante persoal, Ben persoal material, Remanente da herdanza, Dereito de usufruto, *Arrendatorio en común*.; **Team 11:** Representante persoal; Propiedade persoal tanxible, *Patrimonio principal residual*, Usufruto, *Tenencia en común*.; **Team 12:** Representante persoal, Ben persoal tanxible, *Patrimonio residual*, Usufruto, *Posesións de partes indivisas*. [End of Description].

Regarding the selection of parallel and documentary texts, this study reveals whether these undergraduates were able to detect (or not) the Legal culturally-bound elements as translation difficulties, through the selection of this cultural content on the ST analysis, and specifically by the inclusion of these cultural difficulties as part of the parallel and documentary texts searched for and annexed to the task. Tables 3 and 4 below show the items searched for and the language into which the parallel and documentary texts were written per team. Each work group has searched for parallel and documentary texts in several languages including Portuguese due to the lack of sufficient and available legal texts produced and published in Galician, for long considered a minority language.



Table 3: Teams 1-7 legal culturally-bound elements searched for in parallel and documentary texts and language chosen of said documents. EN: English, ES: Spanish, GAL: Galician and PO: Portuguese.

Legal cultural element searched for and language	Team 1	Team 2	Team 3	Team 4	Team 5	Team 6	Team 7
	Beneficial interest (EN)	Bienes inmuebles (ES)	Bienes inmuebles (ES)	Contador partidor/ contadores partidores (ES)	Bens comuns (GAL)	Usufruto universal y vitalicio (ES)	Remainder (EN)
	Bienes inmuebles (ES)	Bienes muebles (ES)	Bienes de naturaleza mueble (ES)	Residuary estate (EN)	Contador-partidor (GAL)	Usufruto vitalicio (ES)	
	Bienes muebles (ES)	Personal property (EN)	Remanente (ES)	Usufruto vitalicio (ES)	Joint tenant (EN)		
	Tenants in common (EN)	Usufruto universal y vitalicio (ES)	Usufruto universal y vitalicio (ES)		Remainder (EN)		
	Usufruto vitalicio/ universal (ES)				Testamenteiro (PO)		

Source: Self-created content

[Description] **Legal Cultural Element;** **Team 1:** Beneficial interest (EN), Bienes inmuebles (ES), Bienes muebles (ES), Tenants in common (EN), *Usufruto vitalicio/universal* (ES).; **Team 2:** Bienes inmuebles (ES), Bienes muebles (ES), Personal property (EN), *Usufruto universal y vitalicio* (ES).; **Team 3:** Bienes inmuebles (ES), Bienes de naturaleza mueble (ES), Remanente (ES), *Usufruto universal y vitalicio* (ES).; **Team 4:** Contador partidor/contadores partidores (ES); Residuary estate (EN), *Usufruto vitalicio* (ES).; **Team 5:** Bens comuns (GAL), Contador-partidor (GAL), Joint tenant (EN), Remainder (EN), Testamenteiro (PO).; **Team 6:** *Usufruto universal y vitalicio* (ES); *Usufruto vitalicio* (ES).; **Team 7:** Remainder (EN). [End of Description].

Table 4: Teams 8-12 legal culturally-bound elements searched for in parallel and documentary texts and language chosen of said documents

Legal cultural element searched for and language	Team 8	Team 9	Team 10	Team 11	Team 12
	Did not mark the parallel texts as requested	Copropietario (ES)	Albacea y comisario-contador partidor (ES)	Residuary clause (EN)	Beneficial tenancy in common (EN)
		Tenants in common (EN)	Remanente (ES)	Representante personal (ES)	Remanente (ES)
			<i>Usufruto universal y vitalicio</i> (ES)	<i>Usufruto / Cuotal legal usufructuaria</i> (ES)	Representante personal (ES)

Source: Self-created content



[Description] **Legal Cultural Element**.; **Team 8**: Did not mark the parallel texts as requested; **Team 9**: Copropietario (ES), Tenants in common (EN).; **Team 10**: Albacea y comisario-contador partidador (ES), Remanente (ES), Remanente (ES), Usufructo universal y vitalicio (ES).; **Team 11**: Residuary clause (EN); Residuary estate (EN), Representante personal (ES), Usufructo / Cuotal legal usufructuaria (ES).; **Team 12**: Beneficial tenancy in common (EN), Remanente (ES), Representante personal (ES). [End of Description].

In terms of the chosen language of the parallel and documentary texts to translate these 5 items, Spanish stood out in a total of 22 occurrences, followed by 10 English references, 2 Galician cases and 1 in Portuguese as counted in the previous tables. The legal culturally-bound elements mostly searched for out of the 5 items studied here were *usufructo* (7), followed by *bienes inmuebles* (3), *bienes muebles* (3), *remanente* (3) and *contador-partidor* (3).

The compiled parallel and documentary texts (111 texts in total) revealed that apart from these 5 cultural items other content was searched for in these texts. In fact, 4 out of the 5 legal culturally-bound elements under study were searched for by these 12 teams.

In terms of the possible usefulness of the right selection of parallel and documentary texts to solve translation obstacles, each team's results were not exclusively dependent on the use of these resources. For example, Team 1 and Team 2 searched for almost every item and achieved excellent results. Team 11 searched for 3 out of 5 items and fewer references as a whole, with weaker results. Team 8 did not mark the content reused in the TTs from the parallel and documentary texts, but mainly chose templates wisely reintroduced in their final version of the last will and testament.

Table 5 includes the types of parallel and documentary texts chosen to fulfill the task.

Table 5: Types and total number of parallel and documentary texts chosen by the 12 teams

Parallel Text	Total No. of PTS
Application Form:	2
Blogs:	4
Data Base:	1
Dictionary:	6
Handbook:	14
Institutional Website:	1
Law:	3
Lawyers and Consultants' Websites:	20
Online Encyclopaedia:	1
Online Journal:	15
Spanish Official Gazette:	1
Templates:	43

Source: Self-created content



[Description] **Parallel Text/ Total No. of PTS:** Application Form: 2; Blogs: 4; Data Base: 1; Dictionary: 6; Handbook: 14; Institutional Website: 1; Law: 3; Lawyers and Consultants' Websites: 20; Online Encyclopaedia: 1; Online Journal: 15; Spanish Official Gazette: 1; Templates: 43. [End of Description].

## 7. Concluding remarks

Regarding the ability and knowledge of these groups of undergraduates to detect Legal culturally-bound elements frequently included in last wills and testaments drafted in English, Tables 3 and 4 demonstrate how these items were searched for throughout the documentary stage previous to the production of the TT. As shown, these undergraduates were not only able to detect the legal cultural difficulty included in the ST (4 out of 5 elements were looked into), but also quite successfully found the most suitable equivalences into the Galician Legal and cultural system (Tables 1 and 2 clearly show the equivalences chosen by these undergraduates).

In producing these final texts, the term 'tenancy in common' seemed to be the most difficult obstacle to surmount. It was neglected or overlooked, as opposed to 'personal representative', which was well translated.

The selection of parallel and documentary texts was mainly carried out in Spanish. This data raises the question of the real need to create more Legal documents in Galician and make them available online to make Galician Legalese gain more visibility.

As for the reference tools used, out of the total number of parallel and documentary texts (111), templates stood out as the type of text more frequently searched for (43 documents). Secondly, lawyer and consultant's websites were checked by undergraduates (20 texts), followed by online specialized journals (15), and legal and translation handbooks (14). This data demonstrates that these undergraduates know where to find the conceptual knowledge required to deal with the legal field, and last wills and testaments. These references were reliable tools which helped achieve a suitable cultural translation of this particular text as this case study has proved.

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## Notes

### Authorship contribution

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