

SOME MISINTERPRETATIONS IN TRANSLATING LAW ARTICLES
FROM ENGLISH TO INDONESIA AND INDONESIA TO ENGLISH

(A case study at the fourth semester faculty of law)

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Abstract

The article will discuss some misinterpretations while the learning process in the classroom in translating the 1st Newspaper from English to Indonesia and Indonesia to English. and The Jakarta post The purpose of the study is to identify, examine, and explain some misinterpretations encountered by students in translating the article of law in the 1st time Newspaper from English into Indonesia and Indonesia into English, while the learning process was happening in the classroom, especially fourth semester faculty of law. The conclusions can be grouped into two categories such as: the nature of the source – language text to the target of the language and the student’s lack of knowledge about the grammar.

Keywords: Learning process, the grammar, the nature of the source-language, target language

Abstrak

Penelitian ini bertujuan untuk membahas beberapa kesalahan proses belajar mengajar dikelas dalam menerjemahkan artikel hukum dari bahasa Inggris ke dalam bahasa Indonesia dan dari bahasa Indonesia kedalam bahasa Inggris. Selain itu, juga untuk mengidentifikasi, menguji, dan menjelaskan masalah yang dihadapi mahasiswa dalam menerjemahkan artikel hukum bahasa Inggris ke bahasa Indonesia atau bahasa Indonesia ke dalam bahasa Inggris ketika proses belajar mengajar didalam kelas khususnya semester empat fakultas hukum. Metode yang dipakai dalam penelitian ini adalah metode deskriptif komparatif. Kesimpulannya adalah bahwa hasilnya dapat dikelompokkan menjadi dua kategori yaitu sifat alami teks bahasa sumber pada bahasa sasaran dan kurangnya pengetahuan tentang tata bahasa Inggris yang baik dan benar.

Katakunci : proses belajar mengajar, tata bahasa, bahasa sumber, bahasa sasaran

INTRODUCTION

As we know that most of translation theorists agree that the translation is transferring process from source language to target language and the translator himself or herself as a communicator. It will imply that the translator, someone and students who want to translate should have knowledge, skills, ability even understanding a cross-cultural bilingual communication. Translation is not easy as we think, according to (yusuf, 1991:14) there are four conditions to be fulfilled by a translator such as : 1. Efficiency in the second language, 2. Knowledge of the subject matter, 3. Efficiency in the first language, 4. general knowledge on other subject not directly related to the topic translation, mean while Newmark (1988:85) The change form of the grammar from the source-language to the target- language.

This is a case study at the fourth semester using selected articles from the 1st Times newspaper , Jakarta post of English agreement text (source text) from the newspaper The 1st Times, book entitled ”English for professional lawyers”by Gabriel Mahal, and The Jakarta Post. English for Specific Purposes: LAW which used in the learning process in the classroom. The writer took answer sheets from the students as sources of the data. The data was taken while the learning process was happening in the classroom, most of the students made some mistakes in translation and some errors found in their answer sheets were classified into types of errors. To see if the translation of the source text into the target text is accurate, clear and natural, the translations were assessed in terms of their accuracy, clarity and naturalness. *Black’s Law Dictionary Eight Edition* (BLD) (Garner:2004), *English Dictionary and Thesaurus* (Collins : 2006), *Advance learner’s English Dictionary* (Merriam-Webster : 2008), *Practical English Usage third edition* (Swan : 2009), *KamusLengkap Indonesia Inggris* (Steven : 2005), *Tesaurus plus Indonesia – Inggris* (Mansur :2009), *Kamus Besar Bahasa Indonesia* third edition, and *English-Indonesian Dictionary* (Echols and Shadly) were used to find accurate, clear, and natural Indonesian

and English . Errors found in the students' worksheet were classified into types of error and suggested translating was provided.

1.1 Research of the Problems

Based on the background, some problems, which can be identified, such as : most of the translators will be turbulence understanding in translating and transferring the text from source language to target language and the translator himself or herself as a communicator. The translator who wants to translate the text should have knowledge, skills, ability even understanding a cross-cultural bilingual communication.

1.2 Objective of the research

The objective of the studies for the English teachers, The teacher will be more aware and creative in the learning process when the material should be translated. The lecturers have an alternative which in more effective and efficient in translating the materials from English to Indonesia or Indonesia to English .

2. DISCUSSION

The differences of the student's background have defined translation in many ways. Nida and Taber (1969:12) have point out that translation consists in reproducing in the receptor language the closest natural of the source-language message, first in terms of meaning and secondly in terms of style.

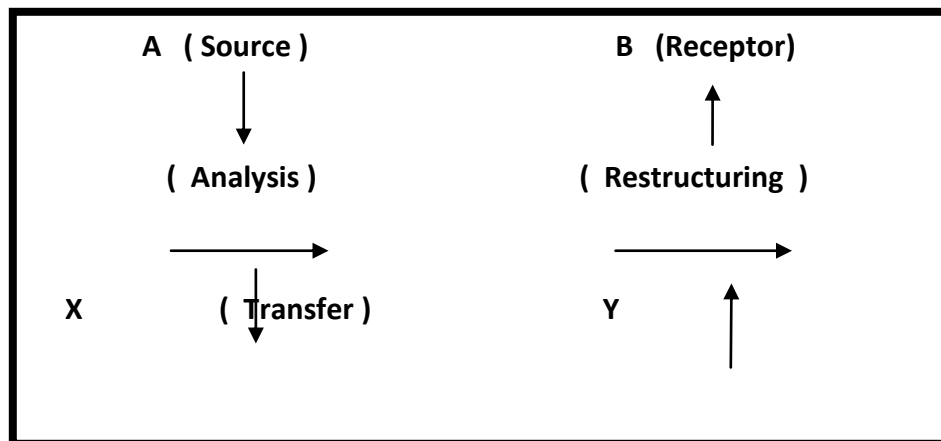


Figure 1. The process of translation
(Nida and Taber, 1969:33)

The text is an article which from the 1st Times Newspaper on Friday, June 3, 2011.

Mahfud MD serukan buat perjanjian ekstradisi dengan Singapura

Ketua Mahkamah konstitusi Mahfud MD telah meminta pemerintah Indonesia untuk memulai membuat perjanjian ekstradisi dengan singapura mengingat banyak koruptor atau penjahat yang melarikan diri ke Negara itu. Belum ada agenda khusus untuk membuat perjanjian ekstradisi dengan Singapura. Hal ini seharusnya dipublikasikan untuk menggalang dukungan public,"kata mahfud pada kamis setelah konfrensi pers di kantor pusat muhammadiyah Jakarta.

Mahfud MD menyarankan agar Indonesia harus bersikap resmi dalam kaitannya dalam dengan hubungan bilateral antar kedua Negara dan itu harus di lanjutkan dengan pembuatan perjanjian ekstradisi

2.1 Student's Translation

Mahfud MD shout out govern to make extradition treaty with Singapore

Head of Court Constitutional Mahfud MD has asked to the government of Indonesia to start make extradition treaty with Singapore, to remind that many corruptors or criminals flee to the state.

Not yet special agenda of making extradition treaty with Singapore. This problem should be published to collect public support,'Mahfud MD said Thursday after a press conference at Muhammadiyah Office Central in Jakarta.

Mahfud MD suggested Indonesia should have officially determined its stance in relation to the bilateral relation between the two countries and it must be continued with the making of extradition treaty.

According to Mackey (1965) there are some reasons that lead the students to the formation of such a peculiar language in learning second language that the learners are faced with problems of adjustment in writing of the native language. The translations above shows that the students tend to use their own culture and adjustment in translate into the English such as:

Indonesian text	Student's translation	Suggested translation
Mahfud MD serukan	Mahfud MD shout out govt	Mahfud MD calls on govt
Ketua Mahkamah Konstitusi telah meminta pemerintah Indonesia untuk membuat perjanjian ekstradisi dengan singapura mengingat banyak koruptor atau penjahat yang Melarikan diri kenegarai tu	Head of Court Constitutional Mahfud MD has asked to the government of Indonesia to start make extradition treaty with Singapore to remind that many corruptors or criminals flee to the state.	Chairman of Constitutional Court Mahfud MD has called on the government of Indonesia to start making extradition treaty with the neighbor Singapore in the light that many corruptors or criminals flee to the city

		state.
<p>Belumada agenda khusus untuk membuat perjanjian ekstradisi dengan Singapura. Hal ini seharusnya dipublikasikan untuk menggalang dukungan public,"katamah fud pada kamis setelah konfrensi pers di kantor pusat muhammadiyah Jakarta.</p>	<p>Not yet special agenda of making extradition treaty with Singapore. This problem should be published to collect public support,'Mahfud MD said Thursday after a press conference at Muhammadiyah Office Central in Jakarta.</p>	<p>There has yet any special agenda of making extradition treaty with Singapore. It should have been published to garner public support,'Mahfud MD said Thursday after a press conference at Muhammadiyah Central Board Office in Jakarta.</p>
<p>Mahfud MD menyarankan agar Indonesia harus bersikap resmi dalam kaitannya dalam dengan hubungan bilateral antara kedua Negara dan itu harus dilanjutkan dengan pembuatan perjanjian ekstradisi</p>	<p>Mahfud MD suggested Indonesia should have officially determined its stance in relation to the bilateral relation between the two countries and it must be continued with the making of extradition treaty.</p>	<p>Mahfud MD suggested Indonesia should have officially determined its stance in relation to the bilateral relation between the two countries and it must be continued with the making of extradition treaty</p>

2.2 Potential Problems

From the table above we can see from Indonesian text, student's translation and suggested translation into English there are some potential problems such as :

1. Potential problems due to grammatical complexity including phrase, clause and sentences (Listyo,2003)
2. The translations above shows that the students tend to use their own culture and adjustment in translate into the English (Mackey ,1965)
3. Lack of knowledge students in grammatical used and functions.

2.3 Suggested Translation into English

Mahfud MD calls on govt. to make extradition treaty with Singapore

Chairman of Constitutional Court Mahfud MD has called on the government of Indonesia to start making extradition treaty with the neighbor Singapore in the light that many corruptors or criminals flee to the city state.

There has yet any special agenda of making extradition treaty with Singapore. It should have been published to garner public support,'Mahfud MD said Thursday after a press conference at Muhammadiyah Central Board Office in Jakarta.

Mahfud MD suggested Indonesia should have officially determined its stance in relation to the bilateral relation between the two countries and it must be continued with the making of extradition treaty

2.3 The text is an article which from the 1stNewspaper on Friday, June 3, 2011.

KY to announce supreme judge candidates

Judicial Commission (KY) is set to announce the candidates of the supreme Judges on June 6, 2011. Vice chairman of KY Imam AnsoriSaleh was quoted on Thursday by Antara as saying

that KY had set 45 candidates of the supreme judge who have passed the second stage of selection.

They have passed the selection of 79 candidates of supreme judges by KY. Their names will be announced on June in the website of KY and on June 7 at mass media,” he said.

The second stage of selection, According to Imam, is combination between the assessments is also combined with the evaluation of the sentences handed down by non-career candidates of supreme judge,” he said. He added KY will weigh a number of aspects to determine the candidates who pass the selection.

The other aspects are what the need of supreme judge requested by Supreme Court (MA), balance between carrier and non-carrier and their track records noted by KY, complaints filed by the public as well as KY findings, “he said.

The last stage is assessments on health test, the result of investigation, interview with the commissioners.

2.4 Student’s Translation into Indonesian

Komisiyudisialmengumumkancalon hakim agungbulanjuni 6, 2011.

Wakil KY Imam Ansori dikutip pada hari kami soleh antara mengatakan bahwa KY telah menentukan 45 calon hakim agung yang telah lulus seleksi bagian kedua. Mereka telah lolos seleksi dari 79 calon Hakim Agung oleh KY. Nama –nama mereka akan diumumkan pada tanggal 6 Juni di website KY dan pada tanggal 7 juni di media massa,” katanya

Tahap kedua seleksi, menurut Imam adalah kombinasi antara penilaian pada karya tulis, wawancara oleh ahli dan penilaian profile.

Point penilaian juga mengkombinasikan dengan evaluasi dari kalimat yang telah dijatuhkan oleh calon hakim agung non-carir ;”katanya

Dia menambahkan , KY akan mempertimbangkan aspek – aspek untuk menentukan kandidat yang lolos seleksi.

“Aspek yang lainya adalah apa yang dibutuhkan Mahkamah Agung (MA) tentang hakim agung, keseimbangan antara karirdan non-karir dan rekam jejak yang dicatatoleh KY, keluhan yang diajukan oleh masyarakat dan temuan KY,” katanya.

Tahap akhir adalah penilaian hasil tes kesehatan, hasil investigasi serta wawancara dengan komisaris

English text	Student's translation	Suggested translation
<p>Judicial Commission (KY) is set to announce the candidates of the supreme Judges on June 6, 2011. Vice chairman of KY Imam Ansori Saleh was quoted on Thursday by Antara as saying that KY had set 45 candidates of the supreme judge who have passed the second stage of selection.</p>	<p>Komisi yudisial mengumumkan calon hakim agung bulan juni 6, 2011. Wakil KY Imam Ansori dikutip pada hari kamis oleh antara mengatakan bahwa KY telah menentukan 45 calon hakim agung yang telah lulus seleksi bagian kedua.</p>	<p>Komisi yudisial akan mengumumkan calon hakim agung pada 6 juni , 2011. Wakil KY Imam Ansori seperti dikutip oleh Antara pada kamis mengatakan KY telah menetapkan 45 calon hakim agung yang telah lulus seleksi tahap kedua.</p>
<p>They have passed the selection of 79 candidates of supreme judges by KY. Their names will be announced on 6 June in the website of KY and on June 7 at mass media," he said</p> <p>The second stage of selection, According to Imam, is combination between the assessments on paper writing , interview, by the expert and profile assessments</p> <p>The point of assessment is also combined with the evaluation of the</p>	<p>Mereka telah lolos seleksi dari 79 calon Hakim Agung oleh KY.Nama –nama mereka akan diumumkan pada tanggal 6 juni di website KY dan pada tanggal 7 juni di media massa," katanya</p> <p>Tahap kedua seleksi, menurut Imam adalah kombinasi antara penilaian pada karya tulis, wawancara oleh ahli dan penilaian profile</p> <p>Point penilaian juga dikombinasikan dengan</p>	<p>Mereka telah lolos seleksi 79 calon Hakim Agung yang dilakukan oleh KY.Nama – nama mereka akan diumumkan pada 6 juni di website KY dan pada 7 juni di media massa," katanya</p> <p>Tahap kedua seleksi, menurut Imam adalah kombinasi antara penilaian pada karya tulis, wawancara oleh ahli dan penilaian profile</p> <p>Point penilaian juga dikombinasikan dengan</p>

<p>sentences handed down by non-career candidate of supreme judge,” he said.</p> <p>He added KY will weigh a number of aspects to determine the candidates who pass the selection.</p> <p>“ The other aspects are what the need of supreme Court (MA), balance between carrier and non-carrier and their track records noted by KY, complaint filed by the public as well as KY finding, “he said</p> <p>The last stage is assessments on health test, the result of investigation, interview with the commissioners</p>	<p>evaluasi dari kalimat yang telah dijatuhkan oleh calon hakim agung non-karir ;”katanya</p> <p>Dia menambahkan , KY akan mempertimbangkan aspek - aspek untuk menentukan kandidat yang lolos seleksi</p> <p>“Aspek yang lainya adalah apa yang dibutuhkan Mahkamah Agung (MA) tentang hakim agung, keseimbangan antara karir dan non-karir dan rekam jejak yang dicatat oleh KY, keluhan yang diajukan oleh masyarakat dan temuan KY,” katanya.</p> <p>Tahap akhir adalah penilaian hasil tes kesehatan, hasil investigasi serta wawancara dengan komisaris</p>	<p>evaluasi dari ketetapan yang telah dijatuhkan oleh calon hakim agung non-karir ;”katanya</p> <p>Tambahnya, KY akan mempertimbangkan sejumlah aspek untuk menentukan kandidat yang bakal lolos seleksi.</p> <p>“Aspek lainya adalah bagaimana kebutuhan Mahkamah Agung (MA) akan hakim agung, keseimbangan antara karir dan non-karir dan rekam jejak yang dicatat oleh KY, keluhan yang diajukan oleh masyarakat dan temuan KY,” katanya.</p> <p>Tahapan akhir adalah penilaian hasil tes kesehatan, hasil investigasi serta wawancara dengan komisaris</p>
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2.5 Suggested translation into Indonesian

KY akan mengumumkan calon hakim agung

Komisi yudisial akan mengumumkan calon hakim agung pada 6 juni , 2011. Wakil KY Imam Ansori seperti dikutip oleh Antara pada Kamis mengatakan KY telah menetapkan 45 calon hakim agung yang telah lulus seleksi tahap kedua. Mereka telah

lulus seleksi 79 calon Hakim Agung yang dilakukan oleh KY. Nama – nama mereka akan diumumkan pada 6 juni di website KY dan pada 7 juni di media massa,” katanya

Tahap kedua seleksi, menurut Imam adalah kombinasi antara penilaian pada karya tulis, wawancara oleh ahli dan penilaian profile. Tambahnya, KY akan mempertimbangkan sejumlah aspek untuk menentukan kandidat yang bakal lolos seleksi.

“Aspek lainya adalah bagaimana kebutuhan Mahkamah Agung (MA) akan hakim agung, keseimbangan antara karir dan non-karir dan rekam jejak yang dicatat oleh KY, keluhan yang diajukan oleh masyarakat dan temuan KY,” katanya.

Tahap teraksir adalah penilaian hasil tes kesehatan, hasil investigasi serta wawancara dengan komisariss.

3. Conclusion

Based on the students’ translation above and The writer has discussed the errors that the students have made in the way they translate, and tried to find out the causes and show the ways of overcoming them. It is advisable for teaching English in the faculty of law or another department to take the reason above into consideration as they might give important contribution to foreign language learning. The understanding of the native language rule and English language rule may decrease the teacher’s frustration and improve their teaching.

Some of the suggestions as follow:

1. understanding the differences meaning between speech and writing even in translation
2. The nature of the source – language text and the student’s lack of knowledge about the grammar.

3. The way students translate will depend on motivational, background of the students and their knowledge.
4. The translation lecturer must take a selection of the material to be translated which based on the students need in the learning process.
5. Showing the contrast between the native languages and foreign language or second language

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