

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

**(A Case Study at the Fourth Semester Faculty of Law)**

**Ardiyan**

### **Abstract**

*The article will discuss some misinterpretations while the learning process in the classroom in translating the 1<sup>st</sup> 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 1<sup>st</sup> 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

### **I. 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 1<sup>st</sup> Times newspaper, Jakarta post of English agreement text (source text) from the newspaper The 1<sup>st</sup> 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 ), *Kamus Lengkap 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.

## 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.

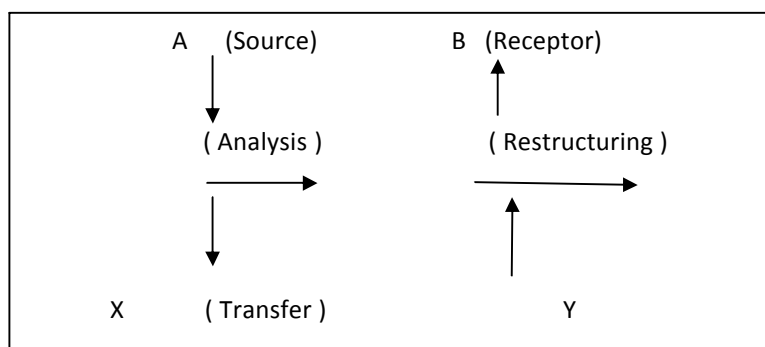


Figure 1. The process of translation  
(Nida and Taber, 1969:33)

The text is an article which from the 1<sup>st</sup> 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 antara kedua Negara dan itu harus dilanjutkan 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:

<b>Indonesian text</b>	<b>Student's translation</b>	<b>Suggested translation</b>
Mahfud MD serukan	Mahfud MD shout out govt	Mahfud MD calls on govt

pemerintah		
Ketua Mahkamah Konstitusi telah meminta pemerintah Indonesia untuk membuat perjanjian ekstradisi dengan singapura mengingat banyak koruptor atau penjahat yang melarikan diri kenegara itu	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.
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.	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.	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 menyarankan agar Indonesia harus bersikap resmi dalam kaitannya dalam dengan hubungan bilateral antara kedua Negara dan itu harus dilanjutkan dengan pembuatan perjanjian ekstradisi	Mahfud MD suggested Indonesia should have officially determined its stance in relation to the bilateral relation between two countries and it must be continued with the making of extradition treaty.	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

## 2.2 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 1<sup>st</sup> Newspaper 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 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.

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

### *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. 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 di jatuhkan 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 karir dan non-karir dan rekam jejak yang dicatat oleh KY, keluhan yang diajukan oleh masyarakat dan temuan KY,” katanya.*

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

<b>English text</b>	<b>Student's translation</b>	<b>Suggested translation</b>
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.	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.	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.
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	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	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>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>Tahap kedua seleksi, menurut Imam adalah kombinasi antara penilaian pada karya tulis, wawancara oleh ahli dan penilaian profile</p>	<p>Tahap kedua seleksi, menurut Imam adalah kombinasi antara penilaian pada karya tulis, wawancara oleh ahli dan penilaian profile</p>
<p>The point of assessment is also combined with the evaluation of the sentences handed down by non-career candidate of supreme judge,” he said.</p>	<p>Point penilaian juga dikombinasikan dengan evaluasi dari kalimat yang telah dijatuhkan oleh calon hakim agung non-karir ;”katanya</p>	<p>Point penilaian juga dikombinasikan dengan evaluasi dari ketetapan yang telah dijatuhkan oleh calon hakim agung non-karir ;”katanya</p>
<p>He added KY will weigh a number of aspects to determine the candidates who pass the selection.</p>	<p>Dia menambahkan , KY akan mempertimbangkan aspek - aspek untuk menentukan kandidat yang lolos seleksi</p>	<p>Tambahnya, KY akan mempertimbangkan sejumlah aspek untuk menentukan kandidat yang bakal lolos seleksi.</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>“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>“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>The last stage is assessments on health test, the result of investigation, interview with the commissioners</p>	<p>Tahap akhir adalah penilaian hasil tes kesehatan, hasil investigasi serta wawancara dengan komisaris</p>	<p>Tahapan akhir adalah penilaian hasil tes kesehatan, hasil investigasi serta wawancara dengan komisaris</p>

## 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 lainnya 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 terakhir adalah penilaian hasil tes kesehatan, hasil investigasi serta wawancara dengan komisaris.*

### **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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## PETUNJUK PENULISAN JURNAL

Jurnal penelitian Bahasa dan Sastra Fakultas Sastra Universitas Pamulang *Paradigma Lingua* terbit dua periode dalam setahun (Januari-Juni dan Juli-Desember). Kami mengundang para peneliti, ilmuwan, dan praktisi bidang bahasa dan sastra untuk mengirimkan hasil penelitian dan pemikirannya yang ditulis dalam bahasa Inggris untuk bahasa dan sastra Inggris dan untuk bahasa dan sastra Indonesia dalam bahasa Indonesia.

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**JUDUL** (dalam huruf kapital)

**Nama penulis** (non-kapital, disertai nama institusi dibawahnya)

**Abstrak** (kurang lebih 100 kata; berisi latar belakang, permasalahan, teori, metode, dan hasil)

**Key words:** (setelah titik dua kata-kata kunci ditulis miring, huruf pertama kapital)

**INTRODUCTION** (pendahuluan, mencakup latar belakang, masalah, dan tujuan)

**REVIEW OF LITERATURE/THEORETICAL REVIEW** (ulasan teori)

**ANALYSIS** (pembahasan)

**CONCLUSION** (kesimpulan)

**REFERENCES/BIBLIOGRAPHY/WORKS-CITED** (daftar pustaka)

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- Setiap sumber yang dikutip harus tercantum dalam daftar pustaka.
- Kutipan kurang dari tiga baris dimasukan ke dalam tulisan, kecuali lebih maka harus berbentuk paragraf menggantung (indented/menjorok ke dalam) dengan spasi tunggal.
- Penulis yang dikutip ditulis dengan urutan: nama akhir, tahun penerbitan, dan halaman. Contoh: DiYanni (2000: 35) atau (DiYanni, 2000:35)

### Penulisan Daftar Pustaka

- Referensi dapat berupa kombinasi buku, jurnal ilmiah, artikel internet, dan karya sastra.

- Sumber umumnya ditulis dengan urutan: nama akhir, nama kedua/pertama, titik, tahun penerbitan (boleh dalam kurung atau tidak, tapi harus konsisten), titik, judul buku (cetak miring atau garis bawah; konsisten), titik, kota penerbitan, titik dua, dan nama penerbit, titik. Contoh:

***Buku***

DiYanni, Robert. (2000). *Literature: Introduction to Fiction, Poetry, and Drama*. London: McGraw-Hill.

***Jurnal***

Savignon, S. J. (2000). *Communicative Language Teaching*. In M. Byram (Ed.) *Routledge Encyclopedia of Language Teaching and Learning*. (pp. 124-129). London: Routledge.

***Artikel/jurnal internet***

Kelly, Charles, Lawrence Kelly, Mark Offner & Bruce Vorland. (2002). Effective Ways to Use Authentic Materials with ESL/EFL Students. *The Internet TESL Journal*, Vol. VIII, No. 11.  
<http://www.iteslj.org/Techniques/Kelly-Authentic.html>  
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