

En la tierra del ciego, el tuercos es rey:
**Problems with Current English-Spanish Legal
Dictionaries, and Notes toward a Critical
Comparative Legal Lexicography***

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In the past ten years more than thirty English-Spanish legal dictionaries have been published. In reaction to the wide variation in the quality of these dictionaries, this article attempts to articulate the beginnings of a rubric for the evaluation of English-Spanish legal dictionaries, borrowing from Bryan Garner's work with legal dictionaries, then turning to the literature evaluating bilingual dictionaries and bilingual legal dictionaries. The article concludes with an annotated bibliography of major titles in this narrow, but increasingly significant, field.

Introduction

¶1 The Spanish *dicho*, or saying, that provides the title of this essay translates nearly verbatim into an aphorism familiar to English-speakers: "In the land of the blind, the one-eyed man is king." Indeed, the intellectual territory represented by current popular English-Spanish legal dictionaries is noteworthy for its surplus of "one-eyed kings." Some of the most common English-Spanish legal dictionaries are partially useful, but they fail to offer critical information necessary to individuals seeking meaning and context for the terms and terms of art essential to inter-American legal practice. Other dictionaries, however, are extremely helpful. This article attempts to distinguish the latter from the former by laying the foundations for a methodology that librarians, lawyers, and students may use when assessing an English-Spanish legal dictionary.

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¶2 Over the past ten years, publishers have released more than thirty English-Spanish legal dictionaries.¹ However, only a few of these titles have been collected by more than one hundred libraries worldwide.² Current interest in these items is easily explained: even the most cursory glance at business or legal news headlines demonstrates the increasing internationalization of financial transactions, as well as the practice of law that stewards these transactions. As international transactions and communications become more commonplace for businesses and for the practice of law, the interest in legal reference sources that address these concerns also increases.³

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1. This and all subsequent bibliographic data is taken from the WorldCat database through OCLC's First Search, available at <http://newfirstsearch.oclc.org> (subscription required). In general my subject search used the following algorithm: la= "eng" and (((su= "Law" AND su= "Dictionaries") and su= "Spanish")). This search returned sixty items on December 8, 2005, seventy-one items on January 31, 2006, eighty-one items on November 28, 2006, and one hundred items on September 25, 2007.
 2. The search was sorted by "Libraries Worldwide." As of September 25, 2007, the ten most common English-Spanish law dictionaries found in the world's libraries were as follows:
 - SOLIS ET AL., WEST'S SPANISH-ENGLISH/ENGLISH-SPANISH LAW DICTIONARY (1992) (Libraries Worldwide: 392)
 - LOUIS ADAMS ROBB, DICTIONARY OF LEGAL TERMS: SPANISH-ENGLISH AND ENGLISH-SPANISH (1955) (Libraries Worldwide: 322)
 - GUILLERMO CABANELLAS & ELEANOR C. HOAGUE, BUTTERWORTHS SPANISH/ENGLISH LEGAL DICTIONARY = DICCIONARIO JURÍDICO ESPAÑOL/INGLÉS BUTTERWORTHS (1991) (Libraries Worldwide: 318)
 - BENMAMAN ET AL., BILINGUAL DICTIONARY OF CRIMINAL JUSTICE TERMS (ENGLISH/SPANISH) (1991) (Libraries Worldwide: 271)
 - P. H. COLLIN, SPANISH LAW DICTIONARY: SPANISH/ENGLISH, ENGLISH/SPANISH = DICCIONARIO DE TÉRMINOS JURÍDICOS: ESPAÑOL-INGLÉS, INGLÉS-ESPAÑOL (1999) (Libraries Worldwide: 255)
 - STEVEN M. KAPLAN & ANTONIO ESCUDERO VIERA, WILEY'S ENGLISH-SPANISH AND SPANISH-ENGLISH LEGAL DICTIONARY = DICCIONARIO JURÍDICO INGLÉS-ESPAÑOL Y ESPAÑOL-INGLÉS WILEY (1993) (Libraries Worldwide: 244)
 - HENRY S. DAHL & TAMERA BOUDREAU, MCGRAW-HILL'S SPANISH AND ENGLISH LEGAL DICTIONARY: DAHL'S ABRIDGED LAW DICTIONARY = DICCIONARIO JURÍDICO INGLÉS-ESPAÑOL: DICCIONARIO JURÍDICO ABREVIADO DAHL (2004) (Libraries Worldwide: 206)
 - HENRY S. DAHL, DAHL'S LAW DICTIONARY: SPANISH-ENGLISH/ ENGLISH-SPANISH: AN ANNOTATED LEGAL DICTIONARY, INCLUDING AUTHORITATIVE DEFINITIONS FROM CODES, CASE LAW, STATUTES, AND LEGAL WRITING AND LEGAL OPINIONS OF ATTORNEYS GENERAL = DICCIONARIO JURÍDICO DAHL (3d ed. 1999) (Libraries Worldwide: 203)
 - STEVEN M. KAPLAN & FERNANDO POMBO, WILEY'S ENGLISH-SPANISH, SPANISH-ENGLISH LEGAL DICTIONARY = DICCIONARIO JURÍDICO INGLÉS-ESPAÑOL, ESPAÑOL-INGLÉS WILEY (2d ed. 1997) (Libraries Worldwide: 194)
 - ARTURO L. TORRES & FRANCISCO AVALOS, LATIN AMERICAN LEGAL ABBREVIATIONS: A COMPREHENSIVE SPANISH/PORTUGUESE DICTIONARY WITH ENGLISH TRANSLATIONS (1989) (Libraries Worldwide: 183)
 3. As one example of this point, Dean Daniel Rodríguez of the University of San Diego School of Law writes in his preface to Vargas's *Mexican Legal Dictionary and Desk Reference* that:

[The development and improvement of] practical legal and business relationships among individuals in both [the United States and Mexico] requires common understanding, though not necessarily a common language, so that business and legal transactions can be completed efficiently and fairly. The growing economic interdependence of both countries makes the development and maintenance of this common understanding absolutely critical.

¶3 Law schools are adjusting curricula to respond to this interest: for example, the “Week One” program at Georgetown University Law Center immerses first-year students in hypothetical disputes that cross national boundaries.⁴ Current interest in foreign and international law is spurred by necessity. After Justice Stephen Breyer famously listed several recent Supreme Court cases involving international issues in front of a meeting of the American Bar Association, he was recorded as saying that deciding such cases requires

lawyers and judges who have some familiarity or ability to reach out and find out about certain areas of foreign law. We can’t do that in the Supreme Court unless the lawyers know enough about us to point the way. And the lawyers can’t point the way unless the law professors teach the students that [foreign and international law] is something they ought to look at.⁵

¶4 As legal curricula adapt to changing practice needs, law schools and law libraries should also change their reading lists and library collections accordingly. This creates, in turn, additional tasks for librarians, especially those who make decisions about collection development: how does the judicious librarian distinguish among items as specialized as English-Spanish legal dictionaries? After all, English-Spanish legal dictionaries often require relatively frequent replacement as they are among the more common items to “go missing.”⁶ And budget realities, especially among publicly funded institutions, often prevent law libraries from acquiring all titles within a particular subject area. Such realities present a particular complication in the development of any collection of highly specialized items.

¶5 Bilingual legal dictionaries play a fundamental role in developing a collection of foreign, comparative, and international law (FCIL).⁷ Yet even assessing the value and quality of simple monolingual law dictionaries is a task beset with difficulties; Mersky & Dunn’s legendary *Fundamentals of Legal Research* devotes fewer than three full pages to the presentation of law dictionaries, and offers only the most basic standards by which to assess the value of a law dictionary.⁸ Bryan

Daniel B. Rodriguez, *Preface*, in JORGE A. VARGAS, *MEXICAN LEGAL DICTIONARY AND DESK REFERENCE* vii (2003). Other scholars have noted that although “publishing houses are offering numerous bilingual legal dictionaries to translators and lawyers . . . the quality of most of these dictionaries is poor to extremely bad. Only a few dictionaries are of good quality.” Gerard-René de Groot & Conrad J.P. van Laer, *The Dubious Quality of Legal Dictionaries*, 34 INT’L J. LEGAL INFO. 65, 65 (2006).

4. See Lindsay Fortado, *Thinking Globally: Law Schools Expand International Curricula*, NAT’L LAW J., Mar. 6, 2006, at 1.
5. Stephen Breyer, Remarks at the American Bar Association 2005 Annual Meeting (Aug. 2005) (audio of remarks available at <http://www.npr.org/templates/story/story.php?storyId=5248982>).
6. Several law librarians shared this information with me in confidence during the course of my research for this article.
7. Bilingual dictionaries in general allow the librarian access to “the language of the jurisdiction, and more importantly, bi-lingual legal dictionaries . . . provide some access to the language of the law of the jurisdiction.” Barbara H. Garavaglia, *Collection Development Policies and Other Basic Tools for Building a Foreign and International Law Collection*, GLOBALEX, Mar. 2007, http://www.nyulawglobal.org/globalex/International_Foreign_Collection_Development.htm.
8. Mersky and Dunn offer little more than the following guidance:

A. Garner shapes his efforts in compiling “a classic dictionary of law,” along “five big questions” that he characterizes as informing recent editions of *Black’s Law Dictionary*.⁹ While this article examines Garner’s rubric in the service of articulating standards for assessing bilingual legal dictionaries, it is worth noting that any evaluation of the quality or value of a bilingual law dictionary is first complicated by the current lack of a set of commonly agreed-upon standards for assessment.¹⁰

¶6 In the realm of bilingual legal dictionaries, and English-Spanish legal dictionaries in particular, we currently have no figure who matches Garner’s authority.¹¹ This lack may well stem from the problems inherent in translating terms of meaning and practice, problems that further complicate the librarian’s task of evaluating and assessing bi- or multilingual legal dictionaries.¹² Given the current

Law dictionaries provide definitions of words and phrases. A short definition is given for each word or phrase. These definitions of legal terms are derived from a variety of sources, usually explained in the introductory matter of the dictionary or in the entries for each word. Some legal dictionaries also provide a citation to a court case, a reference that traces the etymology of the word or phrase, or a definition from a learned treatise.

ROY M. MERSKY & DONALD J. DUNN, *FUNDAMENTALS OF LEGAL RESEARCH* 430 (8th ed. 2002). It is the position of this author that useful entries in law dictionaries feature, at a minimum, significant or illuminating court citations, etymological tracings or definitions from learned treatises, and perhaps all of the above when appropriate. *Black’s Law Dictionary* provides an example of a law dictionary that meets this standard. See, e.g. BLACK’S LAW DICTIONARY iii (6th ed. 1990) (describing the sources used to create the definitions). The newest (eighth) edition of *Black’s*, edited by Bryan Garner, has apparently taken this standard to a new apex, according to Mersky and Price’s encomium: “If, as it has been suggested, dictionaries ‘reveal a truth,’ the eighth edition of *Black’s* strives to reveal a higher truth, one that has solid (and cited) foundations in centuries of American and English jurisprudence.” Roy M. Mersky & Jeanne Price, *The Dictionary and the Man*, 9 GREEN BAG 2d 83, 84 (2005) (reviewing BLACK’S LAW DICTIONARY (8th ed. 2004)).

9. Bryan A. Garner, *Legal Lexicography: A View from the Front Lines*, ENG. TODAY, Jan. 2003, at 33, 33. His rubric consists of the following questions:
1. To what extent should a law dictionary be a *dictionary*— as opposed to a legal encyclopedia? That is, to what extent should it merely define terms, as opposed to expansively discussing the law relating to those terms?
 2. To what extent is a law dictionary a work of original scholarship—as opposed to a compilation of judicial definitions?
 3. To what extent should we worry about the formalities of defining words—that is, about getting the lexicography right as well as getting the law right?
 4. To what extent can the modern lexicographer rely on the accuracy of predecessors?
 5. How do you find the material to include in a dictionary?

Id.

10. Mersky and Dunn summarize the state and scope of multi-language legal dictionaries in the following terms: “Several bilingual and polyglot law dictionaries are available, such as Portuguese-English, English-Japanese, and English-French-German.” MERSKY & DUNN, *supra* note 8, at 432.
11. While de Groot and van Laer have written extensively on bilingual legal dictionaries, they consciously excluded English-Spanish legal dictionaries after determining that Spanish was not one of the “main EU-languages.” De Groot & van Laer, *supra* note 3, at 76. When measured against the corpus of bilingual legal dictionaries, those scholars found that Spanish was a “target language for only four other legal EU-languages.” *Id.* at 77; see *infra* ¶ 10 for a brief discussion of the terms “source language” and “target language.”
12. These problems of language are summarized by lexicographers as examples of the “anisomorphism of languages,” which include “the differences in the organization of designate in the individual languages and by other differences between languages.” LADISLAV ZGUSTA, *MANUAL OF LEXICOGRAPHY* 294 (1971). Since the practice of law, in almost any jurisdiction, is a practice that relies upon the

difficulties inherent in evaluations of bi- or multilingual dictionaries, as well as the current lack of standards for doing so, some may suggest that no standard or methodology of evaluation is necessary or useful. It may be simpler to evaluate these items on an *ad hoc* basis, with the occasional book review assisting lawyers and librarians in determining which dictionaries would be necessary for any given collection.

¶7 This sort of response may appear obvious, but it fails to fully apprehend the vital role that interlingual legal dictionaries perform.¹³ Witness the following context that Francisco Avalos offers for legal translation: “[B]efore people and nations can conduct international trade they must be able to communicate with another. There must also exist rules and uniform commercial documents that can assure the transfer and payment for goods in an orderly and timely fashion.”¹⁴ By describing the fundamental elements of a set of international trade norms and laws in the context of a discussion of legal translation, Avalos directly proposes that standards of legal translation are as fundamental as standards for international trade rules. He concludes his remarks by suggesting that these standards of translation are found in bi- or multilingual legal reference works: bibliographies, encyclopedias, practice guides, and dictionaries.¹⁵ As foundational tools in an international practice of law

understanding and interpretation of particular terms, it makes sense to suppose that, with respect to comparative or transnational law, there exists an “anisomorphism of practice,” which would address “differences in the organization of [a] designated concept or procedure from individual jurisdictions as well as other differences between jurisdiction.” de Groot and van Laer, *supra* note 3, at 66 (“The specific problems of translating legal terminology are caused by the system-specificity inherent in legal language . . . [which] means that within a single language there is not only one legal language. . . . Any given language can have as many legal languages as there are systems using that language as a legal language. As a consequence, it is of primary importance to establish that one legal language must be translated into another *legal* language. One should not translate from a legal language into the ordinary words of the target language, but into the legal terminology of the target language.”).

13. Here, “role” refers explicitly to the use of such dictionaries in support of transactions or other legal practice, on top of the vital role in developing FCIL collections, as acknowledged in Garavaglia, *supra* note 7.

14. Francisco Avalos, *Legal Translations: Some Tips*, Lecture at the San Diego State University National Language Resource Center (July 24, 1998) (transcript available at http://www.law.arizona.edu/Library/Research/Guides/legal_translations.cfm?page=research). Avalos cuts to the quick of this issue:

The rules and uniform documents for international trade are being created by the various governments and organizations such as the National Law Center for Inter-American Free Trade. When it comes to the ability to be able to communicate with one another, not too much is being done at the moment. How can a multi-million [dollar] business transaction take place if one party speaks Spanish and the other party speaks English? And, to further complicate matters there is the legal factor involved. The legal system of one country may be as different from the other country’s legal system as Spanish is from English.

Id. After observing that law firms may “be willing to spend thousands of dollars in Federal Expressing documents around the world, but will be reluctant to pay hundreds of dollars for a quality translation,” Avalos notes that there “is a great need for a national corps of well trained legal translators to educate the U.S. business world about the importance and difficulties of legal translating, and to provide these required translations.” *Id.* To be sure, the costs that Avalos notes would be alleviated by judicious acquisition of English-Spanish legal dictionaries; and in turn, the costs of acquiring such items would be mitigated by a methodology for evaluating these items.

15. *See id.* (“A legal translator should assure access to a law library, university library or a large public library. These libraries should be seen as part of the tools a legal translator will need. Law librar[ies]

that crosses languages as well as borders, bilingual legal dictionaries require methodical assessment if they are to fulfill their functions as reliable standards of translation.

¶8 In the hopes of encouraging and promoting such assessment, this article begins with a brief exploration of the vocabulary of dictionaries and bilingual dictionaries. Analysis then turns to Garner's evaluation of legal dictionaries and to scholarly evaluations of bilingual dictionaries, and culminates in an attempt to synthesize a rubric for evaluating English-Spanish legal dictionaries. Following this discussion, I have annotated recent items and useful examples (both good and bad) from the field of English-Spanish legal dictionaries.

Critical Descriptors of Dictionaries and Their Features

¶9 Like any other community of practice, dictionary makers use particular terms of art to describe what they do and how they do it. While a comprehensive introduction to lexicography is beyond the scope of this article, a presentation and exploration of certain terms critical to bilingual dictionaries is an appropriate introduction to this article's argument.¹⁶

¶10 The terms "source language" and "target language," for example, are key to understanding bilingual dictionaries and to articulating a critical language for assessing these tools. The "source language" is the language spoken by the putative reader of the dictionary, and the "target language" is the language that this reader seeks to access via the dictionary.¹⁷ With respect to most English-Spanish legal dictionaries published in the United States, the source language is generally North American English, and the target language is usually Latin American Spanish.

¶11 The "entry" is the basic unit of any dictionary. Zgusta defines entry as "the lexical units which are to be embraced in the . . . dictionary. . . ."¹⁸ Entries in bilin-

will have bilingual legal dictionaries and other resources such as a[s] journal articles and introduction to legal systems of the world. There will also be legal encyclopedias, and most important . . . there will be law librarians. A legal translator should look upon law librarians as colleagues who are there to help. In the other libraries I mentioned before, a legal translator can find specialized bilingual dictionaries for such areas as medicine, engineering, real estate and many other areas of specialty. The legal translator will require these special bilingual dictionaries when translating such things as injury reports and specialized contracts, such as an engineering contract.").

16. For an introduction to the lexicographical aspects of dictionary-making, see SIDNEY I. LANDAU, *DICTIONARIES: THE ART AND CRAFT OF LEXICOGRAPHY* (2d ed. 2001); see also ZGUSTA, *supra* note 12.
17. See ZGUSTA, *supra* note 12, at 294 ("The basic purpose of a bilingual dictionary is to coordinate with the lexical units of one language those lexical units of another language which are equivalent in their lexical meaning. The first language, to whose lexical units the lexical units of the other language are co-ordinated is called the source-language; the order of the entries in a bilingual dictionary is given by the source language. The other language whose lexical units are coordinated to the first ones, is called the target language.").
18. *Id.* at 240.

gual dictionaries typically consist of a word in the source language, coupled with an equivalent or an explanation in the target language. In general, the richer a bilingual dictionary's entries are, the more useful that dictionary is. "Headwords," of course, are the words that appear at the top of a given page to indicate the range of entries covered between any given pages of a dictionary.

¶12 "Polysemy" is a concept that is highly useful when discussing bilingual dictionaries and bilingual legal dictionaries. The Oxford English Dictionary defines "polysemy" as "[t]he fact of having several meanings; the possession of multiple meanings."¹⁹ The significance of this concept as an evaluative touchstone in bilingual legal dictionaries should be apparent. Comparative legal linguists have only begun to articulate the problems of polysemy with respect to legal translation, but the culture-bound and polysemic nature of many legal terms has led scholars to highlight the dangers of misleading translations.²⁰

Evaluating Legal Dictionaries

¶13 As noted above, very few guidelines currently exist for assessing and evaluating legal dictionaries.²¹ Garner's "five big questions for the writer of a modern

19. 12 OXFORD ENGLISH DICTIONARY 75 (2d ed. 1989).

20. See, e.g., HEIKKI E.S. MATTILA, COMPARATIVE LEGAL LINGUISTICS 262–64 (Christopher Goddard trans., 2006). Mattila categorizes "Translations Misleading Due to Polysemy" as one of the three dangers under the umbrella of "Misleading Literal Translations." *Id.* at 262–63. Mattila continues by noting that

Cases of polysemy are particularly difficult. This involves cases where an identical concept stands behind terms similar in two or more languages in certain contexts of usage but two or several divergent concepts in certain other contexts. Correct translation presupposes careful analysis of the contexts where the terms are used.

One example that well illustrates this problem is the term *jurisprudence*. In England and the United States, the original meaning of the term *jurisprudentia*, as used by the Ancient Romans, has *grosso modo* remained as such. In legal English, *jurisprudence* most often refers to legal theory. In France, by contrast, the meaning of the term began to change from the 17th century. In modern legal French, it refers to the body of court decisions and to the law established on the basis of those decisions. In the other Romance languages, the main meaning of the national variants of the term (*giurisprudenza* / *jurisprudencia* / *jurisprudência*) is the same as in France; however, they are occasionally used in the sense of 'legal science'. On the other hand, the meaning of 'body of judicial decisions' is also known in the legal language of the United States and in English texts on public international law. In sum, it can be said that the semantic emphasis of the term *jurisprudence* is differently placed in the Latin countries and the common law countries. In this first group, it normally refers to court decisions, while in the second it refers to legal science (theory). However, in both cases there are important exceptions to this rule that the translator should be aware of.

An analogous example, as to partial differences of meaning of legal English and French terms, is *jurisdiction*. The English term *jurisdiction* covers a semantic field distinctly wider than the French term *jurisdiction*.

Id. at 263–64 (citations omitted).

21. See also the following passage from Professor Mersky's comments before the Sixth Annual Conference of the International Association of Foreign Linguists in 2003:

Dictionaries have been with us for so long that most of us take them for granted. Reputable law dictionaries and specialized law dictionaries can be invaluable resources to legal scholars.

law dictionary”²² may lead us toward a set of such guidelines. I have attempted to reframe these questions into the criteria below, offer a brief discussion of each criterion, and then apply these distinctions to English-Spanish legal dictionaries.

¶14 Garner’s “Five Big Questions” may be summarized along the following matrix of continua: concise or encyclopedic; original or judicial; lexical or legal authority; new scholarship or prior legal lexicography; and source of material.²³ While Garner explains these continua in detail, a brief gloss on these distinctions may be useful here. An encyclopedic dictionary is one that offers a surplus of information, both in discrete entries as well as in front- or back-matter; while a concise dictionary is one that offers less information.²⁴ The distinction between “original scholarship” and “judicial,” in this context, refers to scope of the dictionary. While acknowledging the utility and the tradition of the judicial dictionary, Garner has chosen to create a reference that carries the authority of *Words and Phrases*, without necessarily serving the exact function that this multi-volume set serves.²⁵ The distinction between lexical and legal scholarship focuses upon the emphasis of the dictionary-maker; fortunately, Garner realizes that the maker of the legal dictionary must emphasize both lexical as well as legal scholarship.²⁶ When Garner weighs new scholarship against prior legal lexicography, he is acknowledging the recursive nature of dictionary-making, and perhaps suggesting that such items must be revisited frequently in order to remain relevant or current.²⁷ Finally, Garner’s emphasis on choice of material should be relatively self-evident: the more authoritative the support for a definition or entry, the more authoritative that dictionary will be. As such, makers of bilingual legal dictionaries should present supporting material from the most authoritative sources possible, such as code provisions, judge-made common law, or other official sources of law and doctrine.²⁸

Though we may have our personal preferences or quibbles with a particular style or presentation used by individual lexicographers, it is often assumed that legal dictionaries are—for the most part—scholarly, precise, and authoritative. The validity of these assumptions is critical since a dictionary definition can influence a verdict.

Roy M. Mersky, *The Evolution and Impact of Legal Dictionaries*, LEGAL REFERENCE SERVICES Q., 2004, no. 1, at 19, 20 (emphasis added).

22. Garner, *supra* note 9, at 33.

23. *See id.*

24. *See id.* at 33–34, 37–38. Garner acknowledges that when he was first named editor-in-chief of *Black’s Law Dictionary* “there was a growing view that some encyclopedic information is indispensable and that there’s no easy dividing line between what is definitional and what is encyclopedic.” *Id.* at 37. But compare de Groot and van Laer, for a counterpart to Garner’s discussion of an “encyclopedic dictionary.” De Groot and van Laer have constructed a trichotomy of bilingual legal dictionaries that range, in ascending quality, from “Word Lists,” to “Explanatory Dictionaries,” to “Comparative Dictionaries.” De Groot and van Laer, *supra* note 3, at 75.

25. *See* Garner, *supra* note 9, at 38.

26. *Id.* at 38–40.

27. *Id.* at 40–41; *see also* de Groot and van Laer, *supra* note 3, at 73 (“[As a best practice] legal dictionaries must be frequently reassessed and updated.”).

28. Garner explains that he gathers material substantiating the dictionary entries “as lexicographers must,

¶15 As a matter of practice, many elements of these questions may lead to solutions grounded in idiosyncrasy rather than empirically derived findings. Like the practice of law, bilingual lexicography often relies upon judgment as well as analysis of data. Both law and lexicography, after all, require “semantic particularization, refinement or discrimination,” with respect to terms and their meanings, and both fields require a certain, albeit uncomfortable, amount of uncertainty in their practice.²⁹

¶16 Garner begins to articulate his rubric by asking how encyclopedic a legal dictionary should be.³⁰ In the realm of legal scholarship, much of the tension between a dictionary that supplies definitions and a dictionary that offers expansive discussions within entries is obviated by the existence of comprehensive and authoritative legal encyclopedias, such as the multi-volume sets *American Jurisprudence*, *Corpus Juris Secundum*, and *Words and Phrases*. Garner specifically distinguishes the latter two items from the editions of *Black’s Law Dictionary* that bear his editorial imprint.³¹ By so doing, Garner clearly indicates his preference for the dictionary as a succinct, and subsequently, first reference source.

¶17 However, this distinction may not prove so useful with bilingual legal dictionaries. If lawyers, librarians, or students rely upon a bilingual legal dictionary as a source of information about the jurisdiction, as well as a source of meanings for given legal terms, then a bilingual legal dictionary may best serve its readers by leaning toward the encyclopedic.³² After all, as scholars have noted, inter-jurisdictional legal practice requires that “information on rules from one legal system has to be provided in the legal language of another legal system.”³³ Since the task of legal translation is not merely to provide access between different languages, but also between communities of practice among different languages, the individual using a reference to bridge these differences may be best served with dictionary entries that include more, rather than less, information.

by examining other reference books. But the more important method was examining hornbooks and treatises that deal systematically with a given legal field.” Garner, *supra* note 9, at 41.

29. See James E. Iannuci, *Meaning Discrimination in Bilingual Dictionaries*, in PROBLEMS IN LEXICOGRAPHY 201, 201 (Fred W. Householder & Sol Saporta eds., 1975) (noting the presence of particularization or discrimination of terms in bilingual lexicography); see also Sida Liu, *Beyond Global Convergence: Conflicts of Legitimacy in a Chinese Lower Court*, 31 LAW & SOC. INQUIRY 75, 77 (2006) (citing the work of Dezalay and Garth for “the classic sociolegal argument that legal practice is uncertain and constitutive, often ‘a combination of technical knowledge and relational resources’”).
30. Garner, *supra* note 9, at 33.
31. See *id.* at 34, 38.
32. Note that many monolingual unabridged dictionaries often include a wealth of reference material outside of the dictionary proper, including, but not limited to, language usage guides, gazetteers, information about government officials and documents, calendars, and a broad variety of similar resources. Even *Black’s Law Dictionary* includes such appendices as a “Table of Legal Abbreviations,” a collection of legal maxims from Latin, the U.S. Constitution, the Universal Declaration of Human Rights, a “Time Chart of the United States Supreme Court,” a map of the Federal Circuits, and a chart of British Regnal Years dating from the Norman Conquest. See BLACK’S LAW DICTIONARY 1653–1795 (8th ed. 2004).
33. de Groot & van Laer, *supra* note 3, at 65.

¶18 However, Garner's preference is not to "reinvent" *Words and Phrases* in his *Black's*. Mindful of the tendency that earlier editions of *Black's* showed toward becoming what Garner refers to as a "mere judicial dictionary," the latest edition defined "everything that might legitimately be called a legal term—whether . . . a judicially created doctrine or a type of legal philosophy . . ." ³⁴ This desire to be comprehensive, yet not encyclopedic, led Garner to present both lexical and legal emphases in his dictionary, and this approach may also serve bilingual legal dictionaries.

¶19 As suggested above, scholars looking for information about legal language are hopefully accustomed to relying upon secondary reference material within a dictionary, such as pronunciation or etymological guides, as well as material that explains and presents certain specific contexts of language use. Sadly, the majority of English-Spanish legal dictionaries annotated herein offer no such material, as many lack citations to judicial decisions, which can be of great use to individuals looking for definitions or reference sources in a dictionary. It may be that the most effective bilingual legal dictionaries are also those that combine judicial definitions with original scholarship.

¶20 Garner seems to believe this is the best strategy for the monolingual legal dictionary: he chose to balance judicial definitions with his own scholarship, and to emphasize scholarly lexical authority as much as he emphasizes legal authority. By means of explanation, Garner professes that he considers "lexicography to be serious scholarship . . . [s]o I rejected the idea of being a mere compiler of judicial scraps, and I scrapped the idea of having nonlegal terms . . ." ³⁵ He continues, distinguishing his editions of *Black's* from earlier editions by observing that

[a]lthough Henry Campbell Black had been pretty systematic in his entries, the various contributors to the book in the third through sixth editions . . . had allowed the book to sprout all sorts of stylistic inconsistencies. As far as I have been able to tell, they hadn't really been trained in lexicography. ³⁶

While the passages quoted above indicate Garner's preference for self-reliance in addressing the dichotomy between the lexical and the legal, they also privilege, albeit slightly, the former over the latter.

¶21 It is critical to remember that the reader of the bilingual legal dictionary will likely rely on that reference work to serve as a guide to the law of the jurisdiction where the target language is spoken. Readers are also likely to use such a dictionary as a guide to words in the target lexicon. As a source of lexical information about legal topics, bilingual or multilingual legal dictionaries must emphasize both legal and lexical authority; for items that provide access to legal meanings within and across legal systems, faults in lexicography and faults in legal authority

34. Garner, *supra* note 9, at 38.

35. *Id.*

36. *Id.*

will ultimately doom the utility of the volume. Ultimately, with monolingual as well as bilingual legal dictionaries, the choice between legal authority and lexical authority may be a false dichotomy, inasmuch as meaning in one realm is informed by meaning in the other.

¶22 Garner's experience with *Black's* also cautions against over-reliance upon the work of predecessors. He peppers his thoughts on legal lexicography with a variety of stories concerning errors in terms and entries, and concludes with a plan for including input from a broad variety of legal scholars across the spectrum of academic and practice, in order to "bring the text into an even better state of jurisdictional equilibrium."³⁷ As such, it almost sounds as if Garner aspires to an edition of *Black's* that provides coverage across comparative jurisdictions. If this sort of project were attainable, such catholic aspirations might render prior contributions from makers of legal dictionaries moot, as it is difficult to find earlier works that convincingly articulate comparable objectives.³⁸ While Garner never explicitly addresses the bilingual legal dictionary, it would stand to reason that the compilers of such dictionaries who rely exclusively upon the accuracy and expertise of their predecessors do so at their own risk.

¶23 Garner reports examining "as lexicographers must . . . other reference books . . . hornbooks and treatises" for source material, and he goes on to describe a programmatic method of reading in service of dictionary-making.³⁹ Yet applying this pragmatic method toward the compiling and creation of bilingual legal dictionaries also seems fraught with difficulty. Indeed, the source of terms is a key issue in any bilingual legal dictionary, even if this issue is only a function of the more fundamental task facing the maker of all bilingual dictionaries: "to decide whether the work is intended principally for the speakers of X- language or the speakers of Y- language. It is clearly impossible to pay equal attention to both X- speakers and Y- speakers in one and the same work."⁴⁰ This impossibility simultaneously drives and impedes the creation of English-Spanish legal dictionaries and ultimately forces the most successful of them to narrow their focus substantially.

37. *Id.* at 41.

38. *See id.* (noting that Garner's seventh edition covers an extensive amount of Roman law, as well as English and Scots law). *See also* BLACK'S LAW DICTIONARY, *supra* note 32, at x (acknowledging in Garner's preface the assistance of "Mayuca Salazar and Liliana Taboada, two learned lawyers from Monterrey, Mexico" in reviewing "the several Spanish-law terms that appear here").

39. Garner, *supra* note 9, at 41.

40. Richard S. Harrell, *Some Notes on Bilingual Lexicography*, in PROBLEMS IN LEXICOGRAPHY, *supra* note 29, at 51, 51. Harrell implies that the content of a bilingual dictionary must be driven by the needs of the target-language speakers, and not by the needs of source-language speakers. Therefore, English-Spanish legal dictionaries that provide access to English-language jurisprudence must be driven by the needs of Spanish-language speakers, and English-Spanish legal dictionaries that provide access to Spanish-language jurisprudence must be driven by the needs of English-language speakers. *See id.* at 51-52.

Evaluating Bilingual Dictionaries

¶24 Given recent trends in globalization and in publication, it seems likely that more, and not fewer, bilingual legal dictionaries will be published and distributed. However, merely increasing the number of bilingual legal dictionaries will not, standing alone, remedy the problems in evaluating bi- or multilingual dictionaries. Indeed, a proliferation of such works without much critical commentary may exacerbate the documented problems with incomplete or unhelpful bilingual legal dictionaries.

¶25 Sidney Landau, a noted authority on dictionaries, approvingly adopts Mary Haas's "desiderata for a bilingual dictionary," by suggesting that better bilingual dictionaries will be marked by the features below:

1. It provides a translation for each word in the source language.
2. Its coverage of the source language lexicon is complete.
3. Grammatical, syntactic, and semantic information is provided.
4. Usage guidance is given.
5. Names are included.
6. It includes special vocabulary items, such as scientific terms.
7. Spelling aids and alternative spellings are indicated.
8. Pronunciation is included.
9. It is compact in size—which obviously limits its coverage of items 1–8.⁴¹

As in the case of Garner's comments noted above, there is much that is simultaneously helpful and contradictory in Haas's aspirational standards.⁴² In particular, these measures must, by necessity, vary widely with respect to the authority and scope of each item. The first item, for example, presents a bar that is relatively low, even for a project as complex as a bilingual dictionary. All that an item must do is to provide a translation for each item it includes.

¶26 Few bilingual legal dictionaries, and few of the dictionaries annotated below, follow Haas's desiderata. Almost no legal dictionary offers pronunciation guides, entries on names, or usage guidance. The practice of including names as entries may be somewhat moot, since the language of the law does not, as a rule, rely upon personal names, save for significant cases in the development of a body of common law. (Still, using personal names as thematic or doctrinal signifiers is not unheard of, as anyone who has suffered through *The Rule in Shelley's Case* may be able tell you.) It is also worth noting that both earlier and current iterations

41. LANDAU, *supra* note 16, at 11 (citing Mary R. Haas, *What Belongs in a Bilingual Dictionary?*, in *PROBLEMS IN LEXICOGRAPHY*, *supra* note 29, at 45, 45).

42. *Compare* Garner, *supra* note 9, at 33 ("As a practicing lexicographer, I've had to answer [the five big questions]—and some of them I continue to answer *ad hoc*, from day to day and week to week."), *with id.* at 42 ("When you write a dictionary, especially in a field as wide-ranging as law, you're battling your own fallibility.").

of *Black's* have included (albeit sporadically) both pronunciation guides as well as nominal usage guidance to distinguish parts of speech or historical items.⁴³

¶27 Furthermore, few contemporary English-Spanish legal dictionaries feature many of the remaining items from Haas's list. In addition to a lack of guidance on pronunciation, usage, or names, entries in English-Spanish legal dictionaries tend to offer little guidance, if any, on matters of grammar, syntax, or semantics. Spelling variants may or may not be included, depending upon an incalculable host of variables. Perhaps the only items that commonly used English-Spanish legal dictionaries present from Haas's indicators of quality bilingual dictionaries are the following: they tend to be compact, and they offer translations of each word in the source language that the dictionary makers choose to define.

¶28 Writing almost twenty years after Haas, Steiner evaluates bilingual dictionaries pragmatically, from the perspective of the person consulting the dictionary. He suggests the following "inventory of fifteen ways in which the lexicographer" serves the reader by helping the reader "choose the needed word by means of convenient, clear, and appropriate clues":⁴⁴

1. Using the two sides of the dictionary to discriminate each other.
2. A word list which is as complete as possible: the affording of run-ons.
3. Illustrative sentences or phrases.
4. The part-of-speech label.
5. Pronunciation.
6. Etymology.
7. Punctuation.
8. Typography.
9. Fixed order.
10. Special signs and symbols.
11. Subject and usage labels.
12. Latin biological and botanical names.
13. Explanation of the use of a word or expression.
14. The context word or phrase.
15. A truncated form of the definition.⁴⁵

To be sure, an item such as "Latin biological and botanical names" is clearly inapposite to a dictionary of law. However, like Haas before him, Steiner also emphasizes the need to offer access to the traditional fundamentals of a dictionary entry, such as parts of speech, pronunciation, etymology, and the like. As noted above, few of the bilingual legal dictionaries annotated *infra* offer such data, and this lack

43. Compare BLACK'S LAW DICTIONARY at xix–xx, and inside front cover (8th ed. 2004), with BLACK'S LAW DICTIONARY at vii–xiv, and inside front cover (6th ed. 1991).

44. Roger J. Steiner, *How a Bilingual Dictionary Best Serves the Writer*, 1977 PAPERS DICTIONARY SOC'Y N. AM. 24, 24.

45. *Id.* at 24–26.

may indicate deeper structural issues within the current *ad hoc* approach to creating and assessing bilingual legal dictionaries.

¶29 More to the point, as Steiner's list progresses, it moves from more complex elements to simpler elements. The first two items, in particular, are not necessarily apparent upon first read. The practice of using both sides of a bilingual dictionary to discern and, in Steiner's words, discriminate a source language meaning from the target language meaning becomes extraordinarily complicated when the reader of the bilingual legal dictionary stops to contemplate the significant distinctions in practice among jurisdictions. However, as a brief examination of some of the less satisfactory dictionaries annotated below reveals, few bilingual legal dictionaries contain explanations for using the term defined, and even fewer contain entries including some modest presentation of that term's context of use. Some of the least satisfactory dictionaries, in fact, offer little more than the truncated form of a definition for the term in question. This suggests that the provision of equivalency lists, which stand in for bilingual legal dictionaries, requires less time and effort than creating more comprehensive bilingual legal dictionaries. The implications are clear: as market demand for these items increases, their quality is likely to decrease, unless we bring more critical attention to them.

Evaluating Bilingual Legal Dictionaries

¶30 As noted above, the criticism of bilingual legal dictionaries is somewhat thin. To be sure, de Groot is among the foremost scholars noting that "[t]ranslators of legal terminology are obliged to practise comparative law"; as such, his scholarship offers "desiderata for reliable legal dictionaries . . ." ⁴⁶ However, while many

46. de Groot & van Laer, *supra* note 3, at 66, 72–73. de Groot and van Laer evaluate bilingual legal dictionaries considering the following:

1. Bilingual legal dictionaries should be restricted to offering suggestions for translations based on legal areas, tying both source language terms and target language terms to a particular legal system. If this is not adhered to, the make-up of the dictionary becomes unclear and precludes easy and reliable consultation.
2. The relation of the entries and their proposed translations to their respective legal system must be made explicit by offering references to relevant legal sources, linguistic context, and sometimes encyclopaedic and bibliographic references, thus ensuring verifiability.
3. Compilers of bilingual dictionaries should not present their proposed translations as "standard" equivalents. Alternatives should be identified according to area of law, system and use.
4. The dictionary should indicate the degree of equivalence: whether the translation suggestion is a full equivalent, the closest approximate equivalent (acceptable equivalent) or a partial equivalent.
5. The absence of an equivalent term in the legal system(s) related to the target language should be mentioned expressly. In that case, subsidiary solutions should be offered.
6. Neologisms must be identified as such, so as to avoid these being used by those consulting the dictionary as terms belonging to the legal system related to the target language. Ideally, the suggestion for a particular neologism should be reasoned.
7. The proposed translations must be reconsidered in the event of changes in either the legal system related to the source language or that related to the target language. In other words: *legal dictionaries must be frequently reassessed and updated.*

of the elements in previously cited rubrics are inapposite to bilingual legal dictionaries, those offered by de Groot are comprehensive to the point of being unwieldy. This paper, in contrast, offers evaluative criteria that privilege concision and relevance over comprehensiveness and erudition. In other words, we should evaluate bilingual legal dictionaries only upon the criteria that matter to those who consult these dictionaries. Readers consult bilingual legal dictionaries because they need useful data about comparative legal systems and differing legal languages that are presented authoritatively in a manner that emphasizes the verifiability of such data. Readers need bilingual legal dictionaries to provide information that can be used to bridge legal systems and languages, information that carries authority across these systems and languages, and information that is presented in a manner facilitating the verification of supporting authority. I use the terms “utility,” “authority,” and “provenance,” respectively, to refer below to: (1) how useful the entries in a dictionary are, and in turn, how useful the dictionary as a whole may be; (2) how persuasive any supporting authority that entries in that dictionary use may be; and (3) how easily one may trace and assess the source of supporting authority from a given entry into the jurisprudence of the target language’s jurisdiction.

Utility

¶31 As a threshold matter, a reference work should meet a fundamental test of utility. In less formal terms, the “best legal reference books have a good beat and are easy to dance to; that is, their organization and usefulness are immediately apparent.”⁴⁷ This question of usefulness is a function of Garner’s first rubric, whether a legal dictionary should “merely define terms, as opposed to expansively discussing the law relating to those terms.”⁴⁸ Yet this question is no simple function: a surfeit of expansive discussion of law can be as detrimental to usefulness as can a deficit.

¶32 The solution to this problem invites a scholarly critical approach to the making of bilingual legal dictionaries, and one aim of this article is to extend such an invitation.⁴⁹ However, the notion of ‘utility’ is an ambiguous question without

Id. at 73 (emphasis added). It is worth noting that de Groot and van Laer follow their list with this assessment: “The compilation of a bilingual legal dictionary that makes a serious effort to comply with these *desiderata* is a great accomplishment, which deserves the qualification of academic work. Regrettably, very few legal dictionaries published so far have attempted to meet these requirements.” *Id.*

47. Linda Karr O’Connor, *Best Legal Reference Books of 1996*, 89 *LAW LIBR. J.* 265, 265 (1997).

48. Garner, *supra* note 9, at 33. Note also that de Groot and van Laer’s *desiderata*, quoted *supra* note 46, focuses exclusively upon areas that I would characterize as addressing the “utility” of a bilingual legal dictionary, save, of course, for their items 2 and 7.

49. Unfortunately, the critical literature on dictionary-making is rather thin. *But see generally* LANDAU, *supra* note 16; *see also id.* at 343–401. For commentary observing that the critical literature on dictionaries is still thin in specialized fields, see Ryan Womack, *Basic Business Dictionaries Compared*, *J. BUS. & FIN. LIBRARIANSHIP*, 2005, at 3, 5 (“Although reviews of business dictionaries appear in numerous publications, relatively few articles have used [a] comparative approach [for review purposes]. Little has changed since Ballard (1997) lamented the lack of general reviews of business dictionaries.”).

context: the proper questions to ask when applying this concept to a dictionary (bilingual, legal, or otherwise) are: *how* is this item useful? which *particular* uses does it serve?

¶33 Obviously, bilingual legal dictionaries must demonstrate their use by providing target-language access to the meanings of source-language legal terms. Bilingual legal dictionaries must serve the following uses, *inter alia*: facilitating comprehension between languages and jurisdictions, providing target-language access to source-language terms of legal art and practice, and demonstrating similarities and distinctions between source-language terms and their target-language translations.

¶34 The difficulty in demonstrating utility in a bilingual legal dictionary, however, is apparent when one realizes that this quality must necessarily transcend individual entries. Jorge Vargas's *Mexican Legal Dictionary and Desk Reference*⁵⁰ serves as a case in point: much of what makes this volume useful exists outside of the dictionary entries. Vargas's dictionary offers a number of reference features that are integrated into, and enhance user understanding of, its detailed entries, entries that also offer direct citation to sources used in the definitions.

¶35 For example, and in stark contrast to the entries in other bilingual legal dictionaries, Vargas includes as front matter two "Guides of Terms," or equivalency lists, one providing Spanish-language access to English-language terms of legal practice, and the other providing English-language access to Spanish-language terms of legal practice. Furthermore, as befits a "Desk Reference," Vargas has included useful appendices at the end of his dictionary which provide English-language and Spanish-language access to sample legal documents, such as powers of attorney, collective bargaining agreements, articles of incorporation, extradition forms, and family law documents; and diplomatic data, such as locations of Mexican consulates within the United States, and U.S. Department of State intelligence on the Republic of Mexico.⁵¹ These appendices also include a list of U.S. case law treating Mexican law, and a list of the "Best Mexican Law Sites,"⁵² among other materials.

¶36 In short, the concept of utility may be best understood as being composed of two related concepts: authority of the work overall, and verifiability, or the ability to trace the provenance of the information contained within each entry. The

50. VARGAS, *supra* note 3.

51. *Id.* at 684–705.

52. *Id.* at 788. This item is annotated *infra*. Reviewers, however, have noted the ancillary material in the Vargas dictionary, and the "Guide to Terms" in particular, as being both helpful and a hindrance. *See, e.g.*, Keith S. Rosenn, Book Review, 36 U. MIAMI INTER-AM. L. REV. 355, 356 (2005) (reviewing Vargas's *Mexican Legal Dictionary and Desk Reference*) ("[T]hese guides, while helpful, make the process of looking up a word needlessly cumbersome."); *see also id.* at 359 ("The Vargas Dictionary is a very useful tool for anyone in the United States dealing with Mexican law. . . . Unfortunately, its format makes it difficult to use, particularly if the user is unfamiliar with the legal vocabulary in both Spanish and English . . .").

Vargas dictionary, for example, is useful not merely because entries are presented with access to binding authority via language and citation; it is useful because these entries are presented within the context of a single-volume item that provides context to Mexican legal information. Without this critical context, Vargas's work would not be significantly more useful than competing products.

Authority

¶37 Given the quality issues in current bilingual legal dictionaries, scrupulous compilers of these items will not frame the question of authority as a choice between “the formalities of defining words” and the formalities of legal meaning, as Garner has. Rather, they will focus upon both legal and lexical accuracy as values that their products add to the purchaser's research and practice. Again, my use of the term ‘authority’ here reflects a global assessment of a bilingual legal dictionary, and is distinguished from the concept of ‘provenance,’ which I characterize as an aspect that specifically indicates the verifiability of information contained within discrete entries in a dictionary.

¶38 As an example, Henry Dahl's work demonstrates authority. Entries in his dictionaries are not merely bolstered with citations to statutes, cases, or regulations where appropriate; rather, his entries make clear the doctrinal and jurisdictional distinctions extant among Spanish-speaking nations. As demonstration of this authority, consider his treatment of the topic of *forum non conveniens*, a term that, due to its Latinate roots, is at least moderately understandable to the American-trained lawyer, irrespective of linguistic, cultural, and professional distinctions between North American and Latin American legal practice. Other English-Spanish legal dictionaries, including the Vargas item discussed above, apparently rely upon this familiarity and do not treat this topic as meriting an entry. Dahl, however, includes ten distinct and separate entries on the topic, indicating that at least nine Spanish-speaking jurisdictions differ with respect to their interpretations of this long-standing judicial doctrine.

¶39 Not only does Dahl present *forum non conveniens* from the perspectives of Costa Rica, Dominica, Ecuador, Guatemala, Honduras, the Philippine Islands, Nicaragua, and Panama, he also presents interpretations and explications of this concept from PARLATINO (the transnational Latin American Parliament) as well as a general treatment of this concept throughout Latin America.⁵³ These entries include voluminous text from and citations to documents that embody the characterizations of *forum non conveniens* in his dictionary's entries. Such an exhaustive treatment of a critical but, as Dahl notes, an “unknown institution in Latin

53. HENRY SAINT DAHL, *McGraw-Hill's Spanish and English Legal Dictionary: Dahl's Abridged Law Dictionary* 115–33 (2004). The fourth edition of *Dahl's Law Dictionary* offers a similarly comprehensive treatment of *forum non conveniens*. See HENRY SAINT DAHL, *Dahl's Law Dictionary: Diccionario Jurídico Dahl: Spanish-English / Inglés-Español* 224–48 (4th ed. 2006). Both items are annotated *infra*.

America”⁵⁴ serves as but one demonstration of his dictionary’s comprehensive authority.

¶40 In general, an authoritative English-Spanish legal dictionary will either encompass this approach by presenting doctrinal distinctions among the jurisdictions relevant to its lexicon, or it will limit the jurisdictions relevant to its lexicon, as Vargas chose to do with his *Mexican Legal Dictionary*. Few English-Spanish legal dictionaries demonstrate much by way of authority without relying upon one of the strategies outlined immediately above.

Provenance

¶41 The concept of verifiability, or “provenance,” as applied to information tools, may be a function that reflects a reader’s “information literacy”; indeed, if information literacy is a sociotechnical practice relying upon “texts . . . [which] feature in the practical accomplishment of social actions and social activities,”⁵⁵ then dictionaries (and the provenance of the entries contained within them) present a fundamental tool for researchers or practitioners to rely upon in their research. In other words, dictionaries in general (and bilingual legal dictionaries, in particular) present patrons with threshold opportunities in information literacy, and the provenance of entries will determine how substantive material from a given dictionary affects that patron’s understanding of information and research.

¶42 Issues emerging from the origin of certain words or phrases have traditionally been ignored by the lexicographers who have created bilingual legal dictionaries, despite a consistent emphasis upon these elements by lexicographers who have studied and articulated “best practices” for the creation and compilation of bilingual dictionaries. But rather than call into question the utility of etymology within legal dictionaries, this oversight implies that bilingual legal dictionary makers have been less than diligent in providing helpful data about particular words or phrases.⁵⁶

¶43 In stark contrast to Dahl’s treatment of *forum non conveniens* noted above, Julio Romañach’s English-Spanish Legal Dictionary offers the following: “Tribunal inconveniente. Doctrina que permite a un juez competente rehusar el conocimiento de una causa cuando el lugar del foro es inconveniente a las partes o los testigos.”⁵⁷

54. *Id.* at 131.

55. Kimmo Tuominen et al., *Information Literacy as a Sociotechnical Practice*, 75 *LIBR. Q.* 329, 341 (2005).

56. As Avalos has noted, law and language are both culturally bound. See Avalos, *supra* note 14 (“[A]s language and law develops [sic] in a society . . . they both tend to become more and more unique to their particular society. This is due in large part to the fact that a society builds its language and law upon foundations derived from their unique culture and history.”). As such, data on the origins of a linguistic or legal term would logically reveal some information about the source of the term, and perhaps offer scholars of comparative law access to another medium for comparison of legal systems and doctrines.

57. JULIO ROMAÑACH, JR., *DICTIONARY OF LEGAL TERMS* 170 (2005). This item, along with Romañach’s earlier version, is annotated *infra*. My translation of this entry cited above reads as: “Inconvenient

This definition does not provide the reader with any indication that the doctrine of *forum non conveniens* is problematic, if not outright contrary to doctrine, among Latin American jurisdictions, nor does it allow the reader to understand the various jurisdictional distinctions with respect to *forum non conveniens* among the nations of Latin America. As such, the Romañach entry appears to be of dubious provenance. Unlike Dahl, Romañach provides no citations to sources that can bolster, support, or explain the meaning his dictionary provides; all of which renders this definition less than adequate.

Evaluating English-Spanish Legal Dictionaries

¶44 Perhaps the most salient feature of the majority of items annotated in the bibliography below is that they offer presumably comprehensive lists of equivalent terms from English-speaking legal practice and Spanish-speaking legal practice. What is more difficult to discern, however, is how helpful such lists are standing alone, let alone who might find such a list helpful.⁵⁸

¶45 Landau cautions that “[m]any bilingual lexicographers have observed that it is next to impossible to construct a unidirectional bilingual dictionary for speakers of both languages” targeted by the dictionary in question.⁵⁹ This succinct judgment may also apply to bilingual legal dictionaries, for law, like language, is bound, if not determined, by culture.⁶⁰

¶46 An awareness of the intricate bond between law and culture appears to inform the *Mexican Legal Dictionary and Desk Reference*.⁶¹ Of all of the items annotated below, this work stands out in terms of accessibility, authority, and utility. Ultimately, Vargas anticipates the needs of English-speaking lawyers and librarians in ways few of his colleagues do.

¶47 Although Romañach has adopted Vargas’s technique of appending useful reference sources reminiscent of classic English-language unabridged dictionaries, his work is, at best, amateurish when compared with the comprehensive nature of

tribunal. [A] doctrine that allows a competent judge to refuse judicial attention to a cause of action when the forum is inconvenient to the parties or the witnesses.” Interestingly enough, this item does not offer a companion entry providing English-language access to the term *forum non conveniens*.

58. See de Groot & van Laer, *supra* note 3, at 65 (“[M]any authors or compilers of bilingual legal dictionaries do not understand how legal translations should be made. They simply make a list of legal terms in the source language and give for each term one or more words from the target language as ‘translation’ without any further information on the legal context. Because of the system-specificity of legal terminology, this kind of dictionaries [sic] is practically useless.”).

59. LANDAU, *supra* note 16, at 9.

60. See Avalos, *supra* note 14 (“Language and the law are very closely related and are generated through social practices. Language is the essence of the law. The Law is substantially formulated through language. They are formalized communication systems because they both are governed by their own rules of creation and reproduction. There is non-language law, but it is minor and requires little translation. The non-language law I am talking about are things such as traffic signs, sirens, policemen hand directions and other such things.”).

61. VARGAS, *supra* note 3.

Vargas's volumes.⁶² This is particularly disappointing given Romañach's authoritative and useful work with the Argentine and Spanish Civil Codes,⁶³ and this author hopes that Romañach's future bilingual legal dictionaries will rise to the level of quality evidenced by his code translations.

¶48 Dahl's dictionaries, while lacking the appendices that Romañach and Vargas include, offer specific citations to authority. Dahl also acknowledges distinctions among Latin American jurisdictions, a problem that Vargas avoids by concentrating on one jurisdiction, and a problem that Romañach appears to have ignored altogether. However, while Dahl provides access to language, he does not provide the access to doctrine and equivalent legal concepts that Vargas provides.

¶49 Like the Vargas dictionary, the Torres and Avalos item draws its strength from its focus.⁶⁴ By concentrating on providing access to abbreviations that obtain in Latin American jurisprudence, these authors have created a work of circumscribed use, but invaluable utility. This author knows of no other dictionary that provides access to legal abbreviations relevant to Latin American law and practice. Appropriately enough, this is one of the more frequently collected items among the English-Spanish legal dictionaries annotated below.

¶50 Other items treated below, sadly, merit little consideration as dictionaries in and of themselves. While some offer marginally useful access to fundamental concepts or terms within the target system, their utility as a reference is suspect. Others could be considered useful as a reference, but only if one suspends disbelief with respect to the authoritative characteristics of the volume. Examples from Dahl and Vargas notwithstanding, the current state of English-Spanish legal dictionaries is rather grim. One hopes that West's investment in the Vargas *Dictionary and Desk Reference* will spur the creation of similar projects covering other significant Latin American jurisdictions.

Conclusion

¶51 We currently have no standard assessment for legal dictionaries, let alone bilingual legal dictionaries. While this article aims to inspire a framework of critical language useful for assessing bilingual legal dictionaries, it represents but one

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62. Much of the authority backing the *Mexican Legal Dictionary and Desk Reference* emerges from the work that Vargas put into his *Federal Civil Code of Mexico*. Although entries in the *Mexican Legal Dictionary* appear slightly more encyclopedic than someone such as Garner might prefer, the reader's ability to refer from Vargas's *Mexican Legal Dictionary* to his *Federal Civil Code of Mexico* provides a depth of access that Romañach aspires to, yet ultimately fails to reach. Among other distinctions, the Vargas work is presented with the source Spanish code on one page and its English translation on the facing pages, while the Romañach work is almost exclusively written in English. Compare JORGE A. VARGAS, *THE FEDERAL CIVIL CODE OF MEXICO: BILINGUAL EDITION* (2005), with JULIO ROMANACH, JR., *FEDERAL CIVIL CODE OF MEXICO: TRANSLATED INTO ENGLISH, WITH AN INTRODUCTION AND INDEX* (2003).
63. See *CIVIL CODE OF ARGENTINA* (Julio Romañach, trans. 2001); *CIVIL CODE OF SPAIN* (Julio Romañach, trans. 2001).
64. ARTURO TORRES & FRANCISCO AVALOS, *LATIN AMERICAN LEGAL ABBREVIATIONS* (1989). This helpful item is annotated *infra* in the bibliography.

initial step in what must be a larger, evolutionary process of developing a critical language for assessing reference tools that provide access across national and linguistic jurisdictions.

¶52 The need for such reference tools, and for useful English-Spanish legal dictionaries in particular, is dire. As inter-American transactions become commonplace, lawyers will need access to the laws of the Americas, and to the language that articulates those laws. While projects such as GLIN offer direct access to law from certain Latin American jurisdictions,⁶⁵ lawyers will still need access to reference sources, such as dictionaries, to allow the legal analysis and interpretation that is fundamental to inter-American practice.

¶53 The current state of English-Spanish legal dictionary publication remains broad yet shallow. While there have been a number of items published in this area, few appear to be useful to the variety of users who are typically drawn to reference works. If the market is any guide, we are certain to see even more English-Spanish legal dictionaries entering the market. Yet Landau has noted “the inability of the public or the reviewer to recognize merit in a dictionary, big or little, at least in North America.”⁶⁶ As a community that relies upon bilingual legal dictionaries, FCIL librarians, and the researchers we serve, must address this inability and rise to ‘recognize the merit’ of the useful English-Spanish legal dictionaries as they appear in press. If Vargas’s work remains alone, without inspiring any parallel item to cover other Latin American jurisdictions, the blame may fall upon us as much as on the publishers.

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Bodoutchian-Sáiz, Veronique. *Diccionario Jurídico-Empresarial Español/Inglés/Español*. Madrid: Fundación Confemetal, 2000.

This glossy item includes more than 20,000 terms and expressions pertaining to business and law in English and Spanish. Unfortunately, this dictionary offers little more than equivalencies without annotations to help the researcher understand distinctions between terms from different jurisdictions or legal traditions. The introductions (in English and Spanish) do little to provide context for the work or the terms included. While this dictionary does use language drawn “from real situations and real documents used in legal contexts in various Spanish and English speaking countries: from Spain to Latin America, Great Britain to the United States and Canada, and from New Zealand to the English speaking nations

65. See Global Legal Information Network (GLIN), <http://www.glin.gov> (last visited Dec. 3, 2007) (describing GLIN as an electronic, web-based “database of official texts of laws, regulations, judicial decisions, and other complementary legal sources contributed by governmental agencies and international organizations”). GLIN currently provides access to materials from the following Spanish-speaking jurisdictions: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Spain, Uruguay, Venezuela, and MERCOSUR.

66. LANDAU, *supra* note 16, at 12.

in the Caribbean,” it does not provide the reader with any means of understanding the distinctions in practice that assuredly exist within the compared jurisdictions that the author lists (p.[10]). The CD-ROM is nothing more than an electronic version of the printed text, with no further information that might assist the student or researcher engaged in comparative legal study. Furthermore, the CD-ROM’s interface is awkward and difficult to navigate, offering only a browse function that is highly limited by alphabetic adjacency. All in all, this is a highly unsatisfactory set, perhaps useful only for those who are already well versed in the distinctions among common law and civil law jurisdictions in North and South America.

Cabanellas, Guillermo, and Eleanor Hoague. *Butterworths Spanish/English Legal Dictionary*. Austin, Tex.: Butterworth Legal Publishers, 1991.

Despite the size of this item, this dictionary simply offers detailed equivalencies in target-language meaning for the legal terms it lists. This item may be quite useful to practitioners schooled in North American common law and Latin American civil law jurisprudence as a comprehensive source of target-language legal synonyms. However, as a source of fundamental comprehension or vocabulary-based understanding, it leaves much to be desired. While entries are modestly detailed, they offer little by way of contextual, jurisdictional, or practice-oriented meaning. This item pays almost no attention to the derivation of legal terms, and does not seem to acknowledge what Avalos has noted in his comments on legal translation: that Spanish legal terms bear different meanings from jurisdiction to jurisdiction.

Contreras, Bonifacio, and Brad Leutwyler. *Contreras & Leutwyler Spanish and English Compendium of Law*. Las Vegas, Nev.: C & L Pub., 2005.

The scope of this item is significantly narrower than the other dictionaries annotated here. Focused on facilitating communication between lawyers trained in the Anglo-American tradition and their Spanish-speaking clientele, this volume is particularly useful to law schools with immigration clinics, urban or public interest clinics, or those libraries whose patrons serve Spanish-speaking populations. Unlike a traditional law dictionary, this compendium is divided into two halves: “Language Application Guides,” followed by “Topical Sections.” The Language Application Guides begin with a “Non-Technical Dictionary” that translates common English phrases into Spanish-language equivalents. This is followed by a list of vernacular idioms commonly found in legal practice, and addressing problem situations that the clients of lawyers may be familiar with.

The second half, containing topical sections, presents a series of intake or evaluative questions, grouped according to their pertinent legal topic. This section is divided into five subsections: Criminal Law, Torts, Immigration, Evidence, and Contracts. Each consists of questions designed to assist the lawyer or legal assistant in evaluating potential clients. The authors present these questions within comprehensive evaluative annotations, which guide the reader through the process of asking and understanding answers to the questions listed. Each set of questions is presented in both languages, and the authors are quite careful to draw the reader’s attention to the perils and pitfalls of legal practice across language barriers, and regularly advise the reader to secure competent translation assistance, bilingual counsel, or the authors’ own “Spanish/English Compendium of Criminal Law.”

Well-established international practices will not likely find this volume useful, and it will be of minimal interest to libraries serving solely academic communities. But law schools that provide clinical services will find this item to be quite valuable, as students will likely find the intake questions as well as basic issue outlines useful for client services.

Dahl, Henry Saint. *Dahl's Law Dictionary: Diccionario Jurídico Dahl*; Spanish–English/Inglés–Español. 4th ed. Buffalo, N.Y.: William S. Hein & Co., 2006.

The fourth edition of this dictionary expands and updates the item annotated immediately below, and demonstrates Henry Dahl's commitment to facilitating "communication between people from different cultures" (p.xv). Not only has Dahl updated sources of law that are cited to within the definitions for entries in this edition, he has also included helpful parallel keyword tables for the reader seeking main entries by theme. These tables, he notes, "can help the reader to find definitions of words he is not necessarily aware of, or which he might have missed in an alphabetical search" (p.xv). However, as Dahl notes, these tables also allow this dictionary to serve as a sort of textbook, "allowing the reader to pursue his areas of interest jumping from one related definition to another" (p.xv). Indeed, the wealth of front matter, including tables of sources in both languages, and a brief list of helpful abbreviations, seems to demonstrate the following language from Dahl's introduction: that "the comparative reader needs . . . *functional* definitions. . . . The reader is better served when being told how a contract operates in the foreign system, what are the formalities, basic requirements, etc." (p.xvi) (emphasis in original). This fourth edition of Dahl's English-Spanish law dictionary meets the needs of the comparative reader in ways that few other dictionaries can match. As testament to his work in this area, at least two court decisions have cited to his prior work: *U.S. v. One Lucite Ball Containing Lunar Material*, 252 F. Supp. 2d 1367, 1375 (S.D. Fla. 2003); and *Cruz v. Melecio*, 204 F.3d 14, 20 (1st Cir. 2000). Many libraries own the first edition of this dictionary, published in 1992, and the first edition is also available on Lexis as file-name: SPDAHL.

Dahl, Henry, and Tamera Boudreau. *McGraw-Hill's Spanish and English Legal Dictionary*. New York: McGraw-Hill, 2004.

This shorter version of Dahl's landmark dictionary is as authoritative and almost as useful as its parent edition. Its relatively compact size and the simplicity of its presentation may be a valuable feature for some practitioners, but others will find this abridged version missing much in comparison to larger and more expanded editions of this author's dictionaries. Like its counterparts, this volume relies upon authoritative sources, and the definitions include direct citations to codes, constitutions, and other sources of law. This edition is as scrupulous in noting and providing access to source material as the original, and this volume cites to many more sources than the earlier edition does. These citations to legal authority are one direct measure of this volume's dedication to serving as a useful "tool for communication between different legal systems and languages." The topical tables at the end of the volume stand as another direct measure of this dedication, allowing for users from either language to find words or concepts thematically linked to the legal topic in question. Unfortunately, some of the entries in this version do not present the depth of material that the larger Dahl dictionaries present; for example, the Spanish-to-English side of this item offers two very brief entries on "discriminación" (discrimination) (p.84). Compare this with the five discrete

entries under “discriminación,” from the fourth edition (discussed *supra*), that not merely treat the cognate pairs ‘discriminación/discrimination,’ but also present distinct annotated entries covering “Discrimination against persons with disabilities,” “Price discrimination,” “Discrimination by labor union,” and “Positive discrimination” (pp.170–71). Practitioners of inter-American law may find this edition generally suitable, but academic libraries and translators will likely favor the larger and newer fourth edition of Dahl described above.

Kaplan, Steven M. *Wiley’s English/Spanish and Spanish/English Legal Dictionary*. New York: John Wiley & Sons, 1993.

Issued under the Wiley imprint, often associated with quality academic and technical publishing, this item was compiled under a formidable advisory board; however, it is little more than an alphabetical list of translations or other attempts at semantic equivalency. While easy to use, it fails to anticipate or apprehend some of the issues in inter-jurisdictional and trans-jurisdictional semantics that Avalos describes in his address on legal translation. The more than 40,000 entries in this dictionary lack any notice of jurisprudential provenance or usage history, and fail to explain the practical significance of each term. Instead, Kaplan has chosen to provide brief phrases or single words to offer as substitutes in the target language, either English or Spanish. It is hard to imagine how the entry on “anatocismo,” which consists in its entirety of a denotation that the word is a masculine noun in Spanish, and which offers “anatocism” as the complete definition, would provide substantial assistance to anyone doing research into banking law from an English- or Spanish-language jurisdiction. While the introduction claims that this item “should . . . be a worthy aid,” academics, practitioners, or librarians who are using this item to support research into Latin American law will invariably need to consult supplemental resources in order to fully comprehend the jurisdictional context of a given word, phrase, or term of art.

Pina, Rafael de, and Rafael de Pina Vara. *Diccionario de Derecho*. México, D.F., Mexico: Porrúa, 1988.

By providing detailed definitions of legal terms, this Spanish-language dictionary provides a very useful bulwark against some of the problems inherent in legal translation that Avalos notes. Defining terms from Spanish and Latin, this item is essential for the practitioner or researcher working with Latin America law, just as *Black’s* is for the student or practitioner working in North American common law jurisdictions. Definitions include citations to the national or local code, when appropriate, and the list of legal maxims is quite useful for the academic or librarian unschooled in civil law traditions.

Ramos, Bossini, Mary Gleeson Francisco, and Sofía Arana Landín. *Diccionario Bilingüe de Terminología Jurídical: Inglés–Español/Español–Inglés*. 4th ed. Granada, Spain: Comares, 2005.

Despite the inclusion of a moderate amount of secondary reference material, such as sample forms, letters, and agreements in English and Spanish, entries in this dictionary are little more than complex entries of equivalents. The compilers have demonstrated little, if any, attention to jurisdictional distinctions, and as such, this volume is filled with entries that strike the critical reader as curious oddities. Entries do not as a rule include citations to codes or cases, nor do they include etymological or pronunciation guides to the terms they define.

One particular curiosity emerges from the depth of target-language coverage: the English-to-Spanish section is approximately eighty-five pages longer than the Spanish-to-English section. In accord with such discrepancy, it is worth noting that the compilers of this dictionary are all quite accomplished in the civil and common law systems of Europe and Latin America. The English-language forms, however, are based upon jurisprudence from one of the United States: New Mexico. While this inclusion is an interesting addition, the compilers would have done quite well to incorporate more terms of practice from North American common law jurisdictions into their dictionary proper.

Romañach, Julio. *Dictionary of Legal Terms*. Baton Rouge, La.: Lawrence Pub. Co., 1992.

This volume contains no supplemental or explanatory material, and offers minimal information in its entries. This item demonstrates little attention paid to questions of jurisdiction or legal tradition, let alone issues of meaning implicit within a legal dictionary that must, by definition, translate across legal systems as well as languages. Few collections would be significantly enriched by adding this volume, save for libraries seeking a complete set of available English-Spanish legal dictionaries.

Romañach, Julio. *Dictionary of Legal Terms: Spanish–English, English–Spanish, Lawyers Edition*. Baton Rouge, La.: Lawrence Pub. Co., 2005.

Perhaps in response to the encyclopedic nature of Vargas's authoritative work, this Lawyers Edition of Romañach's dictionary includes a useful appendix of sample letters, as well as glossaries of Basic Terms by Subject Area, in both English and Spanish. Although lawyers new to inter-American practice may find these letters somewhat helpful, the subject area glossaries of common terms, which direct the user back to individual entries in the dictionary, confuse more than they enlighten by suggesting equivalencies in doctrine and practice that do not necessarily exist between the Anglo-American and Latin American legal traditions. Fortunately, the entries do take pains to clarify distinct points of law and practice across legal traditions. While definitions do not reference any legal authority, Romañach has placed terms in the context of United States practice and offers minimal notations to distinguish terms relevant to practice in Spain from those terms pertaining to Latin American jurisdictions (and presumably Mexico, in particular). Ultimately, without an informative foreword or other useful front matter, and despite attempts to improve this item, one wonders to whom, if not exactly how, this volume would demonstrate value.

Romañach, Julio. *Teach Yourself . . . Legal Spanish*. Baton Rouge, La.: Lawrence Pub. Co., 1999.

While not a dictionary proper, this item does provide some access to the legal language of Mexico. Despite a rather ungainly style of presentation, with an emphasis on placing text within boxes that tend to strain the eye, Romañach has presented fundamental principles and texts of Latin American law, and followed these with specific treatments in substantive areas of law such as contracts, property, torts, family law, sales and leases, wills and estates, civil procedure, criminal procedure, constitutional law, private international law, and laws of business organizations. Unfortunately, as is the case with his dictionaries, Romañach presents little evidence of his comprehensive knowledge of European and Latin American civilian jurisdictions. While the default authoritative text appears to be the Civil

Code of Mexico (referenced several times throughout the text), the front matter as well as the secondary title of the volume clearly indicate that the volume aspires to cover Latin America and Spain as well. Whether this is oversight or actual confusion on the author's part is difficult to tell. However, this item does offer a set of translation exercises as well as proposed solutions. As such, this may be of some use to readers seeking to learn or improve their command of Spanish, but fails to serve as an authoritative access point into the legal languages of the Spanish-speaking world.

Solís, Gerardo, et al. *West's Spanish-English/English-Spanish Law Dictionary*. St. Paul, Minn.: West Pub. Co., 1992.

The prologue of this item claims that it is "meant to be a practical translation tool" defining legal terms in Spanish or English, and that it "also seeks to fill a void between two legal systems by providing an explanation of legal terms used in another legal system, be it common law or the civil law" (p.v). On the first count, the authors have almost hit their target; on the second count, they have missed it entirely. Without presenting standard elements of dictionary entries, such as pronunciation guidelines, one wonders how practical this translation tool may be. And without including useful elements of entries in law dictionaries, such as statutory citations or contextual explications of defined terms, it is hard to imagine how this item fills any void in comprehension for practitioners working across the gulf between civil and common law practice. This volume may be useful to a monolingual practitioner looking for equivalent terms from either English or Spanish as a target language, but would not suit more advanced or particular research needs in Latin American law.

Torres, Arturo, and Francisco Avalos. *Latin American Legal Abbreviations*. Westport, Conn.: Greenwood Press, 1989.

Treating legal abbreviations from Spanish-speaking Latin American nations, Brazil, and Spain, this item provides the full Spanish term or phrase that the abbreviation represents, along with a translation into literal English equivalents. However, as Avalos has noted elsewhere, this notion of "equivalency" is particularly problematic in legal translation, where a word, term, or phrase often carries a very precise meaning, and one that in turn often triggers a particular outcome or result. Unfortunately, this volume does not address this problem, nor do the slim 'definitions' attempt to explain or draw notice to terms likely to possess a multiplicity of meanings across jurisdictions. As such, this item is probably more useful to the practitioner who is engaged in document review, rather than the academic who is engaged in doctrinal analysis. Still, this dictionary's ambit, covering more than 8,000 abbreviations across the Latin American continent, means that this volume is a critical addition to any library or office supporting research into Latin American law.

Vargas, Jorge. *Mexican Legal Dictionary and Desk Reference*. St. Paul, Minn.: Thomson/West, 2003.

As the "first dictionary ever published in the United States" (p.xv) treating the subject of Mexican law, this item truly presents, in the words of Dr. Genaro David Góngora Pimentel, the Chief Justice of the Supreme Court of Mexico, a "most impressive academic accomplishment" (p.xi). Despite the bilingual prefatory material, this dictionary is clearly directed toward the North American prac-

tioner requiring access to source material or research assistance with the law of Mexico. This item may be the single most useful reference source providing English-language access to a Latin American jurisdiction.

The dictionary presents entries in English alphabetical order and offers thorough treatments of defined terms in English, along with Spanish translations of the terms defined, and clear references to articles from the relevant codes where appropriate. Cross-referenced terms are clearly marked, and when definitions refer to agencies or individuals beyond the scope of the dictionary, Vargas presents the Spanish name and acronym.

While the dictionary entries themselves are highly useful, Vargas has included supplementary materials that make this single volume a necessary addition to any office or library with research or practices that deal with Mexican jurisdictions. The dictionary itself is prefaced with equivalency lists which provide access to legal terms in English or in Spanish, and subsequent entries in the dictionary rely upon these terms. Following the dictionary proper, Vargas has also included, among other items, a list of abbreviations of Mexican legal sources, sample forms and documents common to legal practice in Mexico, a list of bilateral agreements between the United States and Mexico, a table of cases heard by U.S. courts involving Mexican law, and two separate bibliographies of English- and Spanish-language source material for Mexican law. This comprehensive volume is a necessary tool for any lawyer or librarian whose work crosses the border between U.S. and Mexican jurisdictions.

West, Thomas. *Spanish-English Dictionary of Law and Business*. Atlanta, Ga.: Protea Publishing Co., 1999.

This relatively slim volume aspires to distinguish itself from contemporary English-Spanish legal dictionaries, and on some counts it succeeds. Unlike Vargas's tome, this item attempts to present access to legal terms from across the jurisdictions of Latin America. Yet unlike Dahl's volumes, this item places a premium on its compact and presumably portable presentation. West has carefully studied popular English-Spanish legal dictionaries preceding his volume: he clearly describes his methodology, and he addresses significant gaps in the compilation and presentation of these English-Spanish dictionaries. However, while his entries occasionally present broad references to the relevant jurisdiction and legal tradition, they lack the precise citation style found in the work of Vargas or Dahl. Finally, West notes that his dictionary attempts to focus upon "terms that are missing from other law dictionaries" (p.5); and by including terms from the lexicon of business, he succeeds in this regard as well. However, the narrow scope and limited information provided in his entries relegate this admirable attempt to secondary status. This volume might fill out a collection already containing more useful and authoritative works, but standing alone, it would hardly suffice to meet the research or reference needs of a practitioner or researcher looking into Latin American law.

West's Law & Commercial Dictionary in Five Languages. 2 vols. St. Paul, Minn.: West Pub. Co., 1985.

This two-volume set from West assumes a fair amount of credibility by virtue of the publisher's name and reputation as a provider of legal information. And this dictionary is clearly more ambitious than most, not merely acknowledging the difficulties that a multiplicity of meanings presents with respect to legal transla-

tions, but also noting that “concepts and institutions in the various legal systems [also] have similar names, but have very different meanings and functions” (p.ix). While this volume attempts to provide a solution to this difficulty by allowing users “to compare elements in order to detect, understand, and respond to differences without being misled by their similar terminology” (p.ix), the multiple-language scope of the item (English to German, Spanish, French, and Italian) poses a significant cognitive hurdle: it is not clear if West is intending to signal that given terms represent unified concepts or doctrines running through the (at least) four legal systems behind each of the languages presented.

Each term in this dictionary is defined with a relatively encyclopedic entry in English, followed by target-language equivalents from German, Spanish, French, and Italian. While the target-language equivalents offer modest grammatical notes (limited, in the main, to the gender of the term), they do not allow for any distinctions among target-language jurisdictions. And despite the “pronunciation guide” at the front of the volume, the entries bear little, if any, evidence of pronunciation assistance, despite the differences among the target languages. Furthermore, the citations that support the English-language definitions appear to be exclusively drawn from English-language common law jurisdictions, which may be helpful to the target-language, civil law-trained practitioner researching common law jurisdictions, but not so helpful to the common law-trained practitioner researching civil law jurisdictions.

This dictionary defines terms from the Anglo-American legal tradition in English, and uses examples from Anglo-American jurisprudence to illustrate the concepts each definition explains. But it does not do the same with key concepts from non-Anglo-American traditions; for example, it will not provide an understanding of the Latin American concept or doctrine of “amparo” to the common law-trained practitioner. This item is of modest utility, at best, to the North American student of law, or to the practitioner who seeks an introductory reference to terms of civil law traditions.