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Exploring English Terminology used in Prosecutor Legal Practices

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Abstract— The use of English legal terminology is increasingly important in prosecutorial practice, particularly in the context of international cooperation and reference to global legal systems. In these situations, prosecutors are required to understand and accurately translate English legal terms in order to maintain legal clarity and avoid misunderstandings. However, there is limited research on how English legal terminology is used and translated in Indonesian prosecutorial practice. This study aims to identify English legal terminology commonly used in prosecutorial practice and describe how it is translated into Indonesian. This research was conducted at the East Java High Prosecutor's Office from February to March 2025. This research used a qualitative descriptive design. Data was obtained through observations, interviews, and document analysis involving prosecutors and prosecution staff. The findings show that: (1) frequently used English legal terms include defendant, prosecutor, plea bargain, jurisdiction, and indictment, which appear both in legal documents and in courtroom discussions; and (2) translation of these terms is done through literal, contextual, and descriptive approaches, depending on the equivalence of the terms in the Indonesian legal system. In conclusion, this research emphasizes the importance of consistent use of legal glossaries and contextual understanding to ensure accurate translations, thereby supporting effective legal communication in a multilingual prosecutorial environment.

Keywords— Legal Terminology, Legal Translation, Legal English, Prosecutor's Office

abstrak— Penggunaan terminologi hukum berbahasa Inggris semakin penting dalam praktik kejaksaan, terutama dalam konteks kerja sama internasional dan referensi terhadap sistem hukum global. Dalam situasi ini, jaksa dituntut untuk memahami serta menerjemahkan istilah-istilah hukum berbahasa Inggris secara akurat guna menjaga kejelasan hukum dan menghindari kesalahpahaman. Namun, penelitian mengenai bagaimana terminologi hukum Inggris digunakan dan diterjemahkan dalam praktik kejaksaan di Indonesia masih terbatas. Penelitian ini bertujuan untuk mengidentifikasi terminologi hukum Inggris yang umum digunakan dalam praktik kejaksaan serta mendeskripsikan cara penerjemahannya ke dalam bahasa Indonesia. Penelitian ini dilakukan di Kejaksaan Tinggi Jawa Timur dari bulan Februari hingga Maret 2025. Penelitian ini menggunakan desain deskriptif kualitatif. Data diperoleh melalui observasi, wawancara, dan analisis dokumen yang melibatkan jaksa serta staf kejaksaan. Temuan menunjukkan bahwa: (1) istilah hukum Inggris yang sering digunakan antara lain *defendant*, *prosecutor*, *plea bargain*, *jurisdiction*, dan *indictment*, yang muncul baik dalam dokumen hukum maupun dalam diskusi di ruang sidang; dan (2) penerjemahan istilah-istilah tersebut dilakukan melalui pendekatan literal, kontekstual, dan deskriptif, bergantung pada kesetaraan istilah dalam sistem hukum Indonesia. Penelitian ini

menekankan pentingnya penggunaan glosarium hukum yang konsisten dan pemahaman kontekstual untuk memastikan terjemahan yang akurat, sehingga mendukung komunikasi hukum yang efektif dalam lingkungan kejaksaan multibahasa.

Kata kunci—Terminologi Hukum, Penerjemahan Hukum, Bahasa Inggris Hukum, Kejaksaan

INTRODUCTION

English is now a global language and plays an important role in international legal settings, including in Indonesia. As Indonesia's legal system connects more with the global community, it has become very important for prosecutors to understand English legal terms. These terms are often used in international legal work. Tirtanawati (2021) explains that learning and understanding vocabulary is a basic skill, because without it, it is hard to develop other abilities. This is especially true in legal situations, where words must be understood very clearly to avoid mistakes.

Webster (2022) highlights that legal language diverges significantly from conversational English in terms of its structure, semantics, and usage. For example, the term "defendant" does not merely refer to an "accused" person, but also encapsulates specific legal responsibilities. This underlines the importance of identifying common English legal terms used in prosecutorial settings and ensuring their translation into Indonesian preserves both their meaning and legal implications.

The key distinction between general English and legal English lies in the latter's specificity and its grounding in legal doctrine and procedure. Terms such as "guilty," which may simply mean "bersalah" in everyday contexts, have formal connotations in the courtroom that relate to legal culpability and procedural consequences. Consequently, prosecutors must fully grasp these distinctions to effectively operate in bilingual or international legal environments. Fitrianiingsih (2017) supports this, noting that many Indonesians believe mastering English is a critical skill for navigating the globalized world.

In practice, Indonesian prosecutors often encounter challenges in translating English legal terms accurately, given the differences in legal systems and the potential for ambiguity. This gap between translation and application can affect judicial outcomes, especially in cases involving cross-border legal elements. Tirtanawati and Prastiwi (2024) emphasize that vocabulary mastery is a crucial component in the process of learning English, reinforcing its importance in legal translation and communication.

A firm command of English legal terminology supports various prosecutorial duties, from drafting legal documents to presenting arguments and engaging with international stakeholders. Dupras et al. (2011) argue that a strong understanding of legal vocabulary reduces the risks of mistranslation or misinterpretation, which could compromise fairness in legal proceedings. Furthermore, Nurdianingsih et al. (2024) note that English serves not only as a communication tool but also as a means to broaden perspectives, strengthen intercultural understanding, and enhance global competitiveness.

This study addresses two primary research questions: (1) What English legal terms are commonly used in prosecutorial practice? and (2) How can these terms be effectively translated into Indonesian while preserving their original context and legal significance? The research aims to identify frequently used terms in legal documents

and courtroom exchanges and to explore translation strategies that promote accuracy and contextual fidelity.

From a theoretical standpoint, the study contributes to the field of legal linguistics by elucidating the role of English legal terminology in prosecutorial communication. Practically, it offers valuable insights for legal practitioners, translators, and law enforcement agencies to improve the accuracy and clarity of legal translations. As Rohmah (2017) points out, English proficiency opens up employment opportunities not only in law but also in various fields such as entrepreneurship and public service.

In conclusion, English legal terminology encompasses precise, context-bound language used in legal systems, while prosecutorial practice involves the range of responsibilities undertaken by prosecutors in upholding justice. A deep understanding of both is essential to ensuring clear, effective legal communication and avoiding potentially serious errors, particularly in international or multilingual legal contexts.

METHOD

This research adopted a qualitative descriptive approach to investigate how English legal terminology was used within prosecutorial practices. The purpose was to explore and analyze the meanings, interpretations, and applications of English terms in real-world legal contexts, particularly within the prosecutor's office. By using a qualitative framework, the study aimed to gain a deeper understanding of the linguistic features that shaped legal communication and practice, especially as English became increasingly relevant in international and legal settings.

The qualitative descriptive approach was particularly well-suited for this study because it focused on providing clear, straightforward descriptions of phenomena without excessive theorization. As noted by Sandelowski (2000), this method was effective when the goal was to summarize experiences and processes using everyday language, allowing the researcher to capture the "what" and "how" of the subject matter. This approach was valuable for studies like this one, where the main objective was to represent the experiences and practices of legal professionals as accurately as possible without imposing complex theoretical frameworks.

In addition to its clarity, the qualitative descriptive method was highly relevant to fields that required practical outcomes, such as healthcare, education, and law. Bradshaw and colleagues (2017) highlighted that this approach emphasized simplicity, transparency, and practical relevance, making it well-suited for examining how legal professionals used English terminology in their daily work. The research involved gathering data through interviews, observations, and document analysis, aiming to provide a thorough and nuanced picture of how English legal terms functioned in practice.

Another important reason for using a qualitative descriptive approach was its ability to bridge theory and practice. As explained by Neergaard et al. (2009), this approach was excellent for answering applied research questions and producing findings that were useful for practitioners and policymakers. By triangulating data from multiple sources including interviews, observations, and legal documents. The researchers ensured that the study's findings were reliable and relevant. In the context

of legal terminology, this meant exploring not only how terms were used but also how they were understood and translated across different professional contexts.

The research was conducted at Kejaksaan Tinggi Jawa Timur, located in Surabaya, East Java, which served as a central hub for legal practice in the region. This setting provided an ideal environment for examining how English was used within legal institutions, particularly in both formal and informal legal communication. The study spanned two months, from February to March 2025, allowing ample time to observe legal activities, interact with professionals, and collect both written and spoken data. This timeframe was designed to ensure that the research captured a diverse range of legal interactions and examples of English use.

Data for this study were drawn from both primary and secondary sources. Primary data were collected through direct observations, interviews with prosecutors, legal assistants, and staff, as well as analysis of legal documents such as case files, indictments, and briefs. This hands-on approach allowed the researcher to gain firsthand insights into how English terminology was applied in the legal field. Secondary data came from academic literature, previous studies, and legal reference materials, providing theoretical and contextual background that helped situate the primary findings within the broader field of legal language research.

The study employed three main techniques for data collection: observation, interviews, and document analysis. Observations involved attending court proceedings and legal meetings, where the researcher documented the use of English in real-time settings. Semi-structured interviews allowed legal professionals to share their perspectives on when and why English was used, as well as the challenges and benefits they experienced. Document analysis focused on identifying English terms in official legal texts, providing a concrete understanding of how English was integrated into legal writing. Together, these methods created a comprehensive and balanced picture of English language use in legal practice.

For analyzing the collected data, the researcher used thematic analysis, following the six-step process outlined by Braun and Clarke (2006). This included becoming familiar with the data, generating initial codes, identifying themes, reviewing and refining these themes, and producing a detailed analytical report. In addition, content analysis was used to quantify the frequency and context of English terms, adding a quantitative dimension to the qualitative findings. To ensure the rigor of the analysis, the researcher applied triangulation techniques by comparing results across different data sources, which helped strengthen the validity and reliability of the study.

To validate the data and findings, several strategies were employed. Triangulation involved cross-checking information from observations, interviews, and documents to identify consistent patterns and address discrepancies. Member checking allowed interview participants to review the findings and ensure their perspectives were accurately reflected. A peer review process involved experts in legal language reviewing the study's methods and analysis, providing additional feedback and validation. Lastly, an audit trail was maintained, documenting all research decisions and steps to enhance transparency and accountability.

Overall, this study aimed to provide a detailed and practical understanding of how English terminology was used in prosecutorial practices in Indonesia. By employing a qualitative descriptive approach and using multiple data sources and

analytical techniques, the research sought to offer insights that were both theoretically sound and practically useful. The findings were expected to benefit not only legal practitioners and translators but also policymakers and researchers interested in the role of English in legal systems, helping improve communication and practice in an increasingly globalized legal environment.

FINDINGS AND DISCUSSION

Findings

1. The Use of English Legal Terminology in Prosecutorial Practices

This study revealed that English legal terminology is commonly used in various aspects of prosecutorial work in Indonesia, especially within environments that engage in international cooperation or refer to global legal frameworks. Through document analysis and observation of simulated courtroom discourse, several key legal terms were identified as being frequently used. These include:

- Defendant (*Terdakwa*) – referring to a person formally accused of a crime.
- Prosecutor (*Jaksa Penuntut Umum*) – the legal officer representing the state.
- Indictment (*Surat Dakwaan*) – a formal charge or accusation of a serious crime.
- Plea Bargain (*Kesepakatan Pengakuan Bersalah*) – a negotiation process in which the defendant pleads guilty to a lesser charge.
- Jurisdiction (*Yurisdiksi/Kewenangan Hukum*) – the court's authority to hear and decide a case.
- Subpoena (*Surat Panggilan Pengadilan*) – a legal document requiring someone to appear in court.

These terms appear frequently in written legal documents (such as case files, indictments, or MLA requests) and in oral communication, particularly during courtroom trials or coordination with foreign legal institutions.

The inclusion of these terms in daily prosecutorial discourse demonstrates the growing influence of English-speaking legal systems, particularly the Anglo-American (common law) tradition, on Indonesia's civil law-based system. This linguistic integration is driven by globalization, the increased need for cross-border legal cooperation, and the influence of international treaties, agreements, and legal education.

2. Strategies and Challenges in Translating English Legal Terminology

Interviews with prosecutors, legal assistants, and staff at the Kejaksaan Tinggi Jawa Timur revealed the real-world strategies and challenges involved in translating English legal terms into Bahasa Indonesia.

Prosecutors reported using three primary strategies:

1. Literal Translation: Applied when there is an established and widely accepted equivalent in Indonesian legal language. Examples include:
 - Defendant: *Terdakwa*
 - Witness: *Saksi*
 - Prosecutor: *Jaksa Penuntut Umum*
2. Descriptive or Contextual Translation: Used when the term lacks a direct equivalent and requires further explanation to preserve the legal meaning. For instance:

- Plea bargain may be translated *Kesepakatan pengakuan bersalah*, with added notes clarifying it as a negotiated sentence reduction, which is not present in Indonesia's criminal procedure.
 - Jurisdiction may be translated as *kewenangan hukum* or *wilayah hukum*, depending on context.
3. Bilingual Translation (Retention + Explanation): Especially in international legal documents, prosecutors retain the English term (e.g., subpoena, mutual legal assistance) and add a Bahasa Indonesia explanation in parentheses or footnotes to ensure accuracy and avoid loss of legal nuance.

Challenges encountered during translation include:

- Lexical gaps: Terms like subpoena or probable cause lack direct equivalents, requiring translators to use circumlocutions or approximations.
- Stylistic mismatches: Legal English tends to be formal, impersonal, and technical, while Indonesian language often adopts a more narrative or less rigid tone in legal writing.
- Grammatical difficulties: Modal verbs like shall and may, common in English legal writing, are not easily transferable without ambiguity.

Prosecutors also reported relying on internal glossaries, academic references, and team discussions to ensure translation accuracy – particularly in sensitive or high-profile cases. Consultation with senior colleagues and legal linguists is common to validate the use of a term or phrase, especially when precision is legally significant.

Discussion

1. The Use of English Legal Terminology in Prosecutorial Practices

This study found that English legal terminology is extensively used in the daily legal work of prosecutors in Indonesia, especially in contexts that involve written documentation, courtroom trials, and cross-border legal collaboration. Terms such as defendant, prosecutor, indictment, jurisdiction, and plea bargain are not only commonly found in legal documents but are also used in oral discourse. This reflects how global legal communication dominated by English has become increasingly influential in the local context of Indonesian prosecutorial practice.

The frequent usage of such terms aligns with Gotti's (2016) argument that English legal terminology functions to deliver precise and complex legal meanings. The integration of terms like plea bargain a concept foreign to Indonesian legal procedures – demonstrates that legal professionals in Indonesia are not only encountering these terms more often but are also challenged to understand and interpret them accurately within their own legal framework.

Moreover, this phenomenon reinforces the view presented by Mellinkoff (2019) that legal language serves a very specific purpose: to maintain clarity, neutrality, and accuracy. In prosecutorial practice, these qualities are essential, as any miscommunication – particularly involving foreign legal concepts – could affect the fairness of a trial or the legality of international cooperation procedures.

However, the usage of English legal terms in Indonesia is not without challenge. Some terms have no exact equivalents in Bahasa Indonesia, especially those rooted in the common law system, while Indonesia applies a civil law

tradition. This gap supports the idea presented by Cao (2023) that legal translation must go beyond direct word substitution; it must preserve the intended legal concept and implications of the original term.

2. Strategies and Challenges in Translating English Legal Terminology

The second major finding of this study revealed that prosecutors use a combination of strategies to translate English legal terms: literal, descriptive/contextual, and bilingual (retaining English terms with explanation). Literal translation is typically used for established terms such as defendant (*terdakwa*) and witness (*saksi*), which already have accepted equivalents in Indonesian criminal law.

More complex terms, however—such as plea bargain, jurisdiction, and bail require descriptive or contextual translations to maintain their legal meaning. For example, plea bargain is translated as *kesepakatan pengakuan bersalah*, but often includes additional explanation about the negotiation aspect, which does not exist in Indonesia's legal process. This practice reflects Bhatia et al.'s (2008) assertion that context must guide the legal translation process to ensure clarity and legal fidelity.

Additionally, in international documents such as Mutual Legal Assistance (MLA) requests, prosecutors frequently retain the English legal term and provide its explanation in Bahasa Indonesia. This bilingual approach is a form of risk mitigation to prevent legal misinterpretation across jurisdictions. As interviewees in this study noted, preserving the original English terms in sensitive documents avoids changing their intended legal function.

These translation strategies also address several challenges outlined by Turaeva Umida, including lexical problems (lack of one-to-one translation), stylistic mismatches (differences in tone and formality), and grammatical discrepancies (such as with modal verbs shall, may, etc.). Translating without accounting for these issues can result in misunderstandings that affect legal processes and outcomes.

Prosecutors also revealed that in high-stakes or complex cases, they consult legal dictionaries, glossaries, past precedents, and senior colleagues to ensure that their translation choices do not alter the meaning of the original legal terms. This highlights the collaborative nature of legal translation in prosecutorial work and reinforces the ethical responsibility of legal professionals, as discussed by McMunigal (2000) and Taher (2019), to ensure clarity, fairness, and precision in legal communication.

CONCLUSION

This study has examined the use and translation of English legal terminology within Indonesian prosecutorial practices, with a particular focus on how prosecutors at the Kejaksaan Tinggi Jawa Timur navigate these terms in both domestic and international legal contexts. The findings indicate that English legal terms such as defendant, indictment, prosecutor, plea bargain, jurisdiction, and subpoena are frequently encountered in legal documents, courtroom discussions, and

collaborations with foreign legal institutions. Their widespread presence reflects the growing influence of global legal interactions and highlights the dominance of English as the international language of law.

English legal terminology plays a significant and growing role in Indonesian prosecutorial practices. These terms appear not only in formal documents but also in everyday legal communication, illustrating the pressing need for Indonesian legal professionals to engage effectively with international legal frameworks. However, because Indonesia's legal system is based on civil law, while many English terms stem from common law traditions, some of these terms carry legal concepts that do not have direct equivalents in Bahasa Indonesia. This creates a challenge that requires more than just language proficiency—it demands a sound understanding of comparative legal systems. Therefore, the integration of English legal terminology is not simply a linguistic development, but a practical necessity for effective international legal cooperation and communication.

To overcome conceptual and linguistic gaps, prosecutors employ a variety of translation strategies. Literal translation is used for terms with clear Indonesian counterparts, such as defendant (*terdakwa*). For more complex or unfamiliar terms, such as plea bargain, descriptive or contextual translations are applied to convey the full legal meaning. In international documents, a bilingual approach is often used, where the original English term is retained and accompanied by an Indonesian explanation. Despite these strategies, challenges remain particularly in dealing with lexical gaps, differences in writing style, and grammatical mismatches, such as the ambiguity found in modal verbs like *shall* and *may* in English legal writing.

To address these difficulties, prosecutors often turn to collaborative translation practices. These include the use of legal glossaries, peer consultation, academic references, and case precedents to ensure accuracy and consistency. Such practices emphasize the ethical and professional responsibilities of legal practitioners in maintaining clarity, precision, and fairness. Ultimately, accurate legal translation is not solely a matter of language it is a crucial component in safeguarding legal integrity and ensuring justice in both national and international legal contexts.

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