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Interpretation and translation of legal contexts: A case of Lejweleputswa District Courtrooms, South Africa

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ABSTRACT

This paper examines the significance of interpretation and translation in legal contexts within South African courtrooms, emphasising their critical role in ensuring fair trials for defendants. It highlights the challenges faced by both defendants and interpreters, particularly in achieving accurate and appropriate translations. A quantitative approach was used, using questionnaires distributed to 15 randomly selected male and female participants, with the results analysed thematically. The findings reveal that linguistic and cultural competence is essential for effective interpreting between Sesotho and English. However, challenges such as lexical gaps, complex legal terminology, and varying levels of interpreter experience persist. The study further demonstrates that formal qualifications and structured training significantly improve interpretation accuracy and performance. Statistical analysis confirmed the reliability and validity of the data, identifying key factors such as interpretive competence, linguistic and cultural challenges, courtroom communication, and professional training. In general, the study underscores the need to strengthen interpreter training, improve linguistic and cultural competence, and ensure access to relevant qualifications. It recommends that interpreters and translators obtain appropriate qualifications and participate in continuous in-service training to improve performance and promote fairness in multilingual courtroom proceedings. This paper will contribute to global scholarship by illuminating multilingual access challenges, testing forensic linguistics theories against regional African realities, and bridging gaps between constitutional language rights and courtroom practice.

Keywords: Interpretation, Translation, Legal Contexts, Courtrooms, South Africa.

INTRODUCTION

While both translating and interpreting seek to convert one language into another, they are distinct processes. In courtrooms, both translation and interpretation are vital for the seamless operation of the judicial process; hence, their services will be utilised afterwards. As stated by House, translation entails transforming an original text, often called the 'source text', into a new text in another language, designated as the 'target text'.[1] House suggests that translation encompasses a dual focus: one that reflects on the original message and another that anticipates the communicative needs of the target audience, as well as how similar 'equivalent' texts are formed in the target language.[2] Historically,

[1] Juliane House, *Translation: The Basics* (Taylor & Francis, 2023).
[2] House, *Translation: The Basics*.

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translations have been vital in forming and spreading writing conventions, the development of national languages and literatures, and the exchange of knowledge and political authority across borders. House emphasises that in medieval times, the German Bible translator, Martin Luther, bravely challenged the idea of rigidly sticking to the original text, suggesting a more adaptable interpretation when necessary.[3] The purpose of this paper is to attempt to address the problems experienced by alleged suspects in courtrooms regarding how their statements are interpreted and translated. The basis of this paper is to identify qualifications posed by both court interpreters and translators, to enable them to perform their duties effectively. During both interpretation and translation in courtrooms, cultural and ideological aspects are prominent. Bülent asserts that culture is a collective and unique notion to individuals in a community, transmitted through communication.[4] Culture is conveyed through observation, listening, conversation and interaction with others, through which its physical elements, beliefs, values, expectations, ways of life, and even mindsets are communicated. As noted by Zajda, the concept of ideology refers to a framework of dominant ideas and convictions that shape every aspect of human social interaction and organization, covering political, economic, scientific, educational, and cultural domains.[5]

In comprehending culture, House notes that different areas such as philosophy, sociology, anthropology, literature, and cultural studies have interacted with the concept, with interpretations varying according to specific frameworks.[6] House proposes that the humanistic perspective of culture includes 'cultural heritage' as a benchmark of refinement, thereby linking culture and language.[7] Throughout history, cultures have often been linked to factors such as race, ethnicity, nation, or geographical area, leading to the development of cultural stereotypes, national mindsets, and national identities. Regarding translation quality, House highlights that anecdotal opinions represent conventional, instinctive, and subjective evaluations.[8] Anecdotal and subjective methods claim that the quality of a translation is mainly shaped by the translator's personal interpretation and choices, driven by intuition and experience. Conversely, House explains that proponents of response-based approaches advocate for an external method to assess translations through psycho-philosophical, socio-political, and ideological lenses to reveal disparities in power.[9]

As stated by Uran, interpreting encompasses the translation of verbal communication into another language by an interpreter, facilitating dialogue between a speaker and those who do not understand the speaker's language.[10] According to Pöchhacker, interpreting can be distinguished from other translation types mainly due to its immediacy: fundamentally, interpreting occurs 'here and now' to aid communication for people seeking to bridge language and cultural barriers. Interpreting consists of rendering spoken words into another language either verbally or through sign language.[11] Meaning and context, as emphasised by anthropologist Malinowski, are critical in this conversation. Katan and Taibi suggest that a pivotal shift in Linguistics was characterised by the Sapir–Whorf Hypothesis, which distinguishes between strong and weak hypotheses and differentiates lexical from grammatical elements.[12] Concerning lexical labelling, intralingual examples of language may be hurtful or demeaning to specific community groups, necessitating style guides, politically correct terminology, or censorship.

Katan and Taibi emphasise that translation presents further difficulties, such as psycho-cultural gaps where specific ideas have no equivalent.[13]The structure of a language also impacts the arbitrary

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[3] House, *Translation: The Basics*.
[4] Okay Bülent, *Culture and Society. Sofia: Academy For European Culture "Orpheus Lira" Publications*, 2018.
[5] Joseph Zajda, "Discourses of Globalisation and Education Reforms: Overcoming Discrimination," 2022, 105–18, https://doi.org/10.1007/978-3-030-96075-9_8.
[6] House, *Translation: The Basics*.
[7] House, *Translation: The Basics*.
[8] House, *Translation: The Basics*.
[9] House, *Translation: The Basics*.
[10] Stefanus Igolois G Uran, "Chapter XI Translation And Interpreting," *Essential English For EFL Students*, 2022, 160.
[11] Franz Pöchhacker, *Introducing Interpreting Studies* (Routledge, 2022).
[12] David Katan and Mustapha Taibi, *Translating Cultures: An Introduction for Translators, Interpreters and Mediators* (Routledge, 2021).
[13] Katan and Taibi, *Translating Cultures: An Introduction for Translators, Interpreters and Mediators*.

characteristics of the world, resulting in challenges with translation, as seen in famous advertising errors resulting from direct translations. In the legal sphere, Mason indicates that a defendant lacking English proficiency requires the help of a court interpreter to guarantee a fair trial.[14] However, the presence of a courtroom interpreter does not ensure that the witness's words will be accurately represented. Mason points out that the interpreter may alter the style, structure, or intent of the witness's remarks, potentially jeopardising the defendant's constitutional right to a fair trial.[15] These failures are often linked to cognitive overload, which Mason describes as the pressure that a large volume of information exerts on the interpreter's memory and language processing abilities.[16]

In multilingual legal frameworks, the precise interpretation and translation of court proceedings are essential to uphold principles of fairness and justice. However, for Sesotho-speaking individuals within judicial settings, challenges may arise due to linguistic and cultural nuances that interpreters or translators might inadequately convey. Such challenges can lead to misunderstandings, misrepresentations of evidence, or even erroneous convictions. This study aims to examine the difficulties faced by Sesotho-speaking participants in legal environments, specifically evaluating the effectiveness and reliability of services and determining whether court interpreters possess the requisite qualifications. The research explores the impact of these language barriers on legal outcomes, the quality of communication, and the broader implications for equitable access to justice within this linguistic community. To fulfil these objectives, the study will be guided by the following research questions:

- How do linguistic and cultural differences impact the interpretation and translation of Sesotho in Lejweleputswa courtrooms?
- What are the challenges faced by interpreters and translators in accurately conveying legal terminology and procedures when translating from Sesotho to English (or vice versa) in Lejweleputswa courtrooms?
- Does the lack of relevant qualifications present a challenge for translators and interpreters in doing their job?
- How do the interpreted testimonies and legal instructions in Sesotho influence courtroom outcomes in Lejweleputswa, particularly in relation to defendants and witnesses who speak only Sesotho?
- What could be the recommendations pertaining to the courtrooms in hiring qualified interpreters and translators within the Lejweleputswa courtrooms?

LITERATURE REVIEW

Linguistic Justice and Courtroom Interpretation in South Africa

According to Al-Tarawneh and Cornelius, the administration of justice in a multilingual society is inextricably linked to the quality of interpretation and translation services.[17] In South Africa, where the Constitution recognises eleven official languages, the ability of a litigant to navigate the legal system in a language they understand is a fundamental cornerstone of the right to a fair trial. This review focuses on the Lejweleputswa District of the Free State, a region where Sesotho is the primary language, yet courtroom proceedings remain dominated by English, an exoglossic language.[18] Angermeyer indicated that legal translation and court interpreting are multifaceted processes involving linguistic transfer and deep cultural mediation.[19] Although interpreters act as vital bridges to justice, the profession faces

[14] M. Mason, *Courtroom Interpreting* (University Press of America, 2008).
[15] Mason, *Courtroom Interpreting*.
[16] Mason, *Courtroom Interpreting*.
[17] A. Al-Tarawneh, "The Impact of Legal Translation on Criminal Proceedings," *Pakistan Journal of Criminology*, no. 16.3 (May 27, 2024): 793–804, https://doi.org/10.62271/pjc.16.3.793.804; E. Cornelius, "The Curious Case of Legal Translation," *Literator* 32, no. 1 (June 22, 2011): 121–44, https://doi.org/10.4102/lit.v32i1.6.
[18] Zakeera Docrat and Russell H. Kaschula, "Legal Translation and Court Interpreting in Africa," in *Research Handbook on Jurilinguistics* (Edward Elgar Publishing, 2023), 451–69, https://doi.org/10.4337/9781802207248.00040; Anastacia Sara Motsei, "Intercultural Communication Problems Relating to Translation from English into Sesotho," *The Journal for Transdisciplinary Research in Southern Africa* 9, no. 3 (December 30, 2013), https://doi.org/10.4102/td.v9i3.201.
[19] Philipp Sebastian Angermeyer, "Public Service Interpreting in Court," in *The Routledge Handbook of Public Service Interpreting* (London: Routledge, 2023), 125–39, https://doi.org/10.4324/9780429298202-11.

hurdles such as a lack of statutory role definition and professional recognition, which impacts criminal proceedings nationwide.[20] These sociolinguistic factors contribute to what has been termed "linguistic injustice."[21]

Legal Frameworks for Interpretation

Kaschula & Ralarala, Cornelius and Namakula asserted that the linguistic rights of South African citizens are anchored in the 1996 Constitution.[22] Section 6 mandates that the state take practical measures to advance the use of indigenous languages, while Section 35(3)(k) guarantees every accused person the right to be tried in a language they understand or to receive interpretation assistance. Despite these protections, implementation remains inconsistent. Kekana & Montle observed that the legal system continues to operate primarily in English and Afrikaans, a legacy of colonisation that results in linguistic injustice for speakers of African languages.[23] Historically, the Department of Justice has focused more on the translation of statutes than on the quality of oral interpretation in trials.[24] Furthermore, a lack of statutory provisions defining norms and standards leads to role confusion among judicial officers, practitioners, and interpreters.[25]

The Professional Role and "Institutional Dilemma"

Some scholars have pointed out that the role of the court interpreter is often described as "undefined," forcing practitioners to perform tasks outside their professional scope, such as administrative or clerical duties.[26] This "institutional dilemma" is particularly acute in some African contexts where interpreters may serve as court clerks, potentially compromising their impartiality.[27] The absence of interpretation models tailored to the South African linguistic context further complicates the situation, as practitioners are often expected to follow international models that may not account for the metaphorical and idiomatic structures of indigenous languages.[28]

Sociolinguistic Landscape and Linguistic Imperialism

The Lejweleputswa District is characterised by "unbalanced bilingualism," where court users may have high proficiency in their native Sesotho but struggle with technical legal English.[29] The persistence of

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[20] Samuel Joseph Lebese, *The Undefined Role of Court Interpreters in South Africa* (University of South Africa (South Africa), 2013); Rosemary H. Moeketsi, "The Do's and Don'ts in Court Interpreting: A Functional Approach to Aprofessional Code," *Language Matters* 31, no. 1 (January 2000): 222–42, https://doi.org/10.1080/10228190008566166; Samuel Joseph Lebese, "Do Justice To Court Interpreters In South Africa," *Stellenbosch Papers in Linguistics Plus* 43, no. 0 (August 13, 2014): 183, https://doi.org/10.5842/43-0-179.

[21] Mcniel Zimri, "Linguistic Barriers on Trial: 'Epistemic (in)Justice' as a Tool for Safeguarding Access to Justice and Procedural Rights in the Courtroom," *African Student Law Journal* 1, no. 1 (2025), https://doi.org/10.14426/aslj.v1i1.3295; Tebogo Johannes Kekana and Malesela Edward Montle, "The Use of the Official Indigenous Languages in the South African Judcial System Reimagined, Poignant and Tacit Issues Explored," *ScienceRise*, no. 3 (June 30, 2022): 73–82, https://doi.org/10.21303/2313-8416.2022.002556.

[22] Russell H Kaschula and Monwabisi K Ralarala, "Language Rights, Intercultural Communication and the Law in South Africa," *South African Journal of African Languages* 24, no. 4 (January 24, 2004): 252–61, https://doi.org/10.1080/02572117.2004.10587242; Cornelius, "The Curious Case of Legal Translation"; Catherine S. Namakula, "When the Tongue Ties Fair Trial: The South African Experience," *South African Journal on Human Rights* 35, no. 2 (April 3, 2019): 219–36, https://doi.org/10.1080/02587203.2019.1615383.

[23] Kekana and Montle, "The Use of the Official Indigenous Languages in the South African Judcial System Reimagined, Poignant and Tacit Issues Explored."

[24] Cornelius, "The Curious Case of Legal Translation."

[25] Lebese, "Do Justice To Court Interpreters In South Africa"; Tuija Kinnunen, "Expertise Sharing in the Field of Court," *Apples: Journal of Applied Language Studies*, no. 1 (2011).

[26] Samuel Lebese, "A Pilot Study on the Undefined Role of Court Interpreters in South Africa," *Southern African Linguistics and Applied Language Studies* 29, no. 3 (September 2011): 343–57, https://doi.org/10.2989/16073614.2011.647498; Lebese, *The Undefined Role of Court Interpreters in South Africa*; Paul Svongoro, "Court Interpreter Training at the Crossroads: Challenges and Future Prospects for Zimbabwe," *Mediterranean Journal of Social Sciences*, March 7, 2016, https://doi.org/10.5901/mjss.2016.v7n2p106.

[27] Sam Erevbenagie Usadolo, *Justice through Language: A Critical Analysis of the Use of Foreign African Interpreters in South African Courtrooms* (Nelson Mandela University, 2010).

[28] Mehdi Asadzadeh and Mehran Asadzadeh, "Language Barrier, Legal Translation and the Judicial System: An Elaboration on the Concepts and Principles," *Forensic Research & Criminology International Journal* 7, no. 6 (December 17, 2019): 301–5, https://doi.org/10.15406/frcij.2019.07.00297.

[29] Sam Erevbenagie Usadolo and Ernst Kotzé, "Some Interlingual Communicative Challenges for Foreign African Interpreters in South African Courtrooms," *Stellenbosch Papers in Linguistics Plus* 43, no. 0 (July 15, 2014): 345, https://doi.org/10.5842/43-0-184; Sam

English as the language of record is frequently viewed as "linguistic imperialism," which marginalises speakers of indigenous languages.[30] In Lejweleputswa, sensitive interpretation is required to bridge the gap between English-speaking professionals and Sesotho-speaking litigants.[31]

Mphi et al. added that regional dialects, urban varieties such as Tsotsitaal, and cross-border language challenges introduced by foreign African immigrants further complicate this landscape.[32] Failure to recognise these nuances can lead to "epistemic injustice," where speakers cannot articulate their experiences because the court does not recognise their conceptual pools.[33]

Methodological Approaches in Literature

Research on South African court interpreting employs various frameworks to understand these challenges:

- **Qualitative Studies**: Using one-on-one interviews, participant observation, and document analysis to explore role enactment and practical challenges.[34]
- **Linguistic Analysis**: Identifying discrepancies in translated texts and oral interpretations. Research on Sesotho-English translation delves into stylistic differences and issues of equivalence.[35] In-depth case studies, such as the analysis of the Eugene Terre'Blanche trial, use Critical Sociolinguistic Analysis (CSA) to uncover how power imbalances are manifested through language.[36] Others apply Juliane House's translation quality assessment model to evaluate the impact of translated witness statements on trial flow.[37]

Systemic and Linguistic Challenges

A primary systemic concern is the "extremely low" threshold for court interpreting in South Africa.[38] Many interpreters lack the academic training necessary for legal and forensic communication.[39] Although specialised degrees have been introduced, the lack of a professional association with a binding code of ethics remains a barrier.[40]

Linguistically, legal English is highly technical, and indigenous African languages often lack specialised dictionaries for Western legal or forensic concepts.[41] On the contrary, translating indigenous law concepts into English requires extensive paraphrase and cultural mediation.[42] Furthermore,

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Erevbenagie Usadolo, "Sociolinguistic Influences on the Quality of Interpreting for Foreign African Immigrants in South African Courtrooms," *International Journal of English Linguistics* 6, no. 1 (January 31, 2016): 13, https://doi.org/10.5539/ijel.v6n1p13.

[30] Kekana and Montle, "The Use of the Official Indigenous Languages in the South African Judcial System Reimagined, Poignant and Tacit Issues Explored."

[31] Motsei, "Intercultural Communication Problems Relating to Translation from English into Sesotho."

[32] Makhetsi Makha-Ntlaloe, Teboho Reginah Mphi, and Mape John Mohlomi, "Lost in Translation: Navigating Linguistic Challenges in Lesotho High Court Trials," *REiLA : Journal of Research and Innovation in Language* 5, no. 2 (August 31, 2023): 200–215, https://doi.org/10.31849/reila.v5i2.14201.

[33] ZIMRI, "Linguistic Barriers on Trial: 'Epistemic (in)Justice' as a Tool for Safeguarding Access to Justice and Procedural Rights in the Courtroom."

[34] B. B Simelane, "Exploring the Role of Court Interpreters in Kwazulu-Natal Province of South Africa" (Durban University of Technology, 2023), https://doi.org/10.51415/10321/4919; Lebese, *The Undefined Role of Court Interpreters in South Africa*; Lebese, "A Pilot Study on the Undefined Role of Court Interpreters in South Africa."

[35] Motsei, "Intercultural Communication Problems Relating to Translation from English into Sesotho."

[36] Namakula, "When the Tongue Ties Fair Trial: The South African Experience."

[37] Karolina Jarmolowska, "Translation of a Book of Evidence and Its Impact on a Criminal Trial-A Case Study" (2012).

[38] Z. Docrat, "The 17th Biennial Conference of the International Association for Forensic and Legal Linguistics (IAFLL)," 2026, https://utppublishing.com/doi/abs/10.3138/ijsll-2026-0007.

[39] Linda van Huyssteen, "Legal Terminology Development in the African Languages: Aspects That May Improve Legal or Forensic Communication," in *Language and the Law: Global Perspectives in Forensic Linguistics from Africa and Beyond* (African Sun Media, 2022), 123–43, https://doi.org/10.52779/9781991201836/06.

[40] Svongoro, "Court Interpreter Training at the Crossroads: Challenges and Future Prospects for Zimbabwe"; Rosemary Moeketsi and Kim Wallmach, "From Sphaza to Makoya!: A BA Degree for Court Interpreters in South Africa," *The International Journal of Speech, Language and the Law* 12, no. 1 (February 14, 2005): 77–108, https://doi.org/10.1558/sll.2005.12.1.77.

[41] Usadolo, "Sociolinguistic Influences on the Quality of Interpreting for Foreign African Immigrants in South African Courtrooms"; van Huyssteen, "Legal Terminology Development in the African Languages: Aspects That May Improve Legal or Forensic Communication."

[42] Idette Noomé, "Justice for All? Accountable Translations of Texts on Indigenous Law," *International Journal of African Renaissance Studies - Multi-, Inter- and Transdisciplinarity* 10, no. 2 (July 3, 2015): 69–86, https://doi.org/10.1080/18186874.2015.1107979; Cornelius, "The Curious Case of Legal Translation."

interpreters often work under high-stress conditions with low compensation and limited access to case materials, which can lead to ethical breaches or partiality (Sworn interpreters/translators, 2024).

Communicative Obstacles: Tone and Metaphor

Kaschula et al. postulated that interpreting between English and Sesotho involves navigating significant linguistic differences.[43] Sesotho is a tonal language where pitch can fundamentally change meaning; failure to capture these nuances can lead to "cultural noise" and the misrepresentation of testimony. Additionally, inaccurate translation often occurs when interpreters lack a deep understanding of the cultural factors behind idiomatic and metaphorical expressions.[44] A literal translation of a witness's metaphor might strip a statement of its force, potentially leading to a miscarriage of justice.[45] Finally, interpreters may add or omit information to facilitate communication, which can alter the propositional content of evidence, especially in sensitive cases such as rape trials.[46]

Comparative and Global Contexts

Challenges in South Africa are mirrored in other nations. In Zimbabwe, the lack of qualified interpreters and the technicality of legal English are major obstacles.[47] Studies in Lesotho also highlight the difficulty of navigating linguistic challenges in high court trials.[48] Internationally, while some jurisdictions like Australia use remote interpreting, they still struggle with pragmatic equivalence.[49] Furthermore, the rights of deaf litigants remain a concern globally; in both South Africa and Zimbabwe, sign language interpretation is often inadequate.[50]

THEORETICAL FRAMEWORK

Sociolinguistic Dynamics And Epistemic Injustice

The Lejweleputswa District, situated in the heart of the Free State province, reflects the broader South African sociolinguistic landscape characterised by deep-seated multilingualism and historical linguistic hierarchies. Motsei stated that in the district's courtrooms, legal proceedings are primarily conducted in English or Afrikaans, the traditional languages of record, while most of the community relies on Sesotho for daily interaction.[51] This linguistic divide creates a precarious environment for the administration of justice, where the rights of the accused and witnesses are mediated by the quality of interpretation.[52]

Legal interpretation in South Africa is not merely a technical exercise but a site of sociolinguistic struggle. As noted in the broader South African context, the use of English as the predominant language of the law can be viewed as a form of linguistic injustice, portraying the judicial system as still colonised and untransformed.[53] In Lejweleputswa, this is particularly evident as Sesotho speakers navigate a

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[43] Russell H Kaschula, André Mostert, and Monwabisi K Ralarala, "Communicating across Cultures in South African Law Courts: Towards an Information Technology Solution," *Stellenbosch Papers in Linguistics Plus* 36, no. 0 (September 10, 2012), https://doi.org/10.5842/36-0-39.

[44] Motsei, "Intercultural Communication Problems Relating to Translation from English into Sesotho."

[45] Niklas Torstensson, "Judging the Immigrant: Accents and Attitudes" (Umeå University, 2010); Motsei, "Intercultural Communication Problems Relating to Translation from English into Sesotho."

[46] Paul Svongoro, "The Impact of Additions in Shona and English Consecutively-Interpreted Rape Trials in Zimbabwean Courtrooms," *Per Linguam* 31, no. 1 (May 23, 2015): 105, https://doi.org/10.5785/31-1-635; GAO Lu-lu and YANG Ning, "Challenges and Strategies for Courtroom Interpreter: A Case Study," *Sino-US English Teaching* 12, no. 12 (December 28, 2015), https://doi.org/10.17265/1539-8072/2015.12.013.

[47] Svongoro, "Court Interpreter Training at the Crossroads: Challenges and Future Prospects for Zimbabwe"; Yolanda Gonga, "Language Contact in Legal Contexts: Challenges for Zimbabwean," *Policies and Issues in Deaf Studies and Education*, 2026, 63.

[48] Makha-Ntlaloe, Mphi, and Mohlomi, "Lost in Translation: Navigating Linguistic Challenges in Lesotho High Court Trials."

[49] Ran Yi, "Assessing the Manner of Speech in Australian Courts: A Study of Chinese-English Professional Interpreters in Remote Settings," *FITISPos International Journal* 10, no. 1 (April 25, 2023): 35–47, https://doi.org/10.37536/FITISPos-IJ.2023.10.1.339.

[50] Ferdinand Heinrich Hermann Kehrhahn and Jani Charlese de Lange, "Guilty of Being Deaf. Kruse v S — Paying Lip Service to the Fair-Trial Rights of Hearing-Impaired Accused Persons," *South African Law Journal* 139, no. 1 (2022): 157–80, https://doi.org/10.47348/SALJ/v139/i1a5.

[51] Motsei, "Intercultural Communication Problems Relating to Translation from English into Sesotho."

[52] Al-Tarawneh, "The Impact of Legal Translation on Criminal Proceedings."

[53] Kekana and Montle, "The Use of the Official Indigenous Languages in the South African Judcial System Reimagined, Poignant and Tacit Issues Explored."

system that often treats their mother tongue as a secondary instrument, requiring translation into the "hegemonic" official languages.[54]

Lebese stipulated that the role of the court interpreter is central to this dynamic.[55] However, research indicates that the role remains undefined, leading to inconsistencies where interpreters may overstep their bounds or fail to capture the pragmatic force of legal speech. This study establishes a theoretical framework to analyse these challenges, focusing on how power, culture, and language intersect in the pursuit of fair trial rights.

Linguistic Capital and Symbolic Power: Pierre Bourdieu's concept of linguistic capital is essential to understand the value assigned to different languages within the legal market. In the Lejweleputswa District courtrooms, English and Afrikaans function as high-value capital. Svongoro asserts that mastery of these languages grants participants "symbolic power," allowing them to navigate legal discourse with authority.[56] Conversely, speakers of indigenous languages like Sesotho often lack this capital, placing them at a structural disadvantage.

The historical conditions of South Africa have produced power asymmetries that influence how texts and testimonies are handled in transit between languages.[57] Kinnunen observes that the interpreter, as a cultural mediator, must navigate these hierarchies while often operating from a position of lower interactional status compared to judges and lawyers, which can hinder the formation of collective expertise.[58]

Epistemic and Hermeneutical Injustice

Building on Miranda Fricker's work, Zimri identified epistemic injustice as a critical barrier to justice in South African courtrooms.[59] This occurs when a speaker is silenced, or their testimony is disregarded because they lack the linguistic resources or the court lacks the receptive capacity to recognise their conceptual framework. In the context of Lejweleputswa, Sesotho speakers may encounter terms or cultural concepts that have no direct equivalents in Western legal English or Afrikaans, such as specific customary law practices or familial structures, such as *lobola* (bride price).[60]

When an interpreter fails to bridge this gap, the litigant suffers hermeneutical injustice, where their experience becomes unintelligible to the court.[61] The lack of specialised dictionaries for African languages and the technicality of legal English further complicate this, as ordinary terms take on specialised meanings that Sesotho speakers may not grasp.[62] Forensic linguists argue that these linguistic barriers are not just communicative obstacles but fundamental threats to procedural rights, as they prevent the "accused/complainant" from being truly familiar with the language of the court.[63]

Linguistic Imperialism in the Judicial System

The continued dominance of English in South African courts is a manifestation of linguistic imperialism. Docrat and Kaschula documented that this dynamic reflects the colonial residue where exoglossic languages (languages not indigenous to the population) maintain official recognition at the expense of indigenous African languages.[64] In Lejweleputswa, the preference for English and Afrikaans as languages of record perpetuates a system where the "linguistically handicapped"—those not proficient in the court's preferred tongues—are marginalised.[65]

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[54] Noomé, "Justice for All? Accountable Translations of Texts on Indigenous Law."
[55] Lebese, *The Undefined Role of Court Interpreters in South Africa*.
[56] Svongoro, "The Impact of Additions in Shona and English Consecutively-Interpreted Rape Trials in Zimbabwean Courtrooms."
[57] Noomé, "Justice for All? Accountable Translations of Texts on Indigenous Law."
[58] Kinnunen, "Expertise Sharing in the Field of Court."
[59] ZIMRI, "Linguistic Barriers on Trial: 'Epistemic (in)Justice' as a Tool for Safeguarding Access to Justice and Procedural Rights in the Courtroom."
[60] Cornelius, "The Curious Case of Legal Translation."
[61] ZIMRI, "Linguistic Barriers on Trial: 'Epistemic (in)Justice' as a Tool for Safeguarding Access to Justice and Procedural Rights in the Courtroom."
[62] van Huyssteen, "Legal Terminology Development in the African Languages: Aspects That May Improve Legal or Forensic Communication."
[63] Svongoro, "Court Interpreter Training at the Crossroads: Challenges and Future Prospects for Zimbabwe."
[64] Docrat and Kaschula, "Legal Translation and Court Interpreting in Africa."
[65] Svongoro, "Court Interpreter Training at the Crossroads: Challenges and Future Prospects for Zimbabwe."

This imperialistic framework is reinforced by the lack of statutory provisions and norms for court interpreters, which leads to inconsistent quality and a "threshold for court interpreting" that remains extremely low.[66] The result is a judicial system that may be perceived as untransformed, where the "rights to a language" are often compromised in the name of administrative convenience or the perceived superiority of colonial legal traditions.[67]

Communicative Dynamics: Translanguaging and Code-switching

In the high-stakes environment of the courtroom, participants often resort to translanguaging and code-switching to navigate linguistic barriers. In South African courtrooms, code-switching is frequently used when interpreters or litigants cannot find equivalent terms for complex concepts.[68] For instance, a Sesotho speaker might switch to English to use a legal term like "human rights" if a suitable Sesotho equivalent is not immediately accessible, or vice versa, to convey cultural nuances that English lacks. Studies have shown that suspects in police interviews also use code-switching as a strategy to manage their interaction with authority figures.

Angermeyer explained that the permeability of bilingual interaction in court is conditioned by specialised translation norms.[69] Although translanguaging can aid understanding, it may also lead to "cultural noise" or misinterpretations if the court does not recognise the pragmatic purpose behind the shift.[70]

Challenges in Pragmatic Equivalence

The translation of legal concepts into Sesotho presents unique intercultural communication problems. The Sesotho language, like other indigenous African languages, possesses tonal characteristics and idiomatic expressions that can be easily "lost in translation".[71] Yi noted that attaining pragmatic equivalence involves reproducing not just the content but the manner of speech.[72] The use of "powerless speech styles" or additions of politeness forms by interpreters can influence how the court perceives the credibility of a witness.[73] These challenges are further compounded by the lack of standardised training for court interpreters, many of whom lack the academic or linguistic background necessary to handle complex legal terminology.[74]

METHODOLOGY

This research employed a quantitative approach, using structured questionnaires distributed to 15 male and female participants. This design served as a systematic plan to integrate different research elements coherently, allowing for the effective resolution of the research problem.

Research Population

The target population for this study were practitioners within the Lejweleputswa district. For this research, 15 male and female court interpreters and translators from the Lejweleputswa district were randomly selected as participants.

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[66] Docrat, "The 17th Biennial Conference of the International Association for Forensic and Legal Linguistics (IAFLL)."
[67] Monwabisi Ralarala, "A Compromise of Rights, Rights of Language and Rights to a Language in Eugene Terreblanche's (ET) Trial within a Trial: Evidence Lost in Translation," *Stellenbosch Papers in Linguistics* 41, no. 0 (January 17, 2013): 55, https://doi.org/10.5774/41-0-43.
[68] Usadolo, "Sociolinguistic Influences on the Quality of Interpreting for Foreign African Immigrants in South African Courtrooms."
[69] Angermeyer, "Public Service Interpreting in Court."
[70] Kaschula, Mostert, and Ralarala, "Communicating across Cultures in South African Law Courts: Towards an Information Technology Solution."
[71] Kaschula, Mostert, and Ralarala, "Communicating across Cultures in South African Law Courts: Towards an Information Technology Solution."
[72] Yi, "Assessing the Manner of Speech in Australian Courts: A Study of Chinese-English Professional Interpreters in Remote Settings."
[73] Svongoro, "The Impact of Additions in Shona and English Consecutively-Interpreted Rape Trials in Zimbabwean Courtrooms."
[74] van Huyssteen, "Legal Terminology Development in the African Languages: Aspects That May Improve Legal or Forensic Communication."

Sample and Sampling Procedure

A sample of 15 participants was selected from the Lejweleputswa district. Although a smaller subset, this group was used to make inferences and draw valid conclusions about the larger population of courtroom personnel. The sample was drawn from three distinct locations (The number of participants was influenced by the number of interpreters and translators found in the courts where data were collected):

- **Welkom:** 10 participants (from a potential target of 18).
- **Virginia:** 2 participants (from a potential target of 3).
- **Odendaalsrus:** 3 participants (from a potential target of 4).

The study used a non-probability sampling procedure. This technique was selected as it is appropriate for research aimed at identifying how interpretation and translation are effectively applied in specific courtroom settings, where the exact likelihood of selecting every population member is unknown.

Research Instrument

Data was collected using a structured questionnaire, a scientifically and systematically designed tool to align with the research interests. The questionnaire followed a systematic framework to collect and analyse insights, consisting of a series of questions presented with clear guidelines regarding their order and selection criteria.

Data Collection Procedure

The data collection process involved gathering specific information to obtain insights about courtroom interpretation. The questionnaires were personally administered to the selected participants in their respective courtrooms. This method ensured that the researcher obtained individual opinions that were not influenced by other participants. From an initial target of 25 individuals across the three sites, 15 completed the instrument, resulting in a 60% response rate.

Data Analysis Procedure

The analysis focused on demonstrating the frequency and nature of challenges experienced by both alleged suspects and the interpreters and translators themselves.

Ethical Considerations

To ensure validity, the research instrument was scientifically designed to measure specific courtroom challenges. Standard ethical considerations were followed by ensuring that participation was voluntary and that the information collected was handled to protect the confidentiality of individual opinions. This study was approved by the institution, Central University of Technology, Free State (CUT), with ethical clearance number: CUT/REIC 2025/000502.

PRESENTATION OF FINDINGS

The findings outline the quantitative results of an investigation into Sesotho legal interpreting within the Lejweleputswa District. To ensure psychometric rigour, data were processed using R software, specifically employing the psych and GPArotation packages for multivariate analysis.

The analysis is based on a sample of 15 participants (N=15). The participant profile, as established in the primary findings, identifies a cohort of mid-career professionals, predominantly within the 36–45 age bracket. Educationally, the sample is characterised by a high concentration of Grade 12 qualifications, with a notable scarcity of higher or specialised degrees.

Measurement was conducted using a 5-point Likert scale:

- **1** = Totally disagree
- **2** = Partially disagree
- **3** = Neutral
- **4** = Partially agree

- **5** = Totally agree

Mapping of Questionnaire Items to Research Constructs
To ensure construct validity, the 10 questionnaire items (questions) were mapped to four fundamental research themes as follows:

Table 1: Selected themes

Research Theme	Questionnaire Items (question)
Theme 1: Importance of Linguistic and Cultural Competence	Items 1, 2
Theme 2: Challenges in Legal Translation/Interpretation	Items 3, 4, 5
Theme 3: Importance of Formal Qualifications and Training	Items 6, 7, 8
Theme 4: Impact on Courtroom Outcomes and Fairness	Items 9, 10

Descriptive Statistics for Questionnaire Items
Descriptive measures were calculated to assess central tendency and dispersion across the instrument.

Table 2: Descriptive Statistics for Questionnaire Items (N=15)

Item Number(questions)	Mapping/Description	Mean	Standard Deviation (SD)
Item 1	Importance of linguistic competence	4.87	0.35
Item 2	Impact of cultural competence	4.27	0.96
Item 3	Challenge of translating legal terms	3.73	1.28
Item 4	Problems with accurate term translation	3.67	1.23
Item 5	Supervisor interaction regarding language issues	3.07	1.62
Item 6	Role of formal qualifications	4.47	0.83
Item 7	Qualifications improving quality	4.53	0.83
Item 8	Necessity of specialized legal training	4.80	0.56
Item 9	Impact of language barriers on outcomes	4.67	0.62
Item 10	Importance of accuracy for fairness	4.80	0.41

The descriptive analysis shows that Item 1 (Linguistic Competence) yielded the highest mean (\mu = 4.87), indicating a strong professional consensus. Conversely, Item 5 (Interaction with Supervisor) recorded the lowest mean (\mu = 3.07) and the highest variability (SD = 1.62). From a psychometric perspective, this high standard deviation suggests a lack of standardised organisational support; interpreters experience vastly different levels of supervisor engagement, with some receiving active support while others remain isolated in their practice.

Frequency Distribution of Likert Responses
The frequency distribution identifies the concentration of the response agreement across the scale.

Table 3: Percentage Frequency Distribution of Likert Responses

Item (question)	1 (Totally Disagree)	2 (Partially Disagree)	3 (Neutral)	4 (Partially Agree)	5 (Totally Agree)
Item 1	0.0%	0.0%	0.0%	13.3%	86.7%
Item 2	0.0%	6.7%	13.3%	26.7%	53.3%
Item 3	6.7%	6.7%	33.3%	13.3%	40.0%
Item 4	6.7%	6.7%	33.3%	20.0%	33.3%
Item 5	26.7%	13.3%	13.3%	20.0%	26.7%

Item 6	0.0%	0.0%	20.0%	13.3%	66.7%
Item 7	0.0%	0.0%	20.0%	6.7%	73.3%
Item 8	0.0%	0.0%	6.7%	6.7%	86.7%
Item 9	0.0%	0.0%	6.7%	20.0%	73.3%
Item 10	0.0%	0.0%	0.0%	20.0%	80.0%

A definitive concentration is observed in the "Totally Agree" (Scale 5) category for items regarding professional competence (Item 1: 86.7%) and the necessity of accuracy for judicial fairness (Item 10: 80.0%). This reflects a cohort that is highly aware of their ethical and professional obligations.

Inferential Statistics: Correlation Analysis

The following lower triangular matrix highlights the inter-item relationships within the dataset.

Table 4: Correlation Matrix and P-Values for Questionnaire Items

	Item 1	Item 2	Item 3	Item 4	Item 5	Item 6	Item 7	Item 8	Item 9	Item 10
Item 1	1.000									
Item 2	0.113 (0.689)	1.000								
Item 3	0.233 (0.404)	**0.585 (0.022)**	1.000							
Item 4	0.055 (0.846)	**0.742 (0.002)**	**0.708 (0.003)**	1.000						
Item 5	0.142 (0.615)	-0.149 (0.595)	-0.163 (0.563)	-0.024 (0.933)	1.000					
Item 6	**0.714 (0.003)**	0.012 (0.966)	-0.143 (0.612)	-0.185 (0.509)	0.134 (0.635)	1.000				
Item 7	**0.747 (0.001)**	0.256 (0.358)	0.210 (0.453)	0.046 (0.870)	0.236 (0.398)	**0.541 (0.037)**	1.000			
Item 8	**0.579 (0.024)**	-0.027 (0.925)	-0.179 (0.523)	0.000 (1.000)	-0.063 (0.824)	0.367 (0.179)	0.397 (0.143)	1.000		
Item 9	0.439 (0.102)	0.040 (0.887)	0.151 (0.592)	0.406 (0.133)	0.451 (0.091)	0.185 (0.509)	0.231 (0.407)	0.413 (0.126)	1.000	
Item 10	**0.784 (0.000)**	0.144 (0.610)	0.297 (0.283)	0.280 (0.313)	0.340 (0.215)	0.497 (0.059)	**0.538 (0.039)**	0.431 (0.109)	**0.839 (0.000)**	1.000

Note: p-values are in parentheses. The bold values indicate significance at $p < 0.05$.

Significant correlations were observed between linguistic competence and professional standards, notably Item 6 and Item 1 ($r = 0.714$, $p = 0.003$). Furthermore, there is a very strong relationship between the impact of language barriers and courtroom fairness (Item 9 and Item 10: $r = 0.839$, $p = 0.000$), suggesting that respondents view these two constructs as inextricably linked.

Reliability and Sampling Adequacy

Sampling Adequacy

- **Bartlett's Test of Sphericity:** The test yielded a \chi^2 of 93.22 ($p < 0.001$), confirming that the correlation matrix is significantly different from an identity matrix.

- **Kaiser-Meyer-Olkin (KMO):** The Overall Measure of Sampling Adequacy (MSA) was 0.49. Although this falls marginally below the traditional 0.50 "miserable" threshold.[75] The high significance of Bartlett's Test and the restricted sample size (N=15) provide sufficient statistical justification to proceed with exploratory factor analysis.

Internal Consistency

- **Cronbach's Alpha:** The instrument demonstrated an overall raw alpha (\alpha) of 0.67. For exploratory research in specialized professional contexts, an alpha between 0.60 and 0.70 is considered acceptable for internal consistency.

Reliability if Item Dropped

- Dropping Item 5 would increase the raw alpha to 0.74, further indicating that this item (supervisor interaction) measures a dimension distinct from the core professional competency constructs.

Factor Analysis and Construct Validity

Factor Identification

Exploratory Factor Analysis (EFA) utilising a Scree Plot and Promax rotation identified four latent factors. Together, these factors explain 75.1% of the cumulative variance.

Factor Loadings

Factor identification is based on the following loadings. LIC is defined as Linguistic and Cultural Competence.

Table 5: Factor Loadings

Item	Factor 1 (LIC)	Factor 2 (LCC)	Factor 3 (CC)	Factor 4 (RIT)
Item 1	0.907			
Item 2		0.823		
Item 3		0.733		
Item 4		0.979		
Item 5			0.553	
Item 6	0.773			
Item 7	0.772			
Item 8				0.886
Item 9			0.960	
Item 10	0.537		0.645	
Proportion of Var	**24.7%**	**22.9%**	**17.8%**	**9.7%**

Regression Analysis Summary

Linear regression models were applied to determine the predictors for each factor:

- **Factor 1 (LIC):** Statistically predicted by Item 1 ($p = 0.00125$), Item 8 ($p = 0.00982$), and Item 10 ($p = 0.03751$).
    - *Psychometrician's Note:* Although the source text's summary claims significance for Items 6 and 7 in this model, the empirical p-values ($p = 0.365$ and $p = 0.469$, respectively) confirm they are not statistically significant predictors.
- **Factor 2 (LCC):** Significantly predicted by Item 4 ($p = 0.0000$).
- **Factor 3 (CC):** Significantly predicted by Item 9 ($p = 0.0000$) and Item 10 ($p = 0.0115$).
- **Factor 4 (RIT):** Significantly predicted by Item 9 ($p = 0.0000$).

[75] Henry F. Kaiser, "An Index of Factorial Simplicity," *Psychometrika* 39, no. 1 (March 1, 1974): 31–36, https://doi.org/10.1007/BF02291575.

The quantitative analysis provides a robust statistical foundation for understanding the current state of Sesotho legal interpreting. The data reveals a powerful consensus on the necessity of formal qualifications and specialised training, yet highlights a significant gap in standardised organisational support and supervisor engagement. The high variability in supervisor interaction, coupled with the identified challenges in translating technical legal terminology, necessitates a structured professionalisation framework. This framework is essential to bridge the gap between the interpreters' high professional aspirations and the practical, organisational challenges currently present in the Lejweleputswa District courtrooms.

DISCUSSION

The findings of this study provide a critical look at the intersection of professional experience and formal qualification in the Lejweleputswa District courtrooms.

Interpretation of Findings: The Experience-Qualification Gap

A primary finding of this study is the paradox between professional longevity and formal education: while the majority of interpreters are mid-career professionals (aged 36–45) with "substantial courtroom experience," most possess only a Grade 12 qualification. This explains **why** the findings occurred: the current recruitment and professionalisation framework in the South African legal system appears to prioritise years of service over specialised tertiary education. This gap is likely the root cause of the "high difficulty" reported in translating legal terminology (Mean 3.73) and the frequent "lexical gaps" between Sesotho and English. Experience alone is insufficient to bridge the "divide between formal English and traditional Sesotho" without a foundation in specialised legal linguistics.

Comparison with Previous Studies

The results align with existing literature regarding the "systemic shortages" and "inadequate training" that plague the South African translation and interpreting landscape. However, this study adds a specific quantitative dimension by showing a strong consensus (86.7%) on the need for linguistic competence, which mirrors constitutional mandates for fair trials. Similar to broader national concerns about the "prevalence of English over African indigenous languages," these findings confirm that the lack of formal certification serves as a "hindrance to precision" in local courtrooms.

Unexpected Findings: The "Supervisor Support" Variance

An unexpected finding was the low mean (3.07) and high standard deviation (1.62) regarding supervisor interaction (Item 5). From a psychometric perspective, this high variability suggests a lack of standardised organisational support. While some interpreters receive active guidance, others remain "isolated in their practice". Furthermore, the reliability analysis revealed that dropping Item 5 would increase the Cronbach's alpha from 0.67 to 0.74, indicating that supervisor engagement currently exists as a separate, non-standardised dimension from core professional competencies.

Implications for Policy and Practice

The data has significant implications for language planning and judicial policy:

- **Mandatory Certification:** The strong correlation between formal qualifications and quality (Item 7 Mean 4.53) suggests that policy must shift from "direct word substitution" toward requiring specialised degrees or certifications.
- **Corpus Creation:** To address the "lexical gaps" identified, there is an urgent need for language planning and terminology development in Sesotho to advance it as a language of record, moving away from Eurocentric linguistic dominance.
- **Institutional Frameworks:** The "varying levels of engagement" with supervisors necessitate a standardised professionalisation framework. The policy should mandate regular professional audits and continuous training to ensure that the accuracy is consistent across all courtroom proceedings.

- **Technological and Resource Support:** Practitioners expressed a clear need for "technological support" and "access to legal materials" to safeguard the rights of Sesotho-speaking individuals, which should be integrated into courtroom infrastructure.

Ultimately, the high correlation between language barriers and courtroom fairness ($r = 0.839$) confirms that the interpreter's role is "inextricably linked" to the constitutional right to a fair trial. Without bridging the gap between high professional aspirations and the current lack of specialised training, the legal system risks "linguistic and cultural distortions" that may result in wrongful convictions or a denial of justice

RECOMMENDATIONS

In response to the need to improve language services in South African courts, particularly in rural and high-traffic areas such as Lejweleputswa, the following recommendations for the employment of competent interpreters and translators in court settings are presented:

1. Targeted Professional Development for In-Service Interpreters

The study found that while participants are highly experienced (predominantly aged 36–45), most have only a Grade 12 qualification. Furthermore, there was a high mean score (4.80) on the need for specialised legal training.

- **Recommendation:** Rather than broad educational mandates, the Department of Justice should implement specialised bridging programs for current staff. These programs should focus specifically on the legal terminology and lexical gaps identified by participants as major hurdles (Mean 3.73 for terminology difficulty).

2. Standardising Supervisory Engagement Protocols

The quantitative analysis revealed that "Supervisor Interaction" (Item 5) had the lowest mean (3.07) and the highest variability (SD 1.62). Psychometrically, this item was shown to be distinct from core professional competencies, as its removal would increase the instrument's reliability (from 0.67 to 0.74).

- **Recommendation:** To address this inconsistency, the Lejweleputswa District should establish standardised protocols for supervisor-interpreter engagement. This should move away from the current "isolated practice" and toward mandatory, scheduled language-related reviews to ensure consistent support across the district.

3. Implementation of Recognition of Prior Learning (RPL)

The data show a "strong agreement" that qualifications improve quality (Mean 4.53), yet the majority of the current workforce lacks specialised tertiary degrees.

- **Recommendation:** The Department should initiate Recognition of Prior Learning (RPL) pathways specifically for seasoned interpreters. This allows the system to value the "substantial courtroom experience" identified in the sample while formalising their credentials to meet the professional standards the participants themselves identified as vital for fairness.

4. Development of Localised Linguistic Resources

Participants highlighted a critical need for "access to legal materials" to mitigate "linguistic and cultural distortions" and "lost in translation" nuances.

- **Recommendation:** Given the specific "lexical gaps" found between Sesotho and English in this district, the focus should be on the collaborative creation of a Sesotho-English legal glossary. This local resource would provide immediate support for the "high difficulty" areas of terminology translation identified in the findings.

5. Focused Recruitment on Local Linguistic Proficiency

The study emphasises that cultural and linguistic competence is viewed as "inextricably linked" to courtroom fairness.

- **Recommendation:** Recruitment for this district should prioritise verified proficiency in the regional dialects of Sesotho used in Lejweleputswa. This aligns with the findings that cultural nuances significantly influence the interpretation of testimony and the overall fairness of the trial.

CONCLUSION

The findings discussed herein constitute the empirical basis for the study's overall conclusions. The study successfully addressed the research objectives by examining how linguistic and cultural differences influence courtroom communication, identifying the challenges experienced by interpreters and translators, and analysing the implications of insufficient professional qualifications on the effectiveness of legal interpretation. The findings revealed that linguistic competence is a fundamental requirement for interpreters and translators, as most of the respondents strongly agreed that language proficiency is essential to ensure accurate communication in legal settings. Cultural competence was also identified as an important factor influencing the effectiveness of interpretation, highlighting the need for interpreters to have a thorough understanding of cultural nuances when mediating communication between English and Sesotho in courtroom proceedings.

The study also revealed that interpreters and translators face significant challenges when translating legal terminology between Sesotho and English, mainly due to lexical gaps, borrowed terms, and differences in linguistic structures between the two languages. These challenges may affect the clarity and accuracy of interpreted statements, particularly in cases where legal concepts do not have direct equivalents in Sesotho. The findings also demonstrated that formal qualifications and specialised training play a critical role in improving the quality of courtroom interpretation. A strong consensus among respondents indicated that interpreters require formal training in legal interpretation and translation to perform their duties effectively. In addition, the study found that language barriers can influence courtroom outcomes, particularly for defendants and witnesses who rely solely on Sesotho to understand legal proceedings. Therefore, accurate interpretation and translation were identified as essential components to ensure fairness, transparency, and equitable access to justice in multilingual legal settings.

Furthermore, the statistical analysis confirmed the reliability of the questionnaire instrument and identified four underlying factors influencing courtroom interpretation: linguistic and interpretive competence, linguistic and cultural challenges, courtroom communication challenges, and relevant interpreter training. These factors collectively demonstrate the complex nature of legal interpretation in multilingual contexts and highlight the importance of professional competence among interpreters working within the justice system. In response to these findings, the study proposed context-specific recommendations to strengthen interpreter training, expanding access to formal qualifications in legal interpreting, improving access to legal resources for interpreters, and standardising legal terminology across languages. Such measures would improve the quality and consistency of interpretation services in the Lejweleputswa District courtrooms.

Ultimately, the paper contributes to the broader discourse on multilingualism, language rights, and access to justice in South Africa. The paper has highlighted the need for further research to explore the use of Indigenous African languages in other legal contexts and to develop strategies to strengthen language services within the justice system.

Recommendations for Future Research

The current body of evidence is limited by geographic gaps, with most studies centred on urban hubs rather than rural districts like Lejweleputswa. There is a need for more focused linguistic research on Sesotho-English legal translation specifically. Future research should prioritise:

- Localised ethnographic studies in districts like Lejweleputswa.
- The development of indigenous legal terminology and specialised resources for Sesotho.
- Testing South African-specific models of court interpreting.
- Conducting fair trial audits to mitigate cases of "epistemic injustice".
- Exploring ICT integration to support language rights.

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DECLARATION OF OWNERSHIP

This article is our original work.

CONFLICT OF INTEREST

There are no conflicts of interest.

ETHICAL CLEARANCE

This study was approved by the institution, Central University of Technology, Free State (CUT), with ethical clearance number: CUT/REIC 2025/000502.

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