

ABSTRACT

In 1866, the Austrian Civil Code (*Allgemeines bürgerliches Gesetzbuch – ABGB*) was translated into English for the first time by the Viennese lawyer Josef Maximilian Winiwarter. This is a story about the agency and empowerment of this important legal translator and how his translation influenced other translators and texts.

The first part of this dissertation explores Winiwarter's life and his motivations for translating the ABGB into English and introduces the premise that Winiwarter's text was pivotal in creating a standard of legal terminology and phrasing for future civil-law texts in English.

With the help of case studies and context-oriented research, the second part maps out the agency of Winiwarter and the influence his landmark translation has had on other translators and legal practitioners. It showcases two additional English translations of the ABGB, one in the mid-twentieth century and the other in the early twenty-first century, in order to substantiate just how influential Winiwarter's translation was, even a century later.

The final part looks at the recommendations and strategies of Winiwarter and his successors in an attempt to offer practical guidance to legal translators based on the Winiwarter tradition and the research carried out in the dissertation. It also makes reference to the Czech Civil Code and the situation at the beginning of the twenty-first century as an example of how to apply these strategies and recommendations for translating civil legislation into English and for bridging the gap between the languages of common law and European civil law.