Legal Translation by First Year Master Students, Process and Strategies: Towards Enhancing Students' Ability to Translate Legal Terms from English into Arabic

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Abstract

The purpose behind this article is to tackle the translation process among first year Master students in the Department of Arts and English at the University of Frères Mentouri, Constantine 1, when they are given a legal text. Thus, the focus is going to be on legal translation considering the nature of legal language and focusing on the tension between legal uncertainty and linguistic indeterminacy. *Doing* so, the characteristics of legal language are proposed in terms of vocabulary, syntax, pragmatics and style. Then, the sources of difficulty of legal translation, whether, legal, linguistic or cultural are elaborated. For that, a legal text is given to twenty-four students to test their ability of translating legal terms, and the strategies they follow to do so. It seems that they tend to use literal translation and, sometimes, free translation as the commonest general strategies. Lastly, this article suggests some recommendations.

Keywords

Equivalence; legal terminology; legal translation; translation strategies; students of English.

1. Introduction

Translating legal terms from English into Arabic has been very difficult for proof translators because of the nature of the register which is a whole system that is derived from the nature of countries' constitutions. In this respect, legal translation is both special and specialised as it requires both cognitive and communicative skills, the knowledge of source and target legal systems and the assessment of the recipient and the function of the target text. It poses special challenges to translators as legal language is "very much a system-bound language i.e., a language related to a specific legal system" (De Groot & Van Laer, 2007, p.173). For that, one of the biggest challenges that translators need to cope with is legal terminology where most legal terms are 'culture-bound terms' and do not have direct equivalents. In fact, the translation of legal texts is known by researchers as "combining the inventiveness of literary translation with the terminological precision of technical translation" (Harvey, 2002, p. 177).

The reason behind choosing this topic in particular is its importance in the field of translation and English (Linguistics and Applied Language Studies) because it opens doors to the students not only in translation, but also in research. Its importance stems from combining three disciplines which are teaching/learning the English language, translating from/into it and spotting the problems that the students confront, and the strategies they use when they translate legal texts.

This study aims to cast light on translation in the Department of Arts and English at the University of Frères Mentouri, Constantine 1. Translation, as a subject is taught in this department in the second and third years where students are given some preliminary principles and diversified texts from different fields to translate. Moreover, it tries to shed some light on the translation process among first year Master students (linguistics and applied language studies) when they are given a legal text where the translation becomes special because each student uses his own procedures and specialised. This is their third year of studying translation; but the translation subject, here, is twofold; it is called "Linguistics and Translation" and is of both a theoretical and a practical nature. In theory, students deal with some key concepts in translation such as, the theory of equivalence, the history of translation in the Arab world, Al-Jahidh theories of translation and the use of ICTs as a means helping in the translation of texts. In practice, different texts from various registers are assigned to students who are all the time asked to try to translate using some suggested strategies to get a good outcome in the target language. These texts go from general registers to specialised ones. They are scientific, medical, social, psychological, legal, literary, poetic and religious. Sometimes, students are asked to translate the texts from Arabic into English; other times, they translate from English into Arabic.

The reason behind choosing this topic in particular is its importance in the field of translation and English (Linguistics and Applied Language Studies) because it opens doors to the students not only in translation, but also in research. Its importance stems from combining three disciplines which are teaching/learning the English language, translating from/into it and spotting the problems that the students confront, and the strategies they use when they translate legal texts.

As far as legal translation is concerned, the students are given two texts before giving them the intended test. The first text is a text entitled "Legal Marriage Contract" and translated from Arabic into English. The second is a text whose main subject is "Power of Attorney" from Arabic into English. The students managed to translate the first better than the second even if they comprise similar legal terminology. It is hypothesised that: if first year Master students of English, Linguistics and Applied Language Studies, know about the contextual meaning of legal terms and use appropriate translation strategies, they will be able to provide correct Arabic equivalents. To test the validity of this hypothesis, a test, which is composed of a number of articles, is given to twenty-four students to test their ability of translating legal terms, and the strategies they follow to do so.

Literature Review

2. Legal Translation

Legal translation is one of the specialist or technical types of translation. It is a translational activity that is related to law and legal process; it involves language of law. Legal translation refers to the rendering of legal texts from the Source Language (SL) into the Target Language (TL) (Cao, 2007, p. 2).

3. Nature of Legal Language and Sources of Difficulty

Legal translation is one of the difficult areas of translation as it combines the "inventiveness of literary translation and the terminological precision of technical translation" (Harvey, 2002, p. 177). There are many reasons behind the difficulty and complexity of translating legal terms which are mainly related to the nature of law and the language that law uses, the associated differences found in intercultural and interlingual communication in translating legal texts.

Legal language varies from one country to another because there are systems that use the same legal language. For instance, English legal language is used in different legal systems like the legal system of England and Wales which employ different legal languages with a different legal system. This latter is different from the one of Scotland and the one of the US.

As a key to analyse legal concepts, the translator has to analyse the source legal system i.e., the setting where the concepts are used, their function, purposes and relation with one another. In order to transmit the legal message from the source language to the target language recipient, the translator needs to possess the knowledge of the target language legal system. Some scholars, however, say that translators of legal terms have to practise comparative law i.e., the similarities and differences between the source language and the target one, in this case English and Arabic in the legal register.

Legal language is fundamentally identified according to four main features which make the core of legal language. These latter are the normative, performative and technical nature of language use, and ingrained indeterminate nature of language as a system in general.

3.1. Normative Nature of Legal Language

It is believed among legal philosophers that legal language is of a normative nature. It is related to norm creation, norm production and norm expression (Jori, 1994). In other words, the language used in law or from legal sources has specific characteristics that are fixed, specific and determined. Cao (2007, p. 13) denotes legal language as being "largely prescriptive".

The source of the normative nature of law is from the basic function of law in society to guide human behaviour and regulate human relations. As a result, law is distinguished from most other types of human institutions and encompasses the ethics and morals that are considered as ideals and standards people seek to realise in concepts such as equity, justice, rights, liberty and equal protection. These ideal principles constitute the main and crucial goals of law. For that, law is a set of prescriptions in the form of imperatives, rules and patterns that govern the behaviour of human beings and should be followed in society (Jenkins, 1980, p. 98).

As a result, the language used in law to achieve its purpose is predominantly prescriptive, directive and imperative. Laws are written in a language whose function is not just to express or convey knowledge and information, but also to direct, influence or modify people's behaviour, whether it is a legal enactment, judicial pronouncement or a contract (Cao, 2007).

In short, the language of law is of a normative nature, as it functions to guide people's behaviour in society. It serves to organise their rights and duties and relates to the application of morals in a compulsory way.

3.2. Performative Nature of Legal Language

Law is although based on performative utterances because legal terms have power and result in actions. Legal effects and consequences are commonly obtained by just uttering certain words loaded with meaning; for example, "you are guilty", or "you are mulct $1000" as regularly pronounced in court. Languages used in law can perform such acts as conferring rights, prescribing prohibition and granting permission (Cao, 2007). So, by uttering these few words, people agree on taking their public and private legal responsibilities, incur legal roles and qualities, give legal rights and make some obligations (Jori, 1994). As a result, legal speech acts are constitutional for their impacts.

According to Danet, legal speech acts are categorised in the following:

1. Representative: which are utterances that commit the speaker to something being the case or assert the truth of a proposition, including testifying, swearing, asserting, claiming and stating.
2. Commissive: which commit the speaker to do something in the future, such as in contracts, marriage ceremonies and wills.
3. Expressive; which express the speakers' psychological state about or attitude to a proposition, including apologizing, excusing, condemning, deploring and blaming.
4. Declarative: whose successful performance brings about a correspondence between their propositional content and reality, including marriage ceremonies, bills of sale, receipts, appointments, and nominations, and the legislative stipulation of rights and definitions of concepts, lawyers' objections, sentences, appellate opinions, indictments, confessions, pleas of guilty/not guilty, and verdicts. There is a sub-category of representative declarations for certain institutional situations, e.g., a judge making factual claims, requiring claims to be issued with the force of declaration, and this would require the speaker to have certain authority. This would cover marriage ceremony, bills of sale, appointment or nominations, legislative stipulation of rights and definitions of concepts, indictments, confessions, pleas of guilty/not guilty, and verdicts.
5. Directive: which are future-oriented speech acts, seeking to change the world, to get someone to do something, most prominent in legislation that imposes obligations (Danet, 1980, p.457–461).

In a nutshell, the performative nature of language is very important to law as it results in controlling human behaviour and society. It is also important to set out obligation, prohibition and permission.

3.3. Technical Nature of Legal Language

There are several views that have been centred on whether legal language is of a technical nature or not. According to Caton (1963, p.8), “legal language is a technical language but technical language is always an adjunct of ordinary language”. This quote implies that technical languages have the same syntax as ordinary language, and speech acts which are performable in ordinary discourse are performable in technical contexts, but are only different in lexis. Likewise, Schauer (1987, p. 571) states that, *“legal language as a technical language often operates in a context that makes legal terms have meanings different from those they bear in non-legal contexts of use”.* So, legal language is like a parasite on ordinary language i.e., it co-exists with it.

On the contrary, Hart argues that technical terms have a great impact on the meaning of other words used connected to the technical words. In other words, technical legal terms have meanings only in the context of the existence of a legal system in relation to specific rules of law (Hart, 1954). Fundamentally, legal language is distinctive because it requires the presence of a legal system and entails specific rules of law (Hart, 1994).

Another standpoint is the one of Jackson who views legal language from a semiotic point of view. His theory, as a legal philosopher and legal semiotician, presupposes in particular for legal translation. In Jackson's view, "Legal language is a technical language. Legal lexicon and its structure display some of the characteristics of this technical language. He further argues that legal language is autonomous of the natural language. Although legal language depends upon the semantics of ordinary language as judges frequently invoke, the ordinary language meanings are admitted. Similarly, it is solely by virtue of the choice made within the legal system to admit such meanings" (Jackson, 1985, p. 48). This implies that although the legal language is not inherent in the natural language, judges tend to use ordinary language because the meanings of natural language are used and accepted in the legal system.

In short, the legal system is critical to understand. The words make sense if they were put in the context of the legal system itself because understanding an item of the legal lexicon entails knowing the legal system as a whole.

3.4. Indeterminate Nature of Legal Language

The language used in law, as in other areas, is characterised by its indeterminacy, or open structure. Legal language consists of many imprecise, vague and ambiguous expressions. For example, the English terms "fair and reasonable" and "due process of law" are vague and evasive. Similarly, the abstract legal expressions "justice", "due diligence" and "reasonable endeavors" are characterised for their ambiguity and vagueness (Cao, 2007: 19). As mentioned earlier, linguistic uncertainty is inherent in language in particular, and cannot be eliminated because one of the well-known characteristics of language are arbitrariness. For that, it is ineliminable from legal system (Endicott, 2000). However, law involves exactness and precision. Ambiguity and imprecision of any kind are likely to lead to disagreement. So, legal systems are expected to resolve disputes that are sometimes created by the indeterminacies of language (Cao, 2007).

4. Characteristics of Legal Texts

Legal texts have common linguistic characteristics which can be summarised in vocabulary, syntax, pragmatics and style. These characteristics are explained according to some scholars' perspectives in what follows.

4.1. Vocabulary

In legal language, there are many archaic words, words of formal and ritualistic usage, word strings, common words with uncommon meanings and words of over-precision, among others (Mellinkoff, 1963).

Mellinkoff (1963) displays some characteristics which are specific to the lexicon of legal language. These latter are as follows:

1. Frequent use of common words with uncommon meanings.
2. Frequent use of Old and Middle English words once in use but now rare.
3. Frequent use of Latin words and phrases.
4. Use of Old French and Anglo-Norman words not used in the general vocabulary.
5. The use of terms of art; use of argot.

6. Frequent use of formal words.
7. Deliberate use of words and expressions with flexible meanings.

The use of common words with uncommon meaning indicates that the meaning of a given word which is shared among legal experts is not a peculiar meaning of the word for lay people. For example, the term "action" means "lawsuit" for lawyers, but obviously is not commonly used in daily life language (Abdelmoneim, 2015, p. 40).

The other usage that characterises legal language is Old and Middle English. Archaic expressions borrowed from Old English are not normally used in modern Standard English, except for legal documents and perhaps poetry, are one of the distinctive features of legal language. For example, words like "hereof", "thereof" and "whereof" (and further derivatives, including at, in, after, before, with, by, above, on, upon etc.) are not used in ordinary English. The aforementioned words are primarily used as a way to avoid the repetition of names of things in the document as in, "two parties hereto" instead of "the parties to this contract". This practice is derived from Latin tradition (Ibid.).

Mellinkoff (1963) believes that "the use of formal words is a distinctive feature of the language of law". They are characterised by being venerable, ceremonial, glorified and polite expressions. For instance, the preference of "shall" rather than "will" is seen as a formal feature in "Law shall prevail" (Abdelmoneim, 2015, p. 40). In legal drafting, non-standard terms are never used. Instead, highly formal words are usually employed. For example, the word "deem" instead of "consider" and the word "liable" instead of "responsible" (Squires and Rombaur, 1982, p.103).

In addition, Alcaraz and Hughes classify legal vocabulary as follows:

- Functional items: grammatical words and phrases that have no direct referents either in reality or concept,
- Symbolic (or representational) items: all the terms that refer to things or ideas in the world of reality. This group can be further divided into: purely technical terms, semi-technical terms and shared, common or "unmarked" vocabulary,
- Purely technical terms: terms, found exclusively in the legal sphere, that have no application outside. They can be one-word terms "barrister" or whole phrases "bring an action". Some of the theorists argue that these terms are so closely related to the legal system that they cannot be translated, but only adapted (Alcaraz and Hughes 2002, p. 17).
- Some terms are often highly culture-bound, and for that they are easily distinguished from other lexical items of any legal text. Alcaraz and Hughes (2002) refer to this group of legal lexis as "true terms of art", for instance we have the word "Cassation النقض".
- Semi-technical or mixed terms: words or phrases that have acquired additional meaning in addition to their common meanings (issue, consideration). Their number is constantly growing to meet the developing needs of the society. Moreover, semi-technical terms are semantically more complex than the other two groups of legal terms i.e., purely technical and non-technical or everyday vocabulary. Therefore, their translation is complicated by their additional and often connotative meaning, the range of partial synonyms and the context. Such instances in English are "maintenance النفقة" to "frame لفّق" and in Arabic like "challenge الطعن – Appeal الاستئناف"
- Everyday vocabulary or non-technical terms found in legal texts (paragraph, subject-matter). These terms are general words that have maintained their everyday meaning without acquiring legal import but regularly occur in legal texts. An example is the word "section" which might be a problematic term, as it could be translated in Arabic as فقرة – جزء – باب – قسم.

> It is highly important to note that, when translating a term from one language to another, translators may study the relevant concepts associated with the terms in question and examine whether these terms actually correspond because a terminological comparison between one language and the other is based on concepts and terms (Sarcevic, 1989).

4.2. Syntax

One of the most common features of legal language is that the formal and impersonal written style pairs considerable complexity and length. As Salmi-Tolonen says (2004, p. 1173): *"sentences in legal texts are longer than in other text types."* These long and complex sentences may have many purposes. In statutes, long and complex sentences are necessary due to the complexity of the subject matters and the prospective nature of legislative law. This happens in most legal languages. There is also an extensive use of conditions, qualifications, and exceptions to express complex unexpected events (Cao, 2007). In the opinion of Bhatia (1994), these peculiar features often prevent readers, including translators, from understanding such writing effectively.

As a result, to have the ability to understand and translate legislative provisions, it is advisable to take the typical difficulties imposed by some of these factors into account because legal sentences are almost all complex (Bhatia, 1997). This is because legal experts want all the necessary information to be presented in one single sentence which should be long and include subordinate devices, repetition of lexemes and the rare use of anaphora (Abdelmoneim, 2015). In this context, Bhatia (1997, p. 208) points out the complexity of dealing with legal language by saying,

> Legislative texts are known for [...] long and complex sentences, typical use of qualifications to express complex contingencies. In order to make legislative statements not only simple, clear and unambiguous, but all-inclusive also, these qualifications are inserted at various points in the syntax of legislative statements. They also tend to introduce excessive information load at various points in the syntax in such statements, thereby creating barriers to effective understanding of such statements. In order to be able to understand and, to some extent, translate legislative provisions, whether from one language to another or from one audience to another, one is inevitably required to make into account these difficulties.

Consequently, legal language is truly syntactically complex. In order to be able to translate it correctly, the translator needs to master features of various legal syntax that are specific to the language he translates from and the language he translates into i.e., the source language and the target one.

4.3. Pragmatics

It was previously mentioned that legal language has a performative nature. Thus, legal utterances perform acts, create facts, rights and institutions. Speech act, a prominent linguistic feature, is the frequent use of performative markers. Enactment is the best instance of "saying as doing". As stated before, 'performativity and modality are the linguistic means which express the institutional ideology of the role relationships involved in legislative rule-making' (Cao, 2007: 23). Contracts and bequests are some among other examples of legal speech acts. According to Hart (1954), in legal language, words have different meaning, importance and effect because this depends on when they were uttered, where and who did utter them. Some performative words that have power in English legal language are 'may' and 'shall'; these are extensively employed. Performative verbs of action such as 'declare', 'announce', 'promise', 'undertake', 'enact', 'confer' and 'amend' are mostly used.

Pragmatics in legal texts is represented in ambiguity, vagueness, unclarity and uncertainty found in some contracts and provisions which are not agreed upon in legal context. Therefore, the court has to tackle these linguistic issues and others to find a regular interpretation and legal certitude (Cao, 2007).

4.4. Style

According to Smith (1995, p.190), "legal style refers to the linguistic aspects of the written legal language and also the way in which legal problems are approached, managed, and solved". Legal style is also influenced by legal traditions which represent a way of living and behaving, thoughts and culture. Generally, the style of legal writing is impersonal. It is characterised by the extensive use of declarative sentences pronouncing rights and obligations. However, this depends on the nature of each language for different legal languages have their own styles (Abdelmoneim, 2015). Mellinkoff (1963) reports that flexibility and preciseness are among the most known characteristics of legal language. As legal experts are known for the use of vague terms deliberately to screen some situations, they tend to intentionally use some words in an extremely precise way (Abdelmoneim, 2015). In addition, legal language employs the impersonal as in addressing the judge where lawyers tend to say "May it please the court" as if s/he were third person (Tiersma, 1999).

In sum, legal style is tied to culture and results from legal traditions. Mellinkoff proposes that there is a strong tendency of certain manners as, wordiness, unclarity, pomposity and dullness in the language of law. Legal texts tend to use a number of words instead of one, e.g. "annul" and "set aside" instead of "annul"; or "null" and "void" instead of "void". In the language of law, pompousness may occur by using words that trigger respect such as "solemn", "supreme", "wisely". In fact, the use of pomposity and wordiness and long complex sentences in addition ambiguity of expression give a share in the dullness of the legal language (Mellinkoff, 1963: 24).

5. Strategies of Translating Legal Texts

Different strategies are used by novice translators and by specialists. Likewise, some are used in the texts used for information purposes, and others in the texts used as legal documents in the target language. Strategies used in legal translation range from source language-oriented strategies to target language-oriented strategies. In the source language-oriented strategies, the focus is on preserving the meaning of the terms of the source language system and presenting them in a form as close to the source language as possible. However, in the target language-oriented strategies, the translator seeks to assimilate the terms of the source language system into the target language system through the use of equivalents which are similar in meaning and function to those found in the source language.

For the translation of legal terminology, translation scholars suggest sundry strategies. The commonest ones are functional equivalence, formal equivalence, borrowing and description or paraphrasing (Harvey, 2002; De Groot & Van Laer, 2007).

There are different classifications in the theory of equivalence according to different main criteria. For that, theorists suggest new definitions according to the text the language equivalence relates to which makes it problematic i.e., the definitions suggested according to the theory of equivalence are related to the linguistic elements and the degree to which the text is considered to be specialised. Thus, it is preferable to look at the various definitions presented by different scholars rather than being limited with only one definition (Dordevic, 2010). Koller (1989, p.100-104) presented five types of equivalence which are; referential or denotative equivalence, connotative equivalence, text normative equivalence, pragmatic or dynamic equivalence and formal equivalence. For House (1997), equivalence is both overt and covert respectively i.e., an overt translation makes no attempt to

hide the fact that it is a translation. It is openly (overtly) a translation and is faithful to the source text and culture. A covert translation, on the other hand, does hide the fact that it is a translation. In addition, a text in one language is replaced by a functionally equivalent text in another language. It is faithful to the target language and culture. On the other hand, Nida (1964) stresses that there are two types of equivalence which are formal and dynamic. The types which are mentioned in this paper are the strategies related to the translation of legal terms.

5.1. Functional Equivalence

In this strategy, the target language system and the function which is similar to the source language legal concept are used. For some scholars, this strategy is ideal, others consider it as misleading. In spite of that, this strategy allows the target language reader to relate the source legal system with their own legal system, the target one. However, this may confuse the reader as he may have problems in identity because equivalence in this case is only partial (Biel, 2006). In fact, this strategy should be revised before using it for culture-bound terms like names of institutions. This strategy may be used for lay readers not specialised ones; it is a TL oriented one because it employs the TL terms as equivalents and assimilates them in the target language-legal system.

5.2. Formal Equivalence

This strategy is based on linguistic equivalence or word for word ("verbum pro verbo") translation. It preserves the semantic meaning of the source language terms and tries to present them in a natural form for the target language readers. The merits of formal equivalence are unambiguity of equivalents which are present in the target language lexical items. Yet, the overuse of this strategy may outface the reader especially if he were lay (Harvey, 2002). This results in the creation of new legal terms, which are neologisms, in the target language system. These latter need to be reassessed before reviving their use in the target language system as they may exist in the target legal system with another meaning and this results in confusion (De Groot & van Laer, 2007).

5.3. Borrowing

This strategy uses transcribed or transliterated items or borrows an original form of the source language item. Transcription usually occurs when using naturalisation which is a type of adaptation of the source language items to those of the target language. This strategy is used to avoid ambiguity, but needs to be provided by an explanation of equivalents in order not to leave a feeling of unaccomplished translation. The use of this strategy is advisable by researchers; yet, it is appropriate for specialised readers who need clarity more than fluency ad conciseness (Harvey, 2002). De Groot & van Laer (2007) warn translators from using this strategy when there are many differences at the level of etymology of words. This strategy is different from the previous ones as it ignores the linguistic system of the target language and focuses on the semantic meaning of the source language. So, it is a SL-oriented strategy.

5.4. Description

This strategy is also called paraphrasing which is a short explanation of the meaning of a given term. It is a term equivalent containing more than one word. The principal advantage of this strategy is the clarity of the terms because the readers can understand the paraphrased meaning without returning to any other source. According to Robinson (2010), paraphrase is used to embrace the loose or free renderings of texts from one language to another in a theoretical discussion. It means changing one phrase at a time i.e., translating a sentence as a whole instead of using word-for-word translation. When assessing this strategy, Harvey (2002) claims that it is a compromise solution that stands between SL and TL- oriented strategies.

6. Methodology

6.1. Population and Sample

The population of this study is first year Master students of Linguistics and Applied Language Studies. The sample is one third of the whole population. It is composed of twenty-seven (27) students selected randomly from first year Master English classes at the Department of Arts and the English Language in the University of Frères Mentouri. The choice of these students was based on the fact that they studied and practised translation for a given period of time. Therefore, they are regarded as the appropriate sample for this research.

6.2. Description of the Test

The test consists of translating into English; it is a legal text written in the English language; it comprises the first seven articles of the Royal Decree used in Saudi Arabia. Students are asked to translate this text by trying to find out exact equivalents especially to legal terms in the Arabic language. They were asked to translate this decree in particular into Arabic because the purpose of the test is to explore their level of translating legal terms from English into Arabic and the strategies they use when doing so.

6.3. Data Analysis

The data gathered from the test was analysed qualitatively and quantitatively; the treatment focused on the strategies the students used to translate specialist legal terms. The tables that follow portray the number and the percentage of the various answers that swing between being wrong and right because not all students succeeded to find out the right equivalents of legal words.

Table 1. Translations and Strategies of Some Legal Terms in the Introduction

Introductory sentences	Words to Translate	The Students' Translations	Strategies Used	N	%
Shari'ah Courts Procedures Regulations Issued under the Royal Decree No. 21 dated 20/5/1421H. Part One General Provisions	**Courts Procedures**	إجراءات المحاكم	**Formal equivalence**	**5**	**18,51**
	Courts Procedures Regulations	نظام إجراءات المرافعات	**Formal equivalence**	**2**	**7,40**
		نظام المحاكم	**Formal equivalence**	**2**	**7,40**
		أنظمة الإجراءات في المحاكم/إجراءات المحاكم	**Formal equivalence**	**3**	**11,11**
		نظام إجراءات المحاكم	**Formal equivalence**	**4**	**14,81**
		نظام إجراءات المحاكمات	**Wrong translation**	**1**	**3,70**
		نظام المرافعات	**Functional equivalence**	**3**	**11,11**
		إجراءات و قوانين المرافعات	**Description**	**1**	**3,70**
		إجراءات و قوانين المحاكم	**Description**	**3**	**11,11**
		الإجراءات و التّعليمات في المحاكم/الإجراءات التّنظيمية لمحاكم الشّريعة	**Description**	**2**	**7,40**

		قانون الإجراءات أمام المحاكم	**Description**	**1**	**3,70**
	Issued under	صدر بـ	**Formal equivalence**	**4**	**14,81**
		صدر تحت/ الصّادر تحت	**Formal equivalence**	**4**	**14,81**
		صدر/الصّادر بموجب	**Wrong translation**	**10**	**37,03**
		صدر وفقا	**Functional equivalence**	**1**	**3,70**
		صدر بمقتضى	**Functional equivalence**	**7**	**25,92**
		الحكم الصّادر	**Description**	**1**	**3,70**
	dated	بتاريخ	**Formal equivalence**	**18**	**66,66**
		في تاريخ	**Formal equivalence**	**5**	**18,51**
		لتاريخ	**Formal equivalence**	**1**	**3,70**
		تاريخ	**Formal equivalence**	**1**	**3,70**
		المؤرّخ في	**Functional equivalence**	**2**	**7,40**
	Part One	الجزء الأول	**Formal equivalence**	**24**	**88,88**
		القسم الأوّل	**Formal equivalence**	**1**	**3,70**
		الباب الأوّل	**Functional equivalence**	**2**	**7,40**
	General Provisions	أحكام عامّة	**Functional equivalence**	**27**	**100**

In Table 1, the translations of the students swing between the use of formal equivalence (59,23%; 29,62%; 92,58%; 29,58%) which is based upon finding exact linguistic equivalents regardless of the context and description (37,02%; 3,70%) which explains the meaning of the expression or term. Sometimes, the use of formal equivalence is correct; other times it is not. Other instances were the use of functional equivalence where the form and meaning are preserved. Therefore, students found equivalents of the English legal system in the Arabic legal system.

Table 2: Translations and Strategies of Some Legal Terms in Article One

Article One	**Words to Translate**	**The Students' Translations**	**Strategies Used**	**N**	**%**
Courts before whom claims are brought shall apply Islamic Shari'ah provisions, as indicated under the Scriptures (Holy Quran) and the Sunnah (Prophet's traditions), as well as	**before whom … are brought**	التي تطرح أمامها	**Description**	**4**	**14,81**
		التي ترفع/ المرفوعة أمامها	**Description**	**17**	**62,96**
		المعروضة أمامها/ التي تعرض أمامها	**Functional equivalence**	**5**	**18,51**
		المعروضة عليها	**Formal equivalence**	**1**	**3,70**
	shall apply (word order)	تطبّق المحاكم	**Functional equivalence**	**17**	**62,96**
		تطبّق (تأخير الفعل في الجملة الفعلية)	**Formal equivalence**	**10**	**37,03**
	as indicated	كما هو مذكور	**Formal equivalence**	**11**	**40,74**
		كما هو مبيّن	**Formal equivalence**	**4**	**14,81**
		كما هو مشار إليه	**Description**	**2**	**7,40**
		كما هو موضّح/ محدّد	**Description**	**3**	**11,11**

the regulations issued by the King in provided such regulations do not run counter to the Scriptures and the Sunnah. The procedures they shall apply shall conform to the present Regulations.		كما هو منصوص عليه	**Description**	**3**	**11,11**
		وفقا لما جاء	**Functional equivalence**	**4**	**14,81**
	Holy Quran	الكتاب المقدّس/ الكتاب المقدّس	**Formal equivalence**	**12**	**44,44**
		القرآن الكريم	**Functional equivalence**	**15**	**55,55**
	Prophet's Traditions	تقاليد النّبيّ/ الرّسول	**Formal equivalence**	**8**	**29,62**
		عادات الرّسول	**Formal equivalence**	**2**	**7,40**
		أقوال النّبيّ	**Description**	**1**	**3,70**
		السّنّة النّبوية	**Functional equivalence**	**16**	**59,25**
	regulations	الأنظمة	**Functional equivalence**	**3**	**11,11**
		اللّوائح	**Formal equivalence**	**5**	**18,51**
		القوانين	**Formal equivalence**	**12**	**44,44**
		المراسيم	**Formal equivalence**	**1**	**3,70**
		النّصوص	**Formal equivalence**	**1**	**3,70**
		التعليمات	**Formal equivalence**	**2**	**7,40**
		التّعديلات	**Formal equivalence**	**1**	**3,70**
		الإجراءات	**Formal equivalence**	**2**	**7,40**
	do not run counter	لا يجب أن تتعارض	**Formal equivalence**	**18**	**66.66**
		لا تتعارض	**Functional equivalence**	**7**	**25.92**
		يجب أن تتماشى	**Description**	**2**	**7,40**
	Scriptures	الكتاب المقدّس	**Formal equivalence**	**9**	**33,33**
		الكتاب (العظيم)	**Functional equivalence**	**7**	**25,92**
		القرآن	**Functional equivalence**	**10**	**37,03**
		الدّين	**Wrong translation**	**1**	**3,70**
	shall apply	الموجب تطبيقها	**Description**	**4**	**14,81**
		التي يجب تطبيقها	**Description**	**18**	**66,66**
		تتقيّد	**Functional equivalence**	**4**	**14,81**
		يجب أن تطبّق	**Formal equivalence**	**1**	**3,70**
	shall conform	تتوافق	**Description**	**18**	**66,66**
		تتّفق	**Description**	**2**	**7,40**
		متطابقة	**Description**	**3**	**11,11**

		توافق/ تكون موافقة	Description	4	14,81
	the present regulations	اللوائح الحالية	Formal equivalence	1	3,70
		هذه التّنظيمات/ التّنظيمات الحالية	Formal equivalence	2	7,40
		هذا النّظام/ النّظام الحالي	Functional equivalence	7	25,92
		الأنظمة الحالية /هذه الأنظمة	Formal equivalence	11	40,74
		القوانين الحالية/ التعليمات الحالية	Formal equivalence	5	18,51
		الإجراءات الحالية	Formal equivalence	1	3,70

In Table 2 which represents the outcome of the students' translation of the main legal terms of Article One, the students based their translations on the use of formal equivalence (3,70%; 92,58%; 44,44%; 37,02%; 88,85%; 66,66%; 33,33%; 3,70%; 0%; 74,05%) i.e., the use of word for word translation. They depended mostly on the use of dictionaries and, at the same time, lacked some knowledge background about the Arabic style on the one hand and the legal system of the Arabic language on the other; this was clearly seen in their translations because when the article (paragraphs) is read as a whole, lack of coherence is felt and lack of cohesion is clearly noticed. The rate of functional equivalence is not high compared to the one of formal equivalence (18,51%; 14,81%; 55,55%; 59,25%; 11,11%; 25,92%; 62,95%; 14,81%, 0%, 25,92%). Description, which is a matter of paraphrasing the understood meaning from source language items, was used most of the time because it is simpler than other strategies.

Table 3: Translations and Strategies of Some Legal Terms in Article Two

Article Two	Words to Translate	The Students' Translations	Strategies Used	N	%
The provisions of the present Regulations shall apply to cases not yet decided and to the proceedings not completed before the coming into effect of these Regulations, with the exception of the following:	the present provisions	اللوائح الحالية/ القوانين الحالية	Formal equivalence	7	25,92
		هذا القانون/ هذه القوانين	Formal equivalence	3	11,11
		أحكام التّنظيمات الحالية	Formal equivalence	2	7,40
		هذا النّظام/ النّظام الحالي	Functional equivalence	14	51,85
		البنود للقوانين الحالية	Description	1	3,70
	cases	الحالات	Formal equivalence	18	66,66
		القضايا	Formal equivalence	5	18,51
		الدّعاوى	Functional equivalence	4	14,81
	not yet decided	لم يتمّ البتّ فيها	Formal equivalence	5	18,51

a-Articles amending jurisdiction with respect to cases brought before the courts prior the coming into effect of these Regulations. b-Cases amending deadlines with respect to a deadline that started before the coming into effect hereof. c-The provisions establishing or revoking the ways of objection hereunder with respect to final judgments passed before the coming into effect thereof.		لم يتمّ الفصل/ لم يفصل فيها	Functional equivalence	15	55,55
		لم يتمّ الإقرار/ التّقرير (لم تقرّر) فيها بعد	Description	6	22,22
		لم يتمّ النّظر فيها بعد	Description	1	3,70
	not completed	لم تكتمل	Formal equivalence	21	77,77
		لاتكتمل	Formal equivalence	2	7,40
		لم تتمّ	Functional equivalence	4	14,81
	before the coming into effect of these regulations	قبل بداية سريان مفعوله	Formal equivalence	4	14,81
		قبل نفاذ مفعول هذا النّظام	Formal equivalence	3	11,11
		قبل تطبيق هذه الأنظمة	Formal equivalence	2	7,40
		قبل سريان مفعول هذه اللّائحة/ التّعليمات	Description	5	18,51
		قبل سريان الأحكام القادمة	Description	3	11,11
		قيل دخوله/ها (هذه القوانين) حيّز التّنفيذ	Functional equivalence	10	37,03
	articles amending	المواد المعدّلة	Functional equivalence	11	40,74
		المواد التي تعدّل	Formal equivalence	15	55,55
		البنود التي تحسّن السّلطة القضائية	Description	1	3,70
	with respect to cases brought before	فيما يتعلّق بالقضايا المعروضة	Formal equivalence	23	85,18
		بالنّسبة للدّعاوى المعروضة/ المرفوعة	Functional equivalence	3	11,11
		مع الاحترام للحالات المنقولة	Description	1	3,70
	Cases amending deadlines with respect to a deadline	الموعد النّهائي لتعديل الحالات/ المواد المعدّلة فيما يتعلّق بالموعد النّهائي	Description	2	7,40
		تعديل المواعيد النّهائية	Wrong translation	13	48,14
		المواد المعدّلة للمواعيد النّهائية	Functional equivalence	12	44,44

	Before the coming into effect hereof	قبل نفاذ هذا النّظام/ هذه التّعليمات	Functional equivalence	5	18,51
		قبل سريان مفعول هذه اللّوائح/ هذه القوانين	Formal equivalence	13	48,14
		دخول هذه الأنظمة حيّز التّنفيذ	Description	9	33,33
	The provisions establishing or revoking	الأحكام (البنود) التي تنشئ أو تلغي/ الأحكام أدناه المنشئة أو الملغية	Formal equivalence	16	59,25
		الأحكام التي ترسي أو تفسخ	Wrong translation	7	25,92
		حالات تعديل	Wrong translation	1	3,70
		أحكام تنصّ على إلغاء أو طرق الاعتراض	Description	2	7,40
		تأسيس البنود أو إبطالها لطرق الاعتراض	Description	1	3,70
	hereunder with respect to final judgments	فيما يتعلّق ومع احترام الحكم النّهائي	Description	2	7,40
		فيما يتعلّق بالأحكام النّهائية	Formal equivalence	14	51,85
		بالنّسبة للأحكام النّهائية	Functional equivalence	9	33,33
		المواعيد النّهائية	Wrong translation	2	7,40
	passed	تمّ تمريره/ها	Wrong translation	8	29,62
		الصّادرة/ التي صدرت	Formal equivalence	14	51,85
		بدأ/ت	Wrong translation	2	7,40
		يتمّ تنفيذه	Wrong translation	3	11,11
	the coming into effect thereof	دخوله/ها حيّز التّنفيذ	Formal equivalence	6	22,22
		سريان مفعولها/ مفعوله	Formal equivalence	18	66,66
		نفاذ هذه التّعليمات (هذا النّظام)	Functional equivalence	3	11,11

In Table 3 above, apart from formal translation, functional translation and description, some students failed to transmit the meaning. In other words, they did not find the right equivalents for the legal terms; that is why they replaced the source language legal terms by others that seem for them as good equivalents in order not to leave a blank. In most cases, the ratio of the use of functional

equivalence (51,85%; 14,81%; 55,55%; 14,81%; 37,03%; 40,74%; 11,11%; 44,44%; 18,51%; 0%; 0%, 11,11%) is less than the two others strategies, formal equivalence (44,43%, 85,17%, 18,51%; 85,17%; 33,32%, 55,55%; 85,18%, 0%; 48,14%; 59,25%; 51,85%; 88,88%) and description; these latter are repeated from twice upwards in each legal term and expression. However, functional equivalence is used by students in the following instances which are: "the present provision": 14, "not yet decided": 15, "cases amending deadlines with respect to a deadline": 12, "the provisions establishing or revoking": 16, and "passed": 14. This reflects that when students understand the context, they can provide the target language reader with a good equivalent that functions in the target language. This is not out of luck because they are familiar with such register as they studied some basic notions in this field.

Table 4: Translations and Strategies of Some Legal Terms in Article Three

Article Three	Words to Translate	The Students' Translations	Strategies Used	N	%
Each procedure validly performed under applicable regulations shall remain valid, unless otherwise specified herein.	validly performed	تمّ صحيحا	**Functional equivalence**	**6**	**22,22**
		ينفّذ بشكل صحيح	**Formal equivalence**	**8**	**29,62**
		يتمّ تنفيذه بشكل صحيح ساريا	**Description**	**11**	**40,74**
		يتمّ تنفيذه بشكل مؤكّد	**Description**	**1**	**3,70**
		يعرض بشكل صحيح	**Wrong translation**	**1**	**3,70**
	under applicable regulations	بموجب اللّوائح (الأنظمة) المعمول بها	**Description**	**15**	**55,55**
		في ظلّ النّظام المعمول به	**Functional equivalence**	**3**	**14,81**
		بموجب القوانين السّارية	**Formal equivalence**	**4**	**11,11**
		وفقا للأنظمة السّارية	**Formal equivalence**	**4**	**11,11**
		بموجب النّصوص المعمول بها	**Formal equivalence**	**1**	**3,70**
	unless otherwise specified herein	ما لم يُنصّ على خلاف ذلك هنا	**Description**	**7**	**25,92**
		ما لم يكن هناك خلافا	**Wrong translation**	**1**	**3,70**
		ما لم يُنصّ على خلاف ذلك في هذا النّظام	**Functional equivalence**	**9**	**33,33**
		ما لم ينص على خلاف ذلك في هذه الوثيقة	**Formal equivalence**	**10**	**37,03**

Table 4 represents the best example where functional equivalence (22,22%; 14,81%; 33,33%) is used by the least number of students compared to other strategies mainly formal equivalence (29,62%; 25,92%, 7,03%). Formal equivalence is the most used type of strategies when translating some legal expressions. Description is also used in addition to two instances of wrong translation. Most of the time, the students failed to find exact equivalents because either they do not know the word and depend completely on the equivalents that the dictionary gives them out of the context or they do not know the elevated style of the Arabic language i.e., not familiar with the style of the

Arabic language that is used in legal and literary texts, which is the case in most of the texts that were given to them in the translation subject.

Table 5: Translations and Strategies of Some Legal Terms in Article Four

Article Four	Words to Translate	The Students' Translations	Strategies Used	N	%
No application or pleading shall be admissible unless it proceeds from a party with a legitimately valid interest therein. However, a potential interest shall suffice if the purpose of the application is by way of precaution for the prevention of imminent injury or to establish a right whose proof is likely to disappear at the time of the litigation. If a judge finds that a case is simulated "fictitious", he shall reject same and may impose a penalty on the plaintiff.	**pleading**	مرافعة	**Formal equivalence**	**24**	**88,88**
		دفاع	**Formal equivalence**	**1**	**3,70**
		دفع	**Functional equivalence**	**2**	**7,40**
	unless it proceeds from a party with a legitimately valid interest	ما لم ينطلق من طرف له مصلحة/ما لم تكن طرفا	**Description**	**16**	**59,25**
		لا تكون لمالكها / ما لم تكن لصاحبه فيه	**Formal equivalence**	**9**	**33,33**
		إذا لم يتمّ الاعتراف بها	**Wrong translation**	**2**	**7,40**
	a legitimately valid interest	مصلحة حقيقية مشروعة فيه	**Formal equivalence**	**7**	**25,92**
		مصلحة شرعية/ قانونية فيه	**Formal equivalence**	**9**	**33,33**
		مصلحة قائمة مشروعة	**Functional equivalence**	**10**	**37,03**
		علاقة شرعية	**Wrong translation**	**1**	**3,70**
	a potential interest	الفائدة المحتملة	**Formal equivalence**	**17**	**62,96**
		المصلحة المحتملة	**Functional equivalence**	**8**	**29,62**
		التّواجد المحتمل	**Wrong translation**	**1**	**3,70**
		الكسب المحتمل	**Wrong translation**	**1**	**3,70**
	by way of precaution for the prevention of imminent injury	اتّخاذ الاحتياطات لمنع الإصابة (ضرر) الوشيكة	**Wrong translation**	**20**	**74,07**
		أخذ الحيطة لمنع الإصابة الوشيكة	**Wrong translation**	**1**	**3,70**
		الاحتياط من ضرر وشيك (محتمل)	**Formal equivalence**	**5**	**18,51**
		الاحتياط لدفع ضرر محدق	**Functional equivalence**	**1**	**3,70**
	to establish a right	إنشاء حقّ	**Formal equivalence**	**20**	**74,07**
		إثبات حقّ	**Formal equivalence**	**5**	**18,51**

		إقامة حقّ	**Formal equivalence**	**2**	**7,40**
	at the time of the litigation	وقت (حين) التّقاضي	**Formal equivalence**	**10**	**37,03**
		وقت المقاضاة	**Formal equivalence**	**12**	**44,44**
		وقت المحاكمة	**Formal equivalence**	**3**	**11,11**
		عند النّزاع فيه	**Functional equivalence**	**2**	**7,40**
	finds	وجد القاضي	**Formal equivalence**	**20**	**74,07**
		رأى القاضي	**Formal equivalence**	**1**	**3,70**
		تبيّن للقاضي	**Formal equivalence**	**3**	**11,11**
		ظهر للقاضي	**Functional equivalence**	**3**	**11,11**
	simulated “fictitious”	تمّ/يتم محاكاتها وهمية	**Description**	**5**	**18,51**
		محاكية "وهمية"	**Formal equivalence**	**9**	**33,33**
		مماثلة (وهمية)	**Formal equivalence**	**1**	**3,70**
		وهمية	**Formal equivalence**	**6**	**22,22**
		صورية و مفتعلة	**Functional equivalence**	**3**	**11,11**
		ملفّقة "زائفة"	**Wrong translation**	**3**	**11,11**
	shall reject	كان عليه رفضها	**Functional equivalence**	**13**	**48,14**
		فعليه أن يرفضها/ رفضها	**Formal equivalence**	**14**	**51,85**
	May impose a penalty	يفرض عقوبة	**Formal equivalence**	**14**	**51,85**
		قد يفرض عقوبة	**Functional equivalence**	**10**	**37,03**
		له الحكم بنكال	**Description**	**3**	**11,11**

In Table 5, formal equivalence has the great number of uses among the students (92,58%; 33,33%; 59,25%; 62,96%; 18,51%; 99,98%; 92,58%; 88,85%; 59,25% 51,85%; 51,85%). Yet, there are five instances of wrong translation i.e., not finding exact equivalents. This leads to the misunderstanding of the text by the target language reader. However, description is not much used in the translation of the legal words and expressions of this article.

Table 6: Translations and Strategies of Some Legal Terms in Article Five

Article Five	**Words to Translate**	**The Students’ Translations**	**Strategy**	**N**	**%**
A case involving	A case involving public interest shall	تقبل الدّعوى المتعلّقة بالمصلحة العامّة	**Functional equivalence**	**17**	**62,69**

public interest shall be accepted if filed by at least three citizens in case there is no official authority in charge of such interest in the town.	be accepted if filed by at least three citizens	إذا قدّمت (قدّمها) من ثلاثة مواطنين على الأقل			
		يتمّ قبول حالة تتعلّق بالمصلحة العامّة إذا قدّمها ثلاثة مواطنين	**Formal equivalence**	**8**	**29,62**
	Official authority	سلطة رسمية	**Formal equivalence**	**24**	**88,88**
		جهة رسمية	**Functional equivalence**	**2**	**7,40**
		وكالة رسمية	**Wrong translation**	**1**	**3,70**
	interest	الاهتمام	**Wrong translation**	**12**	**44,44**
		المصلحة	**Functional equivalence**	**11**	**40,74**
		الأمور	**Description**	**3**	**11,11**
		الشّأن	**Description**	**1**	**3,70**
	in the town	في المدينة	**Formal equivalence**	**20**	**70,07**
		في المقاطعة	**Description**	**1**	**3,70**
		في البلد/بلدهم	**Functional equivalence**	**3**	**11,11**
		No answer	/	**3**	**11,11**

Table 6 shows clearly that formal equivalence was highly used by students to translate the first legal expression (29,62%; 88,88%; 0%; 70,07%). To translate other legal words in this article, thestudents opted for formal equivalence and description respectively, while others used a wrong translation which is far in meaning from the original version.

Table 7. Translations and Strategies of Some Legal Terms in Article Six

Article Six	**Words to Translate**	**The Students' Translations**	**Strategies Used**	**N**	**%**
The proceedings shall be void if the regulations so provide or if they involve a defect on account of which the purpose of the proceedings is vitiated. However, the	**regulations**	اللوائح/ اللّائحة	**Formal equivalence**	**5**	**18,51**
		النّظام	**Wrong translation**	**2**	**7,40**
		الإجراء/ الإجراءات	**Functional equivalence**	**20**	**74,07**
	if they involve a defect on account	إذا كانت تنطوي على (عيب)	**Formal equivalence**	**14**	**51,85**
		نصّ النّظام على عيب	**Formal equivalence**	**5**	**18,51**
		إذا كان هذا القانون ينصّ على ذلك	**Description**	**2**	**7,40**
		إذا نصّت التعليمات/ القوانين	**Description**	**5**	**18,51**

court shall not declare a procedure to be void, although it has been so specified, if it is established that the purpose of the proceedings has been established.		نمّ النّظام عل بطلانه	**Functional equivalence**	**1**	**3,70**
	the purpose of the proceedings is vitiated	لم يفسد الغرض منه/ من الدّعوى	**Description**	**13**	**48,14**
		تسبّب في غضّ الطّرف/ النّظر	**Description**	**5**	**18,51**
		تسبّب في تخلّف الغرض من الإجراء	**Functional equivalence**	**9**	**33,33**
	the court shall not declare	لا يجوز للمحكمة أن تعلن	**Formal equivalence**	**19**	**70,37**
		لا يجوز للمحكمة الحكم بالبطلان	**Description**	**5**	**18,51**
		لا يحكم بالبطلان	**Functional equivalence**	**3**	**11,11**
	the purpose of the proceedings has been established	الإجراء قد تقرّر/ قد تمّ تقريره	**Description**	**7**	**25,92**
		تحديد (تحقّق) الغاية من الإجراء	**Formal equivalence**	**8**	**29,62**
		قد تمّ تحديده	**Formal equivalence**	**11**	**40,74**
		تحقّق الغرض من الإجراء	**Functional equivalence**	**1**	**3,70**

In article six, the highest rate was the one of functional equivalence with 74,07% compared to the translation of other legal expressions in Table 7. There is only one instance of wrong translation as mentioned in the table above. In addition, formal equivalence was the dominant strategy among the used ones (18,51%, 51,85%; 70,37%, 70,36%). Description was used by some students as Table 7 portrays.

7. Discussion of the Results

Through looking at the strategies that the students used in the translation of legal terms, it seems that they tend to use formal translation (52,75%; 48,95%; 54,62%; 30,85%; 64,63%; 47,14%, 52,77%) and, sometimes, description as the commonest general strategies used in the translation of legal terms i.e., the translation of this special and specialised register. Functional equivalence, on the other hand, was sometimes employed by students and neglected some other times. This is mainly because, in some instances, they find the legal equivalent as it functions in the target language i.e., as it is used in the legal register and without taking its exact correspondent in the target language. Yet, this is not always the case as they do not know the legal system of the target language that is why they fail in some other instances. This lack of knowledge is due to the fact that Master students are no specialised in law. In addition, they have not been exposed to this register before which results in shades of meaning in some of their translations. This is likely to appear when the whole text is read, where coherence and cohesion play a great role in keeping the text as one unit. In addition to the previously

mentioned strategies that students used, they failed in finding the equivalents of some legal expressions and terms and provided the reader with wrong equivalents which do not reflect the same meaning of the original version.

The present study can relate to previously done studies, though not many, in the way that it tried to shed some light on the translation of legal texts in the department of English at Constantine University. This is just an attempt to integrate the teaching of the translation of the law register. Through this study, we can conclude that students find the translation of legal texts difficult because of two main reasons:

1. Their comments when we started dealing with the translation of the legal register for the first time i.e., they hate the translation of legal texts because they find it difficult.
2. The outcome of this study which proves that the students still lack some basic methods to deal with the translation of legal texts especially culture-specific ones.

This study just opened the door for research in the translation of legal texts. The outcome of the findings implies that maybe if we do an experiment where students are trained on the translation of legal texts, we may come up with fruitful results

8. Conclusion

In a nutshell, students of English translated legal terms into Arabic using different strategies such as the ones mentioned in the analysis of data. These latter range from formal equivalence, whose basis is the semantic meaning of the source language; functional equivalence, which is based on respecting the target language legal system through finding equivalents that are assimilated in it; and description which reflects the understanding of the student of source language legal terms. Some students failed in the translation of some legal expressions may be because they have never been exposed to them before. As a matter of fact, first year Master students of English could not translate some legal expressions adequately in the legal context because they were not exposed enough to the legal register.

All in all, our research hypothesis which says: If First Year Master students of English, Linguistics and Applied Language Studies, know about the contextual meaning of legal terms and use appropriate translation strategies, they will be able to provide appropriate Arabic equivalents is confirmed because most of them are not aware of the appropriate strategies that should be used in translating legal texts. They sometimes tend to use functional equivalence which suits best the translation of legal terms but neglects the context as a whole. Other times, they cannot even find the exact equivalent which leads them to provide the reader with wrong equivalents or to use either formal translation which is limited to the linguistic meaning and description which is based on the understanding of the students.

In order to overcome these problems, it is recommended for students to practise the translation of many legal terms in order to be able to get rid of the inadequate use of the legal system i.e., their dependence on the dictionary and inability of translating expressions according to the context. For example, while analysing the data, the translations of some terms such as “shall conform” and “shall apply” were always rendered through the use of “يجب” which is not appropriate. In addition, adequate sessions in translating legal terms where the teacher can give a wide view of legal language background as a register is highly recommended. Teachers should be aware of the conceptualised legal terms by attending legal seminars and conferences which enable them to know the legal system and how to find exact equivalents. It is also advisable to give some background knowledge by providing students with a list of legal terms (glossary) along with their equivalents before giving them

a legal text to translate. At last, a study that trains the students in the field of legal translation is highly recommended because the lectures that the students get in class and the information that the teacher provided the students with were not enough. In addition, a study or an experiment that deals with a programme on the translation of legal texts may be recommended to give the students more chances to be familiar with this register genre.

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