

Journal of legal and social studies

Issn: 2507-7333

Eissn: 2676-1742

**Between Law and Language: Navigating English in International Legal and
Commercial Contexts in Algeria**

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Date of send: 02/03/2026	date of acceptance: 01/05/2026	Date of Publication: 01/06/2026
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Abstract :

In an increasingly globalized legal and commercial arena, English has emerged as the dominant lingua franca for international law and international trade. This theoretical paper examines Algeria's positioning within this linguistic landscape, where French and Arabic historically shape legal education and practice, yet English is progressively required for cross-border contracts, arbitration procedures, and commercial negotiations. The study explores the challenges Algerian legal scholars and practitioners face when dealing with English-language contracts, including issues of ambiguity, terminology gaps, and interpretive risks arising from imperfect translation. Additionally, it investigates the state of legal English pedagogy in Algerian universities, where professors often struggle with limited didactic resources, lack of specialized training, and an insufficient corpus of context-appropriate teaching materials. Through a conceptual and literature-based analysis, this work highlights the linguistic, pedagogical, and professional implications of English dominance in international legal discourse and argues for strategic educational reforms to better equip Algerian legal professionals for global engagement.

Keywords: Legal English; Algeria; International Law and Trade; Legal Translation

INTRODUCTION

In an age of accelerated globalization, English has secured a dominant position as the lingua franca for international communication, whether in commerce, academia, diplomacy, or law. English's expanding role in international law and trade is well documented: international contracts, arbitration agreements, and many multilateral instruments are often drafted in English, even when the parties involved are not native speakers of English (Anesa, 2019; Orts Llopis, 2017). As a result, Legal English has emerged as a specialized register with distinctive lexico-syntactic features and particular interpretive demands (Triebel, 2009).

For Algeria, a country with a multilingual legal environment shaped by Arabic, Tamazight, and French, the rise of English poses specific theoretical and practical considerations. This paper aims to explore Algeria's positioning within this linguistic landscape by answering the following questions:

- 1- What are the challenges Algerian legal scholars and practitioners face when dealing with English-language contracts?
- 2- What are the key translation and interpretive risks when drafting contracts in English?
- 3- What challenges do Algerian law professors face in teaching Legal English and preparing graduates for the realities of cross-border legal practice?

This paper addresses these questions through a conceptual review of the literature and a discussion framed for the Algerian context.

THE FIRST TOPIC: THE LINGUISTIC AND SYSTEMIC LANDSCAPE OF LEGAL ENGLISH

This topic addresses the theoretical foundations of English as a global lingua franca and evaluates Algeria's historical and current transitions within this shifting linguistic environment.

First requirement: Theoretical Foundations of Legal English

This requirement examines the conceptual framework of English as a global tool for communication and its evolution into a specialized register with unique interpretive demands.

First section: English as a Global Lingua Franca (ELF)

The global spread of English is not solely due to colonization or cultural dominance, but is the result of structural shifts in global trade, diplomacy, scientific communication and international cooperation. As ELF, English is not used as a norm by native speakers, but rather as a shared communication tool among non-native speakers, chosen for its global utility.

This change has led to what many scholars refer to as a “new linguistic ecosystem”, one in which speakers adapt English to local needs, produce context-sensitive varieties and negotiate meaning across different cultural and legal frameworks. In legal matters, this adaptation is particularly difficult due to the different legal traditions, system-specific concepts and specialized terminology.

Second section: Legal English as a Specialized Register

Legal English is not just a monolithic variant; it is a specialized register that combines technical vocabulary, intricate syntax and context-sensitive semantics. English has become a universal legal lingua franca because many international legal documents, business agreements, arbitration documents and global contracts are drafted in English regardless of the native languages of the parties involved (Orts Llopis, 2017).

However, using legal English across jurisdictions is not devoid of challenges. Comparative-legal scholars argue that even when parties have English as a shared language, their different interpretive traditions may lead to them interpreting the same terms differently. This remains a significant challenge when legal systems involved come from varying legal traditions such as common law, civil law and mixed systems (Michta and Mroczyńska, 2023). Thus, legal English must be understood as both enabling and problematic; it enables global engagement while raising the need for comparative legal awareness and translation competence.

Second requirement: Algeria's Legal-Linguistic Context and Transitions

This requirement explores the layered history of Algeria's judicial system and the emerging demand for English in the local commercial sector.

First section: Historical Roots and Multilingualism

Algeria's sociolinguistic landscape is characterized by multilingualism: Modern Standard Arabic (and dialectal Arabic), Tamazight (Berber varieties) and French (a legacy of colonization). After gaining independence, various language policies have influenced the role of each language in the fields of education, law and public life. Despite this, French continued to hold a dominant position in legal practice and higher education.

Algeria's judicial system and linguistic environment are products of layered history. French colonial administration left a lasting imprint on Algerian legal education, judicial practice and legislative drafting. As a result, French remains a dominant language of legal practice and higher education in many legal domains. Modern Standard Arabic and, more recently, Tamazight recognition has been promoted by post-independence language policy, although French continues to be significant in specialized fields like law and legal translation (Ben Mohamed, 2017).

Second section: Modern Transitions and International Trade

In the last two decades, English has gained momentum in Algerian higher education and business, largely due to globalization and the belief that English is useful in the fields of science, technology and commerce. However, the incorporation of legal English into law schools and practice remains limited and uneven. Where legal English courses exist, challenges are still encountered like heterogeneous student abilities, lack of locally-relevant teaching materials and lack of teachers with both legal and advanced English competencies (Achir and Sebane, 2022).

This hybrid linguistic reality, Arabic and French dominance with emergent English, creates both practical challenges and policy possibilities. It signifies that English can be used practically for global business deals, but it also highlights the importance of translation, comparability of legal concepts and pedagogical adaptation to prevent legal ambiguity and uncertainty.

THE SECOND TOPIC: PRACTICAL CHALLENGES IN INTERPRETATION, TRANSLATION, AND PEDAGOGY

The transition toward English in the Algerian legal system is more than just a linguistic shift; it poses a systematic challenge that affects the trustworthiness of legal documents and the effectiveness of professional training. This topic addresses the critical risks of contractual ambiguity, the search for conceptual equivalence in translation and the institutional reforms required to modernize legal English pedagogy.

First requirement: Translation Risks and Contractual Interpretive Gaps

The foundation of legal certainty in international trade is based on the precision of language. This requirement examines how the technical aspects of drafting contracts, along with the complexities of legal translation, result in “interpretive gaps” that can lead to significant litigation risks and enforcement challenges across different jurisdictions.

First section: The Intersection of Contract Drafting and Legal Translation

The combination of contract drafting and legal translation represents one of the most critical areas in international commerce, where the precision of language directly influences the stability of a bargain. A well-drafted contract aims to remove any uncertainty by using a strict structure and standardized terminology. However, translating these terms into a second language introduces a complex layer of linguistic and cultural challenges. This is not a straightforward word-for-word exchange, but rather involves dealing with different legal systems and the potential for equivalent terms to have significantly different legal implications. For instance, Common Law and Civil Law may have divergent burdens of proof or consequences. Consequently, the “interpretive gap” between the source and target texts poses major litigation risks, often leading to disagreements over the true intention of the parties and the ability to enforce the agreement across different jurisdictions.

Second section: Pitfalls of English as Contract Language

Despite being widely used, English can be conceptually misleading in cross-system contracts according to Triebel’s seminal chapter on the *Pitfalls of English as a Contract Language* (Triebel, 2009). Triebel (2009) emphasizes that several English drafting techniques, such as permissive reliance on flexible word order, widespread use of multi-word lexicalizations and certain interpretive presumptions, may increase ambiguity when parties do not share a common legal culture. These pitfalls are especially salient for Algerian contexts where French contract drafting traditions differ notably from Anglo-common law norms.

Third section: Legal Translation and the Quest for Equivalence

In multilingual legal systems, legal translation requires both linguistic and systemic equivalence. Translators must target not only lexical matches but also conceptual functions (Graziadei, 2025). In Algeria, translations between Arabic,

French and increasingly English are common, introducing risks of inconsistencies in terminology and doctrinal misalignments. According to research conducted at the local level, legal translators in Algeria often lack institutionalized glossaries or standardized equivalence lists. This situation increases the chance of different translations across institutions (Benaouda, 2023).

According to Graziadei (2025) and Benaouda (2023), legal translation must be considered a specialized profession that demands knowledge of comparative law, terminological standardization and quality assurance, given the importance of the consequences such as contractual obligations, judicial decisions and arbitration outcomes. In places where these systems are not available or are lacking resources, the reliability of translated legal texts may be compromised, which could have an impact on access to justice and commercial certainty.

Second requirement: Translation and Legal Practice in the Algerian Context

This requirement examines the specific relationship between judicial practice and linguistic shift within Algeria. It focuses on how local practitioners bridge the gap between legal needs and international standards while managing the growing need for English in global trade.

First section: Complexity and Risks in Algerian Legal Translation

The complex web of linguistic and systemic challenges in the Algerian legal landscape arises from the intersection of translation, contract law and judicial practice. Due to being a multilingual nation, there are often challenges with legal instruments' accuracy because of terminological inconsistency and jurisdictional ambiguity. The increase in international commercial partnerships emphasizes the difficulty for local practitioners in Algeria to bridge the gap between Algerian statutory requirements and global legal standards. Therefore, ensuring the accuracy of a translated contract in Algeria is not simply a matter of language, but an essential requirement for it to be legally enforceable and to reduce the potential for legal disputes across borders.

Translation plays a significant role in Algeria's legal system, as court rulings, legal documents, judgments and contracts frequently need to be translated between Arabic, French and, now more commonly, English. Translators need to understand not only linguistic differences but also conceptual and systemic variations, due to the complexity of legal terminology

and the specificity of legal culture. This process becomes especially complex when translating between civil law, Islamic law and commercial law contexts.

Benaouda (2023) asserts that translators who lack specialized knowledge of legal systems or training in comparative law are at risk of producing translations that are legally ambiguous or inaccurate. This could lead to serious consequences for contract enforcement, judicial clarity or international arbitration. Thus, it can be said that legal translation necessitates a thorough grasp of legal systems, legal vocabulary and the cultural context in which the legal document was created.

Furthermore, terminological ambiguities may result in interpretation differences when contracts or international agreements are written in English and then translated into local languages (or vice versa). These concerns are amplified in a multilingual legal system like Algeria's, where any linguistic misalignment may compromise legal certainty, fairness or justice.

Second section: The Demand for Legal English in International Trade and Law

Algerian firms, particularly those involved in import/export, maritime trade, international arbitration or foreign investment are finding it increasingly essential to be able to create, discuss and understand contracts in English. Research on business communication in Algeria shows a growing trend; many companies are choosing to use English to present a global image, simplify international trade and conform to international standards (Aliouche and Nesba, 2025). Yet, despite using English for business communication, the legal dimension remains contested because of the lack of proficiency in legal English and translation.

In this way, there are two important challenges. First, getting Algerian legal professionals ready to work with English language contracts, arbitration documents and international instruments, and second, making sure that translation and interpretation between languages and legal traditions are done accurately to maintain clarity, reliability and legal validity.

Third requirement: Pedagogical Challenges for Legal English in Algerian Higher Education

This requirement explores the transition from general English to English for Legal Purposes (ELP). It also describes the different obstacles faced by Algerian law faculties.

First section: Institutional and Pedagogical Constraints in Law Faculties

In Algeria, the growing need for legal professionals who can understand and work within an increasingly globalized judicial and commercial landscape has made legal English a top priority in the reform of higher education. Transitioning from general English to the highly specialized domain of English for Legal Purposes, however, comes with its own sets of obstacles. The lack of practitioners who are well-trained in both civil law and common law terminology, as well as the absence of standardized curricula, means that professors often find themselves having to bridge a vast gap between linguistic theory and practical application.

Teaching legal English in Algeria is hindered by a number of interconnected limitations. First, student populations are heterogenous. Some students have solid general English skills but lack legal vocabulary or a foundation in comparative law, while others have limited general English proficiency. This makes the process of introducing technical legal English complicated (Achir and Sebane, 2022). Second, there is a scarcity of relevant teaching materials. Current teaching materials exceed students' language proficiency and fail to address their specific needs, leading to irrelevant content unable to support real-world legal communication (Achir and Sebane, 2022).

The third issue is that the faculty expertise is uneven. The best way to teach legal English is to combine language pedagogy and a solid legal knowledge. Algerian law faculties, however, often lack staff who are qualified as both legal experts and advanced English instructors. In the literature, it has been suggested that co-teaching models involving legal scholars and language instructors would be beneficial, but challenges with logistics and resources make it difficult to put this in practice (Mroczyńska and Michta, 2023).

Furthermore, teaching legal English in Algeria is influenced by institutional, linguistic and pedagogical limitations that are similar to the challenges faced in law faculties globally when it comes to English for Specific Purposes (ESP). For instance, there are significant obstacles at the university of Oran 2 (Algeria) that are related to teacher readiness, course design and the mismatch between learner needs and curriculum content. As a result, there is a demand for a comprehensive needs analysis and contextual adaptation of pedagogical strategies (Achir and Sebane, 2022). In addition, teachers in various contexts have observed that students' lack of understanding of both general English and legal concepts makes it difficult to incorporate specialized legal

language into the classroom. These obstacles highlight the importance of using teaching methods that combine language and legal instruction in a collaborative way. It is crucial to introduce new teaching methods in order to help Algerian law students effectively engage with international legal texts and transactional discourse in English.

Second Section: Curriculum Design and Material Adaptation Strategies

One of the main barriers in pedagogy is designing curricula that blend skills in legal English with an understanding of comparative law. Legal English instruction for Algerian students should not only focus on teaching specific vocabulary and formulaic phrases, but should also explain the underlying principles behind legal terms and convention drafting. For example, English contract writing exercises could be paired with comparative sessions that highlight the differences in contract remedies or doctrines between common law and civil law traditions (Triebe, 2009).

Legal practitioners in Algeria should ensure that the materials they use (case studies, contract models and arbitration clauses) are selected or modified to accurately represent the transactions they typically encounter. Moreover, assessment should give priority to the ability to communicate effectively in practical situations, such as drafting bilingual contract clauses, translating important provisions or creating simple and clear summaries, rather than just focusing on isolated vocabulary, grammar tests and exam grades (Achir and Sebane, 2022).

According to Chendeb (2020), a developing approach to overcoming the shortcomings of conventional legal English teaching is the integration of legal information with language training. Teaching substantive legal topics alongside linguistic structures within Content and Language Integrated Learning (CLIL) and modified CLIL models has been proven to enhance comprehension and professional readiness among learners of legal English. This approach grounds language acquisition in authentic legal content, leading to improved results. This approach is also particularly relevant in Algeria, where it is essential to align English language teaching with legal subject matter to enhance both linguistic competence and practical application in international legal and commercial settings.

Fourth Requirement: Institutional and Policy Responses for Modernization

For Algeria, the transition to legal English is a strategic necessity to improve competitiveness and attract foreign investment. This requirement provides policy recommendations for education and professional standardization.

First section: Educational Reforms and Interdisciplinary Professional Training

For Algeria, the transition to legal English is a strategic necessity in order to improve its competitiveness in the global market and attract foreign investment. This section provides recommendations for the country. These include the integration of specialized ESP into the national legal curriculum to better equip future jurists. Additionally, policy responses should emphasize the importance of linguistic precision in global arbitration and trade negotiations to safeguard the interests of the country. Ultimately, adopting legal English is not merely a language shift but a crucial first move in bringing Algeria's institutional practices in line with global commercial standards.

Integrating legal English into the core curricula of Algerian law faculties is a smart institutional reaction to the growing prominence of English in international and commercial practice. Treating legal English as an optional or secondary subject could result in downgrading a skill that is becoming more essential in professional legal activity, especially in fields like arbitration, foreign investment and international trade. In the Algerian context, compulsory legal English courses at both undergraduate and postgraduate levels would guarantee that more students have equal access to linguistic capital, instead of reserving advanced English competence for only those who have had previous exposure. Such incorporation should be directed by clearly stated learning goals linked to real-life legal tasks, such as drafting contracts, legal correspondence and procedural documentation in global situations.

To ensure effective integration, the curriculum must start with basic legal terminology and then advance to more complex skills in drafting international commercial contracts and negotiating dispute resolutions. Khedimi (2025), demonstrates how a scaffolded approach, along with the support of blended learning platforms like Moodle, promotes autonomy and practical application in Algerian law departments through weekly thematic lessons that improve vocabulary acquisition.

Equally important is the promotion of co-teaching and interdisciplinary collaboration between law faculties and departments of English or translation. In many instances, single-discipline instruction is inadequate due to the dual nature

of legal English as a linguistic and legal system, which adds to its complexity. In Algeria, promoting collaborative teaching arrangements within institutions, such as creating joint courses or team-taught modules, could help address the current lack of instructors with expertise in multiple fields. This collaboration between different fields would not only enhance the quality of teaching but also encourage academic discussion between experts in law and language, leading to more effective and long-term program growth.

Another essential aspect of institutional reform is the creation of legal English materials that are specific to Algerian legal realities. Many popular legal English textbooks are based on Anglo-American law systems and are designed for use in monolingual legal environments. This restricts their usefulness in multilingual countries like Algeria. Materials adapted for use in Algeria should include glossaries in bilingual or trilingual formats, standard contracts that reflect Algerian commercial practices and explanations that compare the differences in legal principles between civil law, common law and Islamic law. Access to resources within the local community would allow students to understand English legal discourse without erasing the unique characteristics of their own country's legal system.

Second section: National Standardization and Institutional Support for Translation

Apart from education, institutional efforts should also focus on standardizing terminology and translation practices on a national scale. In multilingual legal systems, inconsistency in legal terminology across languages can generate interpretive ambiguity and diminish confidence in law. Algeria could benefit from organized efforts to develop a national database in partnership with government ministries, courts and academic institutions. This database would serve as a reliable reference tool for legal professionals and translators. The creation of consistent multilingual glossaries for key areas like commercial law, investment law and arbitration would enhance the consistency and trustworthiness of legal communication involving English.

The establishment of professional certification and formal training pathways for legal translators represents another important institutional measure. Prieto Ramos (2014) argues that legal translation is widely acknowledged as a specialized activity that demands not only advanced language skills but also extensive understanding of legal systems, comparative law and professional ethics. In the Algerian context, accredited certification programs could help in distinguishing qualified legal translators from general-language practitioners,

thereby improving quality assurance in legal documentation. Programs like these should include modules on comparative legal analysis, translation strategies for system-bound terms and ethical responsibilities.

CONCLUSION

The global dominance of English as a lingua franca for law and trade creates both advantages and significant challenges for non-Anglophone countries like Algeria. Although legal English provides access to global discourse, international markets and cross-border agreements, its successful implementation requires more than superficial language instruction.

Algeria's complex legal system, which recognizes multiple languages and legal traditions, necessitates significant structural changes in order to effectively incorporate legal English. These changes should encompass legal education programs, translation training and the adoption of English in legal and commercial contexts. If these reforms are not made, the use of legal English may remain sporadic, risky or merely symbolic, potentially leading to a lack of legal clarity, professional expertise and access to justice.

This theoretical exploration calls for further empirical and policy-focused research to assess the existing skills of Algerian legal professionals, identify standards for translation quality and propose concrete steps towards developing a lasting framework for legal English and translation in Algeria.

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