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**Bidialectal Practices in Algerian Judicial Interactions: Sociolinguistic Realities  
and Legal Implications**

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## Abstract

This study examines the legal consequences of intralingual reformulation within Algerian courtrooms, where litigants frequently express testimony in Algerian Arabic while official records are drafted exclusively in Modern Standard Arabic. In this bidialectal setting, the transition from vernacular narration to standardized legal transcription is not a neutral linguistic transfer but a process of institutional transformation.

The paper argues that dialectal expressions, pragmatic markers, and culturally embedded formulations often lack precise equivalents in Modern Standard Arabic. As testimony is reformulated to meet the syntactic and terminological conventions of legal writing, subtle semantic shifts may occur. These shifts do not necessarily alter factual content, but they may modify degrees of certainty, emphasis, agency, or emotional stance embedded in the original speech. The resulting judicial record therefore reflects a stabilized and institutionally validated version of events that may diverge, at the level of nuance, from the speaker's initial discursive positioning.

By analyzing this process through sociolinguistic and forensic linguistic perspectives, the study demonstrates that linguistic mediation is not peripheral to judicial practice but constitutive of how legal meaning is produced and archived. It concludes that procedural equity in multilingual legal systems depends not only on the right to speak, but also on the fidelity of linguistic reformulation within institutional documentation.

**Keywords:** Bidialectalism; Intralingual reformulation; Algerian Arabic; Judicial discourse; Linguistic mediation; Procedural equity.

## Introduction

The courtroom constitutes a highly regulated discursive space where language functions not merely as a medium of communication, but as a mechanism through which legal meaning, institutional authority, and procedural legitimacy are constructed. In multilingual societies, this function becomes particularly complex, as legal discourse must operate across heterogeneous linguistic repertoires.

In Algeria, judicial proceedings are officially conducted in Modern Standard Arabic (al-fuṣḥā), while litigants frequently express themselves in Algerian Arabic. This structural coexistence generates a recurrent process of intralingual reformulation whereby dialectal testimony is rewritten, standardized, and incorporated into the formal legal record. Far from being a neutral operation, this transformation raises critical questions concerning semantic equivalence, pragmatic nuance, and discursive fidelity. Certain dialectal expressions, deeply embedded in local sociocultural contexts, do not always find exact counterparts in the standardized legal register, potentially leading to shifts in meaning and interpretive reorientation.

This study examines how such reformulation practices shape the production and validation of legal meaning within Algerian courtrooms. It explores the extent to which the transition from dialect to standard Arabic may affect legal comprehension, communicative transparency, and procedural equity. Grounded in sociolinguistics, forensic linguistics, and legal discourse analysis, the research offers a qualitative theoretical investigation of institutional language mediation in the Algerian judicial context.

The objectives of this article are therefore:

- (1) to analyze the linguistic configuration of Algerian courtroom interactions;
- (2) to examine the mechanisms of intralingual reformulation from dialect to Modern Standard Arabic;
- (3) to evaluate the implications of potential semantic and pragmatic shifts for legal clarity and procedural fairness; and
- (4) to contribute to broader reflections on language policy and institutional language practices within the Algerian judicial system.

## THE FIRST TOPIC

### Colonial and Sociolinguistic Foundations of Legal Language in Algeria

The linguistic configuration of the Algerian legal system cannot be understood without examining both its colonial legacy and its contemporary sociolinguistic dynamics. The persistence of French legal terminology and the coexistence of multiple linguistic varieties within judicial institutions are rooted in historical transformations and structural sociolinguistic realities. This topic therefore explores, first, the colonial foundations of legal language in Algeria, and second, the sociolinguistic context that continues to shape courtroom communication

#### First Requirement:

#### Colonial Language Legacies in the Algerian Legal System

The French colonial administration fundamentally reshaped Algeria's legal system by introducing a new institutional framework and a specialized legal terminology rooted in French civil law. This section analyzes how colonial legal structures established French as the dominant language of judicial authority and how this legacy continues to influence post-independence legal practices.

#### First Section: Establishment of the French Legal System and Its Judicial Terminology

From the moment France extended its authority over Algeria, the colonial administration imposed a legal system modeled on French civil law (*droit civil*). Courts, tribunals, land registration offices, and notarial institutions were reorganized according to the French judicial hierarchy. As noted by John Ruedy, colonial governance in Algeria involved the systematic transplantation of French administrative and legal institutions, thereby restructuring local authority through imported legal norms.

All legal codes, decrees, judgments, and administrative acts were drafted exclusively in French, establishing the language as the sole medium of legal validity and institutional authority. This transformation produced a profound linguistic rupture within the Algerian legal sphere. Traditional Arabic legal terminology was progressively marginalized, while French legal vocabulary became institutionalized as the language of jurisprudence and procedural reasoning (Grandguillaume, 1983).

In addition to restructuring institutions, colonial authorities introduced technical terms that had no prior equivalents in the local legal culture. Expressions such as *cadastre*, *transcription foncière*, *acte notarié*, and *contentieux* became standardized in judicial practice. According to Mohamed Benrabah (2013), the colonial linguistic order extended beyond communication, shaping the epistemological and professional foundations of Algerian state institutions.

Because the entire legal infrastructure relied on this terminology, French legal language became embedded in the cognitive and professional framework of Algerian legal actors. It functioned not merely as a communicative tool but as the conceptual foundation of legal interpretation and institutional legitimacy.

This historical embedding of French legal terminology contributed to the consolidation of a hierarchical linguistic order within Algerian judicial institutions, where standardized legal language came to symbolize authority, precision, and institutional legitimacy—an order that continues to shape contemporary processes of linguistic mediation and reformulation.

## **Second Section: Legal Education and the Post-Colonial Persistence of French**

During the colonial period, legal education and professional training in Algeria were conducted exclusively in French. Clerks, magistrates, land experts, and notaries were trained within a framework grounded in French civil law and its terminology. Legal curricula in specialized schools relied entirely on French legal manuals, case law, and doctrinal commentaries. As a result, the acquisition of legal knowledge was inseparable from the mastery of French, reinforcing what Gilbert Grandguillaume (1983) describes as structural linguistic dependency in post-colonial institutions.

By the time of independence in 1962, most legal professionals had been educated within this French-based epistemological system. The entire body of codified knowledge—legal textbooks, jurisprudence, and administrative procedures—existed almost exclusively in French. According to John Ruedy (2005), colonial governance in Algeria was characterized by deep institutional transplantation, meaning that the administrative and judicial apparatus was not merely linguistic but structurally French in its foundations.

Following independence, Arabization policies aimed to restore Arabic as the official language of state institutions. However, the transition proved particularly

complex in the legal domain. As argued by Mohamed Benrabah (2007; 2013), the persistence of French in Algerian institutions cannot be reduced to symbolic attachment but reflects functional continuity and technical necessity.

The colonial linguistic legacy continues to appear in contemporary judicial practice through:

- the vocabulary used in courts,
- mixed-language drafting of legislative texts,
- technical terminology in land surveying and property conservation,
- bilingual or hybrid expressions employed by judges, lawyers, and clerks.

Even after decades of Arabization efforts, many French legal terms remain difficult to replace due to their precision, long-standing institutional use, and integration into administrative procedures. Thus, the endurance of French legal language represents not merely a historical residue, but an embedded structural feature of the Algerian judicial system.

This structural persistence of French and the hierarchical valorization of standardized legal language further complicate contemporary processes of intralingual reformulation, particularly when dialectal testimonies must be rendered into standardized legal Arabic within courtroom settings.

## **Second Requirement:**

### **Sociolinguistic Context in Algeria and its Impact on Legal Language**

While the previous sections have highlighted the historical and institutional persistence of French within the Algerian legal system, this persistence must be situated within Algeria's broader and historically stratified sociolinguistic order. The country's linguistic landscape is characterized by the coexistence of Modern Standard Arabic (MSA), Algerian Arabic (Darija), Tamazight, and French—varieties that occupy distinct symbolic, functional, and institutional domains.

This configuration results from successive political and institutional transformations, including colonial governance, post-independence Arabization

policies, and later identity-based reforms. As observed by Mohamed Benrabah (2013), Algeria's linguistic order reflects a continuous negotiation between state language planning and everyday communicative practices. Likewise, Gilbert Grandguillaume (1983) emphasizes that contemporary language hierarchies remain deeply embedded in colonial administrative structures.

Within this stratified system, linguistic varieties do not operate on equal terms. MSA functions as the codified language of legislation, official documentation, and institutional authority, whereas Algerian Arabic serves as the primary medium of spontaneous oral interaction. French, despite its loss of official status, retains technical and professional authority in several administrative and legal domains. This hierarchical distribution has direct consequences for judicial communication.

In courtroom settings, litigants frequently narrate events in dialectal Arabic, while procedural formalization and written records require standardized legal language. The courtroom thus becomes a space of linguistic mediation, where communicative accessibility intersects with institutional normativity. This structural tension not only reflects Algeria's diglossic configuration but also necessitates systematic processes of intralingual reformulation, through which dialectal testimony is rendered into standardized legal discourse—an operation that may involve shifts in semantic precision, pragmatic force, and interpretive framing.

### **First Section: Historical Foundations and Diglossic Structure of Algeria's Linguistic Landscape**

Algeria's contemporary linguistic configuration results from intertwined historical, political, and sociocultural transformations. Following independence in 1962, Arabization policies sought to restore Arabic as the official language of the state and its central institutions, including the legal system. As observed by Gilbert Grandguillaume (1983), these policies were not merely linguistic reforms but instruments of post-colonial identity reconstruction. Nevertheless, the structural influence of French colonial administration continued to shape bureaucratic and legal discourse. Mohamed Benrabah (2013) argues that the persistence of French in public institutions reflects institutional continuity rather than simple linguistic preference.

The subsequent constitutional recognition of Tamazight—first as a national language (2002) and later as an official language (2016), as discussed by Salem

Chaker (2004)—further diversified Algeria’s linguistic framework. These layered developments have produced a hierarchically organized linguistic order in which multiple varieties coexist but fulfill differentiated symbolic and functional roles.

From a sociolinguistic perspective, this configuration corresponds to what Charles A. Ferguson (1959) conceptualized as diglossia: the structured distribution of a “high” (H) variety associated with institutional authority and a “low” (L) variety embedded in everyday interaction. In Algeria, Modern Standard Arabic (MSA) occupies the formal domain of legislation, official documentation, and state legitimacy, whereas Algerian Arabic (Darija) constitutes the primary medium of spontaneous oral communication. Taleb Ibrahim (1995) underlines that Darija functions as the effective language of daily life, while MSA remains largely confined to written and formal registers.

This asymmetrical distribution has direct implications for judicial communication. Courtroom interaction frequently involves litigants who narrate events in dialectal Arabic, while procedural codification and written records require standardized legal language. The courtroom therefore becomes a site of linguistic mediation, where institutional authority depends on the transformation of orally produced dialectal narratives into formally validated discourse. This diglossic tension not only structures communicative exchanges but also generates systematic processes of intralingual reformulation—processes that may entail shifts in semantic precision, pragmatic nuance, and discursive positioning.

## **Second Section: Linguistic Practices, Inequalities, and Code-Switching in Algerian Courts**

Despite the formal status of Modern Standard Arabic (MSA) as the official language of judicial documentation, courtroom interaction in Algeria reflects a more fluid linguistic reality. Algerian Arabic (Darija), although not institutionally codified as a judicial language, functions as the primary medium of oral communication in interactions between legal professionals and litigants. In practice, oral exchanges often rely on dialectal Arabic to ensure clarity and immediacy of understanding.

Sociolinguistic scholarship on Algeria has consistently emphasized the functional differentiation between standardized Arabic and dialectal varieties in institutional contexts. Mohamed Benrabah (2007, 2013) highlights the unequal distribution of proficiency in MSA across the population and links linguistic stratification to differential access to public institutions. Similarly, Khaoula Taleb-Ibrahimi

(1995) underscores the centrality of dialect in everyday communication and its importance in state–citizen interaction. Although detailed ethnographic studies of courtroom discourse remain limited, these broader findings illuminate linguistic dynamics observable within judicial settings.

This configuration produces what may be described as a dual linguistic economy within the judiciary: MSA structures written records, legal formulas, and procedural documentation, whereas Darija facilitates narrative expression and communicative accessibility. The coexistence of these varieties within a hierarchically organized system is not neutral. It may generate asymmetries when litigants are required to engage with specialized terminology or when dialectal statements are reformulated into standardized legal discourse.

In such contexts, the transformation of orally produced dialectal testimony into formal written Arabic becomes a critical procedural step. This process of intralingual reformulation may involve adjustments in lexical choice, syntactic structure, and pragmatic framing. While often necessary for institutional validation, these adjustments can entail subtle shifts in meaning or emphasis, raising questions about semantic equivalence and discursive fidelity.

Judicial actors frequently navigate this tension through strategic code-switching between MSA and Darija. This alternation serves pragmatic purposes, such as clarifying legal terminology, adapting to interlocutors' linguistic competence, and negotiating meaning in real time. Such practices resonate with the principles of Communication Accommodation Theory originally developed by Giles (1979) and further elaborated in later work (Gallois, Ogay, & Giles, 2005), according to which speakers adjust their linguistic behavior to facilitate mutual understanding and manage interpersonal relations.

Beyond this bilingual dynamic, Algerian courts operate within a broader multilingual framework in which French continues to appear in technical and historically embedded legal terminology. The interaction of MSA, Darija, and French reflects the layered historical processes previously outlined and continues to shape legal interpretation, communicative authority, and perceptions of procedural fairness. Language in Algerian judicial institutions therefore functions not merely as a medium of expression but as a structuring element in the administration of justice, influencing both access to legal discourse and the practical experience of judicial proceedings.

## THE SECOND TOPIC

## **Legal Implications of Bidialectal and Multilingual Practices in Algerian Courts**

If language constitutes the medium through which law is articulated, it simultaneously conditions the validity of judicial authority. In multilingual and bidialectal settings, the stability of legal meaning cannot be taken for granted. The passage from lived speech to institutional inscription becomes a site where legal certainty, evidentiary integrity, and procedural fairness are potentially reconfigured.

In Algerian courts, where testimony frequently circulates between vernacular expression and standardized legal formulation, the question is no longer descriptive but normative: to what extent does linguistic mediation preserve the integrity of judicial meaning? And under what conditions might it subtly reshape the very substance of what is legally recognized as fact?

This topic therefore shifts the focus from linguistic structure to juridical consequence. It examines, first, how bidialectal mediation affects legal certainty and interpretative accuracy; and second, how linguistic hierarchies intersect with institutional power and judicial equity

### **First Requirement:**

#### **Legal Certainty and Interpretative Accuracy**

Legal certainty constitutes a foundational principle of judicial systems, requiring clarity, stability, and predictability in the formulation, interpretation, and application of legal norms. It ensures that legal outcomes are not contingent upon ambiguity, variability, or discretionary reinterpretation. In judicial proceedings, this principle depends fundamentally on the linguistic stability of recorded statements, evidentiary formulations, and judicial reasoning.

In contexts where testimony undergoes intralingual reformulation before being institutionally validated, the integrity of legal meaning becomes a structural concern. When oral narratives are converted into standardized legal transcription, the process does not merely transfer information; it reorganizes it within a formalized juridical framework. Even subtle adjustments in lexical choice, syntactic structure, or pragmatic framing may influence how statements are legally interpreted and evaluated.

In the Algerian courtroom, where vernacular expression and institutional inscription do not fully coincide, the transition between linguistic varieties acquires juridical relevance. Legal certainty therefore depends not only on procedural safeguards, but also on the fidelity and stability of linguistic mediation itself.

This requirement examines how such mediation affects the precision of judicial transcription, the coherence of legal interpretation, and the preservation of evidentiary meaning within Algerian courts.

### **First section: Intralingual Reformulation and Risks of Semantic Distortion**

In judicial proceedings, the reformulation of testimony prior to its official inscription introduces a critical moment of linguistic mediation. Intralingual transfer across varieties is not a mechanical operation; it involves adjustments in register, structure, and lexical selection that may affect semantic precision.

Interactional sociolinguistics has shown that meaning extends beyond propositional content. John J. Gumperz (1982) demonstrates that spontaneous speech relies on contextualization cues—intonation, pragmatic framing, culturally embedded references—that may not be fully preserved in formalized transcription. In legal contexts, such reduction is not merely stylistic; it may influence interpretative outcomes. Similarly, John Gibbons (2003) observes that courtroom transcription practices tend to align vernacular narratives with standardized legal discourse, thereby reshaping how events are institutionally represented.

Within the Algerian judicial framework, this movement from vernacular expression to standardized formulation may recalibrate degrees of certainty, agency, or evaluative stance. Even minimal lexical substitution or syntactic regularization can subtly shift interpretative emphasis. As Diana Eades (2010) notes, such reformulations may affect how credibility and coherence are assessed in courtroom settings.

The issue, therefore, is not whether reformulation occurs—it is structurally embedded—but whether semantic stability is fully preserved through this process. Because legal certainty depends upon the fidelity of recorded meaning, intralingual mediation becomes jurisprudentially significant

## **Second Section: The Invisibility of Algerian Arabic in Official Judicial Records**

Judicial authority does not rest solely on oral proceedings; it depends on what is preserved in the official record. In Algerian courts, however, the linguistic form in which testimony is originally produced does not fully coincide with the form in which it is archived. The institutional record systematically privileges Modern Standard Arabic (MSA), while vernacular expression remains absent from documentary inscription.

This asymmetry reflects a classical diglossic configuration. As described by Charles A. Ferguson (1959), “high” varieties occupy formal and institutional domains, whereas “low” varieties structure everyday communication. Yet in judicial contexts, this hierarchy acquires procedural significance: only the high variety is preserved as legally authoritative text.

The consequence is not merely symbolic. When dialectal formulations are fully replaced by standardized inscription, the documentary archive no longer reflects the linguistic form in which testimony was articulated. William M. O'Barr and John M. Conley (1998) demonstrate that institutional language practices can reshape social meaning by privileging certain linguistic forms over others. In a judicial setting, such privileging affects not only representation but traceability.

Legal certainty requires not only interpretative accuracy, but preservational fidelity. Appellate review, procedural reassessment, and evidentiary verification depend on the stability of the documentary record. When the original dialectal formulation leaves no textual trace, the possibility of revisiting its precise phrasing is structurally constrained.

The invisibility of Algerian Arabic within judicial documentation therefore raises a distinct concern from semantic distortion. It is not solely a question of interpretative shift, but of archival absence. The institutional record reflects a standardized juridical narrative, while the linguistic reality of courtroom interaction remains partially uninscribed. This gap introduces a structural tension between lived testimony and its juridical preservation.

**Second requirement:**

## **Sociolinguistic Power and Judicial Equity**

If legal certainty concerns the stability of meaning, judicial equity concerns the conditions under which meaning is authorized. In courtroom interaction, not all forms of speech circulate with equal institutional force. The capacity to produce discourse in a legally recognized register may determine not only how statements are interpreted, but how they are positioned within the structure of authority.

In multilingual judicial environments, linguistic competence can become intertwined with procedural agency. The ability to navigate the institutional register may influence the fluidity of participation, the management of questioning, and the degree of discursive control exercised during proceedings. Conversely, reliance on mediated reformulation may situate certain speakers at a structural distance from the authoritative form of the record.

The issue, therefore, extends beyond communication. It concerns the distribution of interpretative power within the courtroom: who speaks directly in the language of legal authority, and who speaks through transformation? Whether such arrangements merely facilitate proceedings or subtly condition perceptions of credibility and legitimacy becomes central to assessing equality before the law.

This requirement examines how bidialectal judicial practice shapes interactional authority, how linguistic mediation intersects with institutional power, and whether existing arrangements reinforce or recalibrate procedural equity within the Algerian judicial system.

### **First Section: Authorized Speech and Institutional Power in the Courtroom**

If judicial equity concerns the distribution of interpretative authority, then linguistic capital becomes structurally decisive. Within the juridical field, not all speech is equally authorized. As Pierre Bourdieu (1991) explains, the power of language derives not from its intrinsic qualities but from the institutional recognition that confers legitimacy upon certain forms of expression. In court, the “legitimate language” is the one that carries juridical force.

In the Algerian judicial setting, the institutional register functions as the medium through which statements acquire legal validity. To speak directly within this register is to participate in the authoritative production of legal meaning. To speak outside it is to depend on mediation for one’s words to be transformed into

institutionally recognized discourse. The difference is not stylistic; it concerns proximity to the source of juridical validation.

This asymmetry shapes interactional positioning. As John Gibbons (2003) observes, control over specialized legal forms consolidates professional authority within courtroom exchanges. When linguistic competence aligns with institutional recognition, discursive fluency may translate into greater procedural control. Conversely, reliance on reformulation may create a structural distance between speaker intention and institutional inscription.

The critical issue, therefore, is not merely prestige, but authorization. Linguistic capital becomes convertible into interpretative influence within the courtroom. Where the capacity to produce institutionally legitimate discourse is unevenly distributed, the conditions of participation themselves become asymmetrical. Judicial equity must therefore be assessed not only in terms of formal rights, but in relation to who can speak with immediate juridical force.

## **Second Section: Linguistic Mediation and the Construction of Judicial Truth**

Judicial truth is not passively recorded; it is institutionally produced. Courtroom interaction operates through procedural filters that regulate which forms of speech acquire evidentiary status. In a bidialectal environment, this production of truth unfolds through linguistic mediation: everyday narration circulates in vernacular form, yet juridical validation occurs within the standardized register.

As John Gibbons (2003) demonstrates, courtroom discourse is shaped by institutional constraints that authorize reformulation and transform testimony into legally admissible narrative. The shift from spontaneous dialectal speech to formal inscription does not merely adjust linguistic form; it reconfigures discourse within the normative architecture of legal reasoning. What enters the record is not raw narration, but institutionally stabilized meaning.

This transformation carries epistemic implications. Drawing on Pierre Bourdieu (1991), the authority of an utterance depends on the legitimacy of the linguistic market in which it is validated. Within the courtroom, truth is indexed through the sanctioned register. Testimony acquires juridical force only once articulated in the language recognized as authoritative.

Interactional sociolinguistics further complicates this process. John J. Gumperz (1982) shows that meaning emerges through contextualization cues, pragmatic positioning, and culturally embedded forms of expression. When such features are neutralized in standardized transcription, propositional content may remain stable while interactional force is recalibrated. The narrative that achieves institutional coherence may therefore diverge subtly from the narrative originally performed.

The question is not whether mediation falsifies events. Rather, it concerns the conditions under which experience is reorganized into juridical truth. Procedural fairness depends not only on access to speech, but on the integrity of its institutional transformation. In this sense, bidialectal mediation operates as a structural mechanism through which lived discourse becomes legally authoritative narrative.

## Conclusion

This study has argued that the bidialectal configuration of Algerian courtrooms must be understood not merely as a sociolinguistic feature, but as a structural dimension of judicial functioning. The movement from dialectal narration to standardized legal inscription is not an incidental procedural step; it is the mechanism through which lived experience is converted into juridical authority.

Across the analysis of legal certainty and judicial equity, a common dynamic emerges. On the one hand, institutional standardization seeks semantic stability, coherence, and uniformity. On the other, interactional speech carries contextual nuance, affective positioning, and pragmatic complexity. The encounter between these two modes of expression produces neither simple distortion nor neutral transfer, but structured transformation. Judicial truth, therefore, is not merely articulated through language—it is stabilized, authorized, and archived by it.

The implications of this finding extend beyond questions of transcription. If interpretative authority is unevenly distributed and if discursive mediation shapes how testimony acquires institutional force, then linguistic configuration becomes inseparable from procedural justice. Equality before the law cannot be evaluated solely in formal terms; it must also consider the conditions under which speech is transformed into legally recognized meaning.

Recognizing this does not undermine the necessity of standardized legal language. Rather, it situates linguistic mediation at the heart of judicial analysis. In the Algerian context, the bidialectal courtroom represents a site where institutional rationality and lived expression converge, negotiate, and occasionally tension one another. Understanding this convergence is essential to any comprehensive account of how justice is produced.

Future research should move beyond theoretical reflection toward systematic empirical examination of courtroom recordings and judicial transcripts. Such work would allow for a more precise assessment of how dialectal features are reformulated in practice and how these reformulations affect interpretative outcomes. By grounding sociolinguistic insight in documented judicial interaction, further inquiry can contribute to a more nuanced and reflexive understanding of language as a constitutive element of legal order.

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