A Critical Analysis of Saudi Legal Terms and their English Translations

Badr Flaij Alharbi
Department of English, College of Language Sciences
King Saud University, Riyadh, Saudi Arabia
Corresponding author: balharbi@ksu.edu.sa

Sarah BinMasad
Department of English, College of Language Sciences
King Saud University, Riyadh, Saudi Arabia

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Abstract
The differences between the Arabic and English linguistic systems and legal cultures have long been a fundamental challenge in legal translation. Examining how the dissimilarities between the Saudi and English legal cultures affect the Arabic-English legal translation has received little attention from researchers. Therefore, this critical analysis aims to examine the Arabic-English translation of 12 Saudi legal articles to identify the linguistic and cultural factors involved in the translation process. Since research that addresses the difficulties and challenges of translating the legal discourse is of undeniable significance and studies that examined the Saudi legal discourse and its translation are scarce; therefore, this study attempts to contribute to the literature by analyzing several Saudi Legal Articles and their English translations to define the challenges of translating legal terms from Arabic into English. The study adopted Šarčević’s (2000) functional equivalence framework to study the Saudi Legal Articles and their official English translations. This framework was selected because it is well suited to examine the equivalent level of the legal terms and their translations, which is the main objective of this study. This study attempts to analyze different legal terms that characterize the selected Saudi legal articles and their official English translations. The investigated legal terms include religious, culture-specific, archaic, and doublets. This study revealed that translating Arabic religious and culture-specific terms and doublets is challenging, whereas translating Arabic archaic words is much easier.

Keywords: archaic terms, culture-specific terms, doublets, functional equivalence, legal terms, legal translation, Saudi legal discourse
Introduction

Law is vital in reinforcing communication between nations, communities, and people. It is expressed through various types of legal discourse. Cheng and Danesi (2019) indicated that legal discourse refers to written materials and spoken and non-verbal elements. It is distinguished by a broad range of terminology that is easily understood by people acquainted with it but difficult for those who need to be more familiar with it and its distinctive lexical and syntactic features.

Since the legal discourse is distinct, analyzing its linguistic features is essential to improve the translation process. The difficulty in translating such discourse is related to the two legal systems associated with the Source Language (SL) and the Target Language (TL) and the nature of these languages.

Legal translation has become an indispensable medium to ensure effective communication between people who speak different languages. In addition, there is a growing need for efficient translation and interpretation services – especially for translations of immigration documents – due to the ever-growing number of immigrants worldwide (LC Authors, n.d.). Moreover, the smallest of errors in legal translation may result in very serious consequences. Thus, research addressing the difficulties and challenges of translating legal discourse is undeniably significant. Furthermore, studies concerning the Saudi legal discourse and its translation are scarce. Therefore, this study attempts to fill this gap by analyzing several Saudi Legal Articles (SLAs) and their English translations. To achieve this goal, the following research questions are addressed:

- What are the challenges of translating legal terms from Arabic into English?
- How do the differences between the Saudi and English legal cultures affect the translation of the legal terms?
- What procedures are used for translating legal terms from Arabic into English?
- What is the role of functional equivalence concerning translating legal terms?

Given that this analysis is concerned with examining different lexical legal items in some Saudi Legal Articles (SLAs), it is necessary to provide an overview of the Saudi legal system and a brief background on legal translation in the following literature review section. After that, the method and research procedures will be presented. Toward the end of this paper, the study’s findings will be discussed, followed by the conclusion.

Literature Review

The judicial system of Saudi Arabia is based on Shari’ah for criminal and civil cases (Norton Rose Fulbright, 2021). The Basic Law of Governance (1992) indicated that the two fundamental sources of reference for all Saudi laws are the Holy Qur’an and the Sunnah. In addition, the provisions of Shari’ah and any law not conflicting with the Holy Qur’an and the Sunnah that the King may pass must be applied by Saudi courts to all cases presented before them.
Shari’ah governs every aspect of Muslim lives, and in Saudi Arabia, it is considered a guideline for every legal matter.

Saudi Arabia never underwent colonization (Kressel, 2003). Vogel (2000) mentioned that it has never been subjected to Western colonization that drastically altered the legal system in nearly every other Muslim country. However, it experienced enormous material transformation in the last decades. That transformation was followed by an extensive cultural impact that affected the law. As a result, Saudi Arabia established legal institutions that seem modern and able to cope with Saudi Arabia’s rapid development driven by its Vision 2030. These institutions involve different laws, such as laws on government tenders, labor relations, and commercial transactions. The Bureau of Experts (BOE) at the Council of Ministers is the official authority responsible for reviewing and translating the approved Saudi laws. The lack of research regarding the analysis of the Saudi legal discourse and the translation of Saudi laws has motivated the conduct of this study.

Translating the legal discourse is considered by many researchers to be one of the most challenging endeavors. Legal translation is not merely rendering legal texts from the SL into the TL. It is "a translation from one legal system into another – from the source legal system into the target legal system" (Šarčević, 1997, as cited in ElFarahaty, 2015, p. 6). Therefore, not only must legal translators be proficient in the SL and the TL, but they must also be well-versed in the legal system of the country where the Source Text (ST) originated and the country for which the Target Text (TT) is produced. Legal translation requires particular attention as the culture of each language binds it. Translating legal texts entails considering the differences between the cultures and the legal systems involved.

The vast difference between the Arabic and English language systems, on the one hand, and the legal cultures, on the other, makes the legal translation from and into the two languages much more challenging. Arabic and English do not belong to the same language family. Arabic belongs to the Semitic family, while English to the Indo-European. Accordingly, translators from Arabic into English or vice versa encounter challenges on various linguistic levels, including the lexical, syntactic, and textual levels. In addition to the difference in the language systems, the Arabic and English legal cultures differ markedly. ElFarahaty (2016) pointed out that legal English is associated with common law, whereas legal Arabic includes Islamic and civil law elements. In Arab countries, such as Saudi Arabia, Islamic law is adhered to, while in other Arab countries, such as Egypt, Islamic and civil laws are followed.

Translating the Saudi legal discourse into English is challenging due to the differences between the legal cultures involved. One of the translation challenges arises from the fact that legal terminology and concepts are culture and system-specific. Thus, legal translators must transfer not only the legal meaning but also the legal effect. Schroth (1986) argued that legal translators should be able “to understand not only what the words mean and what a sentence means, but also what legal effect it is supposed to have, and how to achieve that legal effect in the other language” (p. 56). The demand for legal translation has been raised recently for various reasons, such as
immigration and increased globalization. However, research regarding this type of translation needs more attention from researchers and legal translators.

There have been relatively few studies examining the Arabic legal discourse or the Arabic-English legal translation. The following studies shed light on the contributions made by various researchers to provide the fields of Arabic legal discourse and legal translation with some critical insights. To begin with, Emery (1989) conducted one of the first studies investigating the Arabic legal discourse, a field of study that has received little attention from researchers. Emery analyzed and contrasted the linguistic features of Arabic legal documentary texts with their English counterparts. The researcher concluded that translators should understand in a better way the structural and stylistic differences between the Arabic and English discourses to produce adequate legal translations. Farghal and Shunnaq (1992) conducted a study that investigated the problematic areas that postgraduate translation students at Yarmouk University face when translating UN legal documents. The researchers discovered that the students encountered significant problems related to syntax, layout, and tenor. Examples of the reasons were students’ lack of knowledge of the irregularity in using infinitives in English and their ignorance of the rules of tabulation and italics.

To elucidate the linguistic forms that create an uneven balance of relations between professionals and non-professionals in English and Egyptian laws, Enein (1999) applied critical discourse analysis to the legal discourse. This study also aimed to confirm that the literary trials are equal to the real ones. The researcher identified Arabic and English legal texts, laws, statutes, and trials regarding the semantic, syntactic, and pragmatic aspects. The findings of this study showed that the two legal discourses are remarkably similar concerning the contents of laws used as tools of social justice and control. Furthermore, the linguistic means used to achieve social aims are analogous, whether semantic, syntactic, or pragmatic. The researcher also discovered that the investigated literary works demonstrated the writers' commitment to using actual legal, linguistic forms in their works. Thus, there was no literary discourse but a truthful portrayal of reality.

Bostanji (2010) explored the difficulties related to the practice of legal translation in Saudi Arabia. The researcher found that translating culture-specific legal terms creates a substantial difficulty for translators when translating Arabic commercial contracts and agreements into English and vice versa. Some other difficulties include general legal terms, punctuation, capitalization, and sentence structure. AlAqad (2014) used the Arabic-English translation of several marriage contracts to identify the linguistic and cultural equivalence. He adopted a pragmatic approach to compare the meaning expressed in the ST to the meaning conveyed in the TT. The findings obtained from that comparison revealed that the literal translation of some culture-specific terms resulted in vague and incorrect meanings. Thus, the researcher indicated that the functional translation method should be considered when translating legal texts.

ElFarahaty (2015) studied the legal discourse of Arabic and English thoroughly. She briefly defined the historical background of legal translation and presented the translation procedures used to deal with legal translation problems. The researcher followed an empirical research method to compare the legal discourse of both languages. The findings revealed the distinct features of each
legal discourse. For example, legal English uses Latin and French terms, whereas gender-biased terms distinguish legal Arabic. The results also illustrated some common features of both discourses, such as formality, nominalization, and complex structure. Alwazna (2018) investigated the untranslatability of legal terminology between Arabic and English. He claimed that the untranslatability stems from the conceptual asymmetry between the legal terms. His study demonstrated that loan translation, coinage, and descriptive paraphrasing are techniques that would resolve the issue of untranslatability.

AlRabiah (2018) highlighted the linguistic features of expressing obligation, permission, and prohibition in legal discourse. She adopted a descriptive analysis, concluding that modal verbs are crucial in drafting laws and regulations. It also revealed that they carry various deontic meanings in the legal discourse, such as imposing obligations or granting permission. Moreover, her analysis showed that the legal language is written in nearly standardized Arabic or English.

Betti and Hashim (2018) conducted a distinguished study discussing spoken legal discourse. They aimed to identify the linguistic features of the English and Arabic lawyers’ discourse in courtrooms. Their distinguished analysis revealed the similarities and differences between English and Arabic trials. One of the results obtained from this analysis is that English lawyers use simple and short sentences, whereas Arabic lawyers prefer compound and complex sentences.

Hassoon and AlDahwi (2020) conducted a study that assessed the accuracy of translating the cultural and legal terms that occurred in a Jordanian certificate of eligibility. Almost similar to the results of AlAqad (2014), this evaluation showed that the translators failed to render some Arabic cultural terms accurately into English when they translated them literally. Therefore, the researchers suggested that it is better to translate the cultural terms by applying the couplet translation procedure. One translation procedure is inadequate to transfer the SL terms’ cultural sense into the TL.

Altarabin (2021) argued that the lexical features of legal language distinguish Arabic and English legal texts from other general or technical texts. These distinguished features of legal texts led to a constant debate among translation theorists for decades on translation equivalence.

Alshaikh (2022) examined the most common challenges Saudi translation students face when translating legal documents. She employed the descriptive analytical method and the questionnaire instrument to collect data from the Saudi translation students. She found that legal binominal expressions and parallel structure, the structure of legal sentences, and the multiple negatives are the main difficulties that are experienced by Saudi translation students when translating legal texts.

It can be noticed that the above studies covered various aspects related to the legal discourse and the legal translation. However, there is still a significant gap regarding the analysis of Saudi laws and the challenges in translating them into English. Therefore, the present study attempts to contribute to the two fields by examining different SLAs and some difficulties in
rendering them into English. In the next section, the methodology followed to collect and analyze the data of this study is presented.

Method

The study data consist of 12 SLAs and their official English translations. The articles were taken from three different laws to cover various legal terms used in the Saudi legal system. The three laws are the *Law of Civil Procedure* (2013), the *Law of Criminal Procedure* (2013), and the *Law of the Council of Ministers* (1993). The Arabic versions of the three laws and the English version of the *Law of the Council of Ministers* were taken from the official website of the BOE. The English versions of the other two laws were obtained from the official website of the Saudi Ministry of Justice.

Legal terminology and concepts in the SL cannot always be translated directly or literally. Therefore, this issue generates the need for functional equivalence. Weston (1991) highlighted the importance of functional equivalence in legal translation by indicating that "the technique of using a functional equivalent may be regarded as the ideal method of translation" (as cited in Shiflett, 2012, p. 2). Gémar (1995) indicated that functional equivalence should be used for translating contracts, given that the term in the TL would be comprehensible to the target audience, besides being close to the source term (as cited in Shiflett, 2012).

The present study adopted Šarčević's (2000) functional equivalence framework to study the SLAs and their official English translations. This framework was selected because it is well suited to examine the equivalence level of the legal terms and their translations which is the main objective of this study. Šarčević divided functional equivalence into three levels: Near Equivalence (NE), Partial Equivalence (PE), and Non-Equivalence (NoE). These levels can be explained as follows:

1) NE occurs when the SL and the TL legal concepts share most of their characteristics or are the same.
2) PE occurs when the SL and the TL legal concepts are fairly similar, and their differences can be identified.
3) NoE happens when a few or none of the essential characteristics of the SL and TL legal concepts correspond or when no functional equivalents exist in the target legal system.

Analysis

This study aims to identify the levels of equivalence of the legal terms and their translations and to highlight the procedures used to translate the terms. The lexical legal items outlined in this study can be classified into three categories: religious and culture-specific terms, archaic terms, and doublets. These categories were chosen because they represent common difficulties in translating legal texts. ElFarahaty (2016) mentioned that these three categories are the most common sources of difficulty in translating English and Arabic legal texts.
The three selected Saudi laws were manually searched to identify the legal terms under the chosen categories. Many SLAs include a wide variety of these legal terms. Due to the space constraint, only 12 articles were selected for examination.

The following articles will be researched to determine the equivalence levels of the legal terms and their translations and to identify the procedures used to translate these terms.

**Religious and Culture-specific Terms**

Several religious and culture-specific terms were identified in the texts. Table 1 presented an example of a culture-specific term followed by a discussion of the translation procedure used.

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>تحقيب المدد والمواعيد المنصوص عليها في هذا النظام حسب تقويم أم القرى. و يعد غروب شمس كل يوم نهاية.</td>
<td>Periods and dates stipulated in this Law shall be calculated according to the Umm al-Qura calendar, and sunset shall be deemed the end of the day.</td>
</tr>
</tbody>
</table>

“تقويم أم القرى / Taqweem Umm al-Qura” is a culture-specific term that refers to Saudi Arabia’s official calendar system. It is a calculated lunar calendar that does not exist in English culture, as the Gregorian calendar is adopted there. Therefore, “Taqweem Umm al-Qura” is at the NoE level. This term was translated into English by using two translation procedures: borrowing and literal translation. “Taqweem” was translated literally as “calendar,” whereas “Umm al-Qura” was borrowed into English. Borrowing and literal translation are two procedures identified by Vinay and Darbelnet (1958/1995).

Table two introduces other religious and culture-specific terms to define the transition procedures employed here compared with the previous one.

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>إذا تخلف المدعى عليه في المسائل الزوجية والحضانة والنقافة والزيارة ومن عضلها أولياؤها، فللمحكمة أن تأمر بإحضاره جبراً وفق ضوابط تحددها لوائح هذا النظام.</td>
<td>4- If the defendant is absent in cases relating to marital matters or matters of custody, alimony, visitation or prevention of a woman from marriage by her guardian, the court may order the defendant to be brought by force in accordance with controls stipulated in the regulations of this Law.</td>
</tr>
</tbody>
</table>

“نقافة / Nafaqah,” which is a religious and culture-specific term, was translated into English as “alimony”. In Islamic law, “nafaqah” is obligatory only on men during marriage and for a period following divorce in specific situations. On the other hand, in legal English, “alimony” is paid by
one spouse to the other after they are legally divorced (D.C. Bar Pro Bono Center, 2012). Thus, it can be paid for by men or women. Considering the differences between the two terms, they are partial equivalents. “Alimony” is the closest equivalent to “nafaq” in English culture. So, the translation procedure used to translate the Arabic term is “adaptation” (Vinay & Darbelnet, 1958/1995, p. 39). The other culture-specific term in Table 2 is “عَضْل / adhl”. It means “preventing a woman from marrying a compatible man if she wants to get married and if each of them wants to marry the other” (Ibn Qudaamah, n.d., as cited in Abdul-Rahman, 2004). “Adhl” is at the NoE level, considering this practice does not exist in the English culture. Rendering this term into the TT by explaining its meaning is an example of adopting the “explicitation” procedure (Alcaraz Varó & Hughes, 2002, p. 184).

In the following table, the translation of “أداء اليمين / Adaa alyameen,” a religious and culture-specific term, is evaluated by identifying the procedures used.

Table 3. Article 4 of the law of the council of ministers

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>لا يباشر أعضاء مجلس الوزراء أعمالهم إلا بعد أداء اليمين الآتي: “أقسم بالله العظيم أن أكون مخلصًا لديني، ثم لمليكي، وأن لا أبوح بسر من أسرار الدولة، وأن أحفظ على مصالحها وأنظمتها، وأن أؤدي أعمالي بالصدق والأمانة والإخلاص”</td>
<td>Members of the Council of Ministers may not assume their duties until they take the following oath: “I swear by Almighty Allah to be loyal to my religion, then to my King and my country. I swear not to reveal any of the State’s secrets, to protect its interests and laws, and to perform my duties with honesty, integrity, and sincerity.”</td>
</tr>
</tbody>
</table>

“أداء اليمين / Adaa alyameen” is a religious and culture-specific term that was translated as “take … oath”. The translation procedure applied to convey this term into the TT is adaptation. The act of taking an oath exists in English culture but differs from the Islamic culture in its nature. The exact wording of the oath and the procedures and situations related to performing this act vary across the cultures involved. Thus, the Arabic term and its translation are partial equivalents. The English translation “take … oath” indicates that the TT is domesticated, as using this term reduces the foreignness of the TT.

Moving to the NoE level, two examples of Arabic religious and cultural terms that do not have equivalents in English are explained in Table four.

Table 4. Paragraph 3 of article 36 of the law of criminal procedure

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>لا يباشر أعضاء محكمة البدائل أفعالهم إلا بعد أداء اليمين الآتي: “أقسم بالله العظيم أن أكون مخلصًا لديني، ثم لمليكي، وأن لا أبوح بسر من أسرار الدولة”</td>
<td>Members of the Council of Ministers may not assume their duties until they take the following oath: “I swear by Almighty Allah to be loyal to my religion, then to my King and my country. I swear not to reveal any of the State’s secrets.”</td>
</tr>
</tbody>
</table>
Two culture-specific terms occurred in Table four: “محرم / mahram” and “خلوة / khalwah.” These two terms do not have equivalents in English; thus, they are at the NoE level. They were rendered into English by two procedures: borrowing and explanation. Both terms were borrowed due to the lack of functional equivalents in the TL. A bracketed explanation follows each borrowed term. Explaining these terms enables the Target Readers (TRs) to grasp the meaning of the SLA as accurately as possible. Combining the two translation procedures clarified the two culture-specific terms for readers with different legal backgrounds. The translation couplet is suitable for translating the laws provided in the SL, as it ensures a sufficient explanation of the laws (Hassoon & AlDahwi, 2020).

In Islamic law, “قصاص / qisas,” “حد / hadd,” and “تعزير / ta’zir” are three kinds of punishments for different crimes contingent on fulfilling specific prerequisites. Borrowing is the procedure applied to render the three religious and culture-specific terms into English. “hadd” and “ta’zir” fall under the level of NoE as they are terms with no equivalents in the English culture. On the other hand, there is a partial equivalent for “qisas” in legal English, which is retribution in kind. Karim et al. (2017) stated that despite a strong relationship between retribution in kind and “qisas,” they have differences. The main difference is that in cases of murder or bodily harm, diyya, a financial compensation given to the victim or his or her heirs, is a substitute punishment for “qisas.” Such a form of compensation does not exist in the law of retribution in kind.

The borrowing procedure conveyed all the culture-specific terms mentioned in Tables four and five in English. It can be noticed that translating the terms in Table five by adopting the
borrowing procedure alone hinders the TRs’ understanding. On the other hand, the borrowing and explanation procedures were used to translate the terms in Table four. This has resulted in making the TT more comprehensible to the target audience. Thus, adding explanations or bracketed literal translations after the borrowed terms is advisable.

Archaic Terms

The use of archaic terms is common in legal documents and texts. Many archaic terms were found in the data, as shown in Tables six, seven, and eight.

Table 6. Article 155 of the law of civil procedure

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>وتراعي المحكمة في تحقيق هذه الدعوى القواعد والإجراءات السالف ذكرها.</td>
<td>In investigating this case, the court shall observe the aforementioned rules and procedures.</td>
</tr>
</tbody>
</table>

Table 7. Article 239 of the law of civil procedure

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>يكون صك إثبات الوفاة وحصر الورثة على الوجه المذكور حجة، ما لم يصدر حكم بما يخالفه.</td>
<td>The deed establishing death and determining heirs in the said form shall be authoritative unless a judgment to the contrary is rendered.</td>
</tr>
</tbody>
</table>

Table 8. Article 124 of the law of criminal procedure

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>ويبلغ الأمر للمدعي بالحق الخاص، وأن له حق المطالبة بالحق الخاص أمام المحكمة المختصة وفق المادة (السادسة عشرة) من هذا النظام، وإذا كان قد توفي فيكون التبلغ لزواجه جميعهم في مكان إقامته، ويكون التبلغ المذكور آنفاً وفق نموذج يعد لذلك...</td>
<td>… and be communicated to the private right claimant notifying him of his right to claim private right before the competent court pursuant to Article 16 of this Law, or to his heirs at his place of residence in case of his death. Said notification shall be in accordance with a form designed for such purpose…</td>
</tr>
</tbody>
</table>

The SLAs mentioned in Tables 6, 7, and 8 include archaic terms: “السالف ذكرها / assaalif dhikruha,” “المذكور / almadhkur,” and “المذكور آنفاً / almadhkur anefan” They were translated into English as “aforementioned” and “said,” which are archaic terms. Therefore, the Arabic archaic terms do not cause any challenges when translated into English due to the existence of related archaic terms. Accordingly, “assaalif dhikruha,” “almadhkur,” and “almadhkur anefan” and their English translations “said” and “aforementioned” are near equivalents. The procedure adopted in translating Arabic terms is “transposition” (Vinay & Darbelnet, 1958/1995, p. 36). “Almadhkur,” “assaalif dhikruha,” and “almadhkur anefan,” which are classified consecutively as a noun and noun phrases, were rendered as adjectives in English. The use of archaic terms is one of the lexical
features of legal Arabic and legal English (ElFarahaty, 2015). Such terms reflect the formal nature of legal texts.

**Doublets**

Doublets are another characteristic of legal discourse and texts. Analyzing the data revealed some examples of doublets in the texts and their translation, as seen in Table 9.

Table 9. *Article 2 of the law of criminal procedure*

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>لا يجوز القبض على أي إنسان، أو تفتيشه أو توقيده، أو سجنه...</td>
<td>No person may be arrested, searched, detained, or imprisoned except in cases provided by law...</td>
</tr>
</tbody>
</table>

The two terms “ توقيف / taoqeef” and “ سجن / sajn” in Table nine are considered a doublet. ElFarahaty (2015) defined doublets as two words of similar meanings, sometimes synonyms or near-synonyms. The Arabic doublet was translated into English as “detained or imprisoned.” The Arabic doublet and its translation are near equivalents because they refer to the same meanings in the Saudi and English legal cultures. It can be inferred from the *Law of Criminal Procedure* (2013) and the U.S. Department of Justice (2000) that “taoqeef” and “detention” mean the temporary holding of people. “sajn” and “imprisonment” on the other hand, refer to the long-term incarceration of sentenced offenders. Despite the similarity between “detention” and “imprisonment” in both cultures, which involves putting a person in a place they cannot escape, the difference between the two terms necessitates translating both through the procedure of literal translation.

Another example of a doublet in the data is “الأنظمة واللوائح / Al’anzimah wallawaeh,” as noted in Table 10.

Table 10. *Article 12 of the law of criminal procedure*

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>يكون التحقيق مع الأحداث والائيات ومحاكمتهم وفقاً للأنظمة واللوائح المنظمة لذلك.</td>
<td>Investigation and trial of juveniles shall be conducted in accordance with relevant laws and regulations.</td>
</tr>
</tbody>
</table>

The doublet “الأنظمة واللوائح / Al’anzimah wallawaeh” in Table 10 was literally rendered into the TT as a repetition of the two terms occurred: “laws and regulations.” In legal Arabic, “al’anzimah” are general rules that apply to and govern all the people in a nation (Alrakad, 2018). “Laws,” in legal English, are also systems of rules that govern the conduct of the individuals of a given community.
Thus, “al'anzimah” and “laws” are near equivalents. On the other hand, “allawaeh” are sets of rules that explain the rules of laws and set their operating mechanisms (Alrakad, 2018). “Regulations” are the rules issued to implement the laws enacted by legislative authorities (Laws and Regulations: Home, 2022). Therefore, “allawaeh” and “regulations” are partial equivalents. Based on the difference between the terms in Arabic and English, repetition in the rendition is needed because each term has different legal implications.

In addition, the doublet “مبارحة مكان الواقعة أو الابتعاد عنه” / mubarahat makan alwaqeah awelibteaad anh” was found in the data as Table 11 lists.

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>لرجل الضبط الجنائي عند انتقاله - في حال التلبس بالجريمة - أن يمنع الحاضرين من مبارحة مكان الواقعة أو الابتعاد عنه حتى يحرر المحضر اللازم بذلك...</td>
<td>In case of flagrante delicto, the preliminary criminal investigation officer may, upon his arrival at the crime scene, prevent persons present from leaving the scene until a report is drafted...</td>
</tr>
</tbody>
</table>

Table 11 includes the doublet “مبارحة مكان الواقعة أو الابتعاد عنه” / mubarahat makan alwaqeah awelibteaad anh,” which was translated as “leaving the scene.” The Arabic doublet literally means leaving the scene or moving away from it. Based on this literal meaning, “mubarahat” and “alibteaad an” are near-synonyms. Omitting the translation of “alibteaad anh” is justified, given that “leaving the scene” conveyed the intended meaning of the doublet. Therefore, the Arabic doublet and its English translation are near equivalents.

The last example includes the doublet “بالقبض عليه وإحضاره” / bilqabdh alayh wa ihdareh,” as Table 12 provides.

<table>
<thead>
<tr>
<th>SLA</th>
<th>BOE’s translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>إذا لم يكن المتهم حاضراً، فيجب على رجل الضبط الجنائي أن يصدر أمرأ بالقبض عليه وإحضاره، وأن يبين ذلك في المحضر.</td>
<td>… If the accused is not present, the preliminary criminal investigation officer shall issue an order for his arrest, and a note to that effect shall be included in the report.</td>
</tr>
</tbody>
</table>

The SLA in Table 12 contains the doublet “بالقبض عليه وإحضاره” / bilqabdh alayh wa ihdareh” which literally means “to arrest him and bring him in.” The English term “arrest” involves the meanings of the two Arabic terms “alqabdh” and “alihdar”. If a person is arrested, he or she is brought to a police station and kept there (Oxford University Press, n.d.). Therefore, both parts of the doublet can be rendered by one word, “arrest,” and the omission of translating “ihdareh” is acceptable. Even though the doublet was not translated into two words in the TT, the doublet and its translation are near equivalents considering that both have the same meaning.
Discussion

The results reveal that translating Arabic religious and culture-specific terms and doublets into English poses difficulties for legal translators. The same conclusion was drawn by Bostanji (2010) regarding culturally specific terms. This study's scrutinized religious and culture-specific terms constitute a significant challenge because most are at the NoE level. The absence of equivalents in the TL necessitated the adoption of various translation procedures, as needed, to convey the terms into the TTs. The procedures applied to translate this type of term are borrowing, literal translation, adaptation, explicitation, and explanation. Combining two procedures was essential to produce accurate translations while translating some of the analyzed religious and culture-specific terms. This result supports the suggestion of Hassoon and AlDahwi (2020), who recommended translating the cultural terms using two procedures.

The doublets mentioned in Tables nine, ten, eleven, and twelve are in the NE level, except for one term. They were rendered into the TTs via two different procedures: literal translation and omission. Even though the Arabic doublets could have near-equivalents in English, translating them is challenging. Sometimes doublets must be rendered into the TT as a repetition of the two terms occurs. In other cases, deleting the translation of one of the parts of the doublet is acceptable. The decision of whether to translate both parts of the doublet or to omit one of them should be taken after a conscientious examination of the meanings of the two words, as AlAqad (2014) emphasized that knowledge of legal terms is not enough without understanding the communicative legal function of such terms. Contrary to the Arabic religious and culture-specific terms and doublets, the Arabic archaic terms do not present any difficulties when translating them into English because there are corresponding near equivalent terms. All the Arabic archaic terms in Tables six, seven, and eight were translated into English by applying the transposition procedure.

This study provides insights into translating various legal terms used in the Saudi legal system. Providing proper translations of Saudi legal terms cannot be achieved if the translation process is separated from examining the relevant cultures. Hence, translators of Saudi legal texts into English must possess extensive knowledge of the legal cultures involved in the translation process and consider the cultural differences to avoid translating improperly. Translators’ knowledge of the legal terms’ backgrounds is crucial to produce comprehensible legal translations.

Conclusion

This study points out the various challenges of translating legal texts. The main aim of the present research was to assess these challenges by analyzing several SLAs and their English translations. The study found that translating legal texts poses a substantial challenge for translators when translating Arabic legal texts into English because these texts contain religious and culture-specific terms, archaic terms, and doublets. The findings reveal that translating Arabic religious and culture-specific terms and doublets is challenging, while translating Arabic archaic
terms is considered less challenging. Finally, it is worth mentioning that this study is limited to a small size of data. Therefore, more large-scale studies examining Saudi laws and their English translations are required to provide more in-depth analyses. Moreover, future studies that discuss the appropriateness of the translation procedures to translate the Arabic lexical legal items into English as accurately as possible are recommended.

About the Authors:
Badr Flaij Alharbi is an assistant professor of English and Translation at the Department of English, College of Language Sciences, King Saud University. He obtained his PhD in Linguistics from Arizona State University, USA. His research interests lie in the field of critical discourse analysis, analysis of online discourse, and discourse and translation. ORCID ID: https://orcid.org/0000-0002-9942-0384

Sarah BinMasad is a postgraduate student at the Department of English, College of Language Sciences, King Saud University. She obtained her BA in English Language and Translation from King Saud University. She is pursuing her master’s degree in Translation at King Saud University. She is interested in translation, legal translation, and corpus linguistics. ORCID ID: https://orcid.org/0009-0006-5882-1057

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