Exploring Cross-Cultural Legal Terminology: A Corpus-Based Study of English Translation in Saudi Laws

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Abstract—Legal translation is deemed an arduous task, drawing on various lexical and structural choices (Chroma, 2004). Failure to adopt suitable translation strategies and procedures to overcome the challenges of translating legal terminology would undeniably affect the target readers' ability to understand their translations. Therefore, this mixed-methods corpus-based study examined the English translation of 44 Arabic culture-specific legal terms (CSLTs) used in six Saudi laws (SLs) and focused on identifying the translation strategies and procedures. The CSLTs included in this study were categorized into religious terms, names of institutions, titles of laws, and miscellaneous terms. To analyze the CSLTs' translation, a parallel corpus including the six SLs and their translations was created using Phrase TMS. To identify the strategies and procedures, Venuti's (1995) and Mailhac's (1996) models were utilized. The results revealed that both of Venuti's strategies were followed, and domestication was adopted more than foreignization. In addition, seven of Mailhac's procedures were applied, where the procedure most employed is definition, while compensation is the least used.

Index Terms—culture-specific legal terms, Saudi laws, legal translation, Arabic-English translation, translation strategies and procedures

I. INTRODUCTION

Law plays a vital role in societies because it serves as a norm of conduct. The value of law across the globe is virtually immeasurable; it underpins all communities striving to establish and preserve justice, peace, and prosperity. The World Justice Project (n. d.) indicated that the rule of law is associated with greater peace, increased economic growth, better health outcomes, more education, and reduced inequality.

According to Cheng and Danesi (2019), the scope of legal discourse extends beyond written and spoken materials to encompass non-verbal elements. The vast array of terminology used in this discourse sets it apart. Such terminology is readily comprehensible to individuals acquainted with it, yet it is challenging for those who lack that acquaintance. This study aimed to examine the translation of one of the lexical features of both Arabic and English legal discourses—that is, culture-specific terms (CSTs). Given that this study was concerned with examining the translation of culture-specific legal terms (CSLTs) used in different Saudi laws (SLs), a brief background on the Saudi legal system and legal translation is provided next.

A. Saudi Legal System

The basis of the Kingdom of Saudi Arabia's legal system is Sharia (i.e., Islamic law) (Ansary, 2020). According to the Basic Law of Governance (1992), the Holy Qur'an and the Sunna of Prophet Muhammad are the primary reference sources for all SLs. The Basic Law of Governance also indicates that Sharia provisions and State laws not contradicting the Holy Qur'an and the Sunna must be applied by Saudi courts to any case brought before them.

In Saudi Arabia, the King is empowered to approve or amend any legislative process involving drafting and enacting laws, treaties, international agreements, and concessions by royal decrees after these have been reviewed by the Shura Council and the Council of Ministers, the legislative bodies of the Kingdom (see Basic Law of Governance, 1992; Law of the Council of Ministers, 1993; Shura Council Law, 1992).

The Council of Ministers' legislative body is the Bureau of Experts (BOE). This bureau is the official authority responsible for preparing draft laws and their requisite studies in collaboration with the agency concerned with each law (Bureau of Experts, 2018). It is also in charge of reviewing and suggesting amendments to current laws (Bureau of Experts, 2018). The Official Translation Division at the BOE is responsible for translating the approved SLs and regulations into various foreign languages (Bureau of Experts, 2022). Publishing and translating SLs can be regarded as

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proof of the Kingdom's awareness of the importance of enabling citizens and foreigners inside or outside the Kingdom to view its laws.

B. Legal Translation

Translating legal discourse is a kind of technical translation that should be conducted very carefully and accurately (Abu-Ghazal, 1996). Legal translation is not merely a rendering of legal materials from the source language (SL) into the target language (TL). It is a "translation from one legal system into another – from the source legal system into the target legal system" (Šarčević, 1997, p. 13). Therefore, translators of legal-related materials must possess a high level of proficiency in the SL and TL and have a thorough understanding of the legal systems of the countries of the source text (ST) and target text (TT).

Given that there is a major difference between the language systems and legal cultures of Arabic and English, legal translation between these languages is more challenging. Arabic is a Semitic language, whereas English is an Indo-European one (Ghazala, 1995). Accordingly, translators between these languages encounter challenges on different linguistic levels: lexical, syntactic, and textual levels. In addition to the difference in the language systems, the legal cultures relevant to Arabic and English vary notably. EL-Farahaty (2016) noted that whereas legal Arabic incorporates aspects of both Islamic and civil laws, legal English is associated with common law. She added that some Arab countries, such as Saudi Arabia, strictly adhere to Islamic law, while other Arab countries, such as Egypt, follow both Islamic and civil laws.

The demand for legal translations has increased steadily because of growing internationalization and globalization over the past 10 to 20 years (Liimatainen et al., 2017). However, Arabic-English legal translation is under-researched (EL-Farahaty, 2016). A few recent studies have contributed to the enrichment of this field (see Alhomoud, 2022; Ali, 2016; Alshaikh, 2022; Alwazna, 2018; Mahraj & Hdouch, 2020). The growing need for this type of translation and the lack of studies necessitate further examination. Accordingly, this study addressed the strategies and procedures applied to translate various CSLTs used in different SLs from Arabic into English. It sought to answer the following research question:

RQ1: What are the strategies and procedures applied in translating the CSLTs used in some SLs from Arabic into English?

The significance of this study arises from the fact that its results would help the Official Translation Division to review the inaccurate translations of the examined CSLTs. In addition, the findings could guide specialists in legal translation to establish some rules regarding translation strategies and procedures to overcome translation challenges. The study also shed some light on the inconsistency issue in legal translation addressed by Cheng et al. (2016) who stated that this issue can cause significant problems in the legal field.

II. LITERATURE REVIEW

A. CSTs

Scholars have presented varying definitions for CSTs, indicating a lack of consensus on a universally accepted definition for these terms. Aixela (1996) considered these terms to be a source of translation problems and defined them as:

Those textually actualized items whose function and connotations in a source text involve a translation problem in their transference to a target text, whenever this problem is a product of the nonexistence of the referred item or of its different intertextual status in the cultural system of the readers of the target text. (p. 58)

Gonz alez Davies and Scott-Tennent (2005) provided a more specific definition of CSTs that also indicates CSTs can cause translation issues. EL-Farahaty (2015) presented a view that aligns with Aixela's (1996) and González Davies and Scott-Tennent's (2005) opinions and mentioned that CSTs pose difficulties in legal translation when translating between two different languages.

Venuti (1995) introduced his strategies, i.e., domestication and foreignization, to help translators overcome the challenges of translating CSTs. Domestication refers to adopting a transparent and fluent style to reduce the foreignness of the ST (Hatim, 2012), whereas foreignization refers to retaining some of the foreignness of the ST by deliberately breaking the TT's linguistic and cultural conventions (Hatim, 2012).

Section A demonstrates that translating CSTs can be challenging, both in general and in legal translation in particular. However, Venuti's (1995) domestication and foreignization strategies can be adopted to solve the challenges that may be encountered.

B. Translation Strategies and Procedures

One of the methods followed to examine the translation of CSTs is analyzing translation strategies and procedures. The two terms, strategy and procedure, are often confused or used reciprocally in writing about translation (Munday, 2012). A translation strategy is the translator's overall orientation—for example, towards domestication or foreignization—whereas a translation procedure is a particular technique applied by the translator at a specific point in a text—for example, borrowing an SL word (Munday, 2012).

There are many scholars who solely addressed the translation of these terms and proposed various procedures. Among those scholars are Newmark (1988), Hervey and Higgins (1992), Ivir (1987), and Mailhac (1996). Table 1 below includes their procedures.

TABLE 1
TAXONOMIES OF PROCEDURES FOR TRANSLATING CSTS

Scholar	Procedure		
Newmark (1988)	Literal translation, transference, naturalization, cultural equivalent, functional equivalent, descriptive equivalent, synonymy, through translation, shift or transposition, modulation, recognized translation, translation label, compensation, componential analysis, reduction and expansion, paraphrase, couplets, and notes, addition, glosses		
Hervey and Heggins (1992)	Exoticism, cultural borrowing, calque, communicative translation, and cultural transplantation		
Ivir (1987)	Borrowing, literal translation, definition and paraphrase, substitution, lexical creation, addition, and omission		
Mailhac (1996)	Cultural borrowing, literal translation, definition, cultural substitution, lexical creation, deliberate omission, compensation, combination of procedures, and footnote		

Mailhac's (1996) procedures closely correspond to those of Ivir (1987) because he reviewed Ivir's (1987) and Newmark's (1988) sets of procedures and proposed his taxonomy. Several recent studies on legal translation adopted different models of translation strategies or procedures. Whithorn (2014) adopted Venuti's (1995) model of domestication and foreignization to analyze the English translation of the CSLTs mentioned in article 416 bis in the Italian Criminal Code. The researcher indicated that the most appropriate strategy for translating CSLTs would be one that leans more towards foreignization rather than domestication. He further mentioned that it is necessary to provide glossaries or footnotes, which are neither long nor complex, in the TT to clarify the meaning of the terms.

Laudisio (2017) also adopted Venuti's (1995) model and focused on the Italian translation of CSLTs related to the US legal system in three legal dramas. The researcher also used some subtitling strategies from Pedersen's (2007) and Ranzato's (2013) models. The findings showed that the most applied subtitling strategy is cultural substitution, and this proved the tendency towards domesticating the analyzed CSLTs. The other used subtitling strategies are loan, literal translation, official equivalent, generalization, explicitation, addition, compensation, and omission.

Hassoon and Al-Dahwi (2020), who also applied Venuti's (1995) model, examined the English translation of the Arabic CSLTs that occurred in a Jordanian certificate of eligibility. They found that when relying solely on foreignization, translating some CSLTs and neglecting to clarify what is unfamiliar to target readers' (TRs), this resulted in inaccurate translations. Therefore, they suggested translating CSLTs using the couplet translation procedure, which refers to combining two procedures. This is because one procedure is not adequate to transfer the SL terms' cultural sense into the TL. This view is like that of Alwazna (2018), who indicated that one procedure may not be able to convey the intended meaning.

Samadi et al. (2011) identified the procedures used to render 239 Persian legal terms mentioned in the Civil Code of Iran into English. Their findings align with Laudisio's (2017) research, indicating that cultural substitution is the most utilized procedure. The second most adopted procedure is paraphrasing, followed by translating using a general term, then translating using a loan word plus an explanation. The researchers pointed out that cultural substitution was applied to have a legal effect on TRs and enable them to understand the meaning of the legal terms, paraphrasing was also used to clarify the meaning of the terms, whereas translating using a general word did not adequately convey the intended meaning. They also indicated that it would be confusing to translate the same term in different contexts using different translations. It can be said that there is a tendency towards domesticating the analyzed CSLTs in this study as most of the applied procedures are target-oriented.

El Ghazi and Bnini (2019) focused on examining the English translation of the Arabic religious and culture-based terms used in a marriage contract. They relied on procedures from three models to conduct their study: Vinay and Darbelnet's (1958, 1995) model, Newmark's (1988) model, and Šarčević's (1985) model. The results revealed that literal translation and word-for-word translation are the most frequently used procedures. However, like the results of Hassoon and Al-Dahwi's (2020) study, several literal translations of the examined terms were meaningless. The results also showed that adaptation is the least used procedure, and the other applied procedures are omission and communicative translation.

Khalaf et al. (2022) also applied Vinay and Darbelnet's (1958, 1995) model to explore the procedures used to translate the culture-specific divorce terminology found in 20 Palestinian divorce documents. The researchers found that the procedures applied to translate the examined terms are literal translation, equivalence, borrowing, transposition, modulation, and adaptation. Regarding the most and least applied procedures, the findings showed that the most used is literal translation, whereas the least is transposition. In the studies of Khalaf et al. (2022) and El Ghazi and Bnini (2019), literal translation is the most frequently used procedure.

Alwazna (2016) examined the English translation of the Islamic legal term "مال"." The researcher argued that despite the translation problems resulting from the terminological incongruency between Islamic law and the law with an English language origin, certain procedures can be applied to reduce translation loss and convey the legal terms' meaning into the TT. He indicated that "مال" is often translated in legal English as "property;" however, the latter is not

an exact functional equivalent of the former. Therefore, he pointed out that "الله" is better translated using transliteration, descriptive paraphrasing, and definition because combining these procedures would enable TRs to understand the full intended meaning. This opinion aligns with the suggestion of Hassoon and Al-Dahwi (2020), who recommended translating CSLTs using more than one procedure.

III. MATERIALS AND METHODS

To answer the research questions, the present descriptive study adopted a mixed-methods approach. The study data were analyzed quantitatively and qualitatively, as described in the following sections.

A. Data Collection

(a). Identifying CSLTs

The Saudi legal articles that include CSLTs were taken from SLs and their official English translations obtained from the official website of the BOE (https://laws.boe.gov.sa/boelaws/laws/). The CSLTs were extracted from different laws to cover various terms used in the Saudi legal system: the Basic Law of Governance (1992), Labor Law (2005), Enforcement Law (2012), the Law of Civil Procedure (2013), the Law of Criminal Procedure (2013), and Companies Law (2015).

These laws were chosen because they are among the 10 most-read laws according to a section on the BOE's website entitled "Most Read Laws" (see Bureau of Experts, n.d.), and they are the only ones among the 10 most-read laws that have English translations on the BOE's website. The manual extraction of CSLTs was a meticulous process that involved reading through the laws and carefully identifying the relevant terms. This step required referring to legal books and references.

The criteria adopted to extract CSLTs include Aixela's (1996) definition of CSTs and Collins' (n. d.) definition of legal terms. The extracted terms are considered culture-specific because Aixela's (1996) definition of CSTs, mentioned in Section II, applies to them. Several researchers adopted this definition in various studies (see, for example, Ayyad & Mahadi, 2020; Echihi & Salah, 2017; Narv & Zambrana, 2014; Olk, 2009; Öztemel & Kurt, 2017; Pralas, 2012; Rezaei & Kuhi, 2014). Additionally, these terms are considered legal because they are used in legal discourse. According to Collins' (n. d.) definition of legal terms, these terms are expressions or words used in law.

The extracted terms were classified into five categories, four of which include terms that have common features: religious terms, names of institutions, names of positions, and titles of laws. The fifth category (i.e., miscellaneous terms) includes terms that do not share a common feature. To ensure the accuracy and reliability of the data and to minimize the potential for errors or bias in the analysis, a form including all extracted terms, their translations, the criteria employed for extracting them, and their categories was created using Google Forms and sent to two assistant professors with more than 10 years of experience in teaching the legal translation course at King Saud University, as well as to one senior legal advisor with a PhD in law and 25 years of litigation experience.

To ensure the accuracy and consistency of the analysis, only the CSLTs approved by all three experts were included in this study. Considering they did not mutually agree on approving any of the terms included in the category of names of positions, it was omitted from this study. Therefore, the study focused on a carefully selected set of 44 terms.

(b). Corpus Compilation

After determining the CSLTs, a parallel corpus containing all six Arabic laws and their English translations was compiled to examine how the terms were translated throughout the selected laws. The parallel corpus was created using a cloud-based translation management system, Phrase TMS (https://phrase.com/products/phrase-tms/). Cloud-based systems allow users to create corpora from previously translated documents using the post-translation alignment feature.

First, the texts of the Arabic laws were copied from their web pages on the BOE's website and then pasted into a Word document; meanwhile, the PDF files of their English translations were downloaded from the same website, converted into Word documents, and then all were compiled into a single Word document. Next, the contents of the two Word documents were pasted into an Excel sheet in two parallel columns. The parallel corpus includes a total of 3,980 aligned segments with 65,542 Arabic tokens and 81,723 English tokens. In corpus linguistics, tokens refer to the total number of all words occurring in the corpus regardless of how frequently they are repeated (Al-Khalafat & Haider, 2022). The English corpus is notably larger than the Arabic one. One possible reason for this difference is that some CSLTs were translated using their definitions or more than one procedure, for example, cultural borrowing and definition. The last steps involved reviewing the parallel corpus for any inaccuracies and then importing it into Phrase TMS to analyze the translation of the selected CSLTs.

B. Analytical Procedures

To search for a particular CSLT in the corpus, the bilingual concordance tool was used. Concordance lines (CLs) refer to a list of all occurrences of a term in a document or corpus, along with all words surrounding it (Wynne, n.d.). They helped in retrieving the CSLTs to facilitate the analysis of the translation strategies and procedures and obtain their frequency counts to determine the prevailing ones and to compare the results with previous studies. Figure 1 below illustrates CLs in Phrase TMS.

6. تزويج من لا <mark>ولي</mark> لها، أو من عضلها <mark>أولياؤها</mark> .	6. marrying off women who have no guardians or are deprived of marriage by their guardians.
ز - ما يتعلق بالمحجور عليهم إلى الأوصياء أو <mark>الأولياء</mark> بحسب الأحوال.	g) With respect to interdicted persons: to their trustees or guardians as the case may be.
ويسري وجوب الإيداع المشار إليه آنفًا على الوصي <mark>والولي</mark> والناظر.	The aforementioned mandatory deposit shall also apply to trustees, guardians and administrators.

Figure 1. CLs in Phrase TMS

To identify the translation strategies and procedures in this study, Venuti's (1995) and Mailhac's (1996) models were adopted. As previously explained in Section II, Venuti's (1995) model includes two strategies, whereas Mailhac's (1996) model covers nine procedures. Definitions of Venuti's (1995) strategies are provided in Section II, and those of Mailhac's (1996) procedures are presented in Table 2 below.

TABLE 2
MAILHAC'S (1996) TRANSLATION PROCEDURES

Procedure	Definition	
Cultural borrowing	Transferring an ST term into the TT (Akhesmeh et al., 2015)	
Literal translation	Word-for-word translation	
Definition	Using a general term, a substantial definition, or anything in between	
Cultural substitution	Replacing an ST term with a TL one that describes a similar concept in the target culture (Akhesmeh et al., 2015)	
Lexical creation	Coining a new word in the TT to translate a nonexistent or non-lexicalized ST term (Akhesmeh et al., 2015)	
Deliberate omission	Deleting an ST term or expression from the TT	
Compensation	Providing necessary information to compensate for the lack of adequate shared cultural information	
Combination of procedures	Applying more than one procedure	
Footnote	Providing additional information in the form of a footnote (Akhesmeh et al., 2015)	

Venuti's (1995) model was selected for this study because it covers foreignization and domestication, the two strategies that play a pivotal role in translating CSTs (Hassoon & Al-Dahwi, 2020). However, since foreignization and domestication are very broad terms that encompass a variety of translation procedures that are much narrower in their meanings and can be described as either foreignizing or domesticating procedures (Judickaitė, 2009), Mailhac's (1996) model was chosen.

Another reason for selecting Mailhac's (1996) model was its inclusion of all the procedures used to render the examined CSLTs into English. Based on the definitions of Mailhac's (1996) translation procedures, some of them can be characterized as foreignizing, whereas others can be described domesticating, see Figure 2 below. The only procedure that can be classified as neither is the combination of procedures because when applying it, foreignizing and domesticating procedures can be combined to translate the same term.

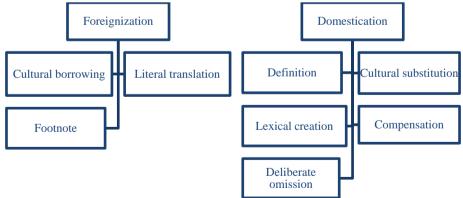


Figure 2. Procedures of Foreignization and Domestication

The procedures applied to translate the CSLTs in the selected SLs were identified according to Mailhac's (1996) model. Then, their effects on the translation quality were explained. Lastly, each procedure was classified as a procedure of foreignization, domestication, or both to identify the prevailing strategy and compare the obtained results with previous studies. To ensure the accuracy and reliability of the results, data analysis and results were sent to an assistant professor of translation who previously reviewed the extracted terms. The reviewer's comments were carefully considered, and the analysis was revised accordingly.

IV. RESULTS AND DISCUSSION

A. Procedures Applied to Translate the CSLTs

The CSLTs included in each category, their frequencies in the parallel corpus, their translations, and the procedures applied to translate them are presented in Tables 3, 4, 5, and 6, respectively.

TABLE 3
SUMMARY OF RELIGIOUS TERMS

CSLT	Frequenc	y Translation	Procedure
ولي	20	guardian	Cultural substitution
الناظر	8	administrator	Definition
محرمة شرعً	1	illegal	Cultural substitution
		1- alimony	1- Cultural substitution
· · ·	10	2- alimony and child support	2- Cultural substitution
نفقة	10	3- support	3- Definition
		4- financial support	4- Definition
			1- Literal translation + cultural
		1- 'iddah leave'	borrowing
إجازة عدة	2	2- the leave	2- Literal translation + deliberate
			omission
دعوى حسبة	1	public interest lawsuit	Compensation
الولاية على النفس أو المال	1	custody over a person or property	Literal translation + definition
الخلع	1	khul' (divorce at the insistence of the wife)	Combination of procedures
الرجعة	1	revocation of divorce	Definition
.,,	-	1- deprived of marriage	1- Definition
عضل	3	2- prevention of a woman from marriage	2- Definition
	3	3- deprivation of marriage	3- Definition
		1- mahram (i.e., a male relative precluded	3- Definition
	2	from marrying her)	1- Combination of procedures
محرم		2- mahram	2- Cultural borrowing
			1- Cultural substitution
التفريق بين الزوجين	2	1- dissolution of marriage	
		2- separation of spouses	2- Literal translation
Su t	_	1- the King	1- Cultural substitution
ولمي الأمر	5	2- State	2- Definition
		3-—	3- Deliberate omission
قصاص	9	qisas	Cultural borrowing
		1- hadd	1- Cultural borrowing
7~	3	2- hadd cases	2- Cultural borrowing + definition
		3- hadd (Sharia prescribed punishment)	3- Combination of procedures
		1- ta'zir	1- Cultural borrowing
تعزير	6	2- ta'zir (discretionary punishment)	2- Combination of procedures
		3- punish	3- Definition
بيعة	4	pledge of allegiance	Definition
الوقف الأهلم	1	private endowment	Definition
جهة بر لا تنقطع	1	continuing charity cause	Definition
أجرة المثل	1	due fees	Definition
7 إبر اء الذمة		1- discharge from liability	1- Definition
إبر اء سم	7	2- relieve from liability	2- Definition
		1- guarantor	1- Definition
كفالة	6	2- guarantee	2- Definition
		3- bail	3- Literal translation
كفالة عينية	1	in-kind security	Literal translation
کفیل ملیء	2	solvent guarantor	Definition
كفيل غارم مليء	2	solvent guarantor	Definition
ــــــ -ر، ي	z solvent guarantor		Definition

TABLE 4
SUMMARY OF NAMES OF INSTITUTIONS

CSLT	Frequency	Translation	Procedure
ديوان المظالم	4	Board of Grievances	Literal translation
الهيئة العامة للأوقاف	1	General Endowment Council	Literal translation
هيئة كبار العلماء	1	Board of Senior Ulema	Literal translation + cultural
	1		borrowing
إدارة البحوث العلمية والإفتاء	1	Department of Religious Research and	Literal translation + definition +
	1	Fatwa	cultural borrowing
مجلس الشوري	2	Shura Council	Literal translation + cultural
	2		borrowing

TABLE 5 SUMMARY OF TITLES OF LAWS

CSLT	Frequency	Translation	Procedure
نظام المر افعات الشرعية	o	1- Law of Civil Procedure	Literal translation + cultural
نظام المرافعات السرعية	8	2- Law of Civil Procedures	substitution
نظام هيئة البيعة	1	Succession Commission Law	Literal translation + definition
نظام مجلس الشوري	1	Law of the Shura Council	Literal translation + cultural
			borrowing
نظام الهيئة العامة للولاية على أموال القاصرين		Law of the General Commission for	Literal translation + cultural
معتام الهيف التعامل على الموال العاصرين و من في حكمهم	1	Guardianshin over Property of Minors	substitution + definition
		and those of Similar Status	substitution + definition
نظام ديوان المظالم	1	Law of the Board of Grievances	Literal translation
النظام الأساسي للحكم	1	Basic Law of Governance	Literal translation

TABLE 6 SUMMARY OF MISCELLANEOUS TERMS

CSLT	Frequency	Translation	Procedure
العمالة السائبة	1	-	Deliberate omission
بطاقة الهوية الوطنية	1	national identification card	Literal translation
مر سوم ملكي	9	royal decree	Literal translation
أمر ملكي	6	royal order	Literal translation
الدعاوى اليسيرة	1	petty cases	Literal translation
			1- Cultural borrowing + deliberate
الصكوك التمويلية + الصكوك	16	sukuk	omission
			2- Cultural borrowing
إمارة	3	governorate	Definition
المرتبة الممتازة	1	"Grade Excellent"	Literal translation

Tables 3, 4, 5, and 6 demonstrate that seven of Mailhac's (1996) translation procedures were employed: cultural borrowing, literal translation, definition, cultural substitution, compensation, deliberate omission, and combination of procedures. The procedures that were never used are footnote and lexical creation. Figure 3 below presents the frequency of all procedures.

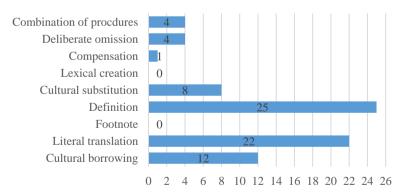


Figure 3. Frequency of Procedures Applied to Translate the CSLTs

Figure 3 demonstrates that definition is the most frequently applied procedure (25 times), while compensation is the least employed (once). It also shows that literal translation is the second most used procedure (22 times), followed by cultural borrowing (12 times), cultural substitution (eight times), and deliberate omission and combination of procedures (four times each). Most of these procedures were also observed in the translations analyzed by Laudisio (2017), Samadi et al. (2011), and Khalaf et al. (2022). Laudisio (2017) reported the use of cultural substitution, generalization, compensation, literal translation, and omission, which is consistent with the present study's findings. Samadi et al.'s (2011) study shared similarities in the utilization of cultural substitution, generalization, and combination of procedures. Likewise, Khalaf et al.'s (2022) study exhibited resemblances in the use of literal translation,

cultural substitution, and cultural borrowing. However, there are discrepancies in terms of the most and least frequently used procedures between this study and those studies. In this study, the most frequently applied procedure is definition, while in Laudisio's (2017) and Samadi et al.'s (2011) studies, it is cultural substitution, and in Khalaf et al.'s (2022) study, it is literal translation. The least utilized procedure in this study is compensation, whereas in Samadi et al.'s (2011) and Khalaf et al.'s (2022) studies, the least used procedures are a combination of procedures and transposition, respectively. Laudisio's (2017) study did not specify the least utilized procedure.

(a). Translation Procedures of Religious Terms and Miscellaneous Terms

Certain literal translations of the religious and miscellaneous terms, such as "petty cases," were unacceptable due to the failure to convey the intended meaning in the TTs. Conversely, other literal translations, such as "separation of spouses," successfully conveyed the intended meaning, thus warranting acceptability. Consequently, this study demonstrates that applying literal translation alone can yield acceptable translations for CSLTs. According to Hassoon and Al-Dahwi's (2020) study, it was found that relying solely on literal translation led to incorrect translations. Similarly, El Ghazi and Bnini (2019) observed that while some of the examined literal translations conveyed the intended meaning, several others were meaningless. These findings exhibit some degree of alignment with this study's results.

Most translations of the religious and miscellaneous terms using cultural substitution, for example, "guardian," were acceptable because of the similarity between the ST and TT concepts. Therefore, these translations can facilitate the TRs' comprehension of the CSLTs. These findings align with Samadi et al. (2011), where cultural substitution was applied to help TRs comprehend the legal terms' meaning. Only one of the examined translations using this procedure, i.e., "dissolution of marriage," was unacceptable because of the significant difference between its concepts and the ST concept.

Most of the religious and miscellaneous terms' general translations, such as "support," did not convey the intended meaning, which can be linked to Samadi et al.'s (2011) results. The acceptable general translations in this study, such as some of those using "administrator," were considered so because the contexts would enable TRs to understand the meaning.

Omission is among the least used procedures to translate religious and miscellaneous terms. Applying it resulted mostly in acceptable translations because the deletion did not distort the meaning of the TTs, and translating the terms would result in redundancy. However, if the translation of "الصكوك التمويلية" in "الصكوك التمويلية" was not omitted from the TTs, this could provide a clue about the borrowed term "sukuk" and reduce the confusion that may result from translating using a borrowed term alone. These results somewhat support Alwazna's (2018) views regarding omission. He mentioned that omission is the least commonly used among the procedures that can be applied to solve the untranslatability of legal terminology. He argues that it can only be applied if retaining the ST term in the TT creates foreignness for TRs and adds nothing to the term's intended meaning.

This study revealed that when one of the translations of "محرم," and "محرم," and all translations of "فصاص" were provided using cultural borrowing alone, the CSLTs' accurate meaning was not conveyed; thus, the TRs' ability to fully understand the meaning of the TTs would be negatively affected. This result can be linked to Alwazna's (2018) and Hassoon and Al-Dahwi's (2020) view that one procedure may not be adequate to achieve the desired purpose. The only instance in this study in which applying cultural borrowing alone was acceptable is the translation of "عند" because the context would enable TRs to understand the term's meaning. This study also showed that combining cultural borrowing and definition in one of the translations of "محرم," "محرم," "ما شخص "محرم," "عند" and the translation of "الخلع" resulted in conveying the intended meaning more accurately and facilitating the TRs' understanding. This finding aligns with Hassoon and Al-Dahwi's (2020) view on combining more than one procedure to translate CSLTs.

(b). Translation Procedures of Names of Institutions and Titles of Laws

Tang (2021), Chirilă (2014), and Fantin (2023) addressed the translation of institutions' names and did not reach a consensus regarding the procedures applied to translate this category of terms. Tang (2021) pointed out that names of institutions should be semantically translated, whereas Chirilă (2014) and Fantin (2023) indicated that if there is an official translation, it should be used in the TTs. In situations where an official translation is unavailable, Chirilă (2014) and Fantin (2023) provided different opinions regarding the applied procedures. This study adopted Chirilă's (2014) and Fantin's (2023) views concerning the use of official translations, if available because using them in the TTs helps avoid possible confusion when readers search for the institutions' names in other sources.

Analysis showed that there are 11 proper nouns, five names of institutions and six titles of laws. One of the laws' titles and one of the institutions' names are not included in the discussion. The title "النظام الأساسي للحكم" is not included because it is the title of one of the selected law documents, not one mentioned in the text of these documents, and the name "إدارة البحوث العلمية والإفتاء" is not incorporated because the relevant institution replaced it with a new name.

The results of this study concerning the translation of proper nouns are in line with the views of Chirilă (2014) and Fantin (2023) to some extent. The official translations of only four nouns are used in the TTs. These nouns are "ديوان المظالم," "نظام الهيئة العامة للولاية على أموال القاصرين ومن في حكمهم" and "إلمظالم," "نظام الهيئة العامة للولاية على أموال القاصرين ومن في محكمهم" withese nouns were translated using different "بنظام مجلس الشورى" and "نظام المرافعات الشرعية"

translations in the text of the selected laws. The noun "هيئة كبار العلماء" does not have an official translation; however, when comparing the procedures used to translate it to those proposed by Tang (2021), Chirilă (2014), and Fantin (2023), it can be observed that its procedures do not correspond to any of those suggested by the researchers. Two of the words in this noun were translated literally, and the third was borrowed. The remaining two nouns, "الهيئة العامة للأوقاف" and "مجلس الشورى" have official translations on the official websites of the relevant institutions. However, more than one official translation is provided on these websites. "مجلس الشورى" was translated using a translation that differs from those on the official website, while "مجلس الشورى" was translated using one of those mentioned on the website.

In the following section, the strategies adopted to translate the CSLTs are explained.

B. Strategies Followed to Translate the CSLTs

The analysis showed that both Venuti's (1995) foreignization and domestication strategies were followed in the translation of the CSLTs. The frequency of each strategy is illustrated in Figure 4 below.

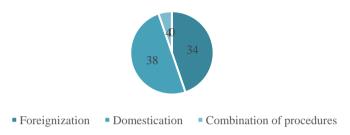


Figure 4. Frequency of Strategies Followed to Translate the CSLTs

Figure 4 shows that domestication was adopted 38 times, whereas foreignization was used 34 times. Mailhac's (1996) combination of procedures was added to Figure 4 because when this procedure was used to translate four religious terms, the foreignizing procedure of cultural borrowing and the domesticating procedure of definition were combined. Therefore, it cannot be classified under either domestication or foreignization. The results of are in line with those of Laudisio's (2017) and Samadi et al.'s (2011) studies that showed a tendency towards domesticating the translations of the examined CSLTs.

To some extent, the results correspond with Alwazna's (2016) and Whithorn's (2014) views regarding the most appropriate strategy for translating CSLTs. This study demonstrates that combining foreignizing and domesticating procedures can provide more accurate translations of CSLTs. Similarly, Alwazna (2016) explained that combining the foreignizing procedure of borrowing and the domesticating procedures of paraphrasing and definition to translate CSLTs is recommended to convey the full intended meaning. Conversely, Whithorn (2014) pointed out that the most appropriate strategy would lean more towards foreignization and indicated it is necessary to provide short and simple glossaries or footnotes in the TT to clarify the meaning of terms. This study and Alwazna's (2016) and Whithorn's (2014) studies agree that clarifying the meaning of the CSLTs is necessary. However, they differ in the procedures combined for clarification. The combined procedures in this study and Alwazna's (2016) study are domesticating and foreignizing, whereas in Whithorn's (2014) study, they are only foreignizing.

This study revealed inconsistencies in translating some CSLTs. Ten of these terms have more than one translation in the relevant TTs. Even if a CSLT was translated using similar translations, such as those of "عضل"," the inconsistency in translation would be confusing for TRs, as indicated by Samadi et al. (2011). TRs may think that the different translations refer to different terms in the ST; thus, their full understanding could be impeded. Accordingly, the results of this study confirm Cheng et al.'s (2016) view that in the legal field, inconsistent translations can cause significant problems, and therefore, maintaining consistency in legal translations is crucial to avoid potential complications.

V. CONCLUSION

In conclusion, this study aimed to explore the English translation of 44 Arabic CSLTs in six SLs and provide insights into the translation strategies and procedures. A parallel corpus was created using Phrase TMS, consisting of the SLs and their translations, to analyze the CSLTs' translation. The study categorized these terms into religious terms, names of institutions, titles of laws, and miscellaneous terms. Venuti's (1995) and Mailhac's (1996) models were adopted to identify the translation strategies and procedures employed. The results revealed that seven of Mailhac's (1996) procedures were utilized in translating the CSLTs: cultural borrowing, literal translation, definition, cultural substitution, compensation, deliberate omission, and combination of procedures. Notably, footnote and lexical creation procedures were not employed. The most frequently used procedure is definition, while compensation is the least applied. Most literal translations of the religious and miscellaneous terms were acceptable because they conveyed the intended meaning. Similarly, translations of these terms using cultural substitution were generally acceptable due to the similarity between the ST and TT concepts and facilitating the TRs' comprehension. The omission procedure also yielded mostly acceptable translations for specific religious and miscellaneous terms because the deletion did not

negatively affect the meaning of the TTs, and translating these terms would be redundant. However, general translations of these terms often fail to convey their intended meaning. Similarly, translations of these terms using cultural borrowing alone were generally unacceptable because the accurate meaning was not conveyed, adversely impacting the TRs' understanding. Combining foreignizing (cultural borrowing) and domesticating (definition) procedures resulted in more precise translations and improved comprehensibility for four religious terms. The study recommended the use of official translations for proper nouns like institutions' names and laws' titles to avoid confusion. While four proper nouns were translated using official translations, two were translated differently from official ones, and one lacked official translations, leading to different translation procedures. Additionally, two proper nouns have more than one official translation; while one noun was translated using one, the other was translated differently. Both foreignization and domestication strategies were observed in the translations of the CSLTs, with a preference for domestication. This study revealed inconsistencies in some translations; this could confuse TRs and hinder their comprehension.

The implications of this study are twofold. First, it contributes to the understanding of strategies and procedures employed in translating CSLTs. The findings highlight the prevalence of certain procedures, such as definition and literal translation, while also revealing the limited use of other procedures like compensation. This knowledge can inform translators and researchers in the field of translation studies, providing them with valuable insights into effective translation techniques for CSLTs.

Second, this study identified a practice in translating some CSLTs in the selected SLs that needs improvement, i.e., inconsistency in translation. Translators at the OTD need to take this practice into account, revise the inconsistent translations, and create a term bank that includes all CSLTs used in SLs and their approved translations only. The availability of this term bank could solve the inconsistency issue and all potential challenges that may face translators when translating CSLTs used in any Saudi legal document. Access to this term bank should be facilitated for all translators to standardize the translation of CSLTs.

As for future research directions, there are several avenues to explore. Firstly, further investigation can be conducted to examine the specific challenges associated with each category of CSLTs. This would provide a more nuanced understanding of the translation difficulties and allow for the development of translation strategies and procedures.

Additionally, comparative studies can be conducted to analyze the translation of CSLTs in different language pairs and cultural contexts. This would enable researchers to identify language-specific challenges and explore the impact of cultural factors on translation choices. Furthermore, Investigating the reception and comprehension of translated CSLTs by TRs can provide valuable insights into the effectiveness of different translation strategies and procedures. Such an investigation would contribute to the development of guidelines for producing translations that are not only accurate but also accessible to the target audience.

Despite the valuable insights, there are limitations to consider in this study. The study focused on a specific set of 44 Arabic CSLTs translated into English. The sample size and language selection may not be fully representative of all CSLTs and TLs. Therefore, the findings may have limited generalizability. Additionally, the study categorized the CSLTs into four broad categories (i.e., religious terms, institutions' names, laws' titles, and miscellaneous terms). This categorization may oversimplify the complexity and diversity of CSLTs, potentially overlooking specific strategies and procedures associated with each term or term group.

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