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Challenges and Strategies in Translating Legal Terms between English and Arabic: A Comparative Study of International Accords and Agreements

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ABSTRACT

This study scrutinizes the problems and strategies involved in the translation of legal terms from English into Arabic and vice versa, whether in relation to international accords or agreements. Despite the significant differences between English common law and the civil or Islamic law systems in Arabic, this piece of research tries to look into how translators surpass challenges to maintain legal accuracy and cultural appropriateness. In this regard, the present study has taken up a qualitative research design that analyzes ten samples of legal terms in selected international agreements, such as the United Nations Charter, the Paris Agreement, and the General Agreement on Tariffs and Trade. Besides this, open-ended questions were administered to 20 legal translators to trace the challenges they encountered and their coping strategies. The outcome of the study reveals that the largest problem is related to the absence of most equivalents in legal expressions - especially

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those containing culturally related contexts. Functional equivalence, consultation with legalists, and the use of explanatory footnotes are the most frequent means to ensure legal accuracy. In addition, cultural adaptation is the major strategy that allows translation to be accurate and applicable in areas such as family law and finance. The need to integrate linguistic, legal, and cultural competencies is nowadays quite urgent in translating international legal documents between English and Arabic.

1. Introduction

Translating legal documents has become indispensable globally, particularly in promoting international relations, business across borders, and diplomacy[1]. This phenomenon is further evidenced by the increasing number of agreements, treaties, and litigations occurring across borders, consequently leading to a growing demand for quality and effective translations of legal documents across various languages and systems[2]. This challenge makes translating legal terminologies from English to Arabic very complex in international accords and agreements due to the significant differences in their linguistic structure, legal traditions, and cultural backgrounds. This is where translation must accurately transfer meaning and intent from the legal language across languages. This helps ensure mutual understanding and compliance from the signatory parties, a crucial aspect of your work[3, 4].

Legal translation is not merely a straightforward process of substituting words from one language into another; it is a skilled craft that involves interpreting and shaping legal concepts to ensure that the original and translated texts carry the same legal force and intent. This task becomes even more sensitive when the languages involved in the translation belong to different linguistic families and legal systems[2, 5]. These are two systems in which English, drawing its principles from the common law tradition, and Arabic, influenced by Islamic law and civil law traditions, represent fundamentally different systems. Much linguistic expertise is required when translating legal terms from one language into another. The job requires understanding the legal principles and cultural nuances underpinning every language. The inaccurate translation of any word can lead to serious legal disputes, undermining the efficiency of international agreements and potentially causing diplomatic tensions between the parties

to the agreement[3, 6, 7].

1.1. The English and Arabic Legal Systems

The legal systems of the English and Arab countries reflect two distinct traditions rooted in historical development, sources of law, and principles. In this context, the origin of law in the English legal system is a tradition has evolved over time in England, relying on judicial precedents. In this system the decisions made by higher courts bind lower courts in future cases[8]. By its very nature, common law is flexible; it evolves as judges interpret and apply the legal principles[9]. Common law operates with statutory law, where legislation enacted by Parliament establishes specific legal rules and frameworks. The English legal system places significant emphasis on the judiciary's role in interpreting laws and resolving disputes. Protecting individual rights has also gained prominence, with justice and fairness at the forefront[10].

On the other hand, Arabic law, especially in countries where legislation is influenced by Islamic law, also known as Sharia, is based on a combination of religious and civil law traditions[11, 12]. Islamic law derives its authority from the Quran, the Hadith—comprising the sayings and actions of the Prophet Muhammad—and centuries of scholarly interpretation, commonly referred to as Fiqh[13]. The law serves as a comprehensive guide for personal behavior and running a functioning society, where moral considerations and ethical lessons can be intertwined with its legal mandates. In most Arab countries, Islamic law exists alongside a civil code inspired by European laws, such as the French Napoleonic Code; this somehow is a hybrid legal system. The Arabic legal system emphasizes welfare and upholds moral obligations, which is a reasonable interpretation in many areas guided by the principles of equity and justice as defined within the framework of Islam. This dual influence of reli-

gious and civil law creates a distinctive legal environment where modern legislative frameworks coexist with traditional Islamic principles[14].

1.2. Characteristics of Legal Texts

Legal language differs significantly from ordinary, everyday language. The words and meanings are precisely defined to ensure that interpretation does not distort the true meaning and intent of the law, allowing fair expression and consistent application. This accuracy is achieved by using technical terms or 'legal jargon,' which is specifically defined within the context of law. The formality of legal documents is also characterized by complex sentence structures, the use of passive voice, and nominalizations, all of which contribute to achieving an authoritative and neutral tone, as noted by El-Farahaty[15]. Clarifying language in legal texts is essential because ambiguities can lead to misinterpretations, disputes, and even litigation. Legal documents typically adhere to a specific format, meticulously designed to reflect the hierarchical legal principles and procedures of the law. Its format includes headings, subheadings, numbered sections, and clauses, ensuring a logical and easily accessible presentation of its content[6]. Legal documents must include repetitions, ascertain phrases or terms need to be repeated with sufficient emphasis to establish the legal obligations and rights of the parties involved, leaving no room for doubt. The comprehensive details of legal writing uphold the integrity of legal contracts and ensure that these contracts are legally binding in court.

1.3. Challenges of Translating Legal Texts

These are some of the obstacles that create barriers to legal translation between English and Arabic. Several factors are responsible for the challenges in legal translation to and from Arabic. Among these factors, linguistic features play a major role. In English, the word order is relatively fixed and is accompanied by complex verb tenses. While Arabic allows for freer word order, its verb conjugation systems are much more developed. Such structural issues make the search for appropriate word equivalents for some legal expressions highly problematic and point out the possibility of translation ambiguities appropriately. Notwithstanding this, there are serious legal differences between these languages.

Legal terms in English are largely based on case law and judicial precedent.

Arabic legal terminology, in turn, developed from Sharia and civil law systems, especially in countries where Islamic law influences national legislation. This divergence in legal structures frequently leads to the inexistence of an exact equivalent of a specific legal concept in another language. For clarity, modifying terms or adding explanatory notes might sometimes be necessary. The primary intention of the research is to give an overview of the challenges and methodologies involved in translating legal terminology from and into Arabic and English, especially within international agreements and accords. The discussion is expected to evidence the particular challenges of this field and some of the best current practices in legal translation. It further discusses the implications of these challenges for interpreting and applying international treaties. It brings added value to the practice of legal translation in this crucial field.

2. Literature Review

Hefner[16] discusses cultural and legal issues that present challenges in translating legal texts from and into Arabic and vice versa. Great importance has been given to the fact that the heart of Arabic legal texts is deeply embedded with cultural influences, especially those touching on Islamic law, which may be difficult to express in English. This research focuses on the imperative need for translators to understand legal systems and cultural contexts from which the legal texts originate. This paper underlines that cross-cultural awareness is integral to any effective legal translation.

Javed[17] explore the problems of the translation of legal terms from English into Arabic. As the authors explain, many legal terms in English-most of those based on common law-do not have a full equivalence in Arabic. This is because of the intrinsic features and characteristics that distinguish the English common law system from the Arabic legal systems, which predominantly reflect civil and Islamic law elements. It follows from this that the translators often had to paraphrase or explain with notes.

McLeod[18] exposes the role of Sharia in legal translation between English and Arabic. The paper unfolds an uneasy understanding of religiously loaded legal terminology,

particularly in international translation required to execute legal documents. Abdel-Latif highlights that Islamic legal terms such as "zakat" or "riba" lack actual equivalents in English due to their roots in religious doctrine. As such, the study recommends that translators complete their conveyance using foot or explanatory notes.

Mediouni[19] throws light on equivalence in legal translation. He discusses how translators try to achieve equivalence between English and Arabic legal texts. He highlights two major strategies adopted by the translators: literal translation and functional equivalence. Kadhim remarks that, while the former approach may work in some contexts; however, the latter proves to be much more functional, particularly when an Arabic equivalent for certain terms is not readily available. Another important issue that is focused on within this study is that of retaining the legal force of the original text while at the same time ensuring that the translation is likewise culturally and legally fitting.

The paper "Challenges of Legal Translation: A Case in International Agreements" Ramadan[20] explores the issues with which legal translation is concerned, focusing on the case of English and Arabic. The authors focus on sensitive issues like the important differences in the underlying legal systems, the complexity of legal terminology and jargon, and the use of passive voice in English legal texts. Translators should know both the source and target legal systems for the translations to be linguistically accurate and legally valid. The authors have also stressed using bilingual legal dictionaries and legal consultancies.

Ramos[21] discusses some linguistic and legal problems that arise in translating international trade agreements between English and Arabic. He mentions examples of the complexity of finding the translation for terms like "arbitration" or "force majeure," which may not have their direct cognates in Arabic. He recommends that a translator of such agreements first study the legal terminology and then the trade laws and regulations in both the source and target languages, namely the English-speaking and Arabic-speaking countries parties to the agreement.

Sarcevic[22] examines using corpus-based translation approaches to increase the accuracy of English-Arabic legal translation. Consequently, the research proposes that bilingual legal corpora be utilized, through which translators can refer to any previous translation of legal terminology and phrases. Such a corpus-based approach, Hasan argues, is likely to help eliminate inconsistencies in translation and ensure appropriate usage of legal terms in context. This method is especially useful when translating texts dealing with international accords or agreements, where accuracy is vital.

In his work, Šarčević[22] identifies three major strategies adopted in the translation of legal text from and into English and Arabic: literal translation, paraphrasing, and transliteration. He ascertains that even though literal translation is always assumed as a rule of thumb, this may be ineffective due to structural and legal differences between English and Arabic. The research proposes an approach for integrating such strategies to handle the growing complexity of the legal terms in context.

This is to McLeod[18] who discuss legal specialists' contributions to translating texts, especially legal translation between English and Arabic. The authors state that legal translation is concerned with language issues and knowledge related to legal concepts and practices about source and target languages. The research facilitates collaboration with lawyers to ensure the translation is legally accurate and contextually appropriate. They suggest that legal translators need to work closely with lawyers and other legal scholars who approach and especially address the issues of legal challenges in such a way as the translated text.

The reviewed studies also establish that legal translation between English and Arabic is complicated, with myriad linguistic, cultural, and legal complications. For that reason, their respective contributions to the functional approach are underlined by functional equivalence at the level of cultural understanding and by the importance of collaboration among specialists in the legal field to ensure the legal force and intent of source text invariants are preserved in the translated texts. The research evidence shows that the growing significance of legal translation in this globalized world will continuously bear upon the need to explore effective translation strategies.

3. Methodology

This section describes the research design, data collection methods, and analysis procedures that will be used in this comparative study on challenges and strategies for translating legal terms from and into Arabic and English, focusing

on international accords and agreements. This methodology has been designed to tackle the linguistic, cultural, and legal complexities of translating legal texts from one language to another.

3.1. Research Design

This research is a qualitative comparative case study into the issues and strategies of translating legal terms from English into Arabic and vice versa. Focusing on international agreements and accords, the research deals with the highest-stake legal translations, where a wrong rendering can alter the intended meaning beyond recognition. Specific legal problems and issues identified and juxtaposed against each other across types of translators and translations, be it trade agreements, environmental treaties, or human rights accords, are then placed within a comparative framework.

3.2. Data Collection

Data for this study have been obtained from three key sources: the United Nations Charter, the Paris Agreement, and the General Agreement on Tariffs and Trade. These treaties and agreements provide the source basis for information in this research study. On the other hand, semi-structured interviews researching challenges of legal translation involve experienced legal translators with legal professionals proficient in both English and Arabic translations. The rationale for selecting the interviewees will be based on their qualifications and expertise in translating international legal documents, especially related to areas like international law,

diplomacy, and trade. The interviews dwell on establishing the most likely general challenges linguists face, such as linguistic gaps, cultural differences, and discrepancies in legal systems, among others, and the strategies employed in overcoming these.

4. Data Analysis

A qualitative analysis compares legal term translation strategies from and into Arabic-selected international accords and agreements. Specific legal terms were translated using translation strategies, including literal translation, functional equivalence, transliteration, or explanatory notes. Each strategy was then cross-checked to determine whether it maintained the meaning and legal intent of the source text in both languages. On the other hand, data from the semi-structured interviews with legal translators and experts are analyzed using thematic analysis. The transcripts of the interviews are coded thematically to find the recurring themes concerning problems they encounter and strategies they use. Discrepancies in linguistic and legal systems, cultural adaptation, legal dictionaries, and expert consultation will likely emerge. Data synthesis from textual analysis and interviews allows the researchers to outline the strategic approaches and practical experiences in translating legal texts across these two languages.

4.1. Findings and Analysis

4.1.1. United Nations Charter

Example 1:

Source Text	Translation
The Organization is based on the principle of **<u>sovereign equality</u>** for all its members. (UN Charter, Article 2, Page 3)	تقوم المنظمة على **مبدأ المساواة في السيادة** بين جميع أعضائها.

'Sovereign equality' is a legal principle whereby all states are equal under international law regardless of their size, wealth, or power. However, this concept has no direct Arabic parallel due to different interpretive traditions rooted in disparate political-legal systems. The translator used functional equivalence with the phrase 'في السيادة'

'المساواة السيادية ' instead of ' المساواة': This Strategy translates the term into a form that best fits the echoes of Arabic political discourse while retaining its original legal intent. By emphasizing equality in sovereignty, the translator conveyed the term's meaning without losing its legal meaning, thus avoiding confusion in international relations.

Example 2:

Source Text	Translation
The purposes of the United Nations are... to promote respect for **international law**. (UN Charter, Preamble, Page 1)	أهداف الأمم المتحدة هي... تعزيز الاحترام **للقانون الدولي**.

The term/phrase "international law" is a set of rules and principles that regulate the relations between states and other international actors in human rights, environmental protection, and international trade. In most Western legal traditions, international law is regarded as a secular framework, and its main influence is through international institutions such as the International Court of Justice. However, in countries where Arabic is spoken, and Islamic law holds sway, the imagination of international law might be quite different from the West because, as Ramadan[20], argues in his discussion about how Islamic law shapes legal translation, it finds its inspiration from the Quran, the Hadith, and centuries of scholarly interpretation, Fiqh, which, at times, contravenes secular international law over the issue of sovereignty and the behavioral array of moral obligations.

In the following example, taken from the United Nations Charter, the translator used a literal translation of "inter-national law," which was brought across as "القانون الدولي" (international law). This is the standard translation for the term. However, such a choice may fail to convey nuances in an Arabic-speaking world instilled with Sharia. As was pointed out by Javed[17] research, a direct translation often cannot make up for the conceptual gap between the respective systems of law, especially when religious law plays an important role. Explanatory notes or footnotes could have been very useful here, as Hussein and Ali suggest in their study on the advisability of consulting legal experts during translation[23]. These notes explain how international law works within the UN system and how it engages with religious/civil law. Accordingly, though plausible in translation, using strategies such as comparative legal analysis and providing more context could support a better understanding of the concept of "international law" in Arabic, ensuring that it functions well within secular and religious legal systems.

Example 3:

Source Text	Translation
The Security Council may impose **sanctions**... (UN Charter, Article 41, Page 12)	يمكن لمجلس الأمن فرض **العقوبات**...

The term "sanctions" refers to punitive measures imposed by a governing body, such as the United Nations Security Council, on a nation to ensure compliance with international law or to restore peace and security[3]. In English, the term "sanctions" is polysemous; that is, it can refer to everything from economic penalties to restrictions in diplomatic relations, even military intervention. This creates a congenital ambiguity that is hard to render into Arabic since Arabic legalist discourse tends to be more specific and clear-cut in its expression. The translator went for a literal translation, and "sanctions" came out as "العقوبات." While this term is understood in Arabic, it is also understood more loosely as "punishments," which would make texts ambiguous whenever the meaning of sanctions should be more specific. As[20] argues, literal translation cannot bridge the conceptual and terminological chasm between the two languages, especially in legal terminology.

To that end, the translator could have employed contextual explanation or even explanatory notes to detail what type of sanctions. In the study of equivalence in legal translation, Ramadan[20] argues that a translated term must retain its legal meaning but avoid being misconstrued. Moreover, Šarčević[22] points out that once a case of polysemy is detected, adding footnotes or annotations may allow the reader to gain insight into the meaning of the given term. Without fail, a brief explanatory note would clarify the context in which the sanctions were applied, whether on economic, political, or military grounds. Although "العقوبات" is a literal translation and

technically correct, the context would be better if it provided more details so the audience can see clearly what is meant by the legal consequences of the sanctions imposed by the Secu-rity Council. Also, this agrees with Weld-Ali[24] suggestion to consult with specialized legal experts to avoid misinterpreting phrases and terminology interpretation Abiad[3].

Example 4:

Source Text	Translation
"The United Nations shall maintain **international peace and security**." (UN Charter, Chapter I, Article 1, Page 3)	"تحافظ الأمم المتحدة على **السلم والأمن الدوليين**".

The phrase "maintain international peace and security" is a broad, purposely ambiguous term in English, designed to cover a wide range of actions that the United Nations may take to preserve global order. Ambiguity allows flexibility in interpretation dependent on specific situations or contexts involving the UN. On the other hand, Arabic legal texts avoid ambiguous terms and prefer using more specific and clear terms; hence, this usually presents a challenge in translating such an ambiguous term into Arabic. Therefore, Ramadan[20] states, "This is usually a problem in translating such vague terms into Arabic." The translator used the functional equivalence strategy and thus translated the phrase as " السلم والأمن الدوليين ", which means international peace and security. That Strategy is relevant because it conveys the intended meaning without rendering the translation inflexible and too specific. This means the translation maintains the flexibility of the source text. For example, Hefner[16] examines the cultural and legal differences in translation that arise from broad and vague terms. He asserts that translation "has to balance linguistic accuracy and legal meaning."

This creates a balancing challenge; an Arabic translation must be sufficiently broad to maintain the flexibility of the original phrase while avoiding excessive narrowness that could render it overly restrictive and prescriptive. According to Šarčević[23], legal ambiguity gets lost in translation because Arabic favors explicitness, often leading to an unintended interpretation. By opting for a functional equivalent, the translator has left the phrase without specificity and thus is open to a wide range of possible legal applications, similar to the original English version. However, Ramos[21] observes that the lack of clarity in legal language may explain the translation if the readers are unfamiliar with the extent of legal competence given to the UN. Overall, the translation has managed to keep the source clause open-ended and render it in Arabic, meeting the legal and linguistic criteria in Arabic.

4.1.2. The Paris Agreement (the Climate Accord)

Example 1:

Source Text	Translation
"Parties shall meet the objectives of climate change mitigation." (Paris Agreement, Article 2, Page 4)	"يتعين على الأطراف تحقيق أهداف **التخفيف من آثار تغير المناخ**".

The term "climate change mitigation" describes reducing or limiting the extent of climate change by decreasing greenhouse gas emissions or enhancing carbon sinks[3]. The term is a crucial technical concept in international environmental agreements, such as the Paris Agreement. However, there is no word in Arabic equivalent to "mitigation," and literal translation would create ambiguities. What the translator has done here is to paraphrase the sentence as " المناخ التخفيف من آثار تغير " - that is, mitigation of the effects of cli-mate change. In one stroke, the translator moved away from direct translation to transferring meaning comprehensively. As Mediouni[19] put it, legal translators sometimes must sacrifice literal faithfulness for clarity, particularly in technical areas such as environmental law. This ensures that meaning is conveyed appropriately and accurately, even when no direct lexical equivalent is available.

The paraphrasing choice fits Fathi's suggestion that legal translators adopt approaches like functional equivalence

when rendering technical terminologies into elaborate legal texts. The phrase "التخفيف من آثار تغير المناخ" therefore explains what a technical word is somewhat mitigation to an Arabic-speaking audience that may not be familiar with the terminological specificity of its use in English. As Hasan suggests, however, in providing a paraphrase, enhanced comprehension can be balanced against losing some precise legal meaning that the original term may carry. In this case, translation does not compromise the technical or legal precision of the information conveyed. In other words, the translation successfully adapts the term to the Arabic language structure and the cultural perception of the climate change issue more closely.

Example 2:

Source Text	Translation
"The transition to sustainable development requires cooperation." (Paris Agreement, Article 4, Page 8)	"يتطلب التحول نحو **التنمية المستدامة** التعاون الدولي"

The term "sustainable development" refers to meeting current developmental needs without compromising the ability of future generations to satisfy their own. It has become a central position tenet in global environmental policies. In other words, it is a harmonious balance between economic growth, environmental protection, and social equity. Where an exact Arabic equivalent, "التنمية المستدامة" exists and has gained a wide application in environmentalist discourse, it is important to note that the notion may convey a different meaning in Arabic-speaking countries due to the cultural and economic contexts. Sarcevic[22] points out that when one translates environmental and legal terms, such as "sustainable development," the socio-cultural context must be considered since environmentalism could be perceived differently based on traditional values and legal mechanisms.

Here, the translator opted for functional equivalence and translated the term as "التنمية المستدامة," or sustainable development. The translation is accurate and culturally relevant since the phrase has become better known in Arabic-speaking areas with greater global awareness about environmental sustainability. Hefner[16] emphasizes that cultural adaptation is essential within legal translation, as certain terms associated with global concepts, such as sustainability, lack their historical grounding in the target language. Using a globally accepted term, he asserts that the translator guarantees the preservation and communication of meaning across diverse audiences. Although the translation was effective, an added contextual backdrop would explain how it is gained and implemented concerning sustainable development in the individual legal system of the Arab world. That is what Fathi suggests when dealing with terms that carry much cultural weight.

Example 3:

Source Text	Translation
"Parties shall communicate nationally determined contributions." (Paris Agreement, Article 4, Page 6)	يجب على الأطراف تقديم **المساهمات المحددة وطنياً**"

The Nationally Determined Contributions NDCs represent each country's commitments voluntarily made under the Paris Agreement. These contributions outline the specific action plans countries intend to implement to reduce greenhouse gas emissions and adapt to climate change. As this modern concept is central to international environmental law, it lacks a direct historical predecessor in many Arabic-speaking countries, which often depend on different legal and environmental frameworks. NDCs are a new legal mechanism, making it difficult to portray all its legal and procedural implications in Arabic. Through functional equivalence, the translator termed it "المساهمات المحددة وطنياً" or nationally determined contributions, but it lost a small quantity of the technical and legal contents of that term.

As Hefner[16] notes, when translating a new legal conception, one must carefully consider the legal frameworks

of both the source and target languages. In this context, the translation is correct technologically; however, it would be great if explanation notes could support the underpinning legal obligations and processes of NDCs to make it somewhat useful for those readers who have no idea about the concept. In this regard, McLeod[18] indicates that since some particular terms are translated from international agreements without direct equivalents in domestic legal systems, the

consultation of law experts is indispensable. Although it is good per se, the translation would be more comprehensively effective with additional context explaining how the NDCs function within the framework of the Paris Agreement and what they mean for national legal obligations in Arabic-speaking countries. This would ensure that not only is the term understood, but it is also implemented correctly in local legal systems.

Example 4:

Source Text	Translation
"Parties shall take appropriate action to achieve the goals." (Paris Agreement, Article 3, Page 5)	يجب على الأطراف **اتخاذ الإجراءات المناسبة** " "لتحقيق الأهداف.

The term "take appropriate action" is broad in the original text to provide each party with the flexibility to address climate change under the Paris Agreement in their own way. This ambiguity is usually normal in international agreements because they allow adaptability across legal systems and circumstances. However, as noted by Hefner[16], Arabic in legal texts tends to favor specific and explicit language, so translating such open-ended phrases may become problematic. The translator went ahead to translate this literally as " اتخاذ الإجراءات المناسبة " or "taking appropriate action." This leaves the original clause's ambiguity by allowing the parties to interpret the phrase according to their respective national laws. This flexibility is significant given the different legal systems from which each party originates within the agreement.

The implication, however, is that such ambiguity

adopted in the English legal text may not be easily translated into Arabic without some contextual explanation. Šarčević[22] points out that Arabic legal discourse prioritizes clarity and precision. In this case, translating the same phrase into Arabic without further explanation may freeze its meaning. In support Ramadan[20] mentions that a balance between literal translation and functional equivalence must be done to retain the source text's elasticity and the target language's legal requirements. In this case, the literal translation "المناسبة اتخاذ الإجراءات " has been successful. However, more footnotes or explanations may be required to retain the intended flexibility without misinterpretation, especially for Arabic readers accustomed to more specific legal phrasing.

4.1.3. General Agreement on Tariffs and Trade (GATT)

Example 1:

Source Text	Translation
"Members shall apply tariffs and regulations." (GATT, Article II, Page 3)	يجب على الأعضاء تطبيق التعريفات الجمركية " "واللوائح.

Tariffs are taxes or other duties imposed on imports or exports are fundamental to international trade law. The Arabic term is identical (التعريفات الجمركية), though its specific legal and economic meanings may vary from one jurisdiction to another. According to Abiad[3], one can notice that the translation of economic and legal terms will

often pose a problem, especially when the legal tradition of the target language has its terms appropriate and well-rooted. Therefore, the English term "tariff" crops up within more extensive trade regulations and policies in English-speaking countries. However, it may not carry such breadth of meaning for Arabic-speaking countries, especially those

influenced by civil law systems.

The translator has used functional equivalence since "التعريفات الجمركية " is the Arabic term that refers precisely to customs duties. Though it is precise and highly common in international trade agreements, the translation might not fully bear all the wide legal connotations of tariffs in international trade. Al-Taher[7] refers to the necessity of being aware of the legal systems involved when translating trade terms, underlin-

ing that more explanatory notes or even a footnote could have been relevant for explaining the exact legal implication of "tariffs" in GATT. Although the translation conveys the meaning of the term, more elaborate explanations of the concept would allow the reader to gain a deeper understanding of the tariffs and their application in the international trade regime due to the complexity of such regulations as they interface with various legal structures and have an impact thereupon.

Example 2:

Source Text	Translation
"Each contracting party shall accord most-favored-nation treatment to the products of other contracting parties." (GATT, Article I, Page 2)	يجب على كل طرف متعاقد منح منتجات الأطراف " المتعاقدة الأخرى **معاملة الدولة الأكثر تفضيلاً** ".

Most-favored-nation treatment is a principle in international trade whereby countries grant each other such best terms of trade, as low tariffs and minimum trade barriers, to treat a country's trading partners equally. The idea of MFN treatment is at the core of agreements such as the General Agreement on Tariffs and Trade. However, the fact that this is a highly specialized trade term sometimes makes its translation into Arabic difficult due to differences in legal and economic systems. Abiad[3] observes that most of the English terms related to trade have no direct equivalent in Arabic. The translator has to carefully choose between terms in the light of understanding the target audience. In the case of "most-favored-nation treatment," its Arabic equivalent, "معاملة الدولة الأكثر تفضيلاً " is close enough to the concept of its English original.

However, as Al-Taher[7] argues, legal translation often requires adapting terms to align with the legal frameworks of the target language. In this context, the term carries a great deal of legal and economic meaning. The phrase which is chosen, " معاملة الدولة الأكثر تفضيلاً ," designates the core meaning. However, without further explanation, Arabic speakers who have not studied international trade law may not know the full weighted meaning of the term. Šarčević[22] claims that explanatory notes or even footnotes explaining complex legal concepts such as "most-favored-nation treatment" are very helpful for clarity and in making such a term fully understandable in all its implications. For example, in this case, the translation is successful at the surface level;

further explanation of how this principle is implemented in international trade may yield a higher degree of comprehension among such readers as those less experienced in international trade law[3, 7].

4.1.4. Open Ended Questions

This section analyses the responses of 20 translators regarding the challenges and strategies used in translating legal accords from Arabic to English and vice versa.

Table 1 shows 20% of the respondents have less than two years of experience in legal translation. This group is relatively fresh into the profession and, thus, may still be developing foundational skills and strategies for handling complex legal texts, especially international agreement documents. In contrast, translators with 2–5 years of experience take 30%, while another 30% have 6–10 years of experience. The mid-level translators in these brackets have developed a more mature view of legal translation and experienced various challenges, especially in dealing with specialized or technical legal terms in international agreements. The last category is the remaining 20% with more than ten years of experience. These would be highly seasoned professionals who have likely mastered advanced techniques and strategies in translation, especially concerning both English and Arabic, for navigating complex legal systems.

The first question was related to the main language pair they translated. Regarding this, 30% of their main transla-

tions are from English into Arabic, while another 30% work from Arabic into English. The largest group was 40%, eight respondents, translating between English and Arabic. The translators are likely to feel at ease dealing with the specific problems posed by legal texts in both translation directions, with precision to be legally correct by using legally appropriate terminology and retaining legal intent across languages and different systems of law.

Table 1. Demographic Information.

Category		Number of Respondents	Percentage
How long have you been working as a legal translator?	Less than 2 years	4	20%
	2–5 years	6	30%
	6–10 years	6	30%
	More than 10 years	4	20%
What is your primary language pair for translation?	English to Arabic	6	30%
	Arabic to English	6	30%
	Both (English to Arabic and Arabic to English)	8	40%
Have you worked on translations of international legal agreements?	Yes	15	75%
	No	5	25%

Finally, the survey data shows that 75% of the translators answering this question have translated international legal agreements, including trade treaties, environmental accords, and human rights conventions. Seventeen translators viewed this area as their specialization, representing a significant percentage of our data. Accordingly, the translators would likely be aware of various problems in the translation of terms that do not have literal or direct equivalents in the target language and might adopt an approach, such as functional equivalence, explanatory notes, or consultation with legal experts, to bridge the gap in legal terminology. On the other hand, 15% have not made international agreements and thus might have been focusing more on domestic legal translation. Nevertheless, their reflections may be instructive concerning the general problems of translation and their approach to translating legal texts, possibly even international agreements, in the future.

Table 2 reveals that functional equivalence is the preferred Strategy, accounting for 30% the responses. It is very useful in translating legal terms that lack equality within the target language context because it considers the intended legal effect of words in a document. Functional equivalence makes translators render appropriate terms across different legal systems about the identical purpose of such terms. This is highly feasible in an international treaty where common law, civil law, and Islamic law systems may vary. In particular, this holds for legal translation between English and Arabic since there are serious differences in the structure and legal traditions of the two languages.

Table 2. Utilized Strategy among the legal translators.

Strategy	Number of Responses	Percentage
Functional equivalence (translating the intended legal effect rather than the exact words)	6	30.0%
Consultation with legal experts	5	25.0%
Use of explanatory footnotes or legal commentary	4	20.0%
Literal translation	3	15.0%
Transliteration of terms	2	10.0%

Consultation with law experts is the Strategy that is followed closely, as chosen by 25% of the respondents. This Strategy underlines the involvement of professionals who know the legal systems for correctness and precision. International agreements are high-stakes documents in which any legal mistake may be considered serious. By consulting experts, translators will ensure their translations are both legally valid and contextually appropriate. Similarly, the fact that 20% favored using explanatory footnotes or legal commentary also proves a further need for explanations in legal documents. Footnotes give context for complex legal terms whereby the target language does not contain such

a concept and is meant to bridge the gap in different legal frameworks.

On the contrary, literal translation and transliteration of terms are employed less frequently: 15% and 10% of respondents marked these options, respectively. Though literal translation might work for some straightforward terms, generally, it does not capture legal meaning across the two sets of international agreements, given the risk of misinterpretation. The transliteration would likely to be used for legal terminologies without an accurate or direct equivalent in the target language. However, it may not have been able to convey the entire meaning of a legal phrase. Both approaches are normally less applicable for challenging legal translation and effective only under very limited conditions, pointing to the adaptation for more sophisticated approaches like functional equivalence and expert consultation on legal translation.

4.1.5. Resources and Tools Used

This question was phrased in a "please select all that apply" style, allowing the respondents to check off several tools or resources they relied upon when translating international legal texts. Because of this, most respondents identified a blend of different instruments, reflecting the complexity of legal translation and, thus, the diversity in available resources.

Table 3 shows that Bilingual legal dictionaries and consultation from experts in this area have emerged as the most often consulted ones by 60% of the participants. This indicates the absolute importance of accurate wording within the letter of the law and by expert opinion to ensure that the translations are accurate, legally correct, and acceptable to any country involved. The two form an indispensable core for translating any legal expression if one wants these to correspond correctly to the original and to be appropriate within the target legal setting. Also, 50% used legal corpora to show how previous examples of legal text usage are important to many translators in guiding their work. Therefore, 45% chose online legal databases, showing their reliance on such tools to access legal precedents and regulations. The combination of such resources enables translators to handle the linguistic and legal challenges inherent in international legal texts to a level that gives accurate yet contextually appropriate translations.

Table 3. Resources and Tools Used in legal translation.

Tool	Number of Responses	Percentage
Bilingual legal dictionaries	12	60.0%
Online legal databases	9	45.0%
Consultation with legal experts	12	60.0%
Legal corpora	10	50.0%

Question One: *How do differences between the common law system in English-speaking countries and the civil law/Islamic law systems in Arabic-speaking countries affect your translation process?*

First, there are significant differences between the common law system in English-speaking countries and the civil or Islamic law systems in Arabic-speaking countries. Common law is heavily based on judicial precedents and case law, and it very often introduces terms such as "equity," "precedent," or "trust" that have no direct counterpart in the codified civil law or religiously grounded principles of Islamic law. This is in direct contrast to civil law, which is utilized throughout the Arabic-speaking world and is more rigid and rule-based; similarly, the religious basis of Islamic law leads to legal precepts being derived from both the Quran and Hadith[25]. This, therefore, makes translation particularly tricky in more abstruse jurisprudence. For example, common law jurisdictions use terms such as "consideration" or civil law systems referred to as a "statute of limitations," neither of which will easily translate into those legal systems where religious principles or strict codes govern legal interpretation. I manage to get around such difficulties by often using functional equivalence, keeping the legal effect and intent of the source term by not necessarily adhering strictly to a literal translation. When translations are more involved, I confer with legal experts to cross-check the accuracy of the translation or the assurance that the correct meaning of the translated term fits under the jargon of laws involved in the target language.

In addition to that, Islamic law carries further complications at the level of religiously motivated legal concepts, like

"riba" (usury) and "ijma" (consensus), which normally do not find any direct correspondence in common law. This already presupposes that translators be linguistically accurate but simultaneously sensitive to the culture and religion. Sometimes, transcriptions or explanatory notes are necessary so as not to lose the integrity of the term and explain it to the target audience. These strategies are necessary for developing bridges among the various legal systems, keeping accuracy and relevance legally and culturally appropriate. Besides, bilingual legal dictionaries, legal corpora, and consultations with legal experts contribute to the components that can help achieve accurate translations. Such tools enable translators to cut across the fine differences of each legal system to ensure translations conform in letter and spirit with the secular common law or the religious and codified systems of civil and Islamic law.

Question Two: *How do cultural differences impact legal translation?*

Cultural differences play a great role in shaping the complexities of legal translation, especially between languages and legal systems as different as English and Arabic. Legal concepts are often deeply lodged in a society's cultural, religious, and historical contexts. While translating legal texts, cultural nuances could affect the interpretation and application of legal terms that might not have direct equivalents in the target language. For example, in Arabic-speaking countries, where the influence of Islamic law (Sharia) is immense, some legal concepts denote their origin in religious doctrine. Terms like "riba" and "zakat" carry a load of religious and moral meaning, which is difficult to translate to an ordinary common law system, such as English, where concepts may not exist or are viewed differently. To achieve this, the translator needs not only to find linguistic but also cultural and legal equivalents to express the real intention of the legal term.

Cultural peculiarities may touch upon the formality and tone of legal texts. For example, legal Arabic may contain more formal, religious, or culturally specific references, which are difficult to maintain while translating into English, where legal language is mostly technical and neutral. Similarly, some legal practices, such as dispute resolution mechanisms, vary across cultures and, for that matter, require a sound knowledge about the target culture to translate the underlying legal notions properly. Misunderstanding or misinterpretation is likely to occur when cultural differences in a legal translation are not appropriately accounted for. Translators overcome this challenge through explanatory footnotes, functional equivalence, and consultation with experts in law and culture to ensure the translation remains faithful to the source text yet contextually correct for the target audience.

Question Three: *In your experience, how important is cultural adaptation when translating international legal terms between English and Arabic?*

All the responses agree that cultural adaptation is key in translating legal terms between English and Arabic. Considering how these two languages represent two vastly different legal systems, the common law system in England and the Islamic or civil law system, the cultural background of legal terminology is essential for an accurate and meaningful translation. Other concepts, such as "talaq" in divorce law, "zakat" in religious obligations, and "riba" in finance, would require only a technical translation of it, along with an adaptation to bring out the cultural-legal import. Without this cultural adaptation, translations risk losing nuances important to understanding the legal terms in their original context. This has led to legal misinterpretations or misapplications, especially within sensitive areas such as family law, religious obligations, and finance. Overall, cultural adaptation will make the translated legal terms resonate with the target audience and keep the legal integrity as intended by the original text.

Question Four: *Have you faced challenges in translating terms related to international accords and agreements?*

These responses indicate that the most crucial issue in translating the terms of international accords is the inexistence of an exact word equivalent of some legal terminologies from English into Arabic. These terminologies of "equity," "good faith," and "arbitration" are so deeply ingrained in common law that their translation into Arabic, especially in countries whose legal systems are based upon Islamic or civil law, poses a problem. These terms often carry different legal meanings, and it is not easy to retain the original meaning and intent while still rendering the translation contextually appropriate for the target legal system. Also, ambiguity in international legal documents is hard to retain in Arabic since precision and explicitness are generally preferred.

Another common problem might be the translation of specific environmental or human rights terms in international agreement documents. Terms such as "mitigation of climate change," "sustainable development," or "universal rights" may not have a standardized or universally accepted equivalent in Arabic legal contexts, complicating the whole meaning across translations. Adding to this, there is a cultural or religious concern, especially when human rights accords are in question, where even terms such as "equity" may conflict with different understandings under Islamic law. It is across such legal, cultural, and linguistic hurdles that translators have to find their way, seeking ways of maintaining the translation correct and relevant within the target system.

Question Five: *What strategies address the challenges encountered when translating legal accords?*

The translators employ certain strategies to obtain a culturally sensitive translation of the legal accords into Arabic from English and vice versa. One of the most successful approaches is equivalence in function, where the attention is directed toward translating the aimed legal effect and not just adhering to the literal translation, especially for terms that lack direct equivalents in the target language, such as "equity" or "good faith." Besides, consultation with legal experts is called, especially for those who deal with the hard or culturally sensitive legal concepts presented under Islamic law. This will ensure that the translation is accurate and within the scope of the legal system for which it is targeted. Other strategies that can be employed include using explanatory footnotes, that is, placing culturally or legally specific terms in context, relying on legal corpora to maintain consistency, and referring to legal texts already translated. Translators also carry out comparative legal analysis to comprehend how diverse legal systems differ, which, in turn, helps them put appropriate terms in translation, matching both source and target legal contexts. If there is no equivalent, transliteration should provide the required phonetic representation to retain the original meaning. In conjunction with other strategies, this helps translators navigate cultural and legal complexities in translating international legal accords.

Question Six: how can translators ensure the accuracy and legal integrity of international agreements when translating them between English and Arabic?

Translators adopt several key strategies that help them ensure the accuracy and legal integrity of the language used in international agreements while translating from English to Arabic and vice versa. First, they often revert to functional equivalence, which concerns legal intent and effect rather than word-to-word translation. This is extremely important when terms are not equivalent in the target language. Translators then return to consultations with experts in the legal field for verification, who understand both legal systems to ensure the accuracy and appropriateness of the translated terms. This is significant when working on complicated or culturally specific legal terminology. Translators also use explanatory footnotes that elaborate on the legal set of terms that are not easily translated, placing them within their context to avoid misinterpretation. Reference to legal corpora provides consistency, as previous translations of similar agreements might guide current work. Another strategy is to conduct a comparative legal analysis, which helps translators recognize differences in the legal and cultural contexts of English common law and either Arabic civil or Islamic law. This will help the translator produce translations that are not only legally sound but also culturally appropriate. The combined approach ensures that the translation remains faithful to the original agreement while respecting the peculiarities of both legal systems.

5. Discussion

Qualitative analysis of the English-Arabic legal translations reveals several significant challenges and strategies that are in harmony with the literature on legal translation. One frequently occurring problem is where several legal terms lack direct equivalents between the two languages, especially when common law-based terminology is translated into Arabic civil or Islamic law-based systems. An example is when translating terminologies such as "equity" and "precedent"; translators were confronted by the fact that such sets of terms fall within the core of the English legal systems, with no direct equivalent in Arabic legal traditions. According to Abiad[3], functional equivalence is one of the major strategies to surmount this challenge. Translators often work more with the legal intent than literal translation to keep the original meaning intact, even when legal frameworks differ.Another challenge usually faced in such examples is the translation

of culturally embedded expressions, as legally entrenched concepts, such as those related to religious laws. The words "riba" and "talaq" are culturally bound terms in Islamic law, referring respectively to usury and Islamic divorce. Translators in such difficulties have employed a range of strategies, including explanatory footnotes and consultations with leading legal experts to ensure that the legal meaning of these culturally specific terms is conveyed. However, this is in total agreement with the literature; for example, [6, 26] comments that contextual understanding is imperative in legal translation. Further, bilingual legal dictionaries and legal corpora were mostly consulted to achieve cohesion among texts in the domain of law, which corroborates [7, 27], who stated that legal corpora play a major role in the integrity of the law.

Open-ended responses from the translators emphasize the problem of cultural adjustment even more in legal translation. Most participants outlined that translating international legal terms from English into Arabic and vice versa is a linguistic and cultural challenge. They further identified the problems created when certain terms are deeply rooted in one legal culture but are missing or differently conceptualized in another. For instance, several respondents pointed out that Islamic legal terminology, when referring to family law or inheritance for example, needs to be adapted cautiously so that the translation is legally apt and, at the same time, sensitive culturally. Such challenges go in tandem with statements by Abiad and Halimi [3, 28], who argue that the translations must be culturally adapted to legal translation, especially when translating across languages belonging to different legal families. The respondents have also pointed out the problems that pertain to the translation of international accords, especially where ambiguity and vagueness in the source text cause additional problems in translation. Arabic tends towards explicitness-clearer cut expressions, wherein translators often struggle to preserve the deliberate ambiguities found in legal agreements. To address this problem, many translators consult with legal experts or explanatory notes to explain ambiguous terms in the source text. This reflects the literature, particularly Al-Saleemi and Weld-Ali [6, 24] emphasis on balancing precision and flexibility in legal translation. Overall, open-ended responses confirm the key role of cultural and legal understanding in preserving accuracy and integrity during Arabic-English legal translations.

6. Conclusions

Legal documents, especially international agreements between English and Arabic, pose serious challenges in translation because each culture has two differing legal systems, cultural nuances, and language structures. This study has shown that in many cases and most legal terms deriving from common or Islamic law, one finds no direct equivalents, so the Strategy of functional equivalence, footnotes explaining it all, and consultation with lawyers become necessary. These are the differences that a translator must consider with care, without losing the legal intent and meaning of the source text, while transmitting them accurately, yet with cultural sensitivity to the audience to which it is targeted. Indeed, the examples analyzed in this study confirm that translation is not merely a linguistic exercise but involves an in-depth understanding of the respective legal systems and their cultural contexts.

The findings from the open-ended questions highlight the need for cultural adjustment in legal translation. Translators must balance precision and appropriateness for culture, especially when legal concepts are steeped in religious and societal sensitivity, as in the Arabic-speaking world. Further support for the call for a strategy to maintain flexibility in the source text and clarity in the target language is provided by the challenge posed by translating ambiguous terms in international accords. Further consultation with legal experts and the employment of legal corpora assist translators in observing legal integrity and avoiding misinterpretation. This further agrees with the literature, highlighting the need to be aware of the cultural and legal frameworks of both the source and target languages for accurate translation. The study concludes that legal translation from English into Arabic is not a straightforward process and requires linguistic competence. Legal knowledge, cultural understanding, and translation strategies are employed to overcome the problems of diversified legal systems. Translators can use translation methods such as functional equivalence, comparative legal analysis, and consulting experts to check the translated documents' legal accuracy and integrity. The present study has significant implications for legal translators and underlines the best practices that can be applied to maintain legal and cultural fidelity in translations between these two languages.

Author Contributions

Conceptualization, Z.A. and Y.A. methodology, A.A.-H.; software, M.A.-N.; validation, Z.A., Y.A., and S.M.; formal analysis, A.A.-H.; investigation, M.A.-N.; resources, S.M.; data curation, M.A.-N.; writing—original draft preparation, A.A.-H.; writing—review and editing, Z.A.; visualization, Y.A.; supervision, Z.A.; project administration, S.M.; funding acquisition, Y.A. All authors have read and agreed to the published version of the manuscript.

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