

ISSN: 2708-3659



جامعة الريان
AL-RAYAN UNIVERSITY

مجلة الريان

للعلوم الإنسانية والتطبيقية

علمية محكمة - نصف سنوية

المجلد الرابع
العدد الأول
الرقم التسلسلي 6

يونيو 2021

Annotating Legal English Renderings of the Yemeni Law of the Diplomatic and Consular Corps and Its Executive Regulations

Prof. Hussein Ali Habtoor
Professor of Applied Linguistics
Dept. of English Language
College of Education, Ataq
University of Shabwah

Mohammed Ali Nasser Bahaj
M.A. Researcher
Abdullah Fadhel Centre for English
and Translation Studies
Aden University

Abstract

The aim of this paper is mainly to report a study of a translation annotation on the English version of "The law of the diplomatic and consular corps and its executive regulations", of the Republic of Yemen, that has been translated from Arabic into English by the researchers. Its main concern is to produce an intelligible annotation on translation to the target language (TL) reader and to examine the strategies that have been adopted to deal with the problems of translating this legal document from Arabic into English. In this work, theoretical orientations and a review of the concept of general translation and legal translation, translation methods and strategies of legal translation have been deliberated. As a theoretical framework of this study, Vinay and Darbelnet's model (1995) has been implemented and twenty English translated texts have been randomly selected and annotated and some suggested solutions have been proposed. Among the recommendations of this study, is how to theoretically and practically pay more attention to legal translation as a subject of study in specialized institutions, at both undergraduate and postgraduate programmes that offer translation courses.

Keywords: Annotation, Legal texts, Law of the diplomatic corps and its regulations.

1. Introduction

This study focuses on legal translation and it aims to provide the readers and researchers with a theoretical and practical legal translation of the book "The law of the diplomatic and consular corps and its executive regulations". In this perspective, it is intended to produce an acceptable material by the translation of the book mentioned above and to annotate this translation by explaining the choices of strategies and procedures opted for to solve the problems faced in the process of translation. More precisely, translation is simply the transfer of the text from one language into another. It is also considered a bridge that connects the nations and their cultures with each other. In other words, it is a tool of communication.

As this study is concerned with legal translation, it can be defined as the transfer of legal documents from one language into another; taking into consideration the differences between law systems and the culture. This kind of translation has got its own features that distinguish it from other kinds of translation, and they further give it its style and domain. Fidelity, as one of these features, is very important in legal translation, in which the translator should be bound to the source text, and tethers himself to ensure producing a perfect translation that does not violate the sense of the source text.

1.1 The translated book

The main objective of this study is to focus on the book under translation, viz. "The law of the diplomatic and consular corps and its executive regulation", which is related to law translation. The book was published in August 2004 by the Ministry of the Legal Affairs. This book contains two main parts, the first part is "the law of the diplomatic and consular corps" which contains five sections about the Foreign Ministry and representative missions, the special affairs of the members of the corps, allowances and privileges, the end of service and disciplinary, and general provisions. The second part is about "the executive regulation for the diplomatic and consular corps", which is divided into ten chapters; allowances and privileges, tasks and functions of the diplomatic missions and the technical attachés, the committee of the corps affairs, rules of the transferring and recalling, the assignment, dispatching and seconded, measuring adequacy of performance, vacations, the staff of the representation missions of administrators, technicians, professionals and service assistants and the general and final provisions.

1.2 Significance of the work

To the best of our knowledge, since this book has been published, it has not been yet translated into any language. Hence, translating that book will be useful in practising translation and enrich the library with a new study in the field of legal translation. Additionally, translating that book might help other scholars interested in translation studies, in general, or interested in legal translation, in particular.

1.3 Research Questions

In addition to the translation of the above mentioned-book, "The law of the diplomatic and consular corps and its executive regulations", this work is based on the following questions:

1. What are the problems of translating this work from Arabic into English at both lexical and syntactic levels?
2. What are the strategies and procedures used in rendering this work from Arabic into English?

2. Theoretical Assumptions

The modal proposed by Vinay and Darbelnet (1995) has been adopted as a theoretical framework for this study. This model comprised two methods of translation, (i) direct translation, (ii) oblique translation. Those two methods (strategies) consist of seven procedures. First: direct translation, which consists of three procedures as follows:

1. Borrowing: This is the simplest of all translation methods. It can be used to introduce the flavour of the SL culture into a translation (1995, pp. 31-32). In other words, is transferring the SL word into TL, such as, [mall (مول)].

2. Calque: It is a special kind of borrowing whereby a language borrows an expression form of another (1995, pp. 32-33), e.g.:

E / compliments of the season!

F / compliments de la saison!

3. Literal Translation: 'Word-for-word' translation, which is the direct transfer of an SL text into a grammatically and idiomatically appropriate TL text (1995, pp. 33-35). Vinay and Darbelnet (1995, p. 34) considered literal translation is most common when translating between two languages of the same family, for example:

| English | French |
|---|---|
| I left my spectacles on the table downstairs: | J'ai laissé mes lunettes sur la table en bas. |
| Where are you? : | Où êtes-vous? |

According to Vinay and Darbelnet (1995, pp. 34-5), literal translation can be considered invalid and unacceptable if the translator finds the literal translation:

- i. gives another meaning, or
- ii. has no meaning, or
- iii. is structurally impossible, or
- iv. does not have a corresponding expression within the metalinguistic experience of the TL, or
- v. has a corresponding expression, but not within the same register.

Second strategy is oblique translation, which consists of four procedures:

4. Transposition: Is replacing a one-word class with another without violating the meaning of the message (1995, p. 36). There are two types of transposition (1995, p. 36):

i- **obligatory transposition:** For example; " Dès son lever..." can be translated into " as soon as he gets/got up", the English allows no choice between the two forms, that means, in translating this example from French into English, in English calque cannot be applied, it must be transposed, however, in French it can be.

ii- **optional transposition:** When translating the example mentioned above, back into French, it has the choice between applying a calque or transposition:

As soon as he gets up, can be:

Calque: Dès son lever...

Transposition: Dès qu'il se lève...

5. Modulation: It is the distinction between the form of the message and the point of view of the SL (1995, p. 36-7). Vinay and Darbelnet distinguish between two kinds of modulation (1995, p. 37):

i. **Obligatory:** A classical example of an obligatory modulation is the phrase " the time when...", it must be translated as " Le moment où...".

ii. **Optional:** This is closely linked with the structure of each language, this type turns a negative SL expression into a positive TL expression, such as:

E / It is not difficult to show...

F / Il est facile de démontrer...

6. Equivalence: This means the same situation can be produced with completely different stylistic and structural systems (1995, pp. 38-39). This procedure is used in idioms and proverbs translation, for instance:

E / too many cooks spoil the broth.

F / Deux patrons font chavirer la barque.

7. Adaptation: This procedure is the last procedure of Vinay and Darbelnet's model, it is used in case of the situation being referred to by the SL message is unknown in the TL culture (1995, pp. 39-40). According to Vinay and Darbelnet, this procedure is particularly frequent in the translation of books or films titles, e.g.:

F / Trois hommes et un couffin.

E / Three men and a baby. [film]

F / Le grand Meaulne.

E / The Wanderer. [book title]

2.1 Annotation

As this study is concerned with annotation translation, it is important at the beginning to have a look at the definition and the purpose of annotation as a field of study in translation.

The term annotation derives from the verb "annotate" which means the following:

i- To add short notes to a book or piece of writing to explain parts of it. (Longman Dictionary of Contemporary English, 2009, p.58).

ii- To add notes to (a book, manuscript, text, etc.) giving explanation or comment.

Annotation: 1) action or process of annotating. 2) note or comment added to a text. (Oxford Advanced Learner's Dictionary of Current English, 1989, P. 40)

iii-The Web-based dictionary of Merriam-Webster gives two definitions of annotation as follows:

- A note added by way of comment or explanation.
- The act of annotation of something.

The synonyms of the term 'annotation' are "comment, note, remark, ...etc.". According to the definitions, it has been noticed that all agreed about adding notes, explain the given information, and comment on the content. Those notes shall be given by the translator to explain his choices. Annotation differs from other terms, such as; revision, proofreading, editing...etc. in which annotation is conducted by the translator him/herself.

The most probable synonym which is given for the term annotation is "comment", and there is a difference between "annotation" and "comment", in which "comment" can be for the others' works and from the others on work, while "annotation" can be only on the translator's work by him/herself.

Al Manna believed that "annotation derives from the 'annotate', which means add explanatory notes, supply work with critical commentary or explanatory notes or provide interlinear explanations for word or phrases" (2016, p. 8). He also added that 'annotation' refers to the critical comments given on their translations by the translators. In fact, a translation with a lot of footnotes and/or endnotes should not be confused with an annotation. Annotation can therefore be considered as a statement. In short, a translation annotation is used to clarify and defend the translator's decisions and choices. (Al Manna, 2016).

2.2 Legal Language

Legal language is the language that has specific linguistic features making it different from other registers. It is widely practiced over a range of domains of daily activities. In this regard, Husni and Newman (2015), argue that legal language is not limited to

lawyers, practitioners, judges, academics, to name but a few, as it is also used to interact with and among laymen. In contrast, Mattila (2006), sees that legal language is a language for special aims and it is foremost used by lawyers and the special profession because legal language is considered as a "technical language". Zidan (2015) agrees with Mattila that legal language is used by a specific social group-lawyer, and it is for a professional purpose.

2.2.1 Essential Features of Legal Language

There are some features of the legal language which may make them differently handled by scholars, the purpose seems the same. Some of them distinguish the features they set according to the linguistic perspective, and some others classified the features in respect to the lawyers' language. Philips (2003), for instance, distinguished three features of legal language, the first is the "reconceptualization" of the words which are taken from the ordinary language which means reformation of the words of ordinary language to serve the purpose of legal language. This keeps the legal language close to the ordinary language. The second feature is the complex grammar, such as complex sentences, double and triple negatives, types of "if" clauses, declarations, reservations, and exceptions. The third one is, the pivotal role of reasonableness, it concerns with the significant part of sensibility and invests it with the exactness in which regularly mixed with adaptable words.

Among other features of legal language, Mattila (2006), mentioned that "synonymy" is a common feature, especially in English. It is considered a frequent phenomenon in which the same concept in legal English can be expressed by Anglo-Saxon terms, a French term, and a Latin term.

From the linguistic perspective, the features of the legal language can be set as follows:

- 1- **Technical vocabulary:** Using words and jargon is a distinctive feature in legal language, such as, "case in point", "liabilities"...etc. (Hassan, 2019).
- 2- **Archaic, formal, and unusual or difficult terminology:** Archaic such as, "herein", "hereby", "thereunder", and so on. And the formal or unusual terminology is including the lawyer's way of speaking like, "commence" and "terminate" ...etc. (Varo & Hughes, 2002; Hassan, 2019).
- 3- **Impersonal constructions:** The use of this feature is to avoid illustrating the first and second-person pronouns (I, you), and prefers to the third person (Varo & Hughes, 2002).
- 4- **Passive constructions:** This feature is widely used in legal writing, it prefers to use passive voice to avoid the attention of the agent and concentrate on the action.
- 5- **Nominalizations:** In The legal language it prefers to use the nouns derived from the verbs to reduce the special attention on the agent (Hassan, 2019).
- 6- **Negation:** Legal language consists of numerous of negations, it might be double or triple negations in one sentence, and this is a clear feature of legal language.
- 7- **Long and complex sentences:** This feature is a clear feature in legal language in which legal English tends to have a long sentence consists of many words and to the complexity of syntax. (Hassan, 2019).

8- **Wordiness and redundancy:** Verbose and redundancy are also considered of legal language, and it is obvious to observe this feature in legal documents. (Varo& Hughes 2002, Hassan 2019).

Furthermore, Cao (2007, pp. 20-2), sees the features of legal language can be classified with respect to lexicon, syntax, pragmatic, and style:

1- Lexicon: It is a distinctive and universal feature of legal language, which consists of the complex and unique legal vocabulary found in different legal languages.

2- Syntax: Formal and impersonal written style coupled with considerable complexity and length, are common features of syntax of legal language.

3- Pragmatics: The dictionary of stylistics (Wales, 2014, p. 335), defines pragmatics as a branch of macro-linguistic field which "is concerned with the meaning of utterances rather than of sentences or propositions; and meaning that comes from the contextual and interpersonal situation involving speaker and listener." This is related to the speech act, the use of 'shall', and 'may', and the performative verbs.

4- Style: Every language has its writing style, also the legal language differs from one country to another and from time to time according to the style of each language.

2.3 Legal Translation

Legal translation "refers to the rendering of legal texts from the SL into the TL" (Cao, 2007, p. 10). In addition, it can be said that legal translation is "rendering a particular legal text from one legal system into another" (Alwazna, 2014, p. 238). Legal translation can be for normative, informative, and general legal or judicial purposes (Cao, 2007). The first type is referring to the production in bilingual and multilingual jurisdictions, of equally authentic legal texts of national laws, international legal instruments, and other laws. Those Bilingual or multilingual texts are often first drawn up in one language and then translated into another language.

The second type can be for informative purposes with constative or descriptive functions. This involves the translation of statutes, court decisions, scholarly works, and other types of legal documents, provided that the purpose of the translation is to provide the target readers with information. This can be found most often in monolingual jurisdictions. Legal force applies to texts written in an official language, whereas their translations into another language are not binding, but for information purposes only. SL and TL texts can have numerous communicative functions in this category.

The third type is the legal translation for general legal or judicial purposes, such translations are primarily for information, and are mostly descriptive. The SL texts of this type may include legal documents such as statements of claims or pleadings, contracts, and agreements. It means this category may include ordinary text that is not written in legal language by legal professionals, but by the layperson.

Elewa (2016), proposes three main features of legal translation: morphology, syntax, and lexis. The suffix "-ee" was borrowed from French for morphology characteristics to denote the person who is the recipient or object of an action. Also, compounds that consist of N+Adj. as in "Plenipotentiary Minister" in an adjective, the nouns they modify are widely used in law as an intrinsic characteristic of the French language, as in Arabic.

As a technical language, the syntactic features of legal translation tend to be precise, consistent, long sentences, and impersonal. Moreover, there are two types of lexical items, common words, and technical words. Many lexical items might be totally or partially unfamiliar to the inexperienced translators because they are used in legal contexts; such terms can be easily sorted by looking for specialized dictionaries or sources. While the common terms which the translator is familiar with are used in various senses in terms of technique. The translators might neglect those terms because they might not recognize and understand them easily as technical terms.

2.4 Techniques and Strategies of Legal Translation

A simple glance at the techniques and strategies set by some scholars to overcome the problems of legal translation is going to be discussed below. Besides to the modal of Vinay and Darbelnet (1995), Varo and Hughes (2002, pp. 180-5), suggested three main techniques for legal translation:

1- Transposition: It means to substitute one grammatical category for another. This technique can be found in many types (Varo and Hughes, 2002, pp. 181-3), as follows:

- i- verb for a noun.
- ii- pronoun for a noun.
- iii- noun for an adjective.
- iv- noun for a verb.
- v- active or impersonal form for passive.
- vi- relative or noun phrase for gerund or prepositional phrase with "with".
- vii- noun phrase for adverbial phrase.

2- Expansion: " Periphrasis or expansion is one of the techniques that may be called for in translating virtually any part of speech, often in conjunction with transposition" (Varo and Hughes, 2002, p. 184).

3- Modulation: According to Varo and Hughes (2002, p. 185), modulation " involves changes to semantic categories or even alteration of the processes by which thoughts are expressed".

Moreover, Hassan (2019, pp. 9-11), sets eight strategies for legal translation, some of them are common with other strategies adopted by other scholars:

1- Modulation: Includes the change of viewpoint, (Vinay and Darbelnet's model 1995).

2- Shift: It is the change in the grammar from the ST into TT, (Catford's theory 1965).

3- Over-Translation (Addition): It is supplying the text with information that does not exist in the original text.

4- Under-Translation (Omission): The translator can use this strategy to avoid lengthy explanations because of the meaning conveyed by a particular item or expression.

5- Substitution: This strategy is used when a word or sentence appears in the ST and substituted with the TT item in order to adopt or create a similar message with the ST.

6- Expansion: Is to explain the information that is implicit in the ST, either in the main body or in footnotes or a glossary.

7- Exoticism: Is to a substitution of dialect, or nonsense words, in the original text by rough equivalents in the TL.

8- Creation: Is the replacement of the original text with a text that preserves only the essential message, ideas, and functions of the original.

3. Methodology

This study has adopted Vinay and Darbelnet (1995, p. 30) set of four initial steps the translator can take into account when translating a specific text:

1. Identify the units of translation;
2. Examine the SL text; this consists of evaluating the descriptive, affective and intellectual content of the units of translation;
3. Reconstitute the situation which gave rise to the message;
4. Weigh up and evaluate the stylistic effects, etc.

These steps mentioned above have been considered, along with the following nine steps by Nida (1964, 246-7) in rendering the document as a practical framework for the process of translation.:

- 1- Reading over the entire document.
- 2- Obtaining background information.
- 3- Comparing existing translations of the text.
- 4- Making a first draft of sufficiently comprehensive units.
- 5- Revising the first draft after a short lapse of time.
- 6- Reading aloud for style and rhythm.
- 7- Studying the reactions of receptor by the reading of the text by another person.
- 8- Submitting a translation to the scrutiny of other competent translators.
- 9- Revising the text for publication.

Following Al Manna (2016) annotation technique is also used as a method of adding explanatory notes and critical comments on some selected texts from the book under study. In a nutshell, a translation annotation is used to clarify and defend the translator's decisions and choices. Al Manna believed that " annotation derives from the 'annotate', which means add explanatory notes, supply work with critical commentary or explanatory notes or provide interlinear explanations for word or phrases" (2016, p. 8). He also added that 'annotation ' refers to the critical comments given on their translations by the translators. Needless to say, many dictionaries, both general and specialized ones, have also been consulted. Some specialized websites of legal nature have also been referred to so as to render the book and annotate some of its rendered texts effectively and competently.

4. Annotating the Translated Work

In this section, an annotation of the translation of the book "The law of the diplomatic and consular corps and its executive regulations", will be given to apply the methods and procedures of Vinay and Darbelnet's model (1995), which has been adopted as a theoretical framework for this translated document.

4.1 Some Selected Translated Texts with Annotations

For sake of annotation, twenty target texts are selected randomly. This elucidation will start with an ST text then give the TT text and comment on the translation.

ST 1

يكون للقنصل الفخري كل أو بعض اختصاصات القناصل حسبما يحدده الوزير في قرار التعيين.

TT 1

The honorary consul shall have all or some of the competencies of the consuls as determined by the Minister responsible for the appointment decree.

Annotation

Here, the translator has opted for the procedure " Calque" to translate the noun phrase "القنصل الفخري".

ST 2

لا يتقاضى القنصل الفخري مرتباً من الجمهورية ويجوز للوزير منحه مكافأة مقطوعة.

TT 2

The honorary Consul does not receive a salary from the Republic; however, the Minister may grant him a lump reward.

Annotation

In this example, the translator transferred the meaning of "مكافأة مقطوعة" into " a lump reward" in which he used the procedure " literal translation".

ST 3

تتحمل الوزارة في حالة وفاة أحد أعضاء البعثة أو أي من الموظفين الإداريين أو الفنيين العاملين في البعثات التمثيلية نفقات تحنيط وتجهيز الوفاة ونقله الى الجهة التي يُدفن فيها باليمن، إذا رغب في ذلك ارملته وأولاده. كما تتحمل نفقات سفر أفراد عائلته المقيمين معه وكذا نقل أمتعته إلى اليمن.

TT 3

In case of the death of a member of the mission or of any administrators or technicians working on representative missions, the Ministry shall bear the expenses of mummifying and preparing the dead for transfer to the place where he/she is to be buried in Yemen if his widow and children wish to do. The Ministry shall bear the travel expenses of the deceased person's family members who live with him and transfer his luggage to Yemen as well.

Annotation

Despite the TT of the aforementioned example was translated literally, the translator has opted for the procedure " modulation" to render the meaning of "الوفاة" which means "the person who died" into "the dead". The modulation used procedure is to transfer the meaning of the abstract noun into a concrete noun.

ST 4

أن يكون يمّني الجنسية بالأصالة وحاصلاً على البطاقة الشخصية أو العائلية.

TT 4

He must be born to Yemeni parents and have a personal or family card.

Annotation

As can be seen, the translator has opted for the procedure "modulation" to render the meaning of the prepositional phrase "بالأصالة" into "born to Yemeni parents" adding more explanation and to avoid the vagueness in the TT. To elaborate, this way of translation also can be called "over-translation (addition)" as Hassan (2019, p.10) mentions "this strategy is used because of the lack of functional equivalence in the target language".

ST 5

أن يكون متمتعًا بالأهلية محمود السيرة وحسن السمعة.

TT 5

He must be of full legal capacity and have a solid reputation.

Annotation

Here, the phrase "محمود السيرة وحسن السمعة" has been translated into "have a solid reputation". The "under-translation (omission)" procedure has been employed to transfer the meaning and there is no need for redundancy. To elaborate, Oxford Advanced Learner's Dictionary (1989, p.1216), gives one of the meanings of the word "solid" as: that can be depended on; reputable and reliable.

ST 6

ألا يكون متزوجًا من غير يمني الجنسية.

TT 6

He/ She must be married to a Yemeni.

Annotation

As can be observed, the procedure "modulation" has been opted for to render the meaning of the aforementioned paragraph. It required the change of the negation of the opposite.

ST 7

في حالة مرض عضو السلك أكثر من ستة أشهر تُقدَّر كفاءته بمرتبة جيد حكمًا أما إذا كانت كفاءته في العام السابق بمرتبة ممتاز فتقدَّر كفاءته بمرتبة ممتاز حكمًا.

TT 7

In case of illness of the member of corps for more than six months, his efficiency shall be estimated to a "Good rate", and if his efficiency in the previous year is excellent, his efficiency shall be estimated to an "excellent rate".

Annotation

Here, the procedure "omission" has used with the word "حكمًا", because there is no need for that word in the TT. Also the "حكما" can be considered the synonym of "تقديرًا", so the word "estimated" can do the same.

ST 8

يحدد الوزير بقرار منه بناءً على عرض لجنة السلك البعثات التمثيلية التي تتطلب طبيعة وحجم العمل بما تعيين موظفين إداريين وفنيين حاصلين على مؤهلات تخصصية أعلى من المؤهل المنصوص عليه في الفقرة (أ) من هذه المادة.

TT 8

The Minister shall, by decree of him, in accordance with the Corps committee offer, determine the representative missions, whose nature and amount of work require an appointment of administrators and technician employees with higher specialised qualifications than those provided for in paragraph (a) of this article,

Annotation

As can be observed, the " literal translation" procedure has been opted for to transfer the meaning, and it is acceptable because it does not change the sense of the message. In parallel to this, Vinay and Darbelnet (1995, pp. 34-5) set conditions for the literal translation to be considered unacceptable, they are:

- 1- give another meaning, or
- 2- has no meaning, or
- 3- is structurally impossible, or
- 4- does not have a corresponding expression within the metalinguistic
- 5- experience of the TL, or
- 6- has a corresponding expression, but not within the same register.

ST 9

تقييم كافة أداء أعضاء الكادر اعتباراً من وظيفة سكرتير أول وحتى وظيفة ملحق وكذا سائر الموظفين الإداريين
بالوزارة.

TT 9

Evaluate all the Cadre members' performance from the post of the first secretary to that of an Attaché post as well as other administrative employees of the Ministry.

Annotation

Here, the word " Cadre" has been opted for as a rendering of the word "الكادر", as a reference to the " borrowing" procedure.

ST 10

يكون النقل بين موظفي السلك فيما بين الديوان والبعثات التمثيلية وفيما بين تلك البعثات والديوان وفقاً
للقواعد الآتية.

TT 10

The transfer of the officers of the corps shall be between the Chancery and the representative consistent with following rules.

Annotation

Here, the word "الديوان" has been translated into the equivalent word " the Chancery". However, the bilingual dictionaries translate the word "الديوان" into " Divan" " council", and " bureau", they do not touch the exact meaning of that word, especially the word which belongs to the foreign and diplomatic affairs. According to Al-Hamui (1949, p.11), the translation for the " ديوان البعثة " is " the Chancery". This procedure can be called " cultural equivalent" as Ghazala stated (2008, p.196).

ST 11

يجوز لأعضاء الكادر وكذا الموظفين الإداريين والفنيين العاملين بالبعثات التمثيلية طلب صرف سلفة عند وصولهم إلى مقر أعمالهم بالبعثات تعادل ما يتقاضونه من مرتبات وبدلات لمدة ثلاثة أشهر....

TT 11

Members of the Cadre as well as administrators and technicians working on the representative missions may request an advance in salary upon arriving to their workplace, equivalent to the total salaries and allowances for three months....

Annotation

Here, the "literal translation" has been employed to render the word "سلفة", the word advance has more than one meaning but in the financial context, it comes in the meaning of "سلفة".

ST 12

في حالة غياب رئيس البعثة أو خلو منصبه أو وجود ما يمنعه من مزاولة عمله يقوم بعمله بالنيابة أقدم أعضاء البعثة من حيث الدرجة أو من يكلف من الديوان أو من البعثات الدبلوماسية الأخرى ويكون لقبه القائم بالأعمال بالنيابة.

TT 12

In the absence of the head of mission, or alternatively, if something prevents him from doing his job, the most senior member of the mission shall perform the duties of the head of mission and shall be given the title charge d'affaires ad interim.

Annotation

Here, the expression "charge d'affaires ad interim" has been selected as an equivalent to "القائم بالأعمال بالنيابة" because this term is used in diplomatic affairs. So the procedure "literal translation" has been adopted to transfer this term. To elaborate, Al-Hamui (1949), explained that this term is used as an opposite of the term "Titular charge d'affaires", "القائم بالأعمال بالأصالة". He added the term "charge d'affaires ad interim" should be translated as "الأصالة" not "النيابة" because "الوكالة" is an opposite of "الأصالة".

ST 13

العمل على تنمية وتطوير التعاون الثنائي في المجالات الشبابية والرياضية.

TT 13

Strengthen and develop bilateral cooperation in the youth and sports areas.

Annotation

As can be seen, the procedure "modulation" has been used in order to translate the collocation "تنمية وتطوير" into "strengthen and develop", which hold the meaning "تعزيز تنمية". The collocation "تنمية وتطوير" can hold one meaning "develop", in addition, "تنمية".

"وتطوير" can be considered as synonyms. Furthermore, the collocation "تعزيز وتطوير" is widely used especially in the description of the international bilateral relationships, and most likely to be.

ST 14

يصدر الوزير خطابات تعيين المندوبين الدائمين للجمهورية لدى المنظمات الدولية القائمين بالأعمال بالأصالة، ويتسلم خطابات تعيين ممثلي المنظمات الدولية والإقليمية والقائمين بالأعمال الأجانب بالأصالة.

TT 14

The Minister both issues and receives letters of the representatives appointed to international and regional organizations and Titulair charge d'affaires for foreigners.

Annotation

As has been observed, the translation employed the procedures "literal translation" to render the meaning of "القائمين بالأعمال بالأصالة" into "Titulair charge d'affaires", as it is the accurate term of the Arabic diplomatic term "القائمين بالأعمال بالأصالة". That term is a French term, as Al-Hamui (1949) stated.

ST 15

يصدر الوزير براءات رؤساء البعثات القنصلية العامة ويمنح رؤساء البعثات القنصلية الأجانب الإجازات اللازمة.

TT 15

The Minister issues the letters patent of heads of the consular missions and grants the heads of the foreign consular missions the necessary licenses for same.

Annotation

Here, the translator used the procedure "literal translation" to translate the words "براءات", and "الإجازات", into "letters patent", and "licenses".

ST 16

تتحمل ميزانيات الجهات الأصلية التي يتبعها الملحقون الفنيون جميع الاستحقاقات المقررة لهم.

TT 16

The budgets of the original holders, which the technical Attaches belong to shall be responsible for all the benefits to which they are entitled.

Annotation

The procedure "literal translation" has been used to transfer the meaning of the phrase "الجهات الأصلية" into "original holders", which is the closest translation to the Arabic phrase "الجهات الأصلية".

ST 17

يجوز بقرار من مجلس الوزراء بناءً على اقتراح الوزير أن يعهد لدولة أخرى برعاية مصالح الجمهورية ومواطنيها في بلد أو أكثر لا يكون للجمهورية فيه بعثة دبلوماسية أو قنصلية ويجوز تكليف البعثات التمثيلية التابعة للجمهورية برعاية مصالح دولة أخرى بقرار من مجلس الوزراء بناءً على اقتراح الوزير.

TT 17

A decree of the Cabinet may, upon proposal of the Minister, entrust another country with the care of the interests of the Republic and its citizens, in one country or more, where the Republic does not have a diplomatic or consular mission. Further, the representative missions of the Republic may be assigned to care the interests of another country by a decree of the Cabinet upon the proposal of the Minister.

Annotation

It is obvious in the example that the translators rendered the meaning literally, taking into account the problems of the sentence complexity and length that discussed previously in chapter three.

ST 18

يجوز لرئيس الجمهورية بعد موافقة مجلس الوزراء بناءً على اقتراح الوزير أن يعين 10% في منصب سفير من غير موظفي الكادر لرئاسة إحدى بعثات التمثيل الدبلوماسية للاعتبارات التي تدعو إليها المصلحة العامة وأن يكون المعين على قدر من الكفاءة التي تؤهله لذلك، وتسري عليهم القواعد الأخرى التي يعامل بها نظرائهم من أعضاء الكادر بموجب أحكام هذا القانون ولائحته التنفيذية.

TT 18

The president of the Republic may, after the approval of the Cabinet and on the proposal of the Minister, appoint 10% of non-Cadre members to head one of the diplomatic representation missions for considerations of public interests. The person appointed to same shall be competent to do so, and shall be subject to the other rules by which their Cadre counterparts shall adhere to under the provisions of the law and its executive regulations.

Annotation

It has been observed that the text has some of the features of legal text that are lengthy and has more than one idea. So, the procedure "literal translation" has been adopted to render the meaning of the text and used punctuation marks to separate the ideas of the text to be easy to understand and to be acceptable.

ST 19

يجوز بقرار من رئيس الجمهورية بناءً على اقتراح الوزير وموافقة مجلس الوزراء أن يعهد عند الضرورة برئاسة إحدى البعثات إلى أحد أعضاء السلك ممن يحمل درجة وزير مفوض أو مستشار ويمنح في هذه الحالة لقب سفير فوق العادة ومفوض (بدرجته)، كما يمنح الحقوق والامتيازات المقررة لرؤساء البعثات الدبلوماسية من السفراء خلال مدة توليه رئاسة البعثة وعند انتهاء مهمته وعودته إلى الديوان يعود عضو السلك إلى درجته الأصلية ولا يؤثر ذلك على حقه في الترقية المستحقة وفقاً للقواعد المبينة في هذا القانون.

TT 19

A decision by the president of the Republic may; at the proposal of the Minister and with the approval of the Cabinet, assign, if necessary, the presidency of a mission to a member of the Corps with the rank of Minister Plenipotentiary or Consultant, in which case the title of Ambassador Extraordinary and Plenipotentiary (with his rank) is granted, and shall be

accorded the rights and privileges of the heads of diplomatic missions, by Ambassadors, during his presidency. At the end of his mission he shall return to the Chancery, and thereby return to his original rank. This does not affect his right of entitlement of promotion due in accordance with the rules set forth in this law.

Annotation

Despite the length and complexity of the ST 19, the procedure "literal translation" has been used as the best choice for transferring the meaning of that long text. Furthermore, the punctuation marks have been used in order to separate the ideas to make the text intelligible to the TT reader.

ST 20

في البلدان التي تتبادل معها الجمهورية اليمنية التمثيل الدبلوماسي غير المقيم تتحمل الوزارة تذاكر سفر لرئيس بعثة التمثيل الدبلوماسي ومن يرافقه من أعضاء السلك في البعثة من مقر عمله في الدولة المقيم بها إلى أحد البلدان المعتمد لديها والعودة.

TT 20

In countries with which the Republic of Yemen exchanges the diplomatic non-resident representation, the Ministry shall bear the travel tickets for the head of the diplomatic representative mission and the accompanying members of the Corps of the mission from his work place in the country of resident to one of its accredited countries and to return.

Annotation

Here, again the procedure "literal translation" has been employed to transfer the meaning of the whole paragraph. Punctuation marks, on the other hand, have been utilized to deal with the ideas of the paragraph and the parenthetical clauses.

To sum up, these twenty texts, discussed above, have been selected randomly and have been annotated so as to clarify some problems encountered in the process of translation of this legal document. The TTs have been annotated so as to tackle the main areas of the research focus referred to earlier in the introduction. They are lexical problems, and syntactic problems and problems related to the strategies and procedures used in rendering this work from Arabic into English. As for the lexical problems, most of the examples that have been discussed above, except for five texts, are lexical ones. TTs numbered 8, 17, 18, 19 and 20 are of syntactic nature problems.

5. Conclusion and Recommendations

The main aim of this study is to produce an intelligible translation to the readers. Besides this, the second task is to recognize the difficulties and features of translation, in general, and legal translation, in particular. Annotation of twenty selected texts has been carried out to tackle these difficulties confronted while translating.

The problems encountered in the process of translation are categorised into two main types: lexical problems, and syntactic problems. The lexical problems include specialized terms, collocations, and some expressions. In addition, the syntactic problems can be divided into lengthy sentences, complex sentences, lack of using punctuation in the ST, and parenthetical clauses.

As has been seen in the discussion in the previous section, and to solve the lexical problems through answering the first research question, the procedures and strategies of Vinay and Darbelnet's model (1995) such as modulation, literal translation, calque, borrowing, equivalent, omission, and addition have been employed. Whereas in answering the second research question and proposing solutions for the syntactic problems, the strategy of "literal translation", has been used as being the appropriate strategy to deal with such problems.

Furthermore, the study recommends giving legal translation ample concern. The colleges and centres of languages and translation shall focus on legal translation as a subject of study in theoretical and practical sides. This field of translation is commonly practiced in daily life, so it should be encouraged to adopt further studies focusing on both practical and theoretical aspects at both undergraduate and postgraduate programs at Aden University and other Yemeni universities.

There are some luxuriant materials of legal nature that might be considered in these programmes such as legal studies, legal texts and genres, language of the law, comparative studies on the practical field, translating legal documents, critical studies of civil law translations, and legal translation errors.

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ترجمة إنجليزية مشروحة لنصوص مختارة من قانون السلك الدبلوماسي اليمني ولائحته التنفيذية

أ. د. حسين علي حبتور

أستاذ اللغويات التطبيقية، بقسم اللغة الإنجليزية

كلية التربية، عتق، جامعة شبوة

محمد علي ناصر باحاج

طالب ماجستير، قسم الترجمة

مركز عبد الله فاضل لدراسات الترجمة، جامعة عدن

الملخص

إنّ جوهر هذه الدراسة يتمثل في ترجمة كتاب "قانون السلك الدبلوماسي والقنصلي ولائحته التنفيذية" من العربية الى الإنجليزية؛ لإنتاج ترجمة واضحة لقارئ اللغة المستهدفة، إلى جانب تطبيق الاستراتيجيات التي اتبعت في التعامل مع مشكلات ترجمة النصوص القانونية من العربية إلى الإنجليزية من خلال شرح بعض النصوص. إضافة إلى أنه تم مناقشة بعض المقاربات النظرية، وعرض تعريفات الترجمة العامة والترجمة القانونية وطرق الترجمة، وكذا استراتيجيات الترجمة القانونية. وتم مناقشة المشكلات منهجية البحث وشرحها، وقد اعتمد نموذج فيناي ودارلنبي 1995م كإطار نظري لهذه الدراسة من أجل توضيح تلك الاستراتيجيات التي استعملت في ترجمة الكتاب المذكور أعلاه. وبعد الانتهاء من ترجمة الكتاب، تم اختيار عشرين نصًا اختياريًا عشوائيًا لدراسة تلك الاستراتيجيات، واقتراح الحلول المناسبة لها. واختتمت هذا الدراسة ببعض التوصيات المهمة، ومنها إعطاء المزيد من الاهتمام للترجمة القانونية كموضوع للدراسة في المؤسسات الأكاديمية المتخصصة على المستويين النظري والعملي في كل من برامج المرحلة الجامعية وبرامج الدراسات العليا التي تقدم الترجمة كحقل دراسي.

ISSN: 2708-3659

AL-Rayan Journal



جامعة الریان
AL-RAYAN UNIVERSITY

of Humanities & Applied Sciences

Scientific Biannual & Refereed

Volume 4
Issue 1
Serial No. 6

June 2021