

Translating Legal Terms between French and Arabic: Algerian Legal Documents as a Case Study

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Abstract

This article examines French–Arabic legal terminology in Algerian legislation and administrative adjudication, where two legal languages operate within one jurisdiction yet do not always segment legal meaning identically. It asks how translators can preserve legal effect, institutional identity, and genre convention when lexical correspondence is incomplete or misleading. The study adopts a qualitative, corpus-assisted comparative design. The dataset comprises 32 recurrent terms and phraseological units sampled purposively from Algeria’s Code of Civil and Administrative Procedure, the General Statute of the Civil Service, and an anonymised administrative judgment template. Each unit was aligned with the official French version or translated against official French statutory usage, then coded for equivalence type, translation procedure, institutional anchoring, phraseological fit, and legal-risk level. The analysis identifies three principal patterns: stable institutional equivalents, context-dependent functional equivalents, and partially incongruent concepts requiring explication or retention. Examples such as *le commissaire d’État*, *عزل/révocation*, *الكتابات/condamnations écrites*, and *دعوى présente action* show that legal adequacy depends less on dictionary substitution than on triangulation among statutory definitions, procedural function, collocation, and document genre. The findings also reveal that formulaic judicial language often demands transposition and conventional reformulation rather than literal transfer. The article proposes a four-stage workflow—legal identification, comparative conceptual analysis, phraseological validation, and documentary quality control—and argues that official parallel texts should be treated as primary evidence, not as automatically infallible equivalents. The study contributes an Algeria-specific account of jurilinguistic equivalence and offers a reproducible framework for translators, revisers, and translator educators.

Keywords: administrative law; Algeria; equivalence; French–Arabic translation; functional legal terminology; jurilinguistics; legal translation.

Introduction

Legal translation transfers more than lexical content: it mediates between legal concepts, institutional arrangements, procedural acts, and conventional forms of authority. A terminologically fluent target text may therefore remain legally defective if it attributes the source concept to the wrong institution, alters the procedural force of an utterance, or replaces an Algerian category with a French category that only appears analogous. Foundational scholarship consequently treats legal translation as an interdisciplinary activity

requiring linguistic, legal, comparative, and pragmatic competence (Cao, 2007; Šarčević, 1997; Soriano-Barabino, 2016).

Algeria provides a particularly revealing case. Its legal system belongs predominantly to the civil-law tradition and retains extensive French conceptual and drafting influence, while family and personal-status law also engages Islamic legal concepts (Bessadi, 2010; Goui, 2025). Arabic is the language required for pleadings, judicial documents, hearings, and decisions under Article 8 of the Code of Civil and Administrative Procedure; documents in another language must be accompanied by an official translation (People's Democratic Republic of Algeria, 2008). At the same time, the Official Gazette publishes French translations, and French remains important in administration, legal education, scholarship, and professional practice. This configuration creates an asymmetry: French and Arabic often describe the same Algerian legal order, but their lexical inventories, phraseologies, and cultural resonances are not coextensive.

The problem is not exhausted by culture-bound Islamic terms. Administrative litigation exposes equally consequential difficulties: distinguishing *مقرر* as rapporteur rather than décideur; rendering *مقرر* as commissaire d'État without importing the contemporary French rapporteur public; differentiating *عزل* from generic dismissal; and converting Arabic judicial connectors headed by *حيث* into idiomatic French motifs beginning with *Attendu que*. These are questions of system-bound designation, legal effect, and textual fit.

This article addresses three questions: (1) Which equivalence problems recur in French–Arabic translation of Algerian legal documents? (2) Which procedures best preserve the legal function and genre conventions of the source? (3) How can translators validate solutions systematically? It argues that reliable solutions emerge from institutionally anchored functional equivalence, constrained by official terminology and validated against phraseological and procedural context. The resulting framework avoids both uncritical literalism and excessive domestication.

Literature review

1.1. Legal equivalence

The classic shift in legal translation theory moved attention from lexical sameness to legal effect and communicative function. Šarčević (1997) argues that legal translators must produce texts capable of preserving legal effect while accounting for the target legal system. Cao (2007) similarly conceptualises legal translation as a specialised communicative activity whose difficulty stems from the system-bound nature of legal language. Functional equivalence is not unrestricted naturalisation: the proposed target expression must perform a sufficiently comparable legal function and must not conceal relevant conceptual differences.

Comparative law supplies the method for testing that comparability. Engberg (2013) and Soriano-Barabino (2016) show that translators need to identify the concept's source-system function, compare it with candidate target-system concepts, and assess the consequences of similarity and divergence. Bestué (2019) further integrates comparative-law reasoning into translation decision-making. This approach is especially pertinent to Arabic and French, because a shared civil-law genealogy can facilitate calques while simultaneously encouraging false equivalence.

Terminology and phraseology

A term rarely functions independently of its phraseological environment. Legal genres stabilise recurring combinations such as *engager une procédure disciplinaire*, *notifier les griefs*, *siéger en conseil de discipline*, *déclarer une action recevable*, and *condamner aux dépens*. Research on textual fit demonstrates that translated legal language can be grammatically accurate yet deviate from target legal conventions at lexical, collocational, and macrostructural levels (Biel, 2014). The translator must therefore verify not only a noun-level equivalent but also its preferred verbs, prepositions, modifiers, and position in the document.

French–Arabic research confirms this concern. Bencherif (2016) argues that legal translation cannot be reduced to terminology alone. Mabrak (2022) demonstrates, through marriage- and divorce-related terminology, that apparent French–Arabic equivalents may invoke different concepts and usages; historical and monolingual dictionaries can reveal these divergences. Lemmouchi and Benslim (2025) likewise find that legal collocations in Algerian labour law require contextual and functional analysis rather than rigid word-for-word transfer.

Algerian research gap

Studies of Algerian legal translation have concentrated substantially on family law, Islamic-law terminology, dictionary resources, learner performance, and, more recently, technology. Bessadi (2010) foregrounds the translator's tension between linguistic equivalence and fidelity to culturally marked Islamic legal meaning. Abidat and Benaouda (2023) examine polysemy in the Algerian Family Code, while Goui (2025) documents accuracy gaps and translator choices in its French rendering. Alwazna, Hurley, and Elyas (2025) stress that CAT, machine-translation, and AI systems can support consistency but cannot replace human legal and cultural judgement.

Less attention has been paid to the combined micro-analysis of terminology, judicial phraseology, and institutional titles in Algerian administrative documents. The present study addresses that gap by examining statutory terms alongside judgment formulas. It also distinguishes official equivalence from functional adequacy: publication in a parallel text is strong evidence of institutional usage, but the translation still requires conceptual and phraseological scrutiny.

Methodology

2.1. Design and corpus

The study uses a qualitative, corpus-assisted comparative method situated at the intersection of Translation Studies, jurilinguistics, and comparative law. The corpus is a purpose-built set of 32 recurrent terms and phraseological units drawn from three document groups: (a) the Arabic and French versions of Law No. 08-09 of 25 February 2008 containing the Code of Civil and Administrative Procedure; (b) the French official version of Ordinance No. 06-03 of 15 July 2006 containing the General Statute of the Civil Service, checked against Arabic disciplinary terminology used in Algerian proceedings; and (c) an anonymised administrative-judgment template from Ouargla, represented by the extracts analysed in the case study. The unit of analysis was the term-in-context or formulaic segment, not the isolated word.

Purposive sampling targeted items that met at least one criterion: recurrent procedural use; institutional specificity; lexical polysemy; asymmetric cultural loading; or potential consequences for rights and remedies. Personal names and case-identifying data were excluded from the analytical dataset. The judgment material was used as a bounded case study rather than as a statistically representative sample of all Algerian courts.

Analytical procedure

Analysis proceeded in five stages. First, each source unit was classified by branch of law, document genre, legal actor, and procedural function. Second, candidate equivalents were retrieved from official Algerian parallel legislation and checked in monolingual legal sources. Third, the underlying concepts were compared through constitutive features: competent authority, legal conditions, addressee, procedure, temporal effect, and legal consequence. Fourth, source and target phraseology were compared for collocational and genre fit. Fifth, a risk-oriented decision was recorded: stable equivalent, context-dependent equivalent, or partial/no equivalent requiring explication, borrowing, or a translator's note.

The coding scheme combined equivalence type (formal, functional, descriptive, or zero/partial equivalence), translation procedure (official equivalent, literal transfer, modulation, transposition, explication, or conventional reformulation), and legal-risk level (low, medium, or high). High-risk items

were those whose mistranslation could misidentify an institution, alter a remedy or sanction, or obscure a procedural guarantee. Decisions were checked twice after a two-week interval and against the relevant statutory article. This intrareviewer audit and source triangulation improve consistency, although they do not substitute for independent inter-rater validation.

Ethics and limitations

The study analyses public legislation and anonymised judicial language; it contains no interviews, personal data, or intervention with human participants. Its claims are analytical rather than statistical. The corpus is small, administrative-law-oriented, and weighted toward Arabic-to-French translation, so the findings should not be generalised automatically to criminal, commercial, or notarial genres. A further limitation is that official French Gazette texts are labelled translations; they are authoritative terminological evidence but should not be presumed conceptually flawless solely because of institutional provenance.

Discussion

The findings support a constrained functionalist position. Literal translation remains useful when an official pair is terminologically stable and conceptually aligned, but literalness is not a default virtue. Functional equivalence is preferable where it preserves the legal role, consequence, and textual convention of the source; nevertheless, it must be constrained by jurisdiction. The relevant target system is Algerian law expressed in French, not French law transplanted into Algeria. This distinction explains why commissaire d'État is preferable to rapporteur public even if a French reader associates the latter with an advisory participant in administrative adjudication.

The results refine claims that Arabic–French translation in Algeria is comparatively straightforward because both languages often encode the same civil-law framework. Shared legal history indeed supplies numerous established correspondences, but it also creates deceptive familiarity. A calque may appear natural while changing classification, procedural actor, or remedy. The safest unit of equivalence is therefore not the isolated term but the concept-plus-function-plus-collocation embedded in a document genre.

The analysis also aligns with Mabrak's (2022) conclusion that monolingual and historical resources reveal semantic divergences hidden by bilingual dictionaries, and with Lemmouchi and Benslim's (2025) emphasis on contextual functional equivalence. It extends these insights from family and labour terminology to administrative adjudication and statutory discipline. In addition, it qualifies an exclusively terminological account: several serious errors arise from phraseology and document architecture rather than from nouns themselves.

A validation workflow

Stage	Operational test
1. Legal identification	Determine jurisdiction, branch of law, document type, issuing authority, addressee, and intended legal effect.
2. Conceptual comparison	Decompose the source concept into authority, conditions, procedure, tempc scope, remedy/sanction, and consequence; compare candidate French/Arak concepts feature by feature.
3. Phraseological validation	Search official Algerian legislation and judgments for the candidate term's ve modifiers, prepositions, and formulaic environment; reject linguistically plau but unattested combinations.
4. Documentary control	Verify names, dates, numbering, citations, gendered titles, cross-references, layout, and consistency; record unresolved asymmetry in a note or terminolo log.

This workflow treats official parallel legislation as a primary translation memory, while preserving critical distance. For institutional production, bilingual termbases should store definitions, legal sources, field labels, phraseological examples, prohibited alternatives, and revision dates—not only source/target pairs. CAT and AI systems can then retrieve validated material, but human revision remains indispensable because Arabic morphology, contextual polysemy, and legal-system asymmetry can defeat surface matching (Alwazna et al., 2025).

Implications

Translator education should combine comparative public law, genre analysis, corpus consultation, and bilingual drafting. Exercises should require students to justify an equivalent through the applicable Algerian provision and target-language collocation, rather than through a bilingual dictionary alone. Professional quality assurance should add a legal-effect check to ordinary accuracy and fluency review: Who acts? Against whom? By what procedure? Within what time limit? With what consequence?

For institutions, the priority is a versioned Algerian French–Arabic legal terminology bank linked to the Official Gazette and anonymised judgments. Such a resource would reduce random variation—for example among notification, communication, and signification—and would make terminological decisions auditable. It should also flag jurisdiction-sensitive titles such as commissaire d’État and concepts whose family-law or Islamic-law content cannot be domesticated without loss.

4. Results

4.1. Equivalence patterns

Three patterns emerged. Stable equivalents occurred where Algerian institutions or procedures had conventional bilingual designations, for example **المجلس الإداري** administratif and مجلس التأديب/conseil de discipline. Context-dependent functional equivalents arose when a broad Arabic term required selection according to procedural function, as with طلبات, which may become demandes, prétentions, réquisitions, or conclusions. Partial equivalence occurred where literal correspondence concealed institutional or cultural divergence, notably **القرار** and some family-law terms. Phraseological units also showed systematic shifts: Arabic nominal or paratactic sequences frequently required French verbalisation, subordination, and conventional judicial framing.

The disciplinary examples show why the statutory referent governs term choice. Articles 167–172 of Ordinance No. 06-03 use the French formulations procédure disciplinaire, notification des griefs, dossier disciplinaire, commission administrative paritaire siégeant en conseil de discipline, lettre recommandée avec accusé de réception, and décision portant sanction disciplinaire (People’s Democratic Republic of Algeria, 2006). Thus, translating **القرار** as sanction disciplinaire is not merely a lexical preference; it preserves the classification and procedure of the Algerian civil-service regime.

Polysemy and legal effect

Polysemy was the most recurrent source of risk. The root بلغ can produce notification when the administration communicates an act, but signification when a judicial officer formally serves it. طلبات changes with speaker and procedural posture: a claimant submits demandes or prétentions; counsel files conclusions; and a public legal officer may present conclusions or réquisitions depending on the institution. Similarly, قرار can denote a decision generically, but the document type may require décision, arrêté, ordonnance, jugement, or arrêt. Context therefore precedes dictionary equivalence.

The corpus also confirmed asymmetric legal intensity. عزل in ordinary language may evoke removal or dismissal, yet in the civil-service statute it corresponds to révocation, a specific fourth-degree disciplinary sanction. Translating it as licenciement would relocate a public-law measure into an employment-law frame. Conversely, **المعزل** is appropriately rendered suspension conservatoire because the adjective marks a

Arabic unit	Recommended French	Procedure	Legal/translation rationale
المحكمة الإدارية	tribunal administratif	Official/institutional	Legal/translation rationale Stable designation in Algerian administrative justice; do not replace with juridiction administrative unless the reference Algerian institutional title. Avoid pro avoid assimilating it silently to the F rapporteur public.
محافظ الدولة	commissaire d'État	Official + functional	Gender and office control the form: rapporteur where applicable; "déc friend.
المستشار المقرر / المقرر	conseiller rapporteur / rapporteure	Official + grammatical	Names the registry officer in the jud secrétaire de séance is under-speci
أمين الضبط	greffier la présente action / la présente	Functional/institutional	French legal genre normally deictic; de l'espèce is possible but less idio contexts.
دعوى الحال	instance la déclarer recevable en la	Conventional reformulation	
قبولها شكلا	forme	Functional + transposition	Converts the Arabic nominal constr conventional French judicial predic. In a contentious file, "conclusions" precise than demandes écrites; veri procedural code.
الطلبات الكتابية	conclusions écrites	Contextual functional	Use dépens when recoverable proc are meant; frais de justice is broad
المصاريف القضائية	dépens / frais de justice	Context-dependent	For a civil servant's fourth-degree di sanction; licenciement may misclas regime.
عزل	révocation	Statutory functional	Preserves the provisional, non-final suspension disciplinaire may wrong sanction.
توقيف تحفظي	suspension conservatoire	Functional	The official French statute uses the administrative paritaire "siégeant en discipline".
مجلس التأديب	conseil de discipline	Official/stable	A restoration to administrative statu réembauche incorrectly suggests a employment relationship.
إعادة الإدماج	réintégration	Statutory functional	Notification is generic; signification formal service by a bailiff/huissier v applicable.
تبليغ رسالة موصى عليها مع وصل الاستلام بعد المداولة القانونية	notification / signification lettre recommandée avec accusé de réception après en avoir délibéré	Context-dependent Official/formulaic Genre reformulation	Use the statutory collocation; reçu non-idiomatic. A natural French enacting formula; legal deliberation" is unacceptable.

protective and provisional measure, not the final disciplinary sanction.

Formulaic judicial discourse

Arabic judgments commonly organise reasons through successive حيث clauses, nominalisations, and coordinated propositions. A literal sequence of où/considérant que clauses can produce syntactic instability in French. The target genre favours a controlled set of formulas: Vu for cited texts and procedural documents; Après avoir entendu for oral interventions; Attendu que for reasons in traditional style; and Par ces motifs for the operative transition. Functional fidelity therefore requires macrostructural as well as lexical translation.

For example,

rendered **حيث** Attendu que la présente action a été introduite conformément aux formes et procédures prévues par

la loi; qu'il y a lieu, par conséquent, de la déclarer recevable en la forme. The solution involves transposition, verbalisation, segmentation, and insertion of conventional French judicial phraseology, while preserving the same procedural conclusion.

Conclusion

French–Arabic legal translation in Algeria is neither simple bilingual substitution nor a transfer between wholly separate legal universes. It is a form of intra-jurisdictional mediation shaped by official Arabic procedure, French-derived legal structures, Algerian institutional specificity, and, in some domains, Islamic legal concepts. The case study demonstrates that accuracy depends on recognising stable official equivalents, resolving context-sensitive polysemy, preserving legal classification, and reconstructing target-genre phraseology.

The central practical conclusion is that the translator should work from legal effect outward: identify the institution and procedural function, compare concepts, validate collocations in authoritative Algerian sources, and only then select the target expression. This method explains why *révocation* outranks generic *licenciement*, why *conclusions écrites* may outrank *demandes écrites*, and why *après en avoir délibéré conformément à la loi* is more faithful than a lexical rendering of each Arabic word. Future research should test the framework on a larger bidirectional corpus across appellate judgments, contracts, notarial instruments, and family-law decisions, with independent legal and translation experts measuring inter-rater agreement and user comprehension.

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