

THE USE OF BORROWING AS A TECHNIQUE IN THE TRANSLATION OF ARABIC LEGAL LABOUR TERMS EMPLOYED IN THE HEADLINES OF SAUDI ENGLISH NEWSPAPERS

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Abstract: *Legal translation is deemed an arduous exercise, which draws on different lexical and structural choices (Chroma, 2004b, p. 2). Generally, the issue of legal terminology has long been an important area of interest among both legal translation scholars as well as legal translators. However, the use of legal labour terms, which points to the existence of legal terms in the Saudi Labour Law, in news articles has not received much attention, particularly the use of borrowing as a translation approach in introducing Saudi legal labour terms to particular English readership. The present paper addresses the translation of certain legal labour terms found in Saudi news headlines into Saudi English newspapers and how the use of the borrowing technique proves fruitful in rendering such legal labour terms into English. the present paper argues that although the use of the borrowing technique in rendering certain legal labour Arabic terms in news headlines into English has proved useful as such terms target special readership and therefore, create the intended effect, inserting certain explanation of such terms may well widen the readership of such newspapers and make them universal. It also helps those who are interested in further understanding the Saudi Labour Law to obtain relevant detail about it. Such lexical expansion may be placed in the stories following the news headlines. Alternatively, a glossary of all the terms employed in the news headlines of Arab News and Saudi Gazette may be uploaded in their websites. This is to familiarise the reader with the intended meaning of any legal labour term that has been used in the headlines of such newspapers.*

Keywords: *Legal Labour Terms, News Headlines, Newspapers, Saudi Labour Law, Borrowing Technique*

Introduction

Legal translation is deemed an arduous exercise, which draws on different lexical and structural choices (Chroma, 2004b, p. 2). Generally, the issue of legal terminology has long been an important area of interest among both legal translation scholars as well as legal translators. However, the use of legal labour terms, which points to the existence of legal terms in the Saudi Labour Law, in news articles has not received much attention, particularly the use of borrowing as a translation approach in introducing Saudi legal labour terms to particular English readership. This lack of attention to such legal labour terms by legal translation scholars and the scarcity of proper discussion of such terms in the literature may be owing to the fact that such terms are system-bound terms as they are peculiar to the Saudi Labour Law. Moreover, although the newspapers in which these terms are stated are translated into English, the readership targeted by such newspapers is relatively limited. Consequently, the current research addresses the aforementioned dilemma, identifying the legal labour terms and presenting the technique(s) that should be adopted in rendering them into English. In general, the translation between Arabic and English and vice versa is considered a formidable task as the two languages are originally unrelated and their legal cultures are unequivocally different (El-Farahaty, 2016).

Chroma (2004a) classifies law under three categories: national law, European law and finally international law (p. 197). The present paper will address the first category, which represents national laws that may at times raise translation challenges. The terms specific to national laws, as any other legal terms, designate particular concepts. Consequently, the translation of such legal terms into a different legal language that is associated with a divergent legal culture and legal system is a daunting task that has to be properly performed by legal translators. This is due to the fact that legal terms comprise different concepts that cannot wholly be conveyed to the target audience (Sarcevic, 1997, p. 232; Alwazna, 2016).

The present paper addresses the translation of certain legal labour terms found in Saudi news headlines into Saudi English newspapers and how the use of the borrowing technique proves fruitful in rendering such legal labour terms into English. It offers at the outset a brief account of legal terminology, clarifying what the term ‘terminology’ may point to, alongside different classifications of legal terms. In this section, the paper has not only confirmed the impossibility of the presence of one-to-one correspondence in the domain of legal terms, but it has also presented the reason behind this fact, which rests upon the lack of completely equivalent conceptual contents of legal terms, and therefore the lack of the standardisation of legal terms. This is an inevitable result of the difference in legal systems and legal cultures that comprise legal languages from which legal terms are primarily originated. The paper then casts some light on the different approaches followed by different translators in translating legal texts. A number of approaches to legal translation have succinctly been presented, starting from pure literalism and ending with functional approaches to translation. Borrowing and lexical expansion are then addressed as prominent approaches to the translation of legal terms, with sufficient clarification of how and when they are particularly employed.

A complete section is next devoted to address legal labour terms used in news headlines of Saudi newspapers and how they are best rendered into Saudi English newspapers, such as Arab News and Saudi Gazette. In this part, the paper discusses the important features of news

headlines and how they are precisely formulated by expert editors to attract the attentions of readers and create the intended effect thereon. Similarly, this task should also be equally performed by news headlines translators, utilizing the most appropriate technique(s) to properly translate the legal labour terms of such headlines into English. The paper presents three legal labour terms for investigation, these are: iqāma, kafeel and huroob. Such legal labour terms have specifically been chosen for investigation as they frequently appear in Saudi English newspapers. What is more, due to the need for providing some detail to each term as they may look unknown to the reader and because of space restriction, the present paper has sufficed with the discussion of terms concerned. Different examples of such terms used in news headlines are taken from the two Saudi English newspapers: Arab News and Saudi Gazette, showing the usefulness and fruitfulness of the use of the borrowing technique in rendering such terms into English. Such positive use of borrowing in the translation of the aforementioned terms into English may be owing to the fact that such technique may well create the intended effect on the intended audience as such terms target special readership who are abreast of such terms, and due to the lack of complete correspondence of these terms in English. One crucial goal the present paper seeks to accomplish is to present how Saudi legal labour terms are translated into English in newspapers headlines and whether or not the use of borrowing as a translation technique has proved fruitful in this concern. Another aim the paper attempts to achieve is to find out if there are other techniques with or without borrowing, that would, if followed, produce a better rendering of the terms in question. Finally, the present paper argues that although the use of the borrowing technique in rendering certain legal labour Arabic terms in news headlines into English has proved useful as such terms target special readership and therefore, create the intended effect, inserting certain explanation of such terms may well widen the readership of such newspapers and make them universal. It also helps those who are interested in further understanding the Saudi Labour Law to obtain relevant detail about it. Such lexical expansion may be placed in the stories following the news headlines. Alternatively, a glossary of all the terms employed in the news headlines of Arab News and Saudi Gazette may be uploaded in their websites. This is to familiarise the reader with the intended meaning of any legal labour term that has been used in the headlines of such newspapers.

Legal Terminology

‘Terminology’ is a word that can refer to the methods through which terms are given, it can also point to particular theories that link terms to their own concepts and finally, it can mean the specialised lexical items that are used in one specific domain (Alwazna, 2016; Sager, 1990, p. 3). Terminologies are either theory-oriented or translation-oriented. The former is what terminologists produce based on certain methods and practices, whilst the latter is utilised by translators to provide equivalents in the receptor language, and therefore overcome translation issues (Chroma, 2004b, p. 14; Thelen, 2015, p. 348).

Legal terms can be divided into monospermous, which refer to the terms used only in legal context, as opposed to polysemous, which point to the terms employed in both the legal and non-legal contexts (Alwazna, 2016, p. 214; Sarcevic, 1997, p. 231; Cornu, 1990, p. 89). Chroma (2004b), however, classifies legal terms into purely legal terms, which are used only in law; legal terms that can be found in everyday discourse; and finally, everyday words that may also have a specific legal meaning (p. 10). Along similar lines, Alcaraz & Hughes (2002) classify legal terms into symbolic or representational group and functional group. The latter contains function words and is not concerned with legal terms of conceptual content. On the other hand, the former contains legal terms and is further divided into purely technical, semi-technical and unmarked terms. The first group contains the legal terms that are only used in legal context,

while the second group comprises the terms that are used in typical context and have also possessed a special meaning to be used in legal context. The last group points to everyday words, which can be employed in both legal and non-legal texts (p. 16-18).

To achieve equivalence within the context of legal terminology at a word level, the translator can achieve near equivalence, partial equivalence – as will be shown below - or non-equivalence (Sarcevic, 2000, p.238; Chroma, 2004b, p. 10). In other words, one-to-one correspondence of legal terms which are derived from different legal languages, which are originated from different legal cultures and legal systems, is unquestionably impossible (Engberg, 2013, p. 11-12; Alwazna, 2017, p. 312). Chroma (2004b) claims that legal terms should be characterised by having uncomplicated spelling, being precise, concise and allowing derivation (p. 12). She further notes that the International Standardisation Organization (ISO) has not contributed to the standardisation of terms (2004b, p. 11). Within the same line of thought, Sarcevic (2000) and Alwazna (2016) point out that it is almost impossible to internationally unify the conceptual content of different legal terms as each legal system has its own conceptual frameworks which are specific to a single legal culture. Terms can be standardised in some domains, such as natural sciences, but this is not applicable to legal terms.

Approaches to Legal Translation

Translation scholars generally view translators as belonging to any of the two opposing camps; they are either faithful to the source text in producing the target text or produce a translation that lives up to the expectations of the target reader and becomes acceptable in the target culture, as noted by Toury (1995). Nida (1964) distinguishes between formal equivalence and dynamic equivalence. While the former deals with the transfer of the source text message in form and content into the receptor language, the latter, however, draws on achieving the principle of equivalent effect. It grants the translator some leeway to deviate from the source text. This approach, however, is not applicable to legal translation as legal translation is characterised by its sensitive nature. While Newmark (1988) places equal importance on form and content, Reiss (1971, p. 32) is one of those scholars who place special emphasis on typology and the function of the text in hand. Such theory requires certain translation approaches in dealing with each text type (Trosborg, 1997). In legal translation, translators often accord special importance to both form and content, however, there exist new trends in translation studies which present the translator as a text producer rather than a passive mediator (Sarcevic, 2000).

Along similar lines, new approaches to translation studies have indeed moved away from fidelity to the source text in favour of functional approaches to translation. Taken this on board, translators should strive to produce a target text that fits the cultural settings of the target reader (Chroma, 2004a, p. 198). To produce a translation which is functional-equivalence-based, the translation needs to serve a particular purpose, as proposed by the Skopos theory (Vermeer, 1989; Nord, 1997). Within the context of legal translation, it is the same legal effect that needs to be equally produced by both the source as well as the target text (Alwazna, 2013, p. 897; Chroma, 2004a, p. 198), if the purpose of legal translation is the application and implementation. This can be applied when the two concepts designated by the ST term and the TT term are identical and relay the same abstract notions (Alwazna, 2016, p.217; Felber, Galinski&Nedobity, 1987, p. 13). Since Skopos theory allows the translator to make changes on the form and content of the source text to produce a target text that suits the culture of the target reader, it turns out to be risky and unsuitable to legal translation. Hence, Skopos theory has been criticised by different legal translation scholars (Sarcevic, 2000; Alwazna, 2016, p. 241).

Due to the conceptual incongruency of legal terms, the translation of legal terms from one legal system into another is undoubtedly more problematic than coping with linguistic variations between the two legal languages in question (Selmi&Trouille, 2000; Alwazna, 2013). As indicated above, finding an equivalent legal term in the target legal language that can convey the intended legal meaning of the legal term used in the source legal language is deemed a real challenge and a formidable task that needs to be properly performed by legal translators. This springs from the fact that each legal term with its distinctive concept will be shifted from one legal language into another and will be introduced to a totally new legal culture that has its own set of legal terms and their associating concepts (Sarcevic, 1997, p. 232). Needless to say, the source and target legal systems are highly unlikely to possess similar legal terms that designate identical legal concepts. In addition, there is a lack of agreement among scholars on the use of certain legal terms, particularly between legal Arabic and legal English. Furthermore, there are nospecialised dictionaries that go beyond the denotative meaning of terms, and provide the reader with sufficient detail of the legal conceptual content of the term concerned (Weisflog, 1987, p. 203).

Legal terms have long been addressed by a number of translation scholars as they form a thorny issue and a problematic component of legal texts since these terms designate different legal abstract concepts peculiar to divergent legal systems. A diverse set of translation approaches have been adopted for rendering legal terms from one legal system into another. Amongst such approaches is **transliteration**, i.e. the transcription of the source language legal term using the target language alphabets. It is referred to as borrowing when the term becomes naturalised in the target language. In our current translation situation, it is recommended to call it ‘borrowing’ as the terms researched have long been transliterated in Saudi English newspapers which usually target special readership who are familiar with such terms. Such approach is often favoured by lawyers (Weston, 1991, p. 26; Sacco, 1991, p. 19; Alwazna, 2016, p. 218). It is claimed that the translator should adopt the technique of borrowing when there is no conceptual equivalence between specific legal systems (Asensio, 2003, p. 56; Alwazna, 2017, p. 316). Indeed, this technique should be used only when the target reader is familiar with the legal term concerned and should be avoided in cases where misunderstanding may occur (Sarcevic, 1985, p. 129; Alwazna, 2014, p. 242). In other words, this approach is employed if the legal term in question has already been naturalised in the receptor language and has entered the dictionary thereof. On the contrary, this approach can also be used, even if the target reader is not familiar with the legal term concerned, on condition that it is followed by sufficient explanation to familiarise the target reader with the intended meaning of the legal term in question. Lexical expansion is another approach used for the translation of legal terms. It is used alongside transliteration if the legal term, that has been transliterated, is not known to the target reader, as indicated above. On the other hand, lexical expansion can also be used on its own through explaining and elaborating upon the meaning of the source language term that has no one-to-one correspondence in the target language. It is worth noting that the translator, who uses this technique on its own, does this in an attempt at avoiding the insertion of any exotic lexical elements that may look alien to the target reader. Lexical expansion can take the form of descriptive paraphrases and definitions where the translator makes use of neutral form of lexical items to define the meaning of the legal term concerned and rephrase the legal meaning thereof (Alwazna, 2016, p.217; Sarcevic, 1997,p. 250-254). Along similar lines, Arntz (1993, p. 15-16) states that transliteration, coinage alongside paraphrase, which comprises a definition of the legal term concerned, are deemed major approaches to the translation of legal terms.

The translator, adopting any of the approaches stated earlier provided the approach(es) should

be appropriate to his/her translation situation, is required to transfer the legal sense of the ST term and convey it to the target audience so as to arrive at the exact legal result as that obtained by the ST recipients (Mikkelsen, 1995, p. 202; Sarcevic, 1997, p. 235; Alwazna, 2016, p. 216). Since terms are crucial components of legal texts, translators need to exercise precision and conciseness when rendering them into a different legal language (Alwazna, 2016, p. 216; Felber, 1984, p. 181-182; Chroma, 2004a, p. 217). Such translation approaches can help translators reproduce the same legal meaning of the ST term in the TT, but recreate the intended legal effect of the term in question if the purpose of translating the ST term is the application and implementation (Alwazna, 2016, p. 216; Sarcevic, 1997, p. 229), as is the translation situation in question.

Legal Terms: A Challenge in Translating Headlines in Saudi English Newspapers

News articles are known to have a publicist nature and therefore need to fulfil a communicative function. There are different features that need to characterise news headlines; amongst these are attractiveness, informativeness, precision, novelty and relevance (Biber & Conrad, 2009; Petroniene & Zvirblyte, 2012). News headlines undoubtedly play a major role in catching the eyes of the readers, attracting their attentions and immersing them into articles. News headlines are ipso facto deemed a significant element and a substantial component of newspapers (Petroniene & Zvirblyte, 2012). Such headlines need to provide answers to the six main questions that start with 'who, what, where, when, how and why' (Saxena, 2004; Petroniene&Zvirblyte, 2012). They usually offer succinct answers to the most important questions of those indicated above. In many instances, news headlines are written by professional editors who are experienced in designing attractive leads (Petroniene&Zvirblyte, 2012). Likewise, translators of news headlines should perform the same task; they should aim at reproducing news headlines in the receptor language that not only impart the same? detail, but also create the intended effect on the target audience.

The challenge of translating news headlines is owing chiefly to the fact that they make use of complex and diverse syntactic structures as well as culture-specific terms (Petroniene & Zvirblyte, 2012). These two aspects of news headlines; one of which is syntactic, whilst the other is lexical, would evidently complicate the task of the translator who is required to produce in the target language a syntactic construction of the same degree of complexity alongside rendering the culture-specific terms appropriately into the receptor language. Based on the foregoing, Arabic news headlines that contain Arabic terms may create a real obstacle to the translator when rendering them into English headlines. This springs from the fact that syntactic structures of Arabic and English legal and journalistic discourses are evidently dissimilar, particularly the constructions of news headlines. Moreover, legal cultures from which legal labour terms are derived are largely different where each legal culture represents the legal views of members in the legal circles in each culture. It is worth noting that the present paper will only address the lexical aspect of news headlines, which lies chiefly in the use of legal labour terms in news headlines and how they are translated into Saudi English newspapers. However, the syntactic aspect of such news headlines is beyond the scope of the present paper.

The current research makes use of open observation of the target reader of the Saudi English newspapers to arrive at the research conclusion. In that, the paper investigates the understandability and comprehensibility of these terms by the target audience while they are borrowed from Arabic. The understanding of these terms by the target receivers has not been surprising, particularly because the recipients, albeit non-Arabs, frequently use these terms and are unequivocally familiar with their legal meanings as they are related to their stay in the

Kingdom of Saudi Arabia. Along with open observation, the paper also relies on drawing inferences on the basis of predictive interpretations regarding the notion that if lexical expansion is to be used together with borrowing, what would the result be? It is noteworthy that the present paper is not an empirically-based research paper grounded on quantitative data, rather it is a theoretically-based conceptual research paper founded on qualitative data. Consequently, no responses from the target reader of the terms in question have been elicited.

Having considered the Saudi English-language dailies, such as *Arab News and Saudi Gazette*, it is evident that some legal labour terms particular to the Saudi Labour Law are repeatedly transliterated in news headlines. It is clear that such Saudi English newspapers target the non-Saudi employees who work in the Kingdom of Saudi Arabia and do not read Arabic. These non-Saudi employees are often familiar with legal labour terms specific to the Saudi Labour Law as such terms directly touch their lives during their stay in the Kingdom of Saudi Arabia. This may be viewed as the main reason behind the fact that news headlines editors and their translators tend to transliterate such terms in news headlines of Saudi English newspapers with no definition or explanation added whatsoever. In other words, Arabic news headlines editors and translators do make use of the borrowing technique when translating certain legal labour terms from Arabic into English. The present paper shall investigate three of such legal labour terms, these are: *iqāma*, *kafeel* and *huroob*.

Iqāma

ID, which is often regarded as a synonym of *iqāma*, is derived from the Latin word ‘id’ which means ‘it’. It was first introduced by Freud to refer to the first element of the human personality, which lies in the person’s id’ as opposed to ‘ego’ and ‘superego’ (Merriam-Webster.com). The term ID card is defined as “a card bearing identifying data (as age or organizational membership) about the individual whose name appears thereon — called also identification card, identity card” (Merriam-Webster’s Collegiate Dictionary, 1993, p. 573).

Having considered the aforementioned definition of ID, it seems evident that the definition can only partially fit the term *iqāma*. *This is due to the fact that the definition concerned has failed to convey crucial concepts designated by the term iqāma*. Such concepts reside chiefly in the fact that *iqāma is indeed* a type of a temporary ID that needs to be annually renewed regardless of the time period in which the holder has stayed in the Kingdom of Saudi Arabia. Furthermore, the process of either renewing or terminating the *iqāma* is only carried out by the *kafeel* (sponsor), the one who is legally responsible for the *iqāma holder during his/her stay in the Kingdom of Saudi Arabia*.

<https://mlsd.gov.sa/sites/default/files/LABOR%20LAW.pdf> *iqāma* may also be defined as ‘residence permit’ (Merriam-Webster.com). Two types of *iqāma can be recognized*; the first is the permit for living and working in the Kingdom of Saudi Arabia for those who come on work permits. The second, however, is the permit to live in the Kingdom of Saudi Arabia and not to work. Such statement is written in red on each *iqāma* the holder of which is not allowed to work in the Kingdom of Saudi Arabia.

<https://mlsd.gov.sa/sites/default/files/LABOR%20LAW.pdf> Based on the foregoing, there is a clearly noticeable difference between the typical ID and *Iqāma*; *such difference may be regarded as an inevitable result of what* Weisflog (1987) refers to as ‘system gap’ as the latter is a system-based term, whilst the former is recognized internationally.

The term *iqāma* often appears in Saudi local newspapers headlines. One example of this can be found in the following headline of *Saudi Gazette*: “Confirmed: Dependents’ fee payment linked

to *iqāma*.” The term is then defined in the body of the story as ‘residence permit’ (Alshabrawi, 2017, January, 9). Likewise, the term *iqāma* has appeared in the following headline of *Arab News*: “5-year *iqāma* plan excites expatriates.” It is also identified in the body of the story as ‘resident permit’ (Abdul Ghafour & Naffee, 2014, November, 25).

Having examined the two examples above, it is obvious that the term *iqāma* has been mentioned in the singular form in both examples. Although the term has been stated in both headlines with no definition or explanation whatsoever, it has been provided the equivalence in the body of the story following each headline as: ‘residence/resident permit’. Such equivalence is still regarded as partial equivalence like the typical ID, as it only shows that a particular person is allowed to reside in a particular place, lacking the important concepts designated by the term *iqāma*, as shown above. Consequently, it seems clear that the target reader is still in need for additional detail in order to be able to comprehend the intended meaning of the term *iqāma*. The matter becomes more complicated when the term *iqāma* is neither defined in the news headlines, nor is it provided with equivalence in the body of the story that follows it. An example of this case can be shown in the following headline of *Arab News*: “Legal workers who were never handed *iqāmas*” (Mohammed, 2013, June, 25). Evidently, the term *Iqāma* has been used in the previous headline in its plural form, though the story that follows it lacks any definition or description thereof. Such story has not informed the reader that the term *iqāma* has been made use of in its plural form, nor has it provided the reader with explanation of the intended meaning of the term in question. It seems that such headlines target special readership who are wholly familiar with such legal labour terms that touch their lives in the kingdom of Saudi Arabia, as indicated above. The term has ipso facto been used as a loan word where the translator has adopted the technique of borrowing, having considered the fact that the term concerned has been naturalised in Saudi local English newspapers. This is known as loan translation (Sarcevic, 1985, p. 129; Alwazna, 2014, p. 242). However, such legal labour terms may reach wider audience if specific explanation is inserted in the body of the stories that follow the news headlines or if a glossary of all the legal labour terms used in the news headlines is made available in the websites of the newspapers in question.

Kafeel

According to the Saudi Labour Law, each expatriate must have a *kafeel*; the sponsor who is legally responsible for issuing the working visa, the *iqāma* (work and residency permit), the health insurance card as well as paying the salary. The *kafeel* might be a company or an individual in case of domestic workers. <https://mlsd.gov.sa/sites/default/files/LABOR%20LAW.pdf>

The term *kafeel* is often rendered into English with the use of a more neutral lexical term, such as ‘sponsor’. Sponsor is defined as “one who assumes responsibility for some other person or thing” (Merriam-Webster’s Collegiate Dictionary, 1993, p. 1133). The term is originally derived from the Latin word ‘spndere’ and has entered the English language in 1651 to mean a ‘guarantor’ or ‘backer’ (Merriam-Webster.com). However, the term *kafeel*, in accordance with the Saudi Labour Law, may designate concepts that are not conveyed by the use of the term ‘sponsor’. Such concepts rest upon the fact that expatriates’ choices are always determined by their *kafeel* who takes control of the activities of his/her employees. Employees can never change their jobs or travel unless they obtain an approval from their *kafeel*. If the *kafeel* is a company, it is categorised on the basis of the percentage of its Saudi employees compared to its non-Saudi members. Based on this fact, the company can either be in a platinum zone, a green zone, a yellow zone or a red zone depending on the percentage of its Saudi employees as

opposed to its non-Saudi members; the more Saudi employees the company has, the better and stronger zone it is in. If the company is in a weak zone, due to the high percentage of non-Saudi employees compared to the Saudi members, its owner(s) may ask some of his/their non-Saudi employees to seek transfer of their *kafāla* 'sponsorship' to another *kafeel* by contacting the passport department. <https://mlsd.gov.sa/sites/default/files/LABOR%20LAW.pdf> Having considered the foregoing, evidence suggests that the responsibilities often undertaken by the *kafeel* are not all referred to by the English term 'sponsor'. Moreover, the *kafeel*, according to the Saudi Labour Law, is only responsible for human being and not responsible for things. This is unquestionably repugnant to what the term 'sponsor' denotes. Thus, these two terms can only be deemed partial equivalents and may not be used as complete correspondents for legal purposes.

The Arabic root of the term *kafeel*, which is *kafala* is the origin of both terms: *kafeel* and *kafāla* that are used in Saudi English newspapers. While the term *kafeel* refers to the employer, the term *kafāla* points to the system of sponsorship in the Kingdom of Saudi Arabia. An example of the term *kafeel* can be shown in the following headline of the opinion article of *Arab News*: "Get rid of the *kafeel*." Luckily, a definition of the term *kafeel* has been found in the first line of the story, which reads as "sponsor system to govern the relationship between Saudi employer and foreign employee" (Al-Hassani, 2002, September, 23). Similarly, an example of the term *kafāla* can also be seen in the following headline of *Saudi Gazette*: "Abolishing *kafāla* system, so it can be done." As in the previous example, the reader can find a definition of the term concerned in the body of the opinion article which reads as "sponsorship system" (Ahmad, 2016, December, 19).

As shown above, the English legal terms 'sponsor' and 'sponsorship' have been employed respectively to stand for the Arabic legal labour terms *kafeel* and *kafāla* in the two cited newspapers. This is also shown in other articles published in *Saudi Gazette* and *Arab News* (Fatani, 2016, October, 29; Al-Saleh, 2013, April, 23). Even though the term *kafeel* and the term *kafāla*, which belong to the same root, have been given definitions in the body of the stories that follow the headlines in which they have been stated, the definitions have made use of the English terms 'sponsor' and 'sponsorship' which are only considered partial equivalents of the terms *kafeel* and *kafāla*. Moreover, the definitions have failed to provide any details specific to the Saudi Labour Law, which have been stated above, and which, if given, would unequivocally have uncovered the concepts designated by the terms *kafeel* and *kafāla*. This is a clear example of what is termed as 'conceptual incongruency' (Sarcevic, 2000). This may be viewed as a real obstacle to achieving parallel legal texts (Rosenne, 1987; Alwazna, 2016, p. 216; Sarcevic, 1997, p. 229). Again, Certain explanation of the term *kafeel* needs to be placed in the story that follows the headline in which it has been mentioned or the translator may create an electronic glossary comprising all the legal labour terms used in the news headlines of the newspapers concerned.

Huroob

Huroob is amongst the most challenging legal labour terms due to the distinctive legal concepts it designates. In numerous translation situations, the term *huroob* is rendered into English as 'escape'. Indeed, the term 'Escape' is a word which is originally derived from the Latin term 'excappare'. It later entered the Middle English dictionary through the Anglo-French word 'escaper'. It means "to get free of: break away from" (Merriam-Webster.com). The term *huroob*, on the other hand, is derived from the three-letter Arabic verb *haraba*, which means 'to flee, run away, take to flight, escape, get away, get free, turn tail, break away, abscond' (Al-

Mawrid, 2003, p. 1205). According to the Saudi Labour Law, the term huroob refers to the situation in which the expatriate employee is no longer seen at work, while the kafeel, whether an individual or a company, reacts to this case by reporting the employee's absence to the labour authorities. The labour authorities will then play their role in preventing him/her from working at any other company or with any other individual unless the previous kafeel cancels the *huroob* statement. If the huroob statement has not been cancelled by the kafeel, and the time period of the expatriate employee's *iqāma* has expired, the expatriate employee will have no choice but to go back to his/her home country. In addition, the situation in question may also have negative consequences on the part of the expatriate employee; such consequences may chiefly lie in the fact that he/she may be banned from entering the Kingdom of Saudi Arabia for a specified number of years. It is noteworthy that the *huroob* condition can be canceled by the *kafeel* within the period of twenty days, starting from the day on which the huroob statement has been issued at the Ministry of Labour and Social Affairs. <https://mlsd.gov.sa/sites/default/files/LABOR%20LAW.pdf>

Having had a glance at the terms huroob and 'escape', it appears that they convey similar meanings. However, further investigation and examination on the legal level would unquestionably reveal that the term huroob, in accordance with the Saudi Labour Law, designates specific concepts that may not be relayed by the term 'escape', as shown above. Therefore, the terms huroob and 'escape' can only be considered partial equivalents and can never be deemed complete correspondents. An example of the term *huroob* can be found in the following headline of *Arab News*: "Riyadh records over 35,000 huroob cases" (N.A., 2016, March, 15). Another example of the same term can be seen twice in the following headline of the opinion article of *Saudi Gazette*: "Huroob or not Huroob" (Ahmad, 2015, March, 2). In *Arab News*, the term huroob is at times given the equivalence: 'escape' or is sometimes defined as: "absent from work" (Shalhoub, 2017, March, 29). On the other hand, in *Saudi Gazette*, the term is explained in an opinion article as: "escaped employee, is an option open for sponsors or employers at the Interior Ministry where they can report their domestic help and labour who escapes from work" (Ahmad, 2015, March, 2). However, in another opinion article published in the same newspaper, the reader cannot see any definition provided for the term huroob (Almaena, 2017, March, 26). Conversely, in news stories in *Saudi Gazette*, the term huroob is sometimes given the equivalence as: 'the escapees' or is defined in another situation as: 'expatriates who were reported to have absconded' (N.A. 2017, April, 26; Mohammed, 2017, March, 29).

Having examined the examples above, it is clear that there is inconsistency in the use of the term huroob in both the newspapers: *Arab News* and *Saudi Gazette*. In the former, for instance, the term huroob is at times given the equivalence: 'escape'. On the other hand, it is defined in another story of the same newspaper as: "absent from work." In the latter, however, the term huroob is explained in an opinion article as "escaped employee, is an option open for sponsors or employers at the Interior Ministry where they can report their domestic help and labour who escapes from work" while in another opinion article of the same newspaper it is neither given an equivalence, nor is it defined, nor is it explained. Finally, in news stories of the same newspaper, the term huroob is at times given the equivalence: 'the escapees' or is defined in another situation as: 'expatriates who were reported to have absconded'. Hence, the prevalent inconsistency associated with the use of the term huroob may indeed obscure the identity of the intended readership. This is evident in the varying methods in which the term huroob is treated in the stories that follow the news headlines in which it is mentioned. Therefore, a possible suggestion for the sake of uncovering the concepts attached to the term huroob may crucially

lie in the notion of placing certain explanation in the body of the news story to familiarise the reader with the intended meaning of the term concerned. Alternatively, the translator may compile a glossary of all the legal labour terms employed in the headlines related to the newspapers in question. Such glossary of legal labour terms may be uploaded in the websites of Arab News and Saudi Gazette, a matter which will help the newspapers reach wider audience.

Based on the examination and investigation made on the three terms above, it is obvious that all the aforementioned terms have only partial equivalents in English, but not complete correspondents. This is owing to the fact that such Arabic legal labour terms are system-based terms and they designate concepts that cannot wholly be conveyed by legal terms in English. Consequently, introducing such terms through transliteration in the news headlines of the Saudi local English newspapers is indeed an effective method as it prevents any possible vagueness that may arise (Weston, 1983 p. 209-210; Harvey, 2000). However, the extensive use of transliteration may at times lead to the lack of understandability by the target reader as the target text becomes full of source language words, a matter which affects the smoothness and readability of the text as a whole. Nonetheless, the use of transliteration in the news headlines has proved a useful translation technique. This is evident in the high number of readership of the news articles investigated in the present paper, which is approximately 2,000 viewers. This undoubtedly indicates that the target readers are generally familiar with the said terms. However, inserting certain explanation of the aforementioned terms in the body of the news articles or uploading an online glossary of terms in the websites of the newspapers concerned would help the newspapers reach wider audience and would also solve any inconsistencies that may emerge due to the different treatment of these terms by different writers in a single newspaper. Such online glossary of terms may greatly contribute to the solution of the absence of reliable specialised dictionaries that offer a detailed account of Arabic legal labour terms (Weisflog, 1987, p. 203).

On the contrary, others may argue over the merit of eliminating such transliterated terms from the news headlines as they may cause ambiguity to the readers who are not well-versed in them. These scholars see the possibility of transliterating such terms in the stories, amongst them are Sacco (1991) and Weston (1991), followed by certain explanation, as recommended by both Arntz (1993) and Sarcevic (1997). However, evidence suggests that the use of transliteration for legal labour terms in the news headlines has proved useful and effective due to the high number of readerships of the articles in which the transliterated terms have been employed. Moreover, certain explanation of such terms needs to be included in the body of the article in which such terms have been used.

Concluding Remarks

Legal translation is a formidable task that involves special lexicon and specific structure. Translation of legal labour terms employed in news headlines is considered a subarea of legal translation that has not received enough attention in legal translation research, particularly the use of the borrowing technique in rendering such legal labour terms from Arabic into English.

Different classifications of legal terms exist in the literature, but the fact, which has always been accentuated by legal translation scholars, is that there is no one-to-one equivalence of legal terms between legal languages due to the asymmetry in legal systems and legal cultures from which such legal languages are derived. Translators have significantly varied in terms of the type of approaches that should be adopted in legal translation; the traditional camp of

scholars would call for pure literalism, while at the other end of the spectrum come other scholars who advocate the use of functional approaches to legal translation. However, amongst the prominent approaches to the translation of legal terms are borrowing and lexical expansion.

News headlines of newspapers play a crucial role in catching the eyes of readers and attracting their attentions. They are usually formulated by expert editors who are capable of producing the intended effect on the target reader. Such news headlines do ipso facto deserve a special technique in rendering them into English. This is because the translators of such news headlines should not only transfer their content into the receptor language, but they should also create the same intended effect as that produced on the reader of the original text.

Certain legal labour Arabic terms have been investigated in the present paper; these are iqāma, kafeel and huroob. All these terms, due to the legal concepts they designate, have only partial equivalence in English. Therefore, the translators of the news headlines that contain such terms have resorted to the use of the borrowing technique as such terms have no complete equivalent terms in English. Moreover, such technique enables the translators of news headlines to create the intended effect on the target reader, particularly because the target reader of the Saudi English newspapers is known to be familiar with such legal labour terms. The present paper argues that although the use of the borrowing technique in rendering certain legal labour Arabic terms in news headlines into English has proved useful as such terms target special readership and therefore, create the intended effect, inserting certain explanation of such terms may well widen the readership of such newspapers and make them universal. It also helps those who are interested in further understanding the Saudi Labour Law to obtain relevant detail about it. Such lexical expansion may be placed in the stories following the news headlines. Alternatively, a glossary of all the terms employed in the news headlines of Arab News and Saudi Gazette may be uploaded in their websites. This is to familiarise the reader with the intended meaning of any legal labour term that has been used in the headlines of such newspapers. This research has been devoted to addressing the translation of certain legal labour terms from Arabic into English. More investigation is required to question the use of other legal labour Arabic terms in news headlines and how they are best rendered into English and other languages. The investigation may cover the use of the borrowing technique and whether or not it is appropriate in the translation of other legal labour terms from Arabic into English and other languages. Also, further research needs to be carried out to test different techniques, other than borrowing, and see their validity and applicability if adopted in the translation of other legal labour terms from Arabic into English and other languages.

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