

# Validity of Translation Strategies Adopted in the Translation of Criminal Law Terms in News Articles of the Oversight and Anti-Corruption Authority (*Nazaha*) in Saudi Arabia

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## Abstract

This study conducts an in-depth analysis of the discrepancies observed in the translation of criminal law terminology in news articles, with a specific focus on the Saudi Arabian context. The investigation centres on the critical examination of three Arabic terms, namely 'Fasād', 'Rashwa', and 'Qabed', originating from the source text (ST): The Oversight and Anti-Corruption Authority online platform (*Nazaha*). This study delves into the English counterparts of these terms as employed in news articles disseminated by five prominent media platforms: Arab News, Saudi Gazette, Al Arabiya English, ASharq Al-Awsat, and Nazaha Media Center. This study primarily aims to scrutinise the translation strategies adopted by Saudi media platforms in rendering criminal law terminology and ascertain the most effective strategy for accurately conveying the intended message of the ST. A comprehensive examination is conducted using both qualitative and quantitative methods to analyse the source terms and their corresponding equivalents in the target texts (TTs). This study emphasises the incongruities and inconsistencies detected in the translation of source terms, contending that functional equivalence emerges as the most suitable translation strategy in criminal law translation.

**Keywords:** Legal translation studies, Criminal law, Saudi legal system, Linguistic analysis.

## Introduction

The translation of legal texts is a multifaceted task that requires a sophisticated understanding of diverse legal systems. Unlike the linguistic attributes present in specialised domains, legal language is deeply intertwined with the cultural context of a specific region. Despite significant advancements in Legal Translation Studies (LTS), the identification and translation of legal texts remain intricate, as noted by Prieto Ramos (2019, p. 30). Various parameters have been employed to categorise legal texts encompassing diverse genres such as legislative, contractual, judicial, and criminal texts. Legal documents associated with a particular organisation adhere to specific policies that align with their visions. These policies are sensitive and confidential, and follow standardised drafting and editing guidelines exemplified by the United Nations Editorial Manual (United Nations, 2023). Consequently, the translation of legal texts necessitates a faithful and precise rendition of legal concepts and terminology, particularly when targeting a broad audience as observed in newspaper articles.

Considering the limitations and constraints that impede the mitigation of certain news items, the translation of criminal law terminology within news articles entails the application of suitable translation strategies. These strategies aim to align with the purpose of the source text (ST), preserve its denotative meaning, and fulfil its communicative function. The domain of Arabic-English legal texts, specifically within criminal law, has not received adequate attention in translation studies, emphasising the necessity of investigating the strategies used to translate criminal law terms. For example, El-Farahaty (2015) conducts a comparative examination of genuine legal documents in Arabic and English to uncover the characteristics of legal discourse in both languages and elucidate the employed translation techniques. However, her study does not thoroughly investigate the translation of legal terms, especially those pertaining to criminal law. Therefore, scholarly enquiry into legal translation merits a focused exploration of criminal law translations, particularly in the context of Saudi Arabia.

Considering the lack of in-depth studies examining the translation of criminal law terminology in the Saudi media discourse, it is found to be an area of research to explore the translation strategies adopted to render such terms. The discrepancies found in the English translations of criminal law terms in the Saudi media discourse made this area worth investigation to highlight the importance of standardization in target equivalence. This study aims to explore the translation strategies employed in translating criminal journalistic texts in Saudi newspapers, shedding light on existing discrepancies in target language equivalence. Moreover, this study assesses the effectiveness of the translation strategies utilised in the translation of criminal law terms found in news articles of a Saudi governmental entity, namely, The Oversight and Anti-Corruption Authority (*Nazaha*). The examination of such strategies aims to address the following research questions:

1. What translation strategies do Saudi media platforms employ in translating criminal law terms?
2. To what extent do existing discrepancies in the translation of criminal law terms effectively convey the intended meaning of the source?
3. Which translation strategy is deemed most appropriate for translating criminal law terms in Saudi news articles?

### Corpus and Method

This study employs a hybrid methodology that incorporates both qualitative and quantitative approaches to thoroughly scrutinise the research data and provide comprehensive insights into the research questions. Qualitative data encompasses evidence and provides comprehensive understanding of the terms in question sourced from the *Qur'ān*, *Hadīth*, contemporary legal sources, Royal Decree, articles from the Council of Ministers, *Nazaha*'s vision and mission, as well as a selection of comprehensive specialised and monolingual dictionaries. Saudi legislation was chosen as a subject for this study given that the terms in question are legislative in nature, existing in various news articles in different media platforms. Conversely, quantitative data are expressed through tables presenting the frequency of criminal law terms and the frequency of translation strategies utilised by local and international newspapers, as well as the *Nazaha* Media Center, in order to convey clear and accurate translations. Discrepancies in criminal law terms within TTs were examined using comparative and contextual analyses, and statistical processing methods. Qualitative and quantitative data have been juxtaposed and analysed to elucidate and comprehend the translation approaches employed to translate criminal law terms into English. The corpus of this study comprises four prominent newspapers and the *Nazaha* Media Center, encompassing 40 recent articles related to *Nazaha* criminal news released in 2019, 2020, and 2021. The selected timeframe is attributed to the surge in Arabic-English translations following the integration of two investigative authorities into one entity, named *Nazaha*. The ST is derived from *Nazaha* Arabic online news, whereas the TTs are English versions retrieved from five media platforms: Arab News, Saudi Gazette, Al Arabiya English, Asharq Al-Awsat, and the *Nazaha* Media Center. Each source article is meticulously analysed to identify the translation strategies employed for three criminal legal terms: *Fasād*, *Rashwa*, and *Qabed*.

### **Nazaha (ST)**

The National Anti-Corruption Commission, established in 2011, aims to promote integrity among individuals in Saudi society and combat all forms of grafts in the Kingdom. After a Royal Decree in 2019, the Commission was integrated with the Oversight, Investigation, and Administrative Investigation Authority to form The Oversight and Anti-Corruption Authority (*Nazaha*). *Nazaha* functions as a governmental organisation working towards enhancing transparency and protecting public property (Bureau of Experts at the Council of Ministers, 2019). *Nazaha*, directly managed by the King, developed an online platform addressing criminal cases, acting as a portal to view the application of Saudi criminal law. Moreover, it serves as a crucial source for observing criminal texts and terminology, presenting *Nazaha*'s weekly criminal and social activities in Arabic and translating them into English.

### Media Platforms (TTs)

Owing to limited accessibility of translated criminal materials and confidentiality of online data, Nazaha Media Center is considered the primary TT, offering a solid foundation for providing an English version of the source news and investigating the translation strategies used to render criminal law terms. Alongside Nazaha Media Center, the selected newspapers, renowned in the Kingdom of Saudi Arabia and across the Middle East, were chosen because of their wide readership and interest in providing translations for *Nazaha* criminal news, employing various translation strategies to convey the source criminal law messages.

Arab News, established in 1975, is the first English-language daily newspaper from Saudi Arabia to report news on politics, sports, business, and lifestyle for non-Arab speakers, receiving hundreds of thousands of daily hits globally from diverse international readership (Arab News, 2023). Saudi Gazette, established in 1978, serves as a leading newspaper with the theme ‘The Tone of Truth and Moderation’, acting as a window for Saudi news to the world and establishing a reputable position in the Saudi media industry (Saudi Gazette, 2023). Al Arabiya English, a Saudi globalised press agency located in Dubai, endeavours to spread news and opinions from the Middle East to English-speaking audiences worldwide, offering 24-hour digital news and serving as a leading source of breaking news, politics, business, features, opinions, and lifestyles (Al Arabiya English, 2023). Asharq Al-Awsat, established in 1978, is a Saudi newspaper incorporated in London that provides English-speaking readership with media and news coverage on issues in the Arab world (Asharq Al-Awsat, 2023). Its success and popularity are attributed to dedicated and experienced teams committed to providing up-to-date information to readers worldwide.

It is important to note that the Saudi Press Agency, an official and governmental newspaper aimed at disseminating local and international news, is not included among the selected media platforms because it lacks English versions of *Nazaha* criminal news articles.

### Design and Procedure

Three frequently occurring criminal law terms in the ST—*Fasād*, *Rashwa*, and *Qabeḍ*—were selected to assess the accuracy and validity of the translation strategies employed by the aforementioned media platforms in conveying their conceptual meaning. As previously mentioned, the data collection process commenced with the selection of 40 news articles published between 2019 and 2024, in which the specified terms frequently occurred. Each source term is presented in a separate table, indicating its target equivalents employed by different media platforms and highlighting the applied translation strategies.

To collect and analyse the research data, Microsoft Excel was utilized to comprehend the translation approaches applied by the different TTs in rendering the three criminal law terms. Microsoft Excel facilitates the use of simple statistical and plotting functions to gain insights into data. Quantitative data has been classified based on ‘agency’, accompanied by several columns demonstrating the number of occurrences for each criminal term in a single news article and the strategy applied in the translation process.

To ascertain the validity of the translation procedure followed by the media platforms, consulting various resources to comprehend the denotative meanings of both source terms and target terms was the initial step in the comparative analysis. For this study and to eliminate any misconceptions and incorrect interpretations of the source terms, definitions of source terms were obtained from the *Qur’ān* and *Hadīth*. *The Dictionary of Contemporary Arabic* (2008) was also consulted to provide simplified definitions of the source terms. The subsequent step in the comparative analysis involved using the *Merriam Webster Dictionary* to understand the meaning of the target terms as they appeared in the TT articles. The contexts in which these criminal terms appeared in the ST were also considered when comparing them with their target equivalents.

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## Literature Review

### Legal Language

According to Ma and Nguyen (2019, p. 2), a law is defined as a collection of established rules and regulations that reflect the juridical system prescribed by a governing authority. These rules serve the purpose of adjudicating disputes and upholding the liberties and rights of specific communities. Hart (1954, p. 42) defined legal language as ‘sui generis’, a category unique to itself. This distinctive mode of expression across various legal systems can be broadly categorised into five classifications: Civil Law, Common Law, Customary Law, Religious Law, and Mixed Legal Systems (Ma & Nguyen, 2019, p. 6). Nonetheless, specialised domains such as Real Estate Law, Bankruptcy Law, Civil Rights Law, Criminal Law, and Family Law may exhibit considerable intersections rather than explicit boundaries (Ramos, 2020, p. 34).

Saudi Arabia’s legal system is grounded in Islamic law, *Sharī‘a*, applicable to criminal and civil cases alike. Positioned at the pinnacle of this legal hierarchy is the king, fulfilling the role of the final court. The judicial system in Saudi Arabia comprises three primary components. Predominantly, the *Sharī‘a* Courts, which preside over most cases within the Saudi legal framework, constitute the largest segment. These *Sharī‘a* courts are structured into distinct categories, namely, the Courts of the First Instance encompassing both Summary and General Courts, the Courts of Cassation, and the Supreme Judicial Council. Law is effectively communicated through language. However, even with considerable expertise and proficiency in legal translation, translators often encounter challenging terms. As Tomic and Montoliu (2013, p. 233) note, ‘many translators will admit that [the translation of legal concepts between legal systems] is not always straightforward or even possible’. The technical nature of legal language stems from the diverse legal jargons and lexicons present in numerous legal discourses. These lexical components and phraseological structures constitute the fundamental elements of all languages and are commonly referred to as ‘terminologies’ in technical contexts (Biel, 2014). Terminology is typically defined as a word or expression possessing a precise meaning employed within a specialised field of study (Merriam Webster Dictionary, 1993, p. 1216). In legal translation, these genre-specific terminologies can be classified into three distinct categories: archaic words or purely technical terms within fossilised language, polysemous semi-technical terms encompassing extended meanings in technical contexts, and unmarked terms belonging to everyday language.

As a branch of public law, criminal law is primarily concerned with establishing regulations to deter criminal activities and administer justifiable punishments (The Stanford Encyclopedia of Philosophy, 2019). As articulated by Jescheck and Norton (2023), Criminal Law embodies a body of legal principles that delineates criminal offences, governs the adjudication of individuals under suspicion, and prescribes penalties and rehabilitation methodologies applicable to convicted offenders. In Article 1 of Chapter 1, the Bureau of Experts at the Council of Ministers (2017, p. 9), the Supreme Council in Saudi Arabia, enunciates the foundational principles from which Saudi Criminal Law emanates: ‘Courts shall apply the provisions of Sharia to cases brought before them, as derived from the Qur’ān and Sunna, and State laws not conflicting therewith. Proceedings before such courts shall comply with the provisions of this Law’.

### Legal Translation

Legal translation involves an intricate process of transferring text from a source language (SL) to a target language (TL), considering numerous factors to maintain equity in interlingual communication (Matulewska & Wagner, 2021, p. 1245). As Galdia (2017) outlines, this process entails the transformation of legal speech acts from the SL into their legally meaningful counterparts in the TL. Legal text translation falls within the domain of translation for specific purposes (TSP). In line with the fundamental objective of all translations, which is to convey precise meaning and attain an equal impact to the original text, Ma and Nguyen (2019, p. 13) emphasize that it is important for translators to meticulously consider the intended purpose of the translation, opting for the most suitable approach

or a judicious combination of methods. The translation of legal texts confronts distinct challenges owing to inherent disparities between languages and legal systems. Notably, these challenges arise from the distinct legal concepts present in one system but absent in another (Altarabin, 2018, p. 201). These barriers can be broadly classified into three categories: linguistic, cultural, and intra-systemic (Piszcz & Sierocka, 2020).

Linguistic barriers are exemplified by peculiarities originating from the customary legal language, such as archaic language usage, formal and intricate sentence structures, and the integration of French and Anglo-Norman vocabulary into legal English (El Ghazi, 2022). Conversely, legal Arabic employs more cohesive devices and religious idioms and lacks archaic terminology (El Ghazi, 2022). Language barriers pose significant challenges to the translation of criminal law, potentially altering the original legal message, which is critical in criminal cases. Consequently, legal translators play a pivotal role in ensuring the faithful transmission of the message of the ST, particularly in the realm of criminal law. To accurately convey criminal terminology, translators must account for variations in legal systems, encompassing legal institutions, judicial frameworks, and courtroom strategies. Moreover, translators handling criminal law documents must adhere to the target court's prescribed format and style.

Cultural barriers to legal translation are deeply rooted in the absence of legal concepts and domestic traditions unique to a specific country. For instance, the term '*Bā'in Baynūna Kubrā*' in Islamic divorce agreements is clear to Arab readers, yet its corresponding 'irrevocable divorce' may appear unfamiliar to native English readers (Altarabin, 2018, p. 201). Given that legal documents are authored by experts for an audience of experts in the TL, and legal document translation falls within the category of TSP, a comprehensive understanding of legal terminology is imperative to produce an accurate target text (TT). This involves not only grasping legal terms at both the semantic and conceptual levels but also engaging in a comparison process, generating various TTs that necessitate subsequent linguistic and legal acceptability checks (Monjean-Decaudin & Popineau, 2019).

A distinct barrier arises from disparities between legal systems that serve as primary sources of governance. For example, *Sharī'a* is derived from the *Qur'ān* (the sacred book of Islam and the primary legal source in Saudi Arabia) and *Hadīth* (recorded sayings and acts of Prophet Muhammad, constituting the second source for Islamic jurisprudence in Saudi Arabia), representing the main sources of law in Saudi Arabia. Conversely, Common Law, applied in the English legal systems of many English-speaking countries, is based on judicial decisions and enshrined in the reports of decided cases (Mahraj & Hdouch, 2020).

When translating criminal law terms, it is imperative to consider linguistic variations and bridge the cultural gaps. This warrants a thorough understanding of the legal systems in question to accurately convey the intended meaning of the ST. Building upon prior research in legal translation, scholars such as Šarčević (1985) have argued that certain translation strategies, whether source-oriented or target-oriented, can effectively convey the impact and function of the original legal messages. Translators must employ appropriate translation strategies to surmount the gap between the source and target legal systems. They must consider culture-bound legal terms and maintain a localised understanding of the law and the linguistic peculiarities of legal documents. For instance, terms utilised in different legal systems not only convey meanings but also bear deeper significance related to the inherent differences in these systems.

Legal translation presents a challenge, especially when translating between English and Arabic. This difficulty is exacerbated by the substantial differences in the linguistic structures and legal systems of the two languages (El-Farahaty, 2016). First, Arabic and English belong to distinct language families, with Arabic being a Semitic language and English, an Indo-European one. These language families evolved independently, resulting in fundamental differences in vocabulary, grammar, and syntax. Translators must navigate these disparities, which extend to specialised legal terminology and concepts. Terminological challenges are significant in legal translations. Arabic terms related to *Sharī'a*, for instance, often lack direct equivalents in Common Law terminology, necessitating careful consideration and context-based translation decisions. This highlights the importance of understanding not only linguistic differences but also deep-rooted variations in legal

systems and cultures. Syntactic discrepancies, including differences in modal and passive structures, present additional obstacles. Arabic and English have distinct ways of expressing modalities and constructing passive voice sentences. Translators must skilfully bridge these syntactic gaps to maintain the intended meanings and legal accuracy in the translated text. Textual challenges include issues such as lexical repetition and punctuation variance. Arabic and English may employ different styles of punctuation and have varying preferences for repetition, emphasis, or legal clarity. Translators must balance the need for faithfulness to the ST by adhering to the conventions and norms of the TL. Translators must navigate terminological, syntactic, and textual differences to produce accurate and culturally appropriate translations in the legal domain.

A notable aspect of legal language and translation is the utilisation of system-bound terms unique to the legal domain. These encompass terms associated with legal personnel, court structures, specific areas of law, and legal institutions. Legal translators may employ diverse translation techniques to address non-equivalence and capture the multifaceted and dynamic nature of legal terminology. When translating such terms, it is essential to consider the specific context in which it is used in order to determine the most appropriate translation strategy. Additionally, the choice of strategy should align with the intended legal and cultural implications of the ST to ensure an accurate and meaningful translation into the TL. Commonly utilised strategies in legal and journalistic contexts include formal and functional equivalence as well as paraphrasing, borrowing, adaptation, descriptive translation, and the use of neutral or less expressive language (El Ghazi, 2022; Junining & Kusuma, 2020).

### Legal Translation Strategies

Formal equivalence, characterised by a word-for-word or linguistic equivalence approach, involves the explicit influence of the ST on the TT, resulting in a translation familiar to practitioners in their respective technical fields (Harvey, 2003). For example, the term إفادة in the Saudi law is translated as *statement* in the British law by applying the strategy of formal equivalence. On the other hand, formal equivalence may create a new translation in the target legal system. For example, الرجم mentioned in the Saudi law of criminal procedure is literally translated into English as *stoning*. Translators should always be very careful while applying this strategy to ensure that target terms do not previously exist with other meanings in the target legal system. Functional equivalence, in contrast, refers to a term in the target legal system that signifies a concept or institution with the same function as in the ST (Darani, 2013, p. 5). This strategy is applicable when targeting lay readers as translators employ a TL referent with a legal function similar to that of the SL referent. For example, translating اللائحة الجوابية mentioned in the Syrian law as *reply to defense* in the British law. Another example is translating *summative court* mentioned in the British law as المحكمة الجزئية in the Saudi law, carrying the same functional meaning in the two legal systems. As an approach oriented towards the TL, the use of functional equivalence in official translation aids target readers in comprehending the TT (Newmark, 1988). However, as Baker (1992) noted, the lack of functional equivalence is a common challenge in translating legal discourse. Paraphrasing serves as a strategy for bridging the gap between the SL and TL legal systems by employing a more generic language. This strategy is considered a compromise solution between the SL and TL bias strategies as it involves paraphrasing the source legal term into the target legal system and represents an approach leaning towards SL orientation. For example, translating العقوبة فيما دون النفس mentioned in the Saudi law of criminal procedure as *punishment other than death* where the term نفس is paraphrased as *death* which is a more general term compared to *soul*, the back-translation of نفس. Descriptive translation involves describing the source legal item to align with the target legal system. Successful description enables target readers to understand the TT's intended legal message (Raw, 2012). According to Darwish (2010), descriptive translation employs a descriptive approach to translate a source term or phrase by characterising it rather than direct rendering into the TL. For example, translating حد mentioned in the Saudi law of criminal procedure as *a prescribed Qur'ānic punishment*. Additionally, some translators choose to use a more neutral or less expressive language to neutralise the potential ambiguity or negative

connotations of the ST term, thus preventing misinterpretation (Naghdi & Eslamieh, 2020). For example, translating الحالة المدنية mentioned in Egyptian civil law into *status*, a more neutral term.

The choice of a particular translation procedure is guided by parameters determined by the needs and expectations of the target readers and the intended function of the TT. This study explores the potential of translating criminal law terms by examining prominent translation strategies, focusing on formal equivalence, descriptive translation, functional equivalence, borrowing, and translation using neutral or less expressive language to address existing linguistic variations in legal and journalistic translation.

### Analysis

The following section delves into the analysis of the three designated criminal law terms: *Fasād*, *Rashwa*, and *Qabed*.

#### *Fasād*

The term '*Fasād*', along with its derivatives, is prevalent in the *Qur'ān*, occurring approximately 50 times, where it signifies immoral acts (Hamad & Ayay, 2023). In *Hadīth*, the term appears in various forms to illustrate negative and illegitimate personal behaviours (Fares & Noordin, 2016). A verse from the *Qur'ān* is associated with *Nazaha*'s logo, underscoring the gravity of the term: 'and seek no mischief in the land. Verily, Allah likes not the Mufsidun, those who commit great crimes and sins, oppressors, tyrants, mischief-makers, and corruptors' (Al-Hilali & Khan, 2011, p. 664). In this verse, '*Fasād*' alludes to prohibited behaviours by individuals that lead to destruction and harm in society (Al-Hilali & Khan, 2011, p. 664). *The Dictionary of Contemporary Arabic* (2008, p. 3771) defines '*Fasād*' as the spread of harm and damage on Earth. When associated with human acts, '*Fasād*' assumes a new meaning, indicating immoral or malevolent actions perpetrated by individuals with wicked intentions. Both definitions align, portraying '*Fasād*' as illicit behaviour conducted by individuals, resulting in harm and destruction within society. According to Alsayyid (2016, p.76), corruption is the exploitation of an employee's position and authority whether motivated by a reward or threat, and regardless of whether the authority is real.

The Saudi Royal Decree, Resolution No.: A/277 (2019, p. 4) also states that:

The Authority shall be responsible for taking the needed actions regarding the financial and administrative crimes and their perpetrators and parties, whether natural persons from the state civil or military employees, equivalent, or legal persons connecting to these crimes. This shall include arresting persons suspicious to have committed financial and administrative corruption crimes, hearing and restraining them in accordance with the legally determined period in the preparation for reporting the evidence and documents related to them to the Investigation and Criminal Prosecution Unit in the Authority in order to complete the legal procedures in this regard.

In other words, *Nazaha* is mandated to undertake appropriate measures against individuals involved in financial and administrative misconduct, whether they are public officials or hold positions of power.

In the TTs, '*Fasād*' emerges as the most recurrent term in criminal news articles, with a repetition exceeding 85 times. This frequency underscores the significance of this term for the *Nazaha* authority tasked with combating graft in Saudi Arabia. The table below displays the translations and strategies applied by each TT. The table depicting translations and strategies applied by each TT for the term '*Fasād*'.

**Table 1:** Target equivalents for ‘*Fasād*’.

Target equivalents for ‘ <i>Fasād</i> ’	Frequency	TTs	Translation Strategy
Corruption	128	All	Formal Equivalence
Misconduct	3	Arab News	Translation by a Neutral/ Less Expressive Word
Corruption Charges	1	Al Arabiya English	Descriptive Translation
Corruption Cases	2	ASharq Al-Awsat	Descriptive Translation
Corruption Acts	1	Saudi Gazette	Descriptive Translation
Graft	1	Saudi Gazette	Functional Equivalence
Criminal Corruption Cases	1	Al Arabiya English	Descriptive Translation
Corrupt Individuals	1	Al Arabiya English	Descriptive Translation

The analysis reveals that several target equivalents have been utilised by the media platforms to convey the meaning of ‘*Fasād*’. The majority, including the Nazaha Media Center, opted for ‘corruption’ as the translation, employing the strategy of formal equivalence (Al Arabiya English, 2020a; Saudi Gazette, 2020a; Arab News, 2021; Asharq Al-Awsat, 2021; Nazaha Media Center, 2024b). This resulted in 128 instances of ‘corruption’ in 40 news articles. ‘Corruption’ is defined as the ‘impairment of integrity, virtue, or moral principle: depravity’ (Merriam Webster Dictionary, 1993, p. 261). Additionally, it is described as ‘dishonest or illegal behavior, especially by powerful people (such as government officials or police officers)’ (Merriam Webster Dictionary, 1993, p. 261). While ‘corruption’ aligns partially with the meaning of ‘*Fasād*’ by conveying illicit actions by people in positions of power, it contradicts cases arrested by *Nazaha*, which involve residents and retired laymen (Bureau of Experts at the Council of Ministers, 2019).

This choice of translation and strategy reveals the tension between the strict application of formal equivalence aimed at linguistic accuracy and the need for contextual equivalence to ensure that the translation captures the intended societal and legal nuances within the Saudi Arabian context. The term ‘corruption’ may not fully encapsulate the broader scope of ‘*Fasād*’, as it primarily associates with individuals in positions of authority, potentially excluding other societal segments implicated in criminal activities according to *Nazaha*’s jurisdiction.

This discussion underscores the importance of considering both linguistic fidelity and contextual appropriateness in legal translations, particularly when dealing with terms that hold complex and multifaceted meanings and are deeply rooted in the legal and social framework of the source culture. Legal translators must carefully weigh linguistic and cultural aspects to ensure that the translated term resonates accurately within the target legal and social system. This can be achieved through a judicious combination of linguistic equivalence and nuanced understanding of the legal and societal contexts in which the term operates.

Another equivalent for ‘*Fasād*’ is ‘Misconduct’ (Arab News, 2020), a choice made by Arab News utilising the strategy of translation by employing a neutral or less expressive word. ‘Misconduct’ is defined by the *Merriam Webster Dictionary* (1993, p. 743) as ‘intentional wrongdoing: deliberate violation of a law or standard, especially by a government official’. In a similar vein, other newspapers, particularly ASharq Al-Awsat and Al Arabiya English, opted to elucidate the denotative meaning of ‘*Fasād*’ by rendering it as ‘Corruption Charges’ (Al Arabiya English, 2021a), ‘Corruption Cases’ (Asharq Al-Awsat, 2020a), ‘Corruption Acts’ (Saudi Gazette, 2020b), ‘Criminal Corruption Cases’ (Al Arabiya English, 2020b), and ‘Corrupt Individuals’ (Al Arabiya English, 2021b). However, this descriptive approach may introduce redundancy because the term ‘corruption’ inherently incorporates these meanings.

In contrast, certain news articles from the Saudi Gazette translated ‘*Fasād*’ as ‘Graft’ (Saudi Gazette, 2019) by employing the strategy of functional equivalence. ‘Graft’ is defined by the *Merriam*

*Webster Dictionary* (1993, p. 506) as ‘the acquisition of gain (such as money) in dishonest or questionable ways. Also: illegal or unfair gain.’ This definition effectively captures the acts that *Nazaha* aims to combat on a daily basis—putting an end to the continuous damage caused by individuals seeking mischief in the land. This aligns with both the *Qur’ānic* verse quoted in *Nazaha*’s logo and the resolution issued by the Saudi Council of Ministers no. 43, 2007, titled ‘The National Strategy for Maintaining Integrity and Combating Corruption’ (The National Center for Archives and Records, 2022).

The varied translations of ‘*Fasād*’ and the strategies employed in each case underscore the complexity of legal translation, especially when attempting to convey precise meanings that hold significant legal and societal implications. The choice of strategy and the resulting translation significantly impact how the intended message is perceived within the target legal and societal frameworks. It is crucial for translators to strike a balance between linguistic accuracy and contextual equivalence to ensure faithful and effective translations in the legal domain.

### **Rashwa**

*Rashwa* is exclusively mentioned in *Hadīth*, as narrated by Abu Hurairah: Allah’s Messenger cursed the one who bribes and the one who takes bribes to influence the judgement. This *Hadīth* refers to *Rashwa* as what is given to invalidate a right or to fulfil a falsehood (Al-Ṣanʿānī, 1997, p. 1411). According to *The Dictionary of Contemporary Arabic* (2008, p. 897), the term *Rashwa* is defined as ‘something given without a right to fulfil an interest or to achieve a false or invalid right’. According to Alsayyid (2016, p.75), bribery, in its technical sense, occurs when employees use their position for personal gain by accepting gifts or promises from the employer in exchange for performing certain tasks, refraining from work, or violating their duties.

The following target equivalents demonstrate the use of different derivatives of the term *Rashwa* such as ‘*rāshī*’ and ‘*murtashī*’.

**Table 2:** Target equivalents for ‘*Rashwa*’.

Target equivalents for ‘ <i>Rashwa</i> ’	Frequency	TTs	Translation Strategy
Bribery	45	All	Functional Equivalence
Bribe	19	All	Formal Equivalence
Bribery Charges	2	Al Arabiya English	Descriptive Translation
The briber	2	Nazaha Media Center	Translation by a Neutral/ Less Expressive Word
Illegal payoffs	2	ASharq Al-Awsat	Descriptive Translation

The table outlines the various equivalents used to translate the term *Rashwa*. The most frequently employed translations are ‘bribery’ and ‘bribe’ (Asharq Al-Awsat, 2020b; Arab News, 2022; Al Arabiya English, 2023; Nazaha Media Center, 2024c; Saudi Gazette, 2024b). According to the *Merriam Webster Dictionary* (1993, p. 142), ‘bribery’ is an abstract concept referring to ‘The act or practice of giving or taking a bribe’, while ‘bribe’ is ‘money or favour given or promised in order to influence the judgment or conduct of a person’. All TTs employed the strategy of functional equivalence in translating *Rashwa* to ‘bribery’. However, they chose ‘bribe’ using formal equivalence, which provides a partial equivalent by not explicitly rendering the illegal act depicted in ‘bribery’.

Contrary to addressing the action as a whole, Nazaha Media Center focused on the agent by employing a semantic shift and the strategy of translation by using a neutral or less expressive word, rendering *Rashwa* as ‘the briber’ (Nazaha Media Center, 2024b).

An alternative strategy was adopted by Al Arabiya English and ASharq Al-Awsat, wherein they opted for descriptive translation, leading to unnecessary descriptions such as ‘bribery charges’ (Al Arabiya English, 2023) and ‘illegal payoffs’ (Asharq Al-Awsat, 2020c), resulting in redundancy within the TT. ‘Bribery’ and ‘payoff’ convey a complete meaning, denoting ‘the act of receiving money or material gain as compensation’ (Merriam Webster Dictionary, 1993, p. 142–854).

The term *Rashwa* finds a justified definition in ‘bribery’. However, it is evident that some translations in news articles offer partial equivalence for *Rashwa*, as they do not entirely capture the parallel legal effect of the ST. This underlines the nuanced nature of legal translation, where achieving precise equivalence, especially in conveying legal implications, can be challenging and may require careful consideration and adaptation of strategies to ensure both accuracy and contextual relevance.

### *Qabed*

A derivative of *Qabed* is mentioned in the *Qur’ān* in verse no. 67: ‘And on the Day of Resurrection, the whole of the earth will be grasped by His Hand’ (King Fahd Complex, 1969, p. 629–630). The verse refers to *Qabed* as ‘someone’s grasp: in possession and under authority and ability’ (The Dictionary of Contemporary Arabic, 2008, p. 1768). *Qabed* is also mentioned in *Hadīth* to indicate possession in the context of trade dealings (‘Abd al-Bāqī, 1955, p. 1525).

According to *The Dictionary of Contemporary Arabic* (2008, p. 1767), *Qabed* is defined as being arrested by an authority. In the Law of Criminal Procedure, Royal Decree No. 2013, Article 33, the term *Qabed* falls under the meaning of arresting the accused against a crime charged with sufficient evidence. The media platforms employed different translation strategies to translate *Qabed*, as shown in the following table. According to Almallah (2009, p.204), arrest occurs when an order is issued to detain the accused whether they are absent or on the run. An order to arrest and detain the accused involves restricting their freedom for a specific period due to evidence.

**Table 3:** Target equivalents for ‘*Qabed*’.

Target equivalents for ‘ <i>Qabed</i> ’	Frequency	TTs	Translation Strategy
Arrested(v.) (adj.) the arrest of(n.)	127	All	Functional equivalence
Caught	2	Saudi Gazette	Translation by a Neutral/ Less Expressive Word
Involved	1	Al Arabiya English	Translation by a Neutral/ Less Expressive Word
Convicted and Handed Prison	1	Saudi Gazette	Descriptive Translation
Have Been Charged	1	Al Arabiya English	Translation by a Neutral/ Less Expressive Word

The table displays the target equivalents provided by the respective TTs, demonstrating the diverse renderings of the term *Qabed*—all amounting to a total of 127 instances—through forms of the word ‘arrest’. Employing the strategy of functional equivalence, terms such as ‘arrested’ and ‘the arrest of’ (Saudi Gazette, 2020c; Al Arabiya English, 2024b; Arab News, 2024b; Asharq Al-Awsat, 2024b; Nazaha Media Center, 2024d) were used, aligning with the definition of ‘arrest’ from the *Merriam Webster Dictionary* (1993, p. 64), which defines it as ‘seize, capture, specifically: to take or keep in custody by authority of law’. Consequently, ‘arrest’ effectively encapsulates the intended meaning carried in the source term *Qabed*.

By contrast, the strategy of employing a neutral or less expressive word led to the use of ‘caught’ by Saudi Gazette (2024c) and ‘involved’ (2022) by Al Arabiya English. While ‘caught’ is the adjective form of ‘catch’, defined as ‘to capture or seize, especially after pursuit’ (Merriam Webster Dictionary, 1993, p. 182), and ‘involved’ is defined as ‘affected or implicated’ (ibid., p. 617), both target equivalents fail to aptly express the meaning of arresting conveyed by *Qabed*.

Saudi Gazette (2021) opted for a descriptive translation strategy, rendering *Qabed* as ‘convicted and handed prison’. However, this strategy does not effectively deliver the intended meaning of *Qabed*, which implies the act of arresting someone involved in criminal behaviour. Al Arabiya English (2020c) followed a similar descriptive translation strategy, rendering *Qabed* as ‘have been charged’. While ‘charge’ is defined in the *Merriam Webster Dictionary* (1993, p. 192) as ‘to assert as an

accusation’, *Qabed* indicates a capture upon investigation prior to issuing a legal statement, as reflected in the target equivalent ‘arrested’.

This nuanced analysis underscores the intricacies and challenges of legal translation, particularly in capturing the precise legal implications and connotations associated with terms like *Qabed*. The choice of translation strategy significantly influences the fidelity of the translation, necessitating a thorough understanding of both the legal and linguistic contexts for accurate and contextually relevant translation.

## Discussion

The comprehensive analysis presented earlier illuminates the prevalent translation strategies employed in TTs to convey the original meanings of source terms. The frequency of each strategy’s use is a revealing aspect of the translation process. Functional equivalence emerged as the most frequently utilised strategy, accounting for 173 instances, demonstrating its significance in bridging linguistic and cultural gaps while preserving the intended meaning of the ST. In close pursuit is formal equivalence, with 147 instances, reflecting its importance in maintaining linguistic fidelity and accuracy in the translation process. Descriptive translation strategy was the third most frequently used, appearing in 11 instances. Finally, the strategy of employing a neutral or less-expressive word was observed in nine occurrences, showcasing its selective use for specific contextual adaptations. This distribution of strategies highlights the complex and multifaceted nature of legal translation, in which a judicious choice of strategy is crucial to ensure a faithful and contextually relevant rendering of the ST’s legal implications and nuances.

**Table 4:** Strategies applied to translate the source terms.

Strategies Used	Frequency
Functional Equivalence	173
Formal Equivalence	147
Descriptive Translation	11
Translation by a Neutral/ Less Expressive Word	9

This analysis sheds light on the notable inconsistencies observed in the target equivalents of selected source terms across various media platforms. The translation variations, such as ‘Misconduct’ and ‘Corruption’ for *Fasād* or the interchangeability of ‘Bribe’ and ‘Bribery’ for *Rashwa*, underscore the lack of standardisation and quality assurance in the translation process. These inconsistencies demonstrate the need for comprehensive editing and the establishment of standardised glossaries within media platforms to maintain the accuracy and consistency of translated texts.

The study also highlights the importance of the consulted resources, including *Qur’ān*, *Hadīth*, Saudi Royal Decrees, and monolingual dictionaries, in deriving accurate meanings of the source terms. However, discrepancies between the target equivalents used by media platforms and the definitions provided by these resources suggest misunderstandings or misinterpretations of the intended meaning of the source terms. Some target equivalents, such as ‘Misconduct’, ‘Payoffs’, and ‘Convicted and Handed Prison’, do not align with the accurate definitions derived from the referenced resources.

The extensive use of formal equivalence strategies (word-for-word translation) by media platforms (147 instances) resulted in inaccuracies in conveying the intended meaning of source terms. This underscores the need for translators to consider the limitations of this strategy, particularly in legal translations, where rigid adherence to literal meanings may not effectively communicate the legal and cultural nuances of the ST.

However, the successful application of the functional equivalence strategy in 173 instances by media platforms demonstrates its effectiveness in accurately interpreting source terms. By examining the above criminal law terms, we could infer that functional equivalence strategy can be the optimal approach in guiding media translators and the practice of media translation. Considering the target audience who are laymen of different backgrounds and expertise, media language has to be fully comprehended to ensure well understanding of the target message, which can be applicable by

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adopting functional equivalence translation strategy. According to Sun and Wan (2022), functional equivalence becomes a continuous improved translation strategy which has great significance of guiding the news translation practice. It allows for the adaptation of terms to convey the same denotative meaning as the original, reflecting the importance of maintaining a meaningful and communicative translation. Weston (1991) and G emar (1995) emphasise the value of functional equivalence, especially in the translation of legal texts, given their ability to bridge semantic gaps and facilitate effective communication.

This analysis underscores the critical role of appropriate translation strategies, rigorous editing processes, and a deep understanding of legal and cultural contexts in achieving accurate and consistent translations, particularly in the domain of legal translation. Additionally, this study advocates for the development of standardised glossaries and the utilisation of functional equivalence to enhance the quality and coherence of translated legal texts.

### **Conclusions**

This study has shed light on the complex nature of legal translation, particularly in criminal law. Legal concepts that are deeply embedded in cultural and legal systems present inherent challenges to translators, encompassing linguistic, cultural, and intra-system barriers. These barriers pose inevitable hindrances that require careful consideration and appropriate translation strategies. This study's primary objective was to illuminate the translation strategies applied in the rendition of Saudi criminal law terms found in *Nazaha* criminal news articles. The ultimate aim was to identify the most suitable translation strategy to accurately render these terms in English. The analysis of qualitative and quantitative data has revealed inconsistencies and discrepancies in the translations, directly impacting the precision and fidelity to the original denotative meanings. The identified translation strategies—functional equivalence, formal equivalence, descriptive translation, and translation using a neutral/less expressive word—were critically evaluated. Functional equivalence emerged as the most effective strategy, pivotal to successfully conveying the intended legal message and upholding the communicative function of the source term. This strategy aligns well with the nuanced and intricate nature of criminal law, ensuring the accurate transmission of legal nuances to the TL. Future research should delve deeper into understanding these influences and their roles in shaping the selection and application of specific translation strategies. In conclusion, this study highlights the importance of judiciously selecting and applying translation strategies to tackle the inherent challenges of legal translation, ultimately striving for accurate, consistent, and meaningful renditions of criminal law terms in the ever-evolving legal discourse landscape.

## مدى موائمة الاستراتيجيات المتبعة في ترجمة مصطلحات القانون الجنائي في المقالات الإخبارية لهيئة الرقابة ومكافحة الفساد (نزاهة) في المملكة العربية السعودية

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### الملخص

تُعد هذه الدراسة بتحليل الاختلافات في ترجمة مصطلحات القانون الجنائي الواردة في المقالات الإخبارية في المملكة العربية السعودية. تفحص الدراسة ثلاثة مصطلحات عربية صادرة من الموقع الإلكتروني لهيئة الرقابة ومكافحة الفساد (نزاهة) وهي: "فساد" و"رشوة" و"قبض". تبحث هذه الدراسة في المقابلات اللغوية الإنجليزية لهذه المصطلحات كما وردت في المقالات الإخبارية التي تنشرها خمس منصات إعلامية بارزة: عرب نيوز وسعودي جازيت والعربية الإنجليزية والشرق الأوسط ومركز نزاهة الإعلامي. تهدف هذه الدراسة في المقام الأول إلى التركيز على استراتيجيات الترجمة التي تعتمدها منصات الإعلام السعودي في ترجمة مصطلحات القانون الجنائي، ومن ثم النظر في الاستراتيجية الأكثر فاعلية في نقل المعنى الأصل بدقة عالية. تم توظيف المنهجين النوعية والكمية لتحليل المصطلحات المصدر ومقابلاتها اللغوية في اللغة الهدف. تستنتج الدراسة أن استراتيجية التكافؤ الوظيفي هي الاستراتيجية الأكثر موائمة في ترجمة مصطلحات القانون الجنائي.

الكلمات المفتاحية: دراسات الترجمة القانونية، القانون الجنائي، النظام القانوني السعودي، التحليل اللغوي.

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