

# Translating Traffic Law Terminology in Courtroom Discourse: A Case Study of Judge Frank Caprio's Oral Arguments in Court

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## Abstract

This study explores translation strategies used to render legal and traffic-related terms from English into Arabic in the oral arguments of Judge Frank Caprio with Arabic-speaking audiences, with a focus on their accuracy, clarity, and cultural adaptation. The researchers examine various translation techniques, such as literal translation, transposition, adaptation, and dynamic equivalence, to assess their effectiveness in conveying legal meaning while preserving the intended legal implications. Drawing on Newmark's (1988) translation theory, the study highlights the challenges of translating legal terminology, particularly when linguistic and legal differences exist between the source and target languages. Through a comparative analysis of selected examples from legal and traffic texts, the study identifies instances where literal translation may lead to ambiguity or misinterpretation and suggests more appropriate translation strategies to improve legal clarity. The findings contribute to the broader discourse on legal translation, emphasizing the need for contextual and cultural awareness in accurately rendering legal documents and traffic regulations.

**Keywords:** legal, translation, traffic, strategies, Judge Frank Caprio

## 1. Introduction

The act of translation can be described as an intricate process of linguistic and cultural mediation which facilitates communication among speakers of differing languages and sociocultural traditions. In their work, Nida and Taber (1982) note that the chief goal of translation is the production of a natural equivalent of the original message in terms of both meaning and impact in the target language. The above view makes it clear that translation is not simply a process of substitution whereby one word is replaced by another. It is, indeed, an ongoing process that requires a high level of understanding of context, recipient and purpose. Therefore, the translator becomes a mediator who translates the original message while preserving its intended meaning.

It goes without saying that legal translation remains one of the most complex and delicate forms of translation because of its direct relationship to the interpretation of law, its institutional dimension, and the associated implications. Courtroom discourse requires a high degree of accuracy from the translator as even the slightest change in translation can influence the legal message conveyed and the outcome of the entire process. Thus, legal translators should not only have extensive linguistic knowledge but should also possess sufficient knowledge about the legal system and discourse patterns. Neutrality becomes an important feature for such translators because they have to be objective while retaining all the features of the source language.

In this context, traffic law terminology is particularly problematic because of its close relationship to legal and cultural differences in the description of traffic violations. In this respect, the current study is based on the analysis of the language used by Judge Frank Caprio. The Judge is highly popular for his use of simple language in judicial proceedings. Newmark (1988) argues that the use of specialized terminology is important for achieving clarity, precision, and functionality in technical texts, particularly in legal translations where terminology plays an integral role in defining meanings and ensuring legal validity. Nevertheless, there are various obstacles that can arise when attempting to translate traffic law terminology from English into Arabic, including a lack of corresponding terms, differences between legal systems, and culturally influenced interpretations of traffic violations, punishments, and decisions. In audiovisual translation, these problems become even more pronounced due to linguistic constraints and the need to ensure viewer comprehension. The study explores the process of meaning construction and communication of legal concepts through subtitling of courtroom discourse and examines how translators address the challenges of functional equivalence, the differences of legal systems, and audiovisual translation constraints. Furthermore, the study aims at filling the gap in the current body of knowledge by focusing specifically on the under-studied area of translation of traffic-law discourse from English into Arabic.

## 2. Theoretical Background

The following section provides a comprehensive review of previous literature and research on legal translation. To establish a solid foundation for this study, it is essential to explore how different researchers have addressed the complexities of legal terminology and the linguistic challenges inherent in judicial discourse. This review focuses on three main areas: the theoretical frameworks of legal translation,

the specific difficulties of translating legal terminology between English and Arabic, and the strategies translators employ to maintain accuracy in courtrooms. Moreover, this section aims to highlight current gaps in the literature, particularly the translation of legal terminology in audiovisual legal contexts.

According to Newmark (1981, p. 47), it is essential for translators to carefully consider both linguistic form and communicative purpose of the source text. He argues that "every word has to be rendered, differences in terminology and function noted, and as much attention paid to the content as to the intention and all possible interpretations and misinterpretations of the text." This idea indicates that apart from taking into account the lexical meaning of every word, it is necessary to pay attention to its function in the context of the whole text. Legal terms and expressions may be specific to a particular legal system and institution. In other words, a translator should pay special attention to possible differences in terminology and functions of the source and target texts. At the same time, it is very important to consider all possible misinterpretations of the text, since even a slight change of the meaning may influence the legal effect of the text.

According to Al-Farahaty (2015), legal translation from English to Arabic or Arabic to English is rather challenging since, apart from the difficulties of translating between two different linguistic systems, there are difficulties involved in translating between two distinct legal systems as well. Consequently, the difficulty does not only refer to finding linguistic equivalents since the legal meanings are closely linked to the specific legal and cultural context in which they operate. It is important to note that the two languages are quite different in terms of language families, where Arabic belongs to the Semitic branch of the Afro-Asiatic language family, while English is part of the Indo-European language family.

There are several linguistic aspects which may be rather challenging for the translator. First, terminology presents a significant challenge. It deals with concepts related to *Shari'a* law or the common-law tradition and which cannot be translated directly into another legal system. Second, syntax presents another challenge in terms of the use of legal modalities to express obligations, permissions, prohibitions, or the frequent use of passive constructions. Finally, stylistic and textual features can be rather challenging, including the use of lexical repetition and punctuation, which may vary greatly between legal texts in English and Arabic.

In the same context, Koteva (2023, p. 139) states that one of the difficulties that might face the translator while translating legal language is the "double coding" of legal terms. According to Koteva, some legal terms may refer both to a specialized legal concept and to an ordinary meaning. In this regard, the use of a term may seem linguistically, but it refers to a different legal concept in the second legal system. This difficulty may occur when translating from English into Arabic since some legal terms have dual meanings and the term may seem obvious linguistically, but it refers to a completely different legal concept. Thus, the use of the literal meaning of the legal term without considering its legal meaning might cause ambiguity or inaccuracy. This claim supports what Al-Farahaty (2015) states about the role of legal translation which involves much more than transferring linguistic forms between the source and the target languages.

The discussion of equivalence in legal translation is raised by De Groot (2006). The author emphasizes that the problem of equivalence concerns whether it is possible to consider the term in the source legal system to be equivalent to a legal term in the target language. De Groot (2006) points out that equivalence is possible when the source-language legal term corresponds, to some extent, to a term in the target legal system. However, to evaluate the degree of such correspondence, the translator should take into account the context in which this term appears and the purposes of the translation. As Aoul (2023, p. 733) says, "Whether these differences are significant enough to make it impossible to use the term from the target language law for translation depends on these considerations."

It seems that the problem becomes even more complicated when considering the fact that the legal terminology is dynamic because it continually develops and changes in relation to the changing national legal systems and cultures in which they operate. Piszcz and Sierocka (2020, p. 534) point out that "the implementation of new legal terminology may be a natural consequence of the development of national legal languages" in compliance with the legal documents of international organizations. Therefore, the legal translator has to be aware of the developments in terminology in order to provide the appropriate translation.

Translating traffic regulations is particularly challenging due to the fact that traffic laws, regulations, and road signs are quite dissimilar across different legal systems and countries. Due to the dissimilarity of traffic laws and regulations, many countries place particular emphasis on standardization and formal consistency of the translation of traffic rules. In multilingual and international environments, inadequate or inconsistent translation may result in misunderstanding of the legal requirements and road safety regulations. In this context, Maierhofer et al. (2022) examine the formalization of intersection traffic rules in temporal logic, addressing different intersection types and the need to represent traffic regulations in a precise, machine-interpretable form. Their study highlights the importance of explicitly specifying traffic rules, including those governing behavior at intersections and the interactions of road users.

Attieh and Al-Issawi (2024, pp. 87–98) provides an illustrative example of the challenges involved in translating traffic-related terminology. He examines the Arabic term used to refer to a "police car," which, according to the *Almaany Dictionary*, may generally be translated as "small police car." In English, however, several terms can be used to refer to this type of vehicle, including cruiser, police car, black and white, and panda car. Although these terms denote essentially the same type of vehicle, each carries distinct connotations and reflects particular regional usage conventions.

Moreover, there are some examples that may be relevant for the current research identified by Attieh and Al-Issawi (2024). For instance, he translates the English word *pissed* into Arabic as *مخمور*. The author proves that the meaning of the given expression changes depending on the variety of English it is used in. In American English, *pissed* usually means "angry," while in British English, it is most often used in the sense of "drunk" (Attieh and Al-Issawi, 2024). Thus, the above-mentioned example shows the need to consider regional and cultural factors

in translating the traffic-related terms. This example also highlights the importance of considering the situational context when translating legal and traffic-related texts, as a purely literal rendering of a term may result in significant errors in interpreting its intended meaning.

According to Al Aqad (2014), legal translation differs fundamentally from other forms of translation because of the distinctive nature of the legal systems and specialized terminology involved. He argues that the accurate interpretation and translation of legal terminology into another language depend on a comprehensive understanding of its function and status within the relevant legal system (Al Aqad, 2014, p. 118). This highlights the need for legal translators to possess not only strong linguistic competence but also substantial knowledge of the law and the legal systems in which the terminology is used. It further suggests that overlooking the systemic and conceptual dimensions of legal language may result in mistranslation or, more seriously, a distortion of the intended legal meaning.

Cao (2007, p. 37), in discussing the competencies required of legal translators, refers to the importance of knowledge of both the source and target legal systems, familiarity with relevant legal terminology, and competence in the target language's legal writing conventions. These competencies highlight the need for legal translators to combine linguistic proficiency with an understanding of the relevant legal systems and their specialized terminology. According to Farghal and Shunnaq (2011, p. 189), legal translation is unique in the sense that its content is embedded in legal codes that carry certain legal concepts. It therefore requires that the translator be aware of such codes and deal with them with care and caution.

There are instances where judges can be asked to interpret or explain some laws to the accused when there is a language barrier due to culture. According to Ricca (2023, p. 175), in such a scenario, a judge who acts as a translator takes up a paradoxical position of becoming a "faithful traitor." It means that the judge needs to be faithful to the meanings held by different people from other cultures and at the same time betraying those meanings by explaining them in the official legal language. They are also supposed to have institutional faithfulness to the exact wording of the law.

Alongside the key theoretical paradigms discussed above, the present study adopts an interdisciplinary approach to address the complexities involved in translating legal texts in an audiovisual context. As Cao (2007) points out, legal translation is not simply a matter of replacing words from one language with their equivalents in another; rather, it involves transferring legal concepts and meanings across different legal systems. This consideration is particularly important when translating legal terminology into Arabic, especially in light of Šarčević's (1997) emphasis on the principle of functional equivalence.

Although considerable attention has been devoted to the language of traffic law and the translation of traffic-related terminology, an important area remains relatively underexplored: the analysis of traffic law terminology as it is used in courtroom communication and conveyed through audiovisual media. In particular, limited research has examined the challenges involved in translating traffic-related legal terminology as it occurs in authentic spoken courtroom interactions, such as those featured in the courtroom proceedings presided over by Judge Frank Caprio.

Although legal translation has received considerable scholarly attention, existing research has predominantly focused on written legal texts rather than authentic courtroom discourse. The translation of traffic law terminology in spontaneous judicial interaction remains largely unexplored, particularly in the English–Arabic context. Moreover, previous studies have paid limited attention to the pragmatic and contextual dimensions that shape the meaning of legal terminology during courtroom exchanges. Consequently, no comprehensive study has examined the translation challenges and strategies associated with Judge Frank Caprio's courtroom oral arguments. This study addresses this gap by investigating how traffic law terminology can be translated while preserving both legal accuracy and communicative intent.

### 3. Problem Statement

Legal translations carried out within courtroom discourse face many problems, especially concerning the translation of traffic law terminology from English to Arabic. Such problems become evident when translating oral exchanges between judges and litigants because meaning in this context depends on idiomatic, pragmatic and power-related features of courtroom interaction. Although courtroom translation becomes an increasingly relevant issue, little attention is paid to legal terms related to traffic law and oral explanations by judges that require translation into Arabic. In other words, the problem of translating expressions used in Judge Frank Caprio's courtroom discourse is becoming apparent since they contain legal terminology, idioms, and pragmatics, which might not have direct equivalents in Arabic legal discourse. This gap in knowledge gives rise to issues relating to equivalence and the communicative effectiveness of the translation process itself. Hence, the main problem explored within this research is related to linguistic and pragmatic challenges in translating traffic law terminology in courtroom oral discourse and the corresponding strategies utilized to obtain equivalence in such processes of English–Arabic legal translation.

### 4. The Objectives of the Study

This study seeks to examine the problems encountered when translating oral arguments of traffic offenses in court settings. Moreover, the study particularly examines the issues that arise in relation to the interaction of language, law, and culture during the translation of verbal communication within court settings. The study especially explores the issues that arise due to the different legal systems, lack of equivalent terms, and restrictions associated with audiovisual translation (AVT) when translating from English to Arabic. In addition, the study seeks to explore the strategies employed by translators to effectively manage these challenges when translating English legal oral arguments concerning traffic-related issues into Arabic. It pays particular attention to how translators negotiate meaning within the limits of legal accuracy and target-language norms, while also adapting to the temporal and spatial restrictions inherent in audiovisual contexts. By

analyzing these strategies, the study aims to shed light on the decision-making processes that underpin legal translation in courtroom settings and to identify practical approaches that enhance the quality and reliability of translated legal discourse.

## 5. Research Questions

The study attempts to answer the following questions:

1. What are the challenges that translators encounter in translating the legal oral arguments related to traffic issues?
2. What are the strategies employed by translators when translating English legal oral arguments into Arabic related to traffic issues?

## 6. Significance of the Study

This study is significant because it contributes to translation studies by examining the translation of legal and traffic-related terminology in courtroom discourse, with particular attention to the oral arguments and judicial interactions of Judge Frank Caprio. By analyzing language used in courtroom interactions, the study seeks to shed light on how legal meaning is constructed in context and how it can be effectively transferred from English into Arabic.

The findings may also be of practical value to professional translators, particularly those working in legal and courtroom settings. The study highlights the challenges that translators may encounter when dealing with traffic-related legal terminology, contextual ambiguity, and the need to achieve functional equivalence in English-Arabic translation. In addition, the analysis identifies and discusses translation strategies that may be employed when rendering traffic law terminology, with particular attention to lexical ambiguity, contextual meaning, and terminological accuracy.

Furthermore, the study contributes to academic research in legal translation by addressing an area that has received comparatively limited attention: the translation of traffic law terminology as used in authentic courtroom discourse. It may therefore be of interest to researchers and scholars working in legal discourse, courtroom interpreting and translation, audiovisual legal communication, and English-Arabic translation. By combining theoretical insights with an analysis of naturally occurring courtroom interactions, the study provides a basis for further research into the translation of specialized legal terminology across linguistic and legal systems.

## 7. Methodology

### 7.1 Data Collection

The data used in this study consist of ten samples of traffic-related legal discourse selected from a total of eighteen instances identified during the data collection process. The data were collected from ten video recordings of courtroom proceedings involving Judge Frank Caprio between 2017 and 2023. The Arabic translations analyzed in the study were produced by Arabic-speaking translators who uploaded subtitled versions of these courtroom proceedings to YouTube. Because the videos were obtained from publicly available sources, it was not possible to verify the translators' professional backgrounds or qualifications. Accordingly, the translators are identified by the names of the YouTube channels through which their Arabic subtitles were made available, including Ahmed Al-Mubarak, Mohammed Al-Namliti, Al-Diplomasi Al-Homsi, and Official Ahmad.

The data collection process involved a series of systematic searches on YouTube using both English and Arabic keywords and search phrases. These included "Judge Frank Caprio traffic cases Arabic subtitles," "Frank Caprio courtroom Arabic translation," "Judge Caprio traffic violations مترجم," "Frank Caprio traffic court Arabic," and "قاضي الرحمة فرانك كابريو مخالفات السير." The videos identified through these searches were screened according to predetermined selection criteria: (1) the video contained courtroom discourse concerning traffic violations or traffic law; (2) both the original English utterance and its Arabic translation were available and clearly identifiable; (3) the selected items constituted specialized traffic-related legal terms rather than general or commonly used vocabulary; and (4) the selected terms involved identifiable translation problems relevant to the objectives of the study.

Of the eighteen cases initially identified, ten were selected for detailed analysis based on the complexity of their linguistic structures, the recurrence of the relevant terminology, and their direct relevance to the research objectives. The selected cases provide a range of frequently occurring traffic-related legal terms used in courtroom discourse, including terms associated with violations, legal procedures, penalties, and administrative matters. They also illustrate major translation problems identified across the broader dataset, particularly terminological non-equivalence and the adaptation of legal concepts between the American and Arabic legal systems. Thus, although the final sample was selective, it provides a focused and sufficiently varied representation of the principal challenges involved in translating traffic law terminology from English into Arabic in courtroom discourse.

### 7.2 Data Analysis

The theoretical framework of this study is based on the translation procedure model proposed by Newmark (1988). Translation procedures such as literal translation, functional equivalence, descriptive equivalent, and other relevant procedures are used as analytical categories to examine how Arabic translators address the linguistic, legal, and cultural challenges involved in translating traffic law terminology.

The analysis was conducted through a systematic examination of the selected courtroom videos, their English transcripts, and the corresponding Arabic translations. First, YouTube channels providing Arabic-subtitled versions of Judge Frank Caprio's traffic court proceedings were identified through systematic searches. The relevant videos were then screened, and those containing specialized traffic law terminology were selected for further analysis. The selected examples were subsequently analyzed in accordance with Newmark's (1988) classification of translation procedures to identify the procedures employed by the translators and to assess their appropriateness in

conveying the intended legal meaning.

The corpus consists of authentic courtroom discourse from Judge Frank Caprio's traffic court proceedings, made publicly available online. A purposive sampling approach was adopted, with the selection of examples guided by their relevance to the research objectives and the presence of identifiable translation difficulties, including terminological non-equivalence, procedural language, and culturally specific legal concepts. Repetitive examples and items that did not present significant linguistic or translational challenges were excluded. Consequently, ten examples were selected for qualitative analysis of the challenges involved in translating traffic law terminology from English into Arabic.

## 8. Discussion and Results

### Example (1)

#### Source Text:

I am going to **give you a break** on the red light

#### Target Text

سوف ألغي مخالفة الإشارة الحمراء

In the utterance "I am going to give you a break on the red light," which occurs in a judicial context where the judge has discretionary authority, the expression "give you a break" functions idiomatically to mean "to be lenient" or "to mitigate the penalty." The Arabic translation, "سوف ألغي مخالفة الإشارة الحمراء" ("I will cancel the red-light violation"), can therefore be understood as a shift from lexical to pragmatic meaning, as the translator appears to have prioritized the intended communicative function of the utterance rather than its literal lexical meaning. From a theoretical perspective, this rendering can be viewed in terms of Nida's (1964) concept of dynamic equivalence, according to which equivalence is achieved when the target audience experiences an effect substantially similar to that intended by the source text. The translation achieves communicative equivalence by explicitly conveying the judicial consequence of cancelling the violation, whereas a literal rendering such as "سأعطيك استراحة" ("I will give you a break") would likely result in pragmatic failure because the expression does not carry the same legal or judicial implication in Arabic.

This example can also be interpreted in light of the adaptation procedure proposed by Vinay and Darbelnet (1958). Since "give you a break" is a culturally and contextually bound expression, adapting it to the target judicial context allows the translator to convey its intended function rather than its surface form. The example therefore demonstrates the importance of pragmatic sensitivity in legal translation, where successful equivalence is determined not merely by lexical correspondence but by the extent to which the intended legal and communicative effect is preserved in the target language.

### Example (2)

#### Source Text:

These tickets don't go on your driving record

#### Target Text

هذه المخالفات لا تذهب في سجل القيادة الخاص بك

In the above example, the translator uses a word-by-word translation method, which results in a failure to capture the legal sense of the expression used in the source text. The first and most significant difficulty is the mistranslation of the verb go, in the expression "These violations are not recorded on your driving record" the word "تذهب" reflects the general lexical meaning of the verb go, meaning "to move" or "to go." But in the domain of the traffic law, the expression "go on your driving record" refers to the act of recording, registering or adding a violation in a driver's legal history. Therefore, the literal translation creates a semantic mismatch between the source and the target languages and does not convey the procedural meaning of the expression used in the source text.

Thus, a more appropriate translation requires shifting from formal correspondence to functional equivalence, focusing on the transfer of the legal function and communicative purposes of the expression used. In the context of the Arabic law, there are several alternatives to translate the expression, such as "تُقيّد على سجل القيادة", "تُسجّل في سجلك المروري", or "تُضاف إلى سجل المخالفات" that will provide a more accurate representation of the administrative process expressed in the English phrase.

As in the previous example, the expression driving record has to be considered. It is important to understand that this expression does not refer to a general record of driving activities, but to an official administrative file which contains data about a driver's violations and penalties. Hence, the mistranslation of this expression in a legal context may lead to ambiguity. To translate it appropriately and precisely, it is better to use "سجلك المروري" or "سجل القيادة الخاص بك" according to the institutional context.

In this example, it is possible to find evidence in favor of the statement made by Vinay & Darbelnet (1958) that literal translation may be inappropriate in cases where linguistic structures and conceptual meanings are different in languages. This example also proves Newmark's view (1988), which suggests that translation of a legal text has to pay attention to accuracy, clarity, and naturalness of the target language, but not only the form of the source text. Hence, in this legal context, the best translation of the sentence "These violations are not recorded on your driving record" would be: "هذه المخالفات لا تُسجّل في سجلك المروري."

### Example (3)

**Source Text:**

You had five **parking ticket**.

**Target Text**

لديك خمس مخالفات انتظار

In this example, *parking ticket* is rendered as “مخالفات انتظار,” using a translation procedure that modifies the source term but fails to achieve sufficient terminological and legal precision. Although the translation appears to convey the general notion of a traffic violation, the use of “انتظار” (waiting) does not adequately represent the specific legal concept denoted by *parking ticket* in the context of the American traffic law system. A *parking ticket* refers to an official citation issued for a parking violation rather than simply to the temporary stopping or waiting of a vehicle. Consequently, the selected Arabic term creates a conceptual mismatch that may cause confusion for Arabic-speaking audiences.

The distinction becomes even more significant when variations in traffic-related terminology across Arabic legal systems are taken into consideration. In legal usage, “انتظار” generally refers to waiting or a temporary stop, whereas “وقوف” and “ركن” can refer to leaving or parking a vehicle in a particular location. Therefore, renderings such as “مخالفة وقوف” or “مخالفة ركن” may provide greater terminological precision and more accurately convey the legal concept expressed by the source term.

From a theoretical perspective, this example can be examined in light of Nord’s (1997) Skopos-oriented approach, which emphasizes that translation decisions should be guided by the intended purpose of the target text and the needs of its intended users. The ambiguous rendering “مخالفة انتظار” is unlikely to fully serve the communicative purpose of a legal translation because it does not clearly identify the specific type of violation involved. The example can also be related to Baker’s (2018) concept of functional equivalence, according to which translators should seek target-language expressions that perform an equivalent function and convey comparable meaning within the target cultural context. This principle is particularly important in legal translation, where terminological choices may have significant conceptual and legal implications.

The findings from this example are also consistent with Newmark’s (1988) view that specialized and technical terms should be translated according to their contextual meaning rather than through isolated lexical correspondence. Accordingly, the translation of *parking ticket* should reflect its specific legal and functional meaning in order to ensure terminological accuracy. Depending on the terminology and conventions of the target legal system, more precise renderings could include “لديك خمس مخالفات وقوف” or “لديك خمس مخالفات ركن.”

**Example (4)****Source Text:**

You were charged with **speeding** on Chalkstone street.

**Target Text**

انت متهمه بتجاوز حد السرعة على شارع شالكستون.

In the above example, the translator has used a highly literal translation strategy to convey the meaning of the English word speeding as “تجاوز حد السرعة” (exceeding the speed limit). Though this translation successfully delivers the meaning of the offence, it is not consistent with the usual terminology in Arabic legal and traffic terms. The usual way to refer to this offence is the term “تجاوز السرعة المقررة” (exceeding the speed limit). This difference may seem insignificant, but the issue of terminological and institutional conformity is crucial for accurate translation in the field of law.

This example clearly shows the limits of literal translation applied to specific terminology. According to the theory of equivalence by Vinay and Darbelnet (1958), the direct translation of the word may not be possible in the case of an already formed equivalent of the source expression in the professional discourse of the target language. Even though “تجاوز حد السرعة” is clear enough, the inconsistency with the usual legal terminology reduces its formal qualities and appropriateness.

Moreover, this example confirms the relevance of register analysis emphasized by Hatim and Mason (1990). The choice of the register in translation should depend on the context, the audience and the field of discourse, and it becomes especially important in the field of law because the discourse in courts requires formality. Legal translators should use only terminology reflecting accepted professional conventions, and non-conformal expressions may lower the formal nature of the text.

This result corresponds to Newmark’s (1988) statement about the need to pay attention to such aspects as accuracy, clarity and proper terminology usage in the field of legal translation. Thus, even though the translation “تجاوز حد السرعة” can transmit the meaning of speeding, it is not sufficient and “تجاوز السرعة المقررة” should be used.

**Example (5)****Source Text:**

You were charged with improper display of plates, what did you have one plate on the car?

**Target Text**

تهمتك عدم وضع لوائح تسجيل السيارة بشكل صحيح، ماذا هل كنت تضع لوحة واحدة فقط على السيارة؟

Based on Newmark's (1988) approach, this example shows limitations of the literal translation of legal expressions. Newmark (1988) distinguishes between semantic and communicative translation. The former aims at preserving meaning of the source language while the latter focuses on the equivalence in the effect and meaning of the source text for the target audience. The legal context, where a high degree of accuracy and clarity is required, may require greater attention to the communicative aspects of translation.

In this example, the translation of charged with as "تُهمتك" successfully conveys the basic meaning of the expression. However, the translation of the second expression as "عدم وضع" leads to a problem of terminological precision. As Newmark (1988) states, technical and legal terms need to be translated according to their contextual meanings. In this example, the phrase may imply that the car did not have any license plates at all, while the actual meaning should reflect the idea that the plates were improperly fixed or placed. Hence, the translation is not accurate from the legal point of view since the translation fails to distinguish between two legally distinct situations.

Moreover, as Newmark (1988) states, established terminology and natural expressions need to be used in translation within special context. The following formulation would be more appropriate: "عدم تثبيت لوحة المركبة وفقاً للأنظمة" or "عدم وضع لوحة المركبة بالشكل المطلوب". Moreover, the example shows a grammatical error in the Arabic translation of the question "ماذا هل كنت تضع لوحة" which does not correspond to the natural grammar construction of Arabic language. From the perspective of communicative translation, as it is proposed by Newmark (1988), the translator needs to take into account the acceptability of the target-language expression rather than preservation of the source one. An appropriate formulation would be "هل كنت تضع لوحة واحدة فقط؟"

Hence, this example proves the statement of Newmark that legal translation requires not only lexico-semantic substitutions but also achieving a balance between accuracy, clarity and acceptability in the target language. Although the literal translation can successfully convey the meaning of the individual words, the precision of the translation of the source utterance is not always achieved in this way.

#### Example (6)

##### Source Text:

You are charged with a parking violation

##### Target Text

لديك مخالفة بانتهاك مواقف السيارات

Based on the principles proposed by Newmark (1988), this example shows the drawbacks of literal translation of specialized terminology. In particular, the term "parking violation" was translated as "مخالفة بانتهاك مواقف السيارات", which seems to repeat lexical elements of the source expression without taking into consideration how they are used in Arabic legal discourse. Although "انتهاك" can be translated as "violation" or "infringement," in the Arabic language, this word has a wider collocational range, which is usually associated with serious violations of human rights, law, or any international agreements. It sounds inappropriate in the context of a usual parking violation and introduces semantic coloring that is not typical of the Arabic traffic terminology.

According to Newmark (1988), the specialized terms should be translated considering their contextual and technical meaning rather than the isolated lexical meanings. In this context, "parking violation" means an offense that is committed in connection with incorrect parking or stopping of a car. Taking this into account, it seems more appropriate to use terms like "مخالفة وقوف" or "مخالفة تتعلق بركن المركبات", which are closer to the Arabic terminology and are more idiomatic.

In addition, the phrase "You are charged with" was translated as "لديك", which is not appropriate in this context because it introduces another loss of the legal register. According to Newmark (1988), legal translation implies paying attention not only to denotation but also to register, collocation, and communicative function of the words and phrases. In this case, the use of an expression such as "تم تسجيل مخالفة بحقك" would better reflect the formal nature of the action and would be more appropriate in legal discourse.

The above example shows the reason why literal translation cannot always be used in translating legal terminology. In the words of Newmark (1988), the communicative translation should reproduce both the denotative and the functional meaning of the source expression in the way that is natural and appropriate to the target context. For this reason, an appropriate translation for this example would be "تم تسجيل مخالفة بحقك".

#### Example (7)

##### Source Text:

I am going to **dismiss** the case.

##### Target Text

انا سأقوم برفض القضية.

In line with Newmark's (1988) approach, the above example demonstrates the shortcomings of literal translation when translating specialized legal terminology. "Dismiss the case" is translated as "رفض القضية". This phrase is inaccurate because the translation does not convey the procedural meaning of the term used in the source text. The legal meaning of "dismiss" refers to the process of disposal of a case by the court, while "رفض" suggests the rejection of an application or a claim rather than termination of an existing case. Hence, the choice of "رفض القضية" may result in semantic and procedural inaccuracy of the translation.

Following Newmark's (1988) approach, technical and legal terms need to be translated based on their contextual and customary meaning. In

this case, the translator could choose "إسقاط القضية" or, based on the specific legal system and procedure, "رفض الدعوى". Therefore, the translator needs to understand the difference between legally related concepts because apparently similar terms may have distinct procedural consequences. This fact is especially important for courtroom discourse, since legal translation directly influences the interpretation of the judge's decision.

In addition to the inaccuracy of the translation of the term, the sentence structure demonstrates excessive literalness. The translation "أنا سأقوم برفض القضية" replicates the grammatical construction of the English source text. However, the grammatical construction "أنا سأقوم بـ" is not needed in the Arabic language, while a simpler construction "سأسقط القضية", when used correctly, is shorter, more natural, and closer to the formal language. Thus, from the perspective of Newmark (1988), successful translation ensures the clarity of the message and its register.

To conclude, this example shows that translating legal text requires not only the transfer of the lexicon from English into Arabic but also understanding of the meaning and use of the term within the target culture. In particular, the translator needs to understand the procedural meaning of the term, the conventions of the target legal system and stylistic rules of courtroom discourse. As a result, the translator cannot choose a literal translation "أنا سأقوم برفض القضية", but rather needs to provide a concise translation in the form of "سأسقط القضية".

Example (8)

**Source Text:**

You have an **overnight parking pass**.

**Target Text**

لديك بطاقة سنوية للوقوف ليلاً.

Using the classification of Newmark (1988), this particular translation demonstrates the potential problems associated with excessive freedom while translating specialized legal vocabulary. Indeed, the source expression "overnight parking pass" has been translated as follows: "بطاقة سنوية للوقوف ليلاً". The translator has managed to convey the basic meaning of the word combination. However, the addition of the word "سنوية" (annual) by the translator implies the introduction of new data that is not mentioned in the source text.

If viewed from the perspective of Newmark (1988), this kind of translation in legal documents is particularly unacceptable because it changes the range and duration of the permission given by the legal document. While "overnight" defines the authorized period or situation when the parking is allowed, "annual" introduces another level of meaning by implying the fact that the license is going to last for one year.

The translator's change thus appears to be an example of over-translation that includes the semantic component absent in the source text. It is true that in communicative translation some flexibility is allowed while reformulating the initial word combinations. However, the translator should not add information to the original message without textual justification because this may lead to misunderstanding.

To achieve greater precision, the translator should use the following expressions: "تصريح وقوف ليلي" or "بطاقة وقوف ليلي". Thus, depending on the specific institution issuing the license (the competent authority or a physical document), the translator will need to choose whether he should use the expression "تصريح" or "بطاقة".

This example illustrates the distinction between semantic and communicative translations suggested by Newmark (1988). Although communicative translation aims at making the text understandable and natural for the target audience, in the case of legal texts the translator should strive for semantic exactness. Therefore, "تصريح وقوف ليلي" is a more accurate translation of "overnight parking pass".

Example (9)

**Source Text:**

What do you want to tell me about these other two **speeding tickets**?

**Target Text**

ماذا تريدون أن تخبريني عن هاتان التذكريتان للسرعة؟

Within Newmark's (1988) framework, the given example reflects the failure of literal translation due to the difference between the lexical meaning of the item in the source language and its specialized meaning associated with traffic laws. In particular, the term speeding tickets has been translated into "تذاكر للسرعة". Such a choice has been made based on the common, lexical meaning of the word ticket. Although the English word "ticket" is polysemous, referring to both travel and entrance tickets; however, in the context of traffic law, speeding ticket stands for a citation for exceeding the permitted speed. Therefore, "تذاكر" represents both a terminological and semantic mistake in the given case, as the chosen meaning of the item does not correspond to the institutional context of the source utterance. Within the framework of Newmark (1988) concerning technical terminology, the translator should understand the specialized meaning of the item within a certain field and select an equivalent target term instead of using its general meaning.

In addition, the provided example highlights the significance of grammatical and stylistic correctness within Newmark's communicative translation approach. The given translation of "these two tickets" is incorrect from a grammatical perspective, as both the demonstrative pronoun and the noun should take accusative/genitive case form after the preposition, resulting in "هاتين التذكريتين". However, even changing their grammatical forms would not solve the main problem, as "التذكريتين" is semantically inappropriate within the institutional context. According to Newmark (1988), translation involves meaning transfer rather than the reproduction of linguistic forms; thus, the translation must be grammatically correct and appropriate.

In terms of Newmark's dichotomy between semantic and communicative translation, a better solution would be to consider the specialized meaning of speeding ticket and rendering it into a form that fits Arabic courtroom discourse. In this case, "ماذا تريد أن تخبرني عن هاتين" proves to be a much more adequate translation than the literal one. The use of the word "المخالفتين" reflects the legal nature of the tickets, while the forms "هاتين" and "المخالفتين" are grammatically appropriate. Thus, the given example shows that although literal translation preserves some formal aspects of the source text, it fails when polysemy, terminology, and structural differences between English and Arabic influence the process of meaning transfer in legal translation.

Example (10)

#### Source Text:

You were doing 14 miles over the limit.

#### Target Text

كنت تقود 14 ميلا فوق الحد.

According to Newmark's (1988) framework, this example illustrates the limitations of literal translation when rendering specialized terminology in legal and technical discourse. The source expression 14 miles over the limit has been translated as "ميلا فوق الحد ١٤", which conveys the general idea of exceeding a legally prescribed threshold but fails to make the specific referent of limit explicit. In the context of traffic law, the limit clearly refers to the legally established speed limit; therefore, omitting the semantic component "السرعة" reduces the precision of the target text and may create ambiguity when the expression is considered independently of its immediate context. In a legal setting, where terminology must be sufficiently explicit to identify the precise nature of an offense, such ambiguity is particularly undesirable.

The phrase "فوق الحد" also reflects excessive adherence to the syntactic and lexical structure of the source language. Although the expression is understandable in Arabic, it is not the conventional formulation used in formal traffic-law discourse and therefore lacks the terminological and stylistic naturalness expected of an official legal text. Newmark (1988) emphasizes that specialized translation should take account of the established terminology and collocational patterns of the target language rather than mechanically reproducing source-language expressions. The translator must therefore identify the professional usage associated with the concept and select a target-language formulation that conforms to the conventions of the relevant field.

From the perspective of Newmark's distinction between semantic and communicative translation, the translation should preserve the propositional content of the source while expressing it in a form that is precise, natural, and readily comprehensible to the target audience. A more appropriate rendering would be "تتجاوز السرعة المقررة بمقدار ١٤ ميلا". This formulation explicitly identifies the limit as "السرعة المقررة", an established and contextually appropriate expression in Arabic traffic discourse, while accurately conveying the quantitative extent of the violation. It consequently avoids the ambiguity and unnaturalness associated with "فوق الحد".

This example further demonstrates Newmark's (1988) emphasis on the importance of appropriate register and conventional terminology in specialized translation. Legal texts operate within highly regulated linguistic environments in which recurrent formulations and field-specific collocations contribute to precision, authority, and interpretive consistency. A successful translation should therefore not merely reproduce the lexical content of the source but should conform to the linguistic conventions of the target legal system. The proposed rendering, "تتجاوز السرعة المقررة بمقدار ١٤ ميلا", achieves this by combining semantic accuracy with grammatical and stylistic naturalness, producing a target expression that is more consistent with the discourse of formal traffic-law documentation.

#### 8.1 Results

The findings of this study highlight the significant challenges translators face in achieving "dynamic equivalence" due to the technical nature of legal terminology. A major challenge is the lexical ambiguity of terms with common and legal meanings. For example, in Example 9, "ticket" was incorrectly translated as "تذكرة" (travel/event ticket) instead of "مخالفة" (legal fine). This reinforces Newmark's (1988) assertion that legal translation requires a deep understanding of terminological differences between the source and target languages. Another key challenge is the grammatical and stylistic incompatibility between English and Arabic. As illustrated in Examples 5 and 9, literal translation often leads to grammatical errors in Arabic (such as "ماذا هل" or the use of incorrect case endings, such as "هاتان" instead of "هاتين"). These errors not only disrupt the linguistic flow but also weaken the professional tone required in legal discourse. Furthermore, cultural and systemic differences pose a challenge when translating terms specific to the American legal system that lack direct Arabic equivalents, such as "nighttime parking permit" (Example 8) or "dismissal of claim" (Example 7). The researchers noted that failing to distinguish between "dismissal of claim" and "dismiss the claim" can lead to legal misunderstandings of the judge's decision, thus reinforcing Nord's (1997) theory that translations must accurately reflect the legislation of the target system.

In addressing the strategies used, the results indicate a heavy reliance on Literal Translation, which was employed in the majority of the analyzed examples (Examples 2, 4, 5, 6, 7, 9, and 10). While this strategy aims for "Formal Equivalence," it often fails to produce a natural or accurate rendition in Arabic. For example, in Example 2, translating "tickets don't go" as "لا تذهب" instead of "لا تُسجل" (do not register) demonstrates how literalism can result in an unnatural and physically literal meaning that does not exist in the Arabic legal context. On the other hand, the study highlights the effectiveness of adaptation and dynamic equivalence as superior strategies for achieving clarity. In Example 1, the translator successfully rendered "give you a break" as "سوف ألغي المخالفة" moving away from the literal "استراحة" to convey the judge's actual intention to pardon. This aligns with Nida's (1964) concept of dynamic equivalence, where the focus is on creating the same

effect on target readers. Additionally, modulation and interpretation were used to correct cultural gaps. In Example 10, the translator attempted to clarify "doing 14 miles over the limit" by providing a more descriptive Arabic phrase. However, the researcher notes that while adaptation is often necessary, it must be executed with precision; otherwise, it may lead to "over-translation," as seen in Example 8, where the word "yearly" (سنوية) was added without being present in the source text. In conclusion, the findings suggest that while literal translation is the most common strategy, it is the least effective in the judicial context, whereas adaptation and functional equivalents provide a more accurate representation of the legal reality.

## 9. Conclusion

The findings of the present study can be considered valuable to the field of legal translation. Theoretically, the study makes an important contribution to the process of theory building as the appropriateness of Newmark's (1988) translation procedures was shown in the analysis of traffic law terminology in authentic courtroom discourse. Furthermore, the findings are valuable for the discussions in terms of complexity of legal translation due to the fact that besides linguistic skills, legal and cultural knowledge is necessary to produce accurate English-Arabic translations. Practically, the findings will be useful for translators' training and the development of translators' practice. As they show that the use of authentic legal and courtroom materials should be incorporated into translator training programs and students should receive systematic training in the field of legal terminology and comparative legal systems instead of literal translation as the only translation procedure. For professional translators, the findings highlight the significance of taking into account the legal, institutional and communicational context while choosing appropriate translation procedures. However, the study has several limitations. First of all, it has a rather small sample which limits the generalizability of the findings. Also, as the sources of the study were public YouTube videos, it was not possible to determine the professional background, qualifications and experience of the translators and their working conditions. Further research can be done to overcome the limitations of the study – the larger samples of data can be examined, including not only official but also unofficial courtroom interpreting; the practices of various translators can be compared, the use of artificial intelligence and machine translation in legal translation can be analyzed.

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## Author contributions

Mohammad Mehawesh, Noor Mohammad Alomari and Muhammad Saleh Al-Omari<sup>1</sup> were responsible for the study design and revising. Noor Mohammad Alomari and Muhammad Saleh Al-Omari were responsible for data collecting and Dr. Mehawesh drafted the manuscript and revised it. Noor Mohammad Alomari, Muhammad Saleh Al-Omari and Dr. Mehawesh read and approved the final manuscript. The authors contributed equally to the study.

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No additional data are available.

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