TRANSLATION OF COHESIVE DEVICES IN SELECTED LEGAL TEXT TYPES FROM ENGLISH INTO ARABIC

by

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ABSTRAK

keunikan sesetengah bahasa dan pilihan norma beberapa bahasa dalam menterjemah teks undang-undang daripada Bahasa Inggeris kepada Bahasa Arab. Kajian ini mencadangkan supaya penyelidikan lain perlu diadakan ke atas kohesi dalaman dan kohesi luaran dalam teks undang-undang dan teks jenis lain. Pengkaji akan datang juga dinasihatkan supaya mengkaji penggantian dan ellipsis dalam teks teknikal berbeza untuk melihat sama ada mereka mempunyai dapatan yang sama atau berbeza.
Translation is a significant medium for transferring knowledge, culture, religion and innovations. It also becomes an inevitable channel to bridge the gap between a range of languages and cultures. With a wide spectrum of characteristics, translation depends on the text-type in order to determine the nature, behavior, characteristics and functionality of linguistic aspect. In legal translation, the language itself and its constituents such as cohesive devices are considered as sensitive and therefore make the translation a sensitive and difficult task which requires academic investigation to determine linguistic occurrences. This study handled the cohesive devices at the inter-sentential level. Thus, the present research adopts mixed method as a research design and it uses well-established theories of Halliday and Hasan (1976) on cohesion, Nida (1964) on translation techniques and Catford (1965) on translation shifts. The text-types examined are (a) operative legal texts: treaty, agreement and convention, and (b) handbook entitled, Handbook on Nuclear Law. The research reveals that most of the cohesive devices identified in the theory of Halliday and Hasan (1976) do occur in the operative legal texts and legal book. It is found that cohesive devices, translation techniques, translation shifts, frequency are determined by some language peculiarities and some language norm choices in translating legal texts from English language into Arabic language. The study recommends that other investigations should be done on the internal cohesion and external cohesion in legal text and other text-type. It is also
advised future researches to examine substitution and ellipsis in different technical texts to see if they have similar or different findings.
CHAPTER 1
INTRODUCTION

1.1 Background of the Study

Translation has been defined as “the process of transferring a written text from source language (SL) to target language (TL)” (Hatim & Munday, 2004, p. 6). This role of translation outlines the ultimate goal of translation process, which is to transcend messages from one language to another. This process is one that is systematic due to its rules, procedures, and theories to support the process of communication in an accurate manner in terms of shortening the distance between varied languages, apart from filling the linguistic and cultural gap. The role of translation includes seeking a counterpart for newly-coined terms resulting from colonialism, globalisation, technology, or inventions. Due to its significant role, translation has become a crucial aspect across multiple communities (Pym, 2003; Shyiab, 2010).

In this diverse community, dependency on a sole language as a means of communication is hindered by a number of difficulties and constraints. Translation adopts the role of assisting a certain language to perform its function in a range of cases and to compensate the limitations of languages (Cronin, 2003; Hatim & Munday, 2004). In precise, the nature of translation reflects the process that entails clear understanding of the source text, mainly because it is the most crucial step for successful translation (Nida, 2001). Nida (2001) asserted that translation is a process of translating texts instead of words, while for the key roles of translation in different aspects of life, it is necessary to pay attention to the effect and role of translation at
varied levels, such as individuals, communities, universities, institutes, governments, and international organisations (Munday, 2009).

In the past, the process in translation was given emphasis to be part of a popular movement in translation studies. This critical shift was linked to the emergence of descriptive translation studies that represented a movement that sparked in the 1980s to re-investigate and to evaluate several prescriptive theories or models of translation, apart from representing a move from the theoretical study of translation into a descriptive study that primarily focused on three branches, which are product-oriented, process-oriented, and function-oriented (Toury, 1995). Since early 20th century, studies concerning translation have been gradually treated as an independent entity, wherein descriptive translation studies have prodded towards such shift. Holmes (1988b) presented a comprehensive map for translation studies that incorporated a diagram adopted from Toury (1991), which displays the elements of descriptive translation (product-oriented, process-oriented, and function-oriented). Each element has its very own focus. For instance, the product-oriented aspect looks into the existing translation in terms of description or analysis of source and target text pairs or comparative analysis of the source text with one or more of its translation into other languages. Next, process-oriented focuses on determining what happens in the mind of a translator and this is closely linked with the decision-making process performed by the translators. Lastly, the function-oriented element emphasises on the function of translation that takes place in the reader’s sociocultural scenario and for that reason, Holmes (ibid:177) asserted that function-oriented highlights the context, instead of mere text.
In order to investigate the variances between languages, a number of contrastive studies have conducted to identify the similarities and differences between the languages. The focus of contrastive studies is placed on both general and specific aspects of languages, particularly to comprehend at both levels of languages, general and specific, for the compared languages (Johansson & Hofland, 1994). With that being said, a substantial number of contrastive studies have assessed Arabic and English languages in the attempt of deciphering the various aspects of the two languages in terms of syntactic, lexical, morphological, semantic, and pragmatic similarities and differences (see Al-Ghamdi, 2016; Al-Khatib, 1998; Alsadi, 2017; Bakir, 1999; Fareh & Hamdan, 2000; Farghal & Shunaq, 1999; Khalil, 2000).

The overall translation process may be affected by the types of texts, as each text type has its own function, terminology, and style (Colina, 2003). Werlich (1976) categorised texts into descriptive, narrative, expository, argumentative, and instructional groups. Hatim and Mason (1990) adopted these text types based on the cognitive properties of the text, while de Beaugrande and Dressler (1981) classified texts into three types based on their functions, namely descriptive, narrative, and argumentative. As part of the descriptive text, a legal text is defined as pragmatic text that conveys information without aiming to produce esthetic effect (Melinda, 2011) and it has been described as one of the most precise, vague, and authoritative texts (Hiltunen, 1990). These features suggest that the task of translating legal text is more difficult because it is crucial to produce the same meaning and effect of the original text in the TL (Cao, 2007; Sarcevic, 1997). Legal language derives from the ordinary language, but with special use (Melinda, 2011) that has a tendency to use ordinary terms with special meaning because the terms typically share dual meanings (Cao, 2007). This means that a translator has to be alert and well-equipped with the necessary
knowledge of legal language, legal translation, and cultures of source and target languages, while taking the decision to decide accurate and technical meaning in the legal context. As a result, legal translation has been considered as one of the most challenging translation types due to its special feature, which is the legal language (Botezat, 2012; Cao, 2007; Tiersma, 1999).

The analysis of legal texts undertaken in this study probed into the cohesive devices, translation techniques and the translation shifts that occur to the cohesive devices in the translation process for legal texts, wherein these cohesive devices are classified as vital components to form the text and to distinguish the text from non-text (Halliday & Hasan, 1976). Studying the usage of cohesive devices has occupied a large fraction of the literature, particularly those pertaining to cohesion, texture, coherence, text, text organisation, and text linguistics (Abu Ayyash, 2017, 2013; Bahaziq, 2016; Baker, 1992; de Beaugrand & Dressler, 1981; Hasan, 1984; Hoey, 1983; Leo, 2012; Widdowson, 1978). Findings have been reported and models have been proposed to tackle cohesion in discourses or texts. One of these models is that proposed by Halliday and Hasan (1976), which is composed of grammatical and lexical cohesive devices that form a network of relations between text elements. This study, hence, assessed the translatability of cohesive ties and the application of Catford model for translation shifts that may occur amidst cohesive devices.

1.2 Statement of the Problem

Translation is not a new field and there are several proofs in the history of translation that proves this notion. One of translation activity proofs is the Egyptian-Hittite Peace Treaty between two powers of Early Eurasian worlds, which is considered the oldest piece of legal translation dated back to 1271 B.C. (Masa'deh,
In addition, the Rosetta (190 BC) is another proof in which Weisflog (1987), stated that Greek version of Rosetta was fully translated by the year 1803 into ancient Egyptian. Since then legal translation has not stopped and many legal publications have been done and many nations have engaged in numerous treaties, agreements or conventions with different countries and international organisations. In this respect, for Malmkjær and Windle (2011), the role of legal translation is to reproduce a text that will be interpreted and understood in the same way by legal specialists in the target legal system.

As for the Arab region, part of its treaties, agreements and conventions are written either in English or French; then they are translated into Arabic such as UN resolutions. In the colonial period, Arab affairs were issued in English or French language. The translating of legal documents into different languages may entail different interpretations or losing some elements of the source text. Mishandling legal meanings may lead to translationese and nonsense in the target language (Harvey, 2002). For instance, the Security Council’s Resolution 242, which was issued after the Israeli war against the Arab nations in 1967, was issued with in two languages, as follows:

\[\text{A: Withdrawal (of Israeli forces) from Arab occupied territories (English version)}\]
\[\text{B: Withdrawal (of Israeli forces) from the Arab occupied territories (French version)}\]

In the above UN resolution, adding and dropping the definite article, ‘the’ have brought about more conflicts due to the two different versions. Since the English version omitted the definite article ‘the’ to imply the meaning of withdrawal from some Arab-occupied territories, Israel adopted this version. However, the French version that was adopted by the Arabs was interpreted as a withdrawal from all Arab-occupied territories due to the semantic function of the definite article ‘the’ in the text.
Although English and Arabic language are concrete languages, there are peculiarities that differentiate them in terms of the characteristics of repetition and prolixity in Arabic, on the one hand, and the characteristics of conciseness in English on the other hand. In this context, Hatim and Mason (1990: 161) argued that "behind the systematic linguistic choices we make, there is inevitably a prior classification of reality in ideological terms. The content of what we do with language reflects ideology at different levels: at the lexical-semantic level, and at the grammatical-syntactic level". Therefore, it is significant to examine the role of linguistic choices made by the translators in the translations of legal text.

Due to the nature of cohesive devices that are widely used where there may be some problems that are related to frequency in translation. Thus, mishandling them may lead to different meanings and sometimes different messages or may distort the semantic connotations and denotations of the source text in the target legal language (Cheng & Sin, 2016). For this reason, the translation process should be carried out in light of the considerations of the source and target text and more attention has to be paid to one of the most important factors which convert the lexis or meanings into a text which is cohesion (Dickins, Hervey & Higgins, 2016). Cohesive devices are not restricted to simple and direct forms; instead, they are complex and not easy to be identified in many cases, such as some forms of collocations, which are part of lexical cohesion (Halliday & Hasan, 1976). Dealing with these cohesive devices in the legal text requires special treatment since they may look in most cases vague, archaic, formal, while some acquire new meanings as a part of legal text.

To encounter this problem, a translator has to be aware of all aspects of languages in order to reduce the possibility of mistranslation (Rahimi, 2003, cited in Yousofi, 2014). Accordingly, it is vital for the translator to pay more attention to the
languages peculiarities and text types in general and legal text in particular. For this reason, de Groot (2006) points out that a translator of legal terminology has to do a comparison of a legal terminologies of the source and the target language to determine the convenient legal terms to be used in the target legal system and language and the cohesive ties that can cohere legal items and structures.

Some studies related to the cohesive devices, the translation strategies and translation shifts have been done by Chaalal (2018); Faraghal, (2017); Abu Ayyash (2016); Al-Kohlani (2010) and Al-Amri (2005). To put it more clearly, Chaalal (2018) evaluates the notion of cohesion at intra- and inter-sentential levels by assessing the cohesive devices found in UN documents, while Farghal (2017) examines the notion of textuality in general and cohesion in particular by assessing the usage of cohesive in a range of language genres. Abu Ayyash (2016) investigates the roles of cohesive devices in English and Arabic newspaper opinion editorials and the common patterns between the two languages regarding the use of cohesive devices. Meanwhile, Al-Kohlani (2010) investigates the function of cohesive e devices in form of connectives occurring at the level of sentence and paragraph in Arabic opinion newspaper articles. Also, the review shows that the study conducted by Al-Amri (2005) which discusses cohesive markers used in newspapers and the shifts that may occur as a result of the translation process.

However, the review of the related literature reveals that there is a gap of a knowledge concerning cohesion translatability and language peculiarities and text-type norms that determine the functionality of cohesive devices in translating legal text from English into Arabic. This problem of the translatability of cohesive devices can be solved through “the capacity of some kind of meaning to be transferred from one language to another without undergoing radical change” (Alpert, 2001: 273).
Accordingly, there is a need for further studies to fill the gap of knowledge in translating cohesive devices in legal texts.

1.3 Research Objectives

This study has outlined the following objectives:

1. To **identify the cohesive devices and their frequencies in legal texts**
2. To determine the translation techniques and their frequency used to translate cohesive devices from English legal texts into Arabic legal texts
3. To determine the categories of translation shifts and their frequency resulted from using translation techniques in legal text.
4. To examine the significant difference between operative legal texts and a legal book in terms of using cohesive devices.

1.4 Research Questions

Based on the research objectives, the following research questions have been formulated:

1. What are the types of cohesive devices and their frequencies in legal text?
2. What are the translation techniques and their frequency used to translate cohesive devices from English legal texts into Arabic legal texts?
3. What are the categories of the translation shifts and their frequency resulted from using translation techniques in translating legal texts?
4. Is there a significant difference between operative legal texts and legal book in terms of the frequency of cohesive devices?
1.5 Hypotheses of the Study

This section presents the hypotheses developed in this study, which are classified as non-directional hypotheses because they suggest a difference between the two types of legal texts embedded in this study without linking this difference with the interest of any type of the corpus text. These hypotheses are related to research questions 2, 3, and 4.

**H1:** There is a significant difference concerning the mean of frequency of cohesive devices between English operative legal text and legal book.

**H2:** There is a meaning gain of cohesive devices while translating from English legal texts into Arabic legal text.

**H3:** The legal text type requires indirect translation methods in translating cohesive devices from English into Arabic.

1.6 Scope and Limitations of the Study

This study identifies cohesive devices in the legal texts from English language into Arabic language and it examines the translation techniques and translation shifts used to deal with cohesive devices in the legal text. The area of the study is limited to study the cohesive devices: reference, ellipsis, substitution, conjunction and lexical cohesion based on the model suggested by Halliday and Hasan (1976). Furthermore, the study of cohesive devices is limited to be studied in the legal documents to identify the categories and frequencies of cohesive devices in corpus of the study, to determine the translation techniques and their frequencies based on the model of Nida (1964) and to translation shift that may occur to the cohesive devices while translating them from English into Arabic based on the model of Catford (196d). In this study, it aims at identifying cohesive devices at the level of text (inter-sentential level) rather than the
level of sentence (intra-sentential level). There are a huge number of legal documents available in different resources but this studies is limited itself to two types of legal documents. The first is operative legal text which is represented in this by the following documents: Israel-Jordan Peace Treaty, Agreement between the Government of The Hashemite Kingdom of Jordan and The Government of The People's Republic of China on The Reciprocal Promotion and Protection of Investments and Social Security (Minimum Standards) Convention. The second is a legal book that is represented by Handbook on Nuclear Law. Also the study includes theses legal documents in their original legal language, English and their translation in Arabic as a target language. Also, the study limits its self to Maxqda analytical software and SPSS as research tools.

1.7 Significance of the Study

This study is significant due to its role in unravelling how two languages employ cohesive devices in translating legal texts from one language to another. The study displays the different types of surface relations used in legal texts. Hence, those involved in the area of legal translation may benefit from this study by paying more attention to cohesiveness of legal texts in the translation process.

Legal documents are available in a vast range, such as agreements, treaties, bills, contracts, wills, and parliament acts. These forms are very sensitive in terms of accuracy, highly prepared, and designed information in a way that prevents misunderstanding or overlapping. Any study that deals with these forms and investigates them is supposed to be significant. This study is more significant for both national and international communities, since it addresses issues that concern the
transfer of legal documents to another language by preserving both legalese and authoritative aspects in the target text.

This present study serves as a reference in the literature of cohesion and legal translation. This study is beneficial to translators in general and legal translators in particular by describing the occurrences of cohesive devices in legal translation that systematically illustrate the specificity of the languages concerned, along with their textuality. Therefore, a translator is bound to be aware of the implicit and explicit relations in the text and should be able to render them without affecting the intended meaning embedded in the legal text.

The study is deemed significant because it bridges the gap in the literature of cohesive devices, since most studies have focused mainly on one cohesive device; either grammatical or lexical cohesive devices, while this study concentrates on translating both grammatical and lexical cohesive devices at the level of inter-sentential in legal texts from English into Arabic. All in all, the study is significant as it contributes to training translation students, translators, and linguists by illustrating manifestation of cohesive devices in operative legal texts and legal book, apart from clarifying how cohesion is achieved in legal texts, and followed by stating the shifts that may occur to the cohesive devices.

1.8 Corpus of the Study

The corpus of the study refers to a collection of written or spoken texts or materials used for linguistic investigation in terms of frequencies and structure. According to Hunston (2002), the term of corpus refers to a collection of examples of languages that consist of any set of written texts or tape recordings which have been obtained for purpose of linguistic study. Baker (1995) claimed that corpus is any
collection of writings and it is not necessary to be monolingual because it may involve two languages or more. Laviosa (2002) highlighted that the corpus could be monolingual, bilingual, and multilingual. Accordingly, the corpus for this study is bilingual as it involves two languages; English and Arabic. This study assessed legal texts that consisted of a treaty, an agreement, and a convention, while for comparison purpose, the corpus incorporates another related legal text in the form of a legal book entitled ‘Handbook on Nuclear Law’.

1.9 Definition of Terms

i. Texture is a feature of a text that distinguishes it from non-texts. Crane (1994) asserted that if the text lacks this feature, the text would be a group of isolated sentences. Schegloff and Sacks (1974:74) defined texture as “sequential implicativeness”. This definition refers to the property of language that links the elements of the text together.

ii. Text is a manifestation of language in terms of communicative language events in context (Beaugrande & Dressler, 1981). The text is defined as “[A term] used in linguistics to refer to any passage- spoken or written, of whatever length, that does form a unified whole” (Halliday & Hasan, 1976, pp. 1-2).

iii. Translation shift is the changes that may occur to the source text while undergoing translation process in which Catford (1965:73) defines translation “shift as the departures from formal correspondence in the process of going from the SL to the TL”.

iv. Cohesion refers to how the surface elements in the text are related to each other, and it is a chain of lexical, grammatical, and other relations that creates linkages between the various parts of a text (Baker, 1992, p. 180).
v. Coherence is the network of conceptual relations that underlies the surface text and it is manifested in the interaction between the reader’s knowledge and the text. Van Dijk (1977) defined it as “semantic property of discourses, based on the interpretation of each individual sentence relative to the interpretation of other sentences” (p. 93).

vi. Cohesive devices are defined as the surface semantic ties used within the text to glue its elements together, and they represent a different network of relations in the text (Baker, 1992; Halliday & Hasan, 1976). These devices are divided into two categories: grammatical and lexical cohesive devices.

vii. Legal language or legalese refers to the specialised language that is employed by legal practitioners, such as judges, lawyers, legal interpreters, and legal translators, which is not easily understood by laymen (Oates & Enquist, 2009).

viii. Legal translation refers to translating documents that belong to the field of law, and it is usually referred to as “a general term to cover both the translation of law and other communications in the legal setting” (Cao, 2007, p. 12).

ix. Treaty is an official document that is binding for the parties involved. Treaty is defined as “a contract in writing between two or more political authorities (such as states or sovereigns) formally signed by representatives duly authorised and usually ratified by the law-making authority of the state” (Webster, 2006). According to the International Law Commission (1966), “treaty means an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation” (p. 333).
x. Translation Techniques: A good translation is “the translation that has the closest natural meaning to the original text” (Nida, 1964, p.166). This aim can be achieved through a set of translation techniques, which are defined as techniques used in Bible translation, which are designed to “to produces correct equivelants” in the target language (ibid,226).

xi. Translation methods is defined as “the way a particular translation process is carried out in terms of the translator’s objective” (Molina & Albir, 2002, p.507).

xii. Translation strategies are defined as “the procedures (conscious or unconscious, verbal or nonverbal) used by the translator to solve problems that emerge when carrying out the translation process with a particular objective in mind” (Albir ; 1999, cited in Molina.508:2002).

xiii. Convention refers to “a formal agreement between States. The generic term ‘convention’ is thus synonymous with the generic term ‘treaty’. Conventions are normally open for participation by the international community as a whole, or by a large number of States. Usually, the instruments negotiated under the auspices of an international organisation are entitled conventions” (Nyazz & Nyazz, 2019, p.45).

xiv. International agreement is defined in Encyclopedia Britannica as “instrument by which states and other subjects of international law, such as certain international organizations, regulate matters of concern to them. The agreements assume a variety of form and style, but they are all governed by the law of treaties, which is part of customary international law” (Encyclopedia Britannica, 2016).
Law book is defined as any book that is “containing or dealing with laws, legal subjects, or cases adjudicated” (Merriam-Webster, 2006). This type of legal documents is different from other forms is that it “tends to conform to traditional structure, but it is usually less rigid than that of operative document. The style resembles formal everyday language, although use of legal terminology is unavoidable” (Tiersma, 1999, p.140)

1.10 Organisation of the Thesis

This thesis is composed of six chapters. The First chapter is the introductory chapter that contains the introduction and the background of the study, the statement of problem, the research objectives and questions, as well as the limitations of the study. This chapter includes the significance of the study, the definition of key terms, and the organisation of this thesis. The Second chapter reviews the literature and a number of studies relevant to this research, by including the introduction and the literature on equivalence in translation, translation strategies, and texts. The related literature on technical translation, legal language, translation and culture, coherence, cohesion, cohesion in Arabic, Halliday and Hasan’s (1976) model, criticisms of this model, and translation shifts are included in this chapter. Next, Chapter Three discusses the study methodology by incorporating a brief introduction, research design, corpus, justification for selection of the corpus, research tools, theoretical framework, and definition of data including data collection, data analysis, and overall data analysis of research methods. Moving on, Chapter Four presents the findings of the analysed data of treaty, agreement and convention. Chapter Five presents the analysis and findings of the Handbook on Nuclear Law, as a kind of a legal book as well as this chapter will present the results of statistical analysis to find out whether or
not there is a significant difference concerning the frequency of cohesive devices between documents of operative legal texts and a legal book. Lastly, Chapter Six concludes the study with an introduction, as well as discussion of the study outcomes, limitations, contributions, and recommendations.

1.11 Summary

This chapter has presented the introduction and background of the study as an overview of the knowledge area related to this study. This chapter includes statement of problem, research objectives and questions, as well as the hypotheses linked with the third research question. It embeds scope of study, significance of study, and corpus of study. This chapter ends with the organisation of thesis and a list of definitions.
CHAPTER 2
LITERATURE REVIEW

2.1 Introduction

This chapter reviews a number of prior studies pertaining to cohesion to clarify the image of cohesion in general and legal language particularly. This chapter starts with a review of text that has been depicted in previous studies and it was highlighted for investigating cohesive devices in text nor in isolation. This chapter also presented the features of legal language in English and Arabic languages, translation studies, translation and culture, translation techniques, equivalence and translation shift. In addition, this chapter examined and highlighted technical translation, legal translation, coherence, cohesion and Halliday and Hasan’s (1976) theory for cohesion.

2.2 Text

Translation strategies refer to rendering items within an organised form, possibly a text, which can be defined as as a sequence of sentences which form a cohesive whole” (Dambska-Prokop, 2000:230). The Text also can be defined as “a piece of naturally occurring spoken, written, or signed discourse identified for purposes of analysis. Text is often a language unit with a definable communicative function, such as a conversation or a poster” (Crystal, 1992, p.72). Since this present study assessed the realisation of cohesive devices within a text, reviewing the concept of text and its manifestation in translation and writing as part of the translation process has been deemed as necessary.

The type of text is an aspect that has attracted the attention of scholars, mainly because different types of texts, such as informative, expressive, operative, argumentative, and persuasive, have their own features, style, and terminology.
Therefore, as noted by Wilss (1982), types of texts determine the methods of translating the text and the degree of its translatability. A text may also be classified based on its focus, wherein if the focus of the text is on the sender, the text is called expressive, while persuasive if the focus of the text is on the receiver. Meanwhile, if the focus of the text is on the realities of the world, the text is called referential (Jakobson, 1960; Kinneavry, 1971).

Scholars, nonetheless, could not come to an agreement on one definition for text. A substantial number of definitions were offered and each has its own focus, aim, and perspective. Brown and Yule (1989) envisioned that a text is a verbal record of a communicative event, which implies that any communicative situation is a form of text. de Beaugrande (1997) added to the definition proposed by Brown and Yule (1989) about certain features that differentiate a text from a non-text as he considered that text is not a set of spoken or written words, instead, text is a set of interrelated sentences. In agreement with de Beaugrande and Dressler (1981) regarding the notion of text and the way to differentiate between a text and a non-text, Werlich (1976) defined the following:

A text is an extended structure of syntactic units such as words, groups, and clauses and textual units that is marked by both coherences among the elements and completion… [Whereas] a non-text consists of random sequences of linguistics units such as sentences, paragraphs, or sections in any temporal and/or spatial extension. (p. 63)

Halliday and Hasan (1976) pointed out that text is:

[A term] used in linguistics to refer to any passage; spoken or written, of whatever length, that does form a unified whole … A text is a unit of language in use. It is not a grammatical unit, like a clause or a sentence; and it is not defined by size… A text is best regarded as a SEMANTIC unit; a unit not of form but of meaning. (p. 1-2)
Halliday and Hasan (1976) made a reference to the nature of text that is not confined to the borders of clauses or sentences, rather a semantic unit of language unconfined by the borders of sentences. In particular, Fowler (1991) asserted that text is easily distinguished from a sentence because it is made up of a larger group of sentences based on certain rules that determine the construction of text. Fowler (1991) defined text as “a different kind of unit from a sentence. A text is made up of sentences, but there exists separate principles of text–construction, beyond the rules for making sentences” (p. 59). Hatim (1984) defined text as “a stretch of linguistic material that maps on to the surface a set of mutually relevant communicative intentions” (p. 2).

Investigating the concept of text often involves the concept of discourse. Generally, both terms are used interchangeably. Halliday and Hasan (1976) defined text as “a unit of language in use” (p.1), while Brown and Yule (1983) defined the analysis of discourse in terms of language analysis in light of text. Nevertheless, problem emerges when both terms are used within the same text. Hence, linguists and theorists have been prompted to distinguish them. Coulthard (1985) differentiated text and discourse based on mode, in which text is classified as a written mode made up of sentences, whereas discourse is defined as spoken mode made up of utterances. Sunderland (2004) claimed that discourse is not visible but manifested in texts, whereas for Fairclough (1992) asserted that text is the way of grouping and structuring knowledge and social practice tangibly.

In a similar vein, Virtanen (1990) considered text as a process that is often used to refer to a written text, while discourse refers to the production and comprehension of text as well as spoken mode of language. From another angle, different studies have dealt with text and discourse by referring text as product and discourse as process (Brown & Yule, 1983; Widdowson, 1979). de Beaugrande (1997) did not restrict the
image of text as mere connected sentences, but incorporated several features to the definition of text to be acceptable for “it is essential to view text as a communicative event wherein linguistics, cognitive, and social action converge, and not just the sequence of words uttered or written” (p. 10). He further defined discourse as “a set of interconnected texts” (p. 21).

Nevertheless, these two definitions offered by de Beaugrande were not completely accepted by Tanskanen (2006), who claimed that these two definitions could be accepted only for two reasons. First, the two definitions are given a dynamic and contextualised status. Second, these definitions apply to both spoken and written modes. Tanskanen (2006) asserted that it is illogical to think that the connections between texts are sufficient to generate a communicative event. For Buitkiene (2005), he assessed the correlations between text components by highlighting that the writer or the translator should be aware when constructing a text or when selecting styles, vocabularies, connections, and syntactic patterns. Buitkiene (ibid) concludes that a legal text, for instance, favours use of lexical cohesion, which proves the impact of text type on both construction and cohesive devices.
2.3 Legal Language

As depicted in the previous section, technical translation translates specialised subjects. Legal language, which is a specialised subject that is technically translated into the TL, has been investigated by a number of scholars and theorists (Acaraz & Hughes, 2002; Cao, 2007; Mellinkoff, 1963; Sarcevic, 1997). The majority agreed that legal language has its own style, terms, distinction, accuracy, and subject, and these are the essence that makes legal language one that is highly specialised (Cao, 2007). It is common to refer the legal language as a language, although it is far from being a dependent language, such as other existing languages (e.g., English, Arabic, Malay or French). In precise, the legal language is described as a language with special style, structure, vocabularies, and terminologies drawn upon the ordinary ones (Mellinkoff, 1963; Godrich, 1987).

The intricacy of legal language is reflected by "…inherent mannerisms, and often lacks clarity …. it is wordy, unclear, pompous, and dull” (Mellinkoff, 1963, p. 5), hence making this language a rich area for investigation. Goodrich (1987) also considered the challenging task for a legal translator to translate ordinary words in a legal text “into closed code of legally relevant and legally valid” (p. 167).

From the semantic stance, Febrero (2004) evaluated the legal language semantically and reported that legal language determines its conceptual meanings to exclude any form of misleading or misconception, wherein anything can be a subject of the legal document. Similarly, legal specialists always have their own unique terms and meanings to express their written or spoken legal thoughts, in which text used to express legal thought is usually full of archaic words or phrases that make the legal language more peculiar and formal (Alcaraz & Hughes, 2002). In line with this notion, Tiersma (1999) indicates that legal language has a strong tendency toward formality.
Therefore, it depends on the usage of archaic language to confirm its uniqueness and formality. He classifies the legal text into (1) operative legal documents, (2) expository documents and (3) persuasive documents. In the same token, Sarcevic (2000) assessed the nature of legal language and claimed that text is created and structured by adhering to its special syntactic, semantic, and pragmatic rules.

The legal language has been classified as a technical language. Schauer (1987, p. 571, as cited in Cao, 2007) commented on the correlation between legal language and technical language as "technical language often operates in context that makes legal terms having meaning different from those they bear in non-legal context use of legal language" (p. 16). Legal language can be described as an ambiguous language. One may face problem upon reaching an inter-lingual situation due to ambiguity and uncertainty caused by two varying languages. In solving legal language issues, Hargitt (2013) suggested a legal lingua franca, such as the English language, to be used across the world, while reckoning resistance to such suggestion from various nations due to consideration of certain nations that their language is part of their national identity.

The various types of legal writing are: 1) academic legal writing that entails law journals and legal textbooks, 2) juridical legal writing that includes court judgments and legal reports, and 3) legislative legal writing that incorporates acts of parliament, contracts, and treaties (Bhatia, 1993; Hiltunen, 1990). Legal language has a mixed nature, as Olga (2012) claimed that legal language is a multidisciplinary language due to the fact that it overlaps politics in terms of constitutional law, finance (e.g., tax law), the military (e.g., maritime law), and culture (e.g., marriage law). As legal language is linked to all aspects of life with differing texts, structures, and terminologies, thus they seem different. Due to the fact that the operative legal documents adhere to the very rigid structure whereas the legal book is less rigid than
the operative legal documents and it resembles formal everyday language and this classification meets the tendency of this study to examine cohesive devices between very strict and rigid legal in terms of its structure and less strict and rigid legal text (Tiersma, 1999), the current study adopted this classification.

2.3.1 Features of English and Arabic Legal Languages

Language organises its words based on the syntax system. The syntax system is defined as “the branch of grammar that dealing with the ways in which words, with or without appropriate inflections, are arranged to show connections of meaning with the sentences” (Matthews, 1982, p. 1). With countless features found in the syntax, this section presented the syntactic features to present a clear image of legal language the following syntactic features: nominalisation, binomial, complex sentences, negation, impersonality, and passive/active voices, including some lexical features of legal language, such as archaic and foreign terms, formal style, and technical terms.

2.3.1(a) Nominalisation

Nominalisation is a syntactic feature that simply refers to the change of verb into a noun, which is possibly found in most languages (Comrie & Thompson, 1985; Crystal & Davy, 1969; Gustafsson, 1983). Numerous studies have assessed this phenomenon in different languages. Chomsky (1968) asserted that nominalisation is a process that transfers a verb into a noun. Similarly, Quirk (1985) depicted that nominalisation turns a verb or an adjective into a noun. Halliday (1985) and Matthews (1997) claimed that nominalisation as a way of changing a syntactic unit into a noun or into a syntactic unit that functions as a noun. Givon (1997) defined nominalisation as “a process whereby a verb or an adjective is converted into a noun” (p. 287). Mathews (2007) explained nominalisation as “any process by which either a noun or a syntactic unit functioning as a noun phrase is derived from any other kind of unit”
Chomsky (1970, p. 215) divided nominalisation into three types, which are gerundive nominal, derived nominal, and mixed nominal, as illustrated in the following instances:

- John's refusing the offer (gerund)
- John's refusal of the offer (verbal noun)
- John's refusing of the offer (deverbal noun)

Quirk (1985, p. 1288) used these divisions with minor changes in their terms; gerund, deverbal noun, and verbal noun. Both verbal noun and gerund are formulated by adding -ing to the verb, as follows:

- Writing the book needs time.
- The writing of the book made him well known.

The distinction between verbal noun and gerund is that verbal noun is followed by ‘of’, whereas the deverbal noun is formulated either by suffixation or conversion, as listed below:

- His refusal to help was expected (by suffixation)
- His answer is correct (by conversion)

According to Fowler (1979), nominalisation is treated as a process of syntactic reduction with potential ‘relexicalisation’. In this process, the participant or the subject is deleted in order to change the verb into a noun. This deletion is performed to draw attention away from the real agent, hence the notion Fowler (1979) highlighted that “nominalisation can depersonalise” (p. 43). Halliday (1985; 2000; 2007) considered nominalisation as a key resource to form grammatical metaphors. A grammatical metaphor, as defined by Thompson (1996), refers to “the expression of a meaning
through a lexico-grammatical form that originally evolved to express a different kind of meaning” (p. 165).

Jalilifar, Alipour, and Parsa (2014) explored the nominalised expression types in an applied linguistics book and a biology book as two different disciplines. They read the two books carefully and identified the nominalised expression. They noted the frequencies of the nominalisation types, and eventually chi-square was administered. They concluded that the outcomes displayed no significant variance in using nominalisation for both the applied linguistics and the biology books. Similarly, Sarfo-Adu (2015) evaluated the manifestation of nominalisation in the abstracts of research articles to determine if the nominalisations used in the abstracts achieved information density. Additionally, Sarfo compared the use of nominalisations in the abstracts of research articles in the fields of humanities and sciences. Hence, 50 abstracts from both disciplines were quantitatively analysed. The outcomes showed that nominal structures were more frequently used in the abstracts of research articles for the sciences domain than in the humanities. Taher (2015) investigated some problematic issues linked with the three forms of nominalisation; gerund, verbal, and deverbal, in which these forms are problematic for two reasons. The first reason is that the forms are a mixture of different verbal and nominal properties, while the second reason is that there are many discrepancies about the terms related to these forms used in linguistic references and studies. Apart from investigating these forms of nominalisation, the author revealed the confusion concerning these terms.

Nominalisation as syntactic feature is used in the Arabic language and it is known as (Masdar / مصدر) or (verbal noun/ اسم الفعل). Usage of nominalisation in Arabic is varied based on the text type, and even within the branches of the same field. For instance, nominalisation in legal texts, such as constitution, legislation, and
international documents, is used more often than in contracts primarily because some texts have the feature of hiding the agent and favouring the use of passivation or nominalisation (El Farahaty, 2015). Table 2.1 presents an excerpt (as cited in El Farahaty, 2015, p. 41) taken from the 2012 Egyptian Constitution, which points out the nominal forms in an article.

Table 2.1

The 2012 Egyptian Constitution in the Source and Target Texts

<table>
<thead>
<tr>
<th>Source text</th>
<th>Target text</th>
</tr>
</thead>
<tbody>
<tr>
<td>يهدف الاقتصاد الوطني إلى تحقيق التنمية المطردة الشاملة، ورفع مستوى المعيشة وتحقيق الفضاء، والقضاء على الفقر والبطالة، وزيادة فرص العمل... (Article#14)</td>
<td>The national economy aims at achieving comprehensive, constant development, raising the standard of living, achieving welfare, eliminating poverty and unemployment, increasing job opportunities... (Article#14)</td>
</tr>
</tbody>
</table>

Translation by El Farahaty (2015)

Ibrahim (2010) conducted a comparative study between English and Modern Standard Arabic to describe the processes of noun-formation in order to reveal the similarities and variances between them, as well as their potential productivity for teaching purposes. The study data were gathered from varied resources. The study outcomes showed that both English and Arabic shared a common linguistic phenomenon in the process of forming nouns, apart from their exploitation of the language by generating productive rules and patterns. The similarities between the two languages concerning noun-forming revealed several universal aspects, such as affixation, compounding, blending, onomatopoeia, borrowing, diminutives, conversions, and acronyms.

As for the usage of nominalisation in legal language, Bhatia (1993) specified that legislative draftsman uses nominalisation for two practical reasons; 1) “to refer to the same concept or idea repeatedly” (p. 155), and 2) “to be able to incorporate as
many qualificational insertions as necessary at various syntactic points in the 
legislative sentence” (p. 155). The author added that nominalisation is used by a legal 
expert to bring condensation and accuracy in his or her writing. Similarly, Stubbs 
(1998) pointed out that “nominalisations have the discourse function of allowing 
information to be packaged” (pp. 369-370). Mattiello (2010) summarises the role of 
nominalisation in legal texts as follows:

Nominalisation gives actions and concepts ontological relevance, 
emphasising the authoritativeness of the law and increasing its control 
over the addressee. It also creates a network of lexico-semantic 
references allowing the writer to refer to previously introduced ideas, 
and the reader to follow the logical progression of the text and to 
compensate for his/her interpretative difficulties with the continuity 
and stability of reference of the text. (p. 129)

2.3.1(b) Binomial

The English legal text is frequently characterised by using binomials for the 
purpose of enhancing clarity and precision of the legal language (Mellinkoff, 1993; 
Emery, 1989). In this regard, binomials is defined as "the sequence of two words 
pertaining to the same form-class, placed on an identical level of the syntactic 
hierarchy, and ordinarily connected by a certain lexical link" (Malkiel, 1959).

Indeed, Gustafsson (1976) stated that users of the legal language have a tendency to use 
binomials in legal texts to eliminate confusion and to improve clarity. Based on the 
review of studies concerning binominal, it is found that binomial has been discussed 
under various labels, such as “irreversible binomials” (Bolinger, 1962; Gustafsson, 
1983; Kadi, 1988; Malkiel, 1959; Saeed, 2010), “freezes” (Cooper & Ross, 1975; Gill, 
& Al-Tamimi, 2005), and “double”” (Mayoral, 2003). The term ‘binomial’ derives 
from the mathematics field used in lexicology in order to refer to collocation as lexical
pairs (Crystal, 2003). The literature classifies binomials as reversible when the order is not fixed, whereas irreversible if the order is fixed (Gustafsson, 1976). It could also be formulaic and unformulaic binomials, in which the variance is that “the former is permanent and fixed combinations in the language, while the latter is temporary but fills the semantic and syntactic requirements” (Gustafsson, 1976, p. 9). Additionally, binomials can be either frozen or non-frozen (Malkiel, 1959). Gustafsson (1976:16) made a reference to the classification of Malkiel (1959) for binomials by drawing the types of binomials on semantic bases, as follows:

- Near-synonyms: death and destruction
- Mutually complementary: soul and spirit
- Opposite: dead or alive
- Subdivision of one another: dollar and cent
- One is the consequence of another: the rise and fall

From the stance of syntactic, Biber et al., (2000, pp. 1030-1036) defined the structure of coordinated binomial as depicted in Table 2.2:

Table 2.2

<table>
<thead>
<tr>
<th>No</th>
<th>Structure of binominal</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Noun and noun</td>
<td>Night and day</td>
</tr>
<tr>
<td>2.</td>
<td>Verb and verb</td>
<td>Wait and see</td>
</tr>
<tr>
<td>3.</td>
<td>Adjective and adjective</td>
<td>Nice and warm</td>
</tr>
<tr>
<td>4.</td>
<td>Adverb and adverb</td>
<td>In and out</td>
</tr>
</tbody>
</table>

Regarding the manifestation of binomials in legal language, Crystal (2004) explained the stylistic influence on English legal language through the use of lexical pairs from two languages to avoid ambiguity, such as "breaking and entering"
(English/French), "fit and proper" (English/French), "lands and tenements" (English/French), and "will and testament" (English/Latin). In translation, Hejazi and V Dastjerdi (2015) examined the notion of binomials in terms of translating binomials from English into Persian, and for that purpose, they applied the categorisation of Vinay and Darbelnet’s (1958) translation strategies. Hejazi and V Dastjerdi (2015) concluded that the most frequently used strategies to translate binomials are Literal translation, Modulation, Transposition, Loan translation, and Calque. The study revealed that males used Literal translation more than Modulation because they were interested in hard news, whereas females preferred Modulation than Literal translation due to their psychological and emotional attitudes towards hard news.

Within Iraqi and Jordanian contexts, Gorgis and Al Tamimi (2005) investigated the notion of binomials in Arabic, in which they inferred that binomials usually included two words combined by ‘and’, which is optional in some situations and obligatory in most cases. Table 2.3 lists the categories of binomials in Arabic language as described by the authors.

Table 2.3
Categories and Examples of Binomials in Arabic language

<table>
<thead>
<tr>
<th>No.</th>
<th>Categories</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Contrasts</td>
<td>أبيض و أسود</td>
</tr>
<tr>
<td>2.</td>
<td>Basics</td>
<td>أبيض و أسود</td>
</tr>
<tr>
<td>3.</td>
<td>Presuppositions</td>
<td>الحاكم وال محكوم</td>
</tr>
<tr>
<td>4.</td>
<td>Gender</td>
<td>الرجل والمرأة</td>
</tr>
<tr>
<td>5.</td>
<td>Agent-Patient</td>
<td>القاتل و المقتول</td>
</tr>
</tbody>
</table>

Mahadi (2016) evaluated the notion of binomial expressions as a linguistic phenomenon by examining the binomials found in “Morning Innovation” by Imam Ali bin Abi Talb. His study revealed that binomial expressions are usually joined by a
coordinator (wa:and). The prominent binomial expression in the corpus of his study refers to the category represented by ‘noun and noun’, wherein most of the cases of binomials appeared to be irreversible. In fact, a number of studies have probed into the notion of binomials under the title of collocation, for instance, Farghal and Al-Hamly (2007) considered the notion of binomials in terms of collocation classified as one of the challenges faced by foreign language learners. Malkawai (1995) assessed collocations in politics, social science, and military discourse to determine the translatability of collocation. Meanwhile, Farghal and Obeidat (1995) studied the linguistic phenomenon of collocation to identify the proficiency amidst Jordanian EFL college learners and public school teachers who dealt with collocations associated with food, colour, and weather. The study showed that both groups had a deficiency in treatment of collocations. Hijjawi (1991) discussed the notion of collocation in terms of acquisition amongst Jordanian students who majored in English, and revealed that the study subjects experienced serious problems and difficulties in dealing with collocations. Emery (1989) defined binomial as a collocation of antonyms, synonyms, and near-synonyms. He added that this feature is not very common in legal Arabic texts, when compared to other registers. He listed some examples of binomials, such as "sooner or later", "الآمن والسلامه", and "round trip".

2.3.1(c) Impersonal Style and Passivisation

Impersonal is seen as the use of pronouns that include one and morphologically complex forms ending with one such as anyone, someone or everyone (Kitagaw & Lehrer, 1988). Usage of impersonal style and passive voice is likely attributed to the types of text, wherein some texts rely on these features (Sarcevic, 2000; Tiersma,
and these syntactic features help the text to attain impartiality and authoritativeness in legal texts (William, 2004). Additionally, these techniques that hide the agent are employed to make the provisions and articles of legal texts apply to everyone via impersonal style. The following instances (as cited in William, 2004, p. 147) are taken from the South African Constitution, which exhibit the manifestation of impersonal style:

- Everyone has the right to access to (a) any information held by state; and (b) any information that is held by another person.
- No one maybe subjected to slavery, servitude or forced labour

Tiersma (2006) claimed that impersonal style in the above sentences avoid the use of first and second person pronouns (I & You), but incorporated the third person pronoun to refer to oneself. Within the legal context, the impersonal style is applied to name the parties involved in any case by calling them by their position. For this reason, legal texts are rich with several terms, such as the defendant, the plaintiff, the accused, and the defence attorney, among others (Harmodkova, 2014).

Regarding Passivisation, it is defined as “a grammatical category that makes it possible to view the action of a sentence in two ways, without a change in the facts reported” (Quirk et al., 1972, p. 801). The voice can be expressed either by active or passive voice. A voice reflects “verb form or a particular syntactic construction that indicates certain relationships between the subject and the object of verb” (Hartmann & Stork, 1976, p. 252). As for the difference between the two facets of voice, Halliday (1970) stressed that the variance between passive and active voices in passivisation disassociates the agent and places it either at the end of the sentence by using the preposition ‘by’ or by omitting it. Sullivan (1976) clarified the distinction between
passive and active voices, wherein passivisation treats the object as an obligatory element in a sentence, while the agent is optional.

Passive voice transformation is strongly linked to the theory of transformational-generative grammar, as initiated by Chomsky (1957). In his theory, the deep structure of mental representations in human beings, such as active, simple, as well as declarative and kernel sentences, are transformed psychologically via grammatical transformation into a complex sentence with the following transformations (declarative to interrogative, positive to negative, and active to passive transformations). According to Huddleston (1984, p.438), active voice is an unmarked type of voice, while the notion of voice is based on the role of the subject in a sentence, in which the actor is in the active voice, and the patient is in the passive voice. Examples are given in the following:

- *Jack has finished his exams: Active voice*
- *Exams have been finished by Jack: Passive voice*

Based on the above examples, passivisation refers to the process of changing the position of the subject and the object in a sentence, whereby the object takes the position of the subject, and the justification for this change, especially in legal language, is to shift the focus in the sentence and to obscure the identity of the agent within the sentence (Tiersma, 1999). Lyons (1968) further clarified the process of passivisation as follows:

a. The object in the active voice sentence turns to be the subject in the passive voice sentence.

b. The verb in the active voice sentence is more basic than the verb in the passive voice sentence.

c. The agent is not necessary to be expressed in the passive voice sentence.
Passivisation in English may be a source of confusion for a reader, as Larson (1984) inferred that passive voice ought to cause a barrier in the comprehension of a reader, mainly because passive voice changes the word order in the sentence. Gym (2010) listed the reasons behind using passive voice, in which each passive usage should indeed have a reason. At times, passive voice is used to place focus more on the object than the subject, and this can be justified by replacing the old information with new information smoothly. Hence, passive voice can be a mark of weakness in a sentence when there is no reason to use it (Flesch & Lass, 1949). However, this statement has been opposed by Kolln (1991), who claimed that passive voice is part of many popular written works. Similarly, Wilkinson (1992) asserted that passive voice is a syntactic feature that is suitable for scientific writing.

As for the Arabic language, passivisation is performed by introducing a polyphonic vowel into the main verb in the active voice sentence. For instance, the verb Kataba/ he wrote turns to be Kutiba/ it was written in the passive sentence. In Arabic, the active sentence is changed into passive voice by adding a prefix into the main verb. For instance, the verb Kasara/ he broke is changed to passive by adding prefix ‘in’, to the past tense verb Kasara to appear as inkasara/ it was broken (Khafaji, 1996; Agameya, 2008). The following example clarifies an aspect of passivisation in Arabic:

- نَزَعَ مُحَمَّد السَّرِيرَ مِنَ الغُرْفَة (Active voice)
  
  Mohammed removed the bed from the room. (English translation)

- نُزِعَ السَّرِيرُ مِنَ الغُرْفَة (Passive voice)
  
  The bed was removed from the room. (English translation)

In line with this, Agameya (2008) defined passive voice in Arabic as “a sentence structure in which the semantic subject or agent, i.e. the performer of or
person/thing responsible for the action is suppressed and, in fact, cannot be mentioned” (p. 558).

Wright (1975, p. 50, as cited in Khafaji, 1996, p. 22) listed the following reasons that may justify the use of passivisation in the Arabic language:

a. When we talk about God or higher being as the author of the act,

b. When the agent is not known or at least not known for certain,

c. When the writer is unwilling to mention the agent for a certain purpose, and

d. When the focus is directed to the patient rather than to the agent.

2.3.1(d) Negation

Negation refers to a syntactic feature that is expressed differently from one language to another. In the English language, it is almost expressed by an element using the particle ‘not’, for instance, the teacher did not come to school. As for the French language, negation is expressed by using ‘ne’ and ‘pas’ elements, while in the Arabic language, negation is expressed by one or more elements (Ouhalla & Shlonsky, 2002). Negation is a universal notion and it is an indispensable part of a language. This linguistic phenomenon is used against the affirmative notion in languages (Al-Momani, 2011). According to Gleason (2001), negation is applied to express what is not happening and what people do not want. Due to the essential existence of negation in natural language, children learn how to make negative and affirmative sentences while acquiring the language (Bloom, 1970). The function of negation is “what makes us human, imbuing us with the capacity to deny, to contradict, to misrepresent, to lie, and to convey irony” (Horn, 2010, p. 1).

Negation has been developed over time within the sphere of the English language. Jespersen (1917) described the development cycle of negation that started with the particle ‘ne’, which appeared weak and lacked negation forces, hence
supported by the additional negation particle ‘not’ in the Middle English. In the Early Middle English, the original ‘ne’ was dropped. In order to clarify this cycle, the following example had been quoted from Lindstad (200, p. 22):

a. Ic ne secege. Old English Negation = Subj+ Neg+ V-T
b. I ne seye not. Middle English = Subj+ Neg+ V-T+ Neg
c. I say not. Early Modern English = Subj+ V-T + Neg
d. I don’t say. Later Modern English = Sub+ Neg + V-T

It is worth mentioning the two manifestations of negation in language: constituent and sentential negation. In this regard, Klima (1964) drew a distinction between them by using either positive tag questions for sentential negation or using *too* and negative tag questions for constituent negation. Nonetheless, Horn (1989) warned that such tests may spark confusion and uncertain outcomes.

Negation in the Arabic language has been discussed by various scholars from a wide range of aspects. Mohamed & Ouhalla (1995) clearly explained the structural and logical forms of negation sentence in Moroccan Arabic and Lebanese, while Al-Shurafa (2006) discussed the nominal and verbal negation in Palestinian Arabic and Standard Arabic. Next, Al-Momani (2011) examined the sentential negation and presented a clear image of negation in Jordanian Arabic. Al-Zahrani (2015) investigated the realisation of negation in Hijazi Arabic. Meanwhile, negation and dialects were investigated by Mrayat (2015), wherein he studied the notion manifestation of negation in three dialects within the Jordanian context (Urban, Rural, and Bedouin). Brustad (2000) shed light on negation based on four Arabic dialects; Egyptian Arabic (EA), Moroccan Arabic (MA), Syrian Arabic (SA), and Kuwaiti Arabic (KA), who further claimed that the negation in the four dialects exerted three strategies: verbal negation, predicate negation, and categorical negation. Similarly, Al-
Omari (2008) revealed some forms and uses of negation by comparing Standard Arabic and colloquial Jordanian dialects to present lexical and syntactic similarities and variances among these codes. Benmamoun (2013, p. 1, as cited in Murphy, 2014) claimed that negation in the Arabic language occurs as follows:

*Standard Arabic has the largest set of sentential negative markers (laa, lan, lam, laysa, maa), while the dialects are restricted to three (maa, muš/miš/maš/maš/muš/mub, laa) or just two (maa and maš/maši). (p. 22)*

In detail, negation in Arabic standard is usually expressed by using (lāː, lāː n, or lāː m) to negate an imperfective verb, as given in the examples below (a, b, c, d). Occasionally, negation in Standard Arabic is expressed by using the following particles to negate the verbal predicates:

a) Negation of the present by using lāː (lāː + imperfective verb+IND):

   e.g.: t-tullaːb u laː jadrusuːn
   ‘The students do not study’  
   (Benmamoun, 2000: 95)

b) Negation of the future by using lāː+n (lāː n + imperfective verb+SBJV):

   e.g.: a t-tullaːb u lan jaðhabuː
   ‘The students will not go.’  
   (Benmamoun, 2000: 95)

c) Negation of the past by using lāː+m (lāː m + imperfective verb+JUSS):

   e.g.: t-tullaːb u lam yaðhabuː
   ‘The students did not go.’  
   (Benmamoun, 2000: 95)

d) Negation of the imperative by lāː (lāː + imperfective verb+JUSS):

   e.g.: laː tadxul
   ‘Do not enter!’  
   (Fassi Fehri, 1993: 172)
Negation in Standard Arabic might be expressed by using another negation particle, such as lajs-a to negate non-verbal predicates, and this is affected by the noun that precedes it, for example:

- lajs-a ʔaxi-i muʕallim-an.
  ‘My brother is not a teacher.’ \textit{(Alsharif and Sadler, 2009, pp. 5-6)}

- lajs-at hind-un ʔuxt-a 1-ʔustaːð-i.
  ‘He is not the professor’s sister.’ \textit{(Fassi Fehri, 1993, p. 165)}

Fassi Fehri (1993) mentioned that the negative particle maː is described as ‘neutral’ because it is expressed with both verbal and non-verbal predicates:

- maː ʔanta mariːḍ-un.
  ‘You are not sick.’ \textit{(Fassi Fehri, 1993, p. 171)}

\section*{2.3.1(e) Long and Complex Sentences}

Long and complex sentences are another syntactic feature of the legal language employed to express complex ideas accurately (Qian, 2011). This feature offers space to define all rights and obligations embedded in contracts for all involved parties to avoid the ambiguity in legal text (Ligui, 2007). The legal language is described as self-contained units that apply long sentences to cover all required information about a certain idea in one sentence that minimises ambiguity (Shitu, 2011; Tiersma, 2000). In this respect, English legal documents are rich in long and complex sentences. For instance, the following sentence (cited in Franklin, 2016) is a long sentence, in which its length causes complexity:

Example:

The Supreme Court unanimously so held, inter alia, in allowing, in part, the appeal by the plaintiff from the judgement of the Court of Appeal, dismissing the appeal by the plaintiff from the judgement of the trial High Court, which had upheld the counterclaim by the defendants for declaration for title to the disputed property.
Similarly, the Arabic legal language has long and complex sentences, as given in the example derived from the Administrative Provisions in Egyptian Civil Courts (cited in Al-Farahaty, 2015):

Example:

والقاعدة المقررة في الفقه الجنائي أن العقوبة التي ينص عليها المشرع هي التي تحدد نوع الجريمة المرتكبة المعاقب عليها فإذا كانت الجريمة يعاقب عليها القانون بالإعدام أو الأشغال الشاقة أو السجن فهي جناية وإن كان معاقبًا عليها بالحبس الذي لا يزيد أقصى مدته عن أسبوع أو بالغرامة التي لا يزيد أقصى مقدارها عن جنيه مصري فهي جنحة.

The English translation:

The rule established in criminal law is that the punishment which is prescribed by the legislator determines the type of crime committed and which is therefore punishable. If the crime is to be punished by death or hard labor or imprisonment, it is a felony. If the crime is to be punished by imprisonment the maximum duration of which does not exceed a week or a fine the maximum amount of which does not exceed one Egyptian pound, it is a misdemeanor. (Al-Farahaty’s translation)

2.3.1(f) Archaic Terms

Typically, the legal language is described as one that is conservative due to its tendency in resisting alternation. The English legal language preserves the use of old terms that may be dated back to the Old and Middle English, hence characterised by old or ‘antiquated vocabulary’ (Alcaraz & Hughes, 2002; Hiltunen, 1990; Mellinkoff, 1963; Tiersma, 1999). Archaic terms are frequently used in the legal English language, and this may be attributed to the formality aspect in legal texts (Stanojevic, 2011). Tiersma (1999) outlined the purpose of using archaic terms in English legal texts by stating that “legal language often strives towards great formality, as it naturally gravitates towards archaic language” (p. 95). The following are common instances of archaic terms used in legal English texts: ‘hereby’, ‘thereby’, ‘aforesaid’, ‘said’, ‘thereby’, and ‘hereof’ (Tiersma, 1999). In this regard, the use of old fashion legal
terms is one way to avoid issues caused by use of new terms, hence archaic terms usage is primarily for the sake of the safety of legal documents. In precise, it is better not to substitute old legal terms (Crystal & Davy, 1986; Terisma, 1999).

As for the Arabic language, there are several archaic legal terms as counterparts for the English ones. Of Examples of archaic terms in the Arabic are following:

المذكور أعلاه – سالف الذكر – الوراد

2.3.1(g) Foreign Terms

The legal English has incorporated a number of Latin terms that date back to the Middle Ages, such as ‘ad hoc’, ‘de facto’, ‘pro rata’, ‘inter alia’, ‘ab initio’, and ‘mutatis mutandis’ (Haigh, 2004, p. 305). Several archaic adverbs are a mixture of deictic elements: ‘here’, ‘there’, and ‘where’, with specific prepositions: of, after, by, under, etc. (Alcaraz & Brian, 2002). Certainly, this feature in legal translation may hamper the work of legal translators. El Farahaty (2016) comments on the usage of foreign terms in legal language from the perspective of the translator in which using foreign terms in a legal language requires more efforts from the translator and the translator has to be culturally and linguistically qualified. El Farahaty also adds that Arabic legal translator has to try to understand conceptually the Latin terms which have to be translated from in English into Arabic because the literal translation is possible.

Despite the vagueness of the loanword in legal language, Alcaraz and Hughes (2002) clarified that English could not dispose of the Latin terms in spite of spreading modern native legal English terms. They added that Latin was the language of power and prestige for the Roman Church in the Middle Age. As a result, Latin was deeply rooted in the English language and emerged as the lingua franca throughout Europe. As for the Arabic legal language, no foreign term is embedded.
2.3.1(h) Formal Style

Formality is a result of using archaic and foreign terms in legal texts. Gibbons (2003) asserted that old terms are incorporated in legal texts to imply more authority and formality. Formality can be achieved in the English legal language by employing special terms, such as ‘this honourable court’, ‘your honor’, and ‘your majesty’, as well as modals, such as ‘shall’ (El-Farahaty, 2015, p. 65). The term ‘respectfully’ is often embedded at the end to reflect formality in legal texts (Tiersma, 1999).

As for archaic terms in the legal Arabic language, Gu (2006, as cited in El-Farahaty, 2016) claimed that there is no legal register in the Arabic language, or any clear variance between legal, religious, and literary Arabic. Emery (1989) stated that the Arabic legal language is “not characterised by the use of archaic vocabulary and morphology” (p. 10) as a tool to display formality. On the contrary, El-Farahaty (2016) suggested that formality in the Arabic legal language may appear in forms of address or honorary titles and political backgrounds, such as the honorary title ‘Excellency / حضرة’ that can be used in atrabic as follows:

حضره صاحب الجلالة – حضره القاضي – حضره الوزير – حضره الثاني

2.3.1(i) Technical Terms

Legal language is characterised by using technical terms, which can be defined as follows:

“If a word or a phrase is used exclusively by a particular trade or profession or if that profession uses it in a way that differs from its normal meaning and the term has a relatively well-defined sense, it should be considered a technical term (Tiersma, 1999, p. 108).”

It is obvious that this feature does not invent strange or new words to express its content, but instead, uses common words with uncommon meanings, hence turning
into technical terms (Schauer, 1987). For example, the phrase ‘the same’ refers to the comparison between similar objects or people, while in legal language, it is used to indicate the sameness of reference (Tiersma, 1999).

Technical terms are also known as ‘argot’, coined by MellinKoff (1963) to refer to specialised language as a means of communication among legal language experts. The term ‘argot’ was later changed to have a very restricted sense to refer to a technique used by a group of experts in a certain area to obscure communication (O’Grady et al., 1980). ‘Argot’, hence, is a jargon that refers to trade, occupation, or profession (Fromkin & Rodman, 1993). Walker (2000, as cited in Butt & Castle, 2006) defined ‘argot’ as “an expression used by persons skilled in some particular profession, arts or science, and which the practitioners clearly understand even if the uninitiated do not” (p. 149). Some examples of legal jargon include ‘black-letter law’, ‘boilerplate’, ‘case at bar’, ‘case on point’, ‘case on all fours’, ‘chilling effect’, ‘conclusory’, ‘decedent’, ‘grandfather clause’, ‘a hypothetical’ (used as a noun, as in 'a good hypothetical is hard to find'), ‘instant case’, ‘judge shopping’, ‘predecease’, and ‘sidebar’ (Tiersma, 1999, p. 107).

Gustafsson (1976) claimed that legal language is rich in technical terms that have gained their special meaning through the years of being used within the context of law. A translator has to be aware while dealing with technical terms because these words acquired new meanings within the legal text. As for the Arabic legal language, some technical terms derive from normal language, but the acquired technical meaning, such as the word (الطرف) has its literal or normal meaning is the end of smoothing but applied in the legal language with new meaning (the first and second parties) (Al-Farahaty, 2016).
2.4 Translation studies

Translation studies is also known as Polysystem Approach, the Manipulation School, the Tel-Aviv Leuven Axis, the Descriptive, Empirical, Interdisciplinary, target-oriented approach that focuses on the role of translation in culture history (Rose, 2010). For Toury (1995, p. 9), translation studies aims to “describe particular phenomena in the world of our experience and to establish general principles by means of which they can be explained and predicted”. The translation that is known as translation studies nowadays was studied until the 1960s as a non-systematic approach and it was focused on the quality, accuracy, and translatability. Also, it was mainly related to the translation of literary and religious materials. Later, at the beginning of the 1970s, translation has been changed to as an independent discipline and its concentration turned to be on the process, product, and function of translation. The term "Descriptive Translation Studies" was first introduced in James Holmes "map" (Toury, 1995, p. 10) where Toury divides Translation Studies into two parts; "pure" and "applied" in which Toury divides pure into theoretical and descriptive and he divides the applied into training, aids and criticism. The following figure shows the main and subcategories of the map of translation studies.

Figure 2.1. Holmes’s map of translation studies (Toury 1995, p.10)
Toury (1995) proposed a target-oriented approach called a three-stage methodology that includes the following stages: firstly, placing the text within the target culture looking at its significance or acceptability; secondly, conducting a comparison between the source and target texts; and thirdly, identifying the translation shift and formulating generalization on decision-making in future translation. In addition, Toury (1995) maintains that any translation project will imply three elements: first, it has a source text which serves as a departure point to the target text, second, it has an assumption when the translator transfers materials from source text into target text, the translator should have a knowledge about products and about the process of translation, and third; the translation project should have an assumption that ties the translation to the source text.

The concept of norm of translation can be divided into initial, preliminary or operational, in which all are supposed to gear the translator's decisions and direct their choices. In details, the initial norms refer to the translator’s decision to follow the norms of the source system or to follow the norms of the target system. Furthermore, the translator deals with the preliminary norms in terms of the nature of a translation policy to figure at the basis of his or her work, as well as for the directness of translation. the operational norms deals with to translator’s decisions during the process of translating and will tend to reflect his or her choice for following whatever pole chosen when selecting the initial norm (Toury, 1965). Translation also is governed by a set of norms that direct the translator's behavior and guide them in the process of decision-making insitutions where the decision might be critical (Toury, 1980, 1995; Hermans, 1999; Chesterman, 1997). The definition of norms used by Toury is: “the translation of general values or ideas shared by a community– as to what is right or wrong, adequate or inadequate– into performance instructions appropriate for and
applicable to particular situations”. According to (Toury, 1995:55), norms are defined as “strategies of translation which are repeatedly opted for, in preference of other available strategies, in a given culture or textual system.”

2.5 Translation and Culture

Newmark (1988, p. 94) defined culture as “the way of life and its manifestations that are peculiar to a community that uses a particular language its means of expression.” He supported his point of view by stating, “There is a translation problem due to the cultural ‘gap’ or ‘distance’ between the source and target languages (1988, p. 94).” This might be justified that culture is deeply rooted in languages and a translator has to deal with it in his work.

Due to mutual facets of communication that are carried out via language and translation, a translator has to be competent with the culture of both SL and TL. For this reason, Nord (1997, p. 4) viewed translation as a way of comparing between cultures involved in the translation process and he (2000) added that a translator has to move from the culture of the sender to the culture of the reader to focus on the aspect of acceptability in the target text. In this regard, Nord (2000, cited in Katan;2009) presents different kinds of culture, namely (1) paraculture, which is related to the entire society; (2) diaculture, which is related to a certain group in the society; and (3) idioculture, which is specified to the individual person.

From another angle, Geng (2013) implied that language is shaped and influenced by culture and it is a symbolic representation of cultural items, such as religion, tradition, habits, political style, and family structure, which are reflected in the language. Hence, culture refers to all aspects of life, including religion, values, traditions, habits, education systems, family and social structures, hierarchies, and advanced technology (Geertz, 1977; Lado, 1957). The correlation between language
and culture has been represented as flesh and blood, which constructs the human body, in which language is flesh and culture is blood and without any one of them, we will have a dead body (Jiang 2000, p. 328). Similarly, Chaika (1982) commented on this relation between language and culture, wherein language can be viewed as a way to describe culture in terms of life experiences and to understand the surrounding world, as people understand and express items of culture via language, thus proving the strong connection between language and culture. Bassnett (1980, p. 14) drew on this relationship by stressing, “Language is the heart within the body of culture, and it is the interaction between the two that results in the continuation of life-energy”. Bassnett added that there is no language without culture and no culture without having in its centre and the structure of a natural language.

Jiang (2000, p. 328), being in line with the idea proposed by Chaika, mentioned that language and culture shape together as a living entity, in which language is flesh and culture is blood. This means; language without culture is dead. Due to the strong relationship between language and culture, the critical problem for a translator is not related to the dictionary meaning, but related to the cultural aspects loaded in the meaning of words in a given text (Mondjie, 2006). Hence, successful translation cannot be performed properly without being familiar with the culture of SL and TL as a guarantee towards reaching the intended meaning associated with its cultural aspect.

2.6 Translation Techniques

In order to achieve equivalence, a procedure has to be employed to transfer the meaning from one language to another. The theory of translation usually refers to the term “translation strategy” when discussing translation process (Loescher, 1991). The literature concerning translation theory points out no general agreement on one
definition for translation strategy, as several authors have presented differing definitions (see Baker, 2005; Chesterman, 1997; Kearns, 2009; Krings, 1986).

Of these definitions, Krings (1986, p. 18) defined translation strategies as “translator’s potential conscious plans for solving concrete translation problems in the framework of concrete translation tasks”. Loescher (1991, p. 8) defined translation strategy as “a potential conscious procedure for solving a problem faced in translating text, or any segment of it.” Meanwhile, Jaaskelainen (1999, p. 71) stated that translation strategy is “a series of competencies, a set of steps or processes that favour acquisition, storage, and/or utilisation of information.” He added that translation strategy is “heuristic and flexible in nature, and their adoption implies a decision influenced by amendments in the translator’s objectives.”

The disagreement is not only on the definition, but also on the taxonomy of the procedures. For instance, de Beaugrand (1978) applied the term “strategy” to guide translators in their work. For this purpose, he listed three types of strategies: Strategies that concentrate on the variances between languages involved in the translation process, strategies that focus on the languages used in a given text, and strategies that focus on selecting equivalents to meet contextual requirements.

On the contrary, Kiraly (1995) used the term ‘process’, instead of ‘strategy’ to refer to translation strategy as a mental operation that includes skills and knowledge. Kiraly considered the translation process as a crucial element in designing programmes for translation training. Meanwhile, Vinay and Darbelnet (1958) applied the term ‘procedure’, instead of ‘strategy’ or ‘process’ to refer to the process employed by a translator in bridging the gaps created by culture or linguistic variances. They claimed that translation procedures exclusively operate on three linguistics levels, namely lexis, structure, and message. Vinay and Darbelnet (1958) suggested seven translation
procedures to fill the gaps encountered by translators, wherein a translator should first resort to direct translation procedures. If direct translation procedures fail, they may move to indirect translation procedures. In their classification of the translation procedures, they indicated that the first three procedures are direct ones:

Table 2.4
Translation Strategies proposed by Vinay and Darbelnet (1958)

<table>
<thead>
<tr>
<th>Translation Strategies</th>
<th>English Sentence</th>
<th>Arabic Literal Translation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Borrowing</td>
<td>It uses readily-coined terms from another language to fill the gap of non-existent equivalence. It is considered as one of the simplest and easy methods for translation.</td>
<td>Computer, television, radio</td>
</tr>
<tr>
<td>Calque</td>
<td>It is a special kind of borrowing, where a translator borrows an expression and translates the elements of the original terms literally.</td>
<td>Skyscraper, football and volleyball</td>
</tr>
<tr>
<td>Literal translation</td>
<td>It is a direct procedure that translates the ST word-for-word or literally into TT. It shows the truth of literal translation.</td>
<td>I went to school yesterday.</td>
</tr>
</tbody>
</table>

Upon failing to fill the gap in translation via direct translation, a translator can adopt the following indirect translation methods:

- Transposition: It changes the sequence of the parts of the source text while translating them in the target text without changing the meaning. For instance:
  
  **English sentence:** The president of the United States will visit Jordan next month.

  **Arabic translation:** سوف يقوم الرئيس الأمريكي بزيارة المملكة الأردنية الهاشمية الشهر القادم

- Modulation: It changes the point of view of the message in source text while transferring it to the target text, such as changing negative message into one
that is positive without changing the meaning. Al-Farahaty (2016) gave the following example:

**English sentence:** It is not a strong argument.

**Arabic translation:** انها حجة واهية

- **Equivalence:** It expresses the elements of the source text differently, such as in the case of translating idioms. For instance:

**English sentence:** Like selling coal in New Castle.

**Arabic translation:** كمن يبيع الماء في حارة السقاية

- **Adaptation:** The translator changes the content of the source text in a way that meets the rules of the TL and culture. For instance:

**English translation:** I read a story about the mother of God.

**Arabic translation:** قرأني قصة السيدة العذراء

Newmark (1988) distinguished methods from procedures of translation, in which methods handle the whole text, while procedures relate to the smaller segments in languages. In his discussion on translation methods, he enumerated various methods, namely:

- **Word-for-word translation:** The translator maintains the word order of the source text into the target text. For instance:

  e.g: I like to watch football matches = أنا أحب مشاهدة مباريات كرة القدم

- **Literal translation:** The translator conveys the grammatical construction of the source text using the nearest equivalence in the target text.

  e.g: No Smoking = ممنوع التدخين

- **Faithful translation:** The translator reproduces the same meaning of the source text in the target text within the constraints of the grammatical structures in the
target text. Semantic translation has very close meaning to faithful translation, except that it pays more attention to the aesthetic value of the source text.

e.g: There is high demand for iPhone nowadays = هناك طلب مرتفع على الآيفون هذه الأيام

- Adaptation: Substitution of cultural elements in source text with their equivalence in target text.

e.g: The term of Mother of God is very common in the Christian culture = يعتبر مصطلح السيدة العذراء مصطلحا شائعا في الثقافة المسيحية

- Free translation: Reproduction of target text away from the form and style of the source text.

e.g: still water runs deep = تحت السواهي دواهي

- Idiomatic translation: Reproduction of the original message with tendency to distort aspects of meaning by preferring colloquialism and idioms, which do not exist in the original.

e.g: To take the rough and the smooth = أتي على الأخضر والياصبي

- Communicative translation: The translator renders the same contextual meaning of the original text into acceptable and comprehensible items for the reader.

  e.g: riot police = شرطة مكافحة الشعب

Chesterman (1997) classified translation procedures into comprehension and production strategies. Comprehension strategies deal with the analysis of source text, while production strategies deal with the way that translators manipulate linguistic materials to form the target text. Based on the production strategies, Chesterman classified translation strategies into the following categories: syntactic, semantic, and pragmatic dimensions, as presented in Table 2.5.
Table 2.5
Syntactic, Semantic, and Pragmatic Translation Strategies for Chesterman (1997, p. 92)

<table>
<thead>
<tr>
<th>Syntactic Strategies</th>
<th>Semantic Strategies</th>
<th>Pragmatic Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Literal Translation</td>
<td>Synonym</td>
<td>Cultural Filtering</td>
</tr>
<tr>
<td>Transposition</td>
<td>Hyponym</td>
<td>Information Change</td>
</tr>
<tr>
<td>Calque</td>
<td>Antonym</td>
<td>Explicitness Change</td>
</tr>
<tr>
<td>Unit Shift</td>
<td>Convereses</td>
<td>Interpersonal Change</td>
</tr>
<tr>
<td>Phrase Structure Change</td>
<td>Abstraction Change</td>
<td>Illocutionary Change</td>
</tr>
<tr>
<td>Clause Structure Change</td>
<td>Distribution Change</td>
<td>Coherence Change</td>
</tr>
<tr>
<td>Sentence Structure Change</td>
<td>Emphasis Change</td>
<td>Partial Translation</td>
</tr>
<tr>
<td>Cohesion Change</td>
<td>Paraphrase</td>
<td>Visibility Change</td>
</tr>
<tr>
<td>Level Shift</td>
<td>Trope Change</td>
<td>Transediting</td>
</tr>
<tr>
<td>Scheme Change</td>
<td>Other Semantic Changes</td>
<td>Other Pragmatic Changes</td>
</tr>
</tbody>
</table>

Akbari (2013) employed translation methods to investigate the translation of idiomatic expressions with possible success in conveying similar conceptualisation, connotation, and shades of meaning. After reviewing several translation works, including idiomatic expressions, it was concluded that there was no ready or fixed translation method to translate idiomatic expressions, and it was up to the translator to choose the most suitable method(s). Harvey and Heggins (1992) applied the term ‘translation procedures’, in which five translation procedures were suggested for culture transposition:

1) Exoticism
2) Calque
3) Cultural borrowing
4) Communicative translation
5) Cultural transplantation
Venuti (1995) proposed two main translation strategies to translate cultural variances in terms of domestication and foreignisation. These strategies guide the linguistic and cultural translation processes in which Venuti (1995) envisions domestication as a process of reduction of foreign terms in the target text and this could be described as bringing the author back home. Meanwhile, foreignisation is defined as “an ethno-deviant pressure on those (cultural) values to register linguistic and cultural difference of the foreign text, sending the reader abroad.” In brief, domestication is minimising foreign elements in the target text, while foreignisation is maintaining the foreign elements of the original text in the target text. Baker (1992) listed eight strategies used by translators to deal with problematic issues while performing translation tasks, as follows:

1) Translation by a more general word,
2) Translation by a more neutral/ less expressive word,
3) Translation by cultural substitution,
4) Translation using a loan word or loan word plus explanation,
5) Translation by paraphrasing using a related word,
6) Translation by paraphrasing using unrelated words,
7) Translation by omission, and
8) Translation by illustration.

Gottlieb (2004) presented the following strategies applied in subtitling films:

1) Expansion when there is a need for more explanation to clarify elements in the original text.
2) Paraphrase when the syntactic structure of the original text cannot be rendered to the target text.
3) Transfer refers to translating the source text completely and accurately.

4) Imitation is preservation of the same forms, typically with the names of people and places.

5) Transcription is used in those cases where a term is unusual even in the original text, for instance, the use of a third language or gibberish language.

6) Dislocation when there is a special effect accompanying the segment that has to be translated.

7) Condensation, decimation, and deletion are also applied.

8) Resignation is adopted when a translation solution is not available.

Indeed, translation strategies may be revealed as models to be adopted upon facing issues in translation. In this regard, Sager (1993) claimed that the translation process passes through various stages in seeking solution, which may be one of the following:

1) Decomposition,

2) Identification of translation problems at linguistic and cognitive levels, and

3) Re-composition of linguistic items of the target text

2.7 Equivalence in Translation

Equivalence has been incorporated in this study to investigate the varied topics related to the translation of cohesive devices, since such cohesive devices will be treated as equivalence when they are rendered to the target text. Thus, it is fairly common to find a considerable portion of discussion on equivalence in the literature on translation (see Catford, 1965; Larson, 1984; Nada & Taber, 1969; Newmark, 1981; Pym, 1992; Toury, 1980) despite some criticisms against equivalence in translation (see Broak, 1987; Snell-Hornby, 1988; Mehrach, 1997).
Translation work is not straightforward. Rather, it is a difficult task and it is not merely translating words literally based on their dictionary meaning. Besides, figuring out the meaning of the words in the text is not the ultimate goal of translation since the overall meaning of the text is achieved through integrated factors. Baker (1992, p. 112) claimed that “the ultimate aim of a translator, in most cases, is to achieve a measure of equivalence at text level, rather than at word or phrase level.” Catford (1965) mentioned that the challenge in translation is to find equivalence, and the role of translation theory is to explain the nature and the condition of translation equivalence. Halverson (1997, p. 207) defined equivalence as “the relationship between two (or more) entities and the relationship is described as one of likeness/sameness/similarity/equality in terms of any of a number of potential qualities.”

Catford (1965, p. 20) supported the notion of equivalence in translation by defining translation as “the replacement of textual materials in one language (SL) by equivalent textual material in another language (TL).” This definition refers to the use of equivalence in translation created when the translation was treated as a part of linguistics. Catford (1978) renamed the equivalence types as formal and textual, in which the formal equivalence implies rendering any item or part of the source text by a close equivalence in the TL. Textual equivalence, on the other hand, is the replacement of source text by a text or a portion of text from the TL if they share a particular situation. Larson (1984) supported this notion with various labels, as he divided translation equivalence into two categories: form-based and meaning-based translation. Form-based translation is keen in maintaining the form of source text items in the target text. For instance, an adjective should be translated with an equivalent adjective in the target text. However, meaning-based translation involves rendering the
meaning of the source text items with the acceptable ones from the receptor’s TL. Thus, such equivalence is called idiomatic equivalence.

Similarly, Newmark (1981) differentiated semantic from communicative equivalence, wherein semantic equivalence concentrates on the meaning, while communicative equivalence concentrates on satisfying the addressees because the focus is primarily to transfer the effect of the source text.

Nida and Taber (1982) replaced semantic and communicative equivalences described by Newmark (1981) with formal and dynamic equivalences. Formal equivalence focuses on the message, in which the aim is to find a counterpart message that matches the original. Next, the focus of dynamic equivalence is on the effect of the message or the content of the source text in order to reproduce the same effect in the target text. House (1997) claimed that the match between source and target texts is determined by situational dimensions in the source text. Each text has a situational context that instigates a translator to recognise and provide a functional equivalence that expresses the original and the relevant meaning of the text. Simply put, Machali (1998) claimed that equivalence is neither related to sharing points between languages, nor is it strictly based on the similarity between source and target texts. This is because; it is the responsibility of a translator to look for the greatest possible overlap between the source and target texts based on their shared situational range. Besides, it is not necessary for equivalence to fill the gap caused by the variances in the linguistic system of the two languages. From a different perspective, Bell (1991) asserted that equivalence between two languages should be measured based on one of these criteria: degree of equivalence (full or partial equivalence) and level of equivalence (context, semantics, as well as phrase-for-phrase and sentence-for-sentence).
Baker (1992) identified five levels of equivalence, which are 1) equivalence at the level of words, 2) equivalence above the words level, 3) grammatical equivalence, 4) textual equivalence, and 5) pragmatic equivalence. Primarily, equivalence is applied ‘for the sake of convenience’ because translators are used to using it, rather than base their translation on theoretical foundations. As a result, equivalence has been perceived differently as a necessary condition, barrier, or useful element during the translation process. Figure 2.2 illustrates the varying types of equivalence:

![Figure 2.2. Different Types of Equivalence (Baker, 1992)](image)

Pym (2010) pointed out that there is no perfect equivalence among languages, and it is always considered as assumed equivalence. Equivalence is a relation of equal value between source and target texts that can be established at any linguistic level from form to function. In distinguishing between natural and directional equivalence, natural equivalence exists prior to the act of translation. It is worth mentioning that this type of equivalence is naturally located between languages without the intervention from the translator. On the contrary, directional equivalence depends on the preference of the translator who has to decide the most suitable equivalence.
Nonetheless, some theorists rejected the notion of equivalence, as they presented different contributions, views, and opinions on the notion of equivalence. For instance, Broak (1987) rejected this notion because synonymy does not exist between the words of the same language, and this is sufficient to reject the notion of equivalence and other related terms, such as similarity, analogy, and adequacy. Instead, he employed the phrase ‘true understanding’. Similarly, Snell-Hornby (1988) rejected the notion of equivalence, by claiming that equivalence is a challenging term between source and target texts. Hence, it is inapt to the theory of translation since equivalence hardly exists between the words of one language. Similarly, Mehrach (1997) stated that equivalence is an outreach aim in translation as no two languages share similar linguistic structure and social or cultural aspects. Thus, he suggested that the term ‘adequacy’ refers to ‘appropriate’ translation, which is defined as “a translation that has achieved the required optimal level of inter-language communication under certain given conditions” (ibid; 32).

Leuvan-Zwart (1990, cited in Mehrach, 1997) refused the notion of equivalence as it portrays a barrier in the development of a descriptive theory of translation. She assumed that equivalence is used at the expense of other basic factors, such as the situation, the intention of the speaker, and the effect on the hearer in the translation process. Finally, translation connects two languages and attempts to seek a reflection of the items in source text in the TL, which may bear different taxonomies of equivalence.

2.8 Translation Shift

Shift is defined in Oxford Advanced Learner’s Dictionary (1985) as “change position or place, substitution of one thing to another.” The term ‘shift’ was initially
used by Catford (1965) to indicate “departures from formal correspondence in the process of going from the SL to the TL” (ibid: 73). In a similar sense, Catford also applied this term to indicate changes that may happen to the items of sources text upon translation into target text. Catford (1965) claimed that shift happens to the items of the source text when there is no formal correspondence and shifts occur at both grammatical and lexical levels.

Newmark defined shift as “a translation procedure involving a change in the grammar from SL to TL” (1988, p. 85). According to Palumbo (2009), shift occurs as a deviation from the original language text as a response either for syntactic or meaning of the TL and due to the variance between source and target texts at the level of structure and audience, shift will be inevitable in the translation process. As for Popovic (1970), shift in translation process refers to any new element that appears in the target text or things that are part of the source text, but fails to appear in the target text.

Toury (1980) commented on the shift in translation process as one that happens when a translator deviates from formal equivalence into adequate equivalence due to discrepancy between source and target texts. Peckkanen (2007) assessed the issue of style shift and found that shift can either be mandatory that results from systematic dissimilarity between SL and TL in terms of system of syntax, semantics, and culture, or optional style shift that is related to the translator’s preference for the sake of the proficiency level of the target text. Vinay and Darbelnet (1995) performed comparative stylistics and listed translation procedures, in which some of them are more or less direct or literal, while the rest are oblique due to the differences between source and target texts. These procedures are called transposition (change in word class),
modulation (change in semantics), equivalence (completely different translation, e.g: proverbs), and adaptation (change of situation due to cultural differences).

Translation shift was used in the translation theories explicitly by Catford (1965), although there are other taxonomies offered by other theorists, such as adjustment (Nida, 1964), modification or restructuring (Nida & Taber, 1969), shift or transposition (Newmark, 1988), and transfer operations (Klaudy, 2005). Catford (1965, p. 141) used the term ‘translation shift’ to indicate to the “departure from formal correspondence in the process of going from SL to TL.” In this sense, Catford (1965) inferred that a translator first looks for formal equivalence and if this is not possible, translation shift may occur. Catford (1965) asserted that there are two types of shifts in translation. One is called level shift, where the one linguistic item in the source text has a formal linguistic equivalence in the TL, for instance, to make one believe in his talent is great work = أن تجعل شخصا يتمنى بموهبته هو عمل عظيم. In this example, the shift occurs from grammar to lexis. The other type of translation shift is called category shift, which indicates that a translator moves from the formal equivalence. Catford divided category shift into four types, as follows:

i. Structure shift: The structure of source text is changed when it is translated into the TL.
   e.g: the student went to school = ذهب الطالب الى المدرسة

ii. Unit shift: This type of shift involves change in the rank while translating source text into target text, for instance, changing from formal equivalence into dynamic equivalence.
   e.g: the manager bought red car = اشترى المدير سيارة حمراء (modifier into qualifier)
iii. **Class shift:** This shift happens when a translator changes the class of one item from source text to another class in target text. For instance, changing the verb in source text into a noun in target text.

iv. **Intra-system shift:** This shift occurs internally in the system when both source and target languages approximately share similar systems that correspond formally as to their constitution, but during the translation process, the translator considers a selection of non-corresponding terms from the TL system. For instance, replacing the singular in source text with plural in target text. Figure 2.3 illustrates the divisions and subdivisions of translation shifts according to Catford.

![Figure 2.3. The Divisions and Subdivisions of Translation Shifts (Catford, 1965, p.80)](image)

Darwish (2010) depicted about translation shifts in terms of techniques used to translate cohesive devices between two languages. These techniques are retaining, omission, addition, and replacement. Darwish clarified these techniques with examples. *Retaining* is used to attain faithful translation but if retaining a cohesive device does not make the sentence sound natural, the translator moves to the second technique, which is omission, when the TL can work without the existence of the source text. However, if the meaning of cohesive devices is awkward in the target
text, the translator opts for the addition technique. The replacement technique is applied when, for example, a translator replaces the singular pronoun with a plural pronoun. Blum-Kulka (1986/2000) asserted the notion of translation shift in terms of explicitation, which results from the shift of cohesive and coherence at the discourse level of target text. She proposed the following hypothesis of explicitation, “an observed cohesive explicitness from SL to TL texts regardless of the increase traceable to differences between the two linguistic and textual systems involved” (1986/2000,p. 300). Blum-Kulka (ibid: 300) indicated that explicitation is a result of translation process with two types of shifts:

a. Shifts in levels of explicitness, i.e. the general level of the target texts’ textual explicitness is higher or lower than that of the source text.

b. Shifts in text meaning(s), i.e. the explicit and implicit meaning potential of the source text changes through translation (ibid, p. 18).

2.9 Technical Translation

Technical translation includes the translation of various kinds of specialized texts in science and technology, and other disciplines such as economics and medicine (Williams & Chesterman, 2002). The corpus of this study derives from legal texts that belong to technical language, hence demand technical translation. In this regard, technical translation is part of the process of diffusion information, which is necessary for the modern society (Pinchuck, 1977). The nature of the language used in technical translation is “...so much more direct, so much freer from alternatives, and so much less artistic than the translation of any other kind of prose” (Savory, 1968, p. 161). Baakes (1994) described technical language with "objectivity, absence of expressiveness and emotion, precision, economy, conciseness, and formality” (p. 3).
Technical translation is used to translate various kinds of specialised texts in science and technology, as well as in other disciplines, such as economics and medicine (Williams & Chesterman, 2002). In the same token, Ellen and Wright (1993) envision technical translation as the translation of specialised language, i.e., the translation of a text that has been written for special purposes.

Technical translation translates specialised topics that belong to the field of English for special purposes, which is supported by Crystal (1997), who envisioned that special languages, such as English for sciences, entail special subjects with vocabulary that might be borrowed from Latin or Greek language. The structure of these subjects is complex and characterised by a high rate of repetition. Crystal (1997) added that English for science is full of objectivity, systematic investigation, and exact measurements that exclude emotion, humour, figurative expressions, or any aesthetic aspect.

Commenting on the difficulty of translating technical and scientific texts, Nida (1964) asserted that translating a scientific text from Indo-European languages into a very different language, such as Asian languages, is challenging, thus requires a teamwork specialised in the text under translation with other specialists in translation for successful technical translation. Faraghal and Shunnaq (1999) pointed out that being away and unaware of the science and technology advancement, as well as neglecting the coinage of new terms, poses several challenges in translation, mainly because new terms linked with new technology and inventions would not share equivalence in the TL. They added that “the major problems faced by translators at present are terminology standardisation and dissemination in the sphere of science and technology” (Faraghal & Shunnaq, 1999, p. 210).
Specialised translation have been reported to occupy approximately 90% of total translation work (Kingscott, 2002). The high rate of specialised translation was justified by Salama Carr et al., (1995) as due to the role of technical and scientific translation in cross-fertilisation, transformation, and progress. In precise, technology cannot be shared or transferred without technical translation. Despite the consensus of some scholars on the interchangeable use of scientific and technical translation, some different views have made the distinction between the two terms. Of these views, Byrne (2012) made a clear distinction between technical and scientific texts by stating that “while a technical text is designed to convey information as clearly and effectively as possible, a scientific text discusses, analyze and synthesizes information with a view to explain ideas, propose new theories, and evaluate methods (p. 2).

2.10 Legal Translation

Translation, in general, allows various cultures to interact with and contact each other in a way that translation takes information and elements from one language and culture and transfers them to another language. Linton (1936) asserted that the growth of human culture is attributable to the ability of all cultures to borrow elements from one another, in which these elements become part of the new culture. In this process, legal translation transfers these elements accurately in the target text (Šarčević, 2000, p. 16). Legal translation differs from other types of translation in its purpose since legal translation works on translating law in varied forms (Gémar, 1988, as cited in Ingrid Simonnæs, 2013).

The present age has witnessed dramatic changes in lifestyle, community needs, technology, and social media, alongside with the escalating rate of manufacturing, industry, and invention. As a result, it is necessary to opt for translation as a tool for
knowledge transfer, which could sometimes be very confidential and important (e.g.,
documents), and sometimes be national or international (e.g., treaties and contracts)
(Šarčević, 2000, p. 271). The modern communities are made of a mixture of varied
people with vast backgrounds, languages, and cultures, hence requiring laws and
regulations to rule their daily life transactions that involve various rights, duties, and
commitments. Thus, it is integral to clarify legal items via legal translation, and the
same situation applies to global affairs that fall under the responsibility of the United
Nations, as well as other agencies and organisations (Coa, 2007). Legal translation has
bridged the gaps created by varying linguistic and legal systems, but such translation
is challenging mainly because it combines between the literal meaning of legal words
and their terminological precision in the technical translation (Harvey, 2002).
Translators may find this task very challenging because legal documents deal with
very sensitive contents, such as law, rights, and obligations, wherein precision is vital
to convey the contents into another language to hinder alternative interpretations,
ambiguities, fraud, additions, omissions, and changes (Crystal & Davy, 1969).

To cast light on barriers, challenges, solutions, and recommendations of legal
translation, Abu Ghazala (1996) assessed the legal translation between English and
Arabic from the stance of syntactic and semantic issues that a legal translator may
encounter. The study employed a sample of MA translation students from Yarmouk
University, who were requested to translate a set of UN regulations. It was concluded
that the students demanded more training and practice. The study highlighted that a
graduate student of translation does not guarantee one to be a qualified and
professional legal translator. Similarly, Farghal and Shunnaq (1992, 1999) looked into
the difficulties faced by MA translation students when translating legal documents.
The results revealed three problematic areas encountered by the sample in translating
such documents, which are syntax, layout, and tenor. Meanwhile, Emery (1989) performed a contrastive study to demonstrate the linguistic features in translating documentary texts from Arabic into English, after circulating a legal documentary text to the sample of students. The outcomes showed that the translators committed varying mistakes when translating the documents. Hence, it was recommended that the translators should be exposed to more intensive training courses that emphasise on the significance of stylistic and structural variances between languages, especially when translating legal documents from Arabic into English.

The pragmatic and functional considerations in the process of translating legal texts were investigated by Mohammed and Fakhouri (2010). They analysed how standard language can contribute to the success of communication across different languages. The study offered a set of tentative criteria to evaluate the pragmatic and functional aspects of legal translation between English and Arabic. They concluded that it is insufficient for the legal translators to master technical terms alone, but also should be equipped with the knowledge of pragmatic functions in legal terms. Legal translators need to reckon the pragmatic functions of legal terms, apart from having a solid background of the culture of the languages involved because some legal terms are coloured by their original culture (Chroma, 2004). It is necessary to acknowledge that social codes have a significant role in forming the legal meaning. Therefore, a translator has to seek analogical legal institutions to achieve the same legal meaning of the translated message in the TL as it has in the SL (Botszat, 2012). In the same token, Mahadi (1996) discussed the notion of equivalence in the legal translation due to the peculiarity of language in which she concluded that translation of complementary pairs of English suffixes such as (er/or and ee), in words such as ‘employer and employee’ that are used specifically in legal texts, have no equivalents
in Malay. Thus, the translator has to add new elements into the target text to compensate the English suffixes (er/or and ee).

Translators have to bear in mind that there is a special style used to form legal texts that distinguishes it from the ordinary language. For instance, the English legal language is characterised by the special usage of some modal verbs, such as shall and may. In this regard, some scholars have called for popularising the legal language as it is linked with varied life aspects. This notion aims to make the usage of legal language common and part of the knowledge amidst ordinary people and legal translators alike (Fakuade & Shrndama, 2012). A legal translator has to be aware of the dual nature of legal terms that combine ordinary and special meanings. Such realisation is vital because it is common for legal meaning to have special meaning, rather than in the ordinary meaning (Alcaraz & Hughes, 2014).

Accuracy is a distinctive feature of legal language that has to be dealt with seriously because a legal message relies on the accuracy of legal terms. Translating legal terms involves translating rights, rules, obligations and commitments. In this regard, Dickerson (1986, p. 15) claimed that a translator should be aware that consistently repeated words or terms should be used with different senses, as laid out in the following: “He carefully avoids using the same word or term in more than one sense… in brief, he always expresses different ideas differently” (as cited in Wang & Chen, 2014).

2.11 Coherence

As depicted previously, a text is organised by cohesive devices, while the term ‘cohesion’ can be used interchangeably or is accompanied by another term, which is
‘coherence’. Coherence is integral in studying a text as an aspect of change to text linguistics instead of sentence linguistics (Gernsbacher & Givón, 1995; McNamara et al., 2003; Schiffrin, 1997). This aspect in texts indicates that the combination of parts of the text gives ‘continuity’ (de Beaugrande & Dressler, 1981), and coherence has been defined by various scholars. For Van Dijk (1977), coherence involves “connections between propositions in composite sentences and successive sentences” (p. 4), while Widdowson (1978) defined coherence in terms of illocutionary act as “the relationship between the illocutionary acts, which propositions, not always overtly linked, are being used to perform” (p. 28). De Beaugrande and Dressler (1981) defined coherence as "the outcome of actualising meanings in order to make 'sense” (p. 109).

Meanwhile, Bell (1991) claimed that coherence “consists of configuration and sequencing of concepts and relations of the textual world that underlie and are realised by the surface text; the propositional structures” (p. 165). Coherence, as defined by Hatim and Mason (1997), is “the underlying concepts and relations [which] must also appear to the reader to be mutually relevant and accessible in establishing and maintaining sense constancy or coherence” (p. 16).

In this connection, Tanskenan (2006) pointed out that coherence does not act as a surface connection as cohesion does; instead, it refers to an interaction between knowledge of reader/listener and text. Brown and Yule (1983) concentrated on coherence in the context of analysing written discourse, wherein they found that coherence is caused by the interaction between discourse and reader/listener, which is likely to occur when a reader deals with written discourse. Baker (1992) shared similar idea of Brown and Yule (1983) in terms of achieving coherence in the text, while adding that knowledge of reader may be affected by certain factors, such as age, sex, race, nationality, education, occupation, as well as political and religious affiliations,
thus viewing the text in a different manner. Similarly, Charolles (1983) asserted that the text can be described as coherent based on the ability of the receiver to make connections between the ideas in a text. Charolles divided coherence into supplemental and explanatory modes, in which the former refers to the continuity of senses, while the latter justifies the continuity of the text. Johns (1986) also divided coherence into two types: 1) text-based coherence that includes how sentences in a text are connected, and 2) reader-based coherence that refers to the interaction between reader and text, which relies on the degree of matchlessness between reader’s perception and intended meaning of the text.

Hoey (1991) differentiated between cohesion and coherence by stating, “cohesion is a property of the text and coherence is a facet of a reader’s evaluation of the text" (p. 12). Baker (1992) distinguished cohesion from coherence based on the following distinction:

Like cohesion, coherence is a network of relations which organise and create a text: cohesion is the network of surface relations which link words and expressions to other words and expressions in a text, and coherence is the network of conceptual relations which underlie the surface text... In the case of coherence, they are connected by virtue of conceptual or meaning dependencies as perceived by language users (p. 218).

According to Baker (1992), cohesive devices alone are not able to create a coherent text because “…cohesive markers have to reflect conceptual relations that make sense” (p. 218). Simply put, Neubert and Shreve (1992) claimed that the structure of text creates the coherence of text because it is “…an underlying logical structure that acts to guide the reader through the text” (p. 94). Nonetheless, De Beaugrande and Dressler (1981) did not confine textuality to cohesion or coherence in spite of their essential roles in creating textuality; instead, they added other criteria, such as acceptability, intertextuality, intentionality, informativity, and situationality,
which are in-charge of textuality in any given text. Enkvist (1978) asserted that “If a text is to be well-formed, it must have semantic coherence as well as sufficient signals of surface cohesion to enable the receiver to capture the coherence” (p. 120). This emphasises that coherence goes in line with cohesion to achieve textuality. Halliday and Hasan (1976) acknowledged that cohesion represented by semantics is not the only factor that contributes to the texture of the text, but also it contains some degree of coherence. Similarly, Hasan (1985) asserted that “…cohesion is the foundation on which the edifice of coherence is built. Like all foundations, it is necessary, but not sufficient by itself” (p. 94).

2.12 Cohesion

Cohesion refers to the term used to describe the surface semantic ties that glue the components of a text together, and it is a criterion that turns the sequence of sentences into a text (Halliday & Hasan, 1976). The earliest study of cohesion was conducted by Jakobson (1960), as he analysed the syntactic structure and parallelism in literary texts with reference to poetry. Halliday (1964) expanded Jakobson's study (1960) with another study on cohesion by dividing it into grammatical and lexical types of cohesion. Later, Hasan (1968) carried out a study that elaborated grammatical cohesion. Gutwinski (1976) linked the discussion of cohesion to stratification theory, thus defining cohesion as the ties that connect sentences and clauses to each other in a text, wherein several features, such as anaphora, subordination, and coordination, are considered cohesive although they do not contain cohesive ties.

In the same year, Halliday and Hasan (1976) presented a great and comprehensive work on cohesion entitled ‘Cohesion in English’. Their contribution, including a model of cohesive devices, has been regarded as one of the most extensive studies on cohesion and has served as the primary reference for several studies.
pertaining to cohesion. Lovejoy and Lance (1991) studied cohesion in written discourse, and claimed that cohesion can be achieved by using the concept of theme-rheme in a text, whereby theme is “the `point of departure’ for presentation of information”, while rheme is “information a writer wishes to impart about the theme”.

Hatim and Mason (1997) mentioned that writers and translators need to use surface ties to connect the constituents of a text to attain textuality. Renkema (1993) clarified the notion of cohesion by indicating that cohesion refers to the ties that link components of the text, which occur when interpretation of the textual element is dependent on another element within the text. Similarly, McCarthy (1991) pointed out that cohesion in a text is a step to achieve coherence that happens when salient cohesive ties create the feeling amidst readers, wherein the elements in the text are well-connected and are not merely a mixture of sentences. In his book entitled ‘An Introduction to Functional Grammar’, Halliday (1994) discusses the notion of conjunction as part of cohesive devices by adopting logic–semantic relations to divide conjunctive elements into elaboration, extension, and enhancement. He added that substitution and ellipsis are “variants of the same type of cohesive relation” (p. 317). Hasan (1984/1985) also contributed to the theory of cohesion by dividing cohesion into structural and non-structural cohesion, and further claimed that cohesion is the basic principle of coherence, but it is insufficient by itself. Hasan (1994) added, “When I say that coherence in a text is the property of hanging together, I mean that the patterns of language manifest—or realise the existence of semantic bonds, because it is in their nature to do so, not simply because someone is making them do so” (pp. 182-183). Meanwhile, Larson (1984) viewed cohesion from the stance of semantics and a hierarchal structure in terms of ‘grouping’ as a way of creating textuality within the text. She added that translation may change the form, but the meaning should be
maintained in the TL. She (1984) further defined cohesion as “linear running through the discourse weaving it together” (p. 389). Based on this definition, Larson (1984) designed her concepts and approaches to deal with cohesion in translation and indicated that the semantic structure within a text is a factor that enhances the value of cohesion in a given text. Larson (1984) uses ‘span’ in her investigation of cohesion and defined it as “the continuation of given participant, setting, or event through a part of the text” (p. 426).

Nonetheless, a string of sentences placed together does not guarantee that a text has been created; instead, the text user should be aware of the existence of norms and properties that distinguishes texts from non-texts, and for that reason, cohesion is one of the norms and properties that differentiate and put clear-cut between text and non-text (de Beaugrande & Dressler, 1981; Halliday & Hasan, 1976; McCarthy, 1991).

Singh (1979) claimed that cohesion is the property that distinguishes discourse from a random sequence of sentences. He made a distinction between linguistic cohesion, which implies that cohesion in a text derives from linguistic elements and pragmatic cohesion that is achieved by external elements of the text. Baker (1992) highlighted connectivity within any given text and its importance in the context of translation. She asserted that connectedness between the constituents of text helps a translator to distinguish text from non-text. Accordingly, Baker (1992) defined cohesion as “the network of lexical, grammatical, and other relations that offers links between various parts of a text. These relations or ties organise and, to some extent, create a text” (p. 180). Baker, like many other linguists and theorists, based her approach in studying cohesion on the model of cohesion developed by Halliday and Hasan (1976), thus acknowledging the divisions of cohesive devices: reference, substitution, ellipsis, and lexical cohesion. She insisted that cohesion represents the
surface relations that bring the text elements together. Unlike Halliday and Hasan (1976), she added several instances to her analysis from a number of languages, such as English, Arabic, and Japanese, to clarify the notion of cohesion in a practical way.

Newmark (1988) linked the notion of cohesion with translation. He asserted that connectives in the text regulate and secure the textuality of the text. He further emphasised that these connectives have different shades of meanings, in which a translator needs to pay greater attention in order to be able to discern them. Semantically speaking, the application of cohesive devices in a text creates semantic understanding of the text. Jabeen et al., (2014) reported that cohesive devices in the text are helpful for students of a second language to decode the meaning. The study concluded that the application of cohesive devices in selected texts displayed a sequential semantic thread throughout the text. It offered practical understanding on the generation of integrated texts. In a similar vein, cohesion was studied from a stylistic perspective. Enkvist (1973) pointed out that textual cohesion in a text can be studied via theme dynamics and cohesive devices. He claimed that style should not be restricted only to the sentence or to the linguistic units larger than the sentence. Enkvist (1973) clarified as follows:

“[…] single sentences have style, and stylistic incongruities such as the use of a colloquial word in an otherwise solemn, high-style frame may occur within the bounds of one sentence. And the other way round: quite a few features of textual cohesion between sentences can be regarded as grammatical rather than as stylistic. Pronominal reference, concord, and certain other grammatical phenomena do not stop at sentence borders (110).

Obeidat (1998) studied cohesion and its relation to translation processes in light of the effect of each language style involved in the translation process on the product of the translation process. He insisted that each language has a style that demands specific cohesive devices to fill the gaps caused by the translation from varied
languages. After examining a number of translated literary texts from English into Arabic and vice versa, he concluded that the Arabic language style applied implicit text connectors, while English used explicit ones. Besides, many cohesive devices were found to undergo deletion upon being translated from English into Arabic.

Due to the peculiarity and the nature of different styles of languages involved in the translation process, cohesion has garnered much interest among scholars. Therefore, many studies in different languages have employed contrastive studies. For example, Rahimi and Ebrahimi (2012) assessed a cohesive device called lexical cohesion to demonstrate the shift that occurred to lexical cohesion while translating between two language styles; English and Persian. Their study sought answer to the following question: “What are the textual differences between Persian and English novels in terms of lexical cohesion?” Their study analysed novelists’ choices of 1000 words taken from two Persian and two English novels. As a result, Persian novelists seemed to favour collocation, while English texts had the tendency to use simple repetition. Similarly, Karoly (2014) investigated the referential cohesion between Hungarian and English languages in terms of translation. Karoly opted for the process of analysing news translation to determine the changes that occurred to the referential cohesion when translated from Hungarian into English. The findings showed that referential cohesion was indeed a considerable shift, but appeared to be statistically insignificant, thus failing to provide evidence for universal translation.

A translation process involves two languages, in which the text is supposed to undergo several changes. One of these changes involves the change of cohesive devices (Al-Jarrah, 2006; Al-Shurafa, 1994; Ayisha & Majoub, 2000; Mahdi, 2013). In the same respect of change caused by translation, Blum-Kulka (1986) depicted these two type of change or shift as follows:
1. Shift in the level that refers to the grammatical differences between languages caused by the changes in the types of ties that are used to mark cohesion in the source and target texts.

2. Shift in the text meaning, whereby there is no guarantee that the meaning in the source text will remain the same after being transferred into another language.

Due to the importance of the Halliday and Hasan’s (1976) model in the literature of studying cohesion in English language and its influence on studying cohesion in other language, it is worthwhile to mention that the main issue in the this model is their claim concerning cohesion as the basis for coherence. The extreme notion that cohesive ties are the only properties that offer texture has provoked many scholars (see Brown & Yule, 1983; de Beaugrande & Dressler, 1981; Ellis, 1992; Hellman, 1995; Hoey, 1983; Widdowson, 1978). Widdowson (1978) disagrees with Halliday and Hasan’s (1976) notion of cohesion and its essential role in creating texture. Widdowson claimed that cohesion plays a secondary role in creating texture, and a coherent text is not mainly dependent on the overt relations in the text, in which “discourse is not dependent on overt cohesion of this kind” (p. 27). In order to prove his notion, Widdowson (1978) presented the following example to clarify that it is indeed possible to have a coherent text without cohesive devices:

A: That’s the telephone.

B: I’m in the bath.

A: Ok.

According to Widdowson (1978), the absence of formal links among the three clauses shown above is not a reason for the absence of texture since it is understood from the text that someone is unable to answer the telephone because he/she is taking
a bath. In this case, the surrounding environment helps the listener or the reader to understand the meaning. Similarly, Brown and Yule (1983) disagreed with Halliday and Hasan (1976) because they claimed that it is indeed possible for two utterances to form a text without the existence of overt ties in it, especially if they are sequentially produced. In opposition to Halliday and Hasan, de Beaugrande and Dressler (1981) did not limit the creation of texture only to cohesive devices; instead, they proposed seven criteria for having texture in the text: cohesion, coherence, intentionality, acceptability, informativeness, situationality, and intertextuality. Schiffrin (1987) opposed Halliday and Hasan in their extreme emphasis on cohesive devices to create underlying semantic relationships. She asserted that cohesive devices do not directly provide meaning by themselves, but they act as clues for the speakers and listeners to seek the meaning. Schiffrin (1987) added that a text may be constructed without overt relations if the context is there since “the potential meaning relationship between them is already constrained” (p. 319).

Morgan and Sellner (1980) strongly criticised the notion proposed by Halliday and Hasan (1976), in which cohesion is considered as the main factor in creating texture. Their argument is based on the theory of schemata that indicates understanding and processing a text is a type of interaction between the reader/listener and the text. Thus, the text becomes coherent when the text user is able to relate his/her prior knowledge to the meaning given in the text. In a similar vein, and based on the theory of schemata, Carrell (1982) criticised Halliday and Hasan’s (1976) model of cohesion since she viewed the schema theory as the source of texture in the text. She further claimed that coherence is an implicit link between the listener/reader’s pre-knowledge and the text. In this regard, Carell (1982) explains the notion of schema theory in terms of the interactive process initiated between the text and the prior knowledge of listener
or reader. Nevertheless, she is in agreement that cohesion still has an impact on the
texture of the text in relation to coherence by stating that any given text needs to have
some additional linguistic elements, such as coherence between the cohesive devices.
Tanskanen (2006) critiqued the work of Halliday and Hasan (1976) as a whole. She
asserted that they gave more space to grammatical cohesion at the expense of lexical
cohesion, despite the fact that grammatical cohesive devices can be easily defined in a
text.

2.13 Cohesion in Arabic

The discussion on cohesion in the English language may be applied to the
Arabic language, as both these languages pass through the period of sentence
linguistics and later, text linguistics. The traditional approach, sentence linguistics,
considered a sentence as the basic unit to study language (Hatim 1997). The sentence
linguistics asserted that this approach deals with sentences as the biggest unit of
discourse analysis, in which the focus is on the sentence within its obvious borderlines,
and a number of scholars in the Arabic language had adopted this approach (Abu Hilal
Askari, 1952; Al-khitaab, 1977). In traditional Arabic, the cohesive devices or the so-
called connectors were treated as particles and were referred to as (huruf). These
particles were classified in Arabic as ‘huruf-al-ma’ani’ because they have grammatical
function and meaning in the text. This classification differentiates them from other
consonants, which are categorised as (huruf) (Al-Kohlani, 2010). For instance, the
particle (wa) in Arabic, which is almost equivalent to the English word ‘and’, functions
grammatically as a coordinating conjunction. In this approach, the sentence is “one of
the most obvious, most strongly signalled of linguistic units” (Chafé, 1979, p. 162).
The Arabic language is similar to English and other languages, which abandons the sentence linguistics as an approach to study the language due to the fact that this approach is deficient in tackling all linguistic issues, apart from separating language from its social dimension (Al-Amri, 2007). Almost all languages, including Arabic, has made a shift to the text linguistics since this approach enables linguists to contain all linguistic issues and concerns, as well as to study language through its relation to other fields (de Beaugrande & Dressler, 1981; Halliday & Hasan, 1976; Khatabi, 1991).

Accordingly, with the emergence of Harris’ study in 1952 entitled ‘Discourse Analysis’, Arabic and English departed from the old approach and adopted the new approach called text linguistics (لسانيات النص) or (نحو النص) because both languages feel that the approach Harris (1952) initiated considers text as the unit of study of the language, in which many studies have adhered to Harris’ approach, such as Baker (1992), de Beaugrand and Dressler (1981), Halliday and Hasan (1976), and Khutabi (1991). As part of text linguistics, much interest has been directed to study cohesion as a feature of text (Halliday & Hasan, 1976). One facet of the significance of the model adopted by Halliday and Hasan (1976) lies in its applicability on both English and Arabic texts. Most studies that handled Arabic text and discourse connectors had made reference to Halliday and Hasan’s (1976) model of cohesion (see Al-Batal, 1990; Al-Kohlani, 2010; Basheer, 2016). As far as the Arabic language is concerned, it borrows the term cohesion from linguistic western studies, but there is no consensus on the Arabic equivalent for it. As such, Mohammad Khetabi (1991) used the Arabic term Itisaq, Tamam Hassan (1998) used the term Sabik, while Elham Abu Gazzala and Ali Khalil (1999) used the term Atazam.
In terms of the studies that looked into the issue of cohesive devices, Al-Batal (1990) sought to understand the notion of cohesion and its manifestation in text and in sentence, as he assessed the occurrence of conjunction and disconnection based on both Halliday and Hassan’s (1976) model and Arabic grammar references. For Al-Batal (1985), the cohesive connectors are the elements that are used in the text in terms of linking or transitional words that connect between phrases, clauses, sentences, and paragraphs. Al-Batal added the notion of zero connectors, justifying that zero connector is more important than the explicit one. Similarly, Al-Kohlani (2010) evaluated the Arabic connectors at the sentence level, in which cohesive devices refer to addition, contrast, explanation, inference, sequence, alternative, and exception. At the paragraph level, these cohesive devices perform the following functions: signalled continuity, change of topic, and refocus. For this purpose, she assessed connectors in 50 newspaper opinions. In her study, she defined the connectors in the text as “linguistic cues that text-producers use to guide text-receivers’ interpretation of their contribution in order to ensure a successful communicative act” (p. 2). AlSaif (2012) probed into the notion of cohesion in Modern Standard Arabic in terms of discourse connectives, in which these connectives are used to link the segments of texts. She launched the first algorithm to define the connectives automatically and employed four resources to recognise the explicit discourse connectives in Modern Standard Arabic. First, a great number of connectives had been collected to develop the annotation tool to fit the features of Arabic, wherein this tool is called READ. Second, the analysis of Arabic connectives led to the annotation scheme; this analysis was performed based on the popular discourse annotation project for English known as PDTB. Third, this scheme was used to design the first discourse corpus for Arabic called The Leeds
Arabic Discourse Treebank. Finally, an automatic identification model was designed for discourse connective identification.

2.14 Halliday and Hasan’s (1976) Cohesion Model

The surface correlations between the components of text have been extensively studied by many scholars and in different languages, as well as due to their functions and their roles to create a text. Linguists have studied this type of relations from various aspects (see Baker, 1992; Brown & Yule, 1983; de Beaugrande & Dassler, 1981; Halliday & Hasan, 1976). In fact, these correlations have been assessed in many studies under the umbrella of cohesion, which is the most popular taxonomy for these textual relations. Initially, cohesion was established as an independent discipline by Halliday and Hasan (1976). In their study, they set the principles of cohesion and offered a very extensive study on cohesion. To date, their study has been considered as the cornerstone in studying the text and its surface relations, which are represented by cohesive ties. This present study adopted the cohesion model proposed by Halliday and Hasan (1976) because it has been regarded by many scholars as the best-known model devoted to studying cohesion coupled with its role in the text. Accordingly, it is integral to examine the model of cohesion and its contribution to the overall connectivity of the text as part of studying cohesion. Halliday and Hasan (1967) proposed the concept of cohesion as “a semantic one. It refers to relations of meaning that exist within the text, and that defines it as a text” (p. 4), and these relations between the elements of the text are considered as the bases of the principles of having a cohesive text. According to Halliday and Hasan (1976), the principle of achieving a cohesive text lies in the fact that the interpretation of some elements in a text is
dependent on the preceding elements within the same text. By doing so, cohesion is achieved by a network of relations between texts that form the text.

Since cohesion operates on text, Halliday and Hasan (1976) defined text “as a semantic unit: a unit not of forms but meaning” (p. 2). This definition indicates that the concept of text is formed by semantic relations, instead of its compilation since cohesion in text refers to “non-structural text-forming relations” (Halliday & Hasan, 1976, p. 7). Halliday and Hasan’s work on cohesion is mainly concerned about cohesion in the English language. They expressed clearly that the purpose of their book entitled ‘Cohesion in English’ is to cast light on the resources that the English language has to create texture, but there is no doubt that the principles of cohesion in their work are universal.

In order to provide a better perception on how linguistic features work in text, Halliday and Hasan (1976) suggested a simple instance that clarifies how cohesion operates in a text:

*Wash and core six cooking apples. Put them into fireplace.* (p. 2)

In the above example, the linguistic feature used to connect the elements in the text is called reference, which is represented by a pronoun that links the first sentence ‘Wash and core six cooking apples’ with the second sentence ‘put them into fireplace.’ The interpretation of the relation created by the pronoun ‘them’ in the second sentence is that this pronoun refers to the ‘six cooking apples’ in the first sentence. Such semantic relation creates connectivity in the given example, and such relation forms a text. In this regard, Halliday and Hasan (1976) described how cohesion occurs:

Cohesion occurs where the INTERPRETATION of some elements in the discourse is dependent on that of another. The one PRESUPPOSES the other, in the sense that it cannot be effectively decoded except by recourse to it. When this happens, a relation of cohesion is set up, and
the two elements, the presupposing and the presupposed, are thereby at least potentially integrated into a text (p. 6).

Based on the above example and in light of this quotation, the pronoun ‘them’ is named by Halliday and Hasan (1976) as ‘presupposed’ because it presupposes the interpretation of the pronoun ‘them’ based on another element in the text, which is ‘six cooking apples’, which is defined by Halliday and Hasan as ‘presupposing’. The presupposition here offers cohesion between two or more sentences and the text as a whole. According to Halliday and Hasan (1976), cohesion is realised in a text via five relations, namely reference, substitution, ellipsis, conjunction, and lexical cohesion, in which these surface relations in the text are divided into two groups: grammatical cohesion and lexical cohesion. Grammatical cohesion is represented by reference, substitution, and ellipsis, while lexical cohesion is mainly made up of reiteration and collocation. As for conjunction, it lies “in borderline of the two; mainly grammatical, but with a lexical component in it” (Halliday & Hasan, 1976, p. 6). Grammatical and lexical cohesion can be distinguished based on grammar and vocabulary. Despite the fact that cohesion is a semantic unit, it is still not regarded as purely semantic because it is realised via grammar and lexis. Halliday and Hasan (1976) stated that cohesion is based on the structure of the text as it organises the semantic relations, which are achieved through grammar and vocabulary, or in precise, “structure is one means of expressing texture” (p. 7). Here, the clarification of cohesion elements is based on Halliday and Hasan’s (1976) model, as elaborated in the succeeding sections.

2.14.1 Grammatical Cohesion

This part of cohesion is composed of the following types:

i. Reference

ii. Substitution
iii. Ellipsis

iv. Conjunction

2.14.1(a) Reference

Halliday and Hasan (1976) defined reference as “the identity of a particular thing or class of things that is being referred to” (p. 33). The notion of reference is based on the fact that instead of interpreting some items in the text with the feature of relation, in which they make reference to other elements in the text. Reference can be divided into situational (exophora) and textual (endophora) references. Figure 2.4 illustrates the subcategories of reference:

Figure 2.4. Types of Reference in Halliday and Hasan’s (1976, p.31) Model of Cohesion

Figure 2.4 displays the occurrence of exophora reference when it refers to an external item of the text, which is called by Halliday and Hasan (1976) as ‘situational reference’, whereas the endophora reference refers to an item within the text, and is called ‘textual reference’. According to Halliday and Hasan (1976), the existence of endophoric (textual) or exophoric (situational) references in a text is essential in the way that presupposition is satisfied and the thing referred to becomes identifiable. The situational reference does not directly contribute to the cohesion of any given text, but rather to the creation of a text more than the integration of the text. Hence, textual cohesion was taken into account in their study. They divided references into three
types, namely personal, demonstrative, and comparative. These types are differentiated based on their purpose. The personal reference is based on its functions in speech situation that involves pronouns, such as I, me, you, we, us, he, him, she, her, they, them, it, one, and others. Next, the demonstrative reference in most cases is determined by location, such as this, these, that, those, here, there, now, and, then. Lastly, as for comparative reference, it is a reference by means of identity or similarity, such as same, identical, equal, similar, and additional, among others (Halliday & Hasan, 1976, p. 34). Figure 2.5 portrays the manifestation of reference in use, as follows:

![Diagram of types of reference]

Figure 2.5. Types of Textual Reference for Halliday and Hasan (1976, p.37)

In order to clarify the role of reference as a tool of cohesion, Halliday and Hasan (1976, p. 31) provided several instances, as given below:

a- Three blind mice, three blind mice
   See how they run! See how they run

b- Doctor Foster went to Gloucester in a shower of rain.
   He stepped in puddle right up to his middle and never went there again.

c- There were two wrens upon a tree.
Another came, and then there were three.

In (a), pronoun 'they' refers to the three blind mice; in (b), 'there' refers to Gloucester; and ‘another’ reflects wrens in (c). The common characteristic in the examples of reference is that the interpretation of reference is retrieved from the similar text, and cohesion lies in the continuity of the reference.

2.14.1(b) **Substitution**

Substitution is classified as the simplest type of grammatical cohesion. Halliday and Hasan (1976) defined it as “the replacement of one item by another” (p. 88). Substitution differs from reference as substitution is “a relation between linguistic items, such as words or phrases; whereas reference is a relation between meanings” (Halliday & Hasan, 1976, p. 89). Substitution is divided into three types: nominal, clausal, and verbal substitution. In elaborating the notion of substitution, Halliday and Hasan (1976, p. 89) suggested the following instances:

i. My axe is too blunt. I must get a sharper one.

ii. You think Joan already knows?

iii. I think everybody does.

In the above examples, 'one' and 'does' are tools of substitution, whereby 'one' replaces 'axe' and 'does' replaces 'know.' Substitution may take the form of a noun, such as *one, ones, and same*, and it may take the form of a verb, such as *do and does*, as well as clauses, such as *so and not*. Figure 2.6 displays the types of substitution:
2.14.1(c) Ellipsis

Ellipsis is also one of the simplest forms of a cohesion device because it is envisioned as a form of substitution. As a result, it is defined as a replacement of an item by nothing or by omitting substitution. Halliday and Hasan (1976) defined it as “substitution by zero” (p. 89). Ellipsis is treated as substitution because both draw relations between words, phrases, and clauses, while reference draws relations between meanings. Simply put, ellipsis is something left unsaid but understood based on the overall meaning of the text. Halliday and Hasan (1976, p. 144) gave the following examples to describe ellipsis:

iv. ‘And how many hours a day did you do lessons? Said Alice, in a hurry to change the subject.

v. ‘Ten hours the first day; said the Mock Turtle: ‘nine the next, and so on.’

Based on the text, the omitted item can be predicted. For example, ‘nine’ is presupposing nine hours, and ‘next’ is presupposing the next day. The two clauses: ‘nine the next’ and ‘ten hours the first day’ are presupposing that we did lessons ten hours the first day. From the viewpoint of Halliday and Hasan (1976), ellipsis occurs “when something that is structurally necessary is left unsaid” (p. 144), and there is a sense of something missing in that text. Figure 2.7 presents the types of ellipsis:
2.14.1(d) Conjunction

Conjunctions hold the sentences of the text together in a way that makes their order within the text meaningful. Halliday and Hasan (1976) clarified the notion of conjunctions as cohesive devices:

Conjunctions are cohesive not in themselves but indirectly, by virtue of their specific meanings; they are not primarily devices for reaching out into the preceding (or following) text, but they express certain meanings which presuppose the presence of other components in the discourse. (p. 226)

In precise, conjunction is a semantic relation that creates cohesion in the sense that what follows it is systematically linked to what precedes it. The network of relations created by conjunctions is a cohesion tool that helps create a cohesive text. Indeed, when conjunctive relations are considered as cohesion relations, it means that the focus is on their function in the text. Halliday and Hasan (1976, pp. 244-261) divided conjunctive relations based on their functions, as illustrated in Figure 2.8:

Figure 2.7. Types of Ellipsis for Halliday and Hasan (1976, p.153)
Halliday and Hasan (1976) included a number of examples to clarify the notion of conjunction. The following example is taken from Halliday and Hasan's (1976) work: *They fought a battle. After that, it snowed* (p. 429). In this example, the conjunction ‘After’ expresses the relations of time sequence, hence creating cohesion in the text.

2.14.2 **Lexical Cohesion**

For Halliday and Hasan (1976), lexical cohesion is the second type of cohesion that is attained through the selection of vocabularies and by non-grammatical elements. They divided lexical cohesion in the text into two types: reiteration and collocation, as described in the following sub-sections:

2.14.2(a) **Reiteration**

Halliday and Hasan (1976) defined reiteration as “the repetition of a lexical item, or the occurrence of a synonym of some kind, in the context of reference; where the two occurrences have the same referent” (p. 319). Accordingly, the cohesion achieved by reiteration is fulfilled by repeating the same item, synonym, hyponyms, or general word.
All these devices share the function of reiterating the previous item in the identical or semi-synonym form. Halliday and Hasan (1976, p. 278) gave some examples of reiteration and its types:

a. *There was a large mushroom growing near her, about the same height as herself; and, when she had looked under it, it occurred to her that she might as well look and see what was on the top of it.*

*She stretched herself up on tiptoe, and peeped over the edge of the mushroom,...*

b. *Accordingly,... I took leave, and turned to the ascent of the peak. The climb is perfectly easy...*

c. *Then quickly rose Sir Bedivere, and ran,*

*And leaping down the ridges lightly, plung'd*

*Among the bulrush beds, and clutch'd the sword*

*And lightly wheel'd and threw it. The great brand*

*Made light'nings in the splendour of the moon...*


In example (a), there is a repetition of the word 'mushroom' in the previous sentence. In (b), the phrase 'the climb' reiterates the same notion as presented by the synonym 'the ascent' mentioned in the previous sentence. In (c), 'brand' refers to 'the sword', which is a synonym. In (d), 'car' refers to 'Jaguar', in which car is the superordinate of Jaguar. In fact, each instance shows reiteration and how it shares and reflects the referent. Accordingly, the categories of reiteration in the given examples above are repetition, synonym, near-synonym, and superordinate or general word.
2.14.2(b) Collocation

Halliday and Hasan (1976) claimed that this part of lexical cohesion is the most problematic part because it is achieved “through the association of lexical items that regularly co-occur” (p. 284). They defined collocation as follows:

A word that is in some way associated with another word in the preceding text, and this association takes one of the following forms: direct repetition of it, or is in some sense synonymous with it, or tends to occur in the same lexical environment, coheres with that word and so contributes to the texture (p. 319).

Accordingly, Halliday and Hasan (1976) asserted that “there is always the possibility of cohesion between any pair of lexical items which are in some way associated with each other in the language” (p. 285). This association may be achieved by having a member of an ordered set (e.g., Monday, Tuesday, Wednesday), having a member of an unordered set within a context (e.g., basement/roof, road/rail, red/green), or having a pair of lexical items that share similar lexical environment (e.g., laugh...joke, blade...sharp, ill...doctor, bee...honey, king...crown) (Halliday & Hasan, 1976, pp. 285-286). The association that leads to cohesion between words can also be achieved by having opposing situation, such as girl and boy, as well as a long cohesive chain that shares similar lexical environment, such as hair ... comb ... curl (p. 286). In short, Halliday and Hasan (1976) summarised the notion of collocation: “In general, any two lexical items with similar patterns of collocation -that is tending to appear in similar contexts- will generate a cohesive force if they occur in adjacent sentences” (p. 286).

2.15 Related Studies

This section is designed to reveal what scholars contributed to the literature of cohesive devices in different text-types and in relation to translation, translation techniques and translation shifts. Reviewing the related studies concerning cohesive
devices helps to reveal gaps in the knowledge of cohesion in different languages and in different fields such as literacy, legal language, religious language and education.

Na (2011) discussed a comparative analysis of cohesive devices employed in computer-mediated communication (CMC) texts of native speakers (NSs) and non-native speakers (NNSs) of English. The study mainly focused on the five categories of cohesive devices: reference, substitution, ellipsis, conjunction, and lexical devices in CMC texts jointly created by Korean EFL learners and American college-level students in an intercultural CMC project. The findings of the study indicated that non-native speakers used certain cohesive devices such as conjunction and lexical cohesion at significantly higher frequency rates than do native speakers. The study also concluded that that Korean EFL learners used a restricted repertoire of cohesive features and displaying misuses of some cohesive devices in constructing computer-mediated communication texts. Similarly, LI (2012) investigated patterns of lexical, cohesive devices in Chinese argument texts by two groups of writers: native speakers and learners of Chinese as a Foreign Language (CFL). The study used two corpora: a corpus of 50 native-speaker Chinese texts written for the National College Entrance Examination (hereafter the NCEE) and a corpus of 50 CFL texts written for the HSK (the Chinese language proficiency test). The findings show that there are a number of important differences in the use of lexical devices between the two corpora. The findings concluded that learners of CFL are less competent in the use of a range of lexical devices, such as simple and complex paraphrase, constituent repetition, superordinate and hyponymic repetition. The finding also reveals that learners of CFL have relatively low capacity to use lexical devices to create adequate and effective cohesive links across texts between non-adjacent sentences, and that they have
difficulty in employing various types of lexical items to form repetitions appropriate
to the development of argument in this type of text

Lulu (2013) investigated the grammatical cohesive devices in politics. She
adopted Halliday and Hasan’s (1976) model for cohesion to find the frequency of
cohesive markers used in both texts, Arabic and English texts. The corpus of her study
is taken from The New York Times and The Washington Post online articles along
with their translated Arabic version that is taken from the online Arabic newspaper,
namely, Asharq Al-Awsat. The study adopted Nida’s (1964) model for translation
techniques to determine the translation techniques used to translate grammatical
cohesive markers from English into Arabic text. The study concluded that Arabic texts
used more grammatical cohesive devices than English text. The frequency of
references and conjunctions are greater in Arabic text than in English text. However,
the frequency of ellipsis and substitution are more in English text than in Arabic.
Moreover, the study modified the model of Nida by adding two new techniques for
translation. By identifying the translation techniques used in translating the cohesive
markers, the translators or the linguists will be aware of these techniques. In this
regard, Darwish (2013) conducted his study to explore the translatability of cohesive
devices between English and Arabic and since these are two different languages, he
used employed four translation techniques namely retaining, omission, addition and
replacement to cope with the translatability of cohesive devices. Reference and
conjunction as a part of grammatical cohesion have been studied by Salomme, 2015,
through a comparative analysis of two English texts, their Arabic translated versions
and two original Arabic texts. The focus of her study is on reference and conjunction
as cohesive devices and the shifts that may occur when translating the literary texts
because of the linguistic differences between English as source text and Arabic as the target text.

From translation perspective, Naoual (2017) investigated the conjunction types in Arabic-English novels. The study concentrated on using the conjunctions as cohesive devices in the Arabic text “Dhakirat aljasad” and in its English translation “Memory in the Flesh”. This study adopted Halliday and Hasan (1976) model of Cohesion including the four types of conjunctions which are additive, adversative, causal and temporal. Naoual adopted the componential analysis by Katz and Fodor (1963) to determine the semantic features of the found conjunctions to determine whether the conjunctions used in Arabic and English are similar or different in meaning. The data derived from the excerpts of both novels are collected and analysed thoroughly. The study concluded that Arabic and English conjunctions are mostly related, sometimes overlapped and rarely different. Also, this study revealed that that some Arabic conjunctions are treated as prepositions, adverbs, and pronouns in English to create explicit shifts in the translated text. In the same regard but with different text-type, Huneety (2017) examined the use of cohesion in Arabic and English religious spoken text. His study adopted the model of Halliday & Hasan (1976) for cohesion. The study concluded that lexical cohesion is the most common type of cohesion in Arabic religious discourse, whereas the grammatical cohesion dominated English religious discourse. The study revealed that Arabic used lexical repetition, collocation and personal pronouns more often than English did. In the same regard, Fageer (2018) conducted this study to explore the importance of using cohesive devices in translation from Arabic into English or vice versa. This study examines hundred texts translated by undergraduate students at the Sudan University of Science and Technology. The study adopted a descriptive analytical approach. The study
developed questionnaire as a tool of investigation. The findings indicated that students are not skilful in the use of linking devices. Also, the findings revealed that tutors do not pay special attention to the question of cohesion.

With different language pair, Khoshsima & Moghadam (2017) investigated cohesive devices in an original English text and its Persian versions. The study aims at identifying the most frequent norms applied in translating cohesive devices from English into Persian. The corpus of the study consisted of three translations of the intended book were compared with each other. The study concluded that translators applied equivalent strategy in most cases and this was an evidence of the most frequent norms. Similarly, Rostami & Gholami (2016) examined the frequency of the use of lexical ties in Times and Tehran Times newspapers written by native and non-native writers. The corpora consisting 40 newspapers: 20 written by native authors and 20 written by non-native authors. The study adopted two-tailed-test to compare the use of lexical ties in the two sets of corpora. The results indicated that there was a statistically significant difference in the use of lexical ties in sport text of newspapers. In addition, the results revealed that in Times newspaper the density of lexical ties is more than Tehran Times newspaper.

Regarding the legal text, Farghal (2017) investigated tendencies across different text types concerning textuality based on individual extracts. The study adopted textual research (Chesterman 2005); it only aims at examining authentic extracts from different text types of existing translations between English and Arabic, such as literary, media, scientific, legal, political,. In analysis legal extract, it is shown that the Arabic translation similarly does not contain any explicit subject pronouns due to a generic constraint in comparison to English legal discourse. Also, Farghal indicated that repetition of the same word is very common because it is necessitated
by the authoritative nature of legal discourse, where lexical variation is strictly avoided in order to insure utmost clarity and explicitness. For Farahaty (2016), different languages have different legal terminology and for this purpose, she presented an account of legal translation between English language and Arabic language to show the similarities and differences. In the same token, Chaalal (2016) investigated the use of the cohesive devices in an Arabic/English parallel legal corpus of the United Nations texts and compares them to identify cohesion shifts in the English translations for sake of justifying their occurrences and to find out how they are interpreted as equivalents. Mixed method approach is adopted to reveal the extent to which source language norms influence the use of cohesive devices in translation and to describe the accuracy of the translation of these devices and the way that translators cope with the differences. The study concluded that Arabic and English have more similarities than differences in terms of the cohesive devices. Also, these finding revealed that there are significant differences in the frequency of their occurrence. The similarities are significantly justified for the purpose of accurateness, transparency and formality that characterise the language of legal texts. Also, the findings revealed that English translated texts have a major tendency towards both explicitation and implicitation in terms of using cohesive devices. The study indicated to the occurrence of three types of shifts, namely addition, omission and substitution of the cohesive devices used. In the same token, Moindji (2006) conducted multi-lingual comparative study between Arabic, English and Freench in which he examined the manifestation of cohesive devices devices as part of his study and how these devices changed to not cohesive by using coordinator to joing to sentences in one sentence. Also his study shows how language peculiarity and translator preference govern the translation process.
Stanojević-Gocić (2012) investigated cohesive devices in written legal discourse. The study aims at investigating the manifestation of coherence and cohesion in written legal discourse and it focused on the way that the cohesive devices in legal texts contributed to coherence. The corpus is derived from legal documents of the European Union in which cohesive devices are theoretically explained and afterward they are analyzed. The study concluded that cohesive devices have to be carefully selected by legal writers and drafters order to prevent ambiguity in legal texts. In same token, Pan (2013) studied the use of conjunctions in legal documents and their translations. The study aims at discussing how conjunctions may help the coherence in legal documents. Based on Halliday and Hasan’s (1976) model, the study suggested seven categories of conjunctives for investigation and compared the conjunctive patterns between the two legal subgenres: prospectuses and legislative texts. The study concluded that there is a difference between the two subgenres concerning conjunctive patterns in terms of wording and frequency and in the use of translation methods. In details, the conjunctives tend to become implicit in the translation of prospectuses but explicit in the translation of legislative texts. It is argued that possible causes for the disparities include cross-linguistic differences and extra-linguistic factors, such as generic, socio-cultural and translators’ strategic differences.

Arhire (2017) examined translatability of ellipsis, substitution and reference when they are enriched with stylistic, sociolectal and rhetorical values for student translations. The corpus of the study is consisting of Romanian graduate students’ translations of a short story from English into Romanian. The study concluded that when ellipsis, substitution and reference have only the function of formal links, explicitation and simplification usually appear as suitable translation strategies translating cohesive devices with stylistic load. It can be thus inferred that the
translation of cohesive devices is generally not problematic and does not require any effort when the students translate them into their native language. For Chaalal (2016), his study examines the use of the cohesive devices in an Arabic/English parallel corpus of the United Nations texts and compares them in order to identify cohesion shifts in the English translations, for the purpose of justifying their occurrences and to find out how they are interpreted as equivalents. Also, Al-Amri (2005) examined the cohesive devices affected by translation process in which Al-Amri conducted study to identify the kind of shifts that may happen to the cohesive devices in ST-TT text pairs through translation and his study examined and justified these shifts with the view to validate Blum-Kulka's hypothesis regarding the inevitability of the occurrence of shifts through translation. The study concluded that the application of the comparative model to the analysis of the cohesive devices in the two corpuses has shown significant number of shifts in cohesion due to the translation process. The study indicated that shifts in cohesion manifest themselves as: change of the types of cohesive devices of source texts, creating new cohesive devices and deletion of existing cohesive relations. Al-Amri distinguishes two types of shifts: obligatory cohesion-shifts (motivated by systemic differences between the two languages) and optional cohesion-shifts (motivated by translator's preference).

Al-Kohlani (2010) examined the function of discourse markers in Arabic newspaper opinion articles. In this study, discourse markers are not only functioning as connecting words and contributing to the cohesion of text, but they are also crucial tools for achieving communicative act in the text. The study concluded that discourse markers originated from different grammatical word classes such as coordinating conjunctions, e.g. fa ‘then, since,’ aw ‘or’ and bal. Also, the results of the study
indicated that what distinguishes the members of this discourse markers group is their preference to occur at the initial position of the sentence. Moreover, not only do discourse markers favor the sentence initial position, but they also have a strong tendency to cluster at this position. From different angle, Basheer (2016) investigated how native speakers and advanced non-native speakers of Arabic use connectives to show semantic relations in expository and argumentative writing. The study identified 2,964 connectives that were not confined to the grammatical category of ḥurūf ‘particles,’ and signaled fifteen types of relations, the most frequent among which were conjunction, reason, and contrast. The study concluded that the most frequent connectives in the native speaker’s data were wa ‘and,’ lākin ‘but,’ li ‘to,’ li’anna ‘because,’ and fa ‘so.’ In the non-native speaker’s data, wa ‘and,’ lākin ‘but,’ li’anna ‘because,’ idhā ‘if,’ and fa ‘so’ were the most frequently occurring connectives.

Regarding the translation shift, Hijjo (2017) investigated the grammatical shifts issues within media translation and examined the quality of the source text after applying the grammatical shifts. His study’s findings show that translators of BBC apply optional and obligatory shifts of translation. Translators of BBC news apply the translation shift while translating from English into Arabic to reserve the meaning of the source text and the quality of the message. In the same regard, Hatim & Mondy (2004) indicated that structure shift in the translation process is the most frequent shift between the different language since two different linguistic systems are involved and in order to fill knowledge gab the structure of the source text has to be changed to meet rules of the target text.

At the end, it is clear that cohesive devices have been intensively investigated in different languages and by different scholars but it was noticed that investigation of cohesive devices in legal language has not been examined intensively in legal language.
especially between English Arabic at the inter-sentential level and it is found that few studies that handle all categories of cohesive devices in one studies in terms of translation techniques and translation shift to end with a conclusion about the quality and success of the legal translation (Farghal, 2017; Chaalal, 2016; Pan, 2013; Moindjie, 2006).

2.16 Summary

Chapter Two covers the related literature that is inclusive of introduction, text, technical translation, legal language, as well as features of English and Arabic legal languages. It also presents an overview of studies related to legal language, legal translation, coherence, and cohesion. This chapter extends to include translation strategies, translation, and culture, equivalence in translation, cohesion in the Arabic language, Halliday and Hasan’s (1976) model, criticism towards Halliday and Hasan’s model, as well as translation shifts.

After reviewing the related literature in light of the topic at hand, it seems that the study acquired its significance through its role to fill a gap in the literature concerning cohesion. This study probed into grammatical cohesion and lexical cohesion at the inter-sentential level in two types of legal text, namely operative legal text and legal book through identifying cohesive devices and tracking translation techniques and translation shift that may occur to the cohesive in the translation process. Apparently, the review of studies shows the studies that handled such topic are very rare especially in the legal language, and therefore, the current study bridges this gap and offers clear insight in this field.
CHAPTER 3
RESEARCH METHODOLOGY AND DESIGN

3.1 Introduction

This chapter outlines the methodology employed in this study. The chapter begins with research design that displays the nature of this present study, which is mixed methods of qualitative and quantitative approaches. Also, this chapter embodies the theoretical framework, corpora of the study, definition of data, justification of the corpus, data collection, data analysis and overall data analysis and research methods.

3.2 Research Design

This study uses mixed methods: qualitative and quantitative approaches. This mixed-method, according to Sale & Brazil (2002, p. 46), offers a variety of perspectives to study a particular phenomenon, which reflects a way to comprehend the human condition and a technique to circulate knowledge. Creswell, Fetters and Ivankova (2004, p. 7) affirm that the mixed-method approach does not only collect qualitative and quantitative data but also it integrates that data to some stages of the research in terms of qualitative and quantitative analysis.

Holloway and Wheeler (2002, p. 30) assert that the qualitative research is “a form of social inquiry that focuses on the way people interpret and make sense of their experience and the world in which they live.” In fact, qualitative research is divided into several categories, namely exploratory, explanatory, and descriptive (Marshall & Rossman, 1999). From these qualitative research types, descriptive and explanatory are related to the nature of this study since they aim to meet the objectives and the questions of the study by describing, organising, tabulating, depicting, and exploring
the types of cohesive devices applied in the English text. In details, the qualitative analysis in this study deals with the identification of cohesive devices, explains their manifestation in the corpus of the study and highlights the principles of achieving cohesion in terms of presupposing and presupposed items at the inter-sentential level. Moreover, the qualitative analysis is designed to determine the translation Techniques used to translate cohesive devices and determine translation shifts types that occur to the cohesive devices in the translation process.

As for quantitative research, Perry (2005, p. 75) relates it to “the use of numbers to represent data”. In corpus-based research, using quantitative methods can help a researcher to explore more variances and similarities in the form of quantitative and statistical evidence. Quantitative research for Aliaga and Gunderson (2000) refers to the ways of elaborating and explaining data by collecting statistical data for numerical analysis using one of the statistical methods. The quantitative analysis in this study is about calculating the frequency of cohesive devices, translation Techniques and translation shifts and determining the common and the prominent type of cohesive devices in the corpus of the study.

The quantitative analysis of this study includes employing statistics to find out if there are significant differences between operative legal text and legal book regarding the frequency of cohesive devices. This study is primarily a qualitative study and the quantitative study is used for convenience to consolidate findings. The benefits of using both qualitative and quantitative methods are to increase the degree of validity of the findings in order to generate new knowledge for the study (Hurmerinta-Peltomaki & Nummela, 2006). This mixed-method approach is an integral way to be certain of the gathered data (Coyle & Williams, 2000; Sieber, 1973).
To sum up, chapter four and chapter five, which are analysis chapters, will be divided into two sections. The first section is the qualitative section that is designed to handle the process of identification of cohesive devices and the determination of translation Techniques, meaning, and translation shift. The second section is the quantitative analysis which is devoted for calculating frequencies of cohesive devices, translation Techniques and translation shift as well as testing the significant difference between the two types of texts.

Holmes (2004) divided descriptive translation studies into two types, namely pure studies, and applied translation studies. The former explains and predicts certain issues for generalisation, while the latter deals with training translators, developing translation aids, and addressing translation criticisms. The present study is a pure translation study, which includes the descriptive systematic approach as a method of describing phenomena (Toury, 1985).

3.3 Research Tools

3.3.1 Maxqda

Maxqda refers to one of the top leading software packages used for qualitative, quantitative, and mixed-method research approaches. This comprehensive software has been applied by a vast range of researchers in more than 150 countries around the world. It offers different options for analysis in terms of collection, organisation, analysis, visualisation, and publishing data. The justification for adopting this software is that its own capacity can help the researcher to handle many texts at the same time and it presents options to the researcher to create more than one code system; it processes a text qualitatively and quantitatively. The Maxqda software is used previously in a study in the School of Languages, Literacies and Translation, USM by
Chabbak (2018) on her dissertation entitled, *Manipulation of Ideological and Culture-Specific Items in the Audiovisual Translation From French into Arabic of Voiced-Over Documentaries*. Moreover, many researchers in different fields from different universities have used this software in their studies.

This software package supports a variety of methodological frameworks, such as grounded theory, literature review, exploratory market research, and qualitative content analysis. Maxqda offers options to import different kinds of documents (e.g., PDF files, tables, images, media files, Twitter tweets, and YouTube comments) and it encompasses various products (e.g., Maxqda Standard, Maxqda Plus, and Maxqda Analytics Pro), in which the difference between the products depends on the number of analytical features. Concerning this study, the researcher has adopted Maxqda Analytics Pro edition 18th because it is the recent edition that combines all features that fit this study. Figure 3.1 illustrates the logo of Maxqda.

![Maxqda Logo](image)

Figure 3.1. Logo of Maxqda

### 3.3.2 Statistical Package for Social Sciences (SPSS)

The SPSS is a very popular statistical tool used in researches. In this study, part of the data was analysed quantitatively via SPSS. The SPSS is adopted in this study to test the hypotheses, one of which presupposes a significant difference concerning cohesive devices between two types of legal texts of this study. In this respect, the study employs T-test to determine the significant difference between the two types of texts in terms of the frequency of cohesive devices.
3.4 Theoretical Framework

This present study incorporated three theories and these theories are: Halliday and Hasan’s (1976) theory for identifying and classifying cohesive devices, Nida (1964) theory for translation techniques and Catford’s (1965) theory for determining translation shifts.

3.4.1 Halliday and Hasan’s (1976) Model of Cohesion

Since the focus of this study is to identify cohesive devices, the study opts for the model of cohesion suggested by Halliday and Hasan (1976) which is inspired by Harris’s work Discourse Analysis (1952) which focuses on the text as a unit of studying language. In the respect, cohesion is considered an essential factor for creating, guiding, and understanding text that is not a syntactic unit, but instead a semantic one that implies that not all words or sentences can be called texts since the texture is a necessary feature of being texts. Texture is created by some factors cohesion is one of these factors that is represented by cohesive devices (De Beaugrande, R., & Dressler, 1981). A number of studies have assessed the aspect of cohesion, along with its role in the text. One notable aspect is that most studies that have discussed this notion were inspired by Halliday and Hasan’s (1976) book entitled ‘Cohesion in English’. Halliday and Hasan defined cohesion as “relations of meanings that exist within the text, and that defines it as a text” (ibid, p. 4). They added that the principle of cohesion in the text is that the interpretation of an item is dependent on the previous element within the text, wherein such relations in the text are considered coherent. This relation that exists in the text is two-fold; presupposing and presupposed, as given in the example by Halliday and Hasan (1976): “Wash and core six cooking apples. Put them into a fireproof dish.”
Identification of cohesive devices is an essential step in this study and hence, the adaptation of Halliday and Hasan’s (1976) model. In the model, cohesive devices are classified into two categories: grammatical and lexical cohesive devices. The cohesive devices assessed in this study are as follows:

3.4.1(a) Reference

Halliday and Hasan (1976, p. 25) explained that co-referential forms are forms which, instead of being interpreted semantically in their own right, make reference to something else for their interpretation.

Halliday and Hasan (1967, p. 25) inferred that co-referential items can be interpreted by referring to some element(s) within or external the text, but not semantically, based on the functions of reference in a text that offer connection to the preceding or following part in the text (Halliday & Hasan, 1976, p. 51; Eggins, 1994, p. 95). Based on the model developed by Halliday and Hasan (1976), reference as cohesive device has the following categories: personal, demonstrative, definite article, and comparative. Based on the location of the reference, interpretation of reference is varied and divided into endophora (textual) and exophoric (situational) references (Halliday & Hasan, 1976, p. 33). When interpretation of reference is located in the text, the reference is called endophoric, while exophoric (situational) reference when located outside the text (Halliday & Hasan, 1976, p. 33). The endophora can be further grouped into two kinds; anaphora and cataphora. In anaphoric reference, the interpretation precedes the reference, while in cataphoric reference, the interpretation of reference adheres to the reference (Halliday & Hasan, 1976, p. 37).
3.4.1(b) Substitution

Substitution is a kind of replacement of one item or more in a text to avoid repetition (Halliday & Hasan 1976, p. 88), which can be classified as nominal, verbal, and clausal. In this cohesive device, the substituted items maintain the grammatical function of those being substituted. For instance, the verb is usually substituted by a verb, and never a noun.

3.4.1(c) Ellipsis

Ellipsis bears a similar definition of substitution, but the variance is substituted by zero (ibid, pp. 142-143). Ellipsis share similar substitution categories, which are nominal, verbal, and clausal. The relation that is formed by ellipsis is located between syntactic elements and non-semantic ones in the text.

3.4.1(d) Conjunction

According to Bloor and Bloor (1995, p. 98), conjunction is a “cohesive tie between clauses or sections of text in such a way to demonstrate a meaningful pattern between them.” Halliday and Hasan (1976, p. 226) inferred that conjunctions are not cohesive devices by themselves, but they are cohesive devices by virtue of their meaning and function in a text. Based on Halliday and Hasan’s (1976) model, conjunction entails the following categories: additive, adversative, causal, and temporal.

3.4.1(e) Lexical Cohesion

This cohesive device reflects the selection of lexical items in a text. Halliday and Hasan (1976) asserted that the two basic types of lexical cohesion are reiteration and collocation. Reiteration as lexical device happens either directly by repeating the
same word or indirectly by using synonym, superordinate or general-related word. As for collocation, it “… is achieved through the association of lexical items that regularly co-occur” (Halliday & Hasan, 1976, p. 284).

3.4.2 Nida’s (1964) Model for Translation Techniques

Nida’s (1964) states that for translating from one language to another, a translator has to provide an equivalence in the target text. Due to the differences between languages, equivalence is not available in most cases between the source language and target language. Thus, Nida (1964) suggests adjustment techniques to be used as translation techniques to handle such situation, cited in (Baker, 2005, p. 81). For Nida, these techniques or procedures are ‘additions’, ‘subtractions’ and ‘alterations’ in which these techniques are used ‘to adjust the form of the message to the features of the structure of the target language’, to produce semantically equivalent structures, equivalent communicative effect and stylistic equivalences (Molina & Albir, 2002, p. 502).

Nida (1964) suggests different reasons which force a translator to use (1) addition technique, some of these reasons are to make an elliptical expression in the source language clear in the target language, to adjust the grammatical structure of the target language, to intensify implicit element to explicit one, to connect the elements of the sentence in the target text by using connectors, and to avoid ambiguity. (2) for Nida (1964), Subtractions can be used for these reasons to avoid unnecessary repetition and to specify conjunctions, adverbs and references. Nida enhances this notion by referring to use pronouns instead of God or the translator may omit the word God since it appears 32 times in ‘the thirty-one verses of Genesis’, (ibid, p. 502). (3) Alterations: due to the divergence between the languages, the translator may use this technique and
it takes three forms: the first is changes occur as a result of transliteration, that is, a new word is introduced from the source language because it does not exist in the target language. The second is changes occur due to grammatical differences between languages, such as changes in grammatical categories. Third: changes occur due to ‘semantic misfits’, that is, there is no standard equivalent to the term exists in the source text. Hence, the translator tends to use other techniques such as using a descriptive equivalent to solve this problem.

3.4.3 Catford (1965) Model for Translation Shift

Translation shift as a term is used in the translation theories explicitly by Catford (1965) but there are other taxonomies offered by other theorists such as adjustment (Nida, 1964) modification or restructuring (Nida & Taber, 1969), shift or transposition (Newmark, 1988) and transfer operations, (Klaudy, 2005). Catford (1965, p, 141) used the term of translation shift to indicate to the “departure from formal correspondence in the process of going from the source language to the target language.” In this sense, Catford infers that translator first looks for formal equivalence and if it is not possible, the translation shift may happen. Catford maintains that there are two types of shifts in translation that are level shift where the one linguistic item in a source text has a formal linguistic equivalence in the target language and category shift which indicates to departure the formal equivalence. Further, Catford divides category shift into four types as follows:

I. **Structure shift**: this kind of shift implies the change of structure of source text when it is translated into the target language.
II. **Unit shift**: This type of shift involves the change in the rank while translating the source text into the target text, for instance, changing from formal equivalence into dynamic equivalence.

III. **Class shift**: this shift happens when the translator changes the class of one item from the source text to another class in the target text. For instance, changing the verb in source text into a noun in the target text.

IV. **Intra-system shift**: it refers to the shift that occurs internally in the system when the source and the target language approximately have similar systems that correspond formally as to their constitution, but during the translation process, the translator considers a selection of non-corresponding terms from the target language system. For instance, replacing singular in the source text with a plural in the target text. The following figure clarifies the three theories used in the study:
Figure 3.2. Theoretical framework
3.5  **Corpora**

The corpora of the study embody operative legal documents and a legal book. Also, the corpus of this study is consisted of two types of legal languages, namely operative legal texts and a legal book. The former is composed of a treaty, an agreement, and a convention. Meanwhile, the latter is a legal book on nuclear law. For Weisflog (1987), legal documents can be divided into legal resources and legal material in which the legal resources include constitutions, statutes, treaties, contracts and certificates whereas the legal materials include law reports, textbooks and essays in periodicals. This classification is applied to the corpus of this study. Table 3.1 presents the details for the corpus of this study.

Table 3.1

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
<th>Category</th>
<th>Count of pages</th>
<th>Count of words</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Israel-Jordan Peace Treaty</td>
<td>Operative legal text</td>
<td>75</td>
<td>21112</td>
</tr>
<tr>
<td>2</td>
<td>Agreement between the Government of the Hashemite Kingdom of Jordan</td>
<td>Operative legal text</td>
<td>8</td>
<td>2985</td>
</tr>
<tr>
<td></td>
<td>and the Government of the People's Republic of China on the Reciprocal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Promotion and Protection of Investments,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Social Security (Minimum Standards) Convention</td>
<td>Operative legal text</td>
<td>27</td>
<td>10182</td>
</tr>
<tr>
<td>4</td>
<td>Handbook on Nuclear Law</td>
<td>Legal book</td>
<td>174</td>
<td>53979</td>
</tr>
</tbody>
</table>

3.5.1  **The Israel–Jordan Peace Treaty**

The Jordan – Israel Peace Treaty was signed in 1994 after a long conflict period between the two parts and it was signed under the patronage of the United States of
America. This treaty includes different aspects, political, economic, tourist, religious, and geographic. It stipulates that Jordan has a share in the water of Yarmouk and Jordan River. Also, this treaty illustrates clearly the borders between Jordan and Israel. This treaty included a continuous process of negotiations about different issues and for this end, they signed different protocols in fields such as trade, transportation, tourism, culture, environment, navigation, science, health, agriculture, and others.

3.5.2 Agreement between the Government of the Hashemite Kingdom of Jordan and the Government of the People's Republic of China on the Reciprocal Promotion and Protection of Investments

This agreement was signed in 2001 between Jordan and China desiring from two parties to promote greater economic cooperation between them through investing made by the investors of one Contracting Party in the lands of the other Contracting Party. This agreement is very essential for investors from both countries since it will stimulate the flow of capital and the economic development of the Contracting Parties. This agreement aims at reaching a steady deal for the investment that will maximize compelling utilization of financial assets and make strides living standards.

3.5.3 Social Security (Minimum Standards) Convention

This convention is released in 1952 as a reference for the improvement of the social security frameworks and it leads to update the social security since this convention is seeking for international acceptance. This convention is special for both its conceptual formulation of social security and its approach for forming social security. Accordingly, this convention will be set out comprehensive and binding instruments that targeted the nine branches of the social security (medical care,
sickness benefit, unemployment benefit, old-age benefit, employment injury benefit, family benefit, maternity benefit, invalidity benefit, survivors’ benefit).

3.5.4 Handbook on Nuclear Law

This handbook was published in 2006 and it is classified as a resource for illustrating the national legal frameworks that control the use of nuclear energy especially the peaceful one. In this handbook, countries or organisations that have interest in the peaceful use of nuclear energy not only can find the concerned practical guidelines but also they can find the relations of these guidelines to the recognised international standards. Also, this handbook presents brief and authoritative information that regulate and manage nuclear energy for lawyers, scientists, engineers, health and radiation protection workers, and government administrators.

3.5.5 Definition of Data

The data of the study are defined as microstructural data (cohesive devices), which are represented by non-structural or inter-sentential data. In this regard, the microstructural data in this study are cohesive devices, which are divided into two types: (1) grammatical cohesive devices (reference, substitution, ellipsis, and conjunction), and (2) and lexical cohesive devices (reiteration and collocation).

3.5.6 Justification for the Corpora

A study in the legal language is not an easy task mainly because of its complexity, ambiguity, and legalese. Since the legal language is one of the tasks that translator can deal with, it is indeed valuable to do this study, especially to investigate the cohesive devices in legal texts that form the source text and the target text.
Looking at these documents: Israel-Jordan Peace Treaty (1994), Agreement Between The Government of The Hashemite Kingdom of Jordan and The Government of The People's Republic of China on The Reciprocal Promotion and Protection of Investments (2004), and Social Security (Minimum Standards) Convention (1953), lends itself to this study because the corpora can give the researcher some insights concerning the translatability of cohesive devices. In addition, these documents represent two types of legal forms; operative legal texts which include treaty, agreement and convention. Šarčević (1997) notices that translation of some legal texts does not allow any change from the original with respect to content and style. This is referred to as so-called “frozen” parts of legal texts. The second type of the corpus in this study is expository text, which is represented by the legal book, and this type of legal is free in terms it is not constrained with a certain style of structure of the text inside the book. Thus, these various legal texts were selected to examine the translatability of grammatical and lexical cohesion.

In addition, the legal book entitled, *Handbook on Nuclear Law* (2003), which refers to a spectrum of legal language that may differ slightly from the above-mentioned texts, is incorporated in this study in order to compare between various types of legal texts pertaining to the use of cohesive devices, translation Techniques and translation shifts to reach valuable findings and conclusions. The treaty which is embedded into the corpora of this study has been considered as one of the most important treaties in the history of the Hashemite Kingdom of Jordan in that it represents an official acknowledgment of the termination of a long period of hostility with Israel that has lasted for over four decades. For the convention, it has a key status due to its nature, objectives, and implementation for the governments and citizens; this convention has assisted in regulating matters concerning social security by outlining
the related responsibilities and duties. Along with many other countries, Jordan has admitted to this convention on 12 Feb 2014, though it dates back to 1952 and it is not obligatory. Regarding the agreement between China and Jordan as part of the corpus of this study, it is considered a very important agreement in the history of bilateral relations between the two countries since China has become one of the biggest economies at the global scale and has emerged to be a very strong competitor at the world market whereas Jordan is supposed to get many benefits from hosting different Chinese investments and give the Jordanian investors the chance to have a partnership with the Chinese businessmen. It can be said that the above three legal documents represent different legal documents of operative legal documents that are very rigid and strict in terms of their structure and they have special terminology and style.

The legal book entitled ‘The Handbook on Nuclear Law’ is selected in this study as a sample of legal books that show different features from operative legal texts and this gives the chance to compare the two types of texts regarding the use of cohesive devices. In addition, this handbook discusses an issue that falls in the interest of many countries for varied purposes, especially for peaceful ones. It exposes regulations, rules, and responsibilities, among many, of nuclear projects and Jordan as promising country has signed a substantial number of agreements regarding nuclear projects. Indeed, the significance of selection of this book is the genre that this book which belong to and the ordinary terminology and style that this book follows

3.5.7 Data Collection

The selection of the corpus of the study was determined by three main conditions, which are: 1) the availability of the text with its Arabic translation, 2) the ability to be imported into Maxqda as a tool of analysis, and 3) being legal text. The
process of data collection starts with identifying the type of data that fits the objectives of the study, searching for that data and downloading the documents that include it in order to be imported into the Maxqda software. Next, the documents will be listed on the Maxqda software and divided into two groups, which are: English documents as source texts and Arabic documents as target texts. Options were given by Maxqda to create codes system, which was applied to code the main and sub-categories of cohesive devices, translation Techniques and translation shifts separately.

The qualitative data collection method that is used in this study for dealing with treaty, agreement and convention and the legal book is reading in which the all these documents have been fully read and cohesive devices, translation techniques and translation shifts have been collected. Due to the fact that the legal book consists of (5) parts and each part consists of several chapters, the researcher opts for a systematic approach for selecting a chapter from each part.

The documents of the corpus of the study have been read via assisting the Maxqda software, and each instance of cohesive devices, translation Techniques and translation shifts have been highlighted, identified and gathered under different codes created in the Maxqda software.
3.5.8 Data Analysis

The analysis of data in this study has three phases in which the second phase is designed to answer the second and third questions of the study. After collecting the data, importing them into the Maxqda software, categorising and coding them, the first phase is designed to handle the process of identifying cohesive devices in the four legal documents in which this process started by reading the whole the documents that have been fed into the Maxqda software and whenever a cohesive device is found, it will be highlighted and dragged into the code system of cohesive devices created in the Maxqda software. Qualitatively speaking, the researcher will pick up representative examples from each type of cohesive devices and pick up their Arabic equivalence to explain and illustrate the manifestation of principles of cohesion in each example namely; presupposing and presupposed and explain how these principles collectively contribute to form cohesion in the text and for quantitative analysis, the
frequency of the identified instances of cohesive devices will be generated and reported in the form of tables to explain and justify the results.

The data analysis regarding the translation techniques and translation shift in the second phase will depend on the identified cohesive devices in the first phase. The researcher will proceed to the qualitative analysis by comparing the source cohesive devices with their Arabic equivalences to determine the types of translation Techniques based on the Nida (1964) model and to determine the types of translation shift based on Catford’s (1965) model.

For the large volume of the corpus of the study, the Maxqda software is employed to assist the researcher in the process of determining the translation techniques and translation shift in terms of reading, highlighting and dragging all spotted instances into the code system of translation techniques and the code system of translation shift created in Maxqda software. Also, depending on Maxqda, the frequency of the identified instances of translation techniques and translation shift will be generated and reported in the form of tables to explain and justify the results.

The last phase of the analysis is related to the significant difference between the operative legal texts and legal book that depends on the frequency of both cohesive devices spotted on the corpus of the study. Quantitatively speaking, the researcher will examine the frequency of the subcategories of each type of cohesive devices and use the statistical package for the social sciences (SPSS) to test the first hypothesis of the via using independent t-test, which is a key tool for determining differences between operative legal texts and legal book regarding the use of cohesive devices. The use of the T-test is justified in this study since one of the objectives of this study aims at comparing between the means of the frequency of cohesive devices in the two types of legal text to determine whether there is a significant difference or not.
3.6 Overall Data Analysis and Research Methods

Research objectives, research questions, the mixed-method approach, data Analysis, research methods of the study and the theoretical framework within which each stage of the study that is carried out are summarized in table 3.2
Table 3.2

Overall Data Analysis and Research Methods Used to Achieve the Study Objectives

<table>
<thead>
<tr>
<th>Research Objective</th>
<th>Research Question</th>
<th>Data Analysis</th>
<th>Research Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>To identify the cohesive devices and their frequencies in legal texts</td>
<td>What are the types of cohesive devices and their frequencies in legal text?</td>
<td>Qualitative analysis &amp; Quantitative analysis</td>
<td>Reading Text by using Maxqda software</td>
</tr>
<tr>
<td>To determine the translation techniques and their frequencies used to translate cohesive devices from English legal texts into Arabic legal texts.</td>
<td>What are the translation techniques and their frequency used to translate cohesive devices from English legal texts into Arabic legal texts?</td>
<td>Qualitative analysis &amp; Quantitative analysis</td>
<td>Comparative Analysis by using Maxqda</td>
</tr>
<tr>
<td>To determine the categories of translation shifts and their frequencies resulted from using translation techniques in legal text.</td>
<td>What are the categories of the translation shifts their frequency resulted from using translation techniques in legal texts?</td>
<td>Qualitative analysis &amp; Quantitative analysis</td>
<td>Comparative Analysis by using Maxqda</td>
</tr>
<tr>
<td>To examine the significant difference between operative legal texts and a legal book in terms of using cohesive devices</td>
<td>Is there a significant difference between operative legal texts and a legal book in terms of the frequency of cohesive devices?</td>
<td>Quantitative Analysis SPSS</td>
<td></td>
</tr>
</tbody>
</table>

3.8 Summary

Chapter Three presents the methodology adopted in this study, including the introduction, the research design, and the corpus of the study. It also contains justification for selecting the corpus, research methods, and theoretical framework of the three models adopted in this study, namely Halliday and Hasan’s (1976) theory for cohesion, Nida’s (1964) theory for translation techniques and Catford’s (1965) Theory for translation shift. Also, this chapter ends with defining the data, which are inclusive of data collection, data analysis, overall data analysis and research methods.
4.1 Introduction

This chapter is divided into two sections. Firstly, it is the qualitative section that is devoted for the analysis of the data derived from the documents classified as operative legal texts in terms of identification of cohesive devices and in the peace treaty, Jordan and China agreement and Social Security convention based Halliday & Hasan’s (1976) model for cohesion. In addition, this chapter discusses translation techniques as a part of the qualitative analysis that might use to translate cohesive devices in the translation process from English into Arabic legal texts based on Nida’s (1964) model for translation techniques. Also, this section includes determining the translation shift resulted from the translation process based on the Catford’s (1965) model. Secondly, it is the quantitative section which is mainly devoted statistically to handle the frequency of cohesive devices, translation techniques and translation shifts in the operative legal texts (peace treaty, Jordan and China agreement and Social Security convention). The following figure clarifies the components of chapter 4:

*Figure 4.1. Components of Chapter Four*
4.2 Section One: Qualitative Analysis

In this section, the study will handle identifying cohesive devices; namely reference, ellipsis, substitution and lexical cohesion in the operative legal texts in the corpus of the study. Also, this section will discuss the process of determination the types of translation techniques in terms of alteration, subtraction, and addition in the corpus of the study. Within the discussion each type of translation techniques, translation shift will be determined in term of level shift or category shift.

4.2.1 Identification of cohesive devices

This section presents the cohesive devices derived from the corpus-based model presented by Halliday and Hasan (1976). All categories of cohesion are identified and discussed in each document of operative legal text of the study corpus in the same order that has been elaborated in Halliday and Hasan’s (1976) book.

4.2.1(a) Text 1: The Israel–Jordan Peace Treaty

A treaty is an operative legal text that appears as a frozen form in terms of frame, items, and structures. In order to analyse the text, it was imported into the analytical Maxqda software, and all types of cohesive devices were converted into a list of codes. Next, the researcher scanned the whole text and dragged all instances of cohesive devices to the list of codes.
f4.2.1(a)(i) Reference

In addressing Research Question 1, the researcher identified and analysed the referential cohesive devices, along with their Arabic translations in the target texts based on Halliday and Hasan’s (1976) model. Next, the English source text was abbreviated as EST, while the Arabic target text was abbreviated as ATT. The following instances display the identified referential cohesive devices:

Table 4.1
First Example of Reference in Peace Treaty

Example 1:
EST:
Each Party will grant normal access to its ports for vessels and cargoes of the other, as well as vessels and cargoes destined for or coming from the other Party. Such access will be granted on the same conditions as generally applicable to vessels and cargoes of other nations.

ATT:
سيمنح كل طرف سفن الطرف الآخر أحمالها منفذاً عادياً إلى موانئه. وكذلك السفن والبضائع المتجهة إلى الطرف الآخر أو المتجهة من موانئه. سيتم تطبيق هذه الشروط نفسها على سفن والبضائع من الدول الأخرى.

In this example, the underlined cohesive device (such) in the EST is a demonstrative reference, which is classified as grammatical cohesion. It creates
cohesion in this text through its relation to an item within the text, which is *normal access*. This is termed as an anaphoric relation that refers back to an item in another sentence. The demonstrative reference (such) is translated into (هذي) (see ATT in Table 4.1) and since it is presupposing an element out its proper sentence, it is, therefore, a cohesive device. In English language, ‘*such*’ is a comparative reference but in the legal language it functions as demonstrative reference, which means *this sort* or *that sort*. However, in the Arabic language the demonstrative reference does not have double function in form of demonstrative and comparative reference. This double function of (such) in English may cause ambiguity to the layperson because it has a legal text-type function whereas its function in Arabic is clear and accurate in that it behaves with one function.

Table 4.2
Second Example of Reference in Peace Treaty

<table>
<thead>
<tr>
<th>Example 2:</th>
<th>ATT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>EST: The Parties will apply between them the provisions of the Charter of the United Nations and the principles of international law governing relations among states in times of peace. In particular: They recognise and will respect each other’s sovereignty, territorial integrity, and political independence.</td>
<td>سيطبق الطرفان في ما بينهما أحكام ميثاق الأمم المتحدة ومبادئ القانون الدولي التي تحكم العلاقات بين الدول وقت السلام، وب بصورة خاصة: يعترفان بسيادة كل منهما وسلامته الإقليمية واستقلاله السياسي وسيجتثمانها</td>
</tr>
</tbody>
</table>

In the above example, the cohesive device is a subcategory of reference called personal reference, which creates a relationship between two parts in the text. The underlined personal pronoun (they) presupposes an element beyond its respective sentence which is (parties), in which (they) is presupposing, whereas the word (parties) is presupposed as an aspects of cohesion in a text. Having such relationships among the parts of a text makes the text well-connected and clear. The Arabic text shares a
similar frame of cohesiveness in this example, but with varied elements. The cohesiveness in the Arabic translation is represented by the connected pronoun within the verb (يعترفان) as presupposing, in which it is part of the what is called five verbs in Arabic in which these the subject of these verbs is implicit. Semantically speaking the personal reference in English text is cohesive and concrete because it refers concretely. But in the Arabic text the personal reference is abstract and the reader has to infer it abstractly. Even though the personal reference is abstract, there is meaning gain of using the dual in the target text because the reader knows talking about two parties whereas in English the meaning of the pronoun (they) can refers to more than two. These aspects are aspects of language peculiarities which the translator should respects. Cases of other References are found to occur elsewhere in this treaty on pages 2, 3, 5, 6, 7, 8, 9, 10 and 11 of EST.

4.2.1(a)(ii) Ellipsis and Substitution

Based on the percentage of the frequency of the identified Ellipsis and Substitution in the document that was fed into the Maxqda software, it has shown that no occurrence in this treaty.
4.2.1(a)(iii) Conjunction

Table 4.3
First Example of Conjunction in Peace Treaty

Example 1:
EST:
The Parties take note of the negotiations on the international air corridor to be opened between them in accordance with the Washington Declaration. In addition, the Parties shall, upon ratification of this Treaty, enter into negotiations for the purpose of concluding a Civil Aviation Agreement. All the above negotiations are to be concluded not later than 6 months from the exchange of the instruments of ratification of this Treaty.

ATT:
يأخذ الطرفان في عين الاعتبار المفاوضات بينهما لافتتاح ممر جوي بين بلديهما وفقاً لإعلان واشنطن. وبالإضافة إلى ذلك وبعد التصديق على هذه المعاهدة، سيدخل الطرفان مفاوضات تهدف إلى الوصول إلى اتفاقية نقل مدني بينهما. وسيجري إتمام هذه المفاوضات خلال فترة لا تزيد عن 6 أشهر من تاريخ تبادل وثائق التصديق على هذه المعاهدة.

In the above example, additive conjunction is identified and its function is to link two sentences together in terms of adding more information for the previous sentence. Hence, additive conjunction ‘in addition’ in this example is used to express the semantic relationship between the situation of parties of the treaty (taking note of negotiation on the international air corridor) and the second situation, which is to (enter into negotiations for the purpose of concluding a Civil Aviation Agreement).

The additive conjunction (in addition) serves as a cohesive device in this example because it presupposes elements beyond its respective sentence. Regarding ATT, it has those elements of cohesiveness because the additive conjunction (in addition) which is translated into (بالإضافة) presupposes elements in the preceding independent sentence and it linked the two sentences to form a semantic relationship between them. Therefore, the additive conjunction in the ATT is indeed a cohesive device.

Semantically speaking, in the Arabic text the use of (و بالإضافة) is more emphatic compared to the English one. This because translator can use (و) or (بالإضافة) without changing the meaning. Using the two conjunction together emphasis the cohesiveness
of addition in Arabic. These language norm choices are a characteristics of Arabic in terms of using doublet form one semantic unit.

Table 4.4

Second Example of Conjunction in Peace Treaty

<table>
<thead>
<tr>
<th>Example 2:</th>
</tr>
</thead>
<tbody>
<tr>
<td>EST: The Parties, wishing to remove biases developed through periods of conflict, recognise the desirability of cultural and scientific exchanges in all fields, and agree to establish normal cultural relations between them. Thus, they shall, as soon as possible and not later than 9 months from the exchange of the instruments of ratification of this Treaty, conclude the negotiations on cultural and scientific agreements.</td>
</tr>
<tr>
<td>ATT: انطلاقاً من رغبة الطرفين في إزالة حالات التمييز التي تراكمت عبر فترة الصراع، فإنهم يعترفان بمرغوبة أوجه التبادل الثقافي والعلمي في الحقول كلها، ويعتقان على إقامة علاقات تفاوية طبيعيّة بينهما. وعليه، فإنهم يقومان في أسرع وقت ممكن، على ألا يتجاوز ذلك فترة 9 أشهر من تاريخ تبادل وثائق التصديق على هذه المعاهدة، باختتام المفاوضات بشأن الاتفاقيات الثقافية والعلمية</td>
</tr>
</tbody>
</table>

In the above example, the relationship between the two sentences in the EST is caused by causal conjunction (Thus). In the first sentence, the situation is to discard all forms of biases developed through the conflict periods and what comes after this devices presupposes an element beyond its respective sentence, which reflects a causing situation, whereas the following sentence after the causal conjunction (thus) represents a resulting situation which is (not later than 9 months from the exchange ..., conclude the negotiations on cultural and scientific agreement,). Accordingly, the causal conjunction in the EST is a cohesive device. As for ATT, cohesive device in the EST has been translated into causal conjunction in ATT and it functions the role of cohesive device since it links between two different sentences and it established a cause-and-result relationship in the ATT. Semantically speaking, the referent has the meaning of conjunction is in fact abstractly in the context whereas in Arabic the use
of triblet (و عليه) i.e, (وعليه) and (هن) creates a strong cohesiveness in that the pronoun (هن) indicates to the elements of cause in the text. Cases of other conjunctions are found to occur elsewhere in this treaty on pages 6, 8 and 10 of EST.

4.2.1(a)(iv) Lexical Cohesion

Table 4.5

First Example of Lexical Cohesion in Peace Treaty

<table>
<thead>
<tr>
<th>Example 1: EST:</th>
<th>AT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immediately upon the exchange of the instruments of ratification of this Treaty, each Party will deploy on its side of the international boundary as defined in Annex I (a). The Parties shall, upon the signature of the Treaty, enter into negotiations to conclude, within 9 months, an agreement on the delimitation of their maritime boundary in the Gulf of Aqaba</td>
<td>مباشرة، عند تبادل وثائق التصديق على هذه المعاهدة، سيعيد كل طرف الإنتشار إلى جهته من الحدود الدولية بحسب ما هو معرّف في الملحق (أ) مباشرة، عند تبادل وثائق التصديق على هذه المعاهدة، سيدخل الطرفان مفاوضات للوصول إلى اتفاق خلال 9 أشهر على تحديد حدودهما البحرية في خليج العقبة</td>
</tr>
</tbody>
</table>

The lexical relationship which refers to a semantic relationship between two or more elements of the text is identified in the above text. Reiteration, as an aspect of lexical cohesion, implies a repetition of the same lexis, synonym, superordinate or general words. In the above example, the lexis (boundary) is repeated in the second sentence and this repetition contributes to the cohesiveness of the text at the intersentential level, especially when the same word is repeated in the same text but in a different sentence. Hence, the repetition of the word (boundary) is used to cohere with the preceding sentence. As for AT: the word (الحدود) is repeated in a different sentence (حدودهما) and therefore it is cohesive but in the AT: the first word and its repetition include a shift from singular into plural. Semantically speaking, in English one word can have a general plural meaning whereas in Arabic the general plural meaning
should be expressed by the plural. If the translator literally translate the word, (boundary) into (حد), the translation would sound strange because the plurality sense will be lost. Such case is a case of language peculiarities in which the translator has no choice.

Example 2:

![Diagram of hyponymy of city]

Figure 4.3. Hyponymy of City

Figure 4.3 illustrates the various names of cities belonging to the countries involved as parties in the treaty or as a patron for this treaty. Both EST and ATT used these city names for the purpose of creating a connection throughout the text. By doing so, the hyponym in both texts has the role of expansion through the scattered city names throughout the texts. Hence, the two countries involved in this treaty as parties are Jordan and Israel, in which Aqaba represents the Jordanian party, whereas Eilat and Jerusalem represent the Israel party, and Washington is an American city mentioned in relation to its Declaration, signed by them on 25th July, 1994, and which they are both committed to honour ... comprehensive peace in the Middle East. All these lexical cohesive devices are found to be translated literally and do not pose problem in translation. Cases of other lexical cohesion are found to occur elsewhere in this treaty on pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of EST.
4.2.1(b) Text 2: Agreement between the Government of the Hashemite Kingdom of Jordan and the Government of the People's Republic of China on the Reciprocal Promotion and Protection of Investments

This legal text is an operative legal text that consists of clauses in most cases, instead of complete sentences. It is restricted to a certain frame and special structure. This text, as part of the study corpus, was imported into the analytical software, Maxqda, where the cohesive devices as the main, along with subcategories of, cohesion, were created as codes. The whole text was scanned to identify and highlight the cohesive devices, as exhibited in the following screenshot of the Maxqda interface:

Figure 4.4. Identification of Cohesive Devices
4.2.1(b)(i) Reference

Table 4.6

First Examples of Reference in Jordan and China Agreement

Example 1:

EST:
The arbitral tribunal referred to in Paragraph (4) shall consist of three arbitrators. The tribunal shall reach its award by a majority of votes. Such award shall be final and binding upon both parties to the dispute. Both Contracting Parties shall commit themselves to the enforcement of the award in accordance with their respective domestic law.

ATT:
تشكل هيئة التحكيم المشار إليها (في الفقرة 4) من ثلاثة محاكم، يجب أن تتوصل هيئة التحكيم إلى قرارها بالغالبية الأصوات. والقرار يُنتج نهائياً وملزم لطرفين النزاع، ويجب أن يلتزم الطرفين المعاهدين بتطبيق القرار بما يتوافق مع قوانينهما الداخلي.

In the above example, the cohesive devices (such) is identified as a demonstrative reference, in which the cohesive relationship in this example is fulfilled through the role of (such) that presupposes an element beyond the respective sentence which is (award). In ATT. The demonstrative reference (هذا) is not cohesive devices since it refers to an element inside its proper sentence in which the referent and referred elements are coordinated by the additive conjunction (و). Semantically speaking, the cohesive device (such) is usually used as comparative reference in EST but in English legal language, this device functions as demonstrative reference whereas this function is not performed by the Arabic equivalent (هذا) in which it just perform the function of demonstrative reference in and out the the legal text. This syndeton occurrence is within the language norm choices because the translator has choices and can take decision to use a linguistic norm choice which he/she prefers. For example, here the translator can use (هذا القرار) without using the word (مثل) and the translator also can end the sentence with full stop to start a new sentence (وهذا القرار) without affecting the meaning of the original text.
Table 4.7

Second Example of Reference in Jordan and China Agreement

Example 2:
EST:
The arbitral tribunal shall reach its decision by virtue of the present Agreement and pursuant to the rules of international law recognised by both parties. It shall reach its decision by a majority of votes; the decision shall be final and binding.

ATT:
تصدر هيئة التحكيم قرارها استناداً على الاتفاقية الحالية وعلى قواعد القانون الدولي المعترف به من قبل كل من الطرفين، وتتخذ هيئة التحكيم قرارها بأغلبية الأصوات، ويكون القرار ملزماً ونهائياً.

In the above example, the personal pronoun (it) is identified and it is cohesive because it refers to an element outside its proper sentence. The principles of cohesion in this example are the personal pronoun (it) as presupposing whereas (the arbitral tribunal) as presupposed which is located in different sentence. This illustrates that the connection between the two sentences in the above example is achieved by referential reference in EST. By contrast, ATT has replaced the personal pronoun (it) with the repetition of the (هيئة التحكيم) but this repetition is internal and it can not be cohesive because it is coordinated by the the Arabic connecter (و). Semantically speaking, the the use of pronoun in EST keeps the meaning and the interpretation of the English text clear and straightforward but if the same pronoun used in the ATT , it could be implicit and this might lead to confusion. The incohesiveness of the use of repetition is due to the factor the sentence is syndetic, which turns cohesive aspects to play internal role and that makes the occurrence incohesive. Cases of other References are found to occur elsewhere in this treaty on pages 3, 6, 7 and 8 of EST.
4.2.1(b)(ii) Ellipsis and Substitution

Based on the process of identification of ellipsis and substitution in the stored documents in Maxqda software, it is found that these types of cohesive devices are not found in this document.

4.2.1(b)(iii) Conjunction

Table 4.8

First Example of Conjunction in Jordan and China Agreement

| Example 1: |
| EST: |
| Each Contracting Party shall, subject to its laws and regulations relating to the entry, stay and work of natural persons, examine in good faith and give due consideration, to requests of key personnel including top managerial and technical persons who are employed for the purposes of investments in its territory, to enter, remain temporary and work in its territory. Immediate family members of such key personnel shall also be granted similar treatment with regard to the entry and temporary stay in the host Contracting Party. |
| ATT: |
| يدرس كل من الطرفين المتعاقدين بحسن نية ويأخذ بعين الاعتبار الطلبات المقدمة من قبل الموظفين بما في ذلك الرئيسى العامين في الاستثمارات المقدمة في أقليمه من أجل الدخول والإقامة المؤقتة والعمل، بحيث يشمل هؤلاء الموظفين الإدراة العليا والفنين، وذلك وفقاً لقوانينه وأنظمته المتعلقة بالدخول والإقامة ومن أعمال الأشخاص الطبيعيين. تمنح كذلك أفراد الأسرة المباشرة لهؤلاء الموظفين معاملة مماثلة فيما يتعلق بالدخول والإقامة في أقليم الطرف المتعاقد المضيف |

In the above example, the cohesive relationship is realised through the use of additive conjunction that connects two sentences together in order to add information to the first sentence. The additive conjunctive (also) that is used in the second sentence signifies a connection with what will be mentioned in the second sentence as an addition to what has been mentioned in the first sentence. The additive conjunction (also) presupposes an element beyond the respective sentence and for that reason, it is cohesive. As for ATT, the English additive conjunction (also) has been translated into (كذلك) in ATT and it shares a similar role of connecting the two sentences for the sake of adding information and because it presupposes an element outside the sentence, it is cohesive. Semantically speaking, in this case the translator has choices due to the norms
of the Arabic language as addition is concerned. The translator can translate the word (also) into (كذلك) or (وكذلك). The difference is that the (وكذلك) is stronger than (كذلك).

Table 4.9

Second Example of Conjunction in Jordan and China Agreement

<table>
<thead>
<tr>
<th>Example 2:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST:</strong></td>
</tr>
<tr>
<td>b. an ad hoc arbitral tribunal provided that the Contracting Party involved in the dispute may require the investor concerned to exhaust the domestic administrative review procedure specified by the laws and regulations of that Contracting Party before submission of the dispute to the aforementioned arbitration procedure. <strong>However,</strong> if the investor concerned has resorted to the procedure specified in Paragraph (2) of this Article, the provisions of this Paragraph shall not apply.</td>
</tr>
<tr>
<td><strong>ATT:</strong></td>
</tr>
<tr>
<td>هيئة تحكيم تنشأ خصيصاً لهذا الغرض بالذات، على أنه يجوز للطرف المتعاقد في النزاع أن يطلب من المستثمر المعني أن يستثب أمراء المراجعة الإدارية المحلية المنصوص عليها في قوانين ونظمة ذلك الطرف المتعاقد وذلك قبل تقديم النزاع إلى إجراءات التحكيم السابق ذكرها، <strong>ومع ذلك</strong> لاجأ المستثمر المعني إلى الإجراءات في الفقرة (2) من هذه المادة فإن أحكام هذه الفقرة لا تطبق.</td>
</tr>
</tbody>
</table>

In the above example, the adversative conjunction is identified in the second sentence, which is (However). The role of this cohesive device is to display contradictory to that stipulated in the first sentence. Based on the principles of cohesion, the adversative conjunction (however) presupposes an element outside its sentence and this causes the relationship with another independent sentence and for this reason, the adversative conjunction (however) is cohesive. By contrast, the (ومع ذلك) as an equivalence for the EST (however) is not cohesive because it presupposes an element inside its sentence by the use of syndeton and for this reason, it is internal and not cohesive. Semantically speaking, the meaning of the the adversative conjunction is expressed by adversative (ومع ذلك) and additive (و) conjunction in ATT and this is one of the peculiarities of Arabic language linking sentences, whereas English uses concise sentences. Cases of other conjunction are found to occur elsewhere in this treaty on pages 2, 3, 6, and 7 of EST.
4.2.1(b)(iv) Lexical Cohesion

Table 4.10

First Example of Lexical Cohesion in Jordan and China Agreement

Example 1:

EST: Each Contracting Party shall ensure that the transfers under paragraph 1 of this Article are made in a freely convertible currency without delay. Each Contracting Party shall further ensure that such transfers may be made at the market rate of exchange prevailing on the date of transfers.

ATT: يضمن كل من الطرفين المتعاقدين إجراء الحوالات المنصوص عليها في الفقرة (1) من هذه المادة بحرية وبعد تأخير. كما ويضمن كل من الطرفين المتعاقدين إجراء هذه الحوالات بسعر صرف السوق السائد بتاريخ التحويل

In the above example, a lexical cohesive device is identified as a reiteration in EST. The repetition of the same word (Contracting Party) in the second sentence generates a thread between two independent sentences that include the same words, and for this reason, it is cohesive. Due to the nature of the legal language, repetition is a striking feature that eliminates confusion and ambiguity in the legal text. Regarding ATT, it adheres to the repetition of the same word (الطرفين المتعاقدين) in two independent sentences, thus creating a link between them and for this reason, the repetition is cohesive. Cohesively speaking, cohesion is translated literally but in the Arabic text the meaning gain because it specifies the number of parties by using dual aspect. However, in the source text the lexical cohesion does not specify the number because English has no a dual aspect.
Second Example of Lexical Cohesion in Jordan and China Agreement

Example 2:

<table>
<thead>
<tr>
<th>EST</th>
<th>ATT</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Compensation shall be paid without delay.</td>
<td>- يجب دفع التعويض دون تأخير</td>
</tr>
<tr>
<td>- Compensation shall be fully realisable and freely transferable.</td>
<td>- يجب أن يكون التعويض بكامله قابل للتحويل بحرية</td>
</tr>
</tbody>
</table>

In the above example, the reiteration as lexical cohesion is identified, wherein repetition of the word (compensation) creates a connection between two sentences and because the repetition of the same word occurs in two independent sentences, it is cohesive. In legal language, it is common to encounter repetition for sake of clarity and discarding confusion. In ATT, the translation of the repeated word (compensation) into (التعويض) which is repeated twice in two independent sentences. This creates a sense of connection in ATT and for this reason, this repetition is cohesive. Moreover, in the Arabic text the use of definite article plus noun makes the meaning (التعويض) more specific and concrete, whereas the specific meaning in English text is only understood abstractly in the context because the word (compensation) is used without any definite article or indefinite article. This case is in both languages is determined by language peculiarities. Cases of other lexical cohesion are found to occur elsewhere in this treaty on pages 2,3,4,5, 6, 7 and 8 of EST.

4.2.1(c) Text 3: C102 - Social Security (Minimum Standards) Convention, 1952

This text, which belongs to the operative legal system, was analysed by importing it into Maxqda. The categories of cohesion were initiated in the software as
codes. The researcher read the whole text and dragged all instances of cohesive devices into the list of codes based on the model of Halliday and Hasan (1976) for cohesion.

The following screenshot illustrates part of the identification process of cohesive devices in this text:

![Identification of Cohesive Devices](image)

Figure 4.5. Identification of Cohesive Devices

4.2.1(c)(i) Reference

Table 4.12

First Example of Reference in Convention

<table>
<thead>
<tr>
<th>Example 1: EST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The contingency covered shall be survival beyond a prescribed age.</td>
</tr>
<tr>
<td>2. The prescribed age shall be not more than 65 years or such higher age as may be fixed by the competent authority with due regard to the working ability of elderly persons in the country concerned.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ATT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. الحالة الطارئة المعطاة هي العيش بعد بلوغ سن مقرر.</td>
</tr>
<tr>
<td>2. لا يجوز أن يتجاوز السن المقرر 11 سنة أو سنأ أعلى يمكن أن تحدد السلطة المختصة مع إيلاء الاعتبار الواجب لقدرة الكبار على العمل في البلد المعني.</td>
</tr>
</tbody>
</table>
In the above example, the definite article is defined as a subcategory of demonstrative reference. The definite article (the) in EST is used in the second sentence with its noun to indicate that this noun is already mentioned before as an indefinite noun (a prescribed age) then it is repeated in the second sentence as a definite noun (The prescribed age). This relationship between indefinite noun (a prescribed age) and definite noun (the prescribed age) in two different and independent sentences is called cohesive relationship. In ATT, the indefinite noun of the EST is rendered as indefinite noun as (سن مقرر) without the definite article (ال) then the same noun was repeated as definite noun with attaching the definite article (ال) to the noun (السن المقرر). Semantically speaking, the indefinite noun in English is expressed with articles such as (a/ an) in the case of singular noun whereas the indefinite noun in Arabic is expressed without articles either in case of singular or plural and as peculiarities languages, the definite article (ال) is added to the noun and the adjective separately whereas in English the article (the) is just added before the adjective but its role covers both adjective and noun. In Arabic the adjective has to agree with noun in terms of definiteness, i.e., the definite article must come before both the noun and adjective. Therefore, it is particular syntactic aspect of the Arabic language, which does not have impacts on the meaning.

Table 4.13
Second Example of Reference in Convention

| Example 2: EST |
| This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General. |
| It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General. |
In the above example, the pronoun (it) has been identified as a personal reference, which is used to refer anaphorically to a noun in the first sentence in which this pronoun presupposes an element outside its sentence which is (convention) and for this reason, it is cohesive. Based on the relationship between presupposing (it) and presupposed (convention), the cohesive relationship is established between the elements of the text. In ATT, the text shares similar principles of the cohesive relationship between (الاتفاقية) as presupposed element and the attached pronoun (ها) as presupposing element in the word (نفاذها) and because the personal reference (ها) presupposes an element outside its sentence, it is cohesive. Syntactically speaking, the pronoun (it) in the EST occupies the position of the subject whereas it is turned into the position of object of in ATT (نفاذها) but this does not affect the meaning of the original text since this is consider language options that translator may use to deliver the original meaning though the structure of the target text is different from the source text.

Cases of other lexical cohesion are found to occur elsewhere in this treaty on pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of ST

4.2.1(c)(ii) Ellipsis and Substitution

Based on the process of identification of ellipsis and substitution in the stored documents in Maxqda software, it is found that these types of cohesive devices are not found in this document
4.2.1(c)(iii) Conjunction

Based on the process of identification conjunction in this part of the corpus of the study, it is shown that conjunction at the level of inter-sentential is not detected
4.2.1(c)(iv) Lexical Cohesion

Table 4.14

First Example of Lexical Cohesion in Convention

| Example 1: |
| EST: | ATT: |
| The contingency covered shall be survival beyond a prescribed age. | الحالة الطارئة المغطاة هي العيش بعد بلوغ سن مقرر. |
| The prescribed age shall be not more than 65 years or such higher age as may be fixed by the competent authority with due regard to the working ability of elderly persons in the country concerned. | لا يجوز أن يتجاوز السن المقرر 65 سنة أو سنًا أعلى يمكن أن تحده السلطة المختصة مع إيلاء الاعتبار الواجب لقدرة الكبار على العمل في البلد المعين |

In the above example, repetition is reckoned as lexical cohesion. The phrase (prescribed age) is mentioned in the first sentence and repeated in the second sentence. This repetition creates a link between the two sentences. In this text, the repetition of the same phrase (prescribed age) in two independent sentences creates cohesive relationship and for this reason, this repetition is cohesive. As for the ATT, the phrase (سن مقرر) in the first sentences is repeated in the second sentence in which this repetition generates a cohesive relationship between the two sentences of the text. Regarding the translation gain or loss in the target text, it is clear the meaning is maintained by using the same repetition with slight different in the form of the first mentioning for the (a prescribed age) in which it is translated into ATT with using indefinite article as equivalent for (a) since using this indefinite article in EST is a case of language peculiarity but the Arabic language can express the same meaning of indefiniteness with no definite article as a language peculiarity of Arabic language. As it happened in many occurrences, the lexical cohesion of repetition is found to be rendered literally.
Table 4.15

Second Example of Lexical Cohesion in Convention

**Example 2:**

**EST:**

1. In respect of incapacity for work, **Total** loss of earning capacity likely to be permanent or corresponding loss of faculty, or the death of the breadwinner, the benefit shall be a periodical payment calculated in such a manner as to comply either with the requirements of Article 65 or with the requirements of Article 66.

2. In case of **partial** loss of earning capacity likely to be permanent, or corresponding loss of faculty, the benefit, where payable, shall be a periodical payment representing a suitable proportion of that specified for total loss of earning capacity or corresponding loss of faculty.

**ATT:**

1. تكون الإعانة في حالة العجز عن العمل، أو الفقدان الكلي للقدرة على الكسب مع احتمال أن يكون الفقدان دائمًا، أو الفقدان المقابل للمقدرة البدنية، أو وفاة العائل، في شكل مدفوعات دورية بحيث تتماشى إما مع متطلبات المادة 11 أو متطلبات المادة 1.

2. تكون الإعانة في حالة الفقدان الجزئي للقدرة على الكسب مع احتمال أن يكون هذا الفقدان دائمًا، أو الفقدان المقابل للمقدرة البدنية، إذا كانت مستحقة، في شكل مدفوعات دورية تمثل جزءًا من المدفوعات الدورية المقررة في حالة الفقدان الكلي للمقدرة على الكسب أو الفقدان المقابل للمقدرة البدنية.

Collocation is identified as lexical cohesion in the above example (EST) that is represented by (total) in the first sentence and (partial) as an opposite in the second sentence. Due to the fact that (partial) as presupposing collocate with an element outside its sentence which is (total), it is cohesive. Regarding ATT, two elements of antonym have been identified (الكلي و الجزئي) in two independent sentences in which (الجزئي) is collocated with an element in the first sentence that is (الكلي) and due to the opposite relationship as a form of collocation between these two elements in ATT, this relationship is cohesive. Semantically, the meaning of the indefinite noun in EST is expressed by definite noun in ATT; the context of the source text elements provides
the specificity and definiteness whereas this peculiarity is not in available in Arabic and, therefore, it has to employ definite article (ال) to express its definiteness. Cases of other lexical cohesion are found to occur elsewhere in this treaty on pages 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 17, 18, 19, 20, 22, and 24 of EST.

4.2.2 Determination of the Types of Translation Techniques and Translation Shift

This section elaborates the translation techniques used to translate cohesive devices from English into Arabic texts based on Nida’s (1964) model for translation techniques in which this model consists three techniques: Addition, subtraction and alternation. Also the same section is used to highlight the translation shift as a result of using the translation techniques. This means that this section handled the translation techniques and translation shift at the same time in which each example presented in this section is first discussed to determine the translation techniques then based on that discussion the translation shift is determined. Retaining as new translation technique is appeared in the analysis of data and this might be justified due to the tendency of legal translation to retain the content and style of legal text in legal translation (Sarcevic, 1997). The process of determination translation shifts is based on Catford’s (1965) model.
4.2.2(a) Text 1: The Israel–Jordan Peace Treaty

In analyzing this text in terms of translation techniques and translation shift that may occur to the cohesive devices, both original and target legal texts were imported into the Maxqda software, where the two code system of translation techniques and translation shift were generated. Next, each item of the cohesive device in the source text was compared with its counterpart in the target text to identify the types of translation techniques and the types of translation shift as well.

4.2.2(a)(i) Addition as Translation Technique

Based on the identification process of translation techniques, it is found that addition as a translation technique appears to be very rare when translating cohesive devices.

4.2.2(a)(ii) Subtraction as Translation Technique

Subtraction as a translation technique means to omit some parts of the EST in the translation process without causing any distortion to the ATT.
Table 4.16

First Example of Subtraction as Translation Technique

Example 1:
EST:
Both Parties will also take all the necessary steps to abolish all pejorative references to the other Party, in multilateral conventions to which they are parties, to the extent that such references exist.

ATT:
سيتخذ الطرفان جميع الإجراءات اللازمة لإزالة الإشارات المسيئة إلى الطرف الآخر في المعاهدات الدولية إلى الطرف الآخر في المعاهدات الدولية التي هما طرفان فيها، في حال وجود هذه الإشارات.

In the above example, the comparative cohesive device occurs through the relationship between the presupposing (both) and the presupposed (Jordan and Israel). Upon comparing EST with ATT, it is revealed that the translator used the subtraction technique to subtract the comparative particle (both) in the ATT which is used in English to compensate the dual case of noun; Arabic language has the dual case and it can expresses it without a need to particle and plural noun as in English since Arabic has three cases of noun; singular, dual and plural where English has two. This translation technique caused a level shift in which the cohesive item of the source text has a textual equivalent from different linguistic level in the target language; the cohesive device (both) as structural elements has been shifted into a lexical elements in Arabic language (الطرفان). Syntactically speaking, the EST expresses the duality by using (both) and (parties) but the structure of Arabic language has duality without a need for particle and plural noun. Therefore, this shift is obligatory and translator has to make shift since the duality is an unique case in Arabic. For Catford (1965), the cases of shift from grammar to lexis are frequent in translation between different languages.
Table 4.17

Second Example of Subtraction as Translation Technique

<table>
<thead>
<tr>
<th>Example 2:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST</strong></td>
</tr>
<tr>
<td>This Treaty shall be ratified by both Parties in conformity with their respective national procedures. <strong>It</strong> shall enter into force on the exchange of instruments of ratification.</td>
</tr>
<tr>
<td><strong>ATT</strong></td>
</tr>
<tr>
<td>يتم التصديق على هذه المعاهدة من قبل الطرفين، كل بحسب إجراءاته الوطنية، وتدخل حيز التنفيذ بتبادل وثائق التصديق.</td>
</tr>
</tbody>
</table>

In the above example, the cohesive relationship is fulfilled by the link between pronoun (It) as presupposing and the word (Treaty) as presupposed, in which the pronoun (it) is interpreted by the word (treaty) and both of them are located in two independent sentences, thus the personal reference (it) is cohesive. Upon comparing EST with ATT, it is found that the translator used the subtraction technique to omit elements from the source text; the pronoun (it) that performs the function of subject and the full stop between the two sentences in the ATT. Thus, this subtraction leads to certain shift in ATT in the form of intra-system shift in which the explicit pronoun (it) is shifted into implicit pronoun in the Arabic phrase (و تدخل حيز التنفيذ) and this shift is accompanied with change of the two independent sentences into dependent sentences coordinated by (wa/and) in ATT. This change in punctuation encompasses a change of the cohesive relationship between the the two sentence into internal one instead of external. Syntactically speaking, the structure of ATT can be rewritten in different structures and the omitted subject can be explicitly mentioned either as pronoun or as repeated noun and with maintaining the the full stop between the two sentence to keep external cohesive relationship in ATT. Therefore, the shift in the ATT is optional.
4.2.2(a)(iii) Alteration as Translation Technique

Alteration a translation technique refers to the alteration that a translator opts for when translating a word from one language to another, wherein the translator replaces, for instance, a noun with a verb in the target text.

Table 4.18

First Example of Alteration as Translation Technique

<table>
<thead>
<tr>
<th>Example 1:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST</strong></td>
</tr>
<tr>
<td>The Parties, wishing to remove biases developed through periods of conflict, recognise the desirability of cultural and scientific exchanges in all fields, and agree to establish normal cultural relations between them. Thus, they shall, as soon as possible and not later than 9 months from the exchange of the instruments of ratification of this Treaty, conclude the negotiations on cultural and scientific agreements.</td>
</tr>
</tbody>
</table>

| **ATT**: |
| انطلاقاً من رغبة الطرفين في إزالة حالات التمييز التي تراكمت عبر فترات الصراع، فإنهما يعترفان بمرغوبة أوجه التبادل الثقافي والعلمي في الحقول كلها، ويتفقان على إقامة علاقات ثقافية طبيعية بينهما. وعليه، فإنهما يقومان في أسرع وقت ممكن، على ألا يتجاوز ذلك فترة 9 أشهر من تاريخ تبادل وثائق التصديق على هذه المعاهدة، باختتام المفاوضات بشأن الاتفاقيات الثقافية والعلمية. |

In the above example, the cohesive device is represented by the personal pronoun (they), which is interpreted in the above example based on another element in the text, which is (The parties). In the translation process, the translator employed the alteration technique to translate the cohesive element in the text through replacing the disconnected pronoun (they) with a connected pronoun (هما) that is attached to the particle (فان) in ATT. This translation technique brings about intra-system shift in terms of changing the plural noun (the parties) into a dual noun in ATT (الطرفين) and this feature of duality in Arabic particularly refers to two entities of the same kind (Hassan; 1981). This shift occurred obligatory since the translator has to express the dual noun in Arabic according the rules of forming the dual noun without a need to
use particle such as both plus plural noun. Also, the alteration technique causes a unit shift that is represented by shifting the pronoun (they) in EST into a morpheme (هما) in ATT. In this respect, the application of shift by the translator is due to different perception which requires that the translator should use this type of shift because of different syntactic perceptions and the lack of dual in English.

Table 4.19

Second Example of Alteration as Translation Technique

Example 2:

EST

The parties, having concluded their negotiations on the interconnecting of their electric grids in the Eilat-Aqaba area, will implement the interconnecting upon the signature of this Treaty. The parties view this step as a part of a wider binational and regional concept. **They** agree to continue their negotiations as soon as possible to widen the scope of their interconnected grids.

ATT:

نظراً إلى إتمام الطرفين التفاوض بشأن الربط المشترك لشبكات الكهرباء في منطقة إيلات ـ العقبة، سيقومان بتنفيذ هذا الربط عند توقيع هذه المعاهدة. ويعتبر الطرفان هذه الخطوة جزءاً من مفهوم ثنائي وإقليمي أوعسع. ويتوقع الطرفان على استئناف المفاوضات بينهما في أسرع وقت ممكن لتوسيع مجال الربط المشترك لشبكات الكهربائية.

In the above example, the cohesive relationship is achieved in the EST through the use of personal pronoun (they) as presupposing, which depends in its interpretation on another element in the text, which is (the parties), described as a presupposed. As for the translation technique, the translator used the alteration technique to replace the underlined pronoun (they) in the EST with the noun (parties / الطرفان) in the ATT. This translation technique creates a level shift that is represented by replacing the pronoun (they) in EST with a (الطرفان) as a noun in ATT but since the Arabic language can replace the pronoun in the source text with noun or use the same pronoun in the target text for, it means this shift is optional. In addition, this translation technique has led to level shift that is represented by shifting the plural pronoun (they) into dual noun.
(الطرفان) in which the duality is available in the Arabic language but it is not available in the English language therefore this shift is obligatory.

4.2.2(a)(iv) Retaining as Translation Technique

Investigating the application of translation techniques proposed by Nida (1964) do not cover the translation of cohesive devices cohesive relationship in which some of these cohesive devices are kept in the target language without addition, subtraction and alternation so the researcher opts for retaining as translation techniques because it covers the translation acts that Nida’s techniques could not cover. The following instances highlight the realisation of retaining as a translation technique and translation shift as a result.

Table 4.20
First Example of Retaining as Translation Technique

<table>
<thead>
<tr>
<th>Example 1:</th>
</tr>
</thead>
</table>
| **EST:** The Parties attach great importance to the integrated development of the Jordan Rift Valley area, including joint projects in the economic, environmental, energy-related and tourism fields. Taking note of the Terms of Reference developed in the framework of the Trilateral Israel-Jordan-US Economic Committee towards the Jordan Rift Valley Development Master Plan, they will vigorously continue their efforts towards the completion of planning and towards implementation.
|
| **ATT** يولي الطرفان أهمية كبيرة للتنمية الكاملة لمنطقة أخدود وادي الأردن . ويشمل ذلك مشاريع مشتركة في المجالات الإقتصادية والبيئية، والمشاريع المتعلقة بالطاقة والسياحة، أحذرين في عين الاعتبار الإطار المرجعي الذي وضع ضمن اللجنة الاقتصادية الثلاثية الأردنية الإسرائيلية الأميركية، بهدف الوصول إلى خطة رئيسية لتنمية أخدود وادي الأردن . وسيبذل الطرفان قصارى جهدهما لإتمام التخطيط والسير في التطبيق.
In the above example, the cohesive relationship is detected and it is represented by repetition as a subcategory of lexical cohesion. In EST, the repetition of (Jordan Rift Valley) occurs in two different and independent sentences and for this reason, it is cohesive. Comparing the EST with ATT, the research reveals that the repetition of (أخدود وادي الأردن) as an equivalence of the (Jordan Rift Valley) took place in ATT and in two independent sentences and this comparison shows that by using retaining as translation techniques, the cohesive relationship is retained and kept in the ATT. In this example, it is found that retaining as translation technique caused structure shift in which word order is changed to in ATT. That is, the head noun (Valley) which is located at the end of the phrase and is preceded by its modifier (Jordan Rift) has been changed in the ATT through relocating the head noun (وادي الأردن) at the beginning of the phrase and followed by its modifiers (أخدود وادي الأردن). Due to the fact, the word order of English and Arabic is different, it is found that the translator is compiled to make the shift of the structure in the translation process.

Table 4.21
Second Example of Retaining As Translation Shift

**Example 2:**

**EST:**
Each Party will grant normal access to its ports for vessels and cargoes of the other, as well as vessels and cargoes destined for or coming from the other Party. Such access will be granted on the same conditions as generally applicable to vessels and cargoes of other nations.

**ATT:**
سيمنح كل طرف سفن الطرف الآخر وأحمالها منفذًا عادياً إلى موانئه. وكذلك السفن والبضائع المنتجة إلى الطرف الآخر أو التي تأتي منها. وسُيمنح هذا المنفذ وفقًا للشروط نفسها المطبقة عادة على سفن وبضائع الدول الأخرى.
In the above example, the cohesive relationship is identified as a demonstrative reference. In this example, the demonstrative reference (such) presupposes an element outside the sentence which is (normal access) and, therefore, it is cohesive. In order to detect the types of translation technique, the EST is compared with ATT and it is found that the cohesive relationship is sustained and kept in the ATT as (هذا المنفذ) via using retaining as translation technique. This translation technique causes a structure shift in the form of the word order of the cohesive elements in ATT in which the structure of the source phrase (normal access) is (Adj + N) has been changed into the pattern of (N + Adj) in ATT to be revealed as (منفذًا عاديًا). It can be said that the shift here is obligatory because the translator can not reproduce the same structure of the EST in ATT. Such shift is compatible with the Arabic structure in which the attributive adjectives in Arabic normally post-modify the head noun and they agree with nouns in terms of definiteness, indefiniteness, number, gender, and case (Aziz; 1989).

4.2.2(b) Text 2: Agreement between the Government of the Hashemite Kingdom of Jordan and the Government of the People's Republic of China on the Reciprocal Promotion and Protection of Investments

The text was imported into the Maxqda, wherein the whole text was read and compared to its target text as a step to determine the similarity and difference occurred to the cohesive devices after the translating them into Arabic. This enabled the researcher to identify the types of translation techniques and types of translation shift. The following screenshot illustrates the interface of Maxqda in identifying the type of translation techniques.
4.2.2(b)(i) Addition as Translation Technique

Based on the identification process of translation techniques, it is found that addition as a translation technique appears to be very rare when translating cohesive devices.

4.2.2(b)(ii) Subtraction as Translation Technique

Based on the data derived by assisting the Maxqda software, it was found that subtraction as a translation technique has not been detected in this part of the corpus of study.

4.2.2(b)(iii) Alteration as Translation Technique

This type of technique implies that a cohesive device might be replaced with other words in the target language from different unit, class, level or structure. The following examples clarify this notion:
Table 4.22
Example of Alteration as Translation Technique

**Example 1:**

**EST:**
The arbitral tribunal shall reach its decision by virtue of the present Agreement and pursuant to the rules of international law recognised by both parties. It shall reach its decision by a majority of votes; the decision shall be final and binding.

**ATT:**
تصدر هيئة التحكيم قرارها استناداً على الاتفاقية الحالية وعلى قواعد القانون الدولي المعترف به من قبل كل من الطرفين، وتنسق هيئة التحكيم قرارها بأغلبية الأصوات، ويكون القرار منزماً ونهائياً.

In the above example, pronoun (it) which has been identified as presupposing in the second sentence is referring back to the (The arbitral tribunal) as presupposed in the first sentence, in which both of them establish a cohesive relationship since they are located in two different sentences. By Contrasting EST with ATT, it is found that the translator has used the alteration as translation technique to replace the reference cohesive device (it) with lexical repetition (هيئة التحكيم) as a repetition for a word that is mentioned in the first sentence in ATT. This alteration causes translation shift in terms of level shift in ATT in which the translator has replaced the pronoun as grammatical element with a noun as lexical element to highlight and keep it clear for the reader in this context. It is clear that this shift is optional since the translator has another option to be used instead of using the noun. Syntactically speaking, the noun phrase structure of the EST is composed of Det+Adj+ N, whereas the noun phrase of the target text is composed of N+Det+N . This shift in the target is obligatory because Arabic language can not use literally the same structure of source text.
4.2.2(b)(iv) Retaining as Translation Technique

Investigating the application of translation techniques proposed by Nida (1964) reveals that translating some cohesive devices are not covered by addition, subtraction and alternation so the researcher opts for using retaining as technique of translation which is appeared to be suitable for translating cohesive devices and for its functions to translate the cohesive devices of the EST by the same equivalences in the ATT.

Table 4.23
First Example of Retaining as Translation Technique

<table>
<thead>
<tr>
<th>Example 1:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST</strong></td>
<td></td>
</tr>
<tr>
<td>Compensation shall be equivalent to the market value of the expropriated investment immediately before the <em>expropriation</em> occurred. The market value shall not reflect any change in value occurring because the <em>expropriation</em> had become publicly known earlier. The compensation shall include interest at a commercial rate from the date of <em>expropriation</em> until the date of payment.</td>
<td></td>
</tr>
<tr>
<td><strong>ATT</strong></td>
<td></td>
</tr>
<tr>
<td>تكون قيمة التعويض مساوية للقيمة السوقية للاستثمار المنزوع ملكيته قبل حدوث التأميم مباشرة. القيمة السوقية يجب أن لا تتأثر بmayı تغيير في القيمة حدث بسبب ذيوع نزع الملكية العامة و يجب ان يشمل التعويض الفائدة بالسعر التجاري وذلك من تاريخ نزع الملكية حتى تاريخ الدفع.</td>
<td></td>
</tr>
</tbody>
</table>

In the above example, repetition has been identified as the cohesive relationship between the three sentences in which it fulfilled by repeating the word (expropriation) thrice. By comparing EST with ATT, it is found that the translator used the retaining as translation technique to retain the three repetitions for the word (expropriation) in ATT in terms of *(التأميم – نزع - نزع)*. However, this technique causes structure shift, in which the pattern structure of EST (expropriation occurred) *N + past participle* has been changed into *N + N* (حدوث التأميم) in ATT. Furthermore, the second repetition of the word (expropriation) has undergone structure shift since the word (expropriation) is used as a subject followed by the verb in the sentence, ‘the expropriation had become publicly
known’, in EST has been shifted into object in the Arabic phrase that is composed of N+ N. This shift is occurred because the structure of the two languages is not the same and the translator has to make a shift to accommodate the meaning of the source text in the target text but this shift is optional since the translator has options to be used differently.

Table 4.24
Second Example of Retaining As Translation Technique

| Example 2: |
| EST: The term "returns" means income deriving from an investment and includes, in particular though not exclusively, profits, dividends, interests, capital gains, royalties, patent and license fees, and any other fees. The term "without delay" means that a transfer shall be deemed to have been made if effected within such period as is normally required for the completion of transfer formalities. The said period shall commence on the day on which the relevant request for transfer has been submitted and may on no account exceed two months. |
| ATT: يعني مصطلح "العوائد" الدخل المتأتي من استثمار ويشمل على سبيل الذآر وليس الحصر، الارباح والعوائد، الفوائد، ارباح رأس المال، الاتاوات، رسوم الرخص وبراءات الاختراع واية رسوم أخرى يعني مصطلح "بدون تأخير" أن يتم أجراء التحويل خلال المدة المطلوبة عادة لاستكمال إجراءات التحويل وهذه المدة يجب ان يبدأ من يوم تقديم طلب التحويل ويجب ان لا يتجاوز بتيا حال الشهرين. |

In the above example, the cohesive device is identified as lexical cohesion in the form of repetition in which the word (term) occurred in two independent sentences and for this reason, it is cohesive and it creates a linkage between the two sentences. In order to detect the type of translation technique used to translate the cohesive elements, a comparison is held between EST and ATT and it is found that the translator used the retaining as translation technique to translate the word (term) which has been repeated twice in two different and independent sentences in EST and it has been retained the same in ATT as cohesive devices in terms of repeating the word ( مصطلح ). Also, It is
found that this technique causes a structure shift in which the structure of EST that is composed of \((S+V+O)\) in this sentence ‘The term "returns" means income’ has been shifted into different structure in ATT that is composed of \((V+S+O)\). This proves that Arabic has a tendency to use verbal sentences whereas English has the tendency to use verbal sentences.

4.2.2(c) Text 3: C102 - Social Security (Minimum Standards) Convention, 1952 (No. 102)

Figure 4.8. Identification of Translation Techniques

4.2.2(c)(i) Addition as Translation Technique

Based on the identification process in this part of the corpus of the study, it is found that addition as a translation technique was not identified.

4.2.2(c)(ii) Subtraction as Translation Technique

This type of translation techniques implies the deletion of a cohesive device in a text due to restriction of the linguistic system of one of the two languages involved in the translation process.
4.2.2(c)(iii) Alteration as Translation Technique

This type of technique implies an alteration in the source text in order to match the rules of the target text.

Table 4.25
First Example of Alteration as Translation Technique

Example 1:

EST:

- The benefit specified in Article 16 shall be granted throughout the contingency, except that the benefit may be limited to 26 weeks in each case of sickness, in which event it need not be paid for the first three days of suspension of earnings.
- Where a declaration made in virtue of Article 3 is in force, the duration of the benefit may be limited—

ATT:

- تكفل الإعانة المنصوص عليها في المادة 60 طوال فترة الحالة الطارئة، على أنه يجوز، استثناء، أن تقصر مدة منحها على 26 أسبوعا في كل حالة مرض، ولا يتعين بالضرورة عندئذ أن تدفع الإعانات عن الأيام الثلاثة الأولى لتوقف الكسب.
- يجوز، عند سريان إعلان بمقتضى المادة 3، أن يقصر منح الإعانات على:

In the above example, the cohesive relationship has been identified in the form of repetition of the word (benefit) in two independent sentences. By comparing the EST with ATT, it is found that the translator used the alteration as translation technique to alter the second of repetition of (benefit) from singular in EST into plural as (الإعانات) in ATT but this does not affect the cohesiveness of the ATT and it is retained in ATT. This change that happened to the elements of ATT is called intra-system shift in which the singular noun shifted into a plural noun in ATT but this shift is optional because the translator can keep the usage of the singular noun in ATT and it will not change the meaning of EST. Furthermore, this example includes another type of shift which is a structure shift from nominal sentence (The benefit specified in Article 16 shall be
granted throughout the contingency) into verbal one in ATT. That is, the structure S+V in EST is changed into V+S in ATT. This type of shift is a normal result of translating between two languages belong to the different linguistic system but this shift is not necessary to be obligatory as in the case of the structure shift in this example in which the translator is able to start the Arabic sentence with S + V because Arabic language has a preference of starting the sentence with a verb.

Table 4.26
Second Example of Alteration as Translation Technique

<table>
<thead>
<tr>
<th>Example 2: Alteration as Translation Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST</strong></td>
</tr>
<tr>
<td>This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.</td>
</tr>
<tr>
<td>It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.</td>
</tr>
</tbody>
</table>

| **ATT**                                      |
| لا تلزم هذه الاتفاقية سوى الدول الأعضاء في منظمة العمل الدولية التي سجل المدير العام بصديقاتها. |
| يبدأ نفاذها بعد مضي اثني عشر شهرا على تاريخ تسجيل بصديقات دولتين عضوين لدى المدير العام. |

In the above example, the cohesive relationship is established by the personal reference as grammatical cohesion, in which the pronoun (it) refers anaphorically to the word (this convention) which is located in a different sentence. Upon contrasting EST with ATT, it is found that the translator used the alteration to alter the disconnected pronoun (it) into a connected pronoun (ها) which is attached to the word (نفاذها). The result of the usage of this translation technique is represented by a unit shift that refers to the change of the pronoun (it) in EST into morpheme (ها) attached to the word (نفاذها) also this example has undergone structure shift in which the pronoun (it) is located in the EST as a subject whereas it is changed into object in ATT.
but the two types of shift in this example are not obligatory since the translator can use a noun instead of using pronoun and in both cases the meaning and the structure are valid and sound in ATT.

4.2.2(c)(iv) Retaining as Translation Technique

Surveying the application of translation techniques proposed by Nida (1964) in some respect of the analysis of some examples reveals that the translation technique is used to translate some cohesive devices that are not covered by the translation technique proposed by Nida, so the researcher opts for retaining as translation techniques because the translation of some cohesive devices shows that the target text retains the same cohesive devices of the source text whereas retaining as translation technique was not included in the set of translation technique proposed by Nida (1964). The following examples clearly illustrate the usage of this technique in the translation process.

Table 4.27

First Example of Retaining as Translation Technique

<table>
<thead>
<tr>
<th>Example 1:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST:</strong> The contingency covered shall be survival beyond a prescribed age. The prescribed age shall be not more than 65 years or such higher age as may be fixed by the competent authority with due regard to the working ability of elderly persons in the country concerned</td>
</tr>
<tr>
<td><strong>ATT:</strong> الحالة الطارئة المغطاة هي العيش بعد بلوغ سن مقرر. لا يجوز أن يتجاوز السن المقرر 65 سنة أو سنًا أعلى يمكن أن تحدده السلطة المختصة مع إيلاء الاعتبار للواجب لقدرة الكبار على العمل في البلد المعين.</td>
</tr>
</tbody>
</table>
In the above example, the definite article, as a cohesive device, has been underlined and identified. Comparing EST with ATT, it is found that the phrase with the indefinite article (a prescribed age) has been translated into the target text as (سن مقرر) with an indefinite noun. In the second sentence, the same phrase has been repeated with definite article (the prescribed age) and translated into (السن المقرر) in ATT with adding the definite article. By observing the EST and ATT, it is found the cohesive relationship has been established between definite noun and indefinite noun in the above example. Accordingly, the translator used the retaining as translation technique to maintain the same cohesive relationship in the ATT. The retaining as translation technique causes a structure shift in which the pattern structure in EST, which is composed of Adj+N, has been changed into N+Adj in ATT. Syntactically speaking, the adjective in English language comes before the noun or after the linking verb as a complement of the subject, whereas in Arabic it is comes after the noun. This shift in this example is obligatory because there is no other possible structure in ATT.

Table 4.28
Second Example of Example of Retaining as Translation Technique

<table>
<thead>
<tr>
<th>Example 2:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST</strong></td>
</tr>
<tr>
<td>1. The contingency covered shall be survival beyond a <strong>prescribed age</strong>.</td>
</tr>
<tr>
<td>2. The <strong>prescribed age</strong> shall be not more than 65 years or such higher age as may be fixed by the competent authority with due regard to the working ability of elderly persons in the country concerned.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AT <strong>T</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>الحالة الطارئة المغطاة هي العيش بعد بلوغ سن مقرر.</td>
</tr>
<tr>
<td>لا يجوز أن يتجاوز السن المقرر 65 سنة أو سنًا أعلى يمكن أن تحدده السلطة المختصة مع إيلاء الإعتراف الواجب لقدرية الكبار على العمل في البلد المعني.</td>
</tr>
</tbody>
</table>
In the above example, the cohesive device achieved by the repetition of (prescribed age) in two independent sentences and the ATT has the same situation of repetition of (سن مقرر). Contrasting the EST with ATT, it is found that retaining as translation technique maintains the same of repetition of the phrase in ATT. Also, it is found that structure shift is, in this example, Adj+N. This structure has been changed into N+Adj in ATT; the structure shift also is found in the second sentence. The structure, Adj+N of the EST has been changed into N+Adj in the ATT.

4.3 Section Two: Quantitative Analysis

In this section, the frequency of cohesive devices, translation techniques and translation shift will be handled in terms of descriptive statistical analysis in which these elements will be extracted from operative legal texts of the corpus of the study by assisting of Maxqda software.

4.3.1 Frequency of Cohesive Devices:

4.3.1(a) Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan

4.3.1(a)(i) Reference:

![Pie chart](image)

*Figure 4.9. Frequency of Reference in Peace Treaty*
This figure shows frequencies of referential cohesive devices which are represented by a personal pronoun, demonstrative and comparative. Based on the results of the statistical analysis provided by the Maxqda software, it is shown that the frequencies of the personal pronoun as referential cohesive devices occupy the highest rank of (63.16%) and it is followed by comparative with the percentage of (21.05%) and finally, the demonstrative reference has the lowest percentage of frequencies among the types of references as grammatical cohesion with percentage (15.79%).

**4.3.1(a)(ii) Ellipsis and Substitution:**

Due to the nature of the legal language of depending on repetition rather than ellipsis or substitution, it is rarely used substitution or ellipsis in the legal texts since these two features hid or replace parts of the legal text and this goes against the nature of legal language which tries to avoid ambiguity, confusion and substraction. Based on the statistical analysis obtained from the Maxqda software, it is shown that frequency of ellipsis or substitution as cohesive devices that has been detected in this document is zero.

**4.3.1(a)(iii) Conjunction**

This is the fourth type of cohesive devices that includes additive, adversative, causal, and temporal and the figure shows the frequencies of these types resulted from the statistical analysis from the Maxqda:
The statistical analysis driven from Maxqda shows that causal conjunction occupies the highest rank of frequency among other types of conjunction with percentages (50%) and followed by the additive conjunction with the percentage of (33.33%). The causal conjunction occupied the third rank with the percentage of (16.67%) and finally, the adversative conjunction occupied the lowest rank with zero the frequency.

4.3.1(a)(iv) Lexical cohesion

Figure 4.10. Frequency of Conjunction in Peace Treaty

Figure 4.11. Frequency of Lexical Cohesion in Peace Treaty
Lexical cohesion consists of two parts as main branches which are reiteration and collocation. In this regard, the statistical analysis shows that reiteration is very common in the source legal text. The results show that reiteration is highly used in this document with the percentage of (100%) and this might be justified due to the fact legal language ignores substitution and ellipsis and depends on reiteration for sake of clarity and avoiding confusion.

4.3.1(b) Agreement between the Government of the Hashemite Kingdom of Jordan and the Government of the People's Republic of China on the Reciprocal Promotion and Protection of Investments

4.3.1(b)(i) Reference:

Based in the below figure, it is found that comparative reference has the highest percentage of frequency among the types of referential cohesive devices in this document with the ratio (66.67%), followed by personal reference with the ratio (22.22%) whereas the demonstrative reference is the lowest rank with the ratio (11.11%).

Figure 4.12. Frequency of Reference in Jordan and China Agreement
4.3.1(b)(ii) Ellipsis and Substitution:

Due to the nature of the legal language of depending on repetition rather than ellipsis or substitution, it is rarely used substitution or ellipsis in the legal texts since these two features depend on replacing and subtract certain parts of the legal text and this contradicts the nature of legal language which tries to avoid ambiguity, confusion, and subtraction. Based on the statistical analysis obtained from the Maxqda software, it is shown that the frequencies of ellipsis and substitution as cohesive devices that have not been detected in this document.

4.3.1(b)(iii) Conjunction

![Figure 4.13. Frequency of Conjunction in Jordan and China Agreement](image)

In the above figure, it is revealed that the distribution of the frequency of conjunction as cohesive devices; namely causal, additive, adversative and temporal. The figure shows that additive and adversative conjunction occupied the same the percentage of frequency of 50% whereas the temporal conjunction and causal conjunction have not been detected in this document.
4.3.1(b)(iv) Lexical Conjunction

The above figure demonstrates the distribution of frequency of lexical cohesion which is mainly divided into reiteration and collocation. It is found that reiteration which is represented by repetition of the same word occupied the highest percentage of the frequency with percentage of 100% and it is obvious that legal text depends heavily on this type of lexical cohesion and this may justify the lowest percentage of frequency for other types of lexical cohesion in particular and cohesive devices in general.

4.3.1(c) Social Security (Minimum Standards) Convention

4.3.1(c)(i) Reference

In the below figure, it is found that the distribution of frequency of referential cohesive devices shows that personal reference is the highest frequency in this document with a percentage of 100 % whereas comparative conjunction and demonstrative reference have not been detected in this document and thus the percentage of their frequency is zero.
4.3.1(c)(ii) Ellipsis, Substitution and Conjunction

Based on the results of frequency obtained from Maxqda software, it is shown that ellipsis, substitution, and conjunction are not detected and, therefore, their percentage of frequency is zero.

4.3.1(c)(iii) Lexical Cohesion

In the above figure, it is revealed the distribution of frequency of lexical cohesion and it is shown that the repetition of the same word has the highest percentage of frequency of 100% and it is well known that legal text does not depend on ellipsis or substitution and the alternative is the repetition items of the legal text and for this reason the percentage of frequency for repetition is high.
4.3.2 Frequency of Translation Techniques in the Operative Legal Texts

Table 4.29

Frequencies of Translation Techniques

<table>
<thead>
<tr>
<th>Types of Translation Techniques</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retaining</td>
<td>185</td>
<td>82.69</td>
</tr>
<tr>
<td>Alteration</td>
<td>34</td>
<td>15.25</td>
</tr>
<tr>
<td>Omission</td>
<td>4</td>
<td>1.79</td>
</tr>
<tr>
<td>Addition</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>223</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Based on the above table, it is shown the distribution of frequency of translation techniques in the operative legal texts of the corpus of the study; Peace Treaty, Jordan and China Agreement and Social Security Convention. In details, the statistics show that retaining as a type of translation shift has the biggest share of the frequency with percentage of (82.69%) followed by Alteration in the second rank with percentage of frequency (15.25) whereas omission and addition have the lowest percentage of frequency of (1.79%) and (0) respectively. The following figure shows clearly the distribution of the types of translation techniques:

Figure 4.17. Frequency of Translation Techniques
4.3.3 Frequency of Translation Shift in the Operative Legal Texts

In this section, translation shifts based on the Catford’s (1965) model have been examined in the corpus of the study to identify the frequency of shifts that occurred to the cohesive devices while translating them from English as source language into Arabic as the target language. This section handled the frequency of translation shift in each document of the study corpus.

Table 4.30

Frequency of Translation Shift in Peace Treaty:

<table>
<thead>
<tr>
<th>Types of Translation Shift</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intra-Shifts</td>
<td>45</td>
<td>66.18</td>
</tr>
<tr>
<td>Structure-Shift</td>
<td>13</td>
<td>19.12</td>
</tr>
<tr>
<td>Unit-Shifts</td>
<td>7</td>
<td>10.29</td>
</tr>
<tr>
<td>Class-Shifts</td>
<td>3</td>
<td>4.41</td>
</tr>
<tr>
<td>Level Shift</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>68</td>
<td>100.00</td>
</tr>
</tbody>
</table>

In the above table, the quantitative data refer that intra-system shift as a subcategory of category shift (Catford;1965) has the highest percentage of occurrence among the types of translation shift in this document with a percentage 66.18% of total instances of translation shifts. Structure shift comes in the second rank with a percentage of 19.12% followed by unit shift with a percentage of 10.29%. Regarding the class shift and level shift, they respectively record the lowest percentages 4.41% and 0.00%.

Table 4.31

Frequency of Translation Shift in Jordan and China Agreement:

<table>
<thead>
<tr>
<th>Types of Translation Shift</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure-Shift</td>
<td>38</td>
<td>80.85</td>
</tr>
<tr>
<td>Intra-Shifts</td>
<td>5</td>
<td>10.64</td>
</tr>
<tr>
<td>Unit-Shifts</td>
<td>3</td>
<td>6.38</td>
</tr>
<tr>
<td>Class-Shifts</td>
<td>1</td>
<td>2.13</td>
</tr>
<tr>
<td>Level Shift</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>47</td>
<td>100.00</td>
</tr>
</tbody>
</table>
In the above table, the numbers and percentages of translation shift’s occurrence refer that structure shift has the highest number of frequency that represents 80.85% among the translation shifts. This result could be justified that both English and Arabic are two different language families in which Arabic belongs to the Semitic family (Versteegh, 2001) and English belongs to Germanic subdivision within the Indo-European family (Barber et al, 2012). Intra-system shift occupied the second rank with the percentage of 10.64% followed by unit shift which comes in the third rank with percentage 6.38% whereas class and level shift record the lowest percentage respectively 2.13% and 0.00%.

Table 4.32

Frequency of Translation Shift in Social Security Convention:

<table>
<thead>
<tr>
<th>Types of Translation Shift</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure-Shift</td>
<td>45</td>
<td>81.82</td>
</tr>
<tr>
<td>Intra-Shifts</td>
<td>7</td>
<td>12.73</td>
</tr>
<tr>
<td>Level Shift</td>
<td>2</td>
<td>3.64</td>
</tr>
<tr>
<td>Unit-Shifts</td>
<td>1</td>
<td>1.82</td>
</tr>
<tr>
<td>Class-Shifts</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>55</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Based on the quantitative statistics derived from the Maxqda software regarding the frequency of occurrence the translation shift in this legal document, it is found that structure shift is the most frequently used among the translation shifts with percentage of 81.82% and this could be attributed to the fact that sentence structure of languages is different from one language to another (Hatim & Mason, 1990). Intra-system shift occupied the second rank with percentage 12.73% and this type of shift is quite common since it deals the peculiarity of each language to express generally definiteness, singular, plural, and dual. Regarding the level shift, the percentage of its occurrence is 3.64%. For unit shift, the percentage of this type is very low with a
percentage of 1.82% whereas the class shift has not been detected in this document at the level of inter-sentential level of cohesive devices.

4.4 Summary

This chapter is divided into qualitative section to handle the operative legal texts; treaty, agreement and convention in terms of identifying cohesive devices, determination translation techniques and translation shift and into quantitative section that handle frequency of cohesive devices, translation techniques and translation shift. Well-established theories. The following chapter is designed to discuss the the types of legal book as the second part of the legal corpus of this study which is represented by Handbook on Nuclear Law.
CHAPTER 5
ANALYSIS OF LEGAL BOOK

5.1 Introduction

This chapter is divided into two sections. The first section is devoted to the analysis of the process of identification cohesive devices as well as determination of translation techniques and translation shift in the legal book which is represented in the corpus of the study by Handbook on Nuclear Law. The second section is designed to discuss the frequency of cohesive devices, translation techniques and translation shifts in the legal book in the corpus of the study. Also this section handles testing of the significant difference to determine whether there is a difference between operative legal text and legal book regarding the use of cohesive devices by using SPSS in terms of T-test to figure out whether or not they are statistically significant. The following figure clarifies the components of chapter five:

Figure 5.1. Components of Chapter Five
5.2 Section One: Qualitative Analysis

In this section, the study will handle identifying cohesive devices; namely, reference, ellipsis, substitution and lexical cohesion in the legal book in the corpus of the study. Also, this section will discuss the determination of the types of translation shift in terms of retaining, Alteration, Subtraction and addition.

5.2.1 Identification of Cohesive Devices

The identification process will be carried out by the assisting of Maxqda software in which after fading all the documents of the corpus of the study into Maxqda software and the process of identification is done document by document as follows:

5.2.1(a) Text 1: Handbook on Nuclear Law

This text is classified as an legal book since it is characterised with complete sentences that are generally not long and not constructed via clauses. This text was incorporated into this study to compare with the operative legal text genre. The text was analysed using the Maxqda tool.

![Figure 5.2. Identification of Cohesive Devices](image)
5.2.1(a)(i) Reference

The above image illustrates the usage of Maxqda software to identify cohesive devices within the text. Depending on the features of this software, it had been easy to identify and highlight the cohesive ties. The outcomes of the identification process are depicted in the following in terms of cohesive devices.

Table 5.1
First Example of Reference in Handbook on Nuclear Law

<table>
<thead>
<tr>
<th>Example 1:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EST:</strong></td>
</tr>
<tr>
<td>In discussions on nuclear safety, a number of subsidiary principles have been articulated. One such principle has been labelled the ‘prevention principle’</td>
</tr>
<tr>
<td><strong>ATT:</strong></td>
</tr>
<tr>
<td>وفي المناقشات المتعلقة بالأمان النووي أبرز عدد من المبادئ الفرعية. ومن بين تلك المبادئ مبدأ أطلق عليه اسم “مبدأ الممنع”</td>
</tr>
</tbody>
</table>

In the above example, demonstrative reference has been identified as a cohesive device. The relationship of cohesiveness is established between the demonstrative (such) in the second sentence and the phrase (a number of subsidiary principles). The demonstrative reference (such) presupposes an element outside its sentence and for this reason it is cohesive. Regarding the ATT, it retains the similar relationship of cohesiveness generated by demonstrative reference (تلك) that presupposes elements in the preceding sentence and for this reason, it is cohesive. This connection between the elements of the text is a factor of forming well-connected text. Semantically speaking, the translator selected to use (تلك) but this is not the only option available since the translator can use the demonstrative reference (هذه). The only difference with EST , a demonstrative reference that indicates nearness is used, whereas a demonstrative reference which indicates either nearness (هذه) or distance (تلك) can be used in Arabic and this is a norm choice in Arabic language , which the translator can make his/her choice.
Example 2:

EST:
In this context, clearance is an important concept. It means the removal of radioactive material or radioactive objects involved in authorised practices from further control by the regulatory body.

ATT:

In this example, the cohesive relationship that has been established between the presupposing (it) and the presupposed (clearance). The pronoun (it) is anaphoric to the word (clearance), which is located in the preceding sentence. By doing so, the connection between the two sentences is established and the personal pronoun (it) is cohesive because it presupposes elements outside its sentence. Meanwhile, ATT achieves cohesiveness through the relationship between pronoun (هو) and phrase (رفع الرقابة) and because the personal reference (هو) presupposes an element outside the sentence, it is cohesive. The reference in the EST is more concrete because the third person singular embodies masculine gender (he), feminine gender (she) and neutral gender (it). By comparison with third person in Arabic has only two genders: (a) the masculine gender (هو) and the feminine gender (هي). The fact that the neuter gender does not exist in Arabic, the reader has to infer to if the third person is singular refers back to an animate or inanimate. Therefore, in this case the translator compelled by the Arabic language peculiarity to use either masculine gender or feminine gender where used neuter gender as third person singular pronoun is concerned. Cases of other reference are found to occur elsewhere in this treaty on pages 4, 6, 7, 46, 49, 75, 77, 79, 108, 109, 110, 111 and 139 of EST.
5.2.1(a)(ii) Ellipsis and Substitution

Based on the process of identification of ellipsis and substitution in the stored documents in Maxqda software, it is found that these types of cohesive devices are not found in this document.

5.2.1(a)(iii) Conjunction

Table 5.3

First Example of Conjunction in Handbook on Nuclear Law

| Example 1: |
| EST: |
| This can result in complicated interagency reviews, which may be costly, time consuming and inefficient. Therefore, in structuring the export and import control process, legislation should set out a clear division of responsibilities among the interested agencies. Also, it should provide for action forcing mechanisms (such as time limits or reporting requirements) for the various steps in the process. |
| ATT: |
| ويمكن أن يفضي ذلك تعدد الاستعراضات المشتركة بين الوكالات، التي قد تكون مكلفة وقد تستغرق وقتا طويلا وقد تفتقر إلى الكفاءة. ولذا ينبغي التشريعات، عند هيئة مراقبة التصدير والاستيراد، أن تصنع تفسيما واضحا للمسؤوليات فيما بين الوكالات المهتمة. كما ينبغي لها أن تنص على إنشاء اليات تكفل إنفاذ الإجراءات (مثل وضع حدود زمنية أو مطالبات تقديم التقارير) لمختلف الخطوات التي تتخذ في إطار هذه العملية. |

The above example displays a subcategory of conjunction represented by the additive conjunction (also). In this case, the additive conjunction (also) is used to add information to what has been mentioned in the preceding sentence in the EST’s example and for this reason (also) is cohesive. Next, ATT used the additive conjunction (كما) to include additional information to that depicted in the preceding sentence about the idea of (التشريعات). Due to the fact that (كما) presupposes an element in another independent sentence, it is cohesive. As far language norm choices are concerned, the translator has more options to translate the original word (also) in which the translator can render it into (و) or (وكذلك) in which all these options go well with meaning of the original cohesive device.
Table 5.4
Second Example of Conjunction in Handbook on Nuclear Law

| Example 2: |
| EST: |
| This can result in complicated interagency reviews, which may be costly, time consuming and inefficient. **Therefore**, in structuring the export and import control process, legislation should set out a clear division of responsibilities among the interested agencies. Also, it should provide for action forcing mechanisms (such as time limits or reporting requirements) for the various steps in the process. |
| ATT: |
| ويمكن أن يفضي ذلك تعقد الاستعراضات المشتركة بين الوكالات ، التي قد تكون مكلفة وقد تستغرق وقتا طويلا وقد تتفتر إلى الكفاءة . ولهذا ينبغي للتشريعات ، عند هيكلة مراقبة التصدير والاستيراد ، أن تصنع تضمينا واضحا للمسؤوليات فيما بين الوكالات المهتمة . كما ينبغي لها أن تنص على انشاء اليات تكفل إنفاذ الإجراءات (مثل وضع حدود زمنية أو متطلبات تقديم التقارير ) لمختلف الخطوات التي تتخذ في إطار هذه العملية . |

In the above example, the causal conjunction (therefore) has been identified, wherein this cohesive device creates a relationship between the sentence of cause and the sentence of result in the text, hence implying cohesiveness. Due to the fact that the causal conjunction (therefore) presupposes an element outside the sentence, it is cohesive. In ATT, the translation of (therefore) as causal conjunction is identified as (لهذا). This causal conjunction is cohesive since it links the cause and result in the two independent sentences. This meaning of cause in the EST can be expressed by different words in Arabic in terms of cohesive devices such as (ومن اجل ذلك) (ولذا السبب) and all these choices do not distort the original meaning. Due to the language norm choices or options, the translator used (لهذا) to convey the meaning of (therefore). Cases of other conjunctions are found to occur elsewhere in this treaty on pages 3, 4, 5, 6, 45, 46, 47, 48, 49, 107, 109, 110, 137, 138, 139 and 140 of EST.
5.2.1(a)(iv) Lexical Cohesion

Table 5.5

First Example of Lexical Cohesion in Handbook on Nuclear Law

<p>| Example 1: |</p>
<table>
<thead>
<tr>
<th>EST:</th>
<th>ATT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The 1986 Chernobyl accident confirmed prior theoretical assessments that a nuclear accident might cause damage of an extreme magnitude. The detrimental effects of such an accident do not stop at State borders; they may extend into regions far beyond the territory of the accident State.</td>
<td>فقد أكد حادث تشرنوبيل في عام 1986 التقييمات النظرية السابقة التي أفادت بأن وقوع أي حادث نووي يسبب أضرارًا في منتهى الجسام. ولا تتوقف الأثار الضارة لنيازمة عن حادث كهذا عند حدود الدولة ذات الصلة، فقد تمتد تلك الأثار فتصل إلى مناطق بعيدة عن أقاليم الدولة التي يقع فيها الحدث.</td>
</tr>
</tbody>
</table>

In the above example, the term (accident) is repeated thrice. The first and second repetition implies a cohesive relationship because they occur in two independent sentences whereas the third repetition is cohesive with the first repetition of the (accident) since each one of them is located in two independent sentences but it is not cohesive with the second one because they are located in the same sentence. Regarding ATT, the repetition of the word (حادث) as counterpart of the original word (accident) has been identified three times in this text and this repetition is cohesive with the second one because both of them are located in two different sentences, whereas the third repetition is not cohesive with the second repetition since both of them are located in the same sentence but it is cohesive with the first repetition because both of them are located in two independent sentences.
Table 5.6
Second Example of Lexical Cohesion in Handbook on Nuclear Law

Example 2:

EST:
They form the international yardstick for assessing whether nuclear liability legislation is risk adequate. **National** legislators should consider the advantages of aligning their domestic nuclear legislation with these conventions.

ATT:
وهي تشكل المقياس الدولي اللازم لتقدير مدى كفاءة التشريعات المتعلقة بالمسؤلية النووية لتناول المخاطر وينبغي للمشرعين الوطنيين النظر في المزايا التي توفرها عملية التوفيق بين تشريعاتهم النووية المحلية تلك الاتفاقات.

In the above example, the collocation as a cohesive device has been identified and it is represented by the two co-hyponyms type which includes international and national. ATT maintains the two co-hyponyms in the text (الدولي و الوطني) but the difference from EST is that both of them are mentioned in the same sentence and coordinated by (و/and) and for this reason, the co-hyponyms play internal role which is not cohesive. However, according to the Arabic norm choices, the coordinated sentences in Arabic can be cohesive when the sentences are written separately. That is the translator has the choices to coordinate them or to write them separately. Cases of other lexical cohesion are found to occur elsewhere in this treaty on pages 3, 4, 5,6,7,45,46,47,48,49,75,76,77,79,107,108,109,110,111,137,138,139 and 140 of EST.

5.2.2 Determination the Types of translation Techniques and Translation Shift

In this part, the process of determining the types of translation techniques and the types of translation shifts included under in each example of translation techniques in the corpus of the study by assisting of the research tool, Maxqda software, in which the identification of translation techniques will include comparison and explanation for each instance detected in the corpus of the study.
5.2.2(a) Text 4: Handbook on Nuclear Law

5.2.2(a)(i) Addition and Subtraction as Translation Technique

Based on the identification process for addition and subtraction as types of translation techniques in this part of the corpus of the study, it is found that these two types of translation techniques were not detected.
5.2.2(a)(ii) Alteration as Translation Techniques

Table 5.7

First Example of Alteration as Translation Technique

<table>
<thead>
<tr>
<th>Example 1:</th>
</tr>
</thead>
<tbody>
<tr>
<td>EST: The third level comprises regulations; that is, detailed and often highly technical rules to control or regulate activities specified by statutory instruments. Owing to their special character, such rules are typically developed by expert bodies (including bodies designated as regulatory authorities) empowered to oversee specific areas of national interest, and promulgated in accordance with the national legal framework.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ATT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>أما المستوى الثالث فهو يتضمن اللوائح، أي القواعد التفصيلية التي كثيرا ما تكون تقنية للغاية، التي تراقب أو تنظم انشطة تحددها صكوك تشريعيّة. وسبب ما تتسم به تلك القواعد من طابع خاص فانشايح جداً أن تتولى وضعها هيئة خبراء (بما فيها هيئة تعينها السلطات الرقابية) تعطي صلاحية الاشراف على مجالات محددة تتمثل صالحة وطننا، و أن يتم إصدارها وفقاً للإطار القانوني الوطني. وهناك مستوى رابع يتآلف من صكوك إرشادية غير ملزمة تتضمن توصيات ترمي الى مساعدة الاشخاص والمنظمات على الوفاء بالمناسبات القانونية.</td>
</tr>
</tbody>
</table>

In the above example, the cohesive device as a personal reference (their) is identified and it presupposes an element in the succeeding sentence which is (rules), so (their) as a personal reference is cohesive. Comparing the EST with ATT, it is found that the translator alters the cohesive device (their) into a noun (القواعد) in ATT. In this situation the translator used the alteration as techniques of translation to replace the grammatical cohesion which is represented by referential pronoun (their) with lexical cohesion which is represented by repetition of the source word (rules) in the ATT as (القواعد); the meaning of the original sentence is not changed though the translator replaced the pronoun with the noun (القواعد) for its importance in this context. Due to using the alteration technique to translate the cohesive elements, structure shift
is found. That is, the word, ‘rules’ as noun is preceded by the adjective, ‘technical’ as adjective (Adj + N). However, this structure has been changed into the structure, (N + Adj) in the ATT in which the noun (القواعد) is relocated before the adjective (التفصيلية). Also, this technique led to the level shift in which the grammatical element changed into the lexical element in ATT in which the cohesive device (their) as a grammatical element has been shifted into (القواعد) as lexical elements in ATT but this shift is optional since the meaning and the function of the original cohesive device could be sustained with using the pronoun in ATT or without changing it into a noun.

Table 5.8

Second Example of Alteration as Translation Technique

| Example 2: |
| EST: | ATT: |
| The main principles and the essential content of the nuclear liability conventions are today internationally accepted as appropriate legal means for dealing with nuclear risks. They form the international yardstick for assessing whether nuclear liability legislation is risk adequate. | والمبادئ الرئيسية والمحتويات الأساسية للاتفاقيات المتعلقة بالمسؤولية النووية مقبولة دوليا في الوقت الحاضر بوصفها وسيلة قانونية مناسبة لتناول المخاطر النووية. وهي تشكل المقياس الدولي اللازم لتقييم مدى كفاية التشريعات المتعلقة بالمسؤولية النووية لتناول المخاطر. |

In the above example, the reference (they) as a cohesive device has been identified. In this example, the cohesive relationship is established between the parts of the texts in which (they) as a personal pronoun is related and interpreted by another element in different sentence, which is The main principles and the essential content of the nuclear liability conventions. Comparing the EST with ATT, it is found that the translator has used the alteration as technique of translation to replace the plural pronoun, ‘they’ with singular pronoun (هي) in ATT; the plural feminine pronoun is treated like demonstrative reference in which plural demonstrative reference is only used to refer to a human noun, whereas singular feminine demonstrative reference is
used to determine non-human noun plural or singular (Ryding, 2005: 315). This change is described as intra-system shift since it implies a change from plural into singular; in the Arabic language, the feminine singular pronoun is used to refer to a inanimate feminine plural noun. This shift is obligatory shift since it has no options to replace with or keep using the plural pronoun in ATT.

5.2.2(a)(iii) Retaining as Translation Technique

Retaining as a technique of translation appears in the analysis of translating cohesive devices from English into Arabic, which is employed to translate the cohesive devices of the EST by its equivalence in the ATT in terms of meaning and function.

Table 5.9
First Example of Retaining as Translation Technique

<table>
<thead>
<tr>
<th>Example 1: EST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Answering these questions could involve a detailed and complex historical and analytical examination of efforts over more than six decades to develop legal norms governing what is a highly complex technology. However, this handbook confines itself to outlining the most basic and fundamental issues that need to be addressed by legislators and others.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ATT</th>
</tr>
</thead>
<tbody>
<tr>
<td>إن الاجابة على تلك الامثلة يمكن أن تنطوي على فحص تاريخي تحليلي ومعقد للجهود التي بذلت طوال أكثر من ستة عقود من أجل إرساء قواعد قانونية تحكم مثل هذه التكنولوجيا الشديدة التعقيد. إلا أن هذا الكتيب يكتفي بطرح أبرز القضايا الأساسية والجوهرية التي يلزم أن يتصدى لها المشرعون وغيرهم.</td>
</tr>
</tbody>
</table>

In the above example, the cohesive devices (however) as adversative conjunction is identified and because it is located in a new sentence and added another information which is contrary to what the preceding sentence implies, which makes it cohesive. Contrasting the EST with ATT, it is found that the translator has used the
retaining as translation technique to retains the cohesive relationship of EST in the ATT which is represented by the Arabic adversative conjunction (إلا أن)، which implies the same meaning and function of its EST. This translation technique causes a unit shift in which the word (however) as one word has been shifted into two words in ATT (إلا أن). But this shift does not change the meaning and the function of the original elements and this shift is obligatory shift.

Table 5.10
Second Example of Retaining as Translation Technique

<p>| Example 2: |</p>
<table>
<thead>
<tr>
<th>EST:</th>
<th>ATT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The law should provide for a single authority responsible for emergency response, including the notification of other entities. The authority should be the point of contact at which all information is collected and distributed.</td>
<td>وينبغي أن ينص القانون على ضرورة وجود سلطة وحيدة تكون مسؤولة عن التصدي للطوراي، بما في ذلك إبلاغ سائر الكيانات المعنية بها. وينبغي أن تكون السلطة المشار إليها جهة الاتصال التي يتم فيها تجميع وتوزيع المعلومات كافة.</td>
</tr>
</tbody>
</table>

In the above example, the cohesive device, which is represented by the repetition of the word (authority), has been identified as a factor to create unity between the elements of the text and it is a cohesive tie since the word (authority) and its repetition are located in two different sentences. Comparing EST with ATT, it is found that repetition of the same lexical item (authority) is retained in the ATT as (السلطة). Also, it is found that the translator has used the retaining as translation technique to maintain the same cohesive relation in ATT with its meaning and function. In the translated text, it is found that retaining as the technique of translation has led to a structure shift in which the pattern structure of EST is, ‘Det+Adj+N’ (a single authority) has been shifted into the structure, ‘N+Adj’ (سلطة وحيدة) in the ATT.
But this shift is found not to affect the meaning and the function of the cohesive device in the ATT and it is obligatory shift.

5.3 Section Two: Quantitative Analysis

In this the section, the frequency of cohesive devices and translation techniques and translation shifts will handled in terms of descriptive statistical analysis in which these elements extracted from legal book of the corpus of the study by assisting of Maxqda software.

5.3.1 Frequency of Cohesive Devices

Based on the “Handbook of Nuclear Law” the text belongs to legal books and based on the coming analysis, the difference between it and the above discussed and analysed texts in terms of frequency of cohesive devices

5.3.1(a) Reference

![Pie chart showing the frequency of reference types](image)

**Figure 5.4. Frequency of Reference in Handbook of Nuclear Law**

In the above figure, the percentages of frequency for the types of reference as cohesive devices are shown. It is found that the personal reference is the most frequent referential cohesive device and it is the percentage of frequency is (42.4%) followed by the comparative reference with a percentage of (30.3%). Then it is followed by the
demonstrative reference as the lowest frequent referential cohesive device with a percentage of (27.3 %).

5.3.1(b) Ellipsis and Substitution

Based on the statistical results of frequency obtained from Maxqda software, it is found that Ellipsis in general and as nominal in particular has been detected in this document for once whereas the frequency of substitution was zero.

5.3.1(c) Conjunction

Figure 5.5. Frequency of Conjunction in Handbook of Nuclear Law

In the above figure, it revealed the distribution of frequency of conjunctive cohesive devices and it is found that additive conjunction as cohesive devices is the most frequent conjunctive cohesive device with the percentage of (32%) followed by causal conjunction with the percentage of (30.77 %). The temporal conjunction ranked the third rank with the frequent percentage of (25 %) and finally the demonstrative occupied the lowest percentage of frequency (12 %).
5.3.1(d) Lexical Cohesion

In the above figure, it revealed the distribution of frequency of lexical cohesion in terms of reiteration and collocation. It is found that the repetition of the same word is the highest percentage of frequency of (97%) followed by antonym (1.68%) and complementary (1.12%). It is clear that reiteration which is represented by repetition of the same word, antonym, and complementary is more frequent in the legal text in comparison with collocation.

5.3.2 Frequency of Translation Techniques in Legal Book

Table 5.11

<table>
<thead>
<tr>
<th>Types of Translation Techniques</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retaining</td>
<td>263</td>
<td>89.76</td>
</tr>
<tr>
<td>Alteration</td>
<td>30</td>
<td>10.24</td>
</tr>
<tr>
<td>Subtraction</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Addition</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>293</td>
<td>100.00</td>
</tr>
</tbody>
</table>
The above table shows the distribution of the types of translation Techniques in the legal text; Handbook on Nuclear Law. The statistics show that retaining as translation technique has the highest percentage of frequency in this document with a ratio of (89.76%) followed by Alteration with a ratio of (10.24%) whereas Subtraction and addition are very rare in such legal document. The following figure shows the distribution of the types of translation Techniques in the document titled ‘Handbook on Nuclear Law’:

### 5.3.3 Frequency of Translation Shift in Legal Book

In this section, translation shifts based on the Catford’s (1965) model have been examine in the corpus of the study to identify the frequency of shifts that occurred to the cohesive devices while translating them from English as source language into Arabic as target language. This section handled the frequency of translation shift in the legal book:

<table>
<thead>
<tr>
<th>Types of Translation Shift</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structure-Shift</td>
<td>86</td>
<td>59.72</td>
</tr>
<tr>
<td>Intra-Shifts</td>
<td>27</td>
<td>18.75</td>
</tr>
<tr>
<td>Unit-Shifts</td>
<td>24</td>
<td>16.67</td>
</tr>
<tr>
<td>Level Shift</td>
<td>4</td>
<td>2.78</td>
</tr>
<tr>
<td>Class-Shifts</td>
<td>3</td>
<td>2.08</td>
</tr>
<tr>
<td>TOTAL</td>
<td>144</td>
<td>100.00</td>
</tr>
</tbody>
</table>

A glance at the above table, it is revealed that structure shift is the most frequent among the types of translation shift with percentage of 59.72% followed by intra-system with percentage of 18.75% whereas the unit shift comes in the third rank with percentage of 16.67% followed by level shift in fourth rank with percentage of 2.78%. Class shift comes in the last and lowest rank with percentage 2.08%.
To sum up the differences between treaty, agreement and convention as operative legal documents and Handbook on Nuclear Law as legal book regarding the frequency of translation shift, the following table shows these differences:

Table 5.13

Overall Frequency of Translation Shifts in the Corpus of the Study

<table>
<thead>
<tr>
<th>Types of Translation Shift</th>
<th>Handbook on Nuclear Law</th>
<th>Peace Treaty</th>
<th>Jordan and China Agreement</th>
<th>C102 - Social Security (Minimum Standards) Convention, 1952 (No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level Shift</td>
<td>2.78</td>
<td>0.00</td>
<td>0.00</td>
<td>3.64</td>
</tr>
<tr>
<td>Intra-Shifts</td>
<td>18.75</td>
<td>66.18</td>
<td>10.64</td>
<td>12.73</td>
</tr>
<tr>
<td>Unit-Shifts</td>
<td>16.67</td>
<td>10.29</td>
<td>6.38</td>
<td>1.82</td>
</tr>
<tr>
<td>Class-Shifts</td>
<td>2.08</td>
<td>4.41</td>
<td>2.13</td>
<td>0.00</td>
</tr>
<tr>
<td>Structure-Shift</td>
<td>59.72</td>
<td>19.12</td>
<td>80.85</td>
<td>81.82</td>
</tr>
</tbody>
</table>

Based on the above table, it is revealed that level shift were the highest in document ‘Social Security’ with percentage 3.64% followed by the document Handbook on Nuclear Law in which the level shift record the percentage 2.78% whereas percentages of the level shift the Peace treaty and Jordan and China Agreement were 0.00%.

Regarding, intra-system shift, it is found that this type of shift was the highest in the document ‘Peace Treaty’ with percentage 66.18% followed by the document ‘Handbook on Nuclear Law’ in which its percentage was 18.75% whereas intra-system shift in the document ‘Social Security’ comes in the third rank with percentage 12.73% followed by document ‘Jordan and China Agreement’ in which the intra-system comes in the last rank with percentage 10.64%. For unit shift, it is found that it is the highest in the document ‘Handbook on Nuclear Law’ with percentage 16.67% followed by the document ‘Peace Treaty’ in which the unit shift comes in the second rank with percentage 10.29% whereas it was low in ‘Jordan and China Agreement’ with a percentage 2.13% and the percentage was zero in ‘Social Security’.

Observing the frequency of structure shift in the corpus of the study, it is found that it
was the highest in ‘Social Security’ with percentage 81.82% followed by ‘Jordan and China Agreement’ in the second rank with percentage 80.85% whereas, the structure shift comes in ‘Handbook on Nuclear Law’ in the third rank with percentage 59.72% and it is found that lowest percentage of structure shift in the documents of the study was in ‘Peace Treaty’ with percentage 19.12%.

5.3.4 Testing Significance Difference

This section is designed to answer Research Question 4 and to test the hypotheses formulated in this study. For this end, an independent sample test called t-test was adopted to determine the significant difference of using cohesive devices between the two types of legal texts embedded in this study; operative legal texts vs. a legal book. This study has devised three hypotheses; the first hypothesis is to handle the significant difference between each document of operative legal texts with the legal book concerning the mean of frequency of reference, substitution, ellipsis, conjunction and lexical cohesion in Handbook on Nuclear against treaty, Handbook on Nuclear against agreement and Handbook on Nuclear against convention.

H1: There is a significant difference concerning the mean of frequency of cohesive devices between English operative legal text and legal book.

Table 5.14

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (reference)</td>
<td>12.3333</td>
<td>3</td>
<td>2.51661</td>
<td>3.464</td>
<td>2</td>
<td>0.074</td>
</tr>
<tr>
<td>Peace Treaty (reference)</td>
<td>6.3333</td>
<td>3</td>
<td>4.93288</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In the above table, the statistical results revealed that the mean of reference for Handbook on Nuclear Law is 12.3333 while the mean of reference for Peace Treaty is 6.3333. Also, they indicated that the standard deviation of reference for Handbook on Nuclear Law is 2.51661 while the standard deviation of reference Peace Treaty is 4.93288. The results showed that there is no significant difference between the mean of reference for Handbook on Nuclear Law and the mean of reference for Peace Treaty since the value of Sig. (2-tailed) = 0.074 which is higher than (α=0.05).

Table 5.15
Result of Significant Difference Test (Ellipsis) between Handbook and Peace Treaty

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (Ellipsis)</td>
<td>0.3333</td>
<td>3</td>
<td>0.57735</td>
<td>1.000</td>
<td>2</td>
<td>0.423</td>
</tr>
<tr>
<td>Peace Treaty (Ellipsis)</td>
<td>0.0000</td>
<td>3</td>
<td>0.00000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of Ellipsis for Handbook on Nuclear Law is 0.3333 while the mean of Ellipsis for Peace Treaty is 0. Also, the results showed that the standard deviation of Ellipsis for Handbook on Nuclear Law is 0.57735 while the standard deviation of Ellipsis for Peace Treaty is 0. The results indicated that there is no significant difference between the mean of Ellipsis for Handbook on Nuclear Law and the mean of Ellipsis for Peace Treaty since the value of Sig. (2-tailed) = 0.423 which is higher than (α=0.05). Regarding the significant difference between the mean of frequency of substitution in Handbook on Law and the mean of frequency of substitution in Peace Treaty is considered to be not
statistically significant since the value of the mean of substitution for Handbook is 33 whereas it is 0.00 for the substitution in the peace treaty.

Table 5.16

Result of Significant Difference Test for (Conjunction) between Handbook and Peace Treaty

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (Conjunction )</td>
<td>16.2500</td>
<td>4</td>
<td>5.90903</td>
<td>6.254</td>
<td>3</td>
<td>0.008</td>
</tr>
<tr>
<td>Peace Treaty (Conjunction )</td>
<td>1.5000</td>
<td>4</td>
<td>1.29099</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of Conjunction for Handbook on Nuclear Law is 16.2500 while the mean of Conjunction for Peace Treaty is 1.5000. The result also showed that the standard deviation of Conjunction for Handbook on Nuclear Law is 5.90903 while the standard deviation of Conjunction for Peace Treaty is 1.29099. The results indicated that there is a significant difference between the mean of Conjunction for Handbook on Nuclear Law and the mean of Conjunction for Peace Treaty since the value of Sig. (2-tailed) =0.008 that is less than( $\alpha=0.05$).

Table 5.17

Result of Significant Difference Test for (Lexical Cohesion) between Handbook and Peace Treaty

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (Lexical Cohesion )</td>
<td>19.8889</td>
<td>9</td>
<td>57.80235</td>
<td>1.072</td>
<td>8</td>
<td>0.315</td>
</tr>
<tr>
<td>Peace Treaty (Lexical Cohesion )</td>
<td>10.6667</td>
<td>9</td>
<td>32.00000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In the above table, the statistical results revealed that the mean of Lexical Cohesion for Handbook on Nuclear Law is 19.8889 while the mean of Lexical Cohesion Peace Treaty is 10.6667. The results also indicated that the standard deviation of Lexical Cohesion for Handbook on Nuclear Law is 57.80235 while the standard deviation of Lexical Cohesion Peace Treaty is 32.00000. The results showed that there is no significant difference between the mean of lexical cohesion for Handbook on Nuclear Law and the mean of Lexical Cohesion for Peace Treaty since the value of Sig. (2-tailed) = 0.315 that is higher than (α=0.05).

H1: There is a significant difference concerning the mean of frequency of cohesive devices between English operative legal text and legal book.

Table 5.18

Result of Significant Difference Test for (Reference) between Handbook and Jordan and China Agreement

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (reference)</td>
<td>12.3333</td>
<td>3</td>
<td>2.51661</td>
<td></td>
<td></td>
<td>0.009</td>
</tr>
<tr>
<td>Jordan and China Agreement (reference)</td>
<td>3.0000</td>
<td>3</td>
<td>2.64575</td>
<td>10.583</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of reference for Handbook on Nuclear Law is 12.3333 while the mean of reference for Jordan and China Agreement is 3.0000. Also, it is revealed that the standard deviation of reference for Handbook on Nuclear Law is 2.51661 while the standard deviation of reference for Jordan and China Agreement is 2.64575. In addition, the statistical results showed there is a significant difference between the mean of reference for Handbook on Nuclear Law and the mean of reference for Jordan and China Agreement since the value of Sig. (2-tailed) = 0.009 that is higher than (α=0.05).
Nuclear Law and the mean of reference for Jordan and China Agreement in since the value of Sig. (2-tailed) = 0.009 which is less than (α=0.05).

Table 5.19
Result of Significant Difference Test for (Ellipsis) between Handbook and Jordan and China Agreement

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (Ellipsis)</td>
<td>0.3333</td>
<td>3</td>
<td>0.57735</td>
<td></td>
<td></td>
<td>0.423</td>
</tr>
<tr>
<td>Jordan and China Agreement (Ellipsis)</td>
<td>0.0000</td>
<td>3</td>
<td>0.00000</td>
<td>1.000</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of Ellipsis for Handbook on Nuclear Law is 0.3333 while the mean of Ellipsis for Jordan and China Agreement is 0. The standard deviation of Ellipsis for Handbook on Nuclear Law is 0.57735 while the standard deviation of Ellipsis for Jordan and China Agreement is 0. Also, the results indicated that there is no significant difference between the mean of Ellipsis for Handbook on Nuclear Law and the mean of Ellipsis for Jordan and China Agreement since the value of Sig. (2-tailed) = 0.423 that is higher than (α=0.05).

Table 5.20
Result of Significant Difference Test for (Substitution) between Handbook and Jordan and China Agreement

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (Substitution)</td>
<td>0.0000</td>
<td>3</td>
<td>0.00000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jordan and China Agreement (Substitution)</td>
<td>0.3333</td>
<td>3</td>
<td>0.57735</td>
<td>1.000</td>
<td>2</td>
<td>0.423</td>
</tr>
</tbody>
</table>
In the above table, the statistical results revealed that the mean of Substitution for Handbook on Nuclear Law is 0.0000 while the mean of Substitution for Jordan and China Agreement is 0.3333. It is shown that the standard deviation of Substitution for Handbook on Nuclear Law is 0 while the standard deviation of Substitution for Jordan and China Agreement is 0.57735. Also, it is shown that there is no significant difference between the mean of Substitution for Handbook on Nuclear Law and the mean of Substitution for Jordan and China Agreement since the value of Sig. (2-tailed) = 0.423 that is higher than (α=0.05).

Table 5.21
Result of Significant Difference Test for (Conjunction) between Handbook and Jordan and China Agreement

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law</td>
<td>16.250</td>
<td>4</td>
<td>5.90903</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Conjunction )</td>
<td></td>
<td></td>
<td></td>
<td>6.110</td>
<td>3</td>
<td>0.009</td>
</tr>
<tr>
<td>Jordan and China</td>
<td>1.000</td>
<td>4</td>
<td>1.15470</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agreement (Conjunction )</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of Conjunction for Handbook on Nuclear Law is 16.2500 while the mean of Conjunction for Jordan and China Agreement is 1. The results also showed that the standard deviation of Conjunction for Handbook on Nuclear Law is 05.90903 while the standard deviation of Conjunction for Jordan and China Agreement is 1.15470. In addition, the results indicated there is a significant difference between the mean of conjunction for Handbook on Nuclear Law and the mean of conjunction for Jordan and China Agreement since the value of Sig. (2-tailed) =0.009 that is less than (α=0.05).
Table 5.22

Result of Significant Difference Test for (Lexical Cohesion) between Handbook and Jordan and China Agreement

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (Lexical Cohesion)</td>
<td>19.8889</td>
<td>9</td>
<td>57.80235</td>
<td>1.056</td>
<td>8</td>
<td>0.322</td>
</tr>
<tr>
<td>Jordan and China Agreement (Lexical Cohesion)</td>
<td>8.2222</td>
<td>9</td>
<td>24.66667</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of Lexical Cohesion for Handbook on Nuclear Law is 19.8889 while the mean of Lexical Cohesion for Jordan and China Agreement is 8.2222. Also, the results showed that the standard deviation of Lexical Cohesion for Handbook on Nuclear Law is 57.80235 while the standard deviation of Lexical Cohesion for Jordan and China Agreement is 24.66667. The results indicated that there is no significant difference between the mean of lexical cohesion for Handbook on Nuclear Law and the mean of lexical cohesion for Jordan and China Agreement since the value of Sig. (2-tailed) = 0.322 that is higher than ( α=0.05).

H1: There is a significant difference concerning the mean of frequency of cohesive devices between English operative legal text and legal book.

Table 5.23

Result of Significant Difference Test for (Reference) between Handbook and Convention

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (reference)</td>
<td>12.3333</td>
<td>3</td>
<td>2.51661</td>
<td>13.229</td>
<td>2</td>
<td>0.006</td>
</tr>
<tr>
<td>Convention (reference)</td>
<td>0.6667</td>
<td>3</td>
<td>1.15470</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In the above table, the statistical results revealed that the mean of reference for Handbook on Nuclear Law is 12.3333 while the mean of reference for Social Security is 0.6667. In addition, they revealed that the standard deviation of reference for Handbook on Nuclear Law is 2.51661 while the standard deviation of reference for Social Security is 1.15470. Also, the results showed that there is a significant difference between the mean of reference for Handbook on Nuclear Law and the mean of reference for Social Security since the value of Sig. (2-tailed) = 0.006 is less than (\( \alpha=0.05 \)).

Table 5.24

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law (Ellipsis)</td>
<td>0.3333</td>
<td>3</td>
<td>0.57735</td>
<td>1.000</td>
<td>2</td>
<td>0.423</td>
</tr>
<tr>
<td>Convention (Ellipsis)</td>
<td>0.0000</td>
<td>3</td>
<td>0.00000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of Ellipsis for Handbook on Nuclear Law is 0.3333 while the mean of Ellipsis for Social Security is 0. Also, the statistical results showed the standard deviation of Ellipsis for Handbook on Nuclear Law is 0.57735 while the standard deviation of Ellipsis for Social Security is 0. There is no significant difference between the mean of Ellipsis for Handbook on Nuclear Law and the mean of Ellipsis for Social Security since the value of Sig. (2-tailed) = 0.423 that is higher than (\( \alpha=0.05 \)).
Regarding the significant difference between the mean of frequency of substitution in Handbook on Law and the mean of frequency of substitution in Convention of Social Security cannot be measured because of the values are zero.

Table 5.25

Result of Significant Difference Test for (Conjunction) between Handbook and Convention

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law</td>
<td>16.2500</td>
<td>4</td>
<td>5.90903</td>
<td>5.500</td>
<td>3</td>
<td>0.012</td>
</tr>
<tr>
<td>(Conjunction)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convention</td>
<td>0.0000</td>
<td>4</td>
<td>0.00000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Conjunction)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the above table, the statistical results revealed that the mean of Conjunction for Handbook on Nuclear Law is 16.2500 while the mean of Conjunction for Social Security is 0. The results also showed that the standard deviation of Conjunction for Handbook on Nuclear Law is 5.90903 while the standard deviation of Conjunction for Social Security is 0. The statistical results indicated that there is a significant difference between the mean of conjunction for Handbook on Nuclear Law and the mean of conjunction for Social Security since the value of Sig. (2-tailed) =0.012 that is less than( α=0.05).

Table 5.26

Result of Significant Difference Test for (Lexical Cohesion) between Handbook and Convention

<table>
<thead>
<tr>
<th></th>
<th>Mean</th>
<th>N</th>
<th>Std. Deviation</th>
<th>t</th>
<th>df</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handbook on Nuclear Law</td>
<td>19.8889</td>
<td>9</td>
<td>57.80235</td>
<td>1.033</td>
<td>8</td>
<td>0.332</td>
</tr>
<tr>
<td>(Lexical Cohesion)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In the above table, the statistical results revealed that the mean of Lexical Cohesion for Handbook on Nuclear Law is 19.8889 while the mean of Lexical Cohesion for Social Security is 8.2222. The results also showed that the standard deviation of Lexical Cohesion for Handbook on Nuclear Law is 57.80235 while the standard deviation of Lexical Cohesion Social Security is 23.92581. In addition, the results refer that there is no significant difference between the mean of lexical cohesion for Handbook on Nuclear Law and the mean of lexical cohesion for Social Security since the value of Sig. (2-tailed) =0.332 that is higher than( α=0.05).
5.4 Summary

This chapter presented the investigation of cohesive devices (reference, substitution, ellipsis, conjunction, and lexical cohesion) in the legal book at the intersentential level in legal book and it is found that lexical cohesive devices and reference are common used. Along that line, translation techniques (Retaining, Alteration, addition, and Subtraction) were examined by comparison the English cohesive devices with the Arabic ones and it is found that retaining is the most common technique used to translate cohesive devices. In addition, this chapter handle the types of shifts that occur to the cohesive devices while translating them from English into Arabic and it is found that structure shift is the most common type of translation shift. Furthermore, this chapter handled the significant difference between operative legal texts and legal book regarding the frequency of cohesive devices. It is found that there is a significant difference between the agreement as operative legal text and Handbook on Nuclear Law as legal book regarding frequency reference and conjunction and there is significant difference between the convention as operative legal text and Handbook on Nuclear Law as legal book regarding frequency of reference and conjunction.
CHAPTER 6
DISCUSSION AND CONCLUSION

6.1 Introduction

This chapter is the conclusion chapter for the whole study and it presents the findings of the analysis and discussion in chapters four and five. This chapter also includes the contribution of this study, recommendations. The objectives of the study are put to investigate qualitatively the behaviour of the cohesive devices in legal texts and to determine the translation techniques used to translate cohesive devices and translation shifts as a result of using translation techniques in the legal text. These objectives are to examine whether there are similarities or differences between the operative legal text and legal books regarding the occurrence of cohesive devices in legal translation. In addition, this study investigates the frequency of cohesive devices, translation techniques and translation shifts as constituents in terms of quantitative analysis of this study. The investigation is done from English into Arabic; the corpuses used for the investigation are: (a) operative legal texts (treaty, agreement and convention) and (b) legal book entitled, *The Handbook on Nuclear Law*.

This chapter concludes the following aspects that have been investigated and analysed in chapter four and five. They are systematically concluded as follows:

- Cohesive devices
  - Reference
  - Substitution
  - Ellipsis
  - Conjunction
  - Lexical Cohesion
Translation techniques
- Addition
- Subtraction
- Alteration
- Retaining

Translation shifts
- Level shift
- Structure shift
- Class shift
- Unit Shift
- Intra-system shift

Significant difference

Frequency of cohesive devices, translation techniques and translation shift

Contribution of the Study

Recommendations

6.2 Cohesive Devices

Cohesion is an essential factor that forms a text and it is divided into grammatical and lexical cohesion. That is, the grammatical cohesion is composed of reference, substitution, ellipsis, and conjunction, whereas the lexical cohesion consists of reiteration and collocation.

6.2.1 Reference

This aspect has been investigated and analyzed in the operative legal texts and the legal book. The study reveals that the reference cohesive device has occurred in
the operative legal texts and legal book. It has behaved in two ways. Firstly, it is found to be determined by the language peculiarity in terms of concreteness, abstractness, conciseness and prolixity (Moindjie, 2006). In addition, it is found that in EST the indefinite noun is accompanied by (a or an) to expresses indefiniteness concretely, whereas ATT expresses indefiniteness abstractly with no need for determiners and this could be interpreted in terms of peculiarities of languages.

It is found that reference in EST is more enhanced by concreteness in which the personal reference is explicitly used in the legal text and by the use of short sentences which is characteristics of English language, which make the reference cohesive in that it plays an external role (Salomee, 2015). Secondly, although Arabic is concrete language, reference is found to be affected in Arabic by abstractness due to the implicitness of the subject in some cases and the use of syndyton (coordination and subordination), which make reference incohesive in that it plays an internal role in the sentence (Farghal, 2017; Lulu, 2013; Salomee, 2015).

Therefore, the research reveals that occurrences which are determined by language peculiarities should be respected by the translator otherwise mistranslation may occur. However, occurrences that are determined by language norm choices are found to depend on the translator's decisions and choices (Chaalal, 2018; Moindjie, 2006).

6.2.2 Substitution and Ellipsis

The analysis of the data in this study shows that substitution and ellipsis in terms of (nominal, verbal and causal) did not occur in EST and ATT at the inter-
sentential level. This might be justified due to the nature of the legal language which has no preference to hide information in the legal text and it tries to make the content of the legal text very clear (Yankova, 2006). That is, substitution and ellipsis omit some data in the text and that may cause a misunderstanding and mistranslation for the legal text (Chaalal, 2018).

6.2.3 Conjunction

The study shows that language peculiarities and language norm choices govern the process of rendering conjunctions from EST into ATT. This aspect has been found to occur in the operative legal texts and legal book. The research reveals that cohesive conjunction occurred more in the English source texts compared to the Arabic target text (Chaalal, 2018). The cohesiveness of the conjunction of the English text is enhanced by the sentence’s conciseness and the English preference for using coherence markers due to the fact that English is more logical. However, in the Arabic text, the conjunction is found to be affected by syndyton in that Arabic has a preference of linking sentences which render the cohesiveness of conjunction to play an internal role which is not cohesive (Moindjie, 2006).

In ATT, it is found that using the two conjunctions together as an equivalence for one conjunction of EST is used for the purpose of emphasis of the cohesiveness in ATT as in the case for rendering the word, ‘also’ into ‘و كذلك’ in the ATT as an example of additive conjunction. Language norms choices are frequent in Arabic in which the translator is not in many cases forced to use one option for rendering conjunction from EST into ATT. The study reveals that conjunctions function to signal the semantic relation between the sentences of a given text (Moindjie, 2006; Naoual, 2017).
6.2.4 Lexical cohesion

Lexical cohesion is divided into two parts; reiteration and collocation. The study shows that legal texts depend heavily on lexical cohesion especially repetition in which the legal texts use reiteration and this is found to be characteristics of that legal language (Farghal, 2017). This aspect is found to occur in the operative legal texts and legal book.

The analysis of data shows there is a preference of using lexical cohesion in order to achieve precision compared to personal reference in the legal text; it has the tendency to replace the personal pronoun with a noun in target text as a target language norm choices (Farghal, 2019; Stanojević, 2012). The research also reveals that collocation as part of lexical cohesion is not frequently used at the inter-sentential level.

6.3 Translation Techniques

6.3.1 Addition and Subtraction

These two techniques of translation are found to be infrequent and this is attributed to the nature of the legal language as a conservative and sensitive language that resists in many cases the notion of addition and subtraction in the legal translation. Therefore, this situation requires the use of other suitable techniques such as alternation (Darwish, 2010).

6.3.2 Alteration

Alteration as a technique of translation is a functional technique in the translation of cohesive devices from English legal text into Arabic legal text. The
alteration is used in translating cohesive either due to language peculiarity such as in the case of translating, ‘both’ plus plural noun into a dual noun in Arabic legal language. In this aspect, the translator is found to have norm choices in using this technique (Moindji, 2006; Chaalal, 2018; Lulu, 2013). This technique has been found to be applied in both operative legal text and legal book. In this translation technique, the translator can shift from grammatical cohesion into lexical cohesion in the Arabic language such as changing the pronoun into a noun to achieve specific meaning.

6.3.3 Retaining

Due to the fact that some instances of translating cohesive devices from English legal texts into Arabic legal texts can not be covered by some translation techniques, a functional technique of retaining is found to be convenient as far as translation techniques are concerned (Lulu, 2013). The analyzed data show that some cohesive devices are sustained and kept in the target language (Darwish, 2010). This translation technique is found to lead to different types of translation shifts; optional or obligatory shift and it retains the cohesive devices without alteration or subtraction (Al-Amri, 2005). Also, it is found that retaining as translation techniques does not only sustain the cohesive relation but also in many cases it maintains the same cohesive devices such as a repetition in the target language. Furthermore, retaining as a translation technique for translating cohesive devices can be sometimes affected by syndyton (coordination and subordination) (Moindjie, 2006).
6.4 Translation Shift

6.4.1 Level Shift

In the legal text, the study shows that level shift is frequent in case of shifting items from EST to express the duality in the ATT. That is, the duality in ATT is language peculiarities whose perception can be expressed independently, whereas EST employs particle such as, 'both' and plural noun to express the meaning of duality. Also, the level shift in many cases in ATT is optional in which the translator has different options to be used in the ATT (Al-Amri, 2005). The level shift is found in translating pronoun into a noun in which the pronoun belongs to grammatical level whereas the noun belongs to the lexical level. This type of shift, in this case, is suitable for the nature of legal language since using personal pronoun may cause ambiguity in that the translator opts for using the noun instead of the pronoun but this shift is not obligatory shift (El-Farahaty, 2016).

6.4.2 Structure shift

Due to the fact that English and Arabic languages do not belong to one linguistic origin, it is found that the structure shift has occurred frequently when translating between the two languages (Chaalal, 2016). It is found, for example, that the structure shift is an obligatory shift as in the case of rendering (Adj+N) in EST into (N+Adj) in the ATT (Lulu, 2013). The study shows that Arabic has the preference of using verbal sentence thus the translator renders the nominal sentence in EST into a verbal sentence in the ATT. That is, this shift is optional since the translator may render the nominal sentence into a nominal one in ATT and this is found not to affect the meaning of the translated text (Moindjie, 2006).
6.4.3 Class shift and Unit Shift

The class shift implies the change of cohesive devices from one class into another class in the target text such as changing the noun into a verb in ATT. It is found in this study that the class shift is rarely used in translating the legal English legal text into Arabic. Regarding the unit shift, it is found it is used to refer to the change of the cohesive devices into one or more units in the target text, in which the languages norm choices and language peculiarities are found to determine the use of unit shift in this study since different instances of cohesive devices in the corpus of the study have been shifted during the translation process (Hijjo, 2017).

6.4.4 Intra-system shift

The translation shift in terms of intra-system shift is related to the abstractness and concreteness in the translation process in which a concrete pronoun in EST may be rendered into abstract or implicit pronoun in the ATT. This shift happened in the translation process due to the language norm choices which the translator can manipulate. In addition, the intra-system happened in translation due to the peculiarity of language, for instance, the change of plural noun which is used to express duality in EST into a dual noun in ATT without using the plural noun since Arabic has a specific case of duality (Hijjo, 2017).

6.5 Frequency of Cohesive Devices, Translation Techniques, and Translation Shift

6.5.1 Cohesive devices

The statistical data derived with the assistance of the Maxqda software regarding the frequency of cohesive devices shows that repetition of the same words as a lexical cohesion is the most frequently used cohesive devices among all types of
the cohesive devices (Farghal, 2017; Huneety, 2017), whereas the personal reference, additive conjunction, causal conjunction, comparative reference, temporal conjunction, demonstrative reference, and adversative conjunction are respectively the most frequently used cohesive devices in terms of grammatical cohesion in the corpus of the study (Na, 2011).

6.5.2 Translation techniques

The statistical data obtained from the corpus of the study with the assistance of Maxqda software shows that retaining as translation technique is the most frequently used in terms of translation techniques (Lulu, 2013); it is followed by alteration, whereas statistical data shows that the subtraction and addition as techniques of translation are not frequently used in translating legal texts from English into Arabic.

6.5.3 Translation Shift

The statistical results show that there is a frequency of translation shifts which occurs in translating cohesive devices while structure shift is found to be the most frequent occurrence shift (Hatim & Mondy, 2004) followed by intra-system and unit shift whereas the statistical results show that level shift and class shift are the less frequent translation shift occurrences in terms of translating cohesive devices from English legal texts into Arabic legal texts.

6.5 Significant Difference between Operative Legal Texts and Legal Book

The corpus of the study consists of three operative legal texts and one legal book. The statistical analysis of the data obtained from these types of legal texts regarding the cohesive devices shows that there is no significant difference between
the treaty and the handbook regarding the use of reference, ellipsis, substitution and lexical cohesion, whereas the statistical results show that there is a significant difference between the treaty and the handbook regarding the use of lexical cohesion. Significantly speaking, it is found that lexical cohesion occurs more in the handbook. In the same respect, the statistical results show that there is no significant difference between the agreement and the handbook regarding the use of ellipsis, substitution and lexical cohesion, whereas the statistical analysis shows that there is a significant difference between the two legal documents regarding the use of reference and conjunction.

Finally, the statistical results indicate that there is no significant difference between the convention and the handbook regarding the use of ellipsis, substitution and lexical cohesion. However, the statistical results show that there is a significant difference between the two legal documents regarding the use of reference and conjunction.

6.7 Contribution of the Study

This study has been done in order to fill a gap of knowledge concerning the translatability of cohesion which the literature review falls short to determine the determinants of translation techniques and functionality in terms of cohesion in translating legal texts from English language into Arabic language.

In this research, the research question 1 has been answered in that the research revealed cohesive devices like reference, conjunction and lexical cohesion are frequently used in legal translation, whereas ellipsis and substitution are found not to occur in the operative text and legal book at the level of cohesiveness beyond the
sentences. The research question 2 is answered in that translation techniques and methods are used. These translation techniques and methods are found to be addition, subtraction, alteration and retaining. Among these techniques, retaining is found to be the most functional due to text-type requirements. Research question 3 is answered in that translation shifts have been found to occur in the operative texts and legal book. The categories of the shifts are found to be a level shift, structure shift, class shift, unit shift and intra-system shift. The research shows that structure shift is most functional due to the language specificity between English language and Arabic language. Research question 4 is answered in that the research and it reveals there are no many significant differences between the operative legal texts and legal book. However, the research reveals that there is some significant difference of conjunction between the treaty and the handbook; there is a significant difference of reference and conjunction between the agreement and the handbook; there is a significant difference of reference and conjunction between the convention and the handbook. The research hypothesis 1 has been proved to be true; hypothesis 2 has been proved that there are meaning gain and loss, which are due to the peculiarities of both Arabic and English; hypothesis 3 has been proved that indirect translation methods are more applied with reference and conjunction, whereas direct methods are more applied with lexical cohesion as far as legal translation from English into Arabic are concerned.

The current study modifies the model of translation techniques proposed by Nida (1964) by adding Retaining as fourth technique to the three techniques (addition, subtraction and alternation). In addition, one of contributions of this study is the detailed insight on cohesive devices, translation techniques and translation shifts provided by the analysis of four legal texts; treaty, agreement, convention and legal book. In details, the first three texts are classified as operative texts which follow
certain form and design and whereas the fourth text is classified as free legal form which follows the design and the form of any ordinary book. This insight is valuable in this study since it provides an investigation of cohesive devices in the legal text but in two different types of legal text. The framework of this study contributes to understand the way of identifying cohesive devices, determining the translation techniques and examining the translation shift through the assistance of Maxqda as an analytical tool.

All in all, the study contributes to the field of legal translation with the above-mentioned findings. It concludes that cohesion, translation techniques and methods, translation shifts and the significant difference are determined by language peculiarities and language norm choices as determinants of legal translation, which the translator should take into account.

6.8  Recommendations and Implication for Future Studies

This study has been done on cohesive devices following Halliday and Hasan’s (1976) theory for cohesion, Nida’s theory (1964) for translation techniques and Catford’s theory (1965) for translation shifts. The objectives of the study, using these theories, are to investigate the function of cohesion in legal translation. Due to the wide scope of cohesion and theories, this study recommends that other investigations should be done on the internal cohesion and external cohesion in legal text and other text-type in order to find out if there are similarities and differences between legal text and other texts concerning cohesive devices from Arabic-English language pair and between other language pairs.
The study recommends that new studies might adopt different theories to handle cohesive devices, translation techniques and translation shifts to compare the new findings with the findings of the current study. Also, it suitable for new studies to initiate a study that focuses mainly on the collocation as lexical cohesion to highlight its manifestation in the legal language and to propose a model to handle it in the legal context. In this study, the elements of ellipsis and substitution are not found in the selected corpus. Thus, it is advised future researches to examine these two types of grammatical cohesion in different technical texts to see if they have similar or different findings.

In this study, the significant difference has been measured among the selected different source text regarding the frequency of cohesive devices. Thus, it is recommended for future studies to test the significant difference between the source and target texts not only for frequency of cohesive but also for the frequency of cohesive devices, translation techniques and translation shifts in the target texts. It is also recommended in future studies to measure the translatability of cohesive devices in legal text from a different angle that is through using the test as a tool for testing proficiency of students of translation and professional translators to handle different cohesive devices in translating legal texts.

In translating legal text, it is not allowed to the translator to change the meaning of such texts; the thing, which remains, is structural or stylistic shifts such as the case of cohesive devices. Therefore, in legal translation training, attention should be devoted to train and educate translators on this notion to enhance them with the proper training and knowledge to be able to handle translating legal text since legal translation does not allow including their socio-cultural and ideological notions in translation. It is also recommended for future research to be done on multilingual legal corpora to
investigate the cohesive devices at the level of microstructure and macrostructure. In legal translation, language peculiarity and translator’s preference need for more investigations in future researches.
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APPENDICES

• Appendix 1: English Legal Source Texts :
  - Israel-Jordan Peace Treaty
  - Agreement between the Government of the Hashemite Kingdom of Jordan and the Government of the People's Republic of China on the Reciprocal Promotion and Protection of Investments,
  - Social Security (Minimum Standards) Convention
  - Handbook on Nuclear Law

• Appendix 2 : Arabic Legal Target Texts
  - معاهدة السلام الأردنية - الإسرائيلية
  - اتفاقية بين حكومة المملكة الأردنية الهاشمية و حكومة جمهورية الصين الشعبية حول التشجيع والحماية المتبادلة للاستثمارات
  - اتفاقية بشأن المعايير الدنيا للضمان الاجتماعي
  - كتاب عن القانون النووي