



A Comparative Investigation of Gender Terminology in the Egyptian and Tunisian Constitutions

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Abstract

Gendered language is becoming a matter of serious concern for legal drafters and policymakers because 'it is always changing as societal views change' (The University of Calgary: Office of diversity, equity and protected disclosure 2017:1). Many western countries have made considerable progress towards using inclusive legal language. However, inclusive language is not implemented in other parts of the World; the Arab World is no exception. This may be due to the violation of language rules, the decline of language, and the lack of enough evidence that changing the language will change society (Brown in ABA J, 2019) and (Brown in ABA J: 24–26, 2018). In this paper, I explore the challenging socio-cultural and linguistic factors that may hinder the implementation of gender-inclusive language in Arabic and explain the current situation in two current constitutions of Egypt and Tunisia in particular. The main aim of this paper is to conduct a comparative analysis of terminology representing gender in the Egyptian (2014, amended 2019) and Tunisian (2014) Arabic-English Constitutions using corpus-based tools. The analysis shows inconsistent attempts at a more inclusive source text through using neutral terms and adding inclusive pre-modifiers to these terms. It also shows inconsistent translation of gender-specific terminology and pronominal references. Both constitutions explicitly stress the 'eradication of violence against women' and express parity between 'women' and 'men' in terms of 'equal rights' and 'appropriate political representation' (e.g. in the Egyptian House of Representatives (28%) and the Tunisian Assembly of People's Representatives (26%)) (International Institute of Democracy and Electoral Assistance, IDEA 2021). Although these percentages are not far away from the representation of women in European countries such as the United Kingdom (35%) (International Institute of Democracy and Electoral Assistance, IDEA 2021), it is the reality of women's actual roles, change they initiate and their impact in the society that counts.

Keywords Gender-inclusive terminology · Arabic-English constitutions · Corpus-based legal translation

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1 Introduction

Gender ‘refers to the socially constructed characteristics of women and men—such as norms, roles and relationships of and between groups of women and men’ [49: online]. Gender is shaped by norms followed in each society and is embedded in the language used in that society. In the last decade, the language of gender has become a matter of serious concern for legal drafters and policymakers because ‘it is always changing as societal views change’ [47: 1]. A considerable amount of research has already been conducted about implementing gender inclusivity in the language of legal discourse in the USA, Europe, international organisations and beyond. Among these studies is Suteu and Draji’s influential study on making a gender-sensitive constitution [41]. In the US, Brown [16] discussed the need to modernise grammar in the language of the law to be more neutral, inclusive and diverse by introducing some changes to English grammar, such as the use of ‘they’ as a singular pronoun so that grammatical norms and societal change could both be honoured. Brown and Gilchrist [17] compared certain legal jurisdiction movements advocating gender inclusivity, discussed the positions of language institutions across Europe, Scandinavia, and Arabic-speaking countries, and assessed the global status of these movements. Clarke’s [19] study advocates for introducing a third gender category in the USA to recognise the rights of non-binary people, despite the challenges this move may pose to legal drafters and law-making. In Europe, other authors such as Cavagnoli and Mori [18] have discussed gender in legislative language, and Sandrelli [38] explored the recent principle of gender neutrality associated with English, which has taken different forms in different English-speaking countries and international organisations. In particular she investigated this issue concerning the English used in the European Commission directives and related UK national measures that transpose such directives into domestic law.

The United Nations (UN) has introduced gender-inclusive guidelines, published in the UN’s six official languages.¹ These guidelines include many ‘recommendations to help United Nations staff use gender-inclusive language’ and achieve the UN System Wide Strategy on Gender Parity [45: online]. They may be applied to ‘any type of communication, whether it is oral or written, formal or informal, or addressed to an internal or external audience’. These strategies are listed below:

- (1) Use non-discriminatory language
- (2) Make gender visible when it is relevant to communication
- (3) Do not make gender visible when it is not relevant to communication (i.e. use gender-neutral words).

These guidelines detail with examples best practices in different areas of language, including forms of address, use of masculine and feminine pronouns and plural pronouns, and avoiding gender-biased expressions and stereotypes, among

¹ Arabic, Chinese, English, French, Russian, Spanish.

many others. The UN has also developed a toolbox of training materials on how to use these guidelines. In the EU, ‘many Member States have debated language policies and proposed gender-neutral guidelines at various levels’ [42: 3]. The EU also provides full information about gender-neutral language available via European Parliament guidelines [42].

For some time now, scholars in Europe have attempted to investigate gender in European languages using corpus-based tools. For example, Pearce [32] studied gender representation in the British National Corpus (BNC) by examining the semantic and grammatical collocates of the two terms ‘man’ and ‘woman’ in the domains of power and deviance, social categorisation, personality and mental capacity, appearance and sexuality. This study concluded that ‘across the five domains, the collocates of Man and Woman often seem to represent gender in stereotypical ways’ [32: 19].

Although linguistic gender has been thoroughly covered in Arabic Linguistics (See [7, 3, 24, 52, 8, 35] among others), and in Arabic literary studies [29], very little research on gender in Arabic legal discourse and translation has been undertaken to date. El-Farahaty [22: 37–39] discussed it among the challenges of translating between Arabic and English. In an attempt to explore the relationship between translation, canon and gender, which is still ‘largely an uncharted territory’ [12: 55], Elewa and El-Farahaty [21] aimed to validate the hypothesis of equality/inequality of women in Islamic canon texts.

Using a corpus-based methodology to explore the translation of linguistic gender in the Qur’an and Hadith by male and female translators, their analysis revealed that ‘female translators of the Qur’an, unlike the female translators of Hadith, were more aware of gender differences and used the word ‘woman’/‘women’ twice as much as the male translators of the Qur’an’ [21: 20].

This outcome could also go back to the nature of the source texts; the Qur’an is revealed to Prophet Muhammad to proclaim to all people, while Hadith are direct and practical instructions and rulings to individuals and groups. In this sense, the Qur’an translations are used on a wider scale for missionary purposes. Therefore, they are translated, revised and edited to appeal to all people from any faith or gender [21: 20].

A case study by Porras-Gomez [33], in three North African Countries (Egypt, Tunisia and Morocco) explores equality in constitutional transformation in the post-Arab Spring era. He explains ‘why the greater constitutional verbosity in recognition of gender equality did not translate into greater parity’ [33: 235]. (Fig. 1)

Based on the above review, the research described in the present paper fills an existing gap in the analysis of gender in modern Arabic legal texts (e.g. constitutions). The paper consists of three main parts, the first of which discusses the challenges of embracing gender-neutral language in Arabic, be they linguistic or socio-cultural. The second part compares gender terminology in the Egyptian Constitution (EgC) and the Tunisian Constitution (TuC). Finally, the third part discusses the analysis results and concludes with remarks emanating from the corpus-based analysis. The rationale of the study is explained further below.

| | Word | Cooccurrences [?] | Candidates [?] | Log likelihood |
|----|--------------------------------------|----------------------------|-------------------------|----------------|
| 1 | <input type="checkbox"/> deputies | 8 | 22 | 70.44 *** |
| 2 | <input type="checkbox"/> post | 5 | 6 | 56.30 *** |
| 3 | <input type="checkbox"/> minister | 4 | 8 | 38.21 *** |
| 4 | <input type="checkbox"/> Minister | 5 | 47 | 30.01 *** |
| 5 | <input type="checkbox"/> ministers | 3 | 9 | 25.47 *** |
| 6 | <input type="checkbox"/> resignation | 3 | 9 | 25.47 *** |
| 7 | <input type="checkbox"/> one | 4 | 30 | 25.82 *** |
| 8 | <input type="checkbox"/> he | 3 | 13 | 22.90 *** |
| 9 | <input type="checkbox"/> Prime | 4 | 37 | 24.07 *** |
| 10 | <input type="checkbox"/> government | 4 | 38 | 23.84 *** |

Fig. 1 Top collocates with the pronoun 'his' in the parallel English EgC

2 The Rationale of the Study and its Impact

Language is sacred, historical, dynamic and subject to ongoing development and change. There are unavoidable linguistic features of the Arabic language (See the section on gender in Arabic below), which mean that using gender-inclusive language in drafting legal Arabic documents is more difficult to achieve. However, even translations of most of the Arabic constitutions into English, a dynamic language that has made noticeable progress in implementing gender-inclusive language in the last decade, may not be as inclusive as they should be. Despite the improvement in women's status in some Arabic countries in the last decade, the gap between men and women in education, high-ranking roles, and representation in democratic life is still an obvious issue (See [44]). In light of these points, this research will hopefully pave the way for an attitudinal societal change regarding gender-inclusive language in source and translated legal documents.

3 Aims and Research Questions

Based on the above literature review, the study sheds light on the underlying challenges that may hinder the implementation of gender-inclusive language in Arabic, and showcases the current status quo in practice through an exploratory case study of two Arabic constitutions. In particular, it investigates the language referring to gender in the constitutions of Egypt (2014, amended 2019) and Tunisia (2014), the former being one of the first Arabic countries to have a constitution, and the latter being one of the most supportive countries with regard to women's rights and democracy. Both countries are among the first to sign and ratify the Convention of Elimination of all

Forms of Discrimination Against Women (CEDAW)² [46]. The study of constitutions is influential as they are high-ranking fundamental legal documents that define the state's key political, social and economic principles and the fundamental rights and duties of its citizens. Also, constitutions and legal documents are rooted in the cultural history of a nation. Therefore, their language must reflect the language of gender solidarity, which may not have fully existed before or was not as visible as it is today.

To achieve the overarching aim of this study, the paper asks the following research questions:

- What are the challenges that hinder the implementation of gender-inclusive language in Arabic?
- How is gender terminology represented in the Arabic versions of the Egyptian (2014, amended 2019) and Tunisian (2014) Constitutions?
- How is gender terminology translated in the English versions of the Egyptian and Tunisian Constitutions?
- To what extent do the translated English constitutions represent gender-inclusive language, and how do they compare to the Monolingual Corpus of English Constitutions?

4 Gender in Arabic

Arabic uses the masculine rule to refer to both genders. Arabic gender-neutral terminology and pronouns could be viewed by many as a very challenging task, if not impossible, due to deeply rooted traditions that have been in place for centuries. Limitations on using gender-inclusive language in Arabic may be attributed to a number of factors, as discussed in the following subsections.

4.1 Linguistic Factors

Unlike English, Arabic gender is both lexical and grammatical. Arabic identifies between masculine and feminine gender, and involves agreement with nouns, pronouns, adjectives and verbs [8].³ The example below further explains this idea.

The journalist (**masc and fem**) has the right to express (**masc/fem**) **his/her** views freely, and **he/she** should discuss (**masc and fem**) the issues that interest **him/her** and **his/her** society'.

² Egypt signed its Constitution in 1980 and ratified it in 1981; Tunisia signed its Constitution in 1980 and ratified it in 1985. [46]

³ For more information about gender and how it is formed in Arabic, refer to Badawi, Carter and Gully [8], [35, chapter 7] and [1], Elewa and El-Farahaty [21]. For more information on gender, see De Ruiter [20] and on the asymmetries of male/female representation in Arabic, see Farwanah [23] and on gender identity, see Safiyiddeen [37].

In Arabic, ‘gender distinctions are reflected in nouns and pronouns but also in the concord between these and their accompanying verbs and adjectives’ [11: 92]. Pronominal reference and gender agreement make the task of legal drafters challenging, and they opt for the masculine to include both genders. As discussed, other languages such as English have introduced the neutral third-person plural pronoun ‘they’ [16] instead of the gender-specific pronouns ‘he/she’. This is expressed in the example below:

كل من يقبض عليه، أو يحبس، أو تقيد حريته تجب معاملته بما يحفظ عليه كرامته، ولا يجوز تعذيبه، ولا ترهيبه، ولا إكراهه، ولا إيذاؤه بدنياً أو معنوياً ...

All those who are **apprehended**, detained or have **their** freedom restricted shall be treated in a way that preserves **their** dignity. **They** may not be tortured, terrorised, or coerced. **They** may not be physically or mentally harmed. (Egyptian Constitution, Article 55)

In Arabic, using plural nouns to achieve inclusive language is also challenging as Arabic identifies between masculine and feminine singular, dual, or plural pronouns. So the above example in the plural should read like this:

للصحفيين/ للصحفيات الحق في التعبير عن أفكارهم/هن بحرية و ينبغي أن يناقشوا/تناقشن القضايا التي تهمهم/هن و تهم مجتمعهم/هن

Journalists (**masc and fem**) have the right to express (**masc and fem**) their (**masc and fem**) views freely, and **they** (**masc and fem**) **should** write (**masc and fem**) about the issues that interest **them** (**masc and fem**) and **their** (**masc and fem**) society.

However, following the UN gender-inclusive guidelines (See [Introduction](#)), this sentence could be written in a completely different way by using a generic nominal structure that relies on fewer verbs to reduce subject-verb agreement and pronominal references, which are also gender-specific.

للصحفيين/ات الحق في حرية التعبير عن الرأي و مناقشة فعالة للقضايا التي تهم المجتمع و الرأي العام

The journalists (**masc and fem**) have the right to free self-expression and **effective discussion of** the issues that interest society/public opinion.

Inclusivity in Arabic could also be attained through using gender-neutral or generic nouns, collective nouns or broken plurals⁴ such as (شخص /person) and (فرد /individual) and (شعب /people) or (أشخاص /persons) more effectively. However, the grammatical gender of these terms is masculine.

These terms are used in the constitutions and will be explored further in the data analysis section.

⁴ The broken plural, also known as ‘internal plural’, is ‘highly characteristic of Arabic nouns and adjectives’. It is formed through a shift of vowel arrangement in the noun stem and ‘sometimes inserting an extra consonant of two (usually Hamza or waaw)’ [35: 132 and 144]. An example of the broken plural is لرجل /rijāl (men) from the singular لرجل /rajul (man).

4.2 Socio-Cultural Factors

The 'masculine rule' is deeply rooted in certain societies [51: 139, cited in Sandrelli [38: 109]. Historically, 'male preference' (Al-tha'alyby cited in [22: 81], i.e. using the masculine to include masculine and feminine genders, is a common tradition in Arabic.

Islamic canon texts (i.e., Quran and Hadith) have been revealed to challenge long-standing and deeply rooted patriarchy [21]. Most of those who embraced Islam at the beginning and immigrated to Madinah from the torture of Quraysh in Makkah were men (ibid.). Thus, narrators who recorded the Prophet's Hadith are mostly men, and authors of the Islamic legal schools of thought who wrote the principles of jurisprudence are men:

Although there is no hierarchical authority in Islam, a group of religious scholars emerged around the early ninth century who specialised in studying the Qur'an and the sayings of the Prophet. During the first centuries of Islamic history, these religious scholars set out to interpret the sources of Islamic law in schools of law, which eventually led to the formation of four major schools of Sunni jurisprudence: the Hanafi, Hanbali, Maliki and Shafi'i schools. [40: 343]

That is, 'male interpreters of some verses have contributed to patriarchal readings of those verses' [1] which may have led to the ongoing criticism of these canon texts as less representative of women's rights [21]. Although the twentieth century witnessed many moves towards empowering women [9], [10] and saw more reforms to women's rights, 'predominant traditions of male authority and honour have made it difficult for women to avail themselves of the rights guaranteed by the Qur'an' [39: 517]. Male hegemony and patriarchy continue to be reflected in the Arabic language and society through generic use of the masculine and the grammatical expression of individuality, which is predominantly male in Arab culture [36]. For example, Sadiqi comments on the use of the generic masculine in Arabic:

The word ?imra?ah "woman" in Arabic is said to derive from mar? "person", but only mar? is used generically because it is grammatically masculine. Likewise, words like allmuwaaTin "citizen-SM", al-?aamil "worker-SM", or even al-?ustaad "teacher-SM" are used generically, although there are at least as many female as male citizens, workers, and teachers, and even though Arabic contains gender morphemes including in the dual form [36: 646].

As a result, male policymakers and drafters have dominated policies related to most social and political aspects of life, hence women's lack of participation in social and political or judiciary roles. In Nasser's Egypt, for example, there was only one female minister, and in the 1956 parliament, two female members were appointed for the first time in Egypt's parliamentary history [43]. The first female judge was only appointed in Egypt in 2003 [40]. In the process of drafting Egypt's

2014 constitution, only 5 out of 50 members were women and 11 out of 100 in total, including members of the reserve committee [27]. According to the Global Gender Gap Index Rank of 2010 (just before the Arab uprisings), ‘Morocco was ranked in position 127, Tunisia in 107 and Egypt in 125’ [33:237]. After the Arab Spring, governments in the Arab World (e.g. Egypt and Tunisia) became more aware of the importance of explicitly expressing gender equality in their latest constitutions. Consequently, these serious attempts to empower women should lead to a change in the language of gender in legal discourse. Only recently were women granted a 15% quota in the 2015 Egyptian parliament, for example, which increased to 28% as of 2021.

4.3 Drafting Arabic Constitutions

Constitutions, as legislative texts, have a normative function to give commands and express rights and obligations. There is no uniform method of drafting Arabic constitutions, as it is unique to each country and its socio-political context. However, there is a consensus surrounding the constitution-writing process, which guarantees involving all parties, ‘civil society groups, political parties, religious leaders, workers’ unions, and the general public to engage in meaningful deliberation’ [30:3]. The only available manual, which was only published by Interpeace in 2011 then issued in its Arabic form in 2012, is the Handbook entitled: *Constitution-making and Reform—Options for the Process* [14]. The Handbook covers all the possible processes involved in drafting a constitution; structure and language are one of them. While some of the Arabic constitutions drafted or amended after the Arab Spring may have benefited from this manual, some others cannot have followed it. The manuals mentioned above offer no specific reference to the nitty-gritty of writing every Article. For example, there are no specific guidelines for explaining appropriate deontic modal expressions or any specific information about drafting gender-inclusive language or representing it in translation.

5 Methodology and Data

The paper adopts a corpus-based comparative analysis of gender terminology in parallel corpora of two current versions of the Egyptian Constitution (EgC) and the Tunisian Constitution (TunC). Hunston [25] stresses that corpora, especially parallel ones, inform translators’ decisions, and Olohan [31] emphasises that the usefulness of corpora in translation is contingent upon applying a comparative approach that enriches the analysis. These sub-corpora are part of a recent University of Leeds funded project (2021/2022) which aims to build *The Leeds Parallel and Monolingual Corpora of Arabic Countries’ Constitutions*.⁵ The analysis involved the following stages:

⁵ The corpora include a parallel diachronic corpus of all available versions of the 20 Arabic countries’ constitutions and their translations. It will also include monolingual Arabic and English legal corpora. All corpora will be uploaded on Sketch Engine.

Table 1 Frequency of Woman and Man in the EgC and the TunC

| Egyptian Constitution | | | | | Tunisian Constitution | | | | | | |
|-----------------------|----------------|---------------|-----------|-----------|-----------------------|--------------|----------------|---------------|----------|----------|------------------|
| ST Term | Romanised Term | Gender/Number | TT Term | Freq | Freq/Million | ST Term | Romanised Term | Gender/Number | TT Term | Freq | Freq/Million |
| المرأة | al-mar'ah | F/sing | the woman | 9 | 445.699 | المرأة | al-mar'ah | F/sing | The woma | 5 | 474.47333 |
| النساء | al-nis'ā' | F/plu | the women | 1 | 49.52211 | الرجل | al-rajul | M/sing | the man | 2 | 189.78933 |
| الرجل | al-rajul | M/sing | the man | 1 | 49.52211 | | | | | | |
| رجال | rijāl | M/plu | men | 1 | 49.52211 | | | | | | |
| Total | | | | 12 | 594.26533 | Total | | | | 7 | 664.26266 |

1. Preliminary stage: mapping gender terminology through a comprehensive list of key terms in the corpora (around 106 gender-specific terms and five gender-neutral terms, including all possible grammatical variations and synonyms). The analysis uses Sketch Engine tools such as word lists, frequencies, collocations, concordances/keyword in context (KWIC), and parallel concordances [28] to explore the collocational and grammatical behaviour of the terms under investigation.

2. Comparative analysis of gender-specific terms in the EgC and the TunC

3. Comparative analysis of the translations of these terms in the EgC and the TunC

4. Analysis of the collocational and grammatical behaviour of the terms 'woman' and 'man' in the Comparative Corpus.

The Corpora used

| Corpus | Language | Corpus size/ tokens |
|---|----------|---------------------|
| The Egyptian constitution (2014) (amended 2019) | Arabic | 20,193 |
| The Egyptian constitution (2014) (amended 2019) | English | 23,665 |
| The Tunisian constitution (2014) | Arabic | 10,538 |
| The Tunisian constitution (2014) | English | 13,307 |
| Comparative corpus: Leeds monolingual corpus of english constitutions | English | 679,260 |

6 Corpus-Based Data Analysis

The terms used for the following analysis are nouns that refer to people in masculine or feminine grammatical forms. These are explained in the following sections.

Table 1 shows the frequencies of terms referring to (رجل/man) and (مرأة/woman) in the EgC and the TunC as compared with the total number of words for each constitution. In both constitutions, which are predominantly written in the masculine gender (See Sect. 5 on linguistic factors), the term (مرأة/woman) occurs more frequently than the term (رجل/man), perhaps due to the constitutions' focus on gender equality and the focus on women's representation which will equate to a more frequent usage of women than men, in the Articles addressing women specifically. The

number of occurrences for terms referring to women is slightly higher in the EgC (10/12) than the TunC (5/7), whereas occurrences for the term (رجل/man) are the same (2 times in each).

In the EgC all explicit occurrences of the term (مرأة/woman) are in the context of women's rights (e.g. for motherhood and childhood, and breadwinning and elderly women), representation in politics, and protection against violence. These terms occur mainly in Articles 11 and 102 (See examples below), where the amended version of 2019 increases the quota for women's membership in the People's Assembly to at least 25% from 2% (2005–2010) and from a non-gender quota system in 2014. As a result, 'Egypt now ranks 67.th in the world for women's representation.' [48]

تكفل الدولة تحقيق المساواة بين المرأة و الرجل في جميع الحقوق المدنية و السياسية و الاقتصادية و الاجتماعية و الثقافية وفقا لاحكام الدستور.

The state commits to achieving **equality between women and men** in all civil, political, economic, social, and cultural rights in accordance with the provisions of this Constitution. (EgC, Art. 11)

يشكل مجلس النواب من عدد لا يقل عن اربعمائة و خمسين عضوا، ينتخبون بالاقتراع العام السرى المباشر، على ان يخصص للمرأة ما لا يقل عن ربع اجمالي عدد المقاعد.

The House of Representatives is composed of no less than four hundred and fifty members elected by direct secret public ballot. At least **one quarter of the seats** shall be allocated to women. (EgC, Art. 102)

In the TunC the context related to 'women' and 'men' throughout the constitution revolves around 'parity, equality, social justice in relation to work and politics', i.e. up to 50% representation in the parliament as opposed to 26.7% in 2011 and eradicating 'violence against women' [42] in line with the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) that Tunisia signed in 1981 [46]. See an example from Article 46 below:

تضمن الدولة تكافؤ الفرص بين الرجل و المرأة في تحمل مختلف المسؤوليات و في جميع المجالات.

The state shall guarantee **equality of opportunity between men and women** in the bearing of all responsibilities and in all fields. (TunC, Art.46)

تسعى الدولة الى تحقيق التناصف بين المرأة و الرجل في المجالس المنتخبة. تتخذ الدولة التدابير الكفيلة بالقضاء على العنف ضد المرأة.

The state shall strive to **achieve equal representation for women and men in elected councils**. The state shall take the **necessary measures to eradicate violence against women**. (TunC, Art. 46)

All occurrences of the singular term (مرأة/woman) in both the EgC (9/10) and the TunC (5/5) are translated into the inclusive plural noun 'women' in English, as shown in the above examples.

6.1 Woman Versus Man in the Comparative Monolingual Corpus of English Constitutions (MEC)

The above table shows the frequencies of ‘woman’ and ‘man’ in the Monolingual Corpus of English Constitutions (MEC). In the former, occurrences of the term ‘man’ (32) and (26), if phrases with ‘Isle of Man’ (6) are excluded, are almost equal to the frequency of ‘woman’ (27). Contexts involving the two words are ‘equality, rights, appointment to a political role, marriage and citizenship’. These frequencies are not less than the frequencies cited in the parallel corpora of Arabic-English Constitutions under investigation.

The table also shows the top collocates with ‘woman’ are mostly the term ‘man’ and vice versa. Both terms also collocate with the linking words ‘and’ or ‘or’. In this corpus, ‘man’ and ‘women’ co-occur in equal rights and political representation. In 8/27 times, the term ‘woman/women’ collocates with the deontic modal auxiliary ‘must’ and the verb ‘appoint’ to emphasise their equal representation in political and high-profile roles.

6.2 Citizen in the EgC and TunC

In the EgC, the frequency of the terms referring to (مواطن/citizen) in its different forms is 46—more than double the number of occurrences in the TunC (18). In the former, it is exclusively masculine (in its singular form (19/46) and plural form (27/46)), except for one paragraph in the Preamble that represents both females and males:

نحن المواطنين والمواطنین، نحن الشعب المصری ...

We are the citizens (F/M:plu). We are the **Egyptian people ...** (Preamble).

In the TunC: the masculine (sing&plu) forms of the term (مواطن / citizen), occur 13/18 times, and the feminine form (مواطنة / female citizen), (sing&plu) occurs 5/18 times. See the table below:

In the TunC, masculine and feminine nouns co-occur in a couple of cases in Article (40) concerning the right to work and the right to run for presidency (refer to the analysis of ‘voter’ below).

| | |
|---|--|
| <p>الفصل 40 العمل حق ل كل مواطن و مواطنة , و تتخذ الدولة التدابیر الضرورية ل ضمانه على اساس الكفاءة و الانصاف . <<S>> و ل كل مواطن و مواطنة الحق في العمل في ظروف لائقة و ب اجر عادل . </S></p> | <p><> Article 40 Work is a right for every citizen , male and female. </s> <> The State shall take the necessary measures to ensure work on the basis of competence and fairness. </s><> All citizens, male and female, have the right to adequate working conditions and to a fair wage. </s></p> |
|---|--|

| | |
|--|---|
| <p>الفصل 40 العمل حق ل كل مواطن و مواطنة , و تتخذ الدولة التدابیر الضرورية ل ضمانه على اساس الكفاءة و الانصاف . <> و ل كل مواطن و مواطنة الحق في العمل في ظروف لائقة و</p> | <p><> Article 40 Work is a right for every citizen , male and female. </s> <> The State shall take the necessary measures to ensure work on the basis of competence and fairness. </s><> All citizens, male and female, have the right to adequate working conditions and to a fair</p> |
|--|---|

In an attempt to incorporate inclusivity in both constitutions, two collocates that precede these gender-specific terms are (كل/ all, every) and (جميع/every, all) before a

| | Word | Cooccurrences ? | Candidates ? | Log likelihood |
|---|--------|-----------------|--------------|----------------|
| 1 | her | 12 | 12 | 177.24 *** |
| 2 | powers | 4 | 20 | 35.49 *** |
| 3 | or | 12 | 109 | 101.71 *** |
| 4 | . | 3 | 467 | 5.96 *** |
| 5 | of | 4 | 925 | 5.53 *** |
| 6 | the | 4 | 1,297 | 3.49 *** |

Fig. 2 Top collocates with the pronoun 'his' in the English corpus of the EgC

good number of these terms (in their different versions) to add an emphasis that rights outlined in these Articles apply to 'all citizens' regardless of gender. These words also collocate with other gender-neutral nouns (See Sect. 6.5. below), other words (e.g. those referring to organisations or denoting rights) and in some cases, prohibitions collocating with another word (أي/ any) which occurred only twice. See the example below:

ولا يجوز ابعاد اى مواطن عن اقليم الدول.

No citizen may be expelled from state territory or banned from returning thereto (EgC, Art. 62).

In the EgC, for example, the word (كل/ all/every) occurs 90 times in the corpus, and it collocates with (مواطن/citizen) (14/90), with (حق/right) (10/90) and with (عضو، أعضاء/member(s) (10/90). In the TunC, the word occurred 55 times, and six of these words collocate with the term (مواطن citizen).

6.3 Translation of مواطن/Citizen in the EgC and TunC

In the EgC, all singular masculine occurrences of the term (مواطن/citizen) are translated equally into either (i) the singular, which collocates with 'very' and 'any' and (ii) the plural, which collocates with 'all'.

In the EgC, although all gender-specific terms were rendered into gender-neutral terms in English, the pronominal reference used with these terms was exclusively the masculine pronoun 'his' (52). It mostly occurs in Articles referring to political roles and membership in the parliament (see figure below for the top 10 collocates with the pronoun 'his' are: deputies of the prime minister, minister, prime minister, member of the parliament, president.

In the TunC, all singular masculine terms are translated into the singular, collocating with 'every'. In four of these examples, the plural pronoun 'their' to refer back to the singular masculine is used as in:

لكل مواطن الحرية في اختيار مقر إقامته وفي التنقل داخل الوطن وله الحق في مغادرته.

'Every citizen has the freedom to choose **their** place of residence and to move freely within the country' (TunC, Art. 24)

The TunC uses less masculine pronominal references in the TT (15). Out of these 15 occurrences, 12 co-occur with the feminine pronoun 'her' (Fig. 2) in the political context discussing the role of the head of the government as the example below.

ويمكن لرئيس الحكومة أن يفوض بعض صلاحياته للوزراء. إذا تعذر على رئيس الحكومة ممارسة مهامه بصفة وقتية، يفوض سلطاته إلى أحد الوزراء.

The Head of Government exercises general regulatory powers. **He/she** is individually responsible for issuing decrees that **he/she** signs after discussion with the Council of Ministers. (TunC, Art. 94)

The translation uses the masculine and feminine pronouns to refer to the masculine term (الرئيس الحكومة/Head of the Government). Although the *Arabic Language Academy* in Cairo ruled out the use of masculine to refer to feminine roles such as 'member', 'president', 'deputy', etc., as early as 1978: 'It is not permissible in the titles of positions and jobs—a noun or an adjective—to describe the feminine as masculine' (my translation) [2:online], this issue is still debatable [6], [4] and not yet implemented in legal or institutional texts. Only the singular forms of roles like (عضو/member (M) (22) in the EgC and (9) in the TunC and (نائب/deputy/member) are used throughout the two constitutions. Plural forms of these terms are only used when referring to a group of people (e.g. members of parliament).

6.4 Neutral Terms in the EgC and the TunC

Neutral terms in this context refer to both males and females and collective nouns and broken plurals, although they grammatically carry the masculine gender. Examples of these terms are (الإنسان، شخص، فرد، شعب، الشباب / human person, individual, people, and youth) used in both constitutions. However, these terms can still carry the grammatical masculine gender. The term (الشعوب/the peoples), a plural of the collective singular term (الشعب/the people) is used to express inclusivity of a right that applies to all people and their interests. The following table gives the frequencies of neutral terms in the EgC and the TunC.

In the EgC, the (in)definite term (الشعب/the people) (25/68) and its synonym (الناس/the people) (1/68) co-occur with 'interests of the people, all its sects, its army, its sovereignty'. In the TunC, the most frequent gender-neutral terms are the singular collective form (الشعب/the people) (101/129) and the plural collective form (الشعوب/the peoples) (2/129). They occur mainly in political contexts and to express the will of the people. This term form (الشعب/the people) co-occurs with the phrase (مجلس نواب الشعب/Council of People's Representatives) (91/101) times alone, with members (13/101) and with president (16/101), all in a political context. In its plural form (الشعوب/the peoples), it expresses the 'unity and complementarity with the Muslim and African peoples, cooperation with all the peoples of the world'.

Table 2 Frequencies of Woman and Man in the MEC

| Term | Freq | Freq /million token | Term | Freq | Freq /million token |
|-----------------------------|------|---------------------|---------------------------|----------|-----------------------|
| Woman | 17 | 25.03 (0.0025%) | Man | 22 | 32.39 (0.0032%) |
| Women | 10 | 14.72 (0.0015%) | Men | 10 | 14.72 (0.0015%) |
| Total | 27 | 39.75 (0.004%) | Total | 32 | 47.11 (0.0047%) |
| Collocates with woman/women | Freq | Freq /million token | Collocates with man/men | Freq | Freq /million token |
| Man/men | 16 | 25.03 (0.0025%) | Woman/women | 18 | 26.50 (0.0026%) |
| Or | 12 | 17.67 (0.0018%) | Or | 14 | 20.61 (0.0021%) |
| Must | 8 | 11.78 (0.0012%) | And | 10 | 14.72 (0.0015%) |
| And | 7 | 10.31 (0.0011%) | Isle (Isle of Man) | 6 | 8.83 (0.0008%) |

Table 3 Frequency of Citizen in the EgC and TunC

| The Egyptian Constitution | | | | The Tunisian Constitution | | | | | | | |
|---------------------------|----------------|---------------|--------------|---------------------------|--------------|-----------|----------------|---------------|--------------|------|--------------|
| ST Term | Romanised Term | Gender/Number | TT Term | Freq | Freq/Million | ST Term | Romanised Term | Gender/Number | TT Term | Freq | Freq/Million |
| المواطن | Al-muwāṭinīn | M/plu | the citizens | 25 | 1,238.05 | مواطن | muwāṭin | M/sing | citizen | 7 | 664.26267 |
| مواطن | muwāṭin | F/sing | citizen | 17 | 841.8759 | المواطن | al-muwāṭinīn | M/plu | the citizens | 4 | 379.57867 |
| المواطن | al-muwāṭin | M/sing | the citizen | 2 | 99.04 | المواطنات | al-muwāṭināt | F/plu | the citizens | 3 | 284.684 |
| المواطنات | al-muwāṭināt | F/plu | the citizens | 1 | 49.52211 | مواطنة | muwāṭinah | F/sing | citizen | 2 | 189.78933 |
| المواطنون | al-muwāṭīnūn | M/plu | the citizens | 1 | 49.52211 | المواطن | al-muwāṭin | M/sing | the citizen | 1 | 94.89467 |
| | | | | | | المواطنون | al-muwāṭīnūn | M/plu | the citizens | 1 | 94.89467 |
| Total | | | | 46 | 1039.96012 | Total | | | | 18 | 1708.10401 |

6.5 Human(s)

The term (الإنسان/ human being) is the second most frequent term (17/68) in the EgC and) 13/129) in the TunC. All its forms emphasise freedom, human rights, dignity (See [15]), and health care for all humans. In the EgC, it co-occurs in contexts concerning ‘the inviolability of human body, prevention of oppression, slavery, sex trafficking’ as given in the example below.

<> Article 89: Slavery, oppression, trafficking Slavery and all forms of oppression and forced exploitation against humans are forbidden, as is sex trafficking and other forms of human trafficking, all of which are punishable by law. </>
 <> المادة 89 تحظر كل صور العبودية و الاسترقاق و القهر و الاستغلال القسرى ل الإنسان , و تجارة الجنس , و غير ها من اشكال الاتجار فى البشر , و يجرم القانون كل ذلك . </>

6.6 Person(s)/Individual(s)

Other gender-neutral terms are the singular term (شخص/person) and its plural form (أشخاص/persons): (EgC: 13/68; TunC: 4/129), and the synonym (فرد/individual) and its plural form (أفراد/individuals) (EgC: 10/68 and TunC: 1/129). Both terms can be

Table 4 Frequency of neutral terms in the EgC and TunC

| ST Term | The Egyptian Constitution | | | Freq | Freq/Million | ST Term | The Tunisian Constitution | | | Freq | Freq/Million |
|--------------|---------------------------|-----------------------|-----------------|-----------|-------------------|--------------|---------------------------|-----------------------|-----------------|------------|-----------------|
| | Romanised Term | Definitiveness/Number | TT Term | | | | Romanised Term | Definitiveness/Number | TT Term | | |
| الشعب | al-sha'b | def/plu | the people | 23 | 1139.00857 | الشعب | al-sha'b | def/plu | the people | 101 | 9.584.36 |
| الانسان | al-'insān | def/sing | the human being | 12 | 594.26534 | الانسان | al-'insān | def/sing | the human being | 12 | 1138.736 |
| الأشخاص | al-'ashkās | def/plu | the persons | 6 | 297.13267 | الشعوب | al-sh'ūb | def/plu | the peoples | 3 | 284.684 |
| إنسان | 'insān | indef/sing | human being | 5 | 247.61056 | شعب | sha'b | indef/sing | poople | 3 | 284.684 |
| أفراد | 'afrād | indef/plu | individuals | 4 | 198.08845 | الشباب | al-shabāb | def/plu | youths | 3 | 284.684 |
| الأفراد | al-'afrād | def/plu | The individuals | 4 | 198.08845 | شخص | shkās | indef/sing | person | 2 | 189.78933 |
| أشخاص | 'ashkās | indef/plu | persons | 4 | 198.08845 | الأشخاص | al-'ashkās | def/plu | the persons | 2 | 189.78933 |
| شخص | shkās | indef/sing | persons | 3 | 148.56633 | الأفراد | al-'afrād | def/plu | the individuals | 1 | 94.89467 |
| الشباب | al-shabāb | def/plu | youths | 3 | 148.56633 | شعوب | sh'ūb | indef/plu | peoples | 1 | 94.89467 |
| فرد | fard | indef/sing | individual | 2 | 99.04422 | إنسان | insān | indef/sing | human being | 1 | 94.89467 |
| الناس | al-nās | def/plu | the people | 1 | 49.52211 | | | | | | |
| شعب | sha'b | indef/sing | people | 1 | 49.52211 | | | | | | |
| Total | | | | 68 | 3367.50359 | Total | | | | 129 | 2,657.05 |

Table 5 Frequency of other less common neutral terms

| ST Term | The Egyptian Constitution | | | Freq | req/Millio | ST Term | The Tunisian Constitution | | | Freq | Freq/Million |
|--------------|---------------------------|------------|-------------|----------|----------------|--------------|---------------------------|---------------|---------------|-----------|------------------|
| | Romanised Term | Gender/Num | TT Term | | | | Romanised Term | Gender/Number | TT Term | | |
| الناخبين | al-nākībīn | M/plu | the voters | 4 | 198.0885 | الناخبين | al-nākībīn | M/plu | the voters | 2 | 189.78933 |
| الناخب | al-nākīb | M/sing | the voter | 1 | 49.52211 | ناخب | nākīb | M/sing | voter | 2 | 189.78933 |
| المتهم | al-mutaham | M/sing | the accused | 3 | 148.5663 | ناخباً | nākībān | M/sing | voter | 1 | 94.89467 |
| المتهمين | al-mutahamīn | M/plu | the accused | 1 | 49.52211 | ناخبية | nākībāh | F/sing | voter | 1 | 94.89467 |
| | | | | | | المتهم | al-mutaham | M/sing | the defendant | 2 | 189.78933 |
| | | | | | | سجين | sājīn | M/sing | prisoner | 1 | 94.89467 |
| | | | | | | السجين | al-sājīn | M/sing | the prisoner | 1 | 94.89467 |
| Total | | | | 9 | 445.699 | Total | | | | 10 | 948.94667 |

| | Word | Cooccurrences ? | Candidates ? ↓ | Log likelihood |
|---|------|-----------------|----------------|----------------|
| 1 | □ | الإعاقة | 4 | 7 59.02 *** |
| 2 | □ | ذوي | 3 | 7 41.01 *** |
| 3 | □ | ل | 3 | 603 12.94 *** |
| 4 | □ | و | 3 | 1,803 6.74 *** |

Fig. 3 Collocates with the plural noun (الأشخاص/ persons)

used interchangeably in Arabic and are mostly translated into ‘individuals’ in English.

In the EgC, the singular term (شخص/person) occurs in the context of ‘fair trial’ and ‘human rights’ in its plural form, while the definite plural form collocates mainly with disabilities as in (الأشخاص ذوي الإعاقة/persons with disabilities). See table below. (Tables 2, 3, 4, 5, Fig. 3)

The context stresses their rights economically, socially, politically, etc. The term (فرد/individual) and its plural form (أفراد/individuals) (10/68) arise in the context of ‘protecting the media freedom and prohibition of press censorship except in cases impugning the honour of individuals’ as in the example below (EgC: Art.71). Four examples of the indefinite plural form refer only to military personnel.

<S> Article 71: Freedom of publication It is prohibited to censor, confiscate, suspend or shut down Egyptian newspapers and media outlets in any way. </S><S> Exception may be made for limited censorship in time of war or general mobilization. </S><S> No custodial sanction shall be imposed for crimes committed by way of publication or the public nature thereof. </S><S> Punishments for crimes connected with incitement to violence or discrimination amongst citizens, or impugning the honor of individuals are specified by law. </S>

<S> المادة 71 يحظر باى وجه فرض رقابة على الصحف و وسائل الاعلام المصرية او مصادرة ها او وقف ها او اغلاق ها . </S></S> و يجوز استثناء فرض رقابة محددة علي ها فى زمن الحرب او التعبئة العامة . </S></S> و لا توقع عقوبة سالية ل الحرية فى الجرائم التى ترتكب ب طريق النشر او العلانية , اما الجرائم المتعلقة ب التحريض علي العنف او ب التمييز بين المواطنين او ب الطعن فى اعراض الافراد , فيحدد عقوبة ها القانون . </S>

In the TunC, they arise in the contexts of safeguarding the persons' national security and protecting persons with disabilities as well as the right to a fair trial, as given in the example below.

the state shall protect persons with disabilities against all forms of discrimination (TunC: Art. 48)
 /every Individual has the right to a fair trial –(TunC: Art. 29)

6.7 Other Less Common Neutral Terms

Other less frequent neutral terms are important to highlight due to their significance and direct reference to human rights. They arise in the constitutions: (الشباب/the youth), (ناخب/voter), (المتهم/defendant) and (سجين/prisoner).

The plural term (الشباب/the youth) is less frequent (EgC:3/68) and (TunC:3/129). It occurs in the context of 'the strength of the young generation and their strengths and capacities and representation of the youths in local councils' (TunC). In the EgC, it is used in the context of 'appropriate youth representation in the parliament'. Their representation in local councils is currently (25%), including Christian youth and youth with disabilities. It is also used in the context of 'developing them and encouraging their role in public life', as in the example below.

<S> Article 82: Youth The state guarantees the care of youth and young children, in addition to helping them discover their talents and developing their cultural, scientific, psychological, creative and physical abilities, encouraging them to engage in group and volunteer activity and enabling them to take part in public life. </S>

<S> المادة 82 تكفل الدولة رعاية الشباب و النشء , و تعمل على اكتشاف مواهب هم , و تنمية قدرة هم الثقافية و العلمية و النفسية و البدنية و الابداعية , و تشجيع هم على العمل الجماعى و التطوعى , و تمكين هم من المشاركة فى الحياة </S>

Other terms such as (ناخب/voter), (المتهم/defendant) and (سجين/prisoner), the latter absent in the EgC, were only used in the masculine in the EgC (9/9) and in the TunC (9/10) (See table below).

In one case in the TunC, the feminine and masculine were used with the term (ناخب/voter) in the context of candidacy for president, as in the example below.

<s> الفصل 74 الترشيح ل منصب رئيس الجمهورية حق ل كل ناخبة او ناخب تونسي الجنسية منذ الولادة , دين ه الاسلام . </s>
<s> يشترط في المترشح يوم تقديم ترشح ه ان يكون ب الغا من العمر خمسا و ثلاثين سنة على الاقل . </s></s> و اذا كان حاملا </s>
<s> Article 74 Candidacy for the position of President of the Republic shall be the right of every male and female voter who holds Tunisian nationality since birth, whose religion is Islam. </s></s> On the day of submission of the nomination, a candidate must be at least 35 years old. </s></s> If he or she holds another nationality other than the Tunisian nationality, he or she must include in his or her nomination

These terms were exclusively translated into the masculine in the EgC: ‘every (male) voter ... his’, the (male) accused is innocent until proven guilty ... for him ... himself’. See the example below:

المادة 96 المتهم بريء حتى تثبت ادانته ه في محاكمة قانونية عادلة , تكفل ل ه في ها ضمانات الدفاع عن نفس ه . </s></s> و ينظم القانون استئناف الاحكام الصادرة في الجنايات . </s></s> و توفر الدولة الحماية ل المجنى على هم و الشهود و المتهمين و المبلغين عند الاقتضاء , وفقا ل القانون . </s>
<s> Article 96: Due process The accused is innocent until proven guilty in a fair court of law, which provides guarantees for him to defend himself. </s></s> The law shall regulate the appeal of felony sentences. </s></s> The state shall provide protection to the victims, witnesses, accused and informants as necessary and in accordance with the law. </s>

On the contrary, feminine and masculine pronouns (he or she) were used to refer to the term (المتهم/defendant) in the TunC:

الفصل 27 المتهم بريء الى ان تثبت ادانته ه في محاكمة عادلة تكفل ل ه في ها جميع ضمانات الدفاع في اطوار التتبع و المحاكمة . </s>
<s> Article 27 A defendant is presumed innocent until proven guilty in a fair trial where he or she is granted all guarantees of the right of defense throughout all phases of prosecution and trial. </s>

The term (المتهم/ accused) is commonly used in the UN termbase, and the term (المدعى/defendant) is occasionally used. The TunC uses a more neutral term (defendant) in the translation rather than following the ST literally. In Arabic, there is a distinction between (المتهم/the accused) and the (المدعى/defendant); the former is used in criminal cases, which are initiated by the prosecution whereas the latter is used in civil matters, initiated by another person or entity [34: 27]. In English, although they are used synonymously in many legal contexts/systems,⁶ there is a subtle difference between them:

Accused: The generic name for the defendant in a criminal case. A person becomes "accused" within the meaning of the guarantee of speedy trial only at the point at which either formal indictment or information has been returned against him or when he becomes subject to actual restraints on his liberty imposed by arrest, whichever first occurs. State v. Almeida, 54 Haw. 443, 509, P.2d 549, 551 [13].

⁶ defendant is not used at all in certain other legal systems (e.g. ‘defendant’ is not used in Scotland).

In translating the term (سجين/prisoner), which only occurred in the TunC, the plural pronoun 'their' was used to refer back to the prisoner's dignity, as in the example below:

<s> الفصل 30 ل كل سجين الحق في معاملة انسانية تحفظ كرامة ه . </s></s> تراعي الدولة في تنفيذ العقوبات السالبة ل الحرية مصلحة الاسرة , و تعمل على اعادة تأهيل السجين و ادماجه في المجتمع . </s>

<s> Article 30 Every prisoner shall have the right to humane treatment that preserves their dignity. </s></s> In implementing a freedom-depriving punishment, the State shall take into account the interests of the family and shall work rehabilitate and reintegrate the prisoner into society. </s>

7 Results

Results of the corpus-based comparative analysis of the EgC and the TunC are summarised in this section.

Both constitutions explicitly stress the 'eradication of violence against women' and express parity between 'women' and 'men' in terms of 'equal rights' and 'appropriate political representation' (e.g. in the Egyptian House of Representatives 28% and the Tunisian Assembly of People's Representatives 26%) [26]. The EgC mentions support for women's rights in the context of 'motherhood/childhood, breadwinning, and elderly women, whereas the TunC mentions woman in the contexts of 'parity, equality, social justice in work and politics'.

Compared to the MEC, the term 'woman' co-occurs with 'man' in contexts involving 'equality, rights, appointment to a political role, marriage and citizenship'. Moreover, in more than a third of the occurrences of the term 'woman/women' (8/27), it collocates with the deontic modal auxiliary of obligation: 'must' and the verb 'appoint' to emphasise their equal representation in political and high-profile roles.

The masculine term (مواطن/citizen) in its different forms is more frequent in the EgC than in the TunC (more than double the number of occurrences). The feminine form of the term co-occurs with the masculine form in the EgC only once in the Preamble, whereas it co-occurs twice in the TunC in two key contexts: 'the right to work and the right to run for presidency'.

There is a lack of parity in the translation of the masculine term (مواطن/citizen) in both constitutions, with the EgC using more masculine pronominal references than in the TunC and with the latter using the plural pronoun 'their' to refer to the singular four times in contexts such as 'the freedom to move and reside'. Contexts of using the masculine pronominal reference in the EgC revolve mostly around political roles and membership in parliament. In the TunC, the masculine and feminine pronominal references were used more in contexts referring to 'the head of the government role'.

Both constitutions use gender-neutral terms such as (فرد، شعب، الشباب انسان، / شخص / human, person, individual, people, youth) with the TunC using almost double the number of terms used in the EgC, with the term (الشعب/the people) co-occurring with 'interests of the people, all its sects, its army, its sovereignty'. In

the TunC, the most frequent gender-neutral terms are the singular collective form (الشعب/the people), and the plural collective form (الشعوب/the peoples) occurs mainly in political contexts, e.g. with (مجلس نواب الشعب/Council of People's Representatives) and to express the will of the people. In its plural form (الشعوب/the peoples), it expresses the 'unity and complementarity with the Muslim and African peoples, cooperation with all the peoples of the world'.

The neutral collective term (الناس/ the people) occurs in contexts concerning 'the inviolability of human body, prevention of oppression, slavery, sex trafficking' in the EgC, and freedom and 'emphasising human rights, dignity and health-care' in the TunC.

Analysis of the neutral terms like (شخص/person) and its plural form (أشخاص /persons) in both constitutions showed that the context stresses 'fair trial' 'human rights' and in its plural form, the rights of persons with disabilities: economically, socially, and politically and in the TunC, it also stresses the 'safeguarding the persons' national security'.

However, the choice of the term in Arabic (ذوي الاعاقة/the handicapped) is not inclusive as it negatively shapes society's perception of people with disabilities as 'helpless'. As the constitution was drafted in 2014 and amended in 2019, there are more recent societal initiatives (e.g. Ministry of Social Solidarity, the Egyptian Chamber of Human Resources Management (EgyCham)) towards referring to those persons with a more positive phrase (أصحاب الهمم/people of determination/people of all abilities). This initiative was introduced by the UAE but is not widely used in policies or other parts of the Arab World as yet. It is noteworthy that terms referring to disability are the subject of ongoing debate [5], which is beyond the remit of this paper, but it will be a topic for another larger-scale study.

In the EgC, the term (فرد/individual) and its plural form (أفراد/individuals) arise in the context of 'protecting the media freedom and prohibition of press censorship except in cases impugning the honour of individuals'.

Other less frequent neutral terms, such as (الشباب/youth), occur in contexts referring to 'appropriate youth representation (Christian youth and youth with disability) in the parliament', in the EgC and 'the strength of the young generation and their strengths and capacities and representation the youths in local councils' in the TunC.

In an attempt to make the ST more inclusive, analysis shows inconsistent use of neutral terms (شخص, الشاب انسان, فرد, شعب, / human, person, individual, people, and youth), by adding words such as (كل/all, every and جميع/ every, all and in a few cases (أي/ any)) to these terms and also to 'organisations' as well as to rights and 'prohibitions'.

Other key terms and masculine terms referring to both sexes include terms such as (ناخب/voter), (المتهم/defendant) and (سجين/prisoner) were exclusively translated into the masculine in the EgC: 'every (male) voter ... his', the (male) accused is innocent until proven guilty ... for him ... himself'. In the TunC, feminine and masculine pronouns (he or she) were used to refer to the term (المتهم/defendant) and the term (سجين/prisoner), the plural pronoun 'their' was used to refer back to the prisoner's dignity.

8 Concluding Remarks

This comparative study fills an existing gap in Arabic-English legal translation. It has shed light on some of the common linguistic or socio-cultural factors influencing the implementation of gender-inclusive language in Arabic. The analysis revealed similar results about the representation of women in the EgC and TunC, and although these percentages are not far away from the representation of women in European countries such as the United Kingdom (35%) [26], it is the reality of women's actual roles, change they initiate and their impact in the society that counts.

Compared to the EgC, in the TunC, the right to run for the presidency for both males and females in the ST and in the translation sends an important message about this fundamental right and the possible socio-political change this may bring. It may seem far-fetched now, but it is certainly a step in the right direction. Tunisia has already appointed the first female Prime Minister—in December 2021—the first in the Arab World as a whole (See Article 94, TunC).

In the EgC, this is not the case as the ST and TT used only the masculine in all cases referring to presidential candidacy or any reference to the Head of the Government/Prime Minister. Translation of the EgC reflects a long-standing socio-political tradition in Egypt where the expectations for high-profile roles (e.g. the prime minister and their deputies, terms that are neutral) are to be held by males. The TunC rectified this in the TT by including males and females as possible candidates for these roles.

This small-scale study has revealed some attempts towards a more inclusive original and some inconsistent attempts towards inclusive English translations of the constitutions concerned. Importantly, this lack of consistency may be due to the lack of clear and well-defined guidelines given to translators who tend to follow the ST closely, but this claim requires further validation. Even though there are linguistic restrictions on implementing inclusive language in the original versions, a more inclusive translation should be used consistently, e.g., using a consistent plural pronominal reference to singular masculine terms. That suggests adapting the existing translations and the use of strategies such as 'domestication' [50].

This comparative study paves the way for a large-scale diachronic investigation of gender terminology in the 22 Arabic constitutions and their English translations. In 2019/2020 and 2020/2021, I undertook a pilot study on MA students (studying ARAB5080-Translation for International Organisations) concerning the translation of constitutions into Arabic using gender-inclusive language. The study also explored the attitudes of 40 students working with these legal texts for one academic year. The results were mixed: some females were against gender-inclusive language, and others were unsure whether changing the language would change society. This pilot study will be followed by a large-scale study to investigate the attitudes of different key stakeholders (religious people, linguists, legal drafters, and translators, etc.) towards gender-inclusive language in different legal settings and genres through interviews and questionnaires; and key stakeholders (UN/EU) from different areas in the UK, Europe and the Arab World with cutting-edge experience in law and gender

studies, and sociology. Another future research avenue will be a large-scale diachronic study of terminology referring to disability in the 22 Arabic constitutions, and their translations.

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