



Hacettepe University Graduate School of Social Sciences
Department of Translation and Interpretation

**ANALYSIS ON THE TWO TURKISH TRANSLATIONS OF JOHN
GRISHAM'S *THE PELICAN BRIEF* WITH REGARD TO
DOMESTICATION AND FOREIGNIZATION**

Mehmet Onur ÖZELSANCAK

Master's Thesis

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Mehmet Onur Özelsancak tarafından hazırlanan "Analysis on the two Turkish Translations of John Grisham's The Pelican Brief with regard to Domestication and Foreignization" başlıklı bu çalışma, 20/06/2019 tarihinde yapılan savunma sınavı sonucunda başarılı bulunarak jürimiz tarafından Yüksek Lisans Tezi olarak kabul edilmiştir.

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09/07/2019



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ÖZET

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Bu çalışma, John Grisham'ın *The Pelican Brief* adlı eserinin iki farklı Türkçe çevirisinin Lawrence Venuti'nin yerileştirme ve yabancılaştırma (*domestication and foreignization*) stratejileri açısından incelenmesini amaçlamaktadır. Bu bağlamda adı geçen eserin Mehmet Harmancı (1992) ve Şefika Kamçez (2008) tarafından yapılan çevirileri incelenmiştir. Grisham, diğer eserlerinde olduğu gibi, bu eserinde de hukuk terimlerini yoğun olarak kullanmıştır. Bu hukuki dilin yanısıra, eserde Amerikan kültürüne ait birçok kültüre özgü kavram da yer almaktadır. Bu çalışmada, hem Amerikan hukuk sistemine hem de Amerikan kültürüne ait unsurların çevrilmesinde her iki çevirmenin daha çok hangi stratejiyi benimsediği belirlenmiştir. Bu yaklaşımlar, Aixela'nın kültüre özgü unsurların çevirisi konusunda önerdiği değiştirme ve koruma stratejileri (*substitution ve conservation*) yardımıyla tespit edilmiştir. Çalışmada inceleme konusu unsurlar iki kategori altında yer almaktadır. Birinci kategoride Amerikan hukuk sistemine ait olan 30 hukuk terimi incelenirken ikinci kategoride ise 6 alt başlık (*markalar, ölçü birimleri, kısaltmalar, yabancı kelimeler, yiyecek ve içecek isimleri, toplumsal ve etnik gruplar*) altında kültüre özgü unsurlar incelenmiştir. Bunun yanısıra, Venuti'nin çevirmenin görünmezliği (*Translator's (in)visibility*) kavramı ışığında hangi çevirmenin daha görünür veya görünmez olduğu tespit edilmiştir.

Ayrıca, 1990ların başında edebiyatımıza çeviri yoluyla giren "legal thriller" (hukuki gerilim) türündeki eserlerin çevirilerinde uygulanan stratejilerin ve benimsenen yaklaşımların, türün Türk edebiyat çoğuldizgesindeki çevresel konumuyla ilişkili olup olmadığı Even-Zohar'ın Çoğuldizge Kuramı ışığı altında incelenmiştir. Bu bağlamda genelde polisiye edebiyat, özelde ise Grisham'ın "legal thriller" türünde verdiği eserlerin Türk edebiyat çoğuldizgesindeki yeri irdelenerek polisiye edebiyatın Batı dünyasındaki doğuşu, alt türleri, Türk edebiyatına ne zaman ve nasıl girdiği hakkında ayrıntılı bir biçimde incelenmiştir.

İnceleme sonucunda türün Türk edebiyat çoğuldizgesine giriş yaptığı 1990larda *The Pelican Brief* adlı eserin ilk çevirisinde ağırlıklı olarak yerileştirme stratejisinin benimsenmiş olduğu ve çevirmenin daha az görünür olduğu tespit edilirken, çeviri ve özgün polisiye romanların gelişmeye başladığı 2000'li yıllarda yapılan ikinci çeviride ise ağırlıklı olarak yabancılaştırma stratejisinin benimsendiği ve çevirmenin daha görünür olduğu belirlenmiştir.

Anahtar Sözcükler

John Grisham, The Pelican Brief, legal thriller, hukuk terminolojisi, kültürel öğeler, Venuti, yerileştirme ve yabancılaştırma

ABSTRACT

ÖZELSANCAK, Mehmet Onur. *Analysis On The Two Turkish Translations Of John Grisham's The Pelican Brief with regard to Domestication And Foreignization*, Master's Thesis, Ankara, 2019.

This study seeks to carry out an analysis on the two Turkish translations of *The Pelican Brief* by John Grisham with regard to Lawrence Venuti's domestication and foreignization strategies. In this respect, the Turkish translations by Mehmet Harmancı (1992) and Şefika Kamçez (2008) constitute the corpus of the study. Grisham frequently employs legal terminology in his work as in his previous works of legal thrillers. In addition to the legal terminology peculiar to the common law in the US, there are various culture-specific items (CSIs) related to the American culture. This study seeks to determine which approach has been predominantly adopted by each translator in the translation of legal terminology and CSIs. Aixela's microstrategies of substitution and conservation have been employed in ascertaining the predominant approach. The items to be analyzed in the study have been classified in two categories. The translations of randomly selected 30 legal terminology items have been analyzed in the first category whereas another set of randomly selected 30 CSIs in 6 subcategories (*Brands, Measurements, Acronyms, Foreign Vocabulary, Foods and Drinks, Social and Ethnic Groups*) have been analyzed in the second category. Furthermore, the study makes use of Venuti's concept of Translator's (in)visibility in order to determine which translator remained more visible.

Moreover, the study takes into consideration Even-Zohar's Polysystem Theory in order to ascertain whether the general approach and strategies adopted in each translation are related to the peripheral position of legal thrillers in the Turkish literary polysystem, which have made their debut in the early 1990s via translations. Therefore, it seeks to determine the position of translated crime fiction works in general and that of legal thrillers in particular in the Turkish literary polysystem by taking into consideration the origin of crime fiction in the West, its subgenres, how and when they have been introduced to the Turkish literary polysystem.

In conclusion, the study reveals that the first translator adopted predominantly the domestication approach and remained less visible in the early 1990s when legal

thrillers started to debut in the Turkish literature. In contrast, the second translator has been found to have employed extensively a more foreignizing approach in the 2000s when both translated and indigenous works of crime fiction seemed to thrive in the Turkish literature, which has rendered her more visible as a translator.

Key Words

John Grisham, The Pelican Brief, legal thriller, legal terminology, culture-specific items, Venuti, domestication and foreignization

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LIST OF ABBREVIATIONS

- CSI** : Culture-Specific Item
- TT1** : Turkish Translation of *The Pelican Brief* by Mehmet Harmancı (1992)
- TT2** : Turkish Translation of *The Pelican Brief* by Şefika Kamçez (2008)

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INTRODUCTION

GENERAL REMARKS

This section is primarily dedicated to providing general information regarding the study. With this aim in mind, the introduction part of the thesis comprises the following sections: purpose of the study, research questions, methodology, limitations as well as an outline section, each of which shall be delved in depth.

The study of cultural aspects of translation has been an essential part of translation studies with the cultural turn in translation studies. The main contribution in this respect is claimed to have been provided by polysystem theory developed by Itamar Even Zohar. As Bassnett points out that it was polysystems theory that had laid the groundwork for the cultural turn in translation in the late 1980s and early 1990s ((2007, p.16). Moreover, Gentzler (2001) argues the two most important shifts in the translation theory over the past two decades:

(1) “the shift from source-text oriented theories to target-text oriented theories and (2) the shift to include cultural factors as well as linguistic elements in the translation training models” (p. 70).

There is no denying that each language has its intrinsic set of systems such as value judgements, customs, traditions and establishments, which make it distinct from one language to another. Furthermore, it is a known fact that any given work of art produced in a certain language mirrors the concepts and values pertaining to that culture that are named as “*culture-specific items (CSIs)*” by Aixela (1996, p.57). Languages and cultures are living organisms and there is a constant interaction among them around the world. It is thanks to the translation activities and translators that enrich this interaction. New concepts find their way into a target culture via translation activities. Weaving between source and target languages, translators act as cultural mediators and are more often than not faced with the challenge of registering a specific CSI in target languages. In this registration process, translators may adopt both domestication and foreignization; however, they might adopt either of these strategies more predominantly. There might be several factors influencing the use of either one of these strategies. One of the decisive factors could be the position of a translated literature in the polysystem of a receiving culture. Translated texts may assume distinct

positions in the translated literature system. Certain translated works could fall in the primary position whereas other works might be in the secondary position, which is instrumental in determining translators' translation strategies (Tahir-Gürçağlar, 2011, p. 131).

What's more, translation becomes all the more challenging when cultural and linguistic elements belong to two different languages such as English and Turkish. It is necessary to note that common law is applied in English-speaking countries such as the USA, the UK while civil law is applicable in the majority of countries in the continental Europe including Turkey, which adopted Swiss civil code back in 1926. Therefore, it becomes all the more challenging when the translation of legal terminology from a different legal tradition is at stake in a work of fiction. Hence, translators more often than not resort to various translation strategies to cope with the translation of both legal terminology and CSIs that most probably pose challenges.

John Grisham, former Mississippi attorney and author of more than 40 legal thrillers makes a sporadic use of legal language along with CSIs that are peculiar to the US popular culture in *the Pelican Brief*. The book was made into a feature film in the US in 1993, just one year after its publication. It is also in 1992 that the first translation was published by Altın Kitaplar while the second translation was published with a *different* translation by Remzi Kitabevi 15 years later in 2008.

This study mainly seeks to analyze the two Turkish translations in light of Venuti's domestication and foreignization strategies by making use of both Even Zohar's Polysystem Theory and Aixela's translation strategies, namely substitution and conservation. Hence, this study is expected to shed light on the overall translation strategies adopted in each of the two Turkish translations of *The Pelican Brief* by Grisham considering the position of legal thrillers in the Turkish literary polysystem.

PURPOSE OF THE THESIS

The Pelican Brief by John Grisham, attorney and author of several best-selling legal thrillers in the US, several of which have also been adapted into feature films has been selected for this study for several reasons.

Firstly, there are two Turkish translations, the first being translated by Mehmet Harmancı (1992) and the second by Şefika Kamcez (2008). It is stated in the preface of the translation by Kamcez (2008) that the book was already published by *Altın Kitaplar* with a “*different*” translation with no detail as to the nature of difference it possesses, though. That is one of the crucial points of their analysis in the study, namely to investigate to what extent the translations differ from each other in terms of Venuti’s domestication and foreignization strategies.

Secondly, almost all of Grisham’s books have been translated in Turkish by three publishing houses (*Altın Kitaplar, İnkılap and Remzi Kitabevi*). Some of his books have even been published with multiple editions, which might be an indication of its position in Turkish literary polysystem in light of Even Zohar’s Polysystem Theory.

Thirdly, it is an instance of legal-thriller, which is a subgenre of crime fiction that deals with the legal aspect of the crime. As an instance of legal thriller, it inevitably contains a great number of legal terminology peculiar to the US legal system, which bears the characteristics of common law that is quite different than the civil code adopted in Turkey; furthermore, it contains several CSIs regarding the US culture, which possibly tend to pose translation challenges.

Fourthly, this study aims to show which translator remains more visible or invisible by making use of Venuti’s concept of *Translator’s Invisibility*.

Last but not least, this study is expected to contribute to the studies particularly in legal thriller and crime fiction in general since there exists meagre study on the translation of crime fiction in Turkish let alone the non-existent indigenous works of legal thriller in Turkish.

RESEARCH QUESTIONS

This study seeks to find an answer to the following questions based on the analysis process:

1. What are the potential challenges in the translation of *The Pelican Brief* by John Grisham as a legal thriller which contains both legal terminology and CSIs?
2. How did each translator cope with these challenges in light of Venuti's foreignization and domestication strategies?
 - What is the overall translation approach adopted in the translation of *The Pelican Brief* when it made its debut into the Turkish literary polysystem in the early 1990s?
3. How might the position of a legal thriller as a subgenre of crime fiction in Turkish literary polysystem affect the translation approach?
 - After making an entry into the Turkish literary polysystem, how does the second translation differ from the first translation in light of Venuti's foreignization and domestication strategies?
4. Which translator remains more visible based on Venuti's theory of Translator's Invisibility?

METHODOLOGY

This study has adopted a descriptive approach in which two Turkish translations of *The Pelican Brief* will be analysed based on Venuti's two principal translation strategies: domestication and foreignization. *The Pelican Brief*, which remains as one of the highly acclaimed legal thrillers by John Grisham contains not only legal terminology peculiar to the US common law but it also includes CSIs that might challenge its translation into Turkish. A detailed analysis will be carried out during the study in which challenging elements will be classified in two categories: legal terminology and CSIs. The analysis of the legal terminology category will consist of 30 randomly selected examples whereas that of CSIs will cover 30 randomly selected examples under 6 subcategories: *Brands, Measurements, Acronyms, Foreign Vocabulary, Foods and Drinks, Social and Ethnic Groups*. Each subcategory will have 5 examples, which in turn amounts to 30 in

total. Afterwards, the data will be compiled in charts in order to reveal the macro translation strategies offered by Venuti, i.e. domestication and foreignization by means of the micro translation strategies offered by Aixela, i.e. *substitution* and *conservation* applied in the two translations of *The Pelican Brief*.

The study will then provide a general information regarding crime fiction, its historical developments, subgenres not only in Anglo-Saxon literary tradition but in Turkish literary polysystem as well. It will then seek to shed light on the status of legal thriller in Turkish literary polysystem. This search will include a bibliographical survey to pinpoint the position of Grisham's books in general and *The Pelican Brief* in particular in the Turkish literary polysystem. To this end, KAŞİF (kasif.mkutup.gov.tr) database search engine of National Library of Turkey and "*nadirkitap.com*" will be used to check the details of translations such as the publication date, genre category, translators etc.

LIMITATIONS

The Pelican Brief by John Grisham (1992) and its two Turkish translations (1992, 2008) have been limited to the focus of this study. The reason behind the choice of the book by Grisham is due to the fact that John Grisham has become a household name for legal thrillers in the Anglo-American literary polysystem whose works have sold millions of copies and translated into dozens of languages worldwide. Moreover, almost all of his legal thrillers have been translated into Turkish within a relatively short time after their publication. It is important to note the fact that it was from the early 1990s onwards that works of legal thrillers by John Grisham came to be translated into Turkish. Following the publication success of "*The Firm*"- his first novel translated into Turkish in 1991, it was the translation of "*The Pelican Brief*" in 1992 that might help him confirm his fame and foothold in Turkish literary polysystem because his subsequent novels began to be translated and widely acclaimed thereafter.

There are only 2 publishing companies in Turkey that promoted the translations of the book, which are *Altın Kitaplar* and *Remzi Kitabevi*. It was *Altın Kitaplar* that started the translation of *The Pelican Brief* in with 2 more books, namely "*A Time to Kill*", and "*The Client*"; however, this publishing house ceased to publish any translations of legal thrillers by Grisham after the second edition of "*The Client*" in 2006.

On the other hand, the other publishing company, namely *Remzi Kitabevi* started to publish translations of Grisham's legal thrillers in 1996 with "*The Runaway Jury*". It is of vital importance to note here that there already had been translations of Grisham's works into the Turkish literary polysystem with several more translations of such works as "*The Chamber*" and "*The Rainmaker*". Furthermore, it is the publishing house *Remzi* that has provided the Turkish translations of Grisham's works since then.

The first translation published by *Altın Kitaplar* was done in 1992 by *Mehmet Harmancı*, who is a prominent translator with a short legal background, who also translated 3 more legal thrillers by Grisham. The second translation published by *Remzi Kitabevi* was done by *Şefika Kamcez* (2008), who translated 10 more works by *Grisham*.

The analysis of the two Turkish translations of "*The Pelican Brief*" has particularly been chosen as the focus of this study since the second translation was published with a reminder on the preface that "This book was already published by *Altın Kitaplar* publishing house with a *different* translation" (my translation, unless otherwise stated, all translations from Turkish are mine). Hence, this study seeks to find out the extent of difference in light of Venuti's foreignization and domestication strategies taking into account both *Aixela's* micro translation strategies and *Even Zohar's Polysystem Theory*.

Given his professional background as an attorney, John Grisham makes frequent use of legal terms in *The Pelican Brief* related to the US legal system, which is quite unlike that of Turkish legal system. Moreover, it is inevitable that the author inevitably refers to the CSIs belonging to the US culture since he based his plot on the existing cultural materials such as places, foods and drinks, institutions etc., which might pose certain translation challenges.

Last but not least, the analysis of CSIs will be limited to 6 subcategories: *Brands, Measurements, Acronyms, Foreign Vocabulary, Foods and Drinks, Social and Ethnic Groups*. There are more subcategories under CSIs that could be put under analysis; however, their analysis has been left out since the study would run the risk of overshadowing the translation of legal terminology as *The Pelican Brief* is a clear example of a legal thriller.

OUTLINE

This study comprises four chapters. Excluding the four chapters is the introduction part, in which general remarks, research questions, purpose, methodology and limitations regarding the study have been specified.

The first chapter deals with the crime fiction as a genre in general and legal thriller as a subgenre of crime fiction in particular. Then, it will seek to explore its roots in the Anglo-American world and its introduction to the Turkish literary polysystem and its development therein.

The second chapter has the theoretical part under focus. It provides a detailed explanation of *Venuti's* strategies of domestication and foreignization as well as his concept of "Translator's (In)visibilty" *Franco Aixela's* translation strategies of CSIs and *Even Zohar's Polysystem Theory*.

The third chapter is reserved for providing detailed information regarding John Grisham such as his life, his books and his career as both an attorney and author. It also includes brief information about *Harmanci's* and *Kamcez's* biography and career. Moreover, this section also offers information about "*The Pelican Brief*" and its translations into Turkish.

The fourth chapter is dedicated to the comparative analysis of both legal terminology and CSIs in 6 subcategories (*Brands, Measurements, Acronyms, Foreign Vocabulary, Foods and Drinks, Social and Ethnic Groups*) in *The Pelican Brief* and its two translations into Turkish. The analysis will be conducted by means of *Aixela's* micro strategies of *substitution* and *conservation* whereas the results will be evaluated in line with *Venuti's* macro strategies of *domestication* and *foreignization*. The results then will be displayed on bar and pie charts in order to provide a clear view of translation strategies employed by the translators.

Finally, the conclusion part provides the answers to the research questions as well as an overall evaluation of data regarding the comparative analysis of the translators strategies in the face of challenging elements of legal terminology and CSIs.

CHAPTER 1: CRIME FICTION

1.1. DEFINITION OF CRIME FICTION

Crime fiction, which is a hugely popular and ever-evolving literary genre mainly deals with crime and its investigation. Simple as it may sound, the definition requires a more detailed explanation as to why and how the genre originated and its relativity depending on time and societies. Crime, which constitutes one of the most vital parts of the genre exists most probably since the time immemorial; however, we need to draw a line between the hazy existence of crime since the beginning of humanity and the written records about crime in history. To begin with, it is necessary to provide a definition of crime in order to have a more thorough insight into the genre. *Crime* is defined as “social harms and acts stipulated by law and sanctioned by the state” (Schwendinger, p.8, 1977). Furthermore, Hasselm refers to crime as the “the breach of rules or laws for which some governing authority can ultimately prescribe a conviction”. He also adds that crime(s), which have extensively existed and influenced all societies may variously be defined by different human societies (p. vii, 2011). Nicol & et.al (Nicol, McNulty, & Pulham, 2010) point to the social, political and forensic dimensions of crime and differentiate between two different definitions of crime: the first being “*illegal*” and could be dealt in a court of law and the second being determined by the moral laws composed by polite society. Following the definitions of crime, it is necessary to shift our attention to its implication in literature. Scaggs (2005, p.1) suggests that crime has constituted the ground for the genre of fiction as a whole for over hundred and fifty years.

There have been many attempts to name and define the genre since that time due to its sheer diverse classification. This classification, as Scaggs (2005, p.1) states, ranges from Edgar Allan Poe’s definition of it as *tales of ratiocination* to the *mystery and detective fiction* at the turn of the 20th century and *whodunnit* between the two World Wars. He adds that a great number of critical studies on the genre in the last twenty years use the term ‘crime fiction’ to classify an otherwise unclassifiable genre. It is reasonable to define it that way because it is the concept of crime that has constantly been central to the genre. By the same token, Knight (2004) justifies his preference to use *crime fiction* as a general descriptive term for the whole genre. He highlights the false tendency of some people to use “detective fiction” or “mystery fiction” for the

whole genre because there are many novels including some by Christie that do not include detectives nearly as many novels without mystery (Knight, 2004, p. xii).

French crime fiction writers Boileau-Narcejac (1975, p.6) qualify crime fiction as a literary genre which “is *precisely a literary genre and a genre whose features are so strongly marked that has not changed since Edgar Poe but simply developed the virtualities it has carried in its nature.*”. Rzepka (2010) puts forward the question whether all stories in which crimes are featured qualify for being a work of crime fiction. He also suggests that patricide or infanticide are crimes but it is debatable whether Oedipus or Medea-the tragic stories by Sophokles could be considered mainly as characters in a work of crime fiction (Rzepka, 2010, p. 1).

Üyepazarcı, who has provided an invaluable insight into crime fiction in Turkish with his two-volume chef-d'oeuvre *Korkmayınız Mister Sherlock Holmes* employs *polisliye* to refer to crime fiction (*roman policier*, most probably due to the immense influence of French crime fiction translated and adapted into Turkish since the late 19th century). Emphasizing that mystery should not be mistaken for puzzle, Üyepazarcı (2008) goes on to define the genre as “*literary works that deal with the story of crime which includes mystery*” (p. 27). Moreover, he states that mystery is a quintessential element in a crime fiction although it might not necessarily need to be solved or the solution might be at the disposal of its readers (Üyepazarcı, 2008, p. 26).

1.2. HISTORY OF CRIME FICTION

There are numerous views in literature as to the genesis of crime fiction. It is not surprising to see the variety of opinions as for the origin of crime fiction in history when we take the hazy and blurry definitions of crime fiction into consideration. To begin with, Cuddon (2012) states that the detection, commission of crime coupled with the actions, motives and punishment thereof are great patterns of narrative. He seeks to trace the early history of crime fiction with Oedipus and Hamlet. However, he states that critical work on the genre has predominantly focussed on the detective story with the acceptance of the investigator as the leading character (p. 168).

Besides, Foreshaw (2007) suggests the possibility to trace literary ancestors of the modern crime novel far back in history with a little intuition. He provides us with a number of examples that contain crime and mystery including the Cain and Abel story from the Bible, Sophocles' Oedipus Rex, Shakespeare's Julius Caesar. However, he states that these examples could be molded as progenitors of crime fiction and emphasizes that the real origins of the genre date back to the 19th century (p.1). Similarly, Queen (1945, v.) dismisses the idea that the historic fratricide- Cain and Abel story from the Bible, which contained murder, victim, criminal, motive and weapon cannot be considered to have triggered the literature of detection due to the sheer reason that it lacked the essential element- a detective.

Porter (1981, p. 11) claims that historians of detective literature adopt two different opinions regarding its origin based on the long or short view of their subject. He states that those who adopt "the long view" that detective fiction dates back to Oedipus and Serendipity whereas those adopting "the short view" think that it did not exist before the 19th century and came to exist by its inventor Edgar Allan Poe along with the creation of the new police in Paris and London in the 1840s (p.11. Woeller, W., & Cassidy, B.(1988) adopts the long view and asserts that the literature of crime and detection dates back to the 5th century B.C. when philosophy severed its ties with myth and religion with the citizen of the Greek city state being the focus of artistic expression rather than the god or the hero (p. 9). It is necessary that the view of some more scholars regarding the origin of crime fiction be revealed. Messent (2012, p.4) agrees that detective fiction has a long history and accepts it is generally traced back to few stories by Edgar Allan Poe. Similarly, Moran (1994) states that the detective fiction is generally accepted to have originated in the 19th century with the contribution of such writers as Edgar Allan Poe, Gaston Leroux, Conan Doyle, Emile Gaboriau, Maurice Leblanc. He refers to the general assumption that E. A. Poe laid the foundation of this genre (p. 110). In contrast, Hill (1982) takes the short view and accepts that crime has featured in literature since Cain and Abel but opposes the idea that it has to be necessarily a literature of crime or crime fiction in the modern sense. He states that crime fiction is rather a relatively recent phenomenon adding that it owes its existence to the evolution of society making a considerable pace in the direction of the contemporary (p. 20). By the same token, using interchangeably the concept *the modern mystery* in lieu of crime fiction, Cassidy (1993, p. vii.) expresses that historically speaking, it has its origins in the works of Edgar Allan Poe, developed by

Arthur Conan Doyle and made popular by Dorothy L. Sayers and Agatha Christie in the UK, and Dashiell Hammett and Raymond Chandler in the US. In contrast, Scaggs (2005) suggests that Poe's detective stories only form a subset of crime fiction, which has a much earlier existence and he highlights the necessity that the origins of crime fiction be outlined in order to understand the contemporary attitudes to crime and narratives. Hence, he refers to the four stories as early ancestors of the genre offered by Dorothy L. Sayers: one story drawn from the Hercules myths, one story from Herodotus from the 5th century BC, two Old Testament stories from the 4th and 1st century BC (pp. 7-8). On the other hand, Haycraft (1946, p. 72) states that both the "detective-story proper" and the pure tale of horror date back to very ancient times in terms of origin and claims that the tale of horror has thrived in almost every age and country whereas the detective story appeared faintly here and there until it "burst into a magnificent flower" in the middle of the 19th century.

However, Symons (1985) emphasizes that those who look for detection fragments in the Bible and Herodotus are searching solely for puzzles. Agreeing that the puzzle is an essential component of detective story although its place in crime fiction is relatively small and is not a detective story in itself, he states that the examples above employ natural trickery rather than detective skill. Furthermore, he adds that there is a division of opinion between historians as to the origin of detective stories (p. 27). According to him (1985), the first group claims that no detective stories exist until the establishment of organized police and detective forces and it began with Edgar Allan Poe whereas the second group find evidences of crime in the beginnings of recorded history and refer to the examples of rational deduction in such sources as the Bible and Voltaire (However, he accepts Voltaire's *Zadiq* as a work of ironical imitation from the Arabian Nights and claims that his primary concern is not to demonstrate power of reason but its indeficiency in tackling with the unreasonable people in the world. (Symons, pp. 27-28). By the same token, Boileau-Narcejac (1975) point out that we commit a "double error" if we historically set to explain "*le roman policier*". Firstly, we admit that the three fundamental elements in roman policier, namely, the criminal, the victim and the detective have contingently been produced by the evolution of society and reunited thanks to Edgar Poe's stroke of genius. Secondly, we take it for granted that le roman policier has not ceased to renew itself since Poe and become successively roman problème, suspense novel, roman noir etc. They state that it is by no means the case

and add that if le roman policier exists, it is because we are thinking beings constituted in a certain way (p. 7).

Haycraft (1968), on the other hand, draws attention to the strange misunderstanding concerning the origin of detective fiction. He claims that existence of analytical and deductive tales in some ancient literatures constitute the foundation of this error and mislead some people to “discover” detective stories in Herodotus and the Bible and several ancient sources. Moreover, he suggests that the deductive method is solely one of a number of elements of detection and it lead them to mistake the part for the whole. Making a simile between “primitive pipings of the Aegean shepherds and musical instruments in the modern symphony”, he claims that as the symphony started with Haydn, so did the detective story begin with Poe (pp. 5-6). In the same vein, Priestman (2013, p. 1) states that crime is dealt in some way in the majority of fiction worldwide and confirms that it was with Edgar Allan Poe’s ‘The Murders in the Rue Morgue in 1841 that crime fiction genre firmly separated itself from the rest of literature.

We have reviewed quite a few authors and critics who have expressed their ideas regarding the origin of crime fiction, which is interchangeably used as crime literature, roman policier or detective fiction. Considering the vast number of ideas regarding the origin of the genre in historical sense, one can conclude that the discussion mainly boils down to two main ideas, namely ancient legends and scriptures such as the Greek myths and biblical stories on one side and stories by Edgar Allan Poe on the other side, who is considered by some as “the founding father” of detective fiction in modern sense. It is necessary to realize that, just as Symons (1985, p. 214) suggests, “the boundary lines regarding its origin are vague, that crime fiction is a hybrid and too much categorization is confusing rather than helpful”. Moreover, he dismisses the discussion as a tiresome controversy and proposes not to dip more than a paragraph (Symons, 1985, p. 28).

It has already been suggested that crime fiction has a long history and it is virtually impossible to track it down with one single source. However, one can clearly discern its historical evolution in time. Whether we adopt the short or long view regarding its origin, the most important element to consider in crime fiction is the fact that it deals with the detection of crime. One can clearly realize that detection in crime fiction before the Industrial Revolution was mostly based on intuition and chance rather than

analytical reasoning and material evidence. However, there obviously occurred a shift of opinion regarding crime and its detection following the Industrial Revolution, which was one of the results of the Enlightenment. It is necessary to remind that The Enlightenment is a term that refers to “a philosophical movement of the 18th century marked by a rejection of traditional social, religious, and political ideas and an emphasis on rationalism” (<https://www.merriam-webster.com>). There is no denying that with its immense influence on the social and technological change, it paved the way to the Industrial Revolution, which in turn facilitated the process of urbanization. As a consequence, the urbanization is assumed to have allowed for more frequent instances of crime. This assumption is reiterated by Rzepka, C. J. and Horsley (2010, p. 137), who state that a wide spectrum of social problems appeared as a result of the uncontrollable rise of cities where living conditions deteriorated while crime rates soared.

Considering the general views above, the attempt to track down one single source as for the origin of crime fiction back in history seemingly leaves us in a vicious circle and leads us nowhere. Therefore, It is necessary to gain an insight into the factors that contributed to the rise and development of the genre. One can conclude that there are multiple factors that contribute to its rise and development taking into consideration various opinions above. For the sake of brevity, these factors could be categorized under two groups, literary and socio-economic factors, respectively.

1.3. FACTORS LEADING TO THE RISE AND DEVELOPMENT OF CRIME FICTION

Instead of sticking too much to the sterile discussion as to the origin of the genre, it is necessary to shift our attention to the social dimension of the genre as agreed by Mandel (1985, p. vi), who suggests that “crime fiction is a social phenomenon”. Therefore, it is highly important to examine the factors that contributed to the rise and development of crime literature in order to gain more thorough insight into the crime narratives and its evolution over time. The factors that made a significant contribution to the origin and development of the crime fiction could be grouped under two headings, namely, literary factors and socio-economic factors

1.3.1. Literary Factors

It is important to remind that stories that deal with crime and mystery, which are the two most quintessential elements in detective fiction date back to ancient times. For example, one can easily trace elements of crime and mystery in Greek mythology, Rex Oedipus by Sophocles or fables by Aisopos although they do not play primary roles. In his attempt to seek the origins of the modern crime story, Mandel (1985) emphasizes that the modern detective story originates from popular literature about “good bandits”: “from from *Robin Hood* and *Til Eulenspiegel* to Schiller’s *Die Rauber* and *Verbrecher aus verlorener Ehre*” (p. 1). Moreover, he suggests that “the tradition of social protest and rebellion” in these stories was embedded into literature for upper class public by the middle class, bourgeois and even aristocrat authors such as Cervantes, Defoe, Schiller Byron and Shelley. Similarly, he refers to another literary activity for a wider popular appeal such as the Newgate Calendar chronicles, broadsheets sold and read at markets, the popular melodrama in the theatres of Paris, which paved the way to the rise of crime fiction (Mandel,1985, p. 4).

Üyepazarcı (2008) claims that “*On Murder Considered as one of the Fine Arts*”, which was an essay by Thomas De Quincey in 1827 regarding the aesthetic appreciation of murder triggered people’s interest in crime. He states that Quincey did not only publish the essay, but also filled the columns of Westmoreland Gazette with stories of murder and murder trials, which proves his attempt to make people appreciate murder (p. 37). Moreover, he suggests that both works by Quincey that were considered as high brow as well as popular accounts such as the Newgate Calendar that were regarded as low brow contributed to the popularization of crime among people (Üyepazarcı, 2008, p. 38). He also emphasizes the fact that it was the newspapers that met the reading demand of the ever-growing number of literate people in the 19th century, adding that the newspapers sought to meet their demand with the “serials” that dealt with topics such as reasoning, deduction and investigation, which were later published as novels that allowed their authors to specialize in criminal subjects in a relatively short time (Üyepazarcı, 2008, p-39). According to Mandel (1984), Thomas De Quincey’s contribution is invaluable and his attempts to preoccupy people with crime stories paved the way to Edgar Allan Poe, Gaboriau and Conan Doyle. Moreover, he suggests that Quincey initiated the link between crime and popular journalism that would include

Charles Dickens, E. A. Poe, Conan Doyle and a great number of crime story writers up to Dashiell Hammett, E. Stanley Gardner and other contemporaries (p. 6).

Rzepka and Horsley (2010, p. 79) also suggest that De Quincey invented an unusual type of crime narrative that employs sensational effects to present the criminal both as a butcher and as an artist by managing to combine the nonfictional narrative of “true crime” with highly stylized Gothic fiction of the late 18th century.

Porter (1981, p. 11) refers to the coexistence of a literature that treats profane crime as its unique subject with the already existing canonical works of literary tradition, claiming that it took forms of broadsheet and street ballad in the 17th and 18th century. In addition, Cawelti (1977) refers to the several major changes occurring in crime literature, the emerging classical detective story. He claims that there occurred a shift from moral and religious focus regarding crime to an aesthetic aspect since the classic detective story deals with crime as a source of entertainment while crime and punishment evolved to be a way of cerebral and emotional satisfaction (p. 53). Furthermore, he suggests that the “popular accounts of crime in broadsheet ballads and the Newgate Calendar collections and picaresque novels” that contained melodrama and provided vivid accounts of criminals. He also refers to the impact of the emerging gothic novel in the late 18th century on the representation of crime. Then, he claims that the mystery archetype had already become the most popular means of fantasizing about crime in the classical detective story by the late 19th century, which occupied its position until the emergence of American hard-boiled fiction in 1930s (Cawelti, 1977, p. 54).

Haycraft (1946) dwells on another literary influence that is generally not discernible but must have been significant upon mystery fiction authors. He states that the works of Fenimore Cooper started to be widely read in the US and the UK and translated into many European languages between 1820 and 1850 (p. 85). Moreover, it is necessary to remind the huge influence of François Vidocq on the rise and development of the genre from the 19th century onwards. Symons (1985, p. 31) confirms that the influence of *Les Mémoires* by Eugene François Vidocq (1775-1857), the criminal who became in 1811 the first chief of the Sûreté and thereafter established the first modern detective agency was immense both on crime fiction writers in his own lifetime and on detective story authors following his death. Among the authors that he is supposed to have inspired are Edgar Allan Poe, Arthur Conan Doyle, Honoré de Balzac, Victor Hugo,

Eugene Sue, Alexandre Dumas and Émile Gaboriau, to name but a few (Rzepka and Horsley, 2010, p. 18)

In his quest to track down the literary reasons behind the rise of the detective fiction back in history, Küçükboyacı (1988, p. 7) claims that there is an important factor contributing to the genesis of proper detective fiction stories before Poe, which can be found not only in the English and French literature before the 19th century but also in the written and oral literatures of other nations way earlier than the 19th century. He refers to the *chapbooks and jest books* in the Elizabethan era, which dealt with tricks of “coney-catchers” and adds that there were similar works in France, which also dealt with the deeds of villains. Moreover, he claims that both this kind of books and ballads as well as picaresque novels originating from Spain played a major role in the genesis of detective fiction (Küçükboyacı, 1988, p. 10).

1.3.2. Socio-economic Factors

In his preface in *Delightful Murder*, Mandel (1984, p. vi.) states that crime fiction is obviously a social phenomenon. One might also contend that there are also economic factors that have led to the emergence of crime fiction. Therefore, it is of vital importance to shed light on the socio-economic factors that contributed to the rise and development of crime fiction following the literary factors mentioned earlier.

To start with, Üyepazarcı (2008) states that time was already ripe for the rise of detective fiction in the first quarter of the 19th century, adding that complexity of the society, establishment of a police force to counter this complexity, the rise of literacy and the introduction of serials in newspapers paved the way to the creation of detective fiction. Moreover, he points out that the Industrial Revolution made a huge impact on the influx of people from rural areas towards urban places, which meant the concentration of greed, love, murder and other elements in a narrow space, adding that it would dramatically change the idea of the liberal bourgeoisie that considered expenditure on law enforcement agencies as unnecessary (pp. 41-42). He also states that the developments in science, investigation and research methods in the technical sense, for example, the discovery of photography, the use of fingerprints led to the emergence of criminology as a crime science, as a result of which concepts such as

crime, law enforcement, scientific and fictional techniques for punishment became part of everyday life (Üyepazarıcı, 2008, pp. 39-40).

Mentioning the influence of Cooper on the growing interest in crime and detection in Europe, Haycraft (1968, p. 85) also hints at better methods of communication and improved policing system contributing to the popularization of crime fiction. Likewise, touching on the relationship between scientific breakthroughs and the rise and development of the detective story, Mandel (1984, p. 19) exemplifies several innovations in natural sciences such as the invention of photography, recording of fingerprints. By the same token, Rzepka and Horsley (2010, p. 365) claim that the detective genre originated in the mid- nineteenth century in the face of fears that arose from industrialization, urbanization and the working class.

Stressing the consequences of the urbanization process, Mandel (1984) also points out that it was no longer possible to ignore and hide the rising crime on streets, adding that even some sectors of the bourgeoisie such as popular theatre and popular press wanted to make use of interesting murder stories to whet the appetite of the public. Hence, it was in Paris that the increase in sensational real-life murder stories and melodramas dealing with crime took place first (p. 6). He also points to the financial aspect by stating that financial difficulties and the search for a wider audience led the feuilleton (serial story) authors such as Eugene Sue, Ponson du Terrail and Paul Feval to receive lush payments from new popular magazines and contributed to the popularization of the genre (Mandel, 1984, p 7).

Symons (1985), on the other hand, points to the link of the detective story in the second half of the 19th century with the growing middle class in America and Britain that enjoyed more leisure time, the development of detective forces in certain countries and the spread of reading (p. 42). He also dwells on the financial aspect by stating that the high price of novels in the early 19th century led a relatively cheaper sub-literature in the form of broadsheets and ballads that dealt with crime, murder and executions, which in turn led to the popularization of crime literature. He also points to the shift of readership due to the spread of subscription and “free (rate-supported) public libraries” that indicated the growth of the new class formed by the pressures of an urban and industrial civilization by the 1850s (Symons,1985, p. 43).

It is also important to gauge the reaction of society regarding crime in order to understand the sociological factor behind the rise of crime fiction. Therefore, it is necessary to take into consideration what Cawelti (1977) suggests. He states that crime and particularly violent crime has always been a hot topic to amuse public and adds that “assault, theft, roguery and murder“ have been source of fascination for human beings since the beginning of written literature and even before that (p. 52). He also claims that it was the roguery of criminals, marked crimes, particularly murders that remained the most appealing aspect of crime until the 20th century (Cawelti, 1977, p. 53).

It has already been suggested that crime fiction has a long history and it is virtually impossible to track it down with one single source. However, one can clearly discern its historical evolution in time. Similarly, one can conclude that there are multiple factors that contribute to its rise and development taking into consideration various opinions above. This study is not an exhaustive work on the birth and rise of crime fiction; however, it aims to provide a general framework of crime fiction and delve into its evolution in the modern sense starting from the 18th century onwards. Moreover, this study seeks to trace the roots of the thriller genre in general and that of the legal thriller in particular because *The Pelican Brief* by John Grisham is a clear example of legal thriller.

Boileau-Narcejac (1975, p. 121) states that the detective fiction is believed to be a genre that is evolving because it has taken on successively different forms. Hence, it is necessary to bear in mind the evolution that crime fiction has undergone in its history. Considering the several views regarding the definition and history of crime fiction, it is important to remind that most of the critics are of the view that the first detective fiction in modern sense began with the short story of *The Murders in the Rue Morgue* by Edgar Allan Poe in 1841. It is no wonder that the story by Poe, which he called a “*tale of ratiocination*”, was based on the analytical reasoning that was one of the characteristics of the *Enlightenment Period*. Moreover, it is important to realize that it was published in the aftermath of the Industrial Revolution, the establishment of police force in France and Britain and the publication of *Les Mémoires* by Eugène-François Vidocq, who is thought to have influenced a great many authors of crime fiction including Balzac, Poe, Gaboriau, Doyle and others. This proves the assumption that crime fiction has followed a path of evolution dealing with the perception of crime based

on several factors. For the sake of brevity and practical reasons, this study agrees with the notion that crime fiction has a long history but seeks to dwell on the early developments that lay the groundwork for the appearance of thriller genre in general and legal thriller in particular. Therefore, it is of vital importance to provide the specific historical evolution of crime fiction and elements that exerted major influence on the rise and development of both thriller and legal thriller, which are considered to be parts of crime fiction before making their definition.

1.4. MAJOR NARRATIVE FORMATS OF CRIME FICTION

It would be oversimplification to categorize works of crime fiction into rigid moulds such as the classical detective fiction or hard-boiled fiction. One must admit that there have been attempts to classify the genre into subgenres based on various criteria; however, it is necessary to gain an insight into the reasons that underlie the rise and bifurcation of the genre. Similarly, Üyepazarıcı (2008, p. 113) suggests that it is more reasonable to mention the evolution of crime fiction in light of the social changes occurring over time instead of regarding it as a genre consisting of subgenres that are clearly separated. Moreover, he mentions a series of social and economic changes that contributed to the developments in crime fiction such as the Prohibition, formation of criminal bands and mafia, establishment of security forces as a counteraction, rise of capitalism, its impact on the relativity of crime and rapid innovations in information and communication technologies. He goes on to mention two major divergent developments in crime fiction considering the factors stated above: the first refers to the rise of the classical detective fiction that is indifferent to the social problems and emphasizes the superiority of logic and rationality in the solution of crime like a puzzle whereas the second refers to the hardboiled fiction that deals with crime taking into consideration the social conditions and drama of characters including criminals. (Üyepazarıcı, 2008, pp. 114-115).

1.4.1. Classical Detective Fiction (Whodunit)

As noted earlier, Poe is generally considered to be the creator of detective story, who placed the investigator as protagonist. He is also assumed to have influenced Doyle,

who in turn had immense repercussions on the subsequent works to be authored by various writers of crime fiction. Horsley (2005, p. 12) claims that Sherlock Holmes by Doyle is the most famous figure in the tradition that had a great number of descendants such as the Father Brown by G. K. Chesterton, Hercule Poirot by Agatha Christie and Lord Peter Wimsey by Dorothy L. Sayers. Moreover, he suggests that these successors of Doyle from the late 20th century to the golden age, which is considered to be the heyday of classic detective fiction tradition in the interwar period constantly refer to the image of the great “Holmesian” detective (Horsley, 2005, p. 7).

It is necessary to admit that there are various labels coined to refer to the works of the classic detective fiction such as “*analytic detective fiction*”, ‘*whodunit*’, “*the mystery story*” or “*the clue-puzzle story*”. However, Horsley (2005, p. 12) states that they all refer to the basic composition of the subgenre and have more or less the same structure in common regarding its typical pattern of death–detection–explanation.

For the sake of consistency, the label *whodunit* will be used to refer to the works of detective fiction authored by the authors following Doyle’s footsteps such as Agatha Christie and Dorothy Sayers. Horsley (2005, p. 12) defines “whodunnit” as a tradition of crime writing that focuses the attention of readers on the solution process of a crime by a brilliant detective that baffle the ordinary minds. In addition, Messent (2012, p. 20) describes it as “backward-looking, with the detective engaged in solving a crime (usually) committed either before or soon after the chronological start of the text – and with much of its focus on his or her analytic skills in recovering and recreating the backstory of that crime and the motives of the criminal(s) involved”.

Mandel (1984), on the other hand, calls attention to the difference between the first detective stories and the whodunnit in terms of fiction. He states that the streets of London and Paris once frequented by Holmes, Lecoq and Lupin were replaced by the isolated country houses and rich drawing rooms with the advent of the whodunnit. Moreover, he emphasizes a striking difference between them in that the first detective stories deals with murderers that still had some relation to real, dangerous criminals as well as with real crimes committed in the “slums and red-light districts” whereas whodunnit deals with “shadowy, abstract, and make-believe”.crimes (p. 27).

It would be incomplete to leave a host of whodunit writers unmentioned in the early 20th century such as Agatha Christie, Dorothy Sayers, G. K. Chesterton due to their

invaluable and countless number of whodunits that have had impact on its development today. Moreover, it should be noted here that the hardboiled fiction was born mostly as a reaction to the classical detective fiction. Finally, it would be out of the scope of this study to dwell more on both the characteristics of the whodunit and authors. Therefore, it is necessary to keep the review brief here and shift our focus to the hard-boiled fiction, which is assumed to have made a major contribution to the rise of crime thriller.

1.4.2. Hard-Boiled Detective Fiction

Cawelti (1977, p. 139) refers to the appearance of a new form of crime fiction in the early 1920s that is so different from the classical detective fiction that it formed a distinct kind. This new detective story formula could be labeled "**hard-boiled**". Scaggs (2005) defines the term 'hard-boiled', meaning 'tough' or 'shrewd', as a description to refer to the kind of detective fiction that developed in the US. in the interwar period, adding that the classical detective fiction, also named as whodunnit, focuses on the crime taking place in an isolated rural place and committed mainly via individual revenge or greed. Moreover he states that the detection of crimes is usually done as a puzzlework by a respectable middle- or upper-class investigator using analytical skills. However, the plot and setting of the stories produced under this subgeneric fiction usually follow similar paths. In reaction to this similar and repetitive stories, there emerged another subgeneric fiction, i.e. hard-boiled that focuses on social corruption such as violence and gritty realism taking place in urban settings (p. 55). He also states that this new form of crime writing customarily does not make any appeal to logic and reason as the classical detective fiction but focuses on the detective characterized by aggression (Scaggs, 2005, pp. 27-28). In addition, he claims that it is the detective hero as the loner fighting against social corruption that characterizes the hard-boiled fiction (Scaggs, 2005, p. 64).

It is of vital importance to provide some information regarding the developments in crime fiction from the late 20th century onwards in order to gain a more thorough insight into the rise of the **crime thriller** in general and **legal thriller** in particular. This study shall, for the sake of brevity and precision, touch on the rise and development of hard-boiled fiction as a reaction to the classical detective fiction from the early 20th

century. Moreover, it seeks to shed light on the exclusive contribution of the hard-boiled fiction to the rise of crime thrillers since the emergence of Black Mask tradition between the 1920s and 1930s.

It is therefore necessary to point to the endeavours of publishers to resuscitate the losing interest in crime fiction among readers of **dime novels** by creating new forms with relatively cheaper prices in the early 20th century. As a result, inexpensive fiction magazines began to be published on cheap wood pulp papers, which is why the new format was named as pulp magazines. Üyepazarcı (2008) asserts that the content quality of the pulp magazines are far greater than dime novels. He also contends that the stories in pulp magazines cannot be considered of escapist nature and they mainly deal with both injustice and the emerging social changes, adding that the creation of the hard-boiled fiction started in pulp magazines (p. 111). Similarly, Winks (1988, p. 104) refers to the reaction of hard-boiled writers against the limited formula of dime novels, which led them to give up on the static, the complex puzzle, elaborate reasonings and adopt a distinct detective story featuring colloquial language, the swift action and the violence.

Mandel (1984, p. 35) refers to Chandler's critical essay 'The Simple Art of Murder', in which he is assumed to have theorized the turn by dating the beginning with Hammett's work. Moreover, he points to the shift of change between the classical detective stories based on individual motives such as revenge, greed and the hard-boiled detective stories dealing with social corruption, impact of organized gangsterism and the changing bourgeois values caused by the first world war (p. 35). Symons (1985, p. 124) states that there were quite a lot pulp magazines; however, Black Mask under Captain Joseph T. Shaw's editorship, which was a monthly magazine founded in 1920 and continuing in print until 1951 remained the most notable from 1926 to 1936. Likewise, Scaggs (2005, p. 29) points to the immense role that Black Mask magazine played in the development of hard-boiled fiction, in which both Dashiell Hammett and Raymond Chandler published their hard-boiled stories as the foremost early practitioners of the tradition.

Horsley (2010) asserts that the American detective fiction from the 1920s much more directly reflected the unease and worries of the postwar society, adding that this kind of fiction mainly required tough private eyes who deal with crimes in violent and corrupt

places. Moreover, he considers dime novels, the frontier romance and Westerns as the antecedents of hard-boiled writing; however, he claims that it is the establishment of Black Mask magazine in 1920 that inseparably contributed its development as a subgeneric form of crime fiction (p. 32). Besides, Bertens and D'haen (2001) mention an amalgam of circumstances that led to the rise of the American **hard-boiled detective fiction** such as the rise of the Soviet Union causing fear among America's white middle class, tremendous immigration waves from Europe between the late 19th century and the First World War, The Crash of 1929 and the subsequent outbreak of the Great Depression, claiming that these circumstances are clearly identified in the **pulp fiction** of that period (pp. 175-176).

It is worth mentioning a few of the most influential authors whose works were published in Black Mask. For example, Dashiell Hammett, who created Sam Spade and The Continental Op, Raymond Chandler with his several famous works along with his critical and groundbreaking essay "*The Simple Art of Murder*" and Erle Stanley Gardner with *Perry Mason* series, who would have immense impacts on the rise of the **legal thriller** genre, to name but a few. Uyepazarcı (2008, p. 123) asserts that hard-boiled fiction is more prone to the appropriation of more authentic and artistic works than classical detective fiction as it is not constricted by certain limitations. Similarly, Scaggs (2005, p. 84) claims that the ease of its appropriation has led to the rise of another strand termed as **crime-thriller** by Priestman, which focuses more on the crime and criminal than its solution as a mystery. It is necessary to mention the significant contribution of the spy fiction to the legal thriller even though both genres might sound unrelated at first sight. Seed (2010, p. 233) refers to the common characteristics of detective fiction shared by **spy fiction** such as prioritizing investigation, the use of aliases and made-up identities. It should be noted that Buchan has exerted a considerable influence as the creator of spy thriller and his introduction of the double antagonist, namely, the battle of the hero against the villain and legal authorities to settle the problem, with which every litigator is familiar (Robinson, 2009, para. 19). Furthermore, Scaggs (2005, p. 120) claims that spy thrillers did not cease to exist following the end of the Cold War in 1989, adding that the legal thriller is a development of the **spy thriller** with a shift from military and political act of espionage towards corporate espionage.

1.5. THRILLER

1.5.1. Definition and Origins

It is essential to shift our attention to the brief account of the thriller genre in general before setting out to the more detailed account of the legal thriller. Simpson (2010, p. 187) states that “*thriller*” as a literary term emerged in the last few decades of the 19th century used for a wide spectrum of British and American stories that deal with strong struggles between criminal villains and individual heroes.

It is equally necessary to demonstrate how the thriller plot works in order to have a more thorough understanding of the definitions of the term “thriller”. Simpson (2010) emphasizes that the plot of a thriller is established on the primary principle of suspense, or the escalated anxiety. In addition, he states that the thriller plot develops in a direct way from one danger to the next till the final confrontation between good and evil. In addition, it is worth noting that thrillers deal with the present tense of the narrative and places more emphasis on the action and physical danger (p. 188). Moreover, he asserts that it is the constant existence and awareness of physical danger in the fiction that causes the exaggerated violence or danger thereof (Simpson, 2010, p. 188). On the other hand, Glover (2003, p. 137) points to the characteristics of the thriller that constantly aims to increase the stakes of the fiction, increasing the incidence of events by rendering them into an increasing curve of peril, shock or violence. Likewise, Harper (1969, p. 82) draws a distinction between the detective story and the thriller by stating that the thriller directly targets the desires of the readers more than memories. It is worth revealing some definitions of the thriller made by certain scholars. For example, Jerry Palmer (1982, p. 61) defines the term *thriller* by stating that the one predominant emotion that a thriller intends to arouse is the “*excitement of suspense*”. On the other hand, Üyepazarcı (2008, p. 872) defines thrillers as a genre that attaches as much importance on the two main elements of crime fiction, i.e. crime and mystery as the elements of tension, adventure, violence and sex, mixing them in quick rhythm with appropriate dosages.

Haycraft (1968) refers to the two distinct indications of thriller in America and England. He states that the term thriller is often used to refer to the sensational crime story in America whereas it has come mean the detective story proper in England adding that

the English employs “**shocker**” to mean the sensational novel (p. 275). Similarly, Priestman (2003, p. 139) points to the diffuseness and superfluity about the thriller and adds that this overabundance is rooted in a slippery and disordered popular writing in which terms such as ‘**adventure**’, ‘**thriller**’, ‘**mystery**’, and ‘**detective story**’ were interchangeably used. By the same token, Glover (2003, p. 137) hints at the loose description of the term that could be applicable to a wide spectrum of narratives, some of which are identifiable as distinct sub-genres like spy-thriller whereas others seem to defy classification.

It is necessary to shift our focus from the definition and characteristics of thrillers to its origins. Scaggs (2005) highlights the remarkable relationship between the Gothic novel and the modern crime thriller by demonstrating Shelley’s remark in her introduction to the 1831 edition of the novel, *Frankenstein*, in which she stated her intention to “*make the reader dread to look around, to curdle the blood, and quicken the beatings of the heart*” (Shelley 1994: 7–8). Moreover, he claims that the modern crime thriller can be traced back to the Gothic novel, via the novels of Charles Dickens and ‘sensation fiction’ of the 1860s and 1870s (p. 106). In his attempt to find the origins of the thriller, Cuddon (2012) states that, as one of the most extraordinary literary phenomena of the 20th century, it dates back to the Gothic novel and the ‘literature of terror’ that was so famous in the second part of the 18th century and at the beginning of the 19th century. He also states that Edgar Allan Poe with his short stories and Wilkie Collins in such novels as *The Woman in White* and *The Moonstone* made particular contributions to its development. Moreover, he links the emergence of thrillers with the development of the crime story, the horror, ghost and detective story, sensation novels and Newgate fiction (p. 724). Similarly, Simpson (2010, p. 187) claims that the thriller owes its existence to the mysteries of Wilkie Collins in the last decades of the 19th century. On the other hand, Uyepazarcı (2008, p. 872) claims that works of crime fiction classified under such labels as suspense and thriller are all variations of the classical detective and hard-boiled fiction. Likewise, Glover (2003, p. 142) states that Hammett has made a decisive contribution to the thriller even though he is considered to belong to the hard-boiled detective story. In addition, Gürçağlar (2008, p. 241) explains the characteristics that define the hard-boiled fiction such as suspense, erotic scenes, stress on action and violence. It should be noted that these characteristics bear striking similarities with those of the thriller genre. Hence, one might argue that the thriller genre is closely related with hard-boiled fiction. Last but not least, Üyepazarcı (2008, p. 125) refers to

the thriller as a genre that ends in an unexpected way and predominantly incorporates such characteristics as chain events, excitement, sex, violence, fear and mystery, adding that it was Edgar Wallace who produced the first examples of thriller.

It is worth highlighting the two opposing views regarding the existence and position of thriller. Pringle (1997) states that on the one hand, there are those who view thrillers as a subcategory of crime fiction referring to the difference between the detective fiction and thrillers and stating that the former emphasizes the solution to a mystery whereas the latter has a wider range of plots and lays stress on physical action (p. 9). On the other hand, she states that there are some critics who consider “thriller” as an umbrella term rather than a subgenre of crime fiction. She suggests that the difference between detective fiction and other types of thrillers ceased to exist with the emergence of hard-boiled fiction in the 1930s suggesting that this new kind of fictional works concurrently emphasized mystery and violence to thrill their readers (Pringle, 1997, p. 10). It is open to discussion whether thrillers are considered as a subgenre of crime fiction or a general term. However, she (1997) asserts that the most important thing to consider about thrillers is that the criminal activity must be beyond illegal, it must be immoral and ideally strange and dreadfully incurring damage to an individual or group and the individualistic hero must act in reaction to the criminal behaviour (pp. 9-10).

It is important to reiterate the assumption that hardboiled fiction has had considerable influence on the development of crime fiction in general and crime thriller in particular. Scaggs (2005) points to this assumption by referring to the immense influence of hardboiled structures, devices and themes on the development of crime fiction, varying from the police procedural to the crime thriller, which mainly focuses on the crime, and the criminal committing it. Moreover, he refers to the importance of the link between the hard-boiled fiction and the crime thriller. Furthermore, he states that *the crime thriller* is exactly identical to *the crime novel* termed by Symons, adding its five characteristics drawn from the detective story (p. 116). These characteristics shall not be mentioned in this study for the sake of brevity. Stating that all of these characteristics are not necessarily shown in crime thrillers, Scaggs (2005) emphasizes that the deletion or addition of some of these characteristics could be accountable for the existence of an immense spectrum of distinct “versions” of crime thrillers, including but not limited to “legal thrillers, racing thrillers, psychological thrillers, spy thrillers and political thrillers”. However, he uses Priestman’s categories and suggests that this immense variety of

thrillers could be discussed under two broader groupings, i.e. the noir thriller and anti-conspiracy thriller (2005, p. 108).

1.5.2. Noir Thriller & Hero Thriller

It is necessary to refer to Priestman (2003, pp. 1-2), who classifies thrillers under two main categories, which are the noir thriller and the hero thriller. Additionally, he explains that the noir thrillers deal with protagonists who break the law whether as a general rule or on specific occasions, adding that the noir thriller ranges from classical tragedy to contradictory celebrations of criminal environment to more individualized studies of crime (Priestman, 2003, p. 33). It is also important to explain these two subcategories of thriller, which is assumed to help us pinpoint the position of legal thrillers in the thriller genre

Hero thrillers deal with the protagonist encountering a powerful villain or conspiracy of criminals without the assured assistance of the forces of law and order and this subgroup includes most spy fiction as well as much adventure fiction where heroes are pitted against villains (Priestman, 2003, p. 33). The hero-thriller dates back to *The Adventures of Caleb Williams* by Godwin, in which a solitary, flawed but justified protagonist struggles against the social and political forces (Priestman, 2003, p. 44). Taking into consideration the characteristics of both the noir and the the hero-thriller suggested by Priestman, one can claim that *the Pelican Brief* is an instance of the hero-thriller because Darby Shaw, the protagonist fights against the evil corporate and political forces.

1.5.3. Legal Thrillers

Legal thrillers, in its simplest definition, could be defined as a subspecies of crime fiction that deals with the legal procedures connected with crime and legal procedures tend to connote the existence of lawyers, judges and courtrooms. Moreover, it is essential to note that legal thrillers as part of the thriller genre places more emphasis on the sensation created by the pursuit of the criminal rather than the sole deductive analysis of a crime as a puzzle-solving process. In her attempt to trace the history of

the legal thrillers, Robinson (1997, para. 12) mentions the popularity generated by the sensation novels by Collins and contends that Collins was the first author to combine such elements as the innocent, suspense, the detective, a conspiracy and legal system, which she, in short, thinks a legal thriller. Furthermore, Simpson (2010, p.187) points to the rise of thrillers that deal with the strong battles between individual heroes and great criminal conspiracies, which owes to the mysteries of Wilkie Collins to a certain extent. Likewise, Robinson (1997, para. 3) draws a similarity between Collins and John Grisham in that both deal with crime from a legal perspective even though legal topics change over time. She highlights the false assumption of many modern readers that consider it as a recent phenomenon. She also claims that the precursors of the legal thriller are true crime and trial stories of the 18th century Europe (Robison, 1997, para. 3).

Sauerberg (2016, p. 39) refers to the first appearance of legal machinery in the old Biblical and Roman sources such as King Solomon in the Old Testament who acts as an investigative judge or Cicero of Ancient Rome. In addition, he traces the existence of lawyers in English literature and states that they have repeatedly appeared since Chaucer's Man of Law from the Canterbury Tales. Moreover, he states that judges, particularly those with full authority appeared in the English literature in the early 18th century when the legal distribution of roles was not in place among the prosecution, judiciary and defence (Sauerberg, 2016, p. 40).

It is necessary to remind that the accounts of the Newgate Calendar and Pitaval stories made a contribution to the increase in the public interest in both crime fiction and legal procedures. As mentioned earlier, Charles Dickens had contributed to the popularization of crime fiction with his works; moreover, his early career as a parliamentary court reporter and his interest in courts and lawyers were to be reflected in his later novels that deal with the legal aspect of the society. Wertheim (1994, p. 115) confirms this view by suggesting that Dickens richly filled his novels with trials, the law and lawyers from *The Pickwick Papers* to *The Mystery of Edwin Drood*.

There is no point in mentioning the developments that gave birth to the legal thriller in both the Continental Europe and the United States because the early history and progenitors of crime fiction have already been mentioned earlier on. However, it is necessary to recapitulate that the legal thriller in the modern sense is predominantly a

US phenomenon. Pringle (1997), on the other hand, asserts that all kinds of thrillers in the US, including legal thrillers, emerged due to the public's interest in crime. She adds that urban Americans felt themselves surrounded by a wave of crime, with danger hiding here and there in the mid-19th century (Pringle, 1997, p. 13).

It is now worth mentioning the brief economic, social and literary factors that led to emergence and development of legal thrillers from the 1920s. Robinson (1997, para. 20) refers to the economic growth in the 1920s that triggered a population rise in the legal profession as a by product, which caused many lawyers to become writers after feeling disappointed and losing interest in the law practice. She also refers to the golden age of mystery novels in the 1930s and 40s, stating that this combination of factors has led to the creation of some of the best legal mysteries. Bernardt (as cited in Sauerberg, 2016, p. 106) ascribes the success of the genre to a few conditions such as the increasing complexity and decreasing traditional cultural relations such as family, church etc., which have led to the settling of disagreements by lawyers, the connected issue of the establishment of national values, the increase of governance in an American liberal society that necessitates the professionalism of lawyers. It is here worth noting Erle Stanley Gardner's significant contribution to the development and popularization of the genre with his great number of novels as well as his internationally known Perry Mason series, which were made into several movies, radio and TV series. Similarly, Robinson (1997) emphasizes Gardner's great significance by stating that his works have been translated into 30 languages and the courtrooms in the Italian judiciary were called "Perry Mason" courtrooms. Gardner has had an immense significance and must be considered as the author who pioneered the American legal thriller and apparently established the pattern for the genre worldwide (Sauerberg, 2016, p. 46). Moreover, Gardner enjoyed the privilege of being a pioneering author in the legal thriller for almost 40 years with his creation of a firm pattern made for the genre (Sauerberg, 2016, p. 54).

Robinson (1997, para. 24) states that there was an overall decline in the publication of mysteries and thrillers in the 1950s and 60s with the lawyers too busy practicing their profession and making money due to the massive growth of transaction for lawyers. She adds that lawyers once again turned to writing fiction starting from the 1980s. Moreover, she asserts that the massive burn-out in the legal business till 1980s in combination with the decrease of economic growth caused many lawyers to search for

alternative careers, adding that it was with the publication of the *Presumed Innocent* by Scott Turow in 1987 that led to the explosion of the legal thriller (Robinson, 1997, para. 22).

According to Scaggs (2005), the end of the Cold War in 1989 led to the variations of the spy thriller, one of which is the legal thriller. He also contends that the legal thriller, in some aspects represents a change from military and political espionage to the corporate one. Moreover, he asserts that expertise in the legal thriller is replaced with legal professionalism (Scaggs, 2005, p. 120). The legal thriller had established itself with Gardner's Perry Mason series by the 1990s and it began to incorporate a wide range of issues from merely psychological ordeals to social, racial and gender criticism (Sauerberg, 2016, p. 73). Robinson (1997, para. 27), on the other hand, suggests that the legal thriller is a hybrid of hybrids, which draws components from every other mystery subgenre such as the spy story, the financial thriller, the locked room and others. However, Sauerberg (2016, p. 32) asserts that the legal thriller not only shifts the emphasis of crime and its process from the detection events to the conditions under which justice is processed but it also shifts the focus onto the legal profession with specialised staff of lawyers and judges.

1.6. CANONIZATION OF THE GENRE

This study has revealed the rise and development of crime fiction, crime thriller and legal thriller both in the Anglo-American and Turkish literature. It has been suggested that crime has been the focus of attention and source of awe among public, which is one of the most important reasons of its popularity. Moreover, it has been indicated that the perception of crime, criminals and punishment depends on the epoch and the evolution of society. It is of utmost importance to stress the fact that the novel format has consolidated itself in the Anglo-Saxon literary world for about two centuries before the rise of the crime fiction. Moreover, there was an immense interaction in the production of crime fiction works among the Spanish, German, French, American and British literary systems, which led to its relative canonization in the Anglo-Saxon world. In contrast, the introduction of the novel format into the Turkish literary system almost coincides with that of crime fiction. These two recent narrative formats were imported to the Turkish literary system first under the influence of French until the declaration of //

Meşrutiyet (The Second Constitutional Era in the Ottoman Empire) and then under British and American influence following the establishment of the Turkish Republic in the second decade of the 20th century.

Given the above-mentioned information above, it is necessary to reveal some of the reasons as to why the crime fiction and thriller is regarded as having relatively low literary merits, particularly in the Turkish literary system. Black (2010) emphasizes the uneasy relation that crime fiction has had to what is regarded as “literature” by some critics and scholars by referring to the inclination among literary authors to write under pseudonyms when producing works in crime fiction . Moreover, he states that authors and proponents of crime fiction find themselves on the defensive concerning its artistic status. Furthermore, he points out two main reasons why there is a resistance against crime fiction being considered as literature, the first being the perception of crime itself as a low quality subject matter and the second stemming from its origins that included the narration of criminal nonfiction consisting of trial transcripts, prison memoirs and public confessions obtained from criminals. He also asserts that these nonfictional forms were generally considered to have no literary merits in that they fall short of having the degree of aesthetic subtlety and technical artistry customarily related to great literature (2010, p. 76).

Another criticism ascribed to crime fiction might stem from the assumption that it has a repetitive formula and escapist nature. This assumption might arise from the overgeneralization due to the repetitive structure of the clue-puzzle mysteries. Furthermore, there have been a few attempts to narrow down the scope of the genre with prescriptive approaches such as *Ten Commandments of Detection* by Ronald Knox, *Twenty Rules for Writing Detective Stories* by S. S. Van Dine and *the Detection Club Oath*. However, one should bear in mind that works produced under the classical detective fiction format are only a part of the crime fiction, which covers a great deal of other subgenres in which authentic and artistic works are produced. In addition, Chandler (2002, p. 7) seeks to account for one of the reasons why the detective story can rarely be acclaimed. He suggests that it usually deals with murder and crime and hence lacks the element of spirituality, adding that it leads to frustration among human race, which has a lot of sociological repercussions.

Similarly, Cawelti (1977, p. 9) refers to the two main aspects of formulaic works scorned in the serious artistic thought of the last century, which are their standardization and appeal to the needs of escape and distraction. However, he asserts that formula literature is a kind of literary art, which could be examined and assessed like any other kind of literature. Üyepazarcı (2008) states that Turkish critics and authors were wrongfully under the impression that detective fiction had no literary merits up until the late 20th century. Moreover, he points out that there were not any single author dedicated to writing merely detective fiction in the Turkish literature, adding that those who authored detective fiction wrote under a pseudonym in order not to tarnish their reputation as novelist and to merely make a living. In contrast, he accounts for the wrong impression about detective fiction due to its being scorned by “serious critics” as low brow, which could only be evaluated under “popular literature” (p. 134). However, he rejects this impression and asserts that “good detective fiction” is good literature, adding that there are as few good detective fiction works as “serious literature” works regarded by “serious” critics (Üyepazarcı, 2008, p. 29). Likewise, Chandler (2002) refers to scarce nature of art by saying that “There are no vital and significant forms of art; there is only art, and precious little of that.” (p. 8). Similarly, Haycraft (1968, p. viii.) reveals the status of serious novels by citing Somerset Maugham, who states that today’s serious novel is lamentably “namby-pamby”. On the other hand, Üyepazarcı (2008, p. 30) acknowledges that there are some works of detective fiction having low literary merits; however, he argues that the detective fiction in general should not be regarded as having low literary merits, pointing to the consideration of the novel by many critics as being non-literary because it did neither used the verse form nor the canonical language of the time.

Priestman (2003, p. 1) claims that the assumed barriers between “low” and “high” literature have been gradually disassembled and adds that crime texts are progressively regarded as deserving close analysis, pointing to the immense number of well-researched and carefully discussed studies of the crime genre since the 1960s. However, Üyepazarcı (2008, p. 30) asserts that the wrongful evaluation of crime fiction as escapist and entertaining by Turkish intellectuals has had negative influence more on the Turkish literature in the last fifty years; however, he refers to the developments leading to the canonization of the genre both in Turkey and abroad. He adds that Mina Urgan- one of the most influential figures on English literature in Turkey and head of the English Language and Literature Department of Istanbul University has been

succeeded, with a twist of fate, by a professor whose PhD study focuses on the British detective fiction. Furthermore, he refers to the institute and study center established in Liege University in honor of Georges Simenon (Üyepazarcı, 2008, p. 30). What's more, he rejects the assumption that crime fiction readers have poor knowledge of literature by suggesting that Charles Dickens, André Gide, Ernest Hemingway, William Faulkner, Jorge Louis Borges, Guillaume Apollinaire, Çetin Altan, Murathan Mungan, Pınar Kür are avid readers of crime fiction, to name but a few (Üyepazarcı, 2008, p. 31). Moreover, he states that Faulkner, who was awarded the Nobel Prize in 1949 produced two detective novels as well as a novel with detective fiction plot (Üyepazarcı, 2008, p. 787). He also states that Paul Auster wrote *Squeeze Play* under the pseudonym Paul Benjamin in the first years of his authorship, which was reprinted in the US and translated into several languages, including Turkish in 2000 (Üyepazarcı, 2008, p. 803). Finally, he concludes that works of crime fiction has gradually started to replace the dominant social novel genre for the last forty years, which he regards as a clear indicator of how vivid and creative the genre is (Üyepazarcı, 2008, p. 31).

As for the canonization of the crime fiction genre in the West, Cawelti (1977, p. 1) hints at the gradual canonization and acclamation of the works of crime fiction among even professional critics and scholars devoted to the serious analysis of artistic masterpieces, adding that there is an immense number of books, films, magazines built on such formulaic structures and they are of enormous importance in terms of artistic and cultural phenomena. Referring to the literary status of crime fiction in Turkey, Şahin (2013, p. 17) states that there has been a progressive interest in the works of crime fiction in Turkey since 1990 and indicates that the genre has gained a strong foothold in Turkey with the works of crime fiction created by such authors as Ahmet Ümit, Celil Oker, Osman Aysu, Mehmet Murat Somer and Esmahan Aykol. Similarly, Uyepazarcı (2008, p. 275) refers to the disappearance of the negative view in the West since 1960 that crime fiction works lack literary merits. He adds that this negative opinion has also recently been disowned in Turkey with the translation of works by Simenon, Chandler, Hammett, Patricia Highsmith and Umberto Eco.

Given the reviews above, one can conclude that crime fiction has established itself in the West as a canonized form of narrative. In contrast, one might assert that crime fiction in Turkey has, for a long time, been discarded as a form of literature with low merits and regarded by many as a means of solely making money under pseudonyms.

However, there has been a gradual decline in this negative view regarding crime fiction works in Turkey particularly since the 1990s. The increasing number of both translated and indigenous works of crime fiction in Turkish produced by authors who use their real names rather than pseudonyms is a clear indicator of the decreasing negative attitude towards crime fiction in Turkey.

One might argue that the legal thriller genre has become a canonized narration since the early 1990s in the US literary system with the tremendous success achieved by the two main authors of legal thrillers, i.e. Scott Turow and John Grisham. Its canonical status might stem from the relatively long tradition of crime writing that includes law in the Anglo-American literature. It is worth noting that John Grisham in particular deserves a considerable attention in this study owing to his continuous success as the top legal thriller author since 1990s. Each of his works between 1990 and 2000 remained bestsellers in a row in the US even though it is disputable whether a bestseller necessarily has literary merits. Moreover, his legal thrillers have managed to stand among the most acclaimed works in the US, selling millions of copies and translated into dozens of languages worldwide, with some of them having been adapted to screenplay, which helped his works to be acclaimed by more people. Furthermore, it is interesting to mention the enthusiasm of the young people in the US about legal issues; for example, Grisham's *Theodore Boone* series, the protagonist of which is a 13-year-old student dealing with legal issues have been published in 6 books.

In contrast, one can clearly see that it was in 1987 with the translation of Scott Turow's *The Presumed Innocent* that legal thrillers began to be introduced to the Turkish literary system. It is worth mentioning that the data regarding the publication of legal thrillers in Turkey have been obtained via KASIF, which is the database search engine of the National Library of Turkey. It is also important to remark that there is not any single Turkish author who has produced his/her own legal thriller in Turkish and it is especially through Grisham that the works of legal thrillers are assumed to have been appreciated by Turkish readers. Moreover, almost all of his books have been translated into Turkish by three publishing houses (*Altın Kitaplar*, *Inkılâp* and *Remzi*). Some of them have even been published with new translations mainly by Remzi. We have made a search online (www.remzi.com.tr, www.nadirkitap.com and <http://kasif.mkutup.gov.tr>) regarding the classification of Grisham's legal thrillers in Turkish; however, we have

found that none of his works have been labeled as legal thrillers. The search reveals that Grisham's legal thrillers have been classified as either detective fiction, American novel, or simply as novel. Additionally, it is worth noting that the search on KASIF shows us that some of his legal thrillers have been misspelled on the portal; for example, *The Pelican Brief* has been classified as "*The pelikan brief*", *The Runaway Jury* as *The Runeway Juri*, *The Testament* as *The testoment*, *The Client* as "*The clien*" (<http://kasif.mkutup.gov.tr>). One might argue whether it stems from lack of care on the side of KASIF's registration department or from the relatively low status of the legal thriller in the Turkish literary system.

1.7. CRIME FICTION IN TURKEY

Üyepazarcı (2008, p. 631) points out that a great majority of translated crime fiction works come from the Anglo-American crime literature. He adds that the translation process of the predominant French crime literature into Turkish that started in the second half of the 19th century almost came to a halt following *II. Meşrutiyet* and then was replaced by that of Anglo-American detective fiction authors in the 1920s. When we search the term crime fiction, we have encountered the appropriation of the term in several languages such as *le roman policier* in French, *novela policiaca / la novela criminal* in Spanish, *kriminalroman* in German, *Криминальный роман* (criminal novel, literally translation) in Russian and *polisije roman* in Turkish (https://en.wikipedia.org/wiki/Crime_fiction). One might assume that Turkish appropriation of the term was influenced by French, which was the first most used foreign language in use during the late period of the Ottoman Empire. Moreover, it is interesting to see the translator's note in the preface of the Turkish translation of Ernest Mandel's *Delightful Murder* published in 1985. Providing some translations of the terms encountered in the book, Saraçoğlu adds a note in his translation into Turkish stating that "there are different variations of the crime fiction genre in the West, which is almost unknown in Turkish in terms of production... instead of defining it as crime story or novel, we have preferred to put forward the concept of polisije roman, which is mostly prevalent in Turkish" (Hoş Cinayet, 1985, p. 6, my translation).

Üyepazarcı (2008) emphasizes the immense influence of the French language on Turkish until the proclamation of *II. Meşrutiyet* (Second Constitutional Era of the

Ottoman Empire shortly after 1908), adding that the majority of detective fiction works translated into Turkish is mainly from British and American literatures since the foundation of the Turkish Republic in 1923. Moreover, he shifts our attention to an interesting point by stating that the publication of the first indigenous crime fiction in Turkish coincides with that of the translated crime fiction. He states that Ahmet Mithat Efendi was the pioneering author and translator, who translated *Les Tragédies (ou drames) de Paris* by Ponson du Terrail- the first detective fiction translated into Turkish in 1881 and published three years later his own work *Esrâr-ı Cinâyât*, which is the first indigenous detective fiction in Turkish (p. 133). Similarly, Berk (2004, p. 81) highlights the important role played by Ahmet Mithad Efendi in Turkish literature as probably the most fruitful author and journalist of his time, publishing immense number of works ranging from fiction to nonfiction works. Considering his high level of productivity, one can assume that he acted as a catalyst to promote the popularization of novels in the Turkish literature. Üyepazarıcı (2008) claims that the detective fiction genre played a dominant role in the translation of novels following II. Meşrutiyet, adding that there emerged a new kind of readership in Turkish with a growing interest in the detective fiction, particularly dime novels such as Nat Pinkerton and Nick Carter. Even more, similar works began to be produced in Turkish and published in serials (p. 147). This growing interest became a source of inspiration for Turkish authors and contributed to the production of similar works such as “Türklerin Sherlock Holmes’ü Amanvermez Avni” and “Türklerin Nat Pinkerton’u Kandökmez Remzi” etc (Üyepazarıcı, 2008, p. 149). It is of vital importance to refer to the works of hardboiled fiction in Turkish and two of the most influential masters of hardboiled detective fiction, namely Dashiell Hammett and Raymond Chandler in order to appreciate its immense influence on the appearance and development of new subgenres such as spy fiction and thrillers.

Dashiell Hammett is one of the pioneers of hardboiled fiction with his production of 5 novels and 67 stories, most of which were published in his *Continental Op* series in *Black Mask* magazine between 1923-1934 (Üyepazarıcı, 2008, p. 810). Moreover, Hammett, unlike his predecessors, was a groundbreaking author of crime fiction with his authentic style and he was at least in the same league with such authors as Hemingway, Fitzgerald and Faulkner. It is worth highlighting the fact that *The Maltese Falcon*, which is generally considered his finest work of mystery was published in Turkish 14 years after its publication in 1930. Likewise, *Red Harvest*, which was

published in 1929 was translated in Turkish 39 years later in 1968 (Üyepazarıcı, 2008, p. 812).

Another interesting point is the fact that Hammett based his stories mainly on his own experiences as an operative of the Pinkerton Detective Agency, which clearly shows the influence of dime novels on the emergence of hardboiled fiction. On the other hand, Raymond Chandler, who is considered as one of the most influential authors of hardboiled fiction, was awarded two times The Edgar Allan Poe Award in 1946, and 1954 respectively (Üyepazarıcı, 2008, p. 812). He also asserts that all the Turkish translations except for Fatih Özgüven's translation of *The Big Sleep* in 1992 have been poorly translated. It is equally necessary to mention Lawrence Sanders as the greatest master of hardboiled fiction in the modern sense. Üyepazarıcı states that he was awarded twice (Üyepazarıcı, 2008, p. 812). He also was granted The Edgar Award as well as 14 different awards especially with his Scudder stories (Üyepazarıcı, 2008, 826).

Üyepazarıcı (2008, p. 826), refers to the shift of perception towards crime fiction in Turkey in the 1990s and states that works by Sanders have been introduced to the Turkish literature in a cautious and serious way by Oğlak Publishing since 1997. Another interesting point is that all the series of Rhodenbarr have been translated by Mehmet Harmancı, who also translated *The Pelican Brief* by Grisham.

It is worth mentioning the importance of the works by Erle Stanley Gardner, who is the most widely translated crime fiction author after Agatha Christie in Turkish (Üyepazarıcı, 2008, 760). His best-known works focus on the lawyer-detective Perry Mason, who is assumed to have played a major role in the emergence of legal thrillers. This assumption is further validated by Sauerberg's *The Legal Thriller from Gardner to Grisham - See you in Court!* (2016).

It is also worth referring to the one of the most notable developments in crime fiction in Turkey in the 1950s, which is the Mayk Hammer series by the Turkish author Kemal Tahir, who was inspired by the American author Mickey Spillane's fictional character Mike Hammer. It is quite interesting to note that there were hundreds of pseudo-translations in Turkish even though the author produced only a few dozens of books, which is a clear indicator of its reception by Turkish readers back then. Last but not least, Üyepazarıcı (2008, p. 839) states that both the hardboiled detective fiction and the spy

thriller occupied a significant place in the crime fiction literature translated into Turkish between 1950 and 1970.

It is necessary to refer to a few of the most notable authors of thrillers with their translation in Turkish in order to appreciate the current status of thrillers in the Turkish literary system. The first author that comes to mind when referring to the thriller genre is Edgar Wallace, who produced the first instances of thrillers. Üyepazarcı (2008, p. 637) states that Wallace is one of the most famous British authors of detective fiction, whose works were translated the most in Turkish between 1935-1960. It is also necessary to mention Robert Ludlum, who is one of the most renowned thriller authors whose works have been translated in dozens of languages and sold millions of copies. Üyepazarcı (2008, p. 878) claims that he is one of the most famous authors of thriller, adding that almost all of his books have been translated into Turkish. In addition, he mentions Frederic Forsyth as the greatest master of British thriller and adds that almost all of his thrillers have been translated in Turkish within a relatively short time after its publication (Üyepazarcı, 2008, pp. 727-728).

There are many more works of thrillers translated in Turkish. However, this study mainly focuses on legal thrillers as a subgenre of thriller; therefore, it is reasonable to conclude that the quantity of thrillers translated into Turkish has gained momentum since the 1990s and especially 2000s, which has, in turn, contributed to its popularization among Turkish readers. It is equally important to mention two Turkish authors of detective fiction who have made a considerable contribution to the development of crime fiction in Turkey since the 1990s. The first author worth mentioning is Ahmet Ümit, who has written a dozen detective novels as well as a few detective stories. One might suggest that almost all of his books have been produced in line with hardboiled detective fiction.

Osman Aysu is the second author worth referring to because of his pioneering works in detective fiction since the 1990s. Unlike Ümit, one might claim that he writes mostly in the thriller genre rather than detective fiction. However, Üyepazarcı (2008) argues that the level of indigenous works of crime fiction in Turkish is not profound enough to set out to categorize his works as thrillers. He suggests that Aysu be defined as an author of indigenous crime fiction rather than thriller (p. 390). In addition, he claims that Aysu is the first Turkish author who has delicately managed to make an optimal blend of four

elements in a thriller, which are crime, mystery, sex and violence, adding that his works are readily accepted by Turkish readers who are familiar with the works by great authors of American thrillers (Üyepazarıcı, 2008, 391).

Prior to dealing with the household names for legal thrillers in the modern sense such as John Grisham and Scott Turow, it is worth mentioning the background which might have led to the emergence of legal thrillers in the 1990s. Therefore, it is important to refer to Richard North Patterson, who practiced law and vice-prosecutor in Ohio and was awarded Edgar Award for his first work *The Lasko Tangent* in 1979. Moreover, he was awarded Grand Prix de Litterature Policiere. One might claim that his works oscillate between political and legal thriller. It is interesting to note that four of his books were published in Turkish by Oğlak Publishing House with three of them translated by Mehmet Harmancı (Üyepazarıcı, pp. 885-886).

Another more important contribution to the emergence of legal thrillers in the modern sense comes from Scott Turow, who also practiced law. There are four of his legal thrillers translated into Turkish with the translation of *The Presumed Innocent* in 1987 being the most notable before the introduction of Grisham's works in the Turkish literature. It is worth noting that it was published by Altın Kitaplar- the same publishing company that published *The Pelican Brief*. After mentioning the predecessors of legal thrillers in the modern sense, it is of vital importance to shift our attention to John Grisham whose legal thrillers between 1990 and 2000 gained the status of bestseller by New York Times. Üyepazarıcı (2008, p. 889) argues whether being a bestseller necessarily indicates the literary merit of an author; however, he claims that Grisham is a great master of legal thrillers because of his expertise in law. In addition, almost all of Grisham's books have been translated to Turkish with some of them being published with different translations such as *The Firm*, *The Rainmaker*, *The Pelican Brief* etc. Moreover, almost a third of his works, including but not limited to the above mentioned works, has been adapted to screenplay, which most probably has led to his widespread popularization both in the US and Turkey. Furthermore, he was awarded twice with *Harper Lee Prize for Legal Fiction* with his *The Confession* and *Sycamore Row* in 2011 and 2014, respectively (<https://www.law.ua.edu>).

One can clearly see that legal thrillers, especially those by Grisham have enjoyed relatively immense popularity both in printed and screenplay format in the Turkish

literature since the early 1990s. Moreover, one can claim that its position in the Turkish literary system has been invigorated by the retranslations of his works in a more careful fashion since the 2000s. However, it would be a superfluous conclusion without taking into account the developments in the crime fiction and the interactions among the subgenres that foster one another in the whole system of crime fiction. Therefore, one should bear in mind that there exists an inextricable bond among works of crime fiction, which facilitates their emergence and evolution in time.

1.8. LAW AND LITERATURE: LEGAL THRILLERS

It is generally accepted that law is an inevitable part of life, with its presence felt in the very fabric of society. Hence, it is possible to assert that law is the componential element of society. There is no denying that such a vital element of society goes unnoticed in the works of literature, particularly in those that put legal issues in their center. Thus, it is important to highlight what literature and law have in common. Ashburn (2004, p. 67) claims that both literature and law share the engagement of producing stories which enlighten, produce and mirror normative worlds that combine experiences which would go unnoticed and silent in public view. Similarly, Wishingrad and Gemmette (1996, p. ix) point to the long-standing natural relationship between law and literature by stating that legal themes have pervaded literature and myth since ancient times. Moreover, they seek to validate their view by giving examples of literary figures such as Chaucer, Shakespeare, Kafka and Dickens, who were intrigued by the close relationship between the law and literature (Wishingrad & Gemmette, 2004, p. x). Therefore, it is of vital importance to emphasize the significant importance of the close relationship between law and literature in the case of legal thrillers because they mainly focus on the legal system in which lawyers, their employees, a legal proceeding or a legal concept remain at the center. Based on Terry White's compilation *Justice Denoted: The Legal Thriller in American, British, and Continental Courtroom Literature*, one can clearly see that legal thrillers are predominantly a US phenomenon followed far behind by the United Kingdom. It is also important to note that Common Law, which is applicable particularly in the United States is assumed to have played a major role in the production of legal thrillers. According to Freedland, the fascination with courts is deeply rooted in American culture, in which Americans will sue anyone, even their parents. He adds that this preoccupation with law stems from the Constitution that

provides a myriad of liberties (<https://www.theguardian.com>). Likewise, Sauerberg (2016, p. 2) states that the US legal system is marked by its democratic element in the trials by jury, adding that prosecution offices are generally elective. On the other hand, he claims that the non-Anglo-American examples of legal thrillers mostly do not bear any resemblance to what is generally regarded as modern legal thrillers, adding that they are solely contributions to the “non-generic literary fiction” with social and psychological concerns that employs legal issues as a background (Sauerberg, 2016, p. 177). Therefore, it is necessary to shift our focus on the characteristics of the Common Law and its interaction with literature in general and legal thrillers in particular. However, before referring to the Common Law applied in the US, it is necessary to mention the Roman/Civil Law, which is applicable in many non-Anglo-Saxon countries such as Switzerland, Germany and Turkey.

Sauerberg (2016) compares both legal traditions, stating that the court machinery in the Anglo-Saxon countries plays quite an active role whereas the courtroom built on the Roman/Civil Law tradition leads a less noticeable life. Moreover, he ascribes the relatively more prominent role played by the court in the tradition of common law to the existence of precedence that provides a central role (pp. 2-3). Precedence in common law refers to “a previously-rendered legal decision that formally creates an existing legal ruling.” (<https://common.laws.com>). In other words, it means judicial decisions that have already been made in similar cases. In contrast, courts built on the tradition of Roman/Civil law rely heavily on statutes, namely codified set of regulations and laws. It is worth referring to the flexibility of the common law, which even allows an attorney to argue for a complete reversal of existing law and claims that there are two main guiding concepts in the common law, which are: “1. *There are not right and wrong arguments, but better and worse and 2. Everything can be challenged*” (White, 2010, p. 105).

Similarly, Sauerberg suggests that it is thanks to the primary role of the Common Law playing at every level in society that allowed for the emergence of the genre in the US. Moreover, he hints at the literature-productive bond between the Common Law and legal thrillers based on suspense structure discernible from the real courtroom (2016, pp. 2-4).

It is an undeniable fact that *The Pelican Brief* by John Grisham, who has a profound level of legal experience as an attorney is one of the most exemplary legal thrillers. By centring its plot on the dynamics of the common law, Grisham makes sporadic

references to the US legal system and pits a young law student against the crooks of the judicial system of the US in the book. Generally considered as a subgenre in the huge web of crime fiction, legal thrillers often sets out with the court proceedings after the investigation process. Sauerberg (2016, p. 1) claims that legal proceedings play a very active role in the ultimate solution of a case. It is equally important to bear in mind that legal thrillers are usually authored by people with legal backgrounds such as lawyers, prosecutors and judges; therefore, It is not only the legal terminology that pervades the book but also the distinct elements that refer to the US culture, which this study labels as CSIs. Bearing in mind that CSIs vary from state to state in the US, it is not surprising that readers from a different country whose both cultural and legal system bear dissimilarities will find it difficult to appreciate these items. However, it is beyond the scope of this chapter to delve more in culture and translation. Therefore, the next chapter shall focus on the concepts of culture, CSIs, Venuti's macro strategies of domestication and foreignization and Aixela's micro strategies of conservation and preservation to deal with the cultural and legal differences between English and Turkish with the Polysystem Theory by Even Zohar in the background, which is assumed to shed light on the translation strategies based on the position of legal thrillers in the Turkish literary polysystem.

CHAPTER 2: THEORETICAL BACKGROUND

This chapter seeks to provide the theoretical background of the study by referring to the Polysystem Theory developed by Even-Zohar with a particular focus on the position of crime fiction and Grisham's legal thrillers in the Turkish literary polysystem. It is of vital importance to pinpoint the position of legal thrillers in the Turkish literary polysystem with view to explicating its influence on the translation strategies employed in the two translations of *The Pelican Brief* at two different periods in the Turkish literary polysystem. In addition, the concepts of culture, cultural translation and CSIs will be described in detail as polysystem theory is assumed to have placed a special emphasis on culture in translation. Then, a particular emphasis shall be placed on the two main translation strategies propounded by Venuti, namely domestication and foreignization, which constitute the backbone of this study. In line with Venuti's macro strategies, this study seeks to make use of Aixela's micro translation strategies of CSIs, namely conservation and substitution. These strategies are assumed to be instrumental in determining the general approach of each translator by means of 11 sub-strategies, which shall be provided in details regarding the translation of not only CSIs but also that of legal terminology in *The Pelican Brief*.

2.1. THE POLYSYSTEM THEORY

It is important to stress the significance of the Polysystem Theory developed by Even-Zohar in this study because it not only places an exclusive emphasis on culture in translation and literature but it also refers to the struggle between home literature and translated literature. Moreover, the theory refers to the position of the abovementioned literatures in a specified polysystem, which is assumed to be instrumental in predicting the overall translation approach, i.e. domestication or foreignization to be adopted by translators; therefore, it is necessary to start with the definition of the polysystem theory in order to appreciate its function in the analysis of the study. Even-Zohar (1990, p. 11) defines polysystem as "*a multiple system, a system of various systems which intersect with each other and partly overlap, using concurrently different options, yet functioning as one structured whole, whose members are interdependent*". In addition, Shuttleworth (2014, p. 127) elaborates on the function of the theory by stating that it seeks to explain the behaviour and evolution of literary systems and adds that

polysystem refers to a layered amalgam of interconnected parts that changes as these parts interact with each other. Moreover, these systems are hierarchized in the polysystem even though they are not equal and it is the constant struggle between the multiple strata (Even-Zohar, 1990, p. 14). Ben-Ari (2013, p. 144) agrees with Even-Zohar and states that a literary system is a dynamic socio-cultural construction where centre and periphery struggles over which models or norms will dominate and shape the centre. It is important to explain the following key concepts in the Polysystem Theory, namely, "*repertoire*", "*center*" and "*periphery*", "*canonized*" and "*non-canonized*" as well as "*primary*" and "*secondary*" in order to grasp its function and utilization in the study.

Even-Zohar (1990, p. 39) designates "*repertoire*" as the sum of rules and materials which regulate both the production and utilization of any given product, adding that by product, he means any executed or executable set of signs, including a given "behavior. Moreover, "in the (poly)system it is in the repertoire that canonicity is most concretely manifested" (Even-Zohar (1990, p. 17). Therefore, it is important to refer to the concepts of "canonized" and "non-canonized. "Canonized" means "the literary norms and works (i.e., both models and texts) which are accepted as legitimate by the dominant circles within a culture and whose conspicuous products are preserved by the community to become part of its historical heritage" whereas "non-canonized" refers to "norms and texts which are rejected by these circles as illegitimate and whose products are often forgotten in the long run by the community" (Even-Zohar, 1990, p. 15). Therefore, products remaining in the center of a given system are deemed as "*canonized*" whereas those remaining at the periphery are considered as "*non-canonized*". It is also necessary to remind that there is a close relationship between the two pair of binary oppositions, namely "*center*"- "*periphery*" and "*canonized*"- "*non-canonized*". In other words, there is a positive correlation between these pairs. Gürçağlar (2016, p. 130) states that literary texts are located either in the center or at the periphery of a given literary polysystem, adding that these locations tend to change over time.

Even-Zohar (1990) defines the last pair of binary opposition, which is "*primary*" and "*secondary*" in terms of innovativeness and conservatism in the repertoire. He designates "*primary*" as products of a state where the increase and reestablishment of a repertoire is enhanced with the introduction of new elements, whereby it is less likely

to predict each product. In contrast, he defines “*secondary*” as products of a state in which derivative models related to a certain repertoire are produced in full harmony with what it permits, with any digression being regarded as unacceptable (1990, p. 21).

In other words, we are faced with an innovative repertoire and system when it is in primary position whereas we encounter a conservative repertoire and system in the case of a literature in secondary position. Moreover, Even-Zohar (1990, p. 21) asserts that the tension between the primary and secondary positions are equally as important as the struggle between the canonized and non-canonized status in the system. It is therefore necessary to highlight the importance of this struggle between the two subsystems, namely home literary system and translated literary system. Likewise, Shuttleworth (2014, p. 127) states that any given literary polysystem tends to evolve because of the perpetual tension between the usually conservative “canonized” forms that seek to maintain their influential position and the innovative “non-canonized” forms that seek to displace them from their central position. Making a reference to the two distinct positions taken up by translated literature, Even-Zohar (1990) states that in case translated literature sustains a central position in the literary polysystem, it takes an active part in forming the center of the polysystem. In contrast, he suggests that in case a translated literature retains a peripheral position within the polysystem, it usually makes use of secondary models and is modelled in line with the conventions created by the dominant type in the receiving literature; therefore, it becomes a chief element of conservatism (pp. 46-48).

In addition, he puts forward three conditions that lead to a situation in which translated literature takes a primary position and shapes the center with its innovative feature:

- (a) when a polysystem has not yet been crystallized, that is to say, when a literature is “young,” in the process of being established;
- (b) when a literature is either “peripheral” (within a large group of correlated literatures) or “weak,” or both;
- (c) when there are turning points, crises, or literary vacuums in a literature

(Even-Zohar, 1990, p. 47)

In other words, the position of a translated literature in a given period determines the acceptance or rejection of the existing norms. When a given translated literature takes a secondary position in a polysystem, translations follow existing norms without any

attempt of innovation. On the other hand, it tends to impose norms and introduce new models in the case where translated literature enjoys a primary position. Based on the definitions of the key concepts regarding the theory, it is now necessary to provide a general framework of the translated crime fiction in the Turkish literary polysystem.

2.1.1. The Position of Translated Crime Fiction in the Turkish Literary Polysystem

It has already been mentioned that there exists a constant struggle for domination between the centers and peripheries of a given literary polysystem, which is vital for the evolution of the society. Shuttleworth (2014, p. 127) suggests that one needs to take into account both the canonized and the non-canonized forms in order to gain a thorough view over the dynamics that mould a literary polysystem. Hence, it is necessary to mention the continuous struggle for power between the indigenous and translated crime literature in the Turkish literary polysystem. It is also equally important to refer to Even-Zohar's concept of "canonized" and "non-canonized" texts since they are assumed to be instrumental in explaining the struggle between the abovementioned two literary systems.

Moreover, it is necessary to cast a brief gaze upon the *Tanzimat*, which refers to the period of reform in the Ottoman Empire around the first half of the 19th century in order to appreciate the struggle between these two literary systems in the Turkish literary polysystem. However, one must admit that this study has limited sources in its attempt to pinpoint the position of translated crime fiction in general and legal thrillers in particular due to the limited and insufficient number of studies in the field. The first source is Saliha Paker's paper "*Translated European Literature in the late Ottoman Literary Polysystem*", which offers invaluable insight into the important role played by the translated literature in the Turkish literary polysystem. The second source is Üyepazarcı's exhaustive two-volume work on the rise and development of crime fiction both in the West and Turkey titled "*Korkmayınız Mister Sherlock Holmes! Türkiye'de Polisiye Romanın 125 yıllık Öyküsü*". The third major source is KASIF, which is the search database engine of the National Library of Turkey that provides valuable information regarding the date and number of publication, name of the author, translator(s) and publishing house(s) as well as the genre where each work belongs to.

Paker (2003, p. 27) refers to the important changes taking place in the Turkish literature and states that three new forms of literature, i.e. “Western poetry, philosophical dialogues and novel” were introduced to the Turkish literary polysystem in 1859. Moreover, she suggests that the Contemporary Turkish Literature emerged under the influence of the European and particularly French literature during the Tanzimat Period in which translations from those literatures played a significant role in its formation (Paker, 2003, p. 26). By the same token, Yazıcı (2005, p. 127) claims that the repertoire in a given culture is formed not only by the contributions of the members in a given society but also by products imported from other literatures such as “translation”. Similarly, one can clearly see that works of crime fiction in Turkey began to be imported from the West, particularly from France in the late 19th century and a repertoire of crime fiction began to develop thereafter along with the original works of crime fiction.

Paker (2003, p. 30) refers to Divan literature and Folk literature in Turkey, claiming that Divan literature between the 16th and 19th century was considered canonized form of literature remaining in the centre. In contrast, Folk literature had to remain at the periphery, enjoying a non-canonized status. On the other hand, she makes a reference to the primary and secondary concepts, namely innovativeness and conservatism in the repertoire of the Turkish literary polysystem. She states that Divan literature was taking a secondary position in the late 19th century because it no longer continued creating new products (Paker, 2003, p. 30).

Shuttleworth (2014, p. 127) states that translated literature generally assumes a peripheral position, but sometimes can receive a more significant role. One may argue that the translated literature in the Turkish literary polysystem had an important role during the Tanzimat Period. Paker (2003) holds this view and asserts that translated literature made its way from the peripheral position into the central position of the Turkish literary polysystem via especially the prose style used in journalism. She maintains her view that the translated literature “*actively shaped the center*” of the Turkish polysystem, adding that it made its way into the “*center*” with the introduction of both “*canonized*” and “*non-canonized*” literature (p. 31).

Üyepazarıcı (2008) states that the emergence of the detective fiction in the Western literature is seen almost 200 years after the introduction of the novel genre. He adds that the Turkish readers were introduced to the translation of first detective fiction in

1881, almost 20 years later after the importation of the first translated novel in 1862 (p. 516). Moreover, it is worth noting that the relatively shorter time gap (11 years) between the appearance of the first indigenous novel with that of indigenous crime fiction in Turkish. Based on the information above, one can clearly see that both the novel genre and the detective fiction were introduced to the Turkish literary polysystem almost at the same period.

A more thorough analysis has been provided in the first chapter regarding the status of the crime fiction in Turkey. Therefore, it is enough to reiterate the assumption that both translated and indigenous works of crime fiction have been virtually considered as “*non-canonized*” and enjoyed their position at the periphery of the Turkish literary polysystem. The fact that Turkish crime fiction writers have usually considered it as a source of making a living and used pseudonyms in order not to tarnish their reputation might be a clear indicator of its relatively low position. However, one can see that this relatively “*low*” status has been challenged in the last few decades with the production of quality works in crime fiction. Gürçağlar (2016, p. 130) validates this assumption by asserting that both the fantastic fiction and the crime fiction genre in Turkey have made their way into the center, shaping it and becoming a canonized form of writing following their non-canonized status at the periphery for a while.

Last but not least, it should be emphasized that crime fiction in general - both in terms of production and translation and legal thrillers- only in terms of translation have made a relatively significant move from the peripheral position towards the central position in the Turkish literary polysystem since the late 1990s. It is now equally important to shift our focus to the position of translated legal thrillers in the Turkish literary polysystem in order to gain a more tangible insight into the translation strategies offered by Venuti adopted in the two translations of *The Pelican Brief*.

2.1.2. The Position of Grisham’s Legal Thrillers in the Turkish Literary Polysystem

Following the discussion on the possible influence of the position of the translated literature in a polysystem, it is necessary to shift our focus to the position of John Grisham’s legal thrillers in the Turkish literary polysystem. It is assumed to help us gain

a better insight into the translation strategies of domestication and foreignization in the two Turkish translations of *The Pelican Brief*.

The history of legal thrillers in the Turkish literary polysystem is relatively a recent phenomenon in comparison to the other forms of crime fiction such as dime novels and classical detective fiction. One can clearly see that legal thrillers made their debut in Turkish literature in the late 1980s with the translation of *The Presumed Innocent* by *Scott Turow*. However, it is in the early 1990s that legal thrillers have started to maintain its place in the Turkish literary polysystem mainly with the translations from John Grisham, who is considered to be the household name for legal thrillers in the US literary polysystem.

Bearing in mind that almost all of his works have been translated into Turkish, with some of them being published with different translations and several of them being adapted to screenplay including *The Pelican Brief*, one might deduce that his works have been largely acclaimed by Turkish readers. A more detailed analysis of the works by Grisham translated into Turkish has been provided in Table 2 in Chapter IV.

An online search about Grisham's legal thrillers translated into Turkish through some portals such as www.kasif.mkutup.gov.tr, www.remzi.com.tr and www.nadirkitap.com seemingly suggests the general attitude adopted towards the non-recognition of the legal thriller as a subgenre of its own in the Turkish literary polysystem. His works are considered as "American novels", "novel", "detective fiction and adventure", respectively with no mention of their characteristics as legal thrillers; therefore, one might claim that legal thrillers still remain at the periphery of the Turkish literary polysystem.

2.2. CULTURE

It should be noted that this study does not seek to provide an extensive amount of information regarding culture because it is a vast field with blurry boundaries, which is partially related to the scope of the study with regard to the analysis of CSIs; otherwise, the study might run the risk of being overshadowed by the vastness of the concept. Therefore, more emphasis shall be placed on cultural translation and CSIs. On the other hand, it is important to highlight the close relationship between polysystem theory

and the concepts of culture and cultural translation in particular before setting out to define key elements. Gürçağlar (2016, p. 129) states that the theory which was developed by Even-Zohar under the influence of Russian formalists aims to emphasize the significant role of the cultural production, especially that of literature in the evolution of societies. Similarly, Yazıcı (2005, p. 126) explains that the Polysystem Theory refers to a theory that attaches special importance to the target literary system by framing the translated literature in a cultural concept. Moreover, Hermans (2014, p. 118) suggests that it is generally accepted that the polysystem theory made a contribution to a “cultural turn” in translation studies, which has rendered the study identical with the study of culture. Likewise, Bassnett (2007, p. 16) refers to the cultural turn in translation studies in the late 1980s and early 1990s and links the emergence of cultural studies with polysystems theory, claiming that it had prepared the groundwork for cultural turn.

It is now necessary that the concept of “culture” be defined from the point of translation studies after displaying its close relationship with the polysystems theory. Katan (2009) provides three existing meanings of culture, suggesting that the first meaning refers entirely to the humanist ideal of what is regarded “civilized” in a developed community whereas the second meaning refers to the way of life of people, adding that the third meaning refers to the endeavours to identify ideological or political grounds for particular cultural behaviour. Moreover, he proposes his definition of culture as a shared ‘model of the world’, a ranked system of harmonious and interconnected values, beliefs and strategies that could rule action and interaction (p. 70). On the other hand, Snell-Hornby (1988) offers the translation of Göhring’s definition of culture as “... *everything one needs to know, master and feel in order to judge where people’s behaviour conforms to or deviates from what is expected from them in their social roles, and in order to make one’s own behaviour conform to the expectations of the society concerned — unless one is prepared to take the consequences of deviant behaviour*” (p. 40). In addition, she translates Vermeer’s definition of culture as “*the totality of norms, conventions and opinions which determine the behaviour of the members of a society, and all results of this behaviour (such as architecture, university institutions etc.*” (Snell-Hornby, 2006, p. 55)

Katan concludes that culture means not only as a sum of frames or levels but as a united system, in constant change, through which textual signals are arranged and reinterpreted commensurate with context and individual perspective (Katan, 2009, p.

73). It is also worth noting that there are numerous definitions of culture and there is no unanimous agreement among scholars on a common definition. Katan (2009, p. 70) refers to the non-consensual state of the concept, stating that practitioners and theorists in the field of translation studies are in disagreement over the meaning and significance of culture.

2.2.1. Cultural Translation

As mentioned earlier, the polysystems theory had significantly shifted the emphasis on culture and cultural studies since the 1970s. Leppihalme (1997, p.1) points to the new approach with a gradual shift of emphasis on culture in translation studies that emerged around 1980. Similarly, Carbonell (1996, p. 79) refers to the shift in translation studies in the last 30 years from normative studies dealing with the linguistic perspective towards descriptive studies that deal with the cultural context. Leppihalme (1997) suggests that translation studies with cultural orientation do not consider both the source and the target text as examples of linguistic substance, adding that texts exist in a given culture with each of them having particular function and readership of its own (p. 3).

Bearing in mind the various meanings of culture, it is necessary to refer to the cultural translation, which is deemed crucial to the analysis of CSIs in the study. Conway (2010) comes up with two definitions for cultural translation from two fields; anthropology and cultural studies. He considers it as a displacement, adding that it refers to distinct forms of negotiation in which people participate when they are displaced to another cultural community from another (p. 21)). Sturge points out that it refers to the practices employed in literary translation which reconcile cultural difference, or seek to transfer substantial cultural background, or aim to depict another culture through translation. She claims that 'cultural translation' is set against 'linguistic' translation, adding that it brings about complex challenges such as dealing with dialect, literary allusions and culturally specific items (2009, p. 67). On the other hand, Nord deems translating as intercultural action and shows that translation occurs in concrete, specific situations that include members of different cultures. She asserts that language is an inherent section of a culture, particularly if culture is defined as a "totality of knowledge, proficiency and perception" (2014, p. 23). Bassnett (2005)

claims that translation, even though it has a pivotal core of linguistic activity, involves the conveyance of “meaning” in a process that involves a complete set of extra-linguistic elements. Moreover, she emphasizes the inseparable relationship between language and culture and points out that it is not right to strip a text from its culture (p. 22-23). On the other hand, Nord (1997, p. 59) states that each culture has its own conventions, habits and rules of verbal and nonverbal behaviour, suggesting that translation problems between cultures stem from the dissimilarities in such conventions as measuring, formal and text-type conventions. Similarly, Aixela (1996, p. 54) points to the cultural dissimilarity between two linguistic communities and the recognition of the significant role that cultural transference plays in translation. Sturge (2009, p. 67) mentions two ways of rendering the cultural differences, orienting toward exoticizing or leaning toward naturalizing, which suggests Venuti’s strategies of foreignization and domestication. Now, it is worth stressing out that CSIs be defined now that some information regarding the concepts of culture and cultural translation has been provided.

2.2.2. Culture-Specific Items (CSIs)

Aixela (1996) points to the drawback with the definition of CSIs because he suggests that “everything is culturally produced, starting with the language itself” (p. 57). However, it is important to refer to Aixela (1996), who puts forward the “*double tension*” that any translation is exposed to before defining CSIs as follows:

(1) being a worthwhile literary work (text) in TL [target language] (that is, occupying the appropriate position, or filling in the appropriate 'slot', in the target literary polysystem).

(2) being a translation (that is, constituting a representation in TL of another pre-existing text in some other language, SL [source language], belonging to another literary polysystem, that of the source, and occupying a certain position within it) (pp. 52-53).

Moreover, Aixela (1996) claims that this demand of “double loyalty”, which refers to both its representation of a source text and its validity as a text in itself is revealed in four main domains, which are “Linguistic diversity, Interpretive diversity, pragmatic or intertextual diversity and cultural diversity”. Moreover, he elaborates on cultural diversity by stating that there exists a set of value judgements and habits that are

sometimes distinct and sometimes overlap in each linguistic or national-linguistic community, which constitute a variability element that the translator is required to consider (pp. 52-53). Considering the double tension above, Aixela (1996) defines CSIs as “those textually actualized items whose function and connotations in a source text involve a translation problem in their transference to a target text, whenever this problem is a product of the nonexistence of the referred item or of its different intertextual status in the cultural system of the readers of the target text” p. 58). In other words, he claims that a CSI cannot be said to exist of itself but as a consequence of a divergence that stem from any linguistically represented reference in a source text that creates a translation problem during its transference to a target language because of the nonexistence or distinct value of the referred item in the target language culture (Aixela, 1996, pp. 58-59).

2.3. TRANSLATION STRATEGIES

The cultural distance between “linguistic” and “national-linguistic communities” inevitably poses a challenge to the translators in their effort to translate certain CSIs. Hence, they are required to adopt certain translation strategies to overcome certain challenges. Thus, a translation strategy is meant here to refer to any intentional method adopted by the translators to deal with that specific challenge. This study particularly focuses on the dichotomy of domestication and foreignization strategies propounded by Venuti to determine the general translation approach adopted in the two different Turkish translations of *The Pelican Brief*. Moreover, it also takes into consideration Aixela’s micro translation strategies of conservation and substitution to help us evaluate the adoption of certain translation strategies put forth by Venuti.

According to Aixela (1996), translation provides a wide spectrum of strategies ranging from conservation, which means the adoption of the otherness via reproducing cultural signs in the source text to naturalization, which refers to the conversion of the difference into a cultural replica. Moreover, he suggests that, including other factors, the degree of tolerance of the receiving society is instrumental in the choice between these strategies (p. 54). Moreover, Bassnett (2005, p. 7) states that the emphasis on the poetics of the target culture constitutes the center part of the polysystem theory, suggesting that it should be possible to estimate the circumstances under which

translations might take place and to predict what kind of strategies translators might resort to. Likewise, Lepiphahme (1997, p.ix.) emphasizes the necessity that the translators be sensitive of their responsibility to the target text readers and bear that in mind when choosing translation strategies, suggesting that a translation failing to mark the differences in cultural backgrounds is often incomprehensible, which might hamper communication in a negative way. Hence, the translator needs to be cognizant not only of both source and the target culture but also aware of translation strategies in order to tackle challenges likely to occur during the translation process. One of the main objectives of this study is to reveal Venuti's two main translation strategies, i.e. domestication and foreignization adopted in the two different Turkish translations of *The Pelican Brief*. Moreover, it seeks to determine the particular translation strategies offered by Aixela in the translation of CSIs in the two Turkish publications. In addition, it is highly necessary to remind that this study seeks to shed light on the translation strategies considering the position of both the translated crime fiction and legal thrillers in the Turkish literary polysystem.

The study has already provided some information regarding the polysystem theory and the position of translated crime fiction along with that of legal thrillers by Grisham in the Turkish literary polysystem. Hence, it is of vital importance to refer to not only Venuti's macro translation strategies, namely domestication and foreignization but also Aixela's micro translation strategies regarding intercultural manipulation, which fall under two main categories, namely *conservation* and *substitution*. It is worth noting that Aixela, drawing upon Venuti's translation strategies of domestication and foreignization, suggests that the procedures for conserving CSIs, namely foreignization, include repetition, orthographic adaptation, non-cultural translation, and intra-textual/extra-textual gloss. In contrast, he suggests that the procedures for the substitution of CSIs, namely domestication cover synonymy, limited universalization, absolute universalization, naturalization, deletion, and autonomous creation, each of which shall be explained in detail with examples.

2.3.1. Domestication & Foreignization Strategies by Venuti

Prior to shedding light on Venuti's two main translation strategies, i.e. domestication and foreignization as well as Venuti's point of view regarding translation and translators, it is highly necessary to mention the impact of Schleiermacher on Venuti.

Munday mentions the German Romantic movement in the early 19th century and its interest in such issues as translatability, untranslatability and nature of translation regarding the improvement of German literature and culture. He refers to Friedrich Schleiermacher as a translation theorist distinguished for his seminal lecture titled “Über die verschiedenen Methoden des Übersetzens (On the different methods of translating)”. Moreover, he states that Schleiermacher goes beyond the long-standing issues of sense for-sense and word-for-word translation along with faithful and free translation comes up with two ways for the “true” translator:

“Either the translator leaves the writer in peace as much as possible and moves the reader toward him, or he leaves the reader in peace as much as possible and moves the writer toward him.” (Munday, 2013, p. 54):

In addition, he emphasizes that the strategy preferred by Schleiermacher is to move the reader towards the writer (Munday, 2013, p. 54). Similarly, Venuti states that Schleiermacher’s choice of translation was foreignizing, which led French translator and translation theorist Antoine Berman to view Schleiermacher’s discussion as an ethics of translation, relevant with creating the translated text a place where a cultural other is manifested. Furthermore, Venuti refers to Schleiermacher’s two main paths, suggesting that his first path, domestication denotes “an ethnocentric reduction of the foreign text to target-language cultural values, bringing the author back home” whereas the second path, i.e. foreignization points to “an ethnodeviant pressure on those values to register the linguistic and cultural difference of the foreign text, sending the reader abroad” (1995, p. 20).

Bearing in mind Schleiermacher’s influence on Venuti, it is necessary to shift our focus to Venuti’s point of view regarding translation and translators followed by the two translation strategies, i.e. domestication and foreignization developed by Venuti. According to Venuti (1995) “Translation is a process by which the chain of signifiers that constitutes the source-language text is replaced by a chain of signifiers in the target language which the translator provides on the strength of an interpretation” (p. 17). Moreover, he claims that the translation aims to retrieve back the cultural other as the identical, the identifiable, even the familiar, which constantly runs the risk of domesticating the foreign text whereby translation appropriates foreign cultures for domestic political, cultural and economic agendas (Venuti, 1995, pp. 18-19). We now need to focus on Venuti’s strategies of domestication and foreignization now that we

have mentioned his definition of translation and the source of influence and inspiration regarding his own views of domestication and foreignization strategies.

Domestication and foreignization are the two translation strategies propounded by the translation theorist Lawrence Venuti, who has seemingly built his strategies on the long-standing dichotomy of free and literal translation. However, it is of vital importance to state that Venuti places less linguistic concern and designs these concepts from a cultural aspect most probably due to the cultural turn in translation studies which has already been mentioned. It is necessary to provide the definitions and implications of the dichotomy of domestication and foreignization strategies in translation studies in order to evaluate more thoroughly the analysis in the case study, respectively.

Shuttleworth (2014) defines domestication or domesticating translation as a term to describe the translation strategy whereby a fluent and transparent style is employed to reduce the otherness of the foreign text for target language readers (p. 43). In addition, he suggests that a translation based on domesticating translation include such paths as the mindful selection of texts, the intentional use of a fluent target language style, the adaptation of target text to comply with the target language discourse types, the exclusion of source language realia and the overall harmonization of target text with target language preferences and presumptions (Shuttleworth, 2014, 44).

Based on the definitions above, one can conclude that the domestication approach entails a fluent translation with the cultural otherness of the source text stripped from its realia, which in turn leads among readers to the illusion that it has originally been written in the target text.

In contrast, foreignization or foreignizing translation refers to the translation approach in contrast to the domesticating translation. Shuttleworth (2014, p. 59) explains it as a kind of translation used by Venuti to refer to the approach in which a target text is created that intentionally disrupts the conventions of the target language by conserving something of the otherness of the original. In other words, the approach sounds in harmony with Schleiermacher's view that "*the translator leaves the author in peace, as much as possible, and moves the reader towards him*". Hence, it is possible to conserve the cultural otherness and foreignness of a source text with this approach by disrupting the linguistic and cultural conventions of the target text.

Venuti (1995, p. 20) claims that the foreignizing translation reveals the difference of the source text solely by breaking the cultural codes that dominate in the target language. He also states that the approach is based on the premise that literacy is not a universal phenomenon, that cultural dissimilarities between linguistic societies complicate communication, adding that it seeks to identify and let these dissimilarities to model cultural discourses in the receiving language (Venuti, 1995, p. 146). Moreover, he suggests that such a translation approach could be named *resistancy* because it does not only hamper fluency but it also defies the target-language culture even during the presentation of its own ethnocentric violence on the foreign text (Venuti, 1995, p. 24). Aligning himself with the side on the foreignization approach and Venuti suggests that it seeks to prevent the “*ethnocentric violence of translation*”. Moreover, he claims that the foreignizing approach in English could be used as a means of resistance against “*ethnocentrism and racism, cultural narcissism and imperialism, in the interests of democratic geopolitical relations*”. Additionally, he strongly recommends that a translation theory and practice be developed that withstands influential target culture values in order to mark the linguistic and cultural difference of the source text. Furthermore, he asserts that it is possible to change the ways translations are produced and read since it adopts a concept of “*human subjectivity*”, which is quite unlike the “*humanist assumptions*” based on domestication (Venuti, 1995, p. 20).

Based on the definitions and implications of the dichotomy of domestication and foreignization approach propounded by Venuti, one might claim that the domesticating approach does in no way disrupt the flow of reading with its fluent translation and makes the readers feel that they are reading something as an original in the target text; however, such an approach prevents the target text reader from discerning and appreciating the cultural and linguistic difference of the source culture. In contrast, the foreignization approach allows the cultural and linguistic difference peculiar to the source language to be marked and appreciated among target text readers. It is necessary to remind that each approach has its own practical values and peculiarities, which could be employed, among other factors, based on the position of the translated literature in a certain literary polysystem.

In addition, it should be noted that this study does in no way seek to favour one approach against the other; otherwise, it would run the risk of being a one-sided study to underestimate or overemphasize either approach. It solely aims to reveal the general

translation approach adopted in each of the Turkish translations of *The Pelican Brief* regarding Venuti's domestication and foreignization macro strategies along with Aixela's micro translation strategies of CSIs and Polysystem Theory.

2.3.2. Aixela and Translation Strategies for CSIs

Considering the definitions and implications of the dichotomy of domestication and foreignization strategies, it is necessary to refer to Aixela whose translation strategies of CSIs bears a great importance on determining the general translation approach in each translation. Javier Franco Aixelá, a senior lecturer at the Department of Translation and Interpretation at the University of Alicante, Spain is renowned to have grouped all possible strategies applied in the translation of CSIs.

It is worth stating that there have already been some earlier attempts by several other scholars to provide translation strategies and procedures such as Chesterman, Baker, Vinay & Darbelnet. However, these strategies were put forward predominantly under the influence of linguistic perspective rather than cultural because they were all put forward prior to the cultural turn in translation studies. In contrast, Aixela's classification of translation strategies of CSIs adopts a more cultural stance in comparison to those purely linguistically oriented procedures. Moreover, his manipulation strategies of CSIs, namely *substitution* and *conservation* are seemingly compatible with Venuti's domestication and foreignization strategies, respectively. In addition, he agrees with Venuti's statement on the immense dominance of the fluent translation that favours domesticating approach in the Anglo-Saxon culture, adding that study of how a translator reacts to the same stimuli over time proves to be significant (Aixela, 1996, p. 55). Hence, Aixela's translation strategies of CSIs have been employed in this study along with Venuti's strategies of domestication and foreignization.

Aixela (1990) suggests that his classification has been established according to the degree of intercultural manipulation, which allows for the rapid discovery of the overall tendency of a translation with reference to the *double tension* mentioned earlier. He states that the scale of his classification, based on their conservative or substitutive characteristics and varying from a lower to a greater degree of intercultural manipulation, falls under two main strategies, which are *conservation* or *substitution*,

respectively (pp. 60-61). It is essentially important to provide a detailed explanation with examples of the 11 procedures of CSI translation under the two main strategies, i.e. *conservation and substitution* suggested by Aixela.

Conservation	Substitution
<ol style="list-style-type: none"> 1. Repetition 2. Orthographic adaptation 3. Linguistic (non-cultural) translation 4. Extratextual gloss 5. Intratextual gloss 	<ol style="list-style-type: none"> 1. Synonymy 2. Limited universalization 3. Absolute universalization 4. Naturalization 5. Deletion 6. Autonomous creation

Table 1: Aixela's Strategies on Manipulation of CSIs

Conservation

Conservation refers to the strategy of preserving and recognizing the cultural uniqueness of a CSI by recreating it with a lesser degree of intercultural manipulation in Aixela's terms (Aixela, 1996, p. 54). The foreignness of the CSI pertaining to the source culture is retained to a certain extent, which tends to break the traditional norms of translation in the target language. Thus, it might create an atmosphere of exoticization where the target readers feel the otherness of the CSI. Conservation strategies grouped by Aixela include the procedures of repetition, orthographic adaptation, linguistic (non-cultural) translation, extratextual gloss and intratextual gloss.

Repetition

This procedure requires that the translators retain as much as they could of the CSI in the source text. Aixela (1996, p. 61) suggests that the translation of place names is the most conspicuous example, claiming that this strategy allows for an increase in the exotic characteristic of the CSI, which is felt more foreign by the target language reader due to its cultural remoteness and linguistic form. For example, the retention of Bloody

Mary or *Chivas* in the Turkish translation as its original form is a clear example of the repetition strategy in *The Pelican Brief*, whereby the Turkish readers are given the opportunity to feel the otherness transferred from the source text.

Orthographic adaptation

Aixela (1996) states that this strategy consists of procedures such as transcription and transliteration because the source language in which a certain CSI is anchored uses a different alphabet than that of the receiving language. Moreover, he adds that this procedure is mainly employed in the translation of references from third cultures such as Russian names in English works (p. 61). Considering the common alphabet used in English and Turkish, one can claim that this strategy is rarely used unless there is a third culture reference written in a different alphabet than that of Latin. However, we have come across an instance of this procedure employed in the translation of *piña colada*, which refers to a Latin American drink in *The Pelican Brief*. The CSI, which was analyzed in depth in the case study was translated as *pina colada* with the removal of the tilde on top of “n” because there is not a letter nor a diacritic sign to represent “ñ” in Turkish.

Linguistic (non-cultural) translation

Aixela states that this procedure refers to the translation of a CSI with a very close denotative reference to the original by providing a target language version that could still be regarded as pertaining to the source text culture system. He adds that not only units of currencies and measurements but also institutions and objects foreign but similar to the target culture are translated using this strategy (Aixela, 1996, p. 62). For example, the CSI “grand jury” in *The Pelican Brief* has been literally translated as “*büyük jür*”. There is no such an institution in Turkish but it makes sense only in connection with the US judicial system.

Extratextual gloss

This procedure is employed when the translator, after using one of the above-mentioned strategies, deems it necessary to provide some information and explanation regarding a certain CSI. Aixela (1996) suggests that the translators do not think it appropriate to combine this explanation with the text; therefore, they provide it with a gloss in the form of a footnote, glossary, endnote, commentary/translation in brackets, in italics, etc., adding that this procedure is employed always in dealing with quotations from third languages (p. 62). This procedure might prove to be useful in that the flavour of the source CSI is retained via one of the above mentioned strategies and the implication of the CSI is conveyed to the reader in an extra gloss. We have not identified any single instance of extratextual gloss in either of the translations of *The Pelican Brief*. However, Aixela (1996, p. 62) gives an example of this procedure in his study of *The Maltese Falcon* by stating that there is a translator's note for Arnold Rothstein, which is explained in the note as *Famous gangster of the years 1920*.

Intratextual gloss

This procedure is quite similar to the extratextual gloss procedure with the main difference in the translators inserting their own gloss as an indistinct part of the text, generally in order not to disrupt the attention of readers. Aixela (1996, p. 62) deems the need to solve ambiguities as one of the foremost universal characteristics of translation, adding that this procedure provides a variation so that anything which is partly revealed in the source text is rendered explicit in the target text.

There are several instances of this procedure in *The Pelican Brief*, especially in the translation of brands; for example, “*She sipped a warm Fresca (p. 55)*” was translated with the help of this procedure by adding an additional information regarding its trait as a soft drink. This procedure proves to be useful in making CSIs explicit in the target text; however, the translator needs to be aware of the source CSI to avoid misunderstanding and confusion among readers. The CSI above has been translated as “*Fresca kahvesi*” in the second translation, which is not the case at all since it refers to a soft drink instead of coffee.

Substitution

Synonymy

Aixela (1996, p. 63) states that this procedure is usually related with the stylistic concerns, adding that the translator employs a type of synonym or similar reference to avoid repeating the CSI. The translation of *Bacardi* as “liquor of sugar cane” or “rum” is a clear example of synonymy. One can clearly see that this procedure avoids repetition and monotony in the text and allows the translated text to have more variation with the help of parallel references

Limited universalization

This procedure is employed in two cases; either when the translator thinks that the CSI is too vague for the comprehension of readers or that there exists another likelihood and prefers to replace it with some other reference that the target readers are more familiar with (Aixela, 1996, p. 63). A striking example in the translation analysis of *The Pelican Brief* is as follows:

“*He found two semichilled **Sprites** in the refrigerator (p. 357)*” was translated in the first translation as “*Buzdolabında iki soğukça **Pepsi** bulup (p. 322)*”.

Considering the fact that the first translation predates the introduction of the brand *Sprite*, the translator most probably felt it necessary to replace it with another reference, i.e. *Pepsi*, with which the Turkish readers were already familiar.

Absolute universalization

Aixela (1996, p. 63) points out that this procedure is similar to the limited universalization with the main difference in that the translators choose to remove any foreign connotations and prefer to employ a neutral reference for target readers. In other words, it deals with the case of translating a CSI with a non-cultural neutral reference. The translators might resort to this procedure when they prefer not to place too much burden on the readers with plentiful intratextual or extratextual elements, thinking that the removal of the CSI in the target text would not affect the basic

meaning.

It is reasonable to state that the adoption of this procedure might have an advantage for readers in that the effort of comprehension of the text is facilitated by the removal of the CSI with the addition of a more neutral reference. However, one should note that it has also a drawback in that the readers are deprived of the chance to be introduced to the CSI in their intercultural journey. We have encountered plentiful instances of this procedure especially in the first translation of *The Pelican Brief*. For example, The brand *Sprite* has been removed and translated as “gazoz”, which is a neutral reference in the second translation of *The Pelican Brief*.

Naturalization

According to Aixela (1996, p. 63), it is an infrequently used procedure in literature except for children’s literature with a gradual decline in the frequency of use. He states that this strategy is employed when “*the translator decides to bring the cultural specific terms into the intertextual corpus felt as specific by the target language culture*” (Aixela, 1996, p. 63). The study shows that there is only one instance of this strategy in the translations of *The Pelican Brief*, which reinforces the claim that is a rarely used strategy in literature.

Deletion

This procedure is employed when the translator regards the CSI as undesirable or too vague on the grounds of ideology or stylistics, or when s/he thinks that the translation of the CSI is not appropriate enough for the target reader to comprehend. Thus, s/he decides to omit the CSI in the target text (Aixela, 1996, p. 64). The analysis shows us clearly that the instances of deletion in the first translation are a lot more than those of the second translation. This might be an indicator of the domesticating translation approach dominant at the time of the introduction of legal thrillers in the Turkish literary polysystem.

Autonomous creation

Aixela (1996, p. 64) points out that this is a rarely employed procedure in translation and used when the translators or usually their initiators think that it could be interesting to insert some non existing cultural reference in the source text for the readers. Moreover, he assumes that this procedure is employed more frequently in the translation of film titles in Spain. We have encountered a couple of instances of this procedure only in the first translation of *The Pelican Brief*. Following the explanation of Aixela's conservation and substitution strategies with the inclusion of procedures pertaining thereof, it is necessary to state that these procedures could be employed not only per se but also in combination with other procedures. It is also worth pointing out that translators are not the ones that control the results even though they are fully responsible for the product. Aixela (1996) refers to the people in authority who control the results such as publishers, proofreaders, editors, directors and other kinds of initiators who may change anything to comply with the social expectations. Moreover, he states that the role of the translator as the interpretative factor is of secondary importance since there are other agents who will not allow translation norms, linguistic and pragmatic rules of the target language culture to be easily broken, particularly in countries with a strong tradition of standards in written terms such as Spain or France (Aixela, 1996, p. 65).

2.4. TRANSLATOR'S (IN)VISIBILITY

The concept of translator's (in)visibility in Venuti's terms needs to be explained because it is inherently related with the translation strategies of domestication and foreignization. Venuti (1995) employs the term "*invisibility*" to refer to the situation and activity of the translator in the modern Anglo-American culture. Moreover, he suggests that the concept denotes two reciprocally decisive phenomena, the first phenomenon being an "*illusionistic effect*" of the translator's manipulation of English and the second referring to the practice of reading and assessing translations that has existed for a long time in the UK, the US as well as among other cultures (p. 1).

It is necessary to mention the concepts of *fluency* and the "*illusion of transparency*" in order to describe *invisibility* more practically. Venuti (1995, p. 1) states that it refers to

an “*effect of fluent discourse, of the translator’s effort to insure easy readability by adhering to current usage, maintaining continuous syntax, fixing a precise meaning*”. However, Venuti laments that the supremacy of *fluency* in English-language translation is evident in the comments from periodicals and newspapers that praise the “*fluent discourse*” and condemn divergence from it over the past fifty years. He adds that these reviews only focus on the style of the translation and fail to mark its significance in terms of “*accuracy, its intended audience, its relation to literary trends in English, its place in the translator’s career*”. In addition, he states that this supremacy of fluency leads to an illusion of transparency that hides the various circumstances under which the translation is rendered. He concludes by stating that “*the more fluent the translation, the more invisible the translator*” (Venuti, 1995, pp. 1-2). Furthermore, he suggests that the illusion of transparency created by fluent translation in combination with the translator’s invisibility immediately renders and conceals a gradual process of domestication of the foreign texts, which leads to the selection of foreign texts susceptible to fluent translation (Venuti, 1995, p. 17). Likewise, Wyke (2013, p. 552) criticizes that the “*fluid*” translation usually serves to strengthen the “*ethnocentric values*” by rendering the foreign elements similar to the influential discourse of the target text, which in turn masks the differences of both between the source and target cultures and texts along with those within the culture and language of translation. Similarly, Shuttleworth (2014) explains that invisibility is a term to describe the role of the translator in rendering a target text possibly to be acceptable in a culture where the standard approach is domesticating translation. He adds that a domesticating approach involves steps such as “*the conscious adoption of a fluent, natural-sounding TL style, the adaptation of TT to conform to target discourse types, the removal of SL realia and the general harmonization of TT with TL preconceptions and preferences*” (Shuttleworth, 2014, p.44).

It is necessary to revisit to the two translation strategies reworked by Venuti, i.e. domestication and foreignization in order to evaluate the implication and relationship of the term *invisibility* with them. As mentioned earlier, domestication ensures an ethnocentric reduction of the foreign text to the linguistic and cultural values of the receiving text. In other words, this approach, which favours a fluent translation brings the author back home and causes the translators invisible because they fail to mark the linguistic and cultural values of the source text in the receiving text. In other words, the

domesticating approach leads to the invisibility of translators since it favours fluent and transparent translations.

In contrast, the foreignizing approach, which ensures the registration of the linguistic and cultural difference of the foreign text in the receiving text sends the reader abroad and renders the translators visible because they succeed in their effort to make these differences noticeable in the target text. In other words, the foreignizing approach leads translators to become visible as translators with their resistant translation since it manages to make the linguistic and cultural otherness of the source text felt in the receiving text. Moreover, the translators, in their adoption of a foreignizing approach, deliberately disrupts the linguistic and genre conventions of the target text so as to register the otherness of the translated texts (Myskja, 2013, p. 3). Venuti (1995, p. 20) advocates the use of a foreignizing approach and calls translators to be more visible as translators since he thinks that foreignizing translation in English can be a way to resist against *“ethnocentrism and racism, cultural narcissism and imperialism, in the interests of democratic geopolitical relations”*.

CHAPTER 3: JOHN GRISHAM AND *THE PELICAN BRIEF*

This chapter has exclusively been dedicated to providing information regarding John Grisham as the author, *The Pelican Brief* as an instance of legal thriller penned by Grisham, Mehmet Harmanlı and Şefika Kamçez as the translator of each Turkish translation of *The Pelican Brief*.

3.1. JOHN GRISHAM'S BIOGRAPHY

There are practically a myriad of information regarding Grisham's biography; however, for the sake of reliability, this study makes use of mainly four sources of information that are directly related with John Grisham, which are John Grisham: Best-Selling Author by Ishizuka (2003) , Readings on John Grisham by Best (2003), John Grisham: a critical companion by Pringle (1997) and Grisham's official website <http://www.jgrisham.com/bio/>.

Ishizuka states that John Ray Grisham, Jr., was born in Jonesboro, Arkansas, on February 8, 1955, the second child of Wanda and John Grisham, Sr. Referring to his early life, adding that Grisham, as a young boy growing up in the farmland of Arkansas, used to pick cotton when schools closed for harvest (2003, p. 9). It is necessary to touch upon the influence of the works of John Steinbeck on Grisham's view about literature. Ishizuka (2003, p. 13) states that John discovered the work of Steinbeck thanks to his high school teacher and adds that *The Grapes of Wrath* had an immense impact on Grisham. Best (2003) acknowledges him as one of the most popular authors of modern fiction in the world, adding that he started his professional career not as an author, but as a lawyer (p. 12). Moreover, she claims that it is thanks to his early career as an attorney that provides the basis of Grisham's fiction, which practically defines the genre. His father, John Grisham Sr., worked as a construction worker who moved to wherever he could find a job. As a result, for the first twelve years of John Grisham's life, the family moved frequently, from one town to another. Early on, John Grisham's parents helped him appreciate the value of reading, encouraging him to read for leisure. Wanda Grisham, Grisham's mother, was powerful as a very religious woman and influenced Grisham beyond encouraging him to read (Best, 2003, p. 16). Her influence on *The Pelican Brief* on religious terms can easily be spotted in Grisham's

reference to David and Goliath (1992, p. 261). However, the analysis of religious references is out of the scope of this study and it is necessary to remind that this study focuses on the analysis of *The Pelican Brief* in terms of legal terminology and CSIs based on Venuti's strategies of domestication and foreignization. Best (2003) states that the parents of John Grisham left their nomadic lifestyle and settled permanently in Southaven, Mississippi in 1967. She adds that Grisham completed his junior high and high school in Memphis, Tennessee. He, as a mediocre student, graduated from Southaven High School in 1973. It is interesting to see Grisham's shift of interest in studying law p. 16). Grisham's disinterest toward school changed with an economics class he enrolled at *Mississippi State University (MSU)* because of the lively dialogue that the students enjoyed with the professor. Therefore, He immediately chose to study economics as his major. However, he decided that accounting suited him even more and graduated with a bachelor degree in accounting from MSU. One year after his graduation, he was admitted into law school at the University of Mississippi in Oxford (Best, 2003, p. 17).

3.2. GRISHAM'S CAREER in LAW and POLITICS

It is important to provide some information about Grisham's career as an attorney and representative since the US legal and political world are the two main sources of reference that he employs in *The Pelican Brief*. This view has been validated by the fact that he was once cited as saying "*I seriously doubt I would ever have written the first story had I not been a lawyer. I never dreamed of being a writer. I wrote only after witnessing a trial*" (<http://www.jgrisham.com>). Disillusioned with tax law with ever-changing rules, Grisham saw that he was good in mock court, in which students play roles in simulated trials. Moreover, he enjoyed the dramatic aspect of this kind of law; therefore, he changed his specialty in criminal law and graduated from law school in 1981 (Ishizuka, 2003, p. 22). Grisham specialized in criminal law and represented people charged with armed robbery, assault and among other crimes. He practiced criminal and personal injury law for nearly ten years. Ishizuka (2003, p. 26) refers to an important event in his law career in which he represented and won the case of a boy burned over 90% of his body due to a water heater explosion, which was one of the largest damage settlements in De Soto County. In addition, Ishizuka (2003, p. 26) reveals an important feature of John Grisham. She suggestst that Grisham found a

particular satisfaction when the “little guy” beat the odds and won against the “big guy”, whether it is a big company, law firm or other powerful bodies, which she claims influenced Grisham and his future works as an author. After practising law for a decade, Grisham ran for the state legislature of Mississippi in 1983 and was elected to the state House of Representatives and served until 1990 (Ishizuka, 2003, p. 25). Serving two terms as a state representative, Grisham held positions on House committees and acted as the vice chairman of the Appointment and Elections Committee.

3.3. GRISHAM’S CAREER as an AUTHOR

Grisham’s first journey to become one of the most acclaimed modern legal thriller authors dates back to 1988 when his his first legal thriller *A Time to Kill* was published, which is based on Grisham’s overhearing a saddening story of a twelve-year-old rape victim at the courthouse. Ishizuka recounts this special moment that would make a huge influence on his decision to become an author legal thriller. She states that Grisham was overtaken with so many emotions when saw a young girl on the witness stand to testify against the man that had violently raped her. He could only imagine what a father’s rage would be and what would happen if the father killed the rapist and had to stand on trial for murder (Ishizuka, 2003, p. 28).

His second novel, *The Firm* was heralding his fame being synonymous with the modern legal thriller when it became the bestselling novel of 1991. In addition, Grisham’s third book, *The Pelican Brief*, was also an enormous success, selling 1.4 million hardback copies and 5.1million paperback copies (Best, 2003, p. 23). Therefore, one may assert that it was *The Pelican Brief* that reinforced his fame as the legal thriller master from the 1990s onward. Since his first experience as writing legal thrillers, Grisham stood among the top authors whose works became bestsellers. Uyepazarcı considers him as undeniably the master of legal thrillers and confirms his status as one of the most renowned bestselling fiction authors by ranking first between 1990 and 2000 in the US, adding that his legal thriller *The Firm* broke a record by ranking first on the bestseller list in the US for 47 weeks (Üyepazarcı, 2008, p. 889).

Almost all of his works were translated into dozens of languages and the total number of his books in print worldwide is estimated to be over 300 million

(<http://www.jgrisham.com>). Furthermore, 9 of his novels (*The Firm*, *The Pelican Brief*, *The Client*, *A Time to Kill*, *The Rainmaker*, *The Chamber*, *A Painted House*, *The Runaway Jury*, and *Skipping Christmas*) have been made into movies. In addition to having authored fictions in the legal thriller genre, Grisham launched his first foray into non-fiction with *The Innocent Man* in 2006 and first short story collection with *Ford County* in 2009. Grisham makes use of legal thrillers as an instrument of expression whereby he exposes the dark side of the law (<http://www.jgrisham.com>). Uyepazarci (2008, p. 889) praises Grisham on his unique skill of expressing complicated legal issues in his works in a way that even an ordinary US citizen can easily comprehend). In his comparison of John Grisham with Thomas Harris, Sutherland (2007, p. 64) regards Grisham more fluent and claims that the underlying liberal idealism in his works aroused the interest of his readers, who spared little time for attorneys, adding that Bill Clinton was also admirer of his works. Categorizing Grisham's novels published between 1990 and 2000, Robson states that of his eleven novels six (*The Firm*, 1991; *The Pelican Brief*, 1992; *The Client*, 1993; *The Partner*, 1997; *The Testament*, 1999; *The Brethren*, 2000) are mainly chase/thriller works whereas the remaining five (*A Time to Kill*, 1989; *The Chamber*, 1994; *The Rainmaker*, 1995; *The Runaway Jury*, 1996; *The Street Lawyer*, 1998) are particularly centred on social issues (Robson, 2001, p. 151). What's more, one can claim that Grisham sparked interest and raised awareness in the US legal system among younger readers with his Theodore Boone Series that deal with Theodore- a boy of thirteen, who gives legal advice to his friends and community just like real lawyers. Along with his awareness-raising legal fiction books for younger readers in the US, Grisham has also made a great contribution to the familiarization of the US legal system overseas with most of his books translated in 40 languages (<http://www.jgrisham.com>).

3.4. GRISHAM'S WORKS

Considering the growing number of editions and copies of Grisham's works, some of which have been adapted to movies, it is obvious that Grisham's works have enjoyed immense popularity both in novel and movie formats. Sauerberg (2016, p. 172) suggests that Grisham's distinction as an author stems from a solid sense of community, which emanates from his works in the form of lawyers stuck between conscience and the cynical demands of the law and politics coupled with human vices including greed. Moreover, he states that Grisham, as in his earlier novels focusing on courtrooms and trials, is mainly concerned

with referring to the defects and weak points in the American legal system in comparison to the overall American ideals and life standards. He also suggests that Grisham adopts a rather muckraking tradition with his legal thrillers in which scandalous events are publicized pertaining to the American political and social structure (Sauerberg, 2016, p. 173).

3.4.1. Works translated into Turkish

It is essential that the translation of legal thrillers by Grisham in Turkish be presented in tables chronologically in order to have a more thorough evaluation with regards to the position of legal thrillers in the Turkish literary polysystem. It is necessary to state that the chronological presentation of his works translated into Turkish shall include not only the year of publication but also publishing houses, translators and number of editions. Moreover, the publication dates of the translated works will be displayed to compare them with those of the original works in order to show the influence of Grisham's legal thrillers in the Turkish literary polysystem. The data regarding the above mentioned elements shall be elicited from mainly two sources, <http://kasif.mkutup.gov.tr> (National Library Database of Turkey) and <http://www.remzi.com.tr> (the most predominant publishing house that has published Grisham's works in Turkish) which are assumed to include the necessary data required for the comparison.

The study admits that solely his works may not be instrumental in determining the position of legal thrillers in the Turkish literary polysystem. However, considering Grisham as one of the most prolific and renowned legal thriller author almost all of whose works have been translated into Turkish, with even some of them being published with a different translation by different publishers, he can be claimed to have become an exclusive name for legal thrillers translated into Turkish.

No	Name of the Work English/Turkish	Publisher	Translator	Publication Date (English/Turkish)
1	<i>A Time to Kill / Adaletle Susayanlar</i>	ALTIN KİTAPLAR	Hasan Karabulut	1988 / 1992
2	<i>The Firm / Şirket</i>	İNKILAP	Mehmet Harmancı	1991 / 1991, 1993 (2 editions)

		REMZİ	Şefika Kamcez	1991/ 2009
3	<i>The Pelican Brief/ Pelikan Dosyası</i>	ALTIN KİTAPLAR	Mehmet Harmancı	1992 / 1992,1994 (2 editions)
		REMZİ	Şefika Kamcez	1992/ 2008
4	<i>The Client/ Müşteri</i>	ALTIN KİTAPLAR	Fusun Doruker	1993/ 1993
		REMZİ	Fusun Doruker	1993/ 2006
5	<i>The Chamber/ Gaz Odası</i>	İNKILAP	Mehmet Harmancı	1994/1995
6	<i>The Rainmaker/ Yağmurcu</i>	İNKILAP	Mehmet Harmancı	1995/ 1996
		REMZİ	Mehmet Harmancı	1995/ 2006
7	<i>The Runaway Jury/ Jüri</i>	REMZİ	Enver Günsel	1996/ 1999, 2004 (2 editions)
8	<i>The Partner/ Ortak</i>	REMZİ	Müjde Erdinç	1997/1998
9	<i>The Street Lawyer/ Sokak Avukatı</i>	REMZİ	Enver Günsel	1998/ 1998, 2004 (2 editions)
10	<i>The Testament/ Vasiyetname</i>	REMZİ	Enver Günsel	1999/ 1999 (2 editions)
11	<i>The Brethren/ Kardeşler</i>	REMZİ	Enver Günsel	2000/2000
12	<i>A Painted House/ Boyalı Ev</i>	REMZİ	Enver Günsel	2001 / 2001
13	<i>Skiping Christmas (non-legal thriller)</i>	not translated	untranslated	2001
14	<i>The Summons/ Davet</i>	REMZİ	Enver Günsel	2002/ 2002, 2004 (2 editions)

15	<i>The King of Torts/ Tazminat Kralı</i>	REMZİ	Enver Günsel	2003/ 2004
16	<i>Bleachers (non-legal thriller)</i>	untranslated	untranslated	2003
17	<i>The Last Juror/ Son Jüri Üyesi</i>	REMZİ	Enver Günsel	2004 / 2005
18	<i>The Broker/ Tuzak</i>	REMZİ	Enver Günsel	2005 / 2005 (2 editions)
19	<i>The Innocent Man/ Masum Adam</i>	REMZİ	Şefika Kamcez	2006 / 2007
20	<i>Playing for Pizza (non-legal thriller)</i>	untranslated	not translated	2007
21	<i>The Appeal/ Temyiz</i>	REMZİ	Şefika Kamcez	2008 / 2008
22	<i>The Associate/ Çaylak</i>	REMZİ	Şefika Kamcez	2009 / 2009
23	<i>Ford County / Sakin Cennet</i>	REMZİ	Şefika Kamcez	2009 / 2010
24	<i>Theodore Boone: Kid Lawyer/ Küçük Avukat Theodore Boone</i>	REMZİ	Şefika Kamcez	2010 / 2011
25	<i>The Confession/ İtiraf</i>	REMZİ	Şefika Kamcez	2010 / 2011
26	<i>The Litigators/ Davacı</i>	REMZİ	Şefika Kamcez	2011 / 2012
27	<i>Theodore Boone: The Abduction/ Kaçırılan Kız</i>	REMZİ	Şefika Kamcez	2011 / 2011
28	<i>Calico Joe (non-legal thriller)</i>	untranslated	untranslated	2012
29	<i>Theodore Boone: The</i>	REMZİ	Şefika Kamcez	2012 / 2013

	<i>Accused/ Sanık</i>			
30	<i>The Racketeer/ Vurguncu</i>	REMZİ	Şefika Kamcez	2012 / 2013
31	<i>Theodore Boone: The Activist</i>	untranslated	untranslated	2013
32	<i>Sycamore Row/ ÇINARLI YOL</i>	REMZİ	Leyla İsmier Özcengiz	2013 / 2014
33	<i>Gray Mountain/ Maden</i>	REMZİ	Leyla İsmier Özcengiz	2014 / 2015
34	<i>Theodore Boone: the Fugitive</i>	untranslated	untranslated	2015
35	<i>Rogue Lawyer (legal thriller)</i>	untranslated	untranslated	2015
36	<i>Partners</i>	untranslated	untranslated	2016
37	<i>Witness to a Trial (Short Story)</i>	untranslated	untranslated	2016
38	<i>The Whistler/ Muhbir</i>	REMZİ	Leyla İsmier Özcengiz	2016 / 2017
39	<i>Camino Island (legal thriller)</i>	untranslated	untranslated	2017
40	<i>The Rooster Bar/ Dalavere</i>	REMZİ	Füsun Doruker	2017 / 2017
41	<i>Theodore Boone: The Scandal</i>	untranslated	untranslated	2017
42	<i>The Reckoning</i>	untranslated	untranslated	2018

Table 2: List of legal thrillers by John Grisham translated into Turkish

3.5. THE PELICAN BRIEF

Being Grisham's third legal thriller followed by *A Time to Kill* and *The Firm*, *The Pelican Brief* is a legal-thriller written in 1992 with two editions, the first being in hardcover edition and published by *Doubleday*, the second in paperback editions published by *Dell Publishing* in 1993. It is worth noting that a film adaptation with the same title was released in 1993, which might have made a positive contribution to its popularity not only in the US but also overseas as well including Turkey. Interestingly, a few months after its publication in the US that a Turkish translation titled *Pelikan Dosyası* was published in paperback format by Altın Kitaplar with the translation by Mehmet Harmancı. Additionally, 15 years after making its debut in the Turkish literary polysystem, another translation of the book was published by *Remzi Kitabevi* in 2008 with the translation by Şefika Kamçez claiming that the novel was published with a "different" translation by *Altın Kitaplar*. As mentioned before, *The Pelican Brief* contains a considerable amount of legal terminology pertaining to the US legal system as a legal thriller; moreover, it eventually refers to the CSIs pertaining to the US culture system due to its being a work of fiction.

Pringle (1997) states that, similar to what happened when he wrote *The Firm*, Grisham got the inspiration in a constitutional law class during law school. Grisham is cited to have been intrigued by his fascination regarding the outcome of a decision at the Supreme Court due to a one-vote difference. She goes on to claim that the author received inspiration not only from this preoccupation with decision-making but also his interest in common people who have to flee due to the evil forces chasing after them (p. 57).

The novel sets out with the swift killings of the two ideologically divergent Supreme Court justices- a liberal and a Republican-appointed swing voter- with no apparent reason. His lawyer-hero is a woman named Darby Shaw, who is a law student at Tulane University. Based on her research regarding the cases of justices in 11 federal appellate courts, Shaw composes a legal brief in which she speculates that the killings are not politically motivated. The results of her investigation shows her possible names of people who have interest in the elimination of the Court's justices who are radical environmentalists. She composes a legal brief named "*The Pelican Brief*" in honor of the endangered bird. She shares it with Thomas Callahan,- her professor and lover,

who in turn shares it with Gavin Verheek- his friend and a lawyer working for FBI. Soon after this share of information, Callahan is killed in a car bomb explosion in which she manages to stay alive with a stroke of luck. Immediately after the explosion, some suspicious people contact her, which makes her scared and go on the run.

Verheek and Shaw arrange a meeting; however, Khamel-the serial-killer, who also has murdered the two justices kills this time Verheek and impersonates him to kill Shaw. They meet; however, Khamel is murdered by an unknown perpetrator just as he is about to kill Shaw, which makes her scared and flee again.

An informant calling himself *Garcia* and reluctant to show his identity contacts via phone Gray Grantham-a journalist for *The Washington Post* and tells him that he has witnessed something in his law office which he thinks connected to the assassinations of the justices. Darby shares her findings with Grantham and speculates that the killings were perpetrated on behalf of Victor Mattiece- an oil magnate who aims to drill on Louisiana wetlands that harbors an endangered species of pelican. A case is expected to be heard before the Supreme Court that would make a huge impact on whether Mattice could get hold of the land. Darby speculates that Mattice could be behind the orchestration of the assassination to remove the two justices of the Supreme Court because of their radical environmentalism, adding that the current President- a hardline reactionary is authorized to replace the justices as a result of death or retirement. Grantham then shows his agreement to assist Darby in her seek to prove her speculation. Events get all the more complicated keeping in mind that the oil tycoon has supported the President during the presidential campaign with a considerable sum.

Thinking that it might pose a serious risk for the his re-election, the President and his Assistant Fletcher Coal seek to prevent people from learning White House's link with Mattiece. The President commands that the FBI Director F. Denton Voyles temporarily cease working on the brief and orders CIA Director Bob Gminski, whom he sees more trusted to carry out the investigation instead. The CIA sends an agent to Mattice in their investigation on the brief; however, events get more complex with the killing of the agent by Mattiece, who virtually has become irrational over the past years. Grantham and Darby succeed in identifying Curtis Morgan alias Garcia, who is an employee at the law firm working for Mattiece. However, they learn that Garcia has been murdered some days before that. They contact Garcia's wife and find out Morgan's written and

videotaped confession in which he confesses to having accidentally realized that some of his co-workers were implicated in the assassinations. After receiving this invaluable confession, Darby and Grantham contact *Post's* chief editor to be able to run a story on the event. Thereafter, the FBI director contact them, revealing that he has a tape-recorded conversation with the President commanding him to discontinue working on the pelican brief, and that the CIA conducts an inquiry into Mattice and has killed the serial killer to save Darby. The story gains a spectacular reception in the face of the objections shown by the President and his staff, which results in the President losing his prospect for re-election and Mattice disappearing. The story ends with Darby settling on an island in the Caribbean and Grantham joining her for a month, which Pringle (1997, p. 63) regards as less compelling than the end of the Firm.

It is worth reminding that *The Pelican Brief* has two main foci, politics and environment. Therefore, it is no wonder that the events take place mainly in two places, namely the Washington D.C. as the hub of the politics and New Orleans, Louisiana as the natural environment. As mentioned earlier, the common law is applicable in the US, which differs from state to state and even between cities. Hence, it is inevitable that the book reveals various legal terminology belonging to several states and cities. It is worth noting that the book makes references to certain culture-specific elements pertaining to the given places. One should also bear in mind the meticulous search that Grisham conducted during his composition of *The Pelican Brief* as for the places. Pringle (1997, p. 58) states that Grisham did some research for *The Pelican Brief* in order to provide more accurate descriptions of action in New Orleans and Washington by pinning street maps of both cities on his wall. It is essential that several characteristics of *The Pelican Brief* be presented in terms of layout and messages. To begin with, Pringle (1997, p. 63) suggests that Grisham employed similar strategies in *The Pelican Brief* as in *The Time to Kill* and *The Firm* in terms of layout, with chapters tending to be shorter. One can clearly see that Grisham makes use of legal-thrillers to express his messages regarding various topics. In *The Pelican Brief*, Grisham accuses the oil industry of arrogantly acquiring things through greedy actions, which can cause the United States to become weak and even fall down. Moreover, the book leads readers to global conclusions. Pringle (1997) points out that the most essential of these conclusions is that social wrongdoing in our society surpasses a single corrupt law firm, adding that corruption appears everywhere: in government, in industry and in the newspaper business (pp. 66-67).

Last but not least, Pringle (1997) views *The Pelican Brief* from Marxist perspective and suggests that a tiny number of industries will damage the integrity of a government and its people if they are left uncontrolled, adding that profit for the ruling classes should not exceed the rights of the rest of people (p. 72).

3.6. ABOUT THE TRANSLATORS

The Pelican Brief was published by Altın Kitaplar in Turkish first with the translation by Mehmet Harmancı in 1992, just in the same year when the book was published in English. Moreover, the book had two editions by the same translator, the second being published two years later in 1994. On the other hand, it was published by Remzi Kitabevi 16 years later in 2008 with a different translation by Şefika Kamçez. It is worth noting that, as one can observe in the table above, Grisham's legal thrillers made their debut into the Turkish literary polysystem with the publication by Altın Kitaplar and Inkılap Publishing in the early 1990s. One can realize that the predominance of the two publishing houses in the publication of Grisham's works ceased to exist from the mid-1990s on, with its predominance being replaced by the publication by Remzi Kitabevi. One can clearly see that Remzi Kitabevi has started to be the sole publisher that has offered both Grisham's re-translated editions and new translations from the mid-1990s until now. As for the number of translated works provided by each translator, one can easily notice that Mehmet Harmancı translated 4 legal thrillers by Grisham in collaboration with Altın Kitaplar and Inkılap Publishing in the early 1990s whereas Şefika Kamçez has produced 12 translations of legal thrillers by Grisham in collaboration with Remzi Kitabevi from the mid-2000s until 2015. It is now necessary to refer to the brief biography of the translators along with their career as translators, including a summary of an online interview carried out with Mehmet Harmancı, which might be instrumental in shedding light on his translation approach and strategies.

3.6.1. Mehmet Harmancı

It is a pity that there exists very little information regarding the translator, who has provided hundreds of translations for over 50 years. However, it clearly indicates the low value attributed to the translation and translators in Turkish, which in turn leads to

the invisibility of translators. The search about Harmancı's biography online has yielded few results. The website of one of the most renowned online bookseller in Turkey provides a little about his biography. It states that, born in 1932, Harmancı graduated from English High School and Işık High School. Having dropped out of law school, he had his first translations of stories published in Varlık Magazine in 1952, which has been one of the most influential and pioneering literary magazines in Turkish. Encouraged by Yaşar Nabi Nayır, who was the founder of Varlık Magazine, Harmancı had his first novel translation published in 1953. He was enlisted in the same year and did his military service in Korea as a translator together with Abdi İpekçi and Can Yücel, who were among the prominent authors, poets and translators of his time. Following his return from Korea, he had his story translations published in Milliyet Newspaper and established Köprü Publishing and Koza Publishing in 1965 and 1973, respectively (<https://www.dr.com.tr>). One can clearly see that he has been actively in the field of translation of both stories and novels since the mid-1950s. Our search on KASIF system has yielded hundreds of translations by Harmancı, including but not limited to works by Ernest Hemingway, Jack London, John Steinbeck, Graham Greene, John LeCarré etc. To be more precise, he is supposed to have translated 533 works belonging to a wide spectrum of literary genre. As for his translations of works by Grisham, there are 4 legal thrillers, which are *The Firm*, *The Pelican Brief*, *The Chamber* and *The Rainmaker*. Moreover, one can clearly see that he has relatively an immense amount of experience in the field of translation, particularly in the field of crime fiction based on the search on KASIF.

It is of vital importance to provide a brief summary of an online interview with him by İhsan Yılmaz in 2002 regarding his record-breaking experience in the field of translation since it gives invaluable information regarding his approach of translation, particularly that of bestsellers.

When he is asked about his first translation, Harmancı replies that he had his first translation of stories by O'Henry at the request of Yaşar Nabi Nayır in 1952. When he is asked whether he has made his living solely by translating, he states that he has worked in his family business during day and translated during night for years. Asked about the number of his translation, he refers to his method of translation and states that he translates 4 to 5 books at the same time, accepting that he knows what the author will say after 10 pages. When he is asked whether there exists a class

difference among translators, he states that translators of bestsellers have long been frowned upon in Turkish and complains that critics consider only a few intellectual people as real translators, adding that translatorship has long been scorned. When he is asked about his daily routine regarding the practice of translation, he states that he translates 20 pages a day. It is interesting to point out the attitude he has adopted for the translation of bestsellers. He expresses his low opinion regarding the translation of bestsellers and states that they are easy and quick to translate. Moreover, he suggests that they have a definite pattern and one can understand why you don't want to become an author after you see them (<http://www.hurriyet.com.tr>).

3.6.2. Şefika Kamcez

Şefika Kamçez is a graduate of the English and American Language and Literature at Istanbul University. It is also a pity that there is little information about her. The information regarding her has mostly been elicited via e-mail correspondence with the translator herself. She states that she has worked with several publishing houses and translated many books along with technical translations. Based on the search on KASIF, she is assumed to have translated 25 books, ranging from technical translations to crime fiction, especially those of legal thrillers by John Grisham. It is worth noting that she translated a considerable number of Grisham's legal thrillers in collaboration with Remzi Kitabevi, which has published both the re-translations and translations of Grisham's recent works. She has translated 11 legal thrillers by Grisham which are as follows:

The Innocent Man (2007), The Appeal (2008), The Firm (2009), The Associate (2009), Ford County (2010), Theodore Boone: Kid Lawyer (2011), The Confession (2011), Theodore Boone: The Abduction (2011), The Litigators (2012), Theodore Boone: The Accused (2013), The Racketeer (2013)

CHAPTER 4: CASE STUDY

Legal thrillers as a subgenre of crime fiction focus on the legal procedures related with crime. As mentioned before, *The Pelican Brief* contains a considerable amount of legal terminology as a legal thriller; moreover, it eventually refers to the CSIs pertaining to the US culture system due to its being a work of fiction. Therefore, it is of vital importance to take into consideration the characteristics of the common law applicable in the US. This study mainly deals with the question of how different the two translations are in terms of Venuti's strategies of domestication and foreignization. Moreover, it is concerned with how the two translators coped with the challenges in the translation of both legal terminology and 6 categories of CSIs at two different periods in light of Aixela's strategies of dealing with CSIs. In addition, Even-Zohar's Polysystem theory is assumed to shed light on the position of crime fiction in general and legal thriller in particular in the Turkish literary polysystem that might have influenced the translation strategies thereof. Venuti's dichotomous translation strategies, i.e., *domestication* and *foreignization* will be employed to reveal the general tendency of the translators in the face of legal terminology and CSI translation whereas Aixela's translation strategies are assumed to shed light on the particular preferences of each translator for a given instance of legal terminology and CSI.

4.1. METHODOLOGY

The comparative analyses shall cover a total of 60 randomly selected instances of both legal terminology and CSIs in the two Turkish translations of *The Pelican Brief* by *John Grisham*. The analyses shall be carried out on three levels.

On the first level, 30 instances of randomly selected legal terminology in the two Turkish translations shall be analyzed in tables. Each legal terminology shall be explained under each table with the help of several online legal dictionaries since it is important to understand what each terminology refers to in a different legal system. In addition, Turkish translations of each terminology will be explained through two main Turkish legal dictionaries titled *Ekonomi ve Hukuk Terimleri Sözlüğü* (*Dictionary of*

Economics and Legal Terms) and *Anayasa Hukukunun Genel Teorisi (The General Theory of Constitution Law)* by *Pars Tuğlacı* and *Kemal Gözler*, respectively.

On the second level, the analysis of a total of 30 examples of CSIs shall be conducted, which have already been classified in 6 subcategories: *brands, units of measurements, acronyms, foreign vocabulary (third party references)* , *foods and drinks, social and ethnic groups*. Therefore, each subcategory shall contain 5 randomly selected examples of CSIs amounting to 30 altogether.

On the third level, the analyses will be put into bar charts, which aim to provide a clear picture of the general inclination of each translator in light of Venuti's *domestication* and *foreignization* strategies.

It is worth noting that each instance shall be analysed in tables, each of which will contain an ST instance, the two Turkish translations and the translation strategies offered by Venuti, i.e. *domestication* and *foreignization*. In addition, translation strategies regarding legal terminology and CSIs will also be analyzed via Aixela's strategies, which are of great use for a more detailed analysis.

4.2. LEGAL TERMINOLOGY

The analysis of the legal terminology in the legal thriller *The Pelican Brief* by *John Grisham* is one of the two main pillars of the study. *John Grisham*, with his professional background as an attorney is one of the most widely acclaimed legal thriller authors with more than 30 legal thrillers, several of which became bestsellers and adapted into movies. He makes sporadic use of legal terminology in *the Pelican Brief* thanks to his legal background. It is necessary to remind that the legal terminology used in the book belongs to the Common Law applied in the United States. Therefore, it is of vital importance for translators to be thoroughly cognizant of the characteristics of the common law that is applied in the source text. Moreover, it is of utmost concern for the translators to take into consideration the fact that the book is an instance of legal thriller, which is a subgenre of crime fiction. Therefore, it is necessary that translators strike a balance in a text considered as being of both informative and expressive

nature. The analyses of the 30 randomly selected legal terminologies are shown in tables as follows:

Example 1

ST	...this had become a traditional celebration of the First Amendment (p. 1)	
TT1	Anayasanın Birinci Ekinin kutlandığı gün olarak gelenekselleşmişti. (p. 7)	
TT2	Geleneksel olarak anayasanın özgürlükler bölümünün kabulünün de parlak biçimde kutlandığı gün. (p. 5)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Intratextual Gloss)	Conservation (Intratextual Gloss)

It is necessary to state that US Constitution is not of statutory nature and could be changed by amendments known as *Constitutional Amendments*, which refers to “changes made to an existing constitution. In U.S., the term constitutional amendment means any modification, deletion, or additions made to the constitution” (<https://definitions.uslegal.com>). Each amendment deals with specific topics regarding the US legal system. For example, *The First Amendment* “guarantees freedoms concerning religion, expression, assembly, and the right to petition...It also guarantees the right of citizens to assemble peaceably and to petition their government” (<https://www.law.cornell.edu>). It is clear from the definition above that *the First Amendment* deals with the liberties.

The analysis shows that both translators resorted to Venuti’s **foreignization** approach and made use of Aixela’s **intratextual gloss** strategy. In their efforts to make the CSI explicit, the TT1 translator inserted his gloss into the text suggesting that it was the first part of the Constitution whereas the TT2 translator provided her gloss that suggested it was part of the liberties in the Constitution. Hence, they have made the CSI explicit by “including their gloss as indistinct part of the text”, which led them to become visible as translators (Aixela, p.62).

Example 2

ST	"Are you familiar with the Freedom of Information Act ?" (p. 65)	
TT1	" Haberalma Özgürlüğü Yasasını biliyor musunuz?" (p. 65)	
TT2	"Acaba Bilgi Edinme Özgürlüğü yasasından haberdar mısınız?" (p. 76)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation Linguistic (non-cultural) translation	Conservation Linguistic (non-cultural) translation

In this example, translators are faced with the task of translating *the Freedom of Information Act (FOIA)* in the US legal system, which “*generally provides that any person has the right to request access to federal agency records or information except to the extent the records are protected from disclosure by any of nine exemptions contained in the law or by one of three special law enforcement record exclusions*” (<https://foia.state.gov>). It is interesting to note that a similar law titled “*Bilgi Edinme Kanunu (Freedom of Information Law, my translation, unless otherwise stated, all translations from Turkish are mine)* in Turkey was passed in 2003 as part of its harmonization process with the EU. It is understandable that the TT1 translator employed Venuti’s **foreignization approach** by way of Aixela’s Linguistic (**Non-cultural**) **Translation** strategy considering that there was no such a similar law in Turkey in the 1990s. However, he translated the term as *Haberalma Özgürlüğü*, which literally means *Freedom of Intelligence* in Turkish. He should have been more cautious with its translation and cognizant of the source term because his translation causes ambiguity among readers. On the other hand, the TT2 translator made use of the same procedure. One can claim she translated the term probably under the influence of the law in Turkey because she translated it as *Bilgi Edinme Özgürlüğü (Freedom of Information) yasası*, which is more or less similar to *Bilgi Edinme Hakkı Kanunu*.

Example 3

ST	Charge him with loitering and planning an ambush? (p. 341)	
TT1	Onu adam kaçırmayı planladığından mı tutuklayacaklardı? (p. 307)	
TT2	Onu sokakta boş boş dolanmakla ve bir pusu planlamakla mı suçlayacaklardı? (p. 373)	
	TT1	TT2

Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Autonomous Creation)	Conservation Linguistic (non-cultural) translation

The translation of the term *loitering* is one of the clear example of how the translation of a legal term from different legal system might pose a challenge to translators from another distinct legal system. In the US legal system, *loitering* means “*physical presence in the same general area for no apparent reason*” (<https://www.law.cornell.edu>). There are criminal statutes against loitering in the US legal system in many states and cities which aim to reduce such actions as gang-related activities, solicitation of prostitution, drug dealing etc. which disturb peace on streets. Under such laws, the police are authorized to arrest someone who refuses to move along. However, there is neither such an ordinance nor statute that specifically targets against loitering in the Turkish legal system. Therefore, translators face the challenge of translating a legal term, the denotation of which does not exist in the target culture.

One can clearly see that the TT1 translator resorted to Venuti’s **domestication** approach via Aixela’s autonomous **creation** strategy by deleting not only the term *loitering* but replacing the whole sentence with the literal translation of “*Were they going to charge him with the plan of kidnapping?*”. Aixela (1996, p. 64) states that autonomous creation is a rarely used strategy and it is usually translators who decide it could be interesting for their readers to offer some non existing cultural reference in the source text.

In contrast, TT2 translator employed Venuti’s **foreignization approach** through Aixela’s linguistic **(non-cultural) translation** strategy. One can easily realize that she remains visible by offering the target language version of the reference still considered as part of the source culture system. However, the translation of the source CSI alien to the target culture causes ambiguity among Turkish readers since there exists neither “analogous nor homologous” CSI in the Turkish legal system (Aixela, p. 62).

Example 4

ST	He came to life briefly when the attorney general from Texas argued that ... (p. 23)	
TT1	Teksas savcısı savunurken bir ara canlanmıştı...(p. 28)	
TT2	Teksas Eyalet Başsavcısı'nın ... söyledikleriydi.... (p. 30)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Conservation (Intratextual Gloss)

It is significantly important to explain the term *attorney general* in the US legal system before analysing the translation strategies into Turkish. It refers to “*the top legal officers of their state or territory. They advise and represent their legislature and state agencies and act as the “People’s Lawyer” for the citizens*” (<https://www.usa.gov>). Additionally, Tuğlacı (2008, p. 49) defines it as *the chief prosecutor who is the head of the US judicial organization*. According to Britannica, “*The attorney general, a member of the cabinet, is appointed by the president and is head of the Department of Justice. Every U.S. state has an elected attorney general with duties similar to those of the federal attorney general*” (<https://www.britannica.com>).

One can clearly see that each state has its own attorney general in the US; moreover, there is solely one federal attorney general, who is the chief lawyer of the federal government of the US. Based on the definitions above, the TT1 translator applied Venuti’s **domestication** approach via Aixela’s **absolute universalization** strategy by stripping the term of its foreign connotation and making it implicit with the translation of *the Texas prosecutor*. On the other hand, the TT2 translator employed Venuti’s **foreignization** approach via Aixela’s **intratextual gloss** strategy by making the term explicit with the additional word “Eyalet (*State*)”, which makes the foreignness of the US legal system felt among Turkish readers.

Example 5

ST	"I have Federal Procedure at nine, (p. 41)	
TT1	"Saat dokuzda asamayacağım bir dersim var."(p. 43)	
TT2	Saat dokuzda usul hukuku dersim var (p. 49)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Autonomous creation)	Substitution (Synonymy)

In this example, Grisham employed the term *Federal Procedure* as a colloquial form of *The Federal Rules of Civil Procedure*, which refers to “the rules governing civil actions in the U.S. District Courts (federal). Hence, they deal with the methods, procedures, and practices used in civil cases in Federal District Courts” (<https://definitions.uslegal.com>). When looking up the term in the Turkish sources, we have encountered term in the dictionary by Kemal Gözler (2011, p. 430) defined as “*medeni usul, hukuk usulu*” (*civil procedure, law procedure*). It is a known fact that there exists a structural difference not only in the judicial system but in the government system between the US and Turkey. Unlike Turkey, the US has a federal government and there is a share of power between the federal government, state and local governments, which lends itself to the creation of civil procedures. It is quite interesting to note how this difference led the translators to adopt certain translation strategies suggested by Venuti. Both translators are observed to have employed the same approach, namely **domestication**. However, their translation strategies under Aixela differ. To illustrate, the TT1 translator preferred to delete the foreign connotation of the word and translated it as “*I have a course at nine that I cannot skip*”. On the other hand, TT2 translator resorted to Aixela’s **synonymy** strategy by translating it as “*I have law of procedure at nine*”. She evidently translated the term with a parallel reference in the target culture; moreover, she makes the CSI more implicit by using lowercase letters. One can claim that both translators remain invisible as translators considering the domesticating strategy which favours fluent translation with the loss of cultural connotation that the legal term conveys.

Example 6

ST	Do you read majority opinions ?" (p. 13)	
TT1	Peki, çoğunluk karar gerekçelerini okur musunuz? (p. 19)	
TT2	Acaba çoğunluk kararlarını okuyor musunuz?" (p. 19)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (linguistic (non-cultural) translation)	Conservation (linguistic (non-cultural) translation)

In this example, the definition of the term *majority opinion* needs explaining before the analysis. A *majority opinion* in a case is defined as the term given to the decision “*written by one judge and joined by majority of the judges considering a given case. In short, it is an opinion joined by a majority of the court. This is mostly referred as opinion of the court and is also called main opinion*” (<https://definitions.uslegal.com>). Both TT1 and TT2 translator employed Venuti’s **foreignization approach** via Aixela’s **linguistic (non-cultural) translation strategy**. Their preference might stem from the fact that there exists no such a term as “*majority opinion*” in the Turkish legal system. However, there exist several terms in Turkish legal system equivalent to the following terms: “*majority*” is defined as “*çoğunluk* (Tuğlacı, p. 307)”; “*Opinion of court*” as “*mahkemenin kararları için gösterdiği gerekçe- reason of the court regarding its opinions* (Tuğlacı, p. 350)”. Taking into consideration the definitions and examples above, one can clearly see that both translators chose a denotatively close reference to the original with the support of pre-established translations of the terms *majority* and *opinion*. Furthermore, their strategy allows the CSI to be recognized as part of the source culture system by target text readers, which contributes to their visibility as cultural mediators.

Example 7

ST	Barr was ... ex-spy with two felony convictions for... (p. 144)	
TT1	... eski bir casustu. Ayrıca. .. iki kere de hüküm giymişti . (p. 135)	
TT2	eski bir casustu ve ... iki kere ceza almıştı . (p. 161)	
	TT1	TT2
Applied		

Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Deletion)	Substitution (Deletion)

Before the analysis of the term, it is of utmost importance to provide the definitions of the term both in the US and Turkish legal system. The term *felony* in the US legal system is defined as “an offense for which a sentence to a term of imprisonment in excess of one year is authorized. Felonies are serious crimes, such as murder, rape, or burglary, punishable by a harsher sentence than that given for a misdemeanor.” (<https://definitions.uslegal.com>). On the other hand, the term *felony* is translated by Tuğlacı (2008, p 209) as suç (*crime*) in the Turkish legal system. However, *crime* is the sole word to define the term *felony* in the Turkish legal system, which does not in any way lend itself to a more detailed translation. In this case, both translators are observed to have employed Venuti’s **domestication** approach by way of Aixela’s **Deletion** strategy by stripping the term of both its denotation and connotation. The TT1 translator evidently removed the term *felony* and translated the subsequent word *conviction*. Likewise, The TT2 translator deleted the term *felony* and came up with a translation which literally translates “*He was sentenced twice*”. Both translators might have found it too obscure and not relevant enough for the comprehension of target readers due to the difference between two legal systems. In conclusion, their domesticating approach leads them to become invisible as translators, though.

Example 8

ST	There was always one on the docket ... (p. 28)	
TT1	Her zaman bu konuda bir dava olduğu için kendisine inanılabildi. (p. 32)	
TT2	Gündemlerinde her zaman böyle bir dava oluyordu zaten. (p. 35)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Deletion)	Substitution (Absolute Universalization)

In the US legal system, the term *docket* refers to “an official court record book which lists all the cases before the court and which may also note the status or action required for each case log containing brief entries of court proceedings. The docket is kept by the clerk of the court and should contain the names of the parties, and an entry of every proceeding in the case” (<https://definitions.uslegal.com>). On the other hand, the the term in the Turkish legal dictionary by Tuğlacı (2008, p.173) is defined as “summary of a verdict; opinion list of a court, a book, in which procedures of the court is recorded”. Based on the analysis in the table above, one can clearly see that TT1 and TT2 translators preferred to use Venuti’s **domestication** approach via Aixela’s **deletion** and **absolute universalization** strategies, respectively. The TT1 translator is observed to have completely stripped the term of its connotation by means of deleting the term. However, the TT2 translator replaced the term with a more neutral reference in the Turkish legal system as “*gündem (agenda)*” to deal with the challenge of translating a legal term belonging to the US legal system, which is nonexistent in the Turkish legal system. However, both translators remain invisible in their failure to make the legal term explicit in the target text.

Example 9

ST	"Who understands Rosenberg's dissent in <i>Nash v. New Jersey</i> ?" (p. 11)	
TT1	New Jersey-Nash davasında Rosenberg'in itirazını anlayan var mı?» diye sordu. (p. 17)	
TT2	"New Jersey'e karşı Nash davasında Rosenberg'in muhalefet şerhini kim anladı?" (p. 17)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Absolute Universalization)	Substitution (Synonymy)

The term *dissent* in the US legal system is referred to as “ a difference of opinion or disagreement with a majority opinion among judges. It also means withholding of assent or approval” (<https://definitions.uslegal.com>). The term is defined in the Turkish legal dictionary by Tuğlacı (2008, p. 170) as “ *intellectual dissent*” referring to the US

legal system while “*dissenting opinion*” is explained in the same chapter as “*dissenting opinion of a judge who disagrees with the majority opinion*”, which is translated to Turkish as “*muhalefet şerhi*”. In terms of Venuti’s approach, both TT1 and TT2 translators opted for the **domestication**; however, their strategies offered by Aixela differ to a certain extent: **absolute universalization** and **synonymy**, respectively. The TT1 translator preferred to translate the term only as *itiraz*, which might cause ambiguity because it might denote opposition, *objection or disagreement* in Turkish. Moreover, he stripped the term of its legal connotation by omitting the word *majority*. On the other hand, the TT2 translator resorted to employing a parallel reference in the target text by translating the term as *muhalefet şerhi*, which exactly gives the impression that the text is about legal system. However, the domesticating and fluent translation strategies of both translators lead them to remain invisible as translators.

Example 10

ST	He showed her the last page of the affidavit . (p. 328)	
TT1	Gray yeminli ifadenin son sayfasını gösterdi.(p. 295)	
TT2	Gray ona yeminli ifadenin son sayfasını gösterdi.(p. 359)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Synonymy)	Substitution (Synonymy)

Affidavit is a legal term that is defined as “*a statement of facts which is sworn to (or affirmed) before an officer who has authority to administer an oath (e.g. a notary public). The person making the signed statement (affiant) takes an oath that the contents are, to the best of their knowledge, true*” (<https://definitions.uslegal.com>). It is necessary to note that there is already a parallel reference to the term in the Turkish legal system which is *yeminli beyan* or *yeminli ifade* (Tuğlacı, p 29). The key point here is that it refers to a *sworn* declaration of written fact on voluntary basis. Considering that there is a parallel reference of the term *affidavit* in the Turkish legal system, both translators had a recourse to the adoption of the same approach and strategy offered by Venuti and Aixela, namely **domestication** and **synonymy**, respectively.

Example 11

ST	Upon parole, he declared himself to be a freelance artist and ...(p. 129)	
TT1	Cezası affedilince serbest çalışmaya karar vermiş, .. (p. 122)	
TT2	Cezası affedildiğinden bu yana kendini serbest fotoğraf sanatçısı olarak tanıtıyor.. (p. 144)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Substitution (Absolute universalization)

The term *parole* is one of the clearest examples of how the translation of a legal term from a distinct legal system might pose a challenge to translators, especially when there is no similar term in the receiving culture. When we look at the definition of the term we can see that *parole* is “the conditional release of prisoners before they complete their sentence. Paroled prisoners are supervised by a public official, usually called a parole officer” (<https://www.law.cornell.edu>). The key point to consider here is the *conditional release*. As for the definition of the term in Turkish, as part of penal law, it is defined by Tuğlacı (2008, p. 360) as “the conditional release of an inmate”. It is necessary to note that the law on the *Execution of Penalties and Security Measures* numbered 5275 regarding the conditional release in Turkey was passed in 2004 (<http://www.ceza-bb.adalet.gov.tr>). The term was established in the Turkish legal system with both *koşullu salıverilme* and *şartlı tahliye (conditional release)*. The TT1 translation (1992) predates the adoption of the law whereas TT2 translation was published in 2008.

It is understandable that TT1 translator chose the **absolute universalization** strategy because there was no similar term in Turkish legal system up until 2004. What is interesting however is that TT2 translator also chose the same **domesticating** approach even though there was already a parallel reference to the term at the time of the publication. We can see that both translators fall short of explicating the term *parole* because they both translate the sentence as “since he was pardoned”, which suggests

that the inmate was freed and released from prison; however, it is not the case here and has nothing to do with pardoning but conditional release. It is evident that such a translation, which lacks a subtle difference in the meaning might lead readers to misunderstand the plot. The necessity that translators be thoroughly cognizant of ST and TT cultures comes into play with this example.

Example 12

ST	... his probation officer smoked it too, (p. 130)	
TT1	whole sentence deleted (p. 122)	
TT2	O kadarını gözaltı memuru da içiyordu; (p. 145)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Deletion)	Conservation (Linguistic translation)

Here is another interesting example to show the translation strategies of a US legal term into Turkish. *Probation* is a legal term which can be defined as “*a sentence handed down to criminal offenders that allows them to remain out of jail, under supervision, as long as certain specific guidelines are followed*” (<https://legaldictionary.net>). The term *probation* was adopted in the Turkish legal system and the concepts established itself within Turkish legal system as “*denetimli serbestlik (back translation, supervised freedom)*” in 2005. The TT1 translator preferred to delete not only the term but the whole sentence, applying Aixela’s **deletion** strategy. In this way, he chose to adopt a **domesticating** approach because he fails to mark the linguistic and cultural otherness of the source text in the receiving text. It is apparent that TT1 translator resorted to the deletion strategy because there was no such similar term in the Turkish legal system when it was published in 1992. In contrast, the TT2 translation was published 3 years after the adoption of the law and translator made use of Venuti’s **foreignization** approach by means of Aixela’s **linguistic translation** strategy. However, she translated the term as “*gözaltı memuru*” (*custody officer*), which has nothing to do with the duty of a probation officer. It is a

clear example why translators as cultural mediators. should be cognizant of both the source and target legal system for a proper and efficient translation.

Example 13

ST	and it wanted a permanent injunction against further drilling. (p. 223)	
TT1	bundan sonra yeni kuyu açılmamasını istiyordu.(p. 203)	
TT2	bundan sonra petrol sondajı yapılmamasını istiyordu. (p. 245)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Deletion)	Substitution (Deletion)

Once we provide the definition of the legal term *permanent injunction* in the US legal system, we can move on to account for the approach and strategy thereof into Turkish. The term is defined as “a court order that a person or entity take certain actions or refrain from certain activities” (<https://www.law.cornell.edu>). The Turkish legal dictionary by Tuğlacı (2008, p.369) also provides a definition in Turkish which could be translated as “a court order to take or refrain from certain activities until a final verdict is granted”. We can clearly see that the legal connotation of the US legal system in both translations was removed by means of Aixela’s **deletion** strategy. Hence, both translators adopted a **domesticating** approach since they fail to register the linguistic and cultural difference of the source text in the target text. Both translators might have preferred this strategy thinking that it was “not pertinent enough for the effort of comprehension required of their readers” (Aixela, 1996, p. 64).

Example 14

ST	They're over there arguing property rights ¹ and search and seizure ² ." (p. 155)	
TT1	Hukuk konusunda tartışıp duruyorlar.» (p. 145)	
TT2	Mülkiyet hakkı ¹ , soruşturma ve el koyma ² hakkında konuşup duruyorlar." (p. 172)	
	TT1	TT2
Applied Approach (Venuti)	¹ Domestication ² Domestication	¹ Foreignization ² Foreignization

Applied Strategy (Aixela)	¹ Substitution (Deletion)	¹ Conservation (Linguistic translation)
	² Substitution (Deletion)	² Conservation (Linguistic translation)

Property rights can be defined as “ *the rights given to the person or persons who have a right to own the property through purchase or bequest*” (<https://thelawdictionary.org>). On the other hand, *search and seizure* is a phrase in criminal law of the US that “*describes law enforcement's gathering of evidence of a crime. Under the Fourth and Fourteenth Amendments to the U.S. Constitution*” (<https://www.law.cornell.edu>). Moreover, Tuğlacı (2008, pp. 397-446) defines these two terms in his dictionary as *mülkiyet hakları* and *arama ve elkoyma*, respectively. This example clearly shows that the TT1 translator employed Venuti’s **domestication** approach via Aixela’s **deletion** strategy. His back-translation would read as “*They are arguing about legal issues*”. His translation suggests that the text is about legal issues; however, it does not give any idea of what exactly the text is about in legal terms. His strategy, which deprives target text readers of the source reference connotation renders him invisible as a translator. On the other hand, the TT2 translator made use of Venuti’s **foreignization** approach via Aixela’s **linguistic translation** strategy. Her back-translation would come out as “*They are talking about property right and investigation and seizure*”. One can clearly see her effort to preserve the foreignness of these legal terms; however, it is necessary that she need to be more cautious and cognizant of two legal systems because failure to properly translate source text legal terms often leads to misunderstanding and ambiguity among readers.

Example 15

ST	I'll be back with an indictment . And shortly after that, I'll be back with the handcuffs. (p. 350)	
TT1	whole sentence deleted (p. 315)	
TT2	sonra da bir iddianameyle birlikte geleceğimi söyleyeceğim. (p. 382)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy	Substitution (Deletion)	Substitution (Synonymy)

(Aixela)		
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Indictment in the US legal system is defined as “a formal accusation of a felony, issued by a grand jury based upon a proposed charge, witnesses' testimony and other evidence presented by the public prosecutor (District Attorney)” (<https://definitions.uslegal.com>). When we look up the term in Turkish legal sources, we encounter its translation in the Turkish legal dictionary by Tuğlacı (2008, p. 257) as “*iddianame, şikâyetname, ithamname*”. The key point to consider here is that by this formal accusation, the the grand jury doesn't determine whether the defendant is guilty or not but it makes a determination of only likelihood that a crime was committed. It acts to make sure whether there is adequate basis for bringing criminal charges against a suspected criminal actor.

When we analyze the first translation, we can clearly see that the TT1 translator employed Aixela's **deletion** method under Venuti's **domestication** approach because he did in no way seek to refer to the legal terminology and omitted the whole sentence. Likewise, the TT2 translator follows the same path in terms of Venuti's **domestication** approach. However, she resorted to Aixela's **synonymy** strategy by finding a parallel reference already established in Turkish. Her translation most probably allows readers to realize that they read a text containing a legal term even though it does not suggest that it is about a legal term in the US.

Example 16

ST	A slick ambulance chaser got next to her brother, and he persuaded the family to sue quickly (p. 103)	
TT1	Kurnaz bir avukat ağabeyini ailenin hemen dava açması için kandırmıştı. (p. 98)	
TT2	Kurnaz bir avukat , kardeşinin yanında belirip onu hemen dava açmaya ikna etmişti. (p. 115)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Substitution (Absolute universalization)

An *ambulance chaser* is by definition a derogatory term which is used to “describe a lawyer who specializes in representing accident victims. It typically refers to attorneys who solicit business from accident victims or their families” (<https://definitions.uslegal.com>). The Turkish legal dictionary by Tuğlacı (2008, p.35) makes its definition in Turkish which could be translated “ a lawyer who habitually practices law by following accident news and encouraging victims to file compensation lawsuits”. Even though the Turkish source provides the definition of the term, it does not offer an equivalent term for it in Turkish.

The analyses of the two Turkish translations above demonstrate us that both translators employed Venuti’s **domestication** approach via Aixela’s **absolute universalization** strategy. They both preferred to remove its foreign connotation and chose a neutral reference in the target text, which is *lawyer*. It can be claimed that the adjective *slick* might have been instrumental in their translation because it also possesses a negative connotation. However, their efforts to translate the CSI with a non cultural reference lead them to become invisible as translators.

Example 17

ST	... a lifeless desegregation case from Virginia, ... (p. 23)	
TT1	..Virginia'dan bir ırk ayrımı davasında(p. 28)	
TT2	.. Virginia'dan bir ırk ayrımı davasının sıkıcı havasında... (p. 30)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

In order to shed light on the term *desegregation* in the US legal system, we need to take a closer look at the US in terms of *segregation*, which refers to the systemic separation process based on race, gender, class or religion. The term usually refers to a systemic separation of blacks more than other racial groups in the US. On the other hand, *desegregation* is defined as “the act or process or an instance of ending a law or practice that separates people of different races” (<https://www.merriam-webster.com>). It was in the 1950s and '60s that initiatives were taken to oppose discrimination and

segregation in voting, education, and the use of public facilities for black people in the US. When analysing the translations above, we can see that both translators made use of Venuti's **foreignization** approach through Aixela's **linguistic translation** strategy. Nevertheless, the translators obviously fall short of explicating the term *desegregation* by wrongly referring to the *segregation* concept. As suggested in the early examples, it is necessary that translators as cultural mediators be thoroughly cognizant of both source and target cultures on both linguistic and cultural terms.

Example 18

ST	Requests for sanctions ¹ and finer ² flowing rapidly to and from both sides. (p. 66)	
TT1	Her iki taraftan sayfalar dolusu istek.(p. 66)	
TT2	Karşılıklı yaptırım ¹ ve para cezası ² talepleri. (p. 77)	
	TT1	TT2
Applied Approach (Venuti)	Domestication ² Domestication	¹ Domestication ² Domestication
Applied Strategy (Aixela)	¹ Substitution (Deletion) ² Substitution (Deletion)	¹ Substitution (Synonym) ² Substitution (Synonym)

It is one of the most frequent cases in which John Grisham makes subsequent use of legal terms in one sentence. The legal term *sanctions* is used in plural form and defined as “a financial or other penalties imposed by a judge on a party or attorney for violation of a court rule, for receiving a special waiver of a rule, or as a fine for contempt of court” (<https://definitions.uslegal.com>). Additionally, the subsequent term fine refers to “a sum of money, which, by judgment of a competent jurisdiction, is required to be paid for the punishment of an offence. This is a pecuniary punishment imposed by court, upon a person convicted of crime or misdemeanor” (<https://definitions.uslegal.com>).

When we look up the definitions of the terms in the Turkish legal dictionary by Tuğlacı (2008, p. 443), *sanction* is defined as “*sanction, punishment in return for not obeying law*”. In addition, *fine* is defined in Tuğlacı's dictionary (2008, p. 213) as “*penalty, fine, delay of surprime, transition fees*”. Upon the analysis of the translations above, we can see that the TT1 translator applied Venuti's **domestication** approach via Aixela's

deletion method in the translation of the two legal terms. Moreover, it is one of the several examples, which shows that TT1 translator more often than not applies deletion method in the face of multiple legal terms in a sentence, which makes him invisible as a translator. On the other hand, the analysis of the TT2 translation shows that the TT2 translator employed Venuti's **domestication** approach by means of Aixela's **synonymy** strategy. She translated *sanctions* and *finis* with two parallel references in the Turkish legal system, i.e., *yaptırım* and *para cezası*, respectively. Furthermore, her preference to use the singular form of the terms are in line with the stylistic requirements of the receiving language.

Example 19

ST	... it will be appealed to the Fifth Circuit Court of Appeals. (p. 225)	
TT1	...daha sonra New Orleans'da Beşinci Gezici Temyiz Mahkemesine gidecek. (p. 203)	
TT2	Beşinci Temyiz Mahkemesi' nde temyiz davası açılacak.(p. 246)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

This example shows how the difference in the legal systems of both cultures leads translators to adopt a foreignizing approach. It is of utmost importance to have a thorough knowledge of the judicial system of the US in order to carry out a proper translation of the item in question. Translators have to recall that *appellate courts* sit below the U.S. Supreme Court, and they are called *the U.S. Courts of Appeals*. Moreover, they need to know that "*The United States Court of Appeals for the Fifth Circuit*, sometimes referred to as *the Fifth Circuit*, is one of the thirteen federal appellate courts (<https://www.uscourts.gov>). Additionally, we encounter the Turkish translation of the term "*Circuit courts of appeal*" in the Turkish legal dictionary by Tuğlacı (2008, p. 98) defined as "*Regional courts of appeal*". Following the analyses of two translations, we can clearly observe that both translators resorted to Venuti's **foreignization** approach by using Aixela's **linguistic translation** strategy. However,

the TT1 translator mistranslated the word *circuit* as *gezici* probably because it does not only mean *region* but also *mobile or circulating*. This shows us the necessity that translators be completely cognizant of the source language and culture. Likewise, the TT2 translator preferred to use a reference in the target text the denotation of which is close to the source reference. However, she chose to omit the word *circuit*, which hinders readers from recognizing it as belonging to the source culture legal system. This example reminds us the fact that translators need to be thoroughly informed of the source CSIs for a proper translation.

Example 20

ST	There are enough defects in the verdict to insure either a reversal ¹ or a remand." What's a remand ² ?" (p. 226)	
TT1	The whole paragraph has been omitted.	
TT2	Verilen hükümdede davanın yeniden görülmesini ¹ veya iadesini gerektirecek kadar hata var." İade ² nedir?" (p. 246)	
	TT1	TT2
Applied Approach (Venuti)	¹ Domestication ² Domestication	¹ Domestication ² Domestication
Applied Strategy (Aixela)	¹ Substitution (Deletion) ² Substitution (Deletion)	¹ Substitution (Synonymy) ² Substitution (Synonymy)

Bearing many of the characteristics of a legal thriller, *The Pelican Brief* is loaded with so many legal terminologies that even the average American citizen might have difficulty in understanding. The excerpt from a dialogue in the book given above proves this assumption because the author seeks to explain the legal terms in a conversation in the book. The legal terms *reversal* and *remand* are no exception to this case. We deem it highly necessary to provide the definitions of the terms both in the US and Turkish sources. *Reversal* is defined as “ *The decision of a court of appeal ruling that the judgment of a lower court was incorrect and is reversed. The result is that the lower court which tried the case is instructed to dismiss the original action, retry the case, or is ordered to change its judgment*” (<https://www.law.cornell.edu>). In addition, it is explained in the Turkish legal dictionary by Tuğlacı (2008, p. 433) as “ *the annulment of a ruling by court of appeals; the annulment of a ruling by a higher court*”. On the other hand, the term *remand* is referred to as “ *to send back. An appeals court may remand a*

case to the trial court for further action if it reverses the judgment of the lower court” (<https://definitions.uslegal.com>). Furthermore, Tuğlacı (2008, p. 422) defines the term as “to send back, especially a ruling of a lower court reversed by a court of appeals for a retrial of the case”.

As already stated in the earlier examples, the TT1 avoided sending the reader abroad and remove the foreign characteristics of legal terms by Venuti’s **domestication** approach using Aixela’s **deletion** strategy. We can see that the TT1 translator not only deleted the legal terms but the whole paragraph as well. In contrast, the TT2 translator sought to provide the readers with the translations of the legal terms by Venuti’s **domestication** approach through Aixela’s **synonymy** strategy; however, she seemingly falls short of explicating the terms most probably due to the insufficient knowledge of the legal system of the source culture. She translates the terms *reversal* and *remand* as *yeniden görülme (retrial)* and *iade (remand)*, respectively. She interchangeably translates these two terms, without realizing that there is already retrial process in remand. Moreover, she fails to translate the term *reversal* since there is no allusion to the annulment process. This example clearly shows us the importance that translators have a thorough knowledge of the legal system of both cultures.

Example 21

ST	But if it reverses, and the Supreme Court denies cert , (p. 226)	
TT1	Ama geri çevirirse ve Yüksek Mahkeme de davayı görmek istemezse, (p. 205)	
TT2	Onaylamazsa ve Yüksek Mahkeme davayı görmeyi kabul etmezse, (p. 248)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Substitution (Absolute universalization)

Often abbreviated as *cert*, the legal term *certiorari* is defined in the US legal system as “an order a higher court issues in order to review the decision and proceedings in a lower court and determine whether there were any irregularities” (<https://definitions.uslegal.com>). This term is expected to be a challenge for translators due to the difference of the US legal system from that of Turkey. Both translators seem

they could not find a better known CSI in Turkish due to its non existence in the receiving culture. Therefore, they resorted to the deletion of the foreignness of the term and replaced *cert* with a neutral reference in the target text, which is *dava* (case). They might have adopted a domesticating approach so as not to disrupt the attention of readers with a CSI that belongs to the source culture. Therefore, their preference to employ Venuti's **domestication** approach via Aixela's **absolute universalization** favours a fluent translation though it leads the translators to be invisible.

Example 22

ST	..a dozen assorted civil rights cases ... (p. 54)	
TT1	...bir o kadar sivil haklar davası ... (p. 56)	
TT2	... bir düzine bireysel haklarla ilgili dava ... (p. 64)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Intratextual gloss)

As shown in one of the examples above that deals with the translation of the term *desegregation*, we touched on the issue of racial and ethnic discrimination especially against African Americans in the US in 1950s and 1960s, which spurred protests and movements in the US. As a result, *The Civil Rights Act of 1964* was enacted that outlaws discrimination on the basis of color, race, religion, sex or national origin. It is clear from the analysis that both TT1 and TT2 translators employed Venuti's **foreignization** approach even though their strategies in light of Aixela differ. One can clearly see that the TT1 translator made use of **linguistic translation** by literally translating it as *sivil haklar davası*. It is clear that he provided a reference that is denotatively close to and still regarded as part of the source culture, which makes him a visible translator. On the other hand, we can see that the TT2 translator had a recourse to **intratextual gloss** strategy by indistinctly providing a gloss and translating it as *individual rights*. She made the CSI explicit by suggesting that *civil rights* included rights regarding *individuals*.

Example 23

ST	...lawyers, paralegals ¹ , law clerks ² , secretaries, copy room clerks, everybody. (p. 268)	
TT1	muhabir avukatlara, sekreterlere, bilmem kime ... (p. 243)	
TT2	Avukatlara , yardımcılarına ¹ , sekreterlerine , memurlarına ...(p. 294)	
	TT1	TT2
Applied Approach (Venuti)	¹ Domestication ² Domestication	¹ Domestication ² Domestication
Applied Strategy (Aixela)	¹ Substitution (Deletion) ² Substitution (Deletion)	¹ Substitution (Synonymy) ² Substitution (Deletion)

It is interesting to see how the translation of legal professions in the US legal system leads translators to employ a domesticating translation approach to cope with the challenge. The legal system is not limited to lawyer, defendant, plaintiff and judge in the US legal system. There are several more professions running in the background such as paralegals and law clerks, the translation of which is the focus of the analysis. By definition, *paralegal* is “someone without a law license who performs routine tasks requiring some knowledge of the law and procedures” (<https://definitions.uslegal.com>). A paralegal, who holds authority to offer specified number of legal services is not a lawyer. On the other hand, a *law clerk* is someone “(as a law school graduate) who provides a judge, magistrate, or lawyer with assistance in such matters as research and analysis” (<https://dictionary.findlaw.com>). Additionally, our search in the Turkish legal dictionaries did not yield any definitions regarding these two terms. The analysis of the TT1 translator shows us clearly that he employed Venuti’s **domestication** approach by deleting the two legal terms. Likewise, the TT2 translator applied Venuti’s **domestication** approach. However, her approach is not as drastic as the TT1 translator because she sought to use a parallel reference in the target text for the term *paralegal* under Aixela’s **synonymy** strategy. Nevertheless, she preferred to delete the second term *law clerk* probably because she thought it would hinder fluency and readers attention with source legal terms that are non-existent in the receiving legal system.

Example 24

ST	The firm had eighty-one partners ¹ , and the rest were associates ² . (p. 270)	
TT1	Şirketin seksen bir ortağı ¹ vardı. (p. 244)	
TT2	Bunların seksen biri hissedardı ¹ . (p. 295)	
	TT1	TT2
Applied Approach (Venuti)	¹ Domestication ² Domestication	¹ Domestication ² Domestication
Applied Strategy (Aixela)	¹ Substitution (Synonymy) ² Substitution (Deletion)	¹ Substitution (Absolute universalization) ² Substitution (Deletion)

Law firms are an important component of the US legal system which show a certain degree of dissimilarity in comparison to those in Turkey in terms of structural organization. Law firms in the US are established by one or more lawyers and as a business entity they share profits and clients. The hierarchical structure of a law firm in the US can be broken down into mainly two elements, namely *partners* and *associates*. It is important to make a definition of what these elements mean and how they function in a law firm before the analysis of the translations. *Partners* are senior lawyers responsible for supervising both senior lawyers and associate lawyers and they have responsibility as a shareholder for producing the firm's revenue. On the other hand, *associates*- also synonymous with junior lawyers are typically lawyers employed by a law firm who have not been made a partner to the firm. Taking into this structural difference in law firms, these terms are expected to pose a challenge for the translators.

As shown in the table above, the analysis shows us that both translators employed Venuti's **domestication** approach even though their strategies proposed by Aixela slightly differ. As for the translation of the terms *partner* and *associate*, the TT1 translator used **synonymy** and **deletion** strategy, respectively. Moreover, his translation sounds as if the text is about a private company instead of a law firm because the word *şirket* has a connotation of a company rather than a law firm in Turkish. It might have been much more intelligible if he had used *büro*, which has a connotation of a *law firm*. On the other hand, the TT2 translator resorted to **absolute universalization** and **deletion** strategy, respectively. The reason why both translators resorted to the deletion of the term *associate* might arise from the fact that there is no

such a position in the Turkish legal system. When we look up the terms *associate* and *partner* in the Turkish legal dictionary by Tuğlacı (2008, pp. 47-361), we can clearly realize that both terms have one Turkish translation in common, which is *ortak* (*partner*) and there is no further definition of the term *associate*.

Example 25

ST	... request a rehearing by the full panel , (p. 225)	
TT1	yeni bir duruşma isteyeceğinden (p. 204)	
TT2	oturumun tam heyet karşısında yenilenmesini isteyecek. (p. 246)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Deletion)	Conservation (Linguistic translation)

A *panel* refers to the list of people selected to serve in a particular court for jury duty. To elaborate more on the term, it refers to “a group of usually three judges among the judges sitting on an appellate court who hear a particular appeal” (<https://www.merriam-webster.com>). It is important to bear in mind that panels are employed in contrast with single-judge trials or en banc hearings that includes all the judges of that court. There are special circumstances in which a three-judge panel is required to hear the case. The text here refers to that specific type of hearing. Upon the analysis, one can clearly note that the TT1 translator applied Venuti’s **domestication** approach by means of Aixela’s **deletion** method. He preferred to delete the legal term *full panel* as he might have thought irrelevant and burdensome for the effort of comprehension among target readers. On the other hand, the TT2 translator preferred to use Venuti’s **foreignization** approach and translated *the full panel* as *tam heyet* by using Aixela’s **linguistic translation** strategy. She used a denotatively close reference to the source text, which allows readers to consider it as part of the source culture. Therefore, unlike the TT1 translator, she remained visible by sending the reader abroad to gain an insight into a certain aspect of a distinct legal system

Example 26

ST	He occasionally ignored the dull antitrust cases ... (p. 58)
TT1	Sıkıcı olan anti tröst davalarından elinden geldiğince uzak kalmıştı. (p. 59)

TT2	Zaman zaman, sıkıcı anti tröst dosyalarını ihmal ederdi... (p. 68)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

The term *antitrust* is an adjective that refers to “consisting of laws to protect trade and commerce from unlawful restraints and monopolies or unfair business practices” (<https://www.merriam-webster.com>). It is necessary to note that there are federal and state laws in the US legal system regarding the regulation against unfair competition in the trade and commerce world, which are referred to as *antitrust laws*. Looking up the term in the Turkish sources, we have encountered its definition in Tuğlacı’s legal dictionary (2008, p. 39) as *law against trust*; moreover, the term is already pre-established in Turkish as *anti tröst hukuk- competition law (antitrust law)* in the Glossary for the European Union (p.21). It is crystal clear that both TT1 and TT2 translators resorted to Venuti’s **foreignization** approach via Aixela’s linguistic **translation** strategy. It is important to note that the term *antitrust* has already made its way into Turkish under the influence of French as *antitröst*. The analysis shows us that both translators used the target text version of the source text legal term which is still considered as part of the source culture system, which made them visible as translators.

Example 27

ST	She ...spent most of the summer in a class action trial in Miami. (p. 281)	
TT1	Kız ... yazın çoğunu Miami'deki bir duruşmada geçirmişti. (p. 254)	
TT2	Yazın çoğunu bir dava için Miami'de geçirmişti.(p. 307)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Substitution (Absolute universalization)

As an attorney Grisham quite often makes extensive use of legal terms relating to the US legal system in *The Pelican Brief*. The term *class action* needs to be defined before the analysis since it is peculiar to the US legal system. Named as *class action*, *class suit*, or *representative action*, the term is defined as “a legal action undertaken by one or more plaintiffs on behalf of themselves and all other persons having an identical interest in the alleged wrong” (<https://www.merriam-webster.com>). It allows organizations to act as plaintiffs on behalf of consumers. The class represented in a class action trial might comprise groups such as consumers, patients or investors. There is no similar kind of lawsuit in the Turkish legal system given that the term is unique to the US legal system. It is interesting to see how the translators cope with the challenge of registering this term in Turkish.

Following the analysis, both translators have been found to have applied Venuti’s **domestication** approach through Aixela’s **absolute universalization** strategy. The term was translated as *duruşma (trial)* and *dava (case)* by the TT1 and TT2 translators, respectively. Seeing that there is no better known legal term, both translators chose to omit the foreign connotation of the legal term and preferred to employ a neutral reference in the target text instead.

Example 28

ST	... I'll be back with a grand jury subpoena ...(p. 350)	
TT1	Sonra ona büyük jüri kararıyla geleceğimi ve ...(p. 315)	
TT2	Sonra da ona büyük jürinin mahkeme çağrısıyla ...geleceğimi söyleyeceğim. (p. 382)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

There are two legal terms pertaining to the US legal system in this example that need to be defined before shedding light on the Turkish translations. These terms are *grand jury* and *subpoena*. A *grand jury* in the US legal system refers to “a group of people,

consisting of 16 to 23 people and selected to sit on a jury that decide whether to return an indictment” (<https://www.law.cornell.edu>). Assessing whether there is enough basis for bringing a criminal charge against a suspect, a *grand jury* functions as a buffer between the government and people. Moreover, the Turkish legal dictionary by Tuğlacı (2008, p. 232) provides a linguistic translation of the term as *tahkikat jürisi; büyük jüri* (*investigation jury; grand jury*). On the other hand, the subsequent term *subpoena* is a court order for a person to appear in court on a certain date to testify in a lawsuit. It is evident in the analysis of the example that translators of both TT1 and TT2 translators applied Venuti’s **foreignization** approach through Aixela’s **linguistic translation** strategy. It is possible that both translators preferred to adopt a **foreignizing** approach provided that there are already pre-established translations for both terms in Turkish sources. By the same token, it is quite interesting that in his CSI analysis of the *Maltese Falcon*, Aixela (1996, p. 62) also points out that the term *grand jury* was translated by means of *linguistic translation* as *gran jurado* in Spanish, which only makes sense in connection with US culture. Likewise, the visibility of the two translators allows readers to think that the term belongs to the source culture system since there has never existed any such type of jury in Turkey.

Example 29

ST	He's the last of the great judicial activists ,..." (p. 17)	
TT1	"Rosenberg büyük hukukçuların sonucusudur.." (p. 23)	
TT2	"Büyük hukuk adamlarının son temsilcisi o..."(p. 24)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Substitution (Absolute universalization)

Judicial activism is a legal term that refers to “*court rulings that are partially or fully based on the judge’s political or personal considerations, rather than existing laws*” (<https://legaldictionary.net>). As the binary opposite of *judicial restraint*, which is a type of judicial interpretation that highlights the limited characteristics of the court, *judicial activism* suggests that judges play an important role as independent policy makers on behalf of society. It is of vital importance to note that in comparison to the civil law, it is

the very nature of the common law that allows *the Supreme Court* and judges to creatively and independently (re)interpret the Constitution and the laws, which is beyond their traditional role as interpreters of the Constitution and laws. The analysis of the translations evidently demonstrates that both translators resorted to Venuti's **domestication** approach via Aixela's **absolute universalization** strategy. Both TT1 and TT2 translator preferred to remove the foreign connotation of the term and chose a neutral reference in the Turkish judicial system as *hukukçu* and *hukuk adamı*, respectively. Both translations refer to *the one learned in Roman or civil law* in Turkish. It is quite an interesting example to see how the difference in legal systems has influence over the translation approach and strategy of the legal terms. Given that the term is peculiar to the common law as opposed to the civil law applied in Turkey, it is quite reasonable to see that both translators stripped the term of its foreign connotation and added a neutral reference applicable in civil law in the target text.

Example 30

ST	"No prenuptial agreement?" (p. 91)	
TT1	«Evlenmeden önce anlaşma imzalamadınız mı?» (p. 85)	
TT2	Evlenmeden önce sözleşme imzalamadınız mı?" (p 103)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

The last example of the legal terminology analysis deals with the legal term *prenuptial agreement*, which is defined as "a written contract created by two people planning to be married that typically lists all of the property each person owns, as well as their debts, and it specifies what each person's property rights will be after marriage" (<https://definitions.uslegal.com>). The term is peculiar to the US common law and there is a *prenuptial agreement law* that sets forth specific requirements about what can and cannot be agreed to regarding these matters. In contrast, there is no prenuptial agreement applicable in the Turkish legal system in the sense of common law; however, there are two articles numbered 203 and 204 of the Turkish Civil Code (<http://www.mevzuat.gov.tr>) relatively similar to the *prenuptial agreement law* in the US.

They are *Yasal mal rejimi* (*Legal property regime*) and *Mal rejimi sözleşmesi* (*Marital agreement*), respectively. However, Ömer Uğur Gençcan, the Head of the 2nd Law Department of the Turkish Supreme Court is cited by Oya Armutçu in her column (<http://www.hurriyet.com.tr>) as having stated that there is no such a regulation as *prenuptial agreement* in the Turkish legal system. Couples may agree to have a legal property regime either before or after marriage. It is necessary that partner(s) choose which legal property regime they would like to have either before a notary public or a judge. Based on the analysis, both translators have been found to have employed Venuti's **foreignization** approach via Aixela's **linguistic translation** strategy. Taking into consideration the nuance and relative similarity of the term between two different legal systems, the translators preferred to choose a denotatively close reference to the original still recognized as part of the source culture.

4.3. CULTURE-SPECIFIC ITEMS (CSIs)

One should bear in mind that *The Pelican Brief* as an example of legal thriller, which is considered as a subgenre of crime fiction contains not only legal terminology but it also includes various instances of CSIs that refer to the US culture system. Considering the vast number of CSIs in the book, it is necessary that some limitations be set for the scope of CSIs. Therefore, a total of randomly selected 30 CSIs under 6 headings was analyzed, which are *Brands*, *Units of measurements*, *Acronyms*, *Foreign Vocabulary (Third Party References)*, *Foods & Drinks*, *Social & Ethnic Groups*. The analysis is of vital importance in that it will allow us to have a clear insight into how these CSIs were reflected at two different periods in the target text. The strategies offered by Venuti in combination with the translation strategies offered by Aixela will be employed during the analysis. Aixela's translation strategies will be used to pinpoint the two main strategies, i.e. *substitution* and *conservation* applied by each translator to cope with the translation of these CSIs. Furthermore, his micro translation strategies under each main strategy will be instrumental to show how these CSIs were reflected in the target text. On the other hand, Venuti's strategies of translation, i.e. *domestication* and *foreignization* will be applied to figure out the overall tendency of each translator regarding their translation in the target text. The result of the analysis is expected to shed light on how these CSIs were conveyed in the target text by two different translations at different periods. Moreover, the position of the book in the

Turkish literary polysystem at two different periods will also be useful in evaluating the translation strategies and the (in)visibility of the translators.

4.3.1. Brands

As one of the most acclaimed legal thrillers by John Grisham, “*The Pelican Brief*” does not only contain legal terminology but it also refers to quite a few CSIs under the “Brands” subcategory. Hence, the analysis of the translations of brand names as a referential component of the US culture in “*The Pelican Brief*” is of utmost importance because it is instrumental in revealing how each translator coped with the challenge of registering these CSIs in the target text both on linguistic and cultural terms. Moreover, the strategies of each translator are useful indicators of how they treat brand names in a legal thriller over time which remains at the periphery of the Turkish literary polysystem.

Example 31

ST	She sipped a warm Fresca and stared blankly at the parking lot. (p. 55)	
TT1	Sonra da bakışlarını park yerine çevirdi. (p. 56)	
TT2	Sıcak Fresca kahvesini yudumlıyor ve boş bakışlarla otoparka bakıyordu. (p. 65)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Deletion)	Conservation (Intratextual Gloss)

This example seeks to analyze the translation strategies of the brand name *Fresca*, which is a diet grapefruit citrus soft drink by *The Coca-Cola Company* first introduced in the United States in 1966. One can clearly discern that the TT1 translator applied Venuti’s **domestication** approach via Aixela’s **deletion** strategy. In contrast, TT2 translator employed Venuti’s **foreignization approach** via Aixela’s **intratextual gloss** method. TT1 translator here preferred to delete not only the CSI but also the whole sentence, which does not allow readers to have a glimpse of the source CSI.

On the other hand, the TT2 translator adopts a foreignizing approach which sends the reader abroad; however, she translates the brand name of a soft drink as a coffee brand in her effort to make explicit the term in the target culture. Therefore, she succeeds in making readers feel that they are reading something that belongs to the source culture although she fails to register the CSI in the target text properly. It is a clear example that shows us how important it is for translators to be not only linguistically but also culturally cognizant of the source culture as cultural mediators.

Example 32

ST	SHE JUMPED into the new Hertz Pontiac as it stopped at the corner (p. 285)	
TT1	Darby köşede duran yeni Hertz Pontiac arabaya atladı (p. 257)	
TT2	Hertz Araba kiralama şirketinin yolladığı ve köşede kendisini almak için duraklayan yeni Pontiac'a atladı. (p. 310)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Intratextual Gloss)	Conservation (Intratextual Gloss)

Here is another example to show how the lack of knowledge about the source CSIs might lead to mistranslation. Based on the analysis above, Both translators adopted Venuti's **foreignization** approach; however, their translation strategies suggested by Aixela slightly differ. One can clearly see that TT1 translator employed solely **intratextual gloss** whereas TT2 translator made use of both **intratextual gloss** and **repetition**. It is necessary to make a distinction between the two CSIs- Herz and Pontiac, respectively. It would not be possible to shed light on the strategies thereof without explaining them. The first term *Hertz* refers to an American car rental company while the second term *Pontiac* is an American car brand.

TT1 translator preferred to make explicit the CSIs via intratextual gloss strategy with a back-translation as "*Darby jumped into the new Hertz Pontiac car,*"; however, he failed to register the CSIs properly since he was most probably not aware of the fact that these were two separate items. Therefore, he came up with a translation that sounds as if there is a *Hertz Pontiac* car brand, which is wrong. On the other hand, TT2

translator, aware of the difference between the two CSIs managed to make a distinction between them. She made explicit of the company *Hertz* that already exists in Turkey, which sounds redundant. This example shows us the importance and necessity that translators have a thorough knowledge of brand names in the source culture since the lack thereof mostly leads to mistranslation.

Example 33

ST	He needed Chivas in his veins, and... (p. 84)	
TT1	Damarlarına Chivas dolmasına ihtiyacı vardı.(p. 81)	
TT2	Damarlarına viski doldurmaya ihtiyaç duyuyordu. (p 94)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Domestication
Applied Strategy (Aixela)	Conservation (Repetition)	Substitution (Absolute universalization)

The CSI in question here is *Chivas*, which is a blended Scotch whisky. When we look at the analysis above, we can easily see that TT1 translator adopted Venuti's **foreignization** method via Aixela's **repetition** method. It is obvious that he completely kept the original reference and allowed target text readers to taste the exotic flavor of the foreign text, which made him visible as a translator.

In contrast, the TT2 translator resorted to Venuti's **domestication** approach through Aixela's **absolute universalization** method by deleting its foreign denotation and choosing a neutral reference for it, which is *viski* in this case. It is useful to note that *whiskey* underwent orthographic adaptation and is already established as *viski* in Turkish. One should bear in mind that there are various whiskey brands and TT2 translation does in no way denote the original reference whereby readers are deprived of the existence of such an item. Hence, her approach leads her to become invisible as a translator due to the loss of cultural connotation.

Example 34

ST	He found two semichilled Sprites in the refrigerator.. (p. 357)	
TT1	Buzdolabında iki soğukça Pepsi bulup ... (p. 322)	
TT2	Buzdolabında iki tane az soğumuş gazoz buldu. (p. 390)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Limited Universalization)	Substitution (Absolute universalization)

It is quite interesting to note how both translators deal with the same stimuli over time. Similar to Fresca, *Sprite* is another caffeine-free, lemon and lime-flavored soft drink brand produced by *The Coca-Cola Company*. The analysis shows us that both translators employed Venuti's **domestication** approach. However, their strategies suggested by Aixela strikingly differ. To illustrate, the TT1 translator employed **limited universalization** whereas TT2 translator resorted to **absolute universalization**. Strikingly enough, TT1 translator preferred to replace the original reference with another reference that also belongs to the source culture. However, one should note that *Sprite* is a caffeine-free soft drink whereas Pepsi conversely is a soft drink containing caffeine. He most probably assumed it might be too obscure and unintelligible if he employed the original reference at the period of publication in the early 1990s. This assumption is justified by the fact that *Sprite* was introduced by *The Coca-Cola Company* in Turkey in 1994, namely 2 years after the publication of the translation. (<https://www.coca-colaturkiye.com>). On the other hand, TT2 translator removed the original reference of the CSI and chose a neutral reference, namely *gazoz*. It should be noted that *gazoz*, which has already established itself in Turkish under the influence of French refers to the soft drink that typically contains carbonated water, sweetener and flavouring. She might have deemed it unnecessary to keep the original reference and preferred to remove it even though *Sprite* is already known in Turkey since 1994.

Example 35

ST	He... slid into his Bally loafers . (p. 43)	
TT1	Sonra ayakkabılarını giydi. (p. 45)	
TT2	... Bally marka makosen ayakkabılarını giydi. (p. 51)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Absolute Universalization)	Conservation (Intratextual Gloss)

Bally refers to a Swiss luxury fashion house which has several boutiques and outlet stores in the USA. It is noteworthy to emphasize that the brand *Bally* is associated with prestige and quality, which is an important reference in the legal world. As a legal thriller, *The Pelican Brief* makes an allusion to the legal world, especially that of lawyers. The analysis of the translations is important to a great extent in that it allows for a more thorough analysis as to how translators coped with the challenge of registering that CSI in the target text.

It is clearly shown in the table that the TT1 translator employed Venuti's **domestication** approach via Aixela's **absolute universalization** strategy. He stripped the CSI *bally loafers* of its foreign connotation and chose a neutral reference by translating it as only *shoes*. In that way, he failed to register not only the connotation of Bally but also that of loafers in the target culture. Therefore, he remains invisible as a translator and readers are deprived of the opportunity to have a glimpse of the CSI in the source culture with the domestication strategy. Conversely, the TT2 translator applied Venuti's **foreignization** approach through Aixela's **intratextual gloss** strategy. She seeks to make the word *Bally* explicit by providing an additional information, which suggests that it is about a brand; moreover, she translates *loafers* as *mokasen*, which already exists in Turkish under the influence of French that suggests luxury and prestige. Her preference to keep the original reference allows TT readers to have an idea of what the CSI refers to in the source culture makes her visible as a translator.

4.3.2. Units of Measurement

Objects are measured using distinct measurement systems in the world; however, there are two predominantly systems of measurement units used in the world, namely the imperial and metric system. As suggested by Aixela (1996, p. 56), CSIs are generally conveyed in a text via “objects and of systems of classification and measurement whose use is restricted to the source culture”. Furthermore, in his explanation of the linguistic (non-cultural) translation strategy, he suggests that there exist frequent examples (e.g. dollars → dólares; inch → pulgada, which is a unit not used in Spain) whereby this strategy is employed in the translation of units of measurement and currencies (Aixela, 1996, p. 62). However, one should bear in mind that he provides instances of comparison between English and Spanish only whereas this study analyzes translation from English to Turkish. It is noteworthy to analyze which strategies translators employ to cope with the challenges in the translation of measurement units from a language that uses a distinct measurement system. Thus, it is important to highlight that *the Imperial system* is used in the United States, where things are measured in feet, inches and pounds. In comparison, *the metric system* is applicable in Turkey, where measuring units such as meters and grams are used, adding prefixes such as kilo, milli and centi to specify orders of magnitude.

Example 36

ST	The front was six inches by twelve , and it was a foot and a half long... (p. 322)	
TT1	whole sentence deleted (p. 290)	
TT2	On beş santime otuz santim boyutlarındaydı. Derinliği ise otuz beş santim kadardı. (p. 353)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Deletion)	Substitution (Absolute Universalization)

This example deals with the translation strategies of two types of units of length measurement (*inch and foot*) in the imperial system applied in the United States. Before the analysis, one should keep in mind the fact that neither *inch* nor *foot* is in use in Turkey, which uses the metric system unlike the USA. In contrast, Turkey makes use

of the metric system as mentioned above. Meters and centimeters are commonly used in everyday life in Turkey instead of inches and feet. However, one should bear in mind that Turkish readers are aware of foreign units such as inch, feet and miles, which have restricted use in Turkish. One can clearly see that both TT1 and TT2 translator applied Venuti's **domestication** approach; however, there is a striking difference between their strategies under Aixela. TT1 translator preferred to **delete** not only the units of measurement but also the whole sentence whereas TT2 translator employed the **absolute universalization** strategy, in which she replaced both units of measurement by duly converting them into centimeters. Her approach does not allow readers to feel the foreignness of the source references among Turkish readers, which could be instrumental in not disturbing their attention.

Example 37

ST	He was five-ten ¹ , and weighed less than a hundred and fifty pounds ² ... (p. 26)	
TT1	Kamil bir yetmiş beş ¹ boyunda ve yetmiş beş kilo ² ağırlığındaydı. (p. 30)	
TT2	Bir yetmiş sekiz ¹ boyunda, altmış sekiz kilo ² ağırlığındaydı. (p. 33)	
	TT1	TT2
Applied Approach (Venuti)	¹ Domestication ² Domestication	¹ Domestication ² Domestication
Applied Strategy (Aixela)	¹ Substitution (Absolute Universalization) ² Substitution (Absolute Universalization)	¹ Substitution (Absolute Universalization) ² Substitution (Absolute Universalization)

This example, which deals with the translation strategies of a combination of measurement units of both length and weight (*inch, foot and pound*) proves to be useful in determining what strategies both translator adopted in the translation of measurement units that are not similar to those in Turkey. It is important to note that height is measured by a combination of foot and inch whereas weight is measured by pound in the United States. In contrast, height is measured with a combination of meter and centimeter while kilo is used to measure weight in Turkey.

The analysis shows us clearly that both TT1 and TT2 translators employed the same strategies by Venuti and Aixela, namely **domestication** and **absolute universalization**, respectively. They both translated the units of height and weight by

converting them into meters, centimeters and kilos. However, there is a striking difference between their translation in terms of conversion. Precisely speaking, 5 feet and 10 inches equal to 177.80 centimeters while 150 pounds equal to 68.03 kg. TT2 translator provides an exact translation about the size in terms of height and weight whereas TT1 translator provides a slightly lower calculation of height as well as a relatively higher calculation in terms of weight. This careless attitude of the TT1 translator might derive from his stance regarding the translation of bestsellers, among which the Pelican Brief stands. Moreover, it proves the assumption that legal thrillers occupied a peripheral position in the Turkish literary polysystem in the early 1990s. However, their position has made a slight advance from the periphery towards the centre, which might have had impact on the translation strategies thereof. Last but not least, translators need to be careful with the proper translation of measurement units since undue translations thereof might lead readers to have misleading ideas about the characters in a text.

Example 38

ST	He followed the shoreline for a quarter of a mile , (p. 165)	
TT1	Kıyıyı izleyerek birkaç yüz metre gitti. (p. 154)	
TT2	Çeyrek mil kadar kıyı çizgisini izledikten sonra geri döndü. (p. 184)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Absolute Universalization)	Conservation (Linguistic translation)

As mentioned earlier, certain measurement units belonging to the imperial system have already gained a restricted access in Turkish, which uses the metric system. A *mile*, which equals to approximately 1.609 kilometres is one of the units of linear measure that Turkish readers are already familiar with even though they generally have a vague idea of the conversion rate between a mile and a kilometer. Considering the fact that a quarter of a mile equals to 402 meters, the TT1 translator adopted Venuti's **domestication** approach via Aixela's **absolute universalization** strategy which translates as "a few hundred meters".

He preferred to replace the “mile” with “meter” by removing the foreign connotation of the unit and applying a neutral reference in the target text. On the other hand, TT2 translator employed Venuti’s **foreignization** approach by way of Aixela’s **linguistic translation** strategy. She might have preferred to keep as much as the original reference that is still recognized as belonging to the source text cultural system. Considering the fact that *mile* is already established in Turkish as “mil” under the influence of French, she might have assumed that it might not disrupt reader’s attention in this way.

Example 39

ST	The lobby was as big as a football field , (p. 320)	
TT1	...holü bir futbol sahası kadardı. (p. 287)	
TT2	Lobi futbol sahası kadar büyüktü. (p. 350)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Limited universalization)	Substitution (Limited universalization)

We have already emphasized the difference between the imperial and metric system. The analysis of this example is assumed to have caused translation challenges for the translators because of the ambiguous connotations of “*football*” in both cultures. The word “football”, borrowed from English has already established itself in Turkish by means of linguistic translation as “futbol” and it refers to *soccer* in Turkey. In contrast, it refers to the “*American football*” in the United States. The analysis of the translations shows us that both TT1 and TT2 translator employed the same strategies of Venuti and Aixela; **domestication** and **limited universalization**, respectively. However, it is important to bear in mind that field dimensions regarding *American football* and *soccer* slightly differ. To illustrate, the standard field dimensions in American football equal to almost 110 meters whereas the size of a soccer field equals to approximately 100 meters. The translators are assumed to have intentionally resorted to the limited universalization strategy feeling that the translation of the CSI “*football*” as “*American football*” might lead to obscurity among Turkish readers.

Example 40

ST	... although he knew he was seventy-four inches tall , (p. 26)	
TT1	... adamın bir altmış boyunda , (p. 31)	
TT2	onun bir seksen sekiz boyunda , (p. 33)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Absolute Universalization)	Substitution (Absolute Universalization)

Here is another example that deals with the translation of measuring human height. As stated earlier, the height of objects including people are measured using the imperial system in the US whereas the metric system is used to measure height in Turkey. The analysis in the tables shows us clearly that both translators employed Venuti's **domestication** approach and Aixela's **absolute universalization** strategy. This example reinforces the assumption that translation of human height to Turkish is predominantly done via absolute universalization strategy. Precisely speaking, a person with the height of 74 inches equals to almost 1,88 meters. TT2 translator provides readers with the same conversion whereas TT1 translator, as in earlier examples, provides readers with an inconsistent result of 1,60 meters, which is far less than 1,88 meters. The inconsistency in the translation of measurement units by TT1 might arise from his view that bestsellers assume a low position in the literary system. However, it is necessary that conversion be done properly and consistently as errors in most cases lead to ambiguity and confusion among target text readers.

4.3.3. Acronyms

Acronym, which is commonly confused with *abbreviation* that is shortened form of words to represent the whole refers to “an abbreviation consisting of the first letters of each word in the name of something, pronounced as a word” (<https://dictionary.cambridge.org>). Words such as *NATO*, *radar*, or *laser* are internationally known instances of acronym. However, John Grisham employs several instances of acronyms in *The Pelican Brief* that refer to the institutions and organizations solely known in the United States. Unlike such internationally known

acronyms, their translation of those provided by Grisham could be challenging and problematic since they point to the references belonging to the source culture only. It is necessary that translators stay abreast of the institutions and organizations in the US in order to cope with the challenge of their translation. The examples below are expected to shed light on the translation strategies by translators regarding acronym at two different periods.

Example 41

ST	It was also the prime suspect in a dozen bombings of ACLU offices...(p. 4)	
TT1	whole sentence deleted (p. 10)	
TT2	Bu grup ACLU (Amerikan Sivil Haklar Örgütü) bürolarına karşı gerçekleştirilen bir düzine bombalama eyleminin de bir numaralı zanlısıydı.(p.9)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Deletion)	Conservation (Repetition+ Linguistic translation)

In *The Pelican Brief*, Grisham quite often makes reference to the institutions and organizations in the United States. He mentions them in acronyms in several cases. It is necessary to provide some information regarding the acronym in question before the analysis. *ACLU* stands for *American Civil Liberties Union*, which is a nonprofit organization that works “to defend and preserve the individual rights and liberties guaranteed by the Constitution and laws of the United States” (<https://www.aclu.org>). It is important to remind the fact that the US Constitution and laws belong to the common law whereas Turkish Civil Code is applicable in Turkey.

The analysis above shows us clearly that TT1 translator customarily resorted to Venuti’s **domestication** approach by **deleting** not only the acronym but also the whole sentence. He might have preferred this approach due to several reasons. He might have considered the CSI not relevant enough for the effort of comprehension required of their readers (Aixela, 1996, p. 64). It might be because of the assumption that legal thrillers remain at the peripheral position in the Turkish literary polysystem in the early 1990s and their translation does not require a foreignizing strategy. In contrast, TT2

translator applied Venuti's **foreignization** approach via the combination of **repetition** and **linguistic translation** strategies proposed by Aixela. She seemingly managed to keep the foreignness of the source culture CSI in the target text to a certain extent, which in turn allowed the CSI to be felt more alien by target language readers. Moreover, she introduced a target language version of an organization which is alien to the target culture system, which made her visible.

Example 42

ST	Virtually all of it through a myriad of PACs that he controls. (p. 235)	
TT1	Hemen hemen hepsi de resmi kanallarla . (p. 212)	
TT2	Aslında bütün para adamın kontrol ettiği seçim kampanyasına destek komiteleri üzerinden geçmiş. (p. 257)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Conservation (Linguistic translation)

Alluding to certain organizations in the US, Grisham makes reference to another organization in US politics. *PAC* is an acronym, which stands for *political action committee* in the US “whose purpose is to raise and distribute campaign funds to candidates seeking elective offices primarily in the U.S. House of Representatives and the U.S. Senate” (<https://www.britannica.com>). It is important to note that PACs are generally formed by labour unions, trade associations or other organizations and they aim to raise contributions to candidates in elections in the USA. In contrast, there are no such organizations as PACs in Turkey that are officially established to provide campaign funds for candidates during elections.

The analysis evidently demonstrates that the TT1 translator preferred Venuti's **domestication** approach via Aixela's **absolute universalization** strategy. He translated the acronym *PAC* as *official channels* by removing the foreign connotations of the CSI and replacing it with a neutral reference in the target text. He strips the CSI of its foreign connotation that makes an allusion to the official characteristics of PACs,

which in turn led to his invisibility as a translator. On the other hand, TT2 translator employed Venuti's **foreignization** approach via Aixela's **linguistic translation** strategy. Her translation would be back translated as "*support committees for the election campaign*", which suggests that she provides a target language version of the CSI which can still be accepted as part of the cultural system of the source text. Her effort to introduce an institution alien to the target culture system and still regarded as part of the source culture system allows her to be visible as a translator.

Example 43

ST	CRP had a vast suite of plush offices across the river in Rosslyn.(p. 144)	
TT1	BYS Komitesinin nehrin öte yanında Rosslyn'de gayet lüks ve modern büroları vardı. (p. 135)	
TT2	Bu komitenin nehrin karşı kıyısında Rosslyn'de lüks ofislerden oluşan ferah bir katı vardı. (p. 160)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Domestication
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Substitution (Absolute universalization)

CRP is an acronym that Grisham uses in *The Pelican Brief* to refer to "*The Committee for the Re-Election of the President*" also known as "*the Committee to Re-elect the President*", which was a fundraising organization of the US President Richard Nixon during his 1972 re-election campaign. It is worth paying attention to the fact that the acronym is a loaded name with reference to the *Watergate scandal* since it used money laundering and slush funds during the election.

The analysis shows us that the TT1 translator employed Venuti's **foreignization** approach using Aixela's **linguistic translation** method. It is interesting to note that he not only applied the linguistic translation method but he also recreated an acronym in Turkish as *BYS (Başkanı Yeniden Seçme- Re-election of the President)* in return for *CRP*. In his attempt to choose a denotatively close reference to the source CSI, he provided a target language version still accepted as part of the source culture system,

which renders him visible as a translator. In contrast, TT2 translator applied Venuti's **domestication** approach using Aixela's **absolute universalization** strategy. She strips the acronym of its foreign connotation and prefers to replace it with a neutral reference in the target text as "*committee*", which is a loan word from French that already established itself in Turkish. She might have preferred to adopt this approach thinking it might not have a huge impact on the basic meaning, which leads her to become invisible as a translator.

Example 44

ST	He'd published a book six years earlier on HUD scandals,(p. 216)	
TT1	Altı yıl önce İmar Bakanlığı ndaki skandalları bir kitap olarak yayınlamıştı. (p. 197)	
TT2	Altı yıl önce İmar İskan Bakanlığı skandalları üzerine bir kitabı basılmıştı. (p. 237)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Synonymy)	Substitution (Naturalization)

HUD is an acronym that stands for *The Department of Housing and Urban Development*, which is responsible for carrying out government housing and community development programs in the United States. It is of vital importance to note that HUD was established in 1965 with the aims of "*financing new housing, public housing, and housing rehabilitation projects; insuring mortgages; and carrying out programs that serve the housing needs of low-income and minority families and the elderly*" (<https://www.britannica.com>).

It is also relevant to note that there is a ministry with more or less the same function in Turkey, which is *Ministry of Environment and Urbanisation*. When we look at the history of the ministry (<http://csb.gov.tr>), we can see that it has been renamed on several instances since its foundation and it was named *İmar ve İskan Bakanlığı* (*Ministry of Planning and Housing*) in 1960s. The analysis shows that both TT1 and TT2 translators employed Venuti's **domestication** approach with a slight difference in the strategies offered by Aixela; **synonymy** and **naturalization**, respectively.

Example 45

ST	"Ma'am, Sergeant Rupert, NOPD ." (p. 111)	
TT1	"Ben New York emniyetinden Çavuş Rupert'im." (p. 105)	
TT2	"Hanımefendi, ben Çavuş Rupert, New Orleans Emniyeti 'nden," dedi. (p. 124)	
	TT1	TT2
Applied Strategy (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

Most of the action in *The Pelican Brief* takes place in New Orleans; as a result, Grisham makes a reference to the police department of New Orleans with its acronym, i.e., *NOPD*, which stands for *The New Orleans Police Department*. Both TT1 translator and TT2 translator resorted to Venuti's **foreignization** approach via Aixela's **linguistic translation** strategy. TT1 translator evidently mistranslated the acronym *NOPD* as *New York emniyeti* (*New York police department*) because it is not *The New York Police Department* in question here. Moreover, we see that it was translated it with lower case, which might result from either his preference or editorial mistake. This reminds us of the fact that translators should be cognizant of the source text CSIs in order to avoid mistranslation.

In contrast, the TT2 translator evidently was aware of what the acronym denoted in the source text and managed to translate it as *New Orleans Emniyeti*. In this way, she used a reference in the target text whose denotation is close to the source text. The analysis shows that both translators remained visible as translators by linguistic translation strategy. As noted by Aixela (1996, p. 62) objects and institutions foreign to the receiving culture but understandable because analogous and even homologous to the native ones usually entails linguistic (non-cultural) translation.

4.3.4. Foreign Words

The United States of America has a racially and ethnically diverse population. It is this multi-racial and multi-ethnic characteristics that engenders cultural variety in the US. It is inevitable that CSIs belonging to the various ethnic populations are reflected in texts

produced in the US. In *The Pelican Brief*, Grisham makes use of several instances of CSIs that convey the cultural otherness of this diversity. This section seeks to analyze how translators reacted in the face of these CSIs in light of translation strategies offered by Venuti and Aixela. As pointed out by Aixela (1996, p. 69), the references to CSIs belonging to third cultures are a special case and should be treated as such.

Example 46

ST	We have no suspects. None. Nada. " (p. 64)	
TT1	Sanık diye biri yok elimizde. Hiç. Sıfır. Hava. " (p. 64)	
TT2	Elimizde şüpheli yok. Hiç. Nada. " (p. 74).	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Autonomous creation)	Conservation (Repetition)

Spanish, which is used by people from countries of Latin America and Spain living in the US constitutes an important part of the US culture. It has made invaluable contributions to the US in terms of language and culture. There are quite a lot of words borrowed from Spanish. It is necessary that translators be aware of this fact while translating foreign words belonging to Spanish. *Nada*, which means “nothing” is one of the loan words from Spanish which has made its way into the informal US English.

One can clearly see that TT1 translator resorted to Venuti’s **domestication** approach via Aixela’s **autonomous creation** strategy. He seemingly came up with a translation which denotes the informal aspect of the CSI by translating it as “hava”, which is an informal way of saying “nothing” in Turkish. Moreover, *hava* also rhymes with *nada*, which makes it special as an autonomous creation. On the other hand, the TT2 translator applied Venuti’s **foreignization** approach by Aixela’s **repetition** strategy. By keeping the original reference in italics, she evidently increased exotic character of the CSI by retaining it in the target text. Her approach seems to allow target language readers to feel the cultural otherness of the CSI, which makes her visible as a translator.

Example 47

ST	"Surely you have a motive." " Mucho motives..." (p. 64)	
TT1	"Neden çok..." (p. 64)	
TT2	"Neden çok. <i>Mucho</i> ." (p. 74)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Synonymy)	Conservation (Repetition)

This example reinforces the fact that Spanish has made massive contributions to the US culture and language. The CSI in question is "*mucho*", which is borrowed from Spanish and means *much* or *many* in English. The analysis shows us that the TT1 translator preferred to remove the foreign connotation of the word by using Venuti's **domestication** approach. He seems to think that it is irrelevant to introduce target text readers to a CSI related to a third culture in the US. It should be noted that he might have preferred this strategy for stylistic reasons as synonymy strategy is closely linked with style. However, his domesticating strategy, which favours a fluent translation devoid of cultural otherness leads to his invisibility as a translator. In contrast, the TT2 translator chose Venuti's **foreignization** approach via Aixela's **repetition** strategy by italicizing the term. Therefore, her effort to introduce target text readers to a CSI peculiar to an ethnic group in the source culture allows her to be more visible as a translator.

Example 48

ST	.. he loved Europe, especially Spain, and so it was adios for him. (p. 361)	
TT1	Avrupa'yı, özellikle de İspanya'yı çok severdi. Onun için veda etme zamanı gelmişti. (p. 326)	
TT2	... başta İspanya olmak üzere Avrupa'yı severdi. Öyleyse Amerika'ya elveda diyecekti. (p. 395)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication

Applied Strategy (Aixela)	Substitution (Synonymy)	Substitution (Synonymy)
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In his work, Grisham makes an occasional use of words that refer to the Spanish existence in the US culture. To illustrate, he uses the word *adios*, which means *goodbye* in Spanish or Spanish-speaking contexts. In this example, he seems to have intentionally employed the word *adios* in the same context with *Spain*.

The analysis shows us that both TT1 and TT2 translators resorted to Venuti's **domestication** approach via Aixela's **synonymy** strategy. It is necessary to note that *adios* is already known among Turkish readers. The word is orally recognized and in use in Turkish although it is verbally not recognized on the database of the Grand Turkish Dictionary. As Aixela (1996, p. 63) remarks, synonymy strategy is usually based on stylistic grounds. The translators might have preferred this strategy for stylistic reasons. Thus, they preferred to use a parallel reference in Turkish to avoid repeating the CSI. Therefore, they both remain invisible as translators due to their domesticated and fluent translation which does in no way allow target text readers to have a glimpse of the cultural otherness.

Example 49

ST	They run the West Wing like the Gestapo . (p. 313)	
TT1	Bodrumu Gestapo gibi yönetiyorlar bu ikisi. (p. 281)	
TT2	Bati Kanadi'nin Gestapolari . (p. 342)	
	TT1	TT2
Applied Approach (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Repetition)	Conservation (Repetition)

Gestapo is the abbreviation of *Geheime Staatspolizei*, which means *Secret State Police* in German that acted as the political police of Nazi Germany. Making a simile to the political police force of Nazi Germany, the author most probably suggests an allusion to the corrupt and cruel aspect of the administration. One can easily realize that both TT1 and TT2 translators had a recourse to Venuti's **foreignization** approach by means of Aixela's **repetition** strategy. It is necessary to note that *Gestapo* and its

connotation is already known among target text readers to certain extent. The exoticizing strategy whereby both translators keep the original reference eventually allows them to be visible as translators.

Example 50

ST	Grantham darted to his bag, flipped through some papers, and presto! (p. 230)	
TT1	Grantham çantasını açtı, birtakım kağıtları karıştırdı... (p. 208)	
TT2	Grantham çantasına uzandı, kimi kağıtları karıştırdı ve işte! (p. 251)	
	TT1	TT2
Applied Approach (Venuti)	Domestication	Domestication
Applied Strategy (Aixela)	Substitution (Deletion)	Substitution (Synonymy)

This example deals with the analysis of an interjection, which is of Italian origin. The exclamation “*presto*” is used to indicate the abrupt appearance of something often as if by magic. The analysis above clearly reveals the fact that both TT1 and TT2 translator resorted to Venuti’s **domestication** approach. However, their strategies offered by Aixela vary.

One can clearly observe that TT1 translator applied the **deletion** strategy by completely removing the foreign flavor of the CSI. He might have considered it unacceptable or irrelevant for target text readers; thus, he removed it from the translation, which led him to become invisible as a translator. On the other hand, in her effort to avoid repetition of the CSI, the TT2 translator applied the **synonymy** strategy. To this end, she preferred to employ a parallel reference in the target culture. However, her translation lacks the connotation of abruptness conveyed by the exclamation.

4.3.5. Foods And Drinks

Composed of various racial and ethnic groups, it is inevitable that the United States harbors quite a lot of CSIs relating to foods and drinks that pertain to the US culture. John Grisham makes use of quite a few CSIs pertaining to the foods and drinks in *The*

Pelican Brief whose plot takes place in certain spots of the US. Therefore, it is necessary to call attention to how these CSIs were reflected in the target texts by two translators at different periods. It is also necessary that translation strategies offered by Venuti be employed in order to show the general tendency of translators. In addition, translation strategies offered by Aixela will be instrumental in pinpointing the particular tendency of translators regarding the translation of each CSI.

Example 51

ST	... the smell of last night's whiskey and jambalaya ¹ and blackened redfish ² ... (p. 102)	
TT1	... bir gece öncesinin viski, jambalaya ¹ ve kızarmış balık ² kokusu ... (p. 98)	
TT2	...bir gece öncesinin viski, jambalaya ¹ ve kızarmış somon ² kokusu... (p 114)	
	TT1	TT2
Applied Strategy (Venuti)	¹ Foreignization ² Domestication	¹ Foreignization ² Domestication
Applied Strategy (Aixela)	¹ Conservation (Repetition) ² Substitution (Absolute universalization)	¹ Conservation (Repetition) ² Substitution (Absolute universalization)

The analysis deals with the translation of two CSIs in the same sentence, which are “*jambalaya*” and “*blackened redfish*”. It is of utmost importance to provide certain information regarding these two CSIs before the analysis. It is also noteworthy to remark that some of the action in *The Pelican Brief* takes place in the state of Louisiana, which is mainly influenced by French and Spanish cultures. *Jambalaya* refers to a Louisiana-origin dish comprising vegetable, meat, seafood mixed with rice and various seasonings (<https://www.britannica.com>).

Likewise, “*blackened redfish*” is a traditional dish that belongs to the cajun cuisine in Louisiana. As the name suggests, the ingredient of the dish is mainly *redfish* also known as *red drum* although the seasoning and cooking method are peculiar to the cultures dominating the state. As for the analysis of the CSI *jambalaya*, it can be easily observed that both TT1 and TT2 translators employed Venuti’s **foreignization** approach by keeping the original reference in the target text. Employing Aixela’s **repetition** strategy, they managed to be visible as translators by extracting the exotic

flavor of the CSI and conveying it to the target text readers. However, they could have made the CSI more explicit since the sole repetition of the CSI might not allow target text readers to have an idea of what it refers to considering the linguistic and cultural distance.

As to the analysis of the second CSI- *blackened redfish*, they both resorted to Venuti's **domestication** approach via Aixela's **absolute universalization** strategy. However, how they coped with the translation of the CSI differs to some extent. To illustrate, TT1 translator translated *blackened redfish* as *fried fish*, which leads to the loss of the cultural connotation because his translation denies target text readers both the redfish and its cooking method in Louisiana. On the other hand, TT2 translator replaced it with *fried salmon*, which does not relate to redfish concept in Louisiana at all. In her effort to replace the original CSI, she might have mistranslated it since *redfish* has different definitions in US and British English. It is defined in British English as a male salmon that has recently spawned. It is evident that she was misguided by this ambiguity and chose the definition in British English rather than US English. This example shows us clearly that translators need to be thoroughly cognizant of the source language and cultures in their role as cultural mediators.

Example 52

ST	...while lying on a sun-drenched beach sipping a piña colada and watching the windsurfers. (p. 243)	
TT1	... kumsalda güneşlenip sörfçüleri seyrederken okurdu. (p. 220)	
TT2	...plajda piña colada yudumlayıp rüzgar sörfü yapanları seyrederken... (p. 267)	
	TT1	TT2
Applied Strategy (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Deletion)	Conservation (Repetition)

As an instance of Spanish contribution to the US culture, *piña colada* refers to "a tall drink made of rum, cream of coconut, and pineapple juice mixed with ice" (<https://www.merriam-webster.com>). We can clearly note that both translators made use of divergent translation strategies offered by Venuti and Aixela. To illustrate, the

TT1 translator adopted Venuti's **domestication** approach and removed the CSI via Aixela's **deletion** method, which led to his invisibility as a translator.

In contrast, the TT2 translator employed Venuti's **foreignization** approach. Hence, she preferred to retain the original CSI in the target text via Aixela's **repetition** strategy. In her effort to keep the original CSI in the target text, she also paid attention to the orthography of the CSI and managed to send the readers abroad by keeping the letter "ñ", which suggests its Spanish connotation. Therefore, her "respectful" approach leads the CSI to be felt more alien among target text readers, which also increases her visibility as a translator.

Example 53

ST	"Come on. I'll fix you a Bloody Mary ." (p. 40)	
TT1	"Gel haydi, sana bir içki hazırlayayım." (p. 43)	
TT2	"... sana bir Bloody Mary hazırlayayım." (p. 49)	
	TT1	TT2
Applied Strategy (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Absolute universalization)	Conservation (Repetition)

A *Bloody Mary* refers to a cocktail that includes tomato juice, vodka and combinations of other spices. It is culturally noteworthy to remark that it is a popularly known drink as a hangover cure, which is generally consumed in the morning or early afternoon in the United States (<https://en.wikipedia.org>). One needs to be acquainted with the linguistic and cultural implication of the CSI in its translation into a target text. The analysis above is a clear indicator of how two translators reacted to the same CSI over time. By way of illustration, TT1 translator employed Venuti's **domestication** approach and preferred to replace *Bloody Mary* in Turkish with the word "a *drink*, which is a neutral reference in the target text by using Aixela's **absolute universalization** strategy. He might have thought its replacement with a neutral reference in the target text would not have a major influence over the basic meaning of the text. Conversely, TT2 translator adopted Venuti's **foreignization** approach by means of Aixela's **repetition** method. She might have adopted this approach as there is not a similar item in the target

culture. In this way, she manages to be a visible translator by keeping the target language version of the original CSI and making its existence to be felt foreign among target text readers.

Example 54

ST	She dialed room service, and ordered a Mexican salad ... (p. 135)	
TT1	Darby oda servisini arayıp Meksika salatasıyla .. (p. 128)	
TT2	Oda servisini arayıp bir Meksika salatasıyla ... (p. 151)	
	TT1	TT2
Applied Strategy (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

Along with drinks, Grisham refers to some foods which are related to the racial and ethnic groups in the US in his work. In this case, he refers to the *Mexican salad*, which, as the name suggests, bears a Spanish connotation. The analysis clearly demonstrates that both TT1 and TT2 translators employed Venuti's **foreignization** approach via Aixela's **linguistic translation** strategy. They both preferred to use a reference which is denotatively very close to the original. In this way, they provided a target language version of the CSI that can still be considered as belonging to the source culture, which led them to become visible as translators. Aixela (1996, p.62) suggests that objects alien to the receiving culture but understandable because analogous and even homologous to the native ones generally fall under the category of linguistic (non-cultural) translation.

Example 55

ST	...filled with deli sandwiches ¹ and onion rings ² into a humid conference room on the fifth floor. (p. 56)	
TT1	...beşinci katındaki toplantı odasına sandviç ¹ dolu büyük bir pakette girdi. (p. 57)	
TT2	...içi mezecide hazırlanmış sandviç ¹ ve kızarmış soğan halkalarıyla ² doluydu. (p. 66)	
	TT1	TT2
Applied Strategy (Venuti)	¹ Domestication ² Domestication	¹ Foreignization ² Foreignization

Applied Strategy (Aixela)	¹ Substitution (Deletion)	¹ Conservation (Intratextual Gloss)
	² Substitution (Deletion)	² Conservation (Intratextual gloss)

It is necessary that the definitions be made before the analysis for the two CSIs, i.e., *deli* and *onion rings*. The first CSI- *deli* is an abbreviation of *delicatessen*, which refers to a shop that sells ready-to-eat food such as cooked meats, cheese and prepared salads. It is important to take into consideration that *deli* is “a contribution of European immigrants to the United States, particularly Ashkenazi Jews that made the delicatessen popular in American culture” (<https://en.wikipedia.org>). The second CSI- *onion ring* refers to an appetizer and consumed as a popular side dish in the United States. However, it is important to bear in mind that *onion rings* made their way into the Turkish cuisine and became part of a popular side dish fast food restaurants in Turkey early 2000s.

The analysis shows us clearly that the two translators employed divergent strategies. To illustrate, TT1 translator employed Venuti’s **domestication** strategies by **deleting** the foreign connotations of both CSIs. He removed the connotation of *deli* and replaced the word *sandwich* with its pre-established translation. Moreover, he omitted the translation of *onion rings*. Therefore, he failed to register the linguistic and cultural difference of the source text, which in turn led him to be invisible as a translator. He might have preferred to delete it maybe because he did not want to put a burden on readers’ comprehension with an item that did not exist in the Turkish cuisine at the period of its publication, namely 1990s. In contrast, TT2 translator applied Venuti’s **foreignization** approach in the translation of two CSIs whereas her translation strategies slightly differed. She translated *deli sandwich* as “*sandwich whose ingredients have been prepared in a side dish store*”. She preferred to apply Aixela’s **intratextual gloss** strategy in which she tried to explicit the CSI *deli* including her gloss as an indistinct part of the text in order not to disturb the attention of readers. Furthermore, she resorted to Aixela’s intratextual **gloss** strategy for *onion rings* by translating it as “*kızarmış soğan halkaları (fried onion rings)*”. She might have employed this combination of strategies since she might have felt necessary to reinforce the introduction of a CSI which already made its debut in Turkish culture at the period of its publication.

4.3.6. Social And Ethnic Groups

As mentioned earlier, the United States is composed of quite a many various social and ethnic groups. Grisham inevitably refers to some of these groups in *The Pelican Brief*. It is important to analyze the two Turkish translations of CSIs on the basis of social and ethnic groups in the US in order to evaluate how they were reflected by two translators in terms of Venuti's domestication and foreignization strategies.

Example 56

ST	He was undoubtedly a Cajun . (p. 296)	
TT1	Melez olduğu kuşkusuzdu. (p. 267)	
TT2	Kesinlikle Fransız asıllı bir Cajun' du bu adam. (p. 323)	
	TT1	TT2
Applied Strategy (Venuti)	Domestication	Foreignization
Applied Strategy (Aixela)	Substitution (Absolute Universalization)	Conservation (Intratextual Gloss)

A considerable part of the action in *The Pelican Brief* takes place in Louisiana which is predominantly influenced by the French culture as the state once was part of the French colony before it was purchased by the US in the early 19th century. The CSI in question here is *cajun* which refers to a “descendant of Roman Catholic French Canadians who settled in the fertile bayou lands of southern Louisiana” (<https://www.britannica.com>). One can clearly see that the TT1 resorted to Venuti's **domestication** approach via Aixela's **absolute universalization** method. He preferred to strip the CSI *cajun* of its foreign connotation and chose a neutral reference in the target text by translating it as “*melez*” (mixed, multiracial). His preference might stem from the assumption that these French settlers mixed with the Native Americans in the area that has remained the hub of various cultures such as African, French, Spanish, Native American, and Caribbean. However, it is useful to remind that not all Cajuns are multiracial people. Therefore, his approach fails to register the linguistic and cultural difference of the source text because readers are not allowed to have an insight into the CSI, which leads him to be an invisible translator.

In contrast, TT2 translator applied Venuti's **foreignization** approach along with Aixela's **intratextual gloss** strategy. She translated *cajun* as "*Fransız asıllı bir Cajun*", which literally translates as a "*Cajun of French origin*". In this way, she not only kept the CSI but also managed to introduce it to target text readers by "including her gloss as an indistinct part of the text so as not to disturb the attention of readers" (Aixela, 1996, p. 62). Moreover, she allowed her readers to taste the exotic flavor of the CSI by means of explicitness and managed to become a visible translator.

Example 57

ST	The hate groups were too obvious. (p. 55)	
TT1	Nefret grupları pek göz önündeydi. (p. 56)	
TT2	Nefret grupları çok ortadaydı. (p. 64)	
	TT1	TT2
Applied Strategy (Venuti)	Foreignization	Foreignization
Applied Strategy (Aixela)	Conservation (Linguistic translation)	Conservation (Linguistic translation)

Given that the United States consists of various racial, ethnic and social groups, it is no wonder that there may arise controversies and disagreements among them. A *hate group* could be defined as "an organization whose goals and activities are primarily or substantially based on a shared antipathy towards people of one or more other different races, religions, ethnicities/nationalities/national origins, genders, and/or sexual identities" (<https://www.adl.org/>). Based on the data provided by Southern Poverty Law Center (SPLC), there are currently 1020 hate groups currently operating in the United States (<https://www.splcenter.org>). It is necessary to note that *hate groups* are a phenomenon peculiar to the US and there are even some concepts and laws revolving around hatred such as *hate groups*, *hate speech* and *hate crimes*. Conversely, the concept of *hate groups* is currently nonexistent in Turkey even though the concepts of *hate speech* and *hate crimes* came to be used in Turkish. The analysis clearly demonstrates that both TT1 and TT2 translators employed Venuti's **foreignization** approach via Aixela's **linguistic translation** method. In other words, they preferred to use a reference in the target text that had a very close denotation to the source CSI and still considered as belonging to the source culture system.

Example 58

ST	...hunters, animal lovers, white supremacists ¹ , black supremacists ² , tax protestors, loggers, farmers.... (p. 2)	
TT1vergilere itiraz edenler, ormancılar ve çiftçiler... (p. 7)	
TT2hayvan severler, beyazların üstünlüğüne inananlar ¹ , siyahların üstünlüğüne inananlar ² , vergi protestocuları, orman işçileri, çiftçiler... (p. 6)	
	TT1	TT2
Applied Strategy (Venuti)	¹ Domestication ² Domestication	¹ Foreignization ² Foreignization
Applied Strategy (Aixela)	¹ Substitution (Deletion) ² Substitution (Deletion)	¹ Conservation (Intratextual Gloss) ² Conservation (Intratextual Gloss)

As mentioned in the previous example, there are more than a thousand hate groups operating in the US. Grisham refers to two of the most extremist ideas that these hate groups revolve around in his work, namely *white supremacists* and *black supremacists*. It is necessary to make a definition of them before setting out for the analysis. A *white supremacist*, as the names suggests, refers to a person who believes that white race is superior to other races and that white people should have control over people of other races. In contrast, a *black supremacist* is someone who opposes to this belief and believes in the superiority of the black race over other races. The analysis of the two CSIs above shows clearly that the TT1 translator adopted Venuti's **domestication** by means of **deleting** them. He might have thought that it would be not relevant enough to send readers abroad by introducing them in the target text, whereby he remains invisible as a translator. In contrast, the TT2 translator employed Venuti's **foreignization** approach in that she translated both CSIs by means of **intratextual gloss** strategy offered by Aixela. In her effort to make explicit the CSIs, she might have thought it relevant enough to explicate them via a gloss as 'indistinct part of the text' that would not disturb readers' attention. Therefore, her approach allows her to remain visible as a translator.

Example 59

ST	Everyone, it seemed, but the Rotarians ¹ and the Boy Scouts ² . (p. 4)
TT1	Rotaryenler ¹ ve izciler ² dışında neredeyse herkes. (p. 10)

TT2	Rotary kulüpleri ¹ ve İzciler ² dışında neredeyse tüm gruplar.(p. 8)	
	TT1	TT2
Applied Strategy (Venuti)	¹ Foreignization ² Domestication	¹ Foreignization ² Domestication
Applied Strategy (Aixela)	¹ Conservation (Repetition) ² Substitution (Absolute universalization)	¹ Conservation (Intratextual Gloss) ² Substitution (Absolute universalization)

A *Rotarian* refers to a member of Rotary International, which is a civilian service club established in the United States in 1905 by Paul P. Harris, a Chicago attorney (<https://www.britannica.com>). Subsequently, *The Boy Scouts of America (the BSA)* is “one of the largest Scouting organizations in the United States of America and one of the largest youth organizations in the United States, with more than 2.4 million youth participants and nearly one million adult volunteers” (<https://www.scouting.org>). It is important to remind that Rotary International operates in Turkey as well and that Turkish readers are already familiar with both Rotary International and *rotarian* as there are pre-established translations of them in Turkish, *Rotary Kulübü* and *rotaryen*, respectively. When we look at the translation of *the Rotarians*, we can see that both TT1 and TT2 translator adopted Venuti’s **foreignization** approach; however, their translation strategy offered by Aixela slightly differs in that the TT1 translator applied **repetition** strategy by using its pre-established translation in Turkish. The TT2 translator resorted to an **intratextual gloss** in which she explicated the *Rotary International* rather than its member.

As for the analysis of the second CSI, i.e., *The Boy Scouts*, we can see that both translators employed Venuti’s **domestication** approach via Aixela’s **absolute universalization** strategy. However, the TT1 translated it as “*izciler*” (scouts) and used a lowercase letter, which does not allow readers to understand it as a proper noun. He might have thought that deleting the connotation of the CSI and replacing it with a non-cultural item in the target text would not influence the basic meaning of the source text. Likewise, the TT2 translator applied the same strategy with only one difference by translating it with an uppercase letter, which might be useful for readers to comprehend that the word is a proper noun that refers to an organization in the source culture. However, it is evident that both translators remained invisible by replacing the source

CSI with a neutral reference in the target text, which in turn led to the loss of the cultural connotation.

Example 60

ST	The Klan ¹ , Even the IRA ² . (p. 4)	
TT1	Ku Klux Klan ¹ ... ve hatta IRA ² . (p. 10)	
TT2	Ku Klux Klan ¹ Hatta İrlanda Cumhuriyet Ordusu ² . (p. 8)	
	TT1	TT2
Applied Strategy (Venuti)	¹ Foreignization ² Foreignization	¹ Foreignization ² Foreignization
Applied Strategy (Aixela)	¹ Conservation (Repetition) ² Conservation (Repetition)	¹ Conservation (Repetition) ² Conservation (Linguistic translation)

Stack (2019) reports that there are over 1000 hate groups active in the US (<https://www.nytimes.com>) and Grisham makes a reference to another pair of them in this example, namely *Ku Klux Klan* and *IRA*. The *Ku Klux Klan* commonly called the *KKK* or *the Klan*, is one of the foremost notorious American white supremacist hate groups in the US. *The IRA* is the second hate group that Grisham refers to, which stands for *The Irish Republican Army*. When we look at the analysis of the first CSI, it is crystal clear that both translators applied Venuti's **foreignization** approach and kept as much as they could of the original reference by means of Aixela's **repetition** strategy. Moreover, they translated the CSI with its unabridged version, namely *Ku Klux Klan* instead of *the Klan*. Such a preference might arise from the fact that Turkish readers are already familiar with *Ku Klux Klan* rather than *Klan*.

As for the analysis of the second CSI, i.e., the *IRA*, both translators employed Venuti's **foreignization** approach. However, their strategies offered by Aixela slightly differ. The TT1 translator resorted to Aixela's **repetition** strategy by keeping its original acronym form in the target text as well. His "respectful" approach might allow the foreignness of the CSI to be felt among Turkish readers. On the other hand, the TT2 translator employed Aixela's **linguistic translation** strategy by explicating the acronym in such a way that it is still viewed as pertaining to the source culture system. Her strategy makes

use of the reference whose denotation is close to the source text albeit with target language system version. Hence, target text readers feel that the CSI belongs to the source culture system. Finally, the analyses of both CSIs demonstrate the fact that both translators remain visible as translators by employing Venuti’s foreignization approach.

4.4. DISCUSSION

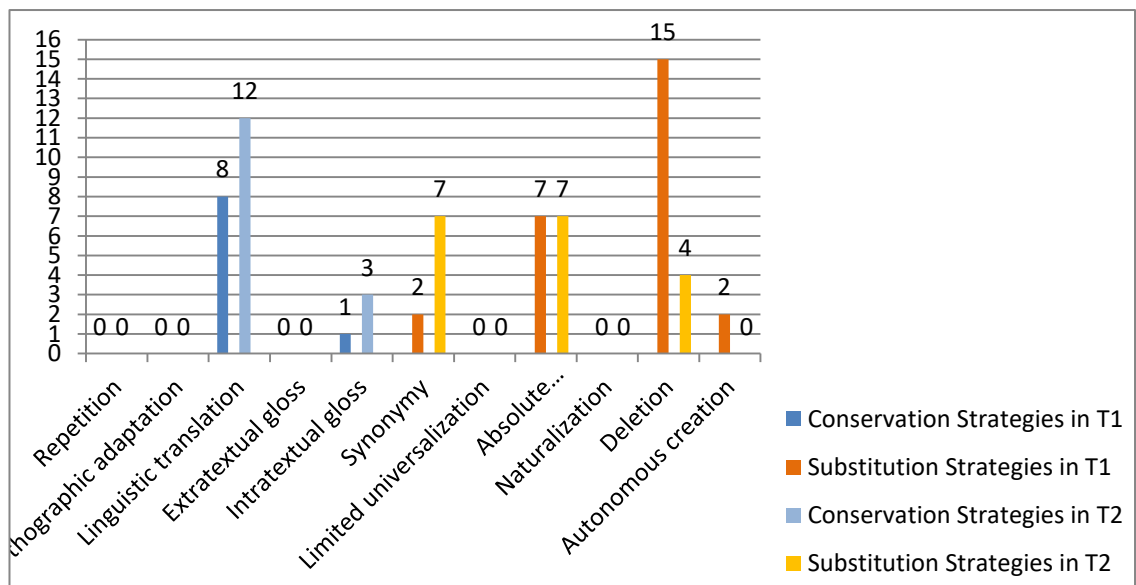


Table 3: Comparison of Aixela’s Translation Strategies on Legal Terminology between TT1 and TT2 translators

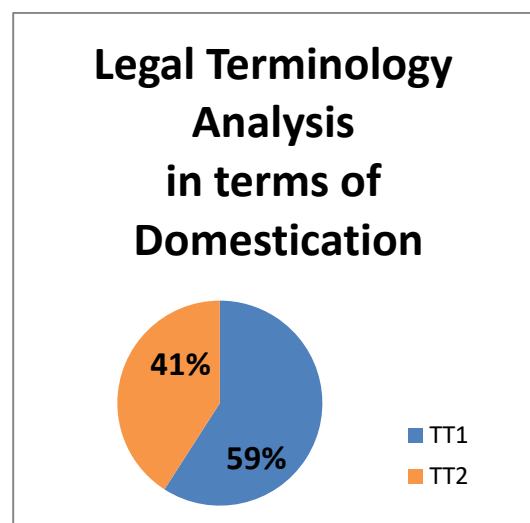
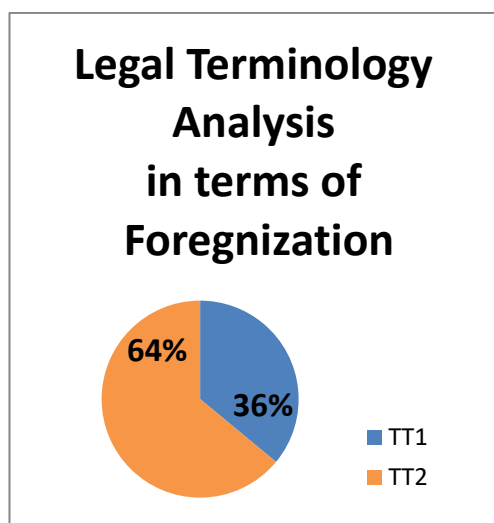


Table 4: Percentage of Aixela’s translation strategies on Legal Terminology by TT1 and TT2 translators in terms of foreignization and domestication

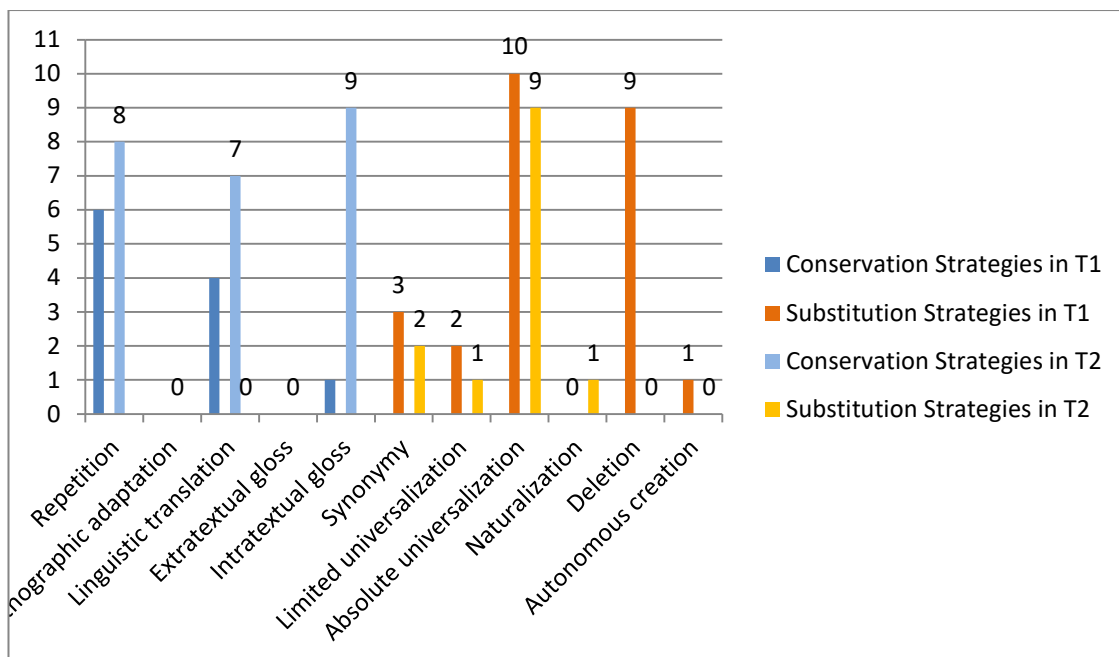


Table 5: Comparison of Aixela’s Translation Strategies on CSIs between TT1 and TT2

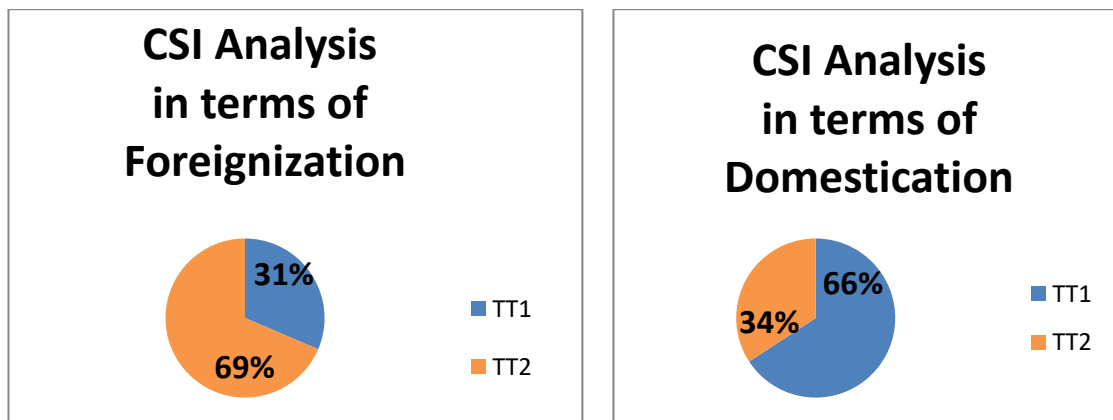


Table 6: Percentage of Aixela’s translation strategies on CSIs by TT1 and TT2 in terms of foreignization and domestication

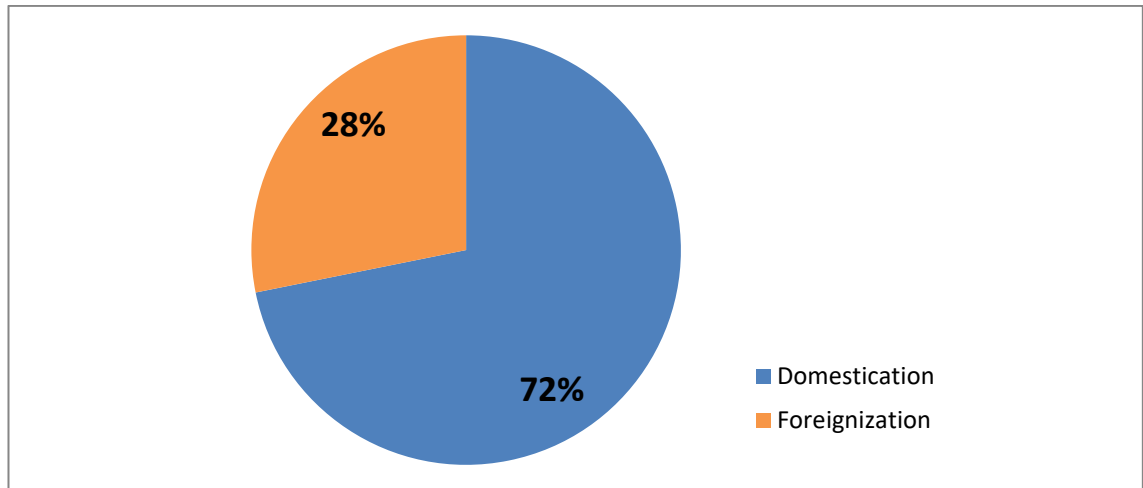


Table 7: Overall TT1 analysis in terms of domestication & foreignization

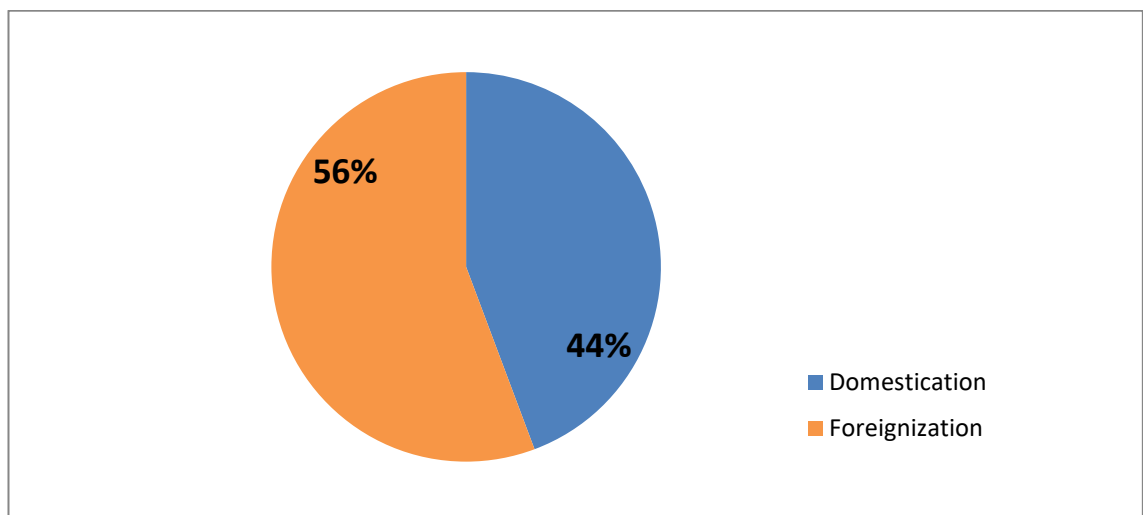


Table 8: Overall TT2 analysis in terms of domestication & foreignization

	Harmancı (TT1)	Kamçez (TT2)
a) Legal Terminology	Substitution (26) Invisible Conservation (9) Visible	Substitution (18) Invisible Conservation (15) Visible
b) CSIs	Substitution (25) Invisible Conservation (11) Visible	Substitution (13) Invisible Conservation (24) Visible

Table 9: (In)visibility level of the two translators in the translation of legal terminology and CSIs in *The Pelican Brief*

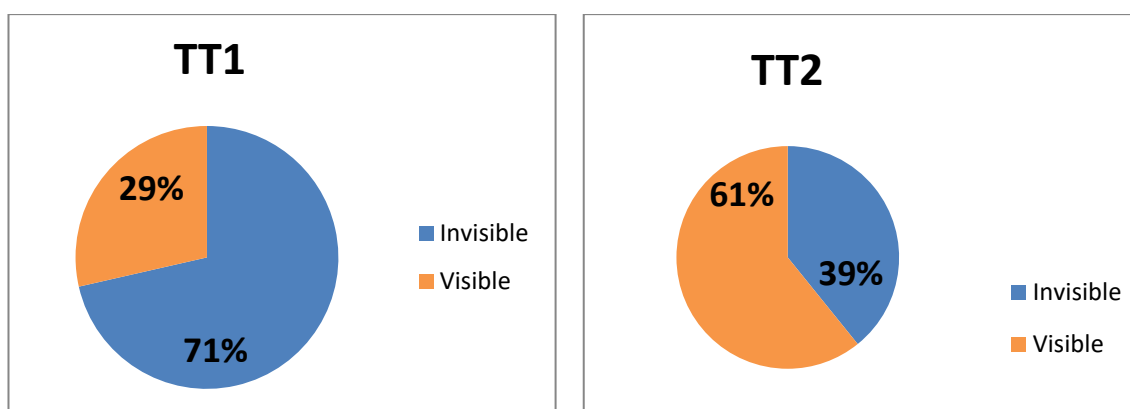


Table 10: Percentage regarding the (In)visibity of TT1 and TT2 translator

Table 3 seeks to help us acquire a broder picture of the translation strategies employed by the two translators on the translation of legal terminology. Moreover, Table 4 has been given to show the percentage of Aixela's microstrategies on the translation of legal terminology by the TT1 and TT2 translators in terms of foreignization and

domestication. One can conclude from the Table 3 that the TT2 translator applied Aixela's conservation strategies far more than the TT1 translator. In contrast, the TT1 translator has been found to apply Aixela's substitution strategies, particularly the *deletion* microstrategy more than the TT2 translator. Table 4 shows us clearly the percentage of the domestication and foreignization strategies employed by each translator. Based on the pie chart, one can clearly see that the TT1 applied foreignization strategy with 36 % whereas the TT2 translator employed the same strategy with 64%, which is a clear indicator that she adopted a more foreignizing strategy in her effort to translate the legal terminology.

Table 5 provides us with the comparison of Aixela's microstrategies employed on the translation of CSIs by each translator. Moreover, Table 6 gives us a clear picture of by means of a pie chart, which suggests that the TT2 translator adopted the foreignization strategy more predominantly than the TT1 translator with a percentage of 69% versus 31%. The bar graph in Table 5 clearly demonstrates that the TT1 applied Aixela's microstrategies of *repetition*, *linguistic translation* and particularly *intratextual gloss*, which renders her more visible as a translator because she manages to register the cultural otherness of the source text in the target text. In contrast, the TT1 translator resorted to Aixela's substitution strategy, among which the *deletion* microstrategy strikingly stands out, which renders him more invisible as a translator since he failed to register the cultural otherness in the target text.

Table 7 and Table 8 provide us with the overall analysis adopted by the TT1 and TT2 translator in terms of domestication and foreignization, respectively. Table 7 demonstrates that the TT1 translator adopts a more domesticating approach with a percentage of 72% domestication against a 28% of foreignization. In contrast, Table 8 shows us that the TT2 translator adopts a more foreignizing approach with 56% of foreignization against 44% of domestication.

Table 9 shows us the number of cases where each translator applied Aixela's microstrategies of substitution and conservation in the translation of both legal terminology and CSIs, which is instrumental in determining the level of (in)visibility of each translator. Furthermore, Table 10 provides us with a more clear illustration regarding their (in)visibility by means of a pie chart. One can conclude from Table 10 that the TT1 translator remain more invisible with an invisibility ratio of 71% against

29% whereas the TT2 translator remain more visible with 61% visibility against 39% invisibility.

In conclusion, the analysis on the two Turkish translations of *The Pelican Brief* supported by the tables above clearly demonstrates that the TT2 translator favoured the foreignization strategy and remained more visible whereas the TT1 translator remained more invisible by favouring the domestication strategy.

CONCLUSION

This study has sought to analyze the adoption of Venuti's translation strategies of domestication and foreignization in the two Turkish translations of *The Pelican Brief* with a particular focus on the translation of the two main components, namely, legal terminology and CSIs. The translations of 30 instances of legal terminology have been analyzed along with another 30 instances of CSIs, which consist of 6 subcategories: *brands, units of measurements, acronyms, foreign vocabulary (third party references), foods and drinks, social and ethnic groups.*

Harmancı's translation (1992) and Kamçez's translation (2008) of the work have been chosen in the study. Moreover, his concept of translator's invisibility has been used in this study to evaluate the situation of each translator since the concept is closely related with the above mentioned two strategies. In addition, the study has capitalized on Aixela's translation strategies of CSIs and Even-Zohar's Polysystem Theory. Aixela's translation strategies have proven to be instrumental in a more thorough analysis of both the legal terminology and the CSIs. In addition, Even-Zohar's Polysystem Theory has served the purpose of revealing the general approach of domestication and foreignization adopted in each translation based on the position of the translated crime fiction in general and legal thrillers in particular in the Turkish literary polysystem. It is now necessary to shift our attention to answer the research questions raised in the Introduction part based on the analysis of study:

1- What are the potential challenges in the translation of “*The Pelican Brief*” as a legal thriller which contains both legal terminology and CSIs?

It is worth reiterating the fact that *The Pelican Brief* is an instance of legal thrillers, as a result of which contains a significant number of legal terminology pertaining to the common law in the US, which is quite distinct from that of the target legal tradition. The study has found a myriad of legal terminology peculiar to the common law in the US in the book (e.g. property rights, search and seizure, cert, grand jury, subpoena and remand); references to the legal profession in the US (e.g. *paralegals, law clerks, partner and associate*) and legal bodies (*Supreme Court and Fifth Circuit Court of Appeals*). The analysis as to the translation of these CSIs has shown that they constitute a potential challenge because of the stark difference in the legal system

between the source and target culture. Furthermore, there exist some legal terms and legal institutions in the source text that do not show any slight similarity to the ones in the target text. For example, the existence of such professions in the US legal world as paralegal, law clerk and attorney as well as the appearance of the terms “*partner* and *associate*” based on the degree of ownership reveal that the range of professions in the legal business is slightly much more varied than the target culture. Moreover, the system of court of appeals and its distribution in the US pose another challenge for translators.

On the other hand, it is not only the existence of the legal terminology but also the appearance of CSIs that have created a challenge to the translators. The study shows us that both translators have been challenged to translate instances of CSIs under 6 categories: *brands, units of measurements, acronyms, foreign vocabulary (third party references)* , *foods and drinks, social and ethnic groups*. There are several brands referred to in the book (e.g. Fresca, Chivas and Sprites). The study reveals that translators managed to register certain CSIs in the target text; however, they themselves first need to know what a certain CSI refers to in the source text.

There is another challenge that both translators had to face, i.e. units of measurement since the target culture employs metric system for measuring items in comparison to the source culture that uses the imperial system. The study shows that there are some inconsistencies between the translators.

Another challenge faced by the translators is the translation of acronyms in the book because it refers to several items such as US organizations and institutions in acronyms (i.e. *ACLU, NOPD, PAC, CRP* and *HUD*). Both translators employed various strategies offered by Aixela in their effort to either domesticate or foreignize each CSI; however, there are some cases when they have to be careful with their efforts to register a certain CSI in acronyms in the target text.

Grisham, on several occasions, makes reference to the non-English CSIs that belong to the other cultures and particularly to the Latin American culture (i.e. *nada, presto, adios, mucho* and *Gestapo*). Both translators were faced with the challenge of registering these CSIs in the target text the majority of which are CSIs related to expressing the emotion of the atmosphere. Hence, it is of utmost importance for

translators to be familiar with such CSIs in order to convey the emotion more accurately.

The Pelican Brief also makes sporadic references to the CSIs about foods and drinks (*deli sandwich, onion rings and Bloody Mary*). It is worth noting that some of these CSIs belong to the indigenous culture dominant in New Orleans, Louisiana (i.e. *piña colada, jambalaya and blackened redfish*). These CSIs, which do not have even a slight similarity in the target text have been assumed to pose a challenge to the translators. The analysis shows us the various strategies employed by each translator to tackle with the translation of each CSI. The study suggests that translators be familiar with what each CSI refers to in order to avoid any mistranslation and confusion.

The last challenge under CSI category is the translation of CSIs that refer to the social and ethnic groups in *The Pelican Brief*. It is not surprising to come across a multitude of them in the book since the US is comprised of quite a many various social and ethnic groups (i.e. Cajun, hate groups, white supremacist, Rotarian, the Boy Scout, Ku Klux Klan and IRA). These CSIs have been assumed to create translation problems since there exists almost no common ground between the source and the target culture. However, it is necessary to state that the target text readers have already gained familiarity with some of them via pre-established translations in Turkish such as “Rotaryen” and “Ku Klux Klan”.

2- How did each translator cope with these challenges in light of Venuti’s foreignization and domestication strategies?

Both translators had their own way of dealing with the challenges revealed in the first research question. The analysis shows us that they both employed a wide range of strategies offered by Aixela to tackle with the challenges encountered in the translation of both legal terminology and CSIs. It is worth here noting that Aixela’s translation strategies have proven useful in determining the overall approach adopted by each translator in terms of Venuti’s domestication and foreignization strategies. The following conclusions have been made based on the bar and pie charts that reveal the approach adopted by each translator in terms of Venuti’s strategies of foreignization and domestication.

In the analysis of first component of the study, i.e. the analysis of the *legal terminology* via Aixela's *conservation* strategies, which could be regarded as closely related with Venuti's *foreignization* approach, both translators have been found to have employed solely two of his conservation strategies, which are *linguistic (non-cultural) translation* and *intratextual gloss* with no instances of the *repetition*, *orthographic adaptation* and *extratextual gloss strategies*. Thus, one can contend that the TT2 translator adopted a more foreignizing approach than the TT1 translator. In addition, the TT2 translator obviously has resorted to the above mentioned strategies relatively more than the TT1 translator. Thus, her approach leads her to become more visible as translator because she preferred to register the linguistic and cultural otherness of the source text in the receiving text via the conservation strategy more than the TT1 translator.

As for the use of Aixela's *substitution* strategies in the translation of the legal terminology, which could be instrumental in justifying Venuti's *domestication* approach, both translators applied 4 strategies out of 6, which are *synonymy*, *absolute universalization*, *deletion* and *autonomous creation*. They, however, left out the strategies of limited *universalization* and *naturalization*. The TT1 translator has been found to have employed the *deletion* and *autonomous creation* strategies meaningfully more than the TT2 translator. Hence, one may claim that the TT1 translator adopted a more domesticating approach, which led him to be less visible as translator.

In the analysis of the second component of the study, namely the *CS/s*, both translators have employed 3 out of 5 of Aixela's *conservation* strategies, which are *repetition*, *linguistic translation* and *intratextual gloss* and left out the strategies of *orthographic adaptation* and *extratextual gloss*. The analysis shows us that the TT2 translator applied strikingly more conservation strategies than the TT1 translator. Thus, one may suggest that the TT2 translator adopted a more foreignizing approach, which in turn led her to become more visible as translator.

On the other hand, both translators employed 5 out of 6 of Aixela's substitution strategies, leaving out only the naturalization strategy. The analysis demonstrates that both translators equally applied the strategies of synonymy and limited universalization whereas the TT1 translator obviously employed the strategies of limited universalization, autonomous creation and particularly deletion a lot more than the TT2 translator. Therefore, one may assert that the TT1 translator resorted to a more domesticating approach, which in turn led him to become less visible as translator.

According to the pie charts that display the domestication and foreignization strategies adopted in the translation of the legal terminology, the study reveals that the TT1 translator adopted the foreignization approach with 36% whereas the latter employed the same approach with 64%. In comparison, the percentage of the TT1 translator in his adoption of the domestication approach remains 59% while that of the TT2 translator has been found to be 41%. On the other hand, according to the pie charts demonstrating Venuti's strategies adopted in the translation of the CSIs, the TT2 translator adopted the domestication approach with 69% while the TT1 translator adopted the same approach with 31%. Furthermore, the TT1 translator adopted the domestication approach with 66% whereas the TT2 translator adopted the same approach with 34%.

Additionally, based on the pie charts that provide an overall analysis regarding the adoption of Venuti's strategies in each translation of *The Pelican Brief*, the study demonstrates that the TT1 translator applied foreignization approach with 28% and domestication approach with 72%. In contrast, the analysis shows us that the TT2 translator adopted foreignization approach with 56% and domestication approach with 44%.

• What is the overall translation approach adopted in the translation of *The Pelican Brief* when it made its debut into the Turkish literary polysystem in the early 1990s?

Grisham's first legal thriller *A Time to Kill* had already been published by the Altın Kitaplar Publishing with Hasan Karabulut's translation in 1988. Moreover, Grisham's second legal thriller "*The Firm*" was published in 1991 and 1993 with Mehmet Harmancı's translation. *The Pelican Brief* by John Grisham (1992) was translated by Mehmet Harmancı and published by Altın Kitaplar with two editions in 1992 and 1994. One can clearly see that Grisham's legal thrillers made their debut in the early 1990s thanks to the publications by two publishing houses, i.e. *Altın Kitaplar* and *Inkılâp*. It is worth reiterating the fact that the 1990s mark a relative increase in the number of both translated and indigenous works of crime fiction in Turkey. One can find a more detailed account of the introduction of crime fiction and legal thrillers in the Turkish literary polysystem in the first Chapter; therefore, it is enough to state that the Turkish readers were gradually getting familiar with the legal thrillers in the modern sense

mainly with the translations of Grisham's works. It has already been stated that works of crime fiction were deemed as lacking literary merit for a long time in the Turkish literature. Bearing in mind the quasi non-canonized status of the crime fiction in the Turkish literature, it not surprising to note that translated works of legal thrillers as both a subgenre of crime fiction and imported products from the Anglo-American literature, have maintained its peripheral position in the Turkish literary polysystem since its introduction in the early 1990s. Considering its quasi non-canonized and peripheral position, the study reveals that the first translation of *the Pelican Brief* in the early 1990s was predominantly translated by Venuti's approach of domestication, which can be clearly seen in the pie chart. The chart shows us that the TT1 was translated with 72% of domestication approach in contrast to 28% of foreignization approach.

3- How might the position of a legal thriller as a subgenre of crime fiction in Turkish literary polysystem affect the translation approach?

- **After making an entry into the Turkish literary polysystem, how does the second translation differ from the first translation in light of Venuti's foreignization and domestication strategies?**

As mentioned earlier, the first instances of legal thrillers were introduced to the Turkish literary polysystem in the early 1990s mainly by translations of Grisham's works and occupied a peripheral position since then. The publication of legal thrillers was mainly provided by two above mentioned publishing houses until the mid- 1990s. However, the publication of both older and more recent works of legal thrillers has been taken up by a third publishing house, i.e. *Remzi Kitabevi*, which still offers translations of new legal thrillers by Grisham. One can clearly deduce from the **Table 2** that the publishing house has incessantly provided the translations of Grisham's works since the mid-1990s up until now. It has already been noted that the first translation of *The Pelican Berief* as an instance of legal thrillers was provided under the predominant influence of the domestication approach in the early 1990s. In contrast, the second translation of the work was published by Remzi Kitabevi in 2008 with the translation by Şefika Kamçez, who has also translated 11 legal thrillers by Grisham. It is stated in the preface of the book that the first translation of the work was published with a "different" translation by Altın Kitaplar in 1992.

One might assume that the legal thrillers still remain at the periphery of the Turkish literary polysystem, albeit gaining a relatively more recognition by the Turkish readers. Furthermore, one can claim that there is a growing increase in the interest and publication of both translated and indigenous works of crime fiction in Turkish since the 2000s. Therefore, one may claim that the translated works of crime fiction in general and those of legal thrillers are in the process of making their way into the center of the polysystem.

The overall analysis of the two translations of *The Pelican Brief* demonstrates that the TT2 was translated with 56% of foreignization approach in contrast to 44% of domestication approach.

4- Which translator remains more visible based on Venuti's theory of Translator's Invisibility?

It is necessary to reveal the strategies adopted by each translator regarding the translation of both legal terminology and the CSIs in order to find an answer to the question. The substitution strategy suggests that the translator has adopted a domesticating approach in which the foreign elements in the source text are replaced by and reduced to the target linguistic and cultural values, which in turn renders the translator invisible. In contrast, the conservation strategy suggests that the translator has adopted a foreignizing approach in which the linguistic and cultural differences in the source text are registered and signalled in the target text, which in turn leads to the visibility of the translator. Table 9 provides the number of instances of substitution and conservation strategies in parenthesis regarding the translation of legal terminology and CSIs by each translator. Additionally, Table 10 containing the pie charts regarding the (in)visibility of each translator is instrumental in grasping the analysis in a more visual way.

One can deduce from the analysis that the TT2 translator has remained more visible with her preference to employ the conservation strategy in 39 cases compared to the 20 cases of the conservation strategy employed by the TT1 translator. Furthermore, the study shows us that the TT2 translator remains more visible with 61% of visibility in comparison to the TT1 translator with 29% of visibility.

The analysis summarized in Table 9 and Table 10 shows us clearly that the TT1 translator adopted a more domesticating approach, in which he resorted more to Aixela's strategy of substitution. He resorted to the deletion strategy in most cases, whereby he not only deleted the element in question but also the whole sentence and even paragraphs in some cases. Hence, one can suggest that he remains less visible as translator since he signalled the linguistic and cultural differences of the source text relatively less than the TT2 translator.

In contrast, the TT2 translator seemingly adopted a more foreignizing approach, whereby she applied more of Aixela's strategy of conservation. She apparently resorted to the strategies of repetition, linguistic translation and intratextual gloss in her effort to register the otherness of the elements in question and signal it in the target text. Thus, one can suggest that she has turned out to be more visible as translator thanks to her endeavour to make the linguistic and cultural difference of the source culture felt in the target culture.

It is necessary to reiterate that this study does in no way seek to favour the adoption of one approach over another by a certain translator. It is important to state that there might be some other factors that exert influence over the adoption of each strategy and approach. Aixela accepts that translators carry the full responsibility for the product; however, he argues that there are also other people in authority such as editors, proofreaders and publishers and other kinds of initiators, who might alter anything, generally to comply with what they regard as social expectations (Aixela, 1996, p. 65). However, this study particularly seeks to shed light on the decision by each translator from the point of Venuti's macro strategies of domestication and foreignization with Even-Zohar's Polysystem Theory and Aixela's micro strategies in the background.

The long-standing secondary position of the translated crime fiction, including legal thrillers at the periphery of the Turkish literary polysystem might have influenced on the adoption of domestication and foreignization strategies by each translator. Even-Zohar (1990, p. 14) claims that the polysystem of a given literature is in a constant state of interaction among multiple strata. Uyepazarcı (2008, p. 135) claims that there have occurred significant developments in both indigenous and translated crime fiction in the Turkish literature in terms of quality and quantity since the 1990s. Hence, one might argue that there might have been a gradual shift in the peripheral position of crime

fiction in Turkish towards center. This study is but a humble contribution to the translation studies in the fields of crime fiction, polysystem theory and Venuti's concepts of translator's (in)visibility, domestication and foreignization in Turkish literature. Last but not least, it acknowledges that there should be more studies to be carried out in these domains.

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Tarih: 09/07/2019

Tez Başlığı : John Grisham'ın *The Pelican Brief* Adlı Eserinin İki Türkçe Çevirisinin Yerileştirme ve Yabancılaştırma Stratejileri Açısından İncelenmesi

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