# Advisory Board

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# *The Use of Couplet in Translating Religio-Legal terms from Arabic into English*

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## 1.Introduction:

The translation of religio-legal terms from Arabic into English represents a problem for the translator .To solve such a problem , the translator adopts different procedures .He puts a comprehensive plan at the text level and uses some local strategies or procedures that comply with the global strategy . Traditionally, an opposite polarity has crystallized under different nominations under which different local strategies have been proposed.

The use of a certain translation strategy reflects the ideology of the translator or the ideology of his sponsor. Transliterating a lexical item, for example, leads to the domination of the source language at the expense of the target one. By time, these lexical items will be part of the target language. On the contrary, the use of translation strategies near to the target language such as finding functional equivalent or creating a new one if not available, especially for neologisms, will contribute in keeping the target language. Scholars of translation ( See Venuti,1995)have tackled this issue under the headline of foreignization   and domestication. As a global strategy, foreignization is used to impose a foreign culture represented by the source language on the domestic culture represented by the target language (Venuti,1995). The adoption of each strategy invokes accusations for the translator. He will be accused of neglecting the target language if he uses foreignization and will be accused of betrayal of the original text if he uses domestication. The     translator faces the eternal problem of compromising these two orientations. Newmark(1982:39) has tried to compromise these two opposite orientations and called for reducing the gap between the two by suggesting semantic and

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communicative translation. In his famous flattened V diagram, he said that SL oriented strategies can be replaced by semantic method and TL ones by communicative method. These strategies differ in their degree of flexibility. Those of less degree of flexibility such as word for word    translation, literal translation and formal equivalence are nearer to the SL whereas those of higher degree of flexibility such as dynamic equivalence, free translation and adaptation are nearer to the TL. At the local level, the translator uses some local strategies to deal with local problems at word and sentence level. Transliteration, cultural equivalent, couplet, modulation and descriptive translation are all local strategies or procedures that serve the global strategy adopted by the translator (Newmark,1988:30) . In this paper, the use of couplet as a local strategy in which the translator uses two procedures will be questioned.

## 1.  Religio-Legal terms

The translation of religious texts is one of the most difficult tasks for the translator because of the special characteristics of such texts. First, the sanctity of the texts (in fact, religious texts are untranslatable, what is transferred is the meaning of the text. Second, the Archaic    language.The old language of the text. Third, the ambiguities of the text due to the multiplicity of interpretations and the temporal factor .There are many problems that encounter the translator when he deals with religious texts including lexical problems(homonymous linguistic signs(two different lexical items happen to share the same phonological form translators follow different interpretations; therefore produce different renderings. Homonymy: two different lexical items happen to share the same phonological and/or graphological form: homograph. Shuhadaa (witnesses and martyrs) Indeterminate   denotation(polysemy)and syntactic beside cultural ones .The translator usually resorts to commentaries   and   exegetical   interpretations   to   solve   these problems.

The Translation of religio-legal terms represents a problem for the   translator   especially   when   these   are   linguistically   or

conceptually absent in the target culture. In such a case, new words or even new meanings must be created or sometimes existing words but partially equivalent to the original terms can be used but at that time only part of the message will be delivered. If these terms are legal ones, then the loss will be considerable because of the consequent effect. The source of the problem is the different culture. The translator deals with different divisions of cultural elements and culture specific terms. These can be related to ecology such as the Arabic word (Zakat), to material culture such as (Hijjab). They can also be related to social aspects especially when there are different connotations for the same concepts in different cultures. For example, the words(Dog, Donkey, Owl)represent an insult if said to an Arab person because these carry pejorative connotations of stupidity and pessimism in the Arabic culture, whereas such connotations do not exist in the English one where a dog is a symbol of loyalty, a donkey of endurance and an owl of wisdom. (Doc.)

## 2. The Concept of Couplet

Couplet is the use of two procedures or more in solving a problem in one translation unit . It is one of the procedures suggested by Newmark(1982:32;1988:91). This procedure is a local strategy that handles a problem at the level of words or phrases. It can be seen as a compromise between two completely different orientations. Other terms have been given for this concept. For example, Chesterman(1997:95)called it " Douple presentation " and Schaffner and Wiesemann(2001:34) called it "combination".

### 3.Justifications for Using Couplet Strategy.

The present paper tries to find answers for questions such as:

1.Is it possible to use two renditions for one lexical item?

2.What are the justifications of using an (SL) and (TL) strategies together?

3.Should we give the priority to the receptor, to the (SL) message, to the ideology of the sponsor or to the ideology of the translator?

The adopted translation strategy is a reflection of all these. In this regard, Newmark(1988:4)says that there are eight different forces that pull the text into different directions. Respecting one force may be at the expense of another. Translators mostly justify their decision on the basis of the understanding of the reader of the translated text. They try to give the reader a greater chance to understand the text by providing more than one rendition one for those familiar with the (SL) based rendition and one for those familiar with the (TL) based rendition .Hence, the translator presents a transliteration when he feels that part of his readers would understand this foreign term and to give other readers the chance to understand the term, he presents another option which may be a functional equivalent or a cultural one. On the other hand, one may say that the interested reader must himself looks for the meaning of such a translation. Another may say that the functional equivalent may lack some semantic elements that are compensated in the transliteration or in a form of descriptive translation.

## 4.The Uses of Couplet :

The use of couplet as a local strategy has been proposed for different problematic notions :

### 4.1.Culture Specific Items :

The use of this local strategy has been proposed by Newmark (1982:32;1988:222) among others for the translation of culture specific items. Couplet is mostly used in  the translation of culture specific items when the gap between SL and TL cultures is huge .For example, حديث(sayings of the prophet(Hadith); and  قدسي Qudsi (divine).

## 4.2.Advertisements :

Another use of this procedure is in translating advertisements(Lasa,1993). Translators resort to couplet as a local strategy as an effective way to not only giving a description of the term but also giving the term itself in a way that gives the reader the chance to identify the product. However, the existence of a visual

context such as a photographic support may reduce the need for a description or a couplet strategy (Lasa,1993: 152) .

### 4.3.Institutional terms :

Newmark(1988:222;1998:134) asserts that the basic translation procedure for institutional terms is the couplet combining transference with a cultural or functional/descriptive equivalent.

### 4.4.Puns :

Couplet as a local strategy has also been suggested by Ordudary (2008)who says that in pun translation resorting to a mere literal translation leaves the TT reader unaware of the concepts underlying the original text. He adds that the combination of two procedures namely literal translation and footnote is the most effective procedure in translating puns.

### 4.5.Neologism:

According to Newmark(1988;140) , Neologisms are "newly coined lexical units or existing lexical units that acquire a new sense". These new items are usually unfamiliar to the reader, and mostly cannot be found in dictionaries. He (1988:150) proposes combining two procedures for translating neologism. Within neologism, couplet is recommended for the translation of Eponym. Eponym is a word identical with or derived from a proper name which gives it a related sense. The Eponym has a single connotative meaning, and the translator has to decide on the necessity of using a couplet by combining transference with the sense, depending on its cultural interest and its frequency of use in the (TL) (Shakur,2008:57) .

When Eponyms refer directly to the person, they are translated without difficulty but if they refer to the referent's ideas or qualities, the translator may have to add these ideas. In translating Eponyms, there are additional considerations: the authority of the text, the knowledge and motivation of the target readership, the different culture. The dependable procedure is to translate using a couplet. The sense plus the proper name, but the proper name can be

left out if the readership is unlikely to be interested while the sense is kept (Newmark,1998:56).

## 4.6.Metaphor

Newmark (1991:144)also proposes couplet procedure for the translation of metaphor by using couplet of sense and image. Newmark (1988:222)more specifically says that couplet can be used for translating recherché metaphors.

## 5. Procedures used in couplet:

The translator sometimes faces the problem of deciding whether or not to transfer a word unfamiliar to his readers specially SL cultural words whose referent is peculiar to the SL culture. He resorts to a second translation procedure. A couplet usually consists of two or more procedures. These procedures include: Transference, transliteration, Cultural equivalent, functional equivalent, descriptive equivalent and notes. These procedures will be discussed briefly:

## 5.1. Transference

It is the process of transferring a SL word to a TL text as a translation procedure. It is the same as Catford's transference, and includes transliteration, which relates to the conversion of different alphabets: e.g. Russian, Greek, Arabic, Chinese, etc- into English. Newmark's transference (1998:34), Chesterman's exoticizing (1997)and finally Schaffner and Wiesemann's naturalization (2001) are identical. The transferred word is usually accompanied by the functional equivalent so that readers can recognize and understand the word. The advantage of transference is that it shows respect for the SL country's culture whereas its disadvantage is that it is the translator's job to translate, to explain. As for readership, this procedure is recommended for Experts (Newmark,1988:222). Transliteration involves naturalization at the sound level where SL spelling and pronunciation are converted into a given language (Catford ,1965:66). The difficulty of transliteration is probably due

to the differences in the sound and writing systems between different languages.

## 5.2.Cultural Equivalent

Translators commonly use cultural equivalents in couplet. It is an approximate translation where a SL cultural word is translated by a TL cultural word or element that corresponds to the SL one. However, the use of such equivalents is limited, since they are not accurate, but they can be used in general texts, publicity and propaganda, as well as for brief explanation to readers who are ignorant of the relevant SL culture. The problem of using cultural equivalent is the lack of accuracy. The cultural equivalent may be appropriate in terms of impact, but not for accuracy, a TL cultural equivalent of an SL cultural term is always more effective than a culturally free functional equivalent but it may be particularly misleading especially for legal terms, depending on the context .The use of cultural equivalent is common in translating idioms. For example, the Arabic translation of the English idiom"It is raining cats and dogs."                    انها تمطر كأفواه القرب is a case of cultural equivalent. Despite the fact that the target text is completely different semantically and linguistically in that jars of water have nothing to do with cats and dogs, the effect of the text on the TL reader is the same as that on the SL reader. Newmark(1988)links the translation of cultural components to the type of the text. He says that "Cultural components tend to be transferred intact in expressive text: transferred and explained with culturally neutral terms in informative text; replaced by cultural equivalents in vocative texts. "He adds that a cultural equivalent has a stronger emotional impact than a functional one provided that it will be understood by the TL reader. As for the readership, this procedure is recommended for uninformed readers (Newmark,1988:222).

## 5.3. Functional Equivalent

The most common procedure used in couplet is functional equivalent. Newmark(1988) proposes this procedure among others to render cultural specific terms. It is similar to cultural and descriptive ones. The difference between cultural and functional

equivalent is that the latter is culturally neutral and more accurate. It is also different from descriptive  equivalent in that it includes less words than descriptive equivalent .The translator tries to find the most acceptable word in the TL that gives the function of the SL word. This word should also be the most frequently used in the TL. If a cultural equivalent is nearer to the SL word in terms of giving the same meaning, it will be used instead.

This procedure is a common one. It requires the use of a culture-free word. A new specific term is sometimes used to neutralize or generalize the SL word. Scholars agree that it is the most accurate way of translating a cultural word that has no cultural equivalent in the TL. The translator uses a culture neutral word trying to explain the SL word. According to (Ibid:83) it "occupies the middle, sometimes the universal, area between the SL language or culture and the TL language or culture". The use of one to one functional equivalent is an under-translation whereas the use of one to two is an over- translation or a descriptive equivalent. This procedure is recommended for educated readers (Ibid:222).

## 5.4. Descriptive Equivalent

Descriptive equivalent is a satisfactory equivalent for objects, events or attributes that do not have a standard term in the TL. It is used for objects that are unknown in the target culture. It is also called amplification which gives the equivalent meaning through phrasal description and function of the word. In translation, description sometimes has to be weighed against function. Description and function are essential elements in explanation and therefore in translation. The use of a descriptive equivalent has been proposed as a solution for the incompatibilities between two languages. Newmark (1988) says that the description of the SL item should only be added if the readership requires it.

## 5.5. Notes

The differences between one culture and another are sometimes given in a form of "Notes ". The translator adds some information to his version according to the requirements of his

readers. These notes are normally given outside the rendition of the text in expressive texts whereas in vocative texts they replace SL information. Additional information in the translation may be within the text, at bottom of page, at end of chapter, or in a form of a glossary at end of book. The translator may insert the additional information within the text when this does not interrupt the reader's flow of attention. However, its drawback is that it distorts the distinction between the text and the translator's addition.(Newmark,1988:92) The selection of any of the above procedures depends on the particular text-type, the requirements of the readership or the client and the importance of the cultural word in the text. The above considerations will affect the degree of detail of the item.

6. **Data Analysis**

Practically and in order to test the validity of the hypothesis, some cases of couplet usage have been selected from the translation of  some Islamic Religio-Legal terms and then analyzed and discussed . The analysis includes identifying the types of procedures used in each couplet and then each has been assessed according to the following criteria:

**1 .The Maxim of Quality (Accuracy(A)):**

In order to assess the use of couplet procedure , the present paper adopts Grice's maxims of quantity and quality (Grice:1975).In translation, the SL message should be delivered totally. The use of couplet is supposed to maximize the delivery of the total meaning of the SL item. When a translator uses a couplet of two or more procedures, he presupposes that the use of the first procedure produces only part of the message and the rest part is given in the second procedure. If such a presupposition is really reflected in the rendition and the total meaning of the SL item can only be given by the use of more than one procedure, then it will be appropriate in that the maxim of quality will be achieved (+) whereas if the use of one procedure is enough and there is no need for a second procedure, then the maxim of quality will be violated and hence the use of couplet will be inappropriate(-) .When a certain lexical item is

established as a loan word in the TL, it needs no further additions ; therefore, adding another rendition will be considered a violation of the maxim of quality and hence , inappropriate (-) .

## 2. The Maxim of Quantity (Economy (E)):

The use of couplet leads to the use of more words in a way that affects the economy of the language. When the translator uses two words to produce a certain propositional content that can be produced by using only one word, there will be a case of redundancy and hence the maxim of quantity will be violated as well the principle of economy. The use of couplet, hence, leads to the violation of the principle of economy and will be inappropriate (-). When a cultural, functional, or a descriptive equivalent lacks part of the meaning of the SL item, then if the addition of a transliteration compensates this part, it will be a justified usage of couplet (+). When a lexical item has an entry as a loan word in the dictionary of the TL, it became a recognized translation of the original SL item. Hence, any couplet of the loan with functional or descriptive equivalent is no longer needed and will be a case of redundancy and a violation of the maxim of quantity, hence the principle of economy will be violated. So, the use of couplet in such a case leads to the violation of the maxim of quantity and the principle of economy, and will be inappropriate (-).

1. **Couplet Combining Transliteration (trans.) and Cultural Equivalent (C.E)**

| No. | SL item | TL item Trans. | Trans. | C.E. | App. | Proposed R. |
|-----|---------|----------------|--------|------|------|-------------|
| 1 | النفقة | Nafaqa (alimony) | Nafaqa | (alimony) | + | |
| 2 | الفقه | (fiqh)Islamic jurisprudence | (fiqh) | Islamic jurisprudence | - | Islamic jurisprudence |
| 3 | الدية | Diya(blood money) | Diya | (blood money | - | Blood money |
| 4 | القاضي | Qadi(judge) | Qadi | (Judge) | - | qadi |
| 5 | وضوء | Wudhu(ablution) | Wudhu | (ablution) | + | |
| 6 | الاجتهاد | (ijtihad)Interpretative reasoning | Interpretative reasoning | (ijtihad) | - | Interpretative reasoning |

### Discussion:

1.The translator has used the couplet Nafaqa( alimony)as a rendition of(نفقه) yet 'alimony' in English refers to the money that a court orders someone to pay regularly to his former wife or her husband after divorce. The condition, i.e. legal separation, for alimony in the

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English culture is deemed a binding condition, which is not necessarily the case in Arabic. Also in English, the case includes both the wife and the husband whereas in Arabic it is the husband who pays the money to his former wife. Therefore, it is necessary to use the transliteration (Nafaqa) to cover the difference in meaning between the two cultures.

2.In the second case, the translator has used the couplet (Islamic jurisprudence (Fiqh)). The use of jurisprudence alone as an equivalent for Fiqh is not enough because Fiqh is related solely to Islam. Therefore, the addition of the adjective (Islamic) will compensate the difference in meaning between the two culture, hence there is no need for using the transliteration (Fiqh) which causes redundancy and leads to the violation of the maxim of quantity  and the principle of economy.

3.In the third case, the translator has inappropriately used a couplet of (Diya(blood money)) because the use of (blood money) alone is enough as a cultural equivalent for the Arabic word(ديه)    . Hence, using the transliteration here leads to redundancy and the couplet will be considered inappropriate due to the violation of the maxim of quantity.

4.In the fourth case, the translator has inappropriately used a couplet of (qadi (judge)) because the word qadi has been established as a loan word in English and can be used alone as an equivalent for (قاضي) .The use of the cultural equivalent here causes unnecessary redundancy and represents a violation of the maxim of quantity.

5.In the fifth case, the translator has appropriately used a couplet of (Wudhu (ablution) for the translation of  وضوء because the use of (ablution) alone is not enough as a cultural equivalent for the Arabic word (وضوء).

According to Collins English dictionary, Ablution in English is the ritual washing of a priest's hands or of sacred vessels. This is completely different from the concept of  (وضوء)  in Islam. Hence, using the  transliteration here is necessary to make the reader consult a specialized dictionary, or to add a footnote like"

> *"Ablution: a ritual purification/cleaning*
> *of parts of the body [namely: the two*
> *hands from the elbow downward, the*
> *face, the two feet from the ankle,*

*washing the mouth by gargling with water, cleaning the nose by rinsing it with water, and cleaning the hair and the outer part of the ear pinna by wiping them with wet hands] stipulated as a precondition for certain acts of worship like prayer, recitation of the Holy Qur'an, circumambulation around the Holy Kacba etc. (A Dictionary of Religious Terms."*

6.In the sixth case, the translator has used the couplet interpretative reasoning (ijtihad) as a rendition of اجتهاد . The use of reasoning alone as an equivalent for اجتهاد will not be enough because part of the meaning will be lost. So this is a case of compensating the partial loss of meaning by the addition of(interpretative ) to (reasoning ) (The process of thinking carefully about something in order to make a judgment (Longman Dictionary of Contemporary English(2009:1449)) as a rendition of the Arabic word (اجتهاد) which means making a judgment according to interpretation . Hence, there is no need for using the transliteration (ijtihad) which causes redundancy and leads to the violation of the principle of economy.

 2.Couplet  Combining Transliteration  (Trans.)  and
 Descriptive  Equivalence (D.E)

| No. | SL item | TL item Trans. | Trans. | C.E. | App. | Proposed R. |
|---|---|---|---|---|---|---|
| 1 | الطلاق | laq (unilateral non-judicial declaration of divorce by a husband) | Talaq | (unilateral non-judicial declaration of divorce by a husband) | + | |
| 2 | العدة | Iddat(the waiting period following a divorce) | Iddat | (the waiting period following a divorce) | - | waiting period following divorce or widowhood during which a woman may not remarry |
| 3 | الخلع | Khula(Separation of wife in return for a payment to husband) | Khula | (Separation of wife in return for a payment to husband) | + | |
| 4 | المهر | Mahr(Mandatory gift or dowry from groom to bride) | Mahr | Mandatory gift or dowry from groom to bride) | - | (Mahr) property and money from bridegroom to bride |
| 5 | القبلة | Qibla(direction towards the holy Ka'bah) | Qibla | direction towards the holy Ka'bah | - | Qibla |
| 6 | تيمم | (tayammum)wiping the hands and face with clean sand | Tayammum | wiping the hands and face with clean sand | + | |

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1.In the first case, the translator has appropriately used the couplet (Talaq (unilateral non-judicial declaration of divorce by a husband) as a rendition of (الطلاق) instead of using the cultural equivalent (Divorce) because there are some differences between the two concepts in the two cultures. "Talaq" in Arabic takes effect as a non –judicial declaration of divorce by the husband whereas in English a divorce is a judicial declaration by either the wife or the husband. Therefore, the use of a couplet here is justified to inform the reader that Talaq is different from divorce.

2.In the translation of the Arabic item العدة , the translator has used a couplet consisting of the transliteration of "idda" and the descriptive equivalent (the waiting period following a divorce). This description is not enough because it does not cover all cases of العدة. A better description would be (waiting period following divorce or widowhood during which a woman should not remarry)

3.The lexical item الخلع has been appropriately translated by the use of the couplet Khula(Separation of wife in return for a payment to husband) because there is no cultural equivalent and the concept must be described for the reader to understand the full meaning and at the same time the transliteration is needed to keep the local flavor of the term.

4.In the translation of the Arabic word "المهر" , the use of the lexical item 'dowry' is not appropriate. According to Longman Dictionary of Contemporary English(2009:509) it means "property and money that a women gives to her husband when they marry. " In Arabic, on the other hand, Mahr means the property, especially money, given by the bridegroom to the bride before consummation of marriage. Therefore, "dowry" is not a perfect equivalent for "المهر. Instead, the transliteration "Mahr" is needed with a correct descriptive equivalent such as " property and money from bridegroom to pride.

5.In the translation of القبلة, there is no need for the use of the descriptive equivalent with the transliteration because the word itself has an entry in the Longman Dictionary of Contemporary English(2009:957) and this means that it is a recognized rendition of its original SL item and the use of couplet is no longer needed because it will represent a violation of the maxim of quantity and the principle of economy .Consequently , the whole couplet will be inappropriate.

6.In this case, the translator has been successful in rendering the lexical item تيمم. In Islam, if a person does not have water or he cannot use it for any reason, he has the permission to use clean sand instead of water for his ablution. Translating this concept into the couplet ((tayammum)wiping the hands and face with clean sand) is appropriate because the concept itself is a culture specific term with no cultural equivalent and the target reader would not understand the meaning of the term without explication for the term ;therefore, the use of the descriptive equivalent beside the transliteration is justified.

| No. | SL item | TL item Trans. | Trans. | C.E. | App. | Proposed R. |
|---|---|---|---|---|---|---|
| 1 | المال | Property ("mal") | mal | Property | - | Property |
| 2 | بائن | Bayen (Irrevocable) | Bayen | Irrevocable | - | Irrevocable |
| 3 | زواج عرفي | (Urfi) A customary marriage | (Urfi) | A customary marriage | - | (urfi) A customary Unregistered marriage |
| 4 | وقف | Waqf [religious endowment] | Waqf | religious endowment | + | |
| 5 | غسل | Ghusl: Obligatory Baths | Ghusl | Obligatory Baths | + | |
| 6 | الحد | Had (Limit) | Had | Limit | - | Limit or penalties of trespassing a limit given by Allah |

3.Couplet Combining Transliteration (Trans. ) and Functional Equivalence (F.E)

1.The translator has inappropriately used couplet in this case because the English lexical item "property" is a good equivalent for the Arabic one المال.The reader of the target language would understand the meaning of the word without the need for the transliteration (Mal) which will be a case of redundancy and the principle of economy will be violated and hence the couplet is inappropriate here.

2.The same argument can be said concerning the use of the couplet (Bayen (Irrevocable)) as a rendition for the lexical item بائن . The English lexical item "Irrevocable " is a good equivalent for the Arabic one بائن. The reader of the target language would understand the meaning of the word without the need for the transliteration Bayen) which will be a case of redundancy and the principle of economy will be violated and hence the couplet is also inappropriate here.

3.In the third case, the translator has used the couplet ((Urfi) A customary marriage) as a rendition of the Arabic lexical item (عرفي). Urfi marriage is typically concluded with a customary document replacing the official marriage registration procedures. The main characteristic of this kind of marriage is that it is unregistered. Therefore ; the descriptive equivalent ((Urfi) A customary marriage) is not enough and the lexical item (unregistered) must be added to give the reader a more precise meaning of the term.

4.The same can be side on the addition of (religious) to (endowment) as a rendition of the Arabic word (waqf) to compensate for the religious property of the word and because the concept of endowment evinces the discrepancies in the two cultures. In Muslim countries, there is a ministry that deals with awqaaf customarily translated into 'endowments'. According to Hans Wehr's Arabic-English Dictionary, endowments are restricted to being religious, and the Arabic word has the sense of bequest for charitable reasons, whereas the English word does not necessarily have a religious connotation. Longman Dictionary of Contemporary English(2009:558) offers two meanings : a sum of money given to a college, hospital, etc to provide it with income, or the act of giving the money; and secondly, a natural quality, talent or ability. It can be easily inferred from the above definitions that the term 'endowment' is not as restricted as the Arabic equivalent waqf, nor does it convey the religious connotation which the Arabic counterpart does, the property assigned for the service of Allah.

5.The translator has been successful in compensating the loss of meaning when he added (obligatory) to baths because the total meaning of (Ghusl) includes the obligation of taking bath.

6.In the translation of الحد, a couplet of a transliteration and a functional equivalent has been used. The problem is that the term الحد means a lot more than a limit. According to Lisan Alarab, beside its basic meaning as ends and limits that Allah has denied its trespassing, it includes the meaning of penalties for committing such sins. Therefore, the translator should have used a descriptive equivalent of the main ideas of the term instead of giving the literal meaning that does not represent a perfect functional equivalent.

## 6. Conclusions:

After studying different cases of using couplet in translation, it can be concluded that there are some advantages and disadvantages in this regard as follows:

### Advantages of Couplet:

The use of this procedure is appropriate when the term under discussion is a basic and important one for the reader. By the use of a source language orientation local strategy such as transference or transliteration with a target orientation one such as descriptive equivalent the reader will know the meaning of the item from the description and will identify the original SL name from the transference. Sometimes ,the translator uses couplet as a local strategy to improve his translation or to give it a local flavor. The translator also uses this procedure to compensate for the loss of meaning that happens when a single local strategy is used for translating a new term or culture specific one. So, it is used generally to avoid extremity in presenting full standardization or full localization (Newmark, 1988:45). In translation, there are additional considerations: the authority of the text, the knowledge and motivation of the putative readership, and the different culture. The fail-safe procedure, which is also the most educative, is to translate using a couplet, viz. the sense plus the proper name (i.e. the image), but the proper name can be left out if the readership is unlikely to be interested, while the sense is kept. (Newmark,1998:56).

### 5. Disadvantages of Couplet:

The use of this procedure sometimes leads to unnecessary redundancy. The use of more than one rendition means producing more words. So, the translation will not be a good one because of the violating of the maxim of quantity which means a violation of the principle of economy. Newmark (1998:18) maintains that the qualities of a good full translation are accuracy and economy. The presentation of more than one equivalent in the target language has been criticized by translation theorists because it confuses the reader sometimes and affects the economy of language. More words mean additional efforts by the readers. At the strategic level, the use of a compromise procedure contradicts with the ideology of the translator who tries whether to domesticate his text or to foreignize it. The use of local strategies like functional, cultural equivalents or even producing descriptive translation all yield loss of meaning in translating some terms of products because the reader may not understand the original term. Practically, in the case of a couplet consisting of transliteration and cultural equivalent, the latter must have the same effect of the SL concept if not, a transliteration can be added to compensate for the loss as in the translation of نفقة whereas when there is a cultural equivalent in the TL which is accurate enough for the TL reader to understand the concept, there is no need for the use of transliteration as in the translation of دية. Also, when the addition of a certain lexical item compensates for the loss of meaning in the cultural equivalent, there will be no need for the transliteration as in the translation of اجتهاد  and فقه. In case that the transliteration has been established as a loan word in English, it can be used alone as an equivalent for the SL item consequently the use of the cultural equivalent will cause unnecessary redundancy as in the case of القاضي. In the case of a couplet consisting of transliteration and a descriptive equivalent, when the translator cannot find a cultural or a functional equivalent that produces the same effect of the SL item, he may use a descriptive equivalent beside the transliteration provided that the description is accurate and economic at the same time as in the case of the translation of الطلاق, تيمم, and  الخلع. Also the descriptive equivalent must cover the basic meanings of the SL item as shown in the case of العدةand المهر. When the transliteration has been established as a loan word in the TL, there will be no need for a

description as in the case of the translation of القبلة.In the case of the use of couplet consisting of a transliteration and a functional equivalent, when the translator finds a functional equivalent that covers the meaning of the original SL item, there is no need for the transliteration because the reader can understand the meaning as in the translation of المال and بائن. On the other hand, if the nearest functional equivalent does not cover all the meaning ,an additional lexical item can be added as in the translation of وقف ,غسل and عرفي, a transliteration of the SL item as in *tayammum*, or a descriptive equivalent is given instead as in الحد.

To sum up, the local  translation strategy needs to be adopted in translating religio-legal items especially when encountering cultural words is to abandon literal rendering and adopt instead cultural equivalent wherever possible. This allows transferring the underlying connotative, cultural or emotive associations of the SL words to the TL culture. In many cases, the translator resorts to transliteration accompanied by a cultural, functional or descriptive equivalent to compensate for the loss of part of the message of the SL item.

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# استخدام الاستراتيجية الهجينة في ترجمة المصطلحات القانونية الدينية

# من العربية إلى الإنكليزية

# أ.م.د.لقمان عبدالكريم محمد

**مستخلص**

تعد ترجمة المصطلحات الدينية القانونية من العربية الى الانكليزية من اصعب مهام المترجم . وقد لوحظ ان معظم المترجمين يستخدمون استراتيجية الترجمة المزدوجة من خلال الجمع بين اسلوبين للترجمة , فقد يجمع المترجم بين النقل الحرفي للمفردة مع اعطاء المكافى الثقافي او الوظيفي . يهدف هذا البحث الى تحري مدى ملائمة هذه الاستراتيجية لترجمة هكذا مصطلحات وقد وضعت فرضية للبحث تقول ان الاستراتيجية تعد ملائمة عندما يتحقق شرطين اساسيين من شروط الترجمة الناجحة وهما الدقة والاقتصادية . ولاثبات هذه الفرضية تم تحليل مجموعة من الامثلة المترجمة لتبيان مدى دقة واقتصادية الترجمة باستخدام هذه الاستراتيجية. وتوصل البحث في ختامه الى ان استخدام الاستراتيجية المزدوجة له مزايا ومساوى وحسب الاساليب الملائمة ضمن هذه الاستراتيجية .