

RENDERING LEGAL TERMS IN SHAKESPEARE'S PLAYS INTO ARABIC PROBLEMS AND SOLUTIONS

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Abstract

The legal, financial, economic and emotional aspects always overlap in Shakespeare's plays. Many legal expressions occur in his plays. This study deals with legal terms in Coriolanus and other plays from a translational point of view. Studying translational problems of these terms develops the skills of translators and researchers, and gives them more options to solve the problems they encounter. The study traces the phenomenon in more than one translation to explore the different techniques used by translators in the Arab world to deal with the legal language in Shakespeare's plays.

Review of the Literature

Okasha (2023) tackles the clown's discourse in Shakespeare's plays. He explores the translation theories that may help the translator reach the best solutions as far as rendering clown discourse in Shakespeare's plays into Arabic is concerned. Omar (2022) adopts Conceptual Metaphor Theory to deal with the problems of rendering color metaphors of emotion and fear in *Macbeth*. Tomas (2020) deals with the problems of rendering figurative language in Shakespeare's plays into Arabic. Earlier studies only draw a comparison between two or more translations of a play or tackle a general phenomenon like metaphor: for example, Al Shikh Ibrahim (2017) compares two translations of Shakespeare's *Antony and Cleopatra*, and Sahsah (2011) studies the rendering of metaphor in *Hamlet*.

A study of the researches above and many other papers shows that little attention has been paid to the rendering into Arabic of legal language in Shakespeare's plays, especially as far as Arabic language is concerned. *Coriolanus*, for example, includes more than 120 legal images and 194 words and phrases of legal significance (Enani, 2012). Tanselle and Dunbar (1962) classify legal language in Shakespeare's plays into three types: legal terms used metaphorically, legal terms used for their legal meaning arising from the subject matter of the play, and words that belong to the everyday speech and have a legal meaning at the same time. Hu and Cheng (2016) classify errors in English and Chinese translations from some Taiwanese legal reviews, and use the notions of near-equivalence, partial equivalence, and non-equivalence. They divide the errors into syntactic and lexical, proposing that they occur because translators use ordinary language for lacking sufficient legal knowledge. Such a method may not be applicable here, because an error in rendering a legal expression in a play may not be considered erroneous because the play is not intended to be a legal text; more freedom is supposed to be given to the translator.

Setting the Problem

Shakespeare's plays are full of legal phraseology. His correct use of law terms shows a great obsession by law (Sokol, B. J. & Sokol, M. 2004). His legal learning made him produce magnificent pieces of art. Other dramatists at Shakespeare's time used to quote legal terms in Latin, but Shakespeare translated them into English (Rushton, 1907). Legal language constitutes a difficulty to the translator, especially if he renders an old text. Studying the history of legal language from literary texts is a step towards serving two types of translation: literary and legal. Even people working in the legal field sometimes find difficulty in understanding some texts. Translators of legal language in Shakespeare's plays face various kinds of problems. Differences in legal systems make it difficult to find equivalents for some words. Another problem is that some translators ignore rendering the legal term or mistranslate it: for example, the expression 'action of battery' in *Measure for Measure* (2.1.153) is ignored in Ibrahim Khorshid's translation. He also ignores the legal image in 'Arraign your conscience' (2.3.21) by rendering it as junct on the cases, he keeps the legal sense, as in rendering the word 'countermand' as junct if a cutotic legal. In other cases, he keeps the legal sense, as in rendering the word 'countermand' as junct is a superior of the legal.

Legal knowledge and the influence of ordinary language are two major problems that a translator of legal texts may face (Hu & Cheng, 2016). Thus, the major problem is that English people themselves sometimes mistake legal terms and catastrophic problems happen:

Gloucester: Tell them how Edward put to death a citizen,

Only for saying he would make his son

Heir to the crown, meaning indeed his house,

Which, by the sign thereof, was termed so.

(Shakespeare, 1622/2009, Richard III, 3, 5, 75-78) اخبر الناس كيف أعدم إدوارد رجلاً من أهل المدينة، لا لشيء إلا أنه قال إنه سيجعل ابنه وريثاً **للتاج،** يريد بذلك بيته المعروف بهذا الاسم، إذ كان التاج هو العلامة المميزة له (عبد القادر القط)

The quotation above is about an ordinary citizen who means his house by the word 'crown', but the king thinks of only one meaning for the word crown. Abd Al Qadir Alqut (1993) provides a footnote to the translation, explaining the semantic problem that makes the king kill an innocent man because the king mistook his use of the word 'crown', thinking that the man wants his son to topple the government and be a king.

Research question

Thirty five plays include the words 'judge' and 'justice', and reference to a trial scene appears in twenty-five plays dealing directly or indirectly with legal issues (Sokol, B. J. & Sokol, M. 2004). Shakespeare reflected the legal and political system of the16th and 17th centuries England in his plays. The question is how the translation of the terminology of this system would benefit translational efforts in political, legal and economic fields. The study is an attempt to establish a translational link between such Renaissance terminology and their modern equivalents in Arabic. Mastering translation in a field requires studying history of its terminology. When such history is studied from literary texts, not only from purely legal texts, results will be better because the social, historical, functional, etc. aspects of the field are explored more deeply. Accordingly, new questions would branch off, like: how much of Shakespeare's legal language is still used today? What is the influence of Shakespeare's legal language on the legal jargon today? What is the best method for rendering legal discourse in Shakespeare's plays?

Significance

The language of law is a prominent indicator of how social and cultural life is going on (Goodrich, 1987; Sokol, B. J. & Sokol, M., 2003). Legal discourse in Shakespeare's plays does not serve a real legal purpose, but it is good material for training the translator in rendering legal texts; hence the importance of analyzing its translational problems that gives more competency to the legal translator.

The importance of studying translational problems of legal terms at Shakespeare's time stems from the fact that it was an age that witnessed a transition from feudalism to capitalism, and from an economic to a chrematistic society (Hawkes, 2015, p. 14). Shakespeare introduced new concepts in different fields. His plays may be viewed as a turning point of exit from the simple life of the Middle Ages to the complex aspects of the Renaissance especially in the fields of science, economy and law. It is a notion of interaction that mixes legal, economic, political and religious aspects (Enani, 2004, p. 35; Enani, 2020, p. 29).

Data and Methodology

As far as CDA or PDA is concerned, Shakespeare resorts to a legal narrative to let his character foster an argument (see Norman Fairclough & Isabela Fairclough, 2012). Such a strategy has to appear in the TT via a systematic analysis of the argument. The merit of this analysis is not only beneficial to the discourse reception process, but it also gives the reader of

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the translation more hints on who the author of the discourse is. Thus, channels of communication are established not only between the reader and the source text and context, but also with the mentality of the writer. Political discourse is defined by Browse (2018) as "a struggle for power between those who seek to assert and maintain their power and those who seek to resist it" (p. 2). This definition may arguably be applied to the legal language in Shakespeare, because he uses a legal image or analogy to assert a certain idea competing with another as is the case with Portia and Shylock at the court scene in *The Merchant of Venice*. Legal terms are a sort of persuasion and argumentation strategies in Shakespeare's plays in the same way political actors try to persuade their audience (Li & Fung, 2020, p. 219). Thus, the rules of analyzing political discourse may in turn be of a great value to the translator who tries to understand the argument in a legal text to render it to the TT.

To borrow Browse's concept of "political resonance" (p. 180), Shakespeare uses legal terms and images in his plays to produce resonance: for example, the legal and the political aspects mix very clearly in *Coriolanus* when Coriolanus asks people's votes and tries to influence the ethos, logos and pathos of the discourse to his side exactly as politicians do (Browse, p. 180). In other words, Coriolanus tries to influence ethical values, ideas and emotions of the people. If these three elements are analyzed well, the exact meaning will be understood, and eventually an acceptable translation may be reached. In other words, a PDA model of ethos, logos and pathos may in some cases be called a legal DA analyzing the cognitive processes involved in the production and reception of the discourse.

The legal content in the discourse will be more communicative if some acoustic features are provided by the actor to show, for example, that he is pretending to be a lawyer while uttering legal words. This is achieved by giving more emphasis to the words or pretending to be more serious in order to give a legal property to the speaker's voice that will, in turn, influence the pathos of the audience; but this has to happen without changing the atmosphere of the play in the translation, i.e. if the style is legal, comic or otherwise in the ST, it must be kept the same in the TT. Such an approach helps the translator render the legal language of Shakespeare in light of presentism that deconstructs old discourse to be understood by a current readership, and at the same time the present-day point of view would not distort the message from the past (Hawkes, 2015).

Derrida's philosophy of deconstruction may also be applicable to some legal terms like 'capitol' to be understood in a new light (Kates, 2008). In other words, the translator avoids using synonyms or direct equivalents from the target language, but uses his creation to

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discover a new meaning by forming a new word or using the etymology of the word to get a new meaning agreeing with the new legal ethos, logos and pathos of his age. Use of deconstruction gives the translator a morale to prove the acceptability of his choice if described as non-equivalent or partial equivalent. If the ethos, logos and pathos of the legal discourse are transferred to the TT without changes, the notion of the exact equivalence may be achieved. Thus, samples from *Coriolanus* and other plays will be analyzed in the following section in light of a PDA model of ethos, logos and pathos. Reference is made to plays other than *Coriolanus* to foster evidence. Various translations are analyzed to explore how the phenomenon is tackled in different times and places in the Arab world.

Analysis

The following examples demonstrate that legal language in Shakespeare's plays is used either for a legal purpose that serves the plot or the logos of the play, or as an image to direct the ethos and/or pathos of the discourse to a certain direction by producing a certain amount of resonance. As for the topics of that discourse, they may be classified into four types: property and ownership, trial scenes, elections, and governmental and administrative terms. The main problem is confusing legal meaning with a common meaning. Other problems appear when the translator uses only a partial meaning of the legal term, or an incorrect legal word, or ignores the rendering of the legal discourse. Some translators deconstruct a legal term and present it in a new light to cope with the mentality of modern readers who adhere to the philosophy of presentism.

Legal Terms of Property and Ownership

In the following examples from *The Merchant of Venice*, *As You Like It* and *The Taming of the Shrew* legal terms are used in a legal situation:

Shylock. This kindness will I show. Go with me to a **notary**, seal me there Your **single bond**, and, in a merry sport, If you repay me not on such a day, In such a place, such sum or sums as are Expressed in the condition, (*The Merchant of Venice*, 1. 3. 136-141) عند **موثق عقد** الصفقة (۱۹۸۸ ، الدين معي (مجد عناني، ۱۹۸۸) وسأبرهن على كرم نواياي... تعالى معي الى **مح**رر العقود، ولتوقع هناك عقداً غير مشروط، ولنذكر فيه على سبيل المزاح... (حسين أمين، ١٩٩٤) سأثبت لك مجاملتي، لنذهب إلي **مح**رر عقود فتخط الصك لديه (خليل مطران، ٢٠١٢)

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'Notary' is a person who attests deeds, thus معرث is a better choice than محرر العقد 'Single bond' is a bond without a condition (*the law dictionary*). Husein Ameen gives the exact meaning of 'single bond'. Enani hints on it by using عقداً بالدين (i.e. a contract in which the debt is recorded). Mutran uses المسك which does not specialize what a kind of bond it is. Words like المسك , etc. may be other choices to reflect the legal aspect of the discourse. For example: معرون شرط جزائي: Such choices will transfer the logos, ethos and pathos of the context. The expression كمبيالة بالمبلغ وبدون شرط at leads to transferring it to Arabic in light of the philosophy of presentism.

Duke Frederick. And let my officers of such a nature

Make an extent upon his house and lands (As You Like It, 3.1.17).

In *As You Like It*, the legal term 'extent' is rendered by Yunis as تجميد (i.e. freezing), although it is closer to مصادرة (i.e. confiscation or seizure). Thus, there is a problem with rendering the logos of the word 'extent'.

Pet. And for that **dowry**, I'll assure her of Her widowhood, be it that she survive me, In all **my lands and leases** whatsoever : Let **specialties** be therefore drawn between us, That covenants may be kept on either hand.

(The Taming of the Shrew, 2.1.119-122).

بيتروشيو: وفي مقابل هذه البائنة ولأرتب لها الأمر قانوناً، بحيث إذا طال بها العمر بعدي، أؤمن ترملها بكل ما أملك من أرض وكل ما لي من حقوق بكافة أنواعها. فلنكتب الاتفاق بيننا على هذا بكافة تفاصيله، حتى يستوثق كل منا من الحجة التي تعنيه (سهير القلماوي، ١٩٩٣).

بتروشيو: وفي مقابل هذا ا**لمهر،** سيكون لها في ترمُّلها من بعدي **كل ما أملك من الأرض عينًا وانتفاعًا .فلتكتب بذلك** ا**لوثائق** فيما بيننا؛ ليكون في يد كل طرف منا حجة (إبراهيم رمزي، ٢٠١٤)

Another problem is with a legal term whose early modern meaning has changed: 'dowry' مهر or بائنة may be understood as money allocated by the husband to his wife. At Shakespeare's time, it meant the opposite. The word 'specialties', meaning 'documents', may also be misunderstood because its common meaning differs from its legal meaning. Ramzy (2014) renders 'my lands and leases' as نافرض عيناً وانتفاعاً (i.e. what I own or gain benefit from via a contract), whereas Suheir Alqalamawi uses a long sentence: بكل ما أملك من حقوق بكافة أنواعها بكل ما أملك من حقوق بكافة أنواعها hat lacks brevity of the ST. She may have avoided the brevity of the ST in order to render the logos of the legal terms as precise as possible, and produce the same degree of ethos and pathos, and the resonance of the ST accordingly.

In the following examples, in which legal terms are not used for legal purposes, translators may ignore one or more of the three elements in order to transfer the message to

the TL in a certain way; a translator may highlight the pathos at the expense of the ethos and logos, or may prefer to transfer the logos by avoiding the literal meaning of the legal image that would stir up certain emotions or values.

The word 'property' is an interesting legal example as in *Julius Caesar*, where Julius says: 'Do not talk of him / But as a property' (4.1.39–40). Enani and Husein Ameen render 'property' in *Julius Caesar* as أداة (i.e. tool). In *Twelfth Night* Shakespeare uses it as a verb 'They have here propertied me' (4.2.91). Mu'nis Husein renders it as a verb 'They have here propertied me' (4.2.91). Mu'nis Husein renders it as focusing only on the logos. Jabra said عاملوني كشيء He seems to have approached the legal sense more than Mu'nis. It would have been better to use a word like it.e. commodity) or it.e. machine) as did Muhammed Awad Muhammed with the following line from *King John*: 'I am too high-born to be propertied' (5.2.79). He rendered it as it.

In Love's Labours Lost there are two terms describing 'property': that is, 'common' and 'several':

Mar. My lips are no **common**, though **several** they be

(Love's Labours Lost, 2.1.223).

The two legal terms of ownership, 'common' and 'several', are used figuratively and rendered successfully by Awad (1993).

Thus, the concepts of property, possession, ownership, etc. are very common in Shakespeare and show a transition from a feudal world to a capitalist one, a fact that a translator must consider while dealing with such concepts in order not to cause a gap in the TT.

In the following example from *The Merry Wives of Windsor*, there is a whole image from the legal world:

Mistress Page. The spirit of wantonness is, sure, scared out of him. If the devil have him not in **fee-simple**, with **fine and recovery**, he will never, I think, in the way of **waste**, attempt us again. (*The Merry Wives of Windsor*, 1602/2009, 4.2.204-207) George Yunis avoids the details of the image and renders the thirty five words to

Arabic by only nine words reflecting the ST pathos without referring to the legal image:

أرى أن روح الخلاعة، قد غادره إلى غير رجعة (جورج يونس، ١٩٨٣)

whereas Habib uses twenty nine words giving more details of the legal image used, i.e., the idea of ownership of property.

إن روح الشهوة الحيوانية لابد قد فارقته مذعورة، وإذا لم يكن الشيطان قد ملك عليه نفسه، واستوطن جسده من جميع أطرافه، فاعتقادي أن لن يتعرض لنا بسوء مرة أخرى (مصطفى طه حبيب، ١٩٩٣) Nevertheless, it still lacks the tone and texture of the ST that are full of a legal scent. Only the word مَلْكَ (i.e. owned) is used to reflect the whole image, with no reference to the sort of ownership or its reliability as far as law is concerned. Legally speaking, 'fee-simple, with fine and recovery' means absolute possession, or the devil has taken all the legal actions to make the contract of possession valid and enforceable. The concept of validity and enforceability of a contract in Arabic is called صحة ونفاذ It would have been better to say: إن الشيطان قد تملكه ووثق المحته وأصبح نافذاً

The same idea is used in *Macbeth*, but 'fee-simple' is substituted by 'fee-grief' (Shakespeare, 1606/2000, 4.3.198) to denote that the grief is felt by an individual other than other citizens. Also in *Romeo and Juliet*, the metaphor of 'fee-simple' appears where life is compared to a property to be sold via a contract that grants absolute possession:

Benvolio. And I were so apt to quarrel as thou art, any man should buy the **fee-simple** of my life for an hour and a quarter.

(Romeo and Juliet 3.1.27-28) لو كنت أسرع إلى القتال مثلك، لاستطاع أي إنسان أن **يشتري الحق** في حياتي، بعد مناجزة لا تزيد عن ساعة وربع (محد عناني، ١٩٩٣)

It would have been more adequate to say: أن يشتري الحق في حياتي بعقد موثق (i.e. to buy the right to my life by a ratified contract).

In *All's Well That Ends Well*, the metaphor of the legal term 'fee-simple' meaning "absolute ownership of real property with unrestricted rights of disposition" (*Collins Online Dictionary*) is not rendered by Abbas Hafidh or A. Mishati. Enani, on the other hand, uses the word الأبدية (i.e. eternal) to transfer logos of the image and the pathos accordingly, because it exaggerates the process of selling oneself:

Parolles. Sir, for a cardecue he will sell the **fee-simple** of his salvation, the **inheritance** of it; and cut th'entail from all remainders, and a perpetual succession for it perpetually. (*All's Well That Ends Well*, 4. 3. 274-277)

بارولس :إنه يا سيدي من أجل بضعة دراهم **ليبيع عمره**، ويتنازل عن إخلاصه، وميراثه ويحرم الوارث من تراثه أبد الآبدين (عباس حافظ، ٢٠١٢) بارول: نظراً لخسة طبعه **يبيع خلاصه** بربع دينار، فيتخلى عن الجنة ويحرم منها أحفاده إلى الأبد (أنطوان مشاطي،

بارول: إنه **ليبيع نجاته الأبدية من النا**ر بربع قرش، ويحرم الورثة منها، بل وحقوق أي أحد في الباقي، على مر الأجيال وإلى الأبد (محمد عناني (ب)، ٢٠٠٩)

The examples above show that the idea of contract is very common in Shakespeare's works, as in: *And Summer's lease hath all too short a date* (Sonnet 18). In *King John*: 'indenture of love' (Shakespeare, 1610/2009, 2.1.20) is rendered by Huhammed Awad

Huhammed as عهد/عقد الحب. In *Twelfth Night*, 'confirm' and 'attest' are legal terms collocating with the word 'contract'.

Priest. A contract of eternal bond of love,
Confirm'd by mutual joinder of your hands,
Attested by the holy close of lips, (*Twelfth Night*, 5.1.145-148)
Legal terms are also used metaphorically in *Hamlet*: 'tenders of Hamlet's affection'

(1.3.100) are described by Polonius as 'tenders which are not sterling'. They are rendered by Enani (2004) and Muhammed Awad (2011) as عروض الحب (i.e. proposals of love), but Jabra (1979) says دلائل عديدة على وده (i.e. evidence for love) hiding the legal image. Polonius extends the legal image by describing the tenders as brokers. Translators differ on its translation: Muhammed Awad renders it as خدع (i.e. tricks), Jabra uses سماسرة and Enani says الوسطاء في This implies that Jabra and Enani succeed in rendering the logos of the ST with its legal flavor.

Do not believe his vows, for they are **brokers**, Not of that dye which their **investments** show (*Hamlet*, 1.3.127-128)

فما هي الا **خدع (م**حد عوض محمد، ۲۰۱۱)

فإنها كالوسطاء في التجارة (محد عناني، ٢٠٠٤)

The image is transferred as it is by Enani, whereas M. Awad avoids the image and gives only the general meaning, ignoring the mental schema of the character that is influenced by the world of law and economy; the logos in the target text becomes not identical with that of the ST, accordingly. Thus, it may be argued that the message of the ST is not transferred exactly with all its elements. However, this does not mean that a legal image has to be translated literally in all cases; in the following example, if the legal image is transferred intact, the style will seem queer:

Now must your conscience my acquittance seal, , (Hamlet, 4.7.1)

لابد إذن لضميرك من تأييد براءة ساحتنا (محمد عناني، ٢٠٠٤)

الآن لابد لضميرك أن يقضي ببراءتي (محد عوض محد، ٢٠١١)

والآن لابد لضميرك أن يختم على برائتي (جبرا إبراهيم جبرا، ١٩٧٩)

Enani and Muhammed Awad do not refer to the idea of the seal as a legal evidence. Jabra renders the image literally to transfer the legal image, but the style seems queer. Thus, in some cases, a legal term may need manipulation by dealing with it in light of the collocational behavior of the TT, as is the case with the following example too:

This supernatural soliciting Cannot be ill, cannot be good. If ill, Why hath it given me **earnest** of success, Commencing in a truth? I am Thane of Cawdor.

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(Macbeth, 1.3.129-132) هذا النبأ الغيبي ليس بطالح، ولا هو بصالح؛ إذ لو كان طالحًا لما جاء صدقه في الأولى شبه ضمان على أنه سيصدق في الأخرى (خليل مطران، ٢٠٠٥) هذا التشجيع من قوى ما وراء الطبيعة لا يمكن أن يكون شراً... لا يمكن أن يكون خيراً... فإن كان شراً، فلماذا و عدتني بالنجاح، بادئة بذكر ما هو صحيح، وهو أني سأصبح سيد كودور؟ (حسين أحمد أمين ، ١٩٩٤ ج) فذلك التحريض من دنيا الخرافة ليس شراً.. لكنه كذاك ليس خيراً! لو كان شراً كيف يسقيني مذاق الفوز عذباً

In *Macbeth*, the word 'earnest' means ' part or portion of something given in advance as a guarantee of the remainder' (*Collins Online Dictionary*). Matran renders it as (i.e. guarantee). Husein Ameen makes a paraphrase: بادئة بذكر ما هو صحيح). Husein Ameen makes a paraphrase: بنكر ما هو صحيح) (i.e. starting by mentioning a correct incident). Enani uses another image that gives the same meaning and agrees with the tone of the text: بسقيني مذاق الفوز (i.e. quenching me with the taste of winning). A more identical choice would be يعطيني عربون النجاح (i.e. giving me a down-payment of the success I would achieve). The merit of the word عربون (i.e. down-payment) is that it agrees with the tone of enthusiasm or the same degree of pathos and resonance in the ST.

Trial Scenes

Trial scenes or reference to such scenes appears in many of Shakespeare's plays. In the following examples, the language of trials discourse is analyzed to explore the best way for rendering the aspects of that discourse, especially the element of resonance and some problematic legal words like 'enlarge', 'committed' and 'cite': in *King Henry V*, the words 'enlarge' and 'committed' have legal meanings that may be misunderstood (Davis, 1884, p. 185):

Enlarge the man committed yesterday, (King Henry V, 2.2.40)

اطلق سراح الرجل الذي حكم عليه بالسجن أمس (محد عوض محد، ١٩٩٣) The word 'cite' also belongs to this group:

She oft was cited by them, but appear'd not.(Shakespeare, 1613/2009, Henry VIII, 4.1.29)

وأعلنوها رسميًا بالحضور عدة مرات لكنها لم تحضر. (مجد عناني، ٢٠٢١)

But sometimes a translator may fail to render the legal term correctly. In *Two Gentlemen of Verona*, the legal term 'doom' is mistakenly translated as مصير by some translators:

> Ay, ay ; and she hath offer'd to the **doom** Which, **unreversed**, stands in effectual force, A sea of melting pearl, which some call tears, Those at her father's churlish feet she tender'd. (*Two Gentlemen of Verona*, 3.1.222-224)

أجل .. أجل .. وذرفت على هذا ا**لمصير النافذ** الذي لا رجوع فيه بحراً من اللآلئ المذابة يسميها البعض دموعاً، وقدمتها عند فدمي أبيها الغليظتين... (الدكتور عبد الحميد يونس، ١٩٩٣) نعم نعم. وقد اعترضت على هذا ا**لقرار** الذي لا أزال أذكره **بكل صرامته**، وسكبت من عينيها النجلاوين بحراً من اللآلئ المائعة التي يدعو ها الناس دموعاً، ذرفتها عند قدمي جلادها (أنطوان رزق الله مشاطي، ١٩٨٨)

But Enani succeeds in rendering the resonance of the word 'doom' in *Romeo and Juliet*: reverse a prince's doom, (*Romeo and Juliet* 3.3.59)

تلغى حكماً لأمير (محمد عناني، ١٩٩٣)

The words 'doom' and 'unreversed' as a collocation have a strictly judicial sense (Davis, 1884, p. 64) meaning a sentence of condemnation rather than destiny or fate. Such a stylistic feature has to appear in the translation to reflect the tone and the source of analogies from which the artist derives. Both renderings above have merits and demerits: Mishati's القرار (i.e. decision) is better than Yunis's المصير (i.e. destiny), whereas the latter's النافذ (i.e. not repealed) is more adequate than Mishati's بكل صرامته (i.e. with all its strict aspects). Unlike Yunis and Mishati, Enani succeeds in rendering the two legal words well in *Romeo and Juliet* as find the interval of the context.

Another problem that Enani succeeds in dealing with is that some words have a specific legal meaning, but some translators render them by using general legal words. This is shown in the following example:

"Arraign her first" (King Lear, 3.6.28) وجه الاتهام اليها أولا (محد عناني، ۲۰۰۹) حاكموا هذه أولا (محد مصطفى بدوي، ۲۰۰۸) حاكموا هذه أولا (إبراهيم رمزي، ۲۰۱۷)

Enani provides the exact legal meaning: توجيه الاتهام (i.e. bring someone to the court to answer an indictment) rather than the word محاكمة (i.e. trial) which refers to a whole process including the procedure of arraigning.

Coriolanus is full of various problems as far as legal terms of trials and criminal law are concerned. Table (1) presents some examples:

_		
Shakespeare's Coriolanus	عناني	جبرا
hearing a cause between an	ا لنظر في قضية مشاجرة بين	سماع قضية تقام بين بائعة برتقال
orange-wife and a faucet-	بائعة برتقال وبائع سدادات	وبائع حنفيات
seller (2.1.69-70)	دنان الخمر	
Before we proceed any further (1.1.1)	قبل ا تخاذ إجراء آخر	قبل أن نتقدم أكثر من هذا
Is't a verdict? (1.1.11)	هل هذا ما تحكمون به؟	أهذا قرار؟
Would you proceed especially	هل تقيمون دعواكم خصوصاً	أتريدون أن تسيروا على الأخص
against Caius Marcius (1.1.25)	ضد کايوس مار توس؟	ضد کايوس مارسيوس؟
Proceed by process (3.1. 312)	لابد من تطبيق إجراءات قانون البلد	سيروا وفق الأصول
temp'rately proceed to what you would / Thus violently redress (3.1. 217-218)	فلا تجنح للعنف سبيلاً للإصلاح بل ا تبع الاجراءات ا لعاقلة القانونية	سيروا باعتدال الى الذي هذا تريدون تصحيحه بالعنف
So criminal and in such capital kind, Deserves th'	أقصى جريمة تستحق الإعدام	عمل جرمي ومن أكبر أنواعه، ويستحق أقصى الموت.
extremest death (3.3.81-82).	ا سی بریت تشتی او طرام	ويستقى التعلي الموت.
Death on the wheel or at wild	أعدم بالشد على عجلة تعذيب	الموت على العجلة أو على أعقاب
horses' heels; Or pile ten hills	أو بالربط إلى بعض خيول	خيول هائجة، أو فليكوموا عشرة
on the Tarpeian rock (3.2. 2-	جامحة حتى تتمزق أوصالي	تلال على ا لصخرة الطاربية ليمتد
3)	أو أن أ لقى من صخرة طربية	الأنحدار سحيقاً.
Attach thee as a traitorous		
innovator, / A foe to th' public	الخيانة العظمى	ذي بدعة خائن
weal". (3.1. 174-175)		
and are content / To suffer	وبأن ترضى بالحُكْم المشروع	وترضى بمحاسبتك قانوني اً على
lawful censure for such faults	على أي جرائم قد نثبتها في	الأخطاء الڌي قد تُبر هن في حقك
(3.3. 44-45)	المحكمة عليك	

In the examples above, from *Coriolanus*, the two translators dealt differently with the element of resonance in the legal language. In the first example, the word 'cause' means "a case that is brought to a court of law" (*Longman Dictionary of contemporary English Online*).

Enani (2012) renders 'hearing a cause' as النظر في قضية (i.e. looking), other than the literal قضية (i.e. hearing), that is more adequate because it agrees with the collocational behavior of قضية (i.e. law case). He also applies the same successful strategy in rendering '*proceed any further*', '*Is't a verdict*?', '*No more_talking on't; let it be done*' and '*a traitorous innovator*' as: '*iz*(*i*, *i*) is it a verdict?', '*No more_talking on't; let it be done*' and '*a traitorous innovator*' as: '*i*). He rendered them from a legal point of view, unlike Jabra who does not touch upon the major stylistic trait of legal language in the play. This led to incorrect translations as is very clear in "proceed any further", "proceed especially against Caius Marcius", 'temp'rately **proceed** to what you would / Thus violently redress" and "Proceed by **process**"; 'proceed' and 'process' are two important legal terms (Davis, p. 228). Enani succeeds in rendering the ethos, logos and pathos, and the ST resonance accordingly, whereas Jabra fails as far as logos is concerned because he does not use legal terminology. This led to a failure in rendering the element of resonance.

The same problem is encountered in *Julius Caesar*: "For the **repealing** of my banished brother?" (3.1.51) is rendered as:

Only Husein Ameen touches on the legal content of the word 'repeal'. Thus, lack of knowledge or ignoring the legal connotation of a word may even lead to mistakes or misrepresenting the element of resonance as is in the following example:

Hermia. If then true lovers have been ever crossed, It stands as an **edict** in destiny: (*A Midsummer-Night's Dream*, 1.1.150-151) Enani (1992) renders it as: و إذا كان كل عاشق مخلص تعتر ضبه هذه العقبات

Whereas Hasan Mahmoud (2005) says:

The difference is that the legal image appears in Enani's by using the word الأحكام, thus mingling the idea of destiny with the legal image, but Mahmoud does not reflect such a legal discourse, giving the whole focus to the idea of destiny. The word 'edict' is also used in *Coriolanus*, and rendered by Enani and Jabra as مراسيم (i.e. legal acts) "make edicts for usury" (1.1.80). The difference between the two cases is that in *A Midsummer-Night's Dream*, it is used metaphorically, whereas in *Coriolanus*, the legal meaning is intended.

Governmental and Administrative Terms

Analysis of the following governmental and administrative terms show that some of early modern terms are still in use today like 'statute' and 'limitation', others have been substituted by new legal terms like 'exhibit a bill', and a third type has disappeared like 'coram', 'custalorum' and 'armigero'. They may also be classified into general words describing laws and legal processes, titles of jobs and governmental institutions, and elections terms. In table (2), there are examples of the first type.

Shakespeare's Coriolanus	عناني	جبرا
make edicts for usury, to/ support	ويصدرون مراسيم تحليل الربا لندعم	يصدرون المراسيم للربا،
usurers; repeal daily any	المرابين، وفي كل يوم ينقضون أي	ليدعموا المرابين. يلغون
wholesome act established/ against	قانون سليم شُرع ضد الأغنياء،	کل يو م أي قانون شُرِّ ع
the rich, and provide more piercing /	ويحلون محله لوائح بالغة القسوة	ضد الأغنياء، ويأتون كل
statutes daily to chain up and	يومياً ابتغاء تكبيل الفقراء وفرض	يوم بالشرائع الجارحة،
restrain the poor (1.1.80-83).	القيود عليهم.	لغل الفقراء وكبحهم.
fundamental part of state (3.1. 151)	دستور الدولة	جوهر الدولة
Against the hospitable canon	فسأخرق قانون الضيافة	سأخرق سنة الضيافة
(1.10.25)		
You have stood your limitation	أنهيت الآن مقابلة الناس	لقد أديت واجبك المحدد
(2.3. 137)		

Table (2): Governmental and Administrative Terms in Coriolanus

Analysis of the last example above shows to what extent Shakespeare's legal language is similar to today's language: 'limitation' or 'prescription' is an important concept in law. It is the appointed time during which a legal procedure may be made. According to Bliss (2013), it means 'allotted time'. Some crimes are described as 'not subject to limitation/prescription' meaning لا تسقط بالتقادم. When Menenius says to Coriolanus: "You have **stood your limitation"** (2.3. 137), he means that he has succeeded in doing the right action before the deadline. The verb 'stand' here means 'to take the chance': "stand a chance/a hope means to be able to succeed" (*Longman Dictionary of contemporary English Online*). The new legal meaning of 'limitation' is not included in Enani's or Jabra's versions. The legal resonance of the word 'limitation' can be transferred by saying: الأوان . الأوان In the other examples, Enani succeeds in transferring such resonance, for example, rendering 'hospitable canon' as قانون الضيافة rather than سنة الضيافة shows more awareness of the theme of law. He also renders 'fundamental part of state' (3.1. 151) as دستور الدولة but Jabra renders it as دستور الدولة, and 'piercing statutes' as لوائح بالغة القسوة that is more legally resonant than Jabra's الشرائع الجارحة that seems queer because with الشرائع الجارحة (i.e. hurting) does not collocate with الشرائع (i.e. laws).

At the collocational level, there are differences between modern and early modern uses of legal terms: for example, in *The Merry Wives of Windsor*, the idea of introducing a bill to the parliament is expressed by using the verb 'exhibit' instead of verbs like 'propose', 'introduce', 'submit', etc.

Why, I'll exhibit a bill in

the parliament for the putting down of men...

(Shakespeare, 1602/2009, *The Merry Wives of Windsor*, 2.1.24-25) As far as culture-specific legal expressions are concerned, some need explanation, like 'praemunire' in:

By your **power** legatine, within this kingdom,

Fall into th'compass of a praemunire—

(Shakespeare, 1613/2009, Henry VIII, 3.2.340)

تستند إلى سلطتك باعتبارك نائبًا للبابا، فهي تدخل إذن في نطاق التسلَّح بسلطة البابا، والتعدي على سلطة الملك (مجد عناني، ٢٠٢١)

The word 'power', in the example above, is also one of the most important legal terms. During the Renaissance, European countries were described as the powers or *puissantes* (Enani, 2020, p. 29). It appears thirty-eight times in *Coriolanus* and eighteen times in *Richard II*. It has legal and political connotations (Enani, 2012, p. 348). Jabra renders it as in *Richard II*. It has legal and political connotations (Enani, 2012, p. 348). Jabra renders it as in *Richard II*. It has legal and political connotations (Enani, 2012, p. 348). Jabra renders it as like i.e. capacity) and السلطة (i.e. authority), whereas Enani gives it various translations like illie (i.e. authority) and الحق القانوني (i.e. legal right).

Every governmental institution has a certain power, and people working there exercise this power or authority. If the translator understands the limit of power for these persons and institutions, he will be able to find solutions to problems of rendering titles of jobs and governmental institutions in Shakespeare's plays. In the following examples, some of such problems in *Coriolanus, The Merry Wives of Windsor* and *Julius Caesar* are analyzed:

Shakespeare's Coriolanus	عناني	جبرا
Bencher in the Capitol (2.1. 80-81)	مهمام الشيوخ اللازمة في	شيخاً ضر و رياً للکابيتو ل
	الكابيتول	
When we were chosen tribunes for the	حين انتخب الناس كِلْيْنَا نقباء	
people (1.1.254)	لهم	عندما انتُخِبنا تربيونات للشعب
Is the Senate possessed of this? (2.1.	هل بلغ مجلس الشيوخ هذا	
130)	النبأ؟	هل أعلم مجلس الشيوخ بهذا؟
a petty servant to the state (2.3. 178)	موظف حکوم <i>ي</i> صغير	خادماً صغيراً للدولة
Have you collected them by tribes ?	و هل حسبت هذه الأصوات	هل جمعتها حسب ا لعشائر ؟
(3.3.12)	وفقاً للدوائر المحلية؟	

 Table (3): Governmental Institutions and Jobs in Coriolanus

Titles like 'petty servant', 'officer', 'Aedile', etc. are rendered in different ways: in *Coriolanus*, Enani renders 'aedile' as ضابط تنفيذ الأحكام (4.6.37) and أيديل (4.6.37) and أيديل تفيذ الأحكام at the beginning of act four, scene two. Jabra renders it as أيديل. An aedile is "a magistrate of ancient Rome in charge of public works, games, buildings, and roads" (*Collins Online Dictionary*). Jabra provides a footnote explaining the word by giving a definition closer to that of *Collins*. The word is derived from *aedēs* that means 'a building' (i.e. مرفق ro منبى). This recalls أسرطة المرافق and but the reference here is to الضابط الشرطي or الضابط الشرطي who is in the street and people call him if there is a problem or if a thief is caught. Another title is 'petty servant', Enani renders it as مغير عنور مي صغير الدولة used by Jabra.

The word "patricians" (*Coriolanus*, 1.1. 15) means noblemen. In Arabic, it may be rendered as الأشراف or الأغيان or الأغيان or الأشراف (Enani, 2012, 344). 'Bencher', meaning a member in the parliament, is still used today (Merriam-Webster, n.d.). Enani and Jabra render it as أشيخاً. A word like عضو (i.e. member) may be more suitable for the present-day audience. The same applies to the word "tribunes" rendered by Enani as أسيخاً. It is derived from the Latin *tribus* meaning a "tribe". Jabra renders 'tribunes' as تربيونات الشعب and tribus senators, consuls, chancellors. Tribunes may define themselves as 'magistrates': "By the consent of all, we were established / The people's **magistrates**" (3.1. 200-201) and 'officers': "Be you then as the people's **officer**" (3.1. 327).

The problem of rendering titles is also in In The Merry Wives of Windsor:

Slen. In the county of Gloster, justice of peace, and 'Coram'.
Shal. Ay, cousin Slender, and 'Custalorum'.
Slen. Ay, and Rato-lorum too ; and a gentleman born, master parson; who writes himself Armigero; in any bill, warrant, quittance, or obligation,--'Armigero'.
(Shakespeare, 1602/2009, The Merry Wives of Windsor, 1.1.4-9)

سلندر : قاضي صلح بمقاطعة (جلوستر) وعضو بالمحاكم الدورية بها

mutice: أجل يابن العم ملندر وحافظ عقودها

شالو : أجل يابن العم ملندر وحافظ عقودها
مسلندر : نعم ورئيس حافظ العقود وابن السيادة الذي يعد بحكم مولده من رؤساء القساوسة، ويصف نفسه في أية
ويثيقة أو أي أمر أو أية مخالصة أو التزام بأنه سيد من المحاربين

(1997)

مسلندر : خاصة وأنه قاضي الصلح في مقاطعة جلوسيستر

مصطفى طه حبيب، ١٩٩٣)

مسلندر : إنه نبيل ومن أسرة عريقة؛ ما زال يحافظ على توقيع أجداده في جميع الرسائل والوكالات وبراءات الذمة
المنعر : إنه نبيل ومن أسرة عريقة؛ ما زال يحافظ على توقيع أجداده في جميع الرسائل والوكالات وبراءات الذمة

(جورج يونس، ١٩٨٣)

Yunis (1983) avoids rendering the legal words 'coram', 'custalorum' and Armigero, whereas Mustafa Habib (1993) uses titles for these judicial jobs not easily understood by contemporary readers because specifications of such jobs change from one age to another, or the job itself no longer exists. The problem persists when a legal term no longer exists or its function becomes embedded in a new linguistic structure. For example, 'custalorum' is the principal justice in a country and keeps its records (Jonathan Bate, 2011). It may be identical to a country and keeps its records (Jonathan Bate, 2011). It may be identical to a country and reflect the type of a law court or a registry office). Such titles have a legal precedent and reflect the type of society at that time. Titles and jobs in Renaissance drama, especially Shakespeare's, need deeper studies with a view to comparing them to titles in the Arab world in order to get results that would serve translation. The same applies to titles of governmental places and institutions like the Capitol or the Senate.

The rendering of the word 'Senate' to مجلس الشيوخ is questionable. Why مشرعين and not ? The Latin equivalence is 'senatus' derived from 'senex' meaning 'old man'. Arguably, مشرعين is a suitable rendering for agreeing with the original root of the word, semantically and pragmatically, in that الشيوخ (i.e. old people) in the Arab cultures are the old wise people who are liable to be legislators.

Thus, resorting to the etymology of the word is a kind of deconstruction in order to make a concept understandable by a present reader. It can be applied to the term 'Tarpeian rock' and 'Capitol'. 'Tarpeian rock' may be deconstructed by rendering it as a concept of مبنى or الرمي من مكان عال or التنكيس (i.e. throwing a criminal from a high building), and 'capitol' as مبنى in *Julius Caesar*, Muhammed Hamdi Beik renders 'capitol' as الديوان (i.e. dewan):

"The question of his death is enrolled in the Capitol"

(Julius Caesar, 3.2.38)

إن حادث قتله مسجل بالكابيتول (محد السباعي، ٢٠١٩) فأما عن أسباب قتله فمسجلة بالكابيتول (حسين أحمد أمين، ١٩٩٤ ب) أما الدوافع على قتله فهي مسجلة في وثائق الكابيتول (محد عناني، ٢٠١٧) أما حادثة موته فستبقى مسجلة بالديوان (محد حمدى بك، ١٩٢٨)

The legal tenor of the line above is highlighted in Muhammad Hamdi's translation: مسجلة بالديوان (i.e. registered in the dewan) is a cultural equivalent because the dewan in Arab countries is the building in which records are kept. Hamdi is also successful in the choice of the tense of enrolling the incident; فستبقى (i.e. it will be kept without any changes) means that the records of killing Caesar will be kept without changes for those who may want to investigate the crime in the future. Such a style is missing in other translations.

Thus, not only titles but also places have legal implications: 'Capitol Hill' is the place of forming legislations near the temple of Jupiter in Rome where plebeians and patricians held talks for reconciliation. The same activity happens in most countries of the world at the present time. Representatives for all members of society meet at the statehouse to decide such matters. The word 'capitol' originally means "**temple** of Jupiter on Capitoline hill, Rome, taken to be a derivative of *caput* **head**" (*Collins Online Dictionary*). Thus, the etymological context of the word 'capitol' includes a head, a hill and a temple, items hinting to superiority, sanctity, justice, etc. Other words related to capitol have also to be studied to understand the whole political and legal context. One of these words is *cura hostilia*, i.e. the place where the senate was held. Thus, it may be rendered as مجلس الأسعب (i.e. people's council) or the nation).

As for the word 'tribes', Enani uses دوائر محلیة but Jabra uses عشائر and provides a footnote about the tribal system in ancient Rome. Enani seems to be modernizing the political and legal atmosphere of the play to suit modern readers by transferring the pathos of the discourse to them.

Election Terms

Coriolanus is full of election terms like 'suffrage', 'voices', 'ceremony' الجراءات 'full voice' is used in the play to the ones used at the present time, good results are expected. The word 'voice' is used in the play to mean 'vote'. The word 'vote' as an election term is not used in any of Shakespeare's works. The 'votes' discourse in the play is very sophisticated: الأصوات (i.e. have their voices), تسول الأصوات (i.e. two worthy **voices** begged), الحصول على الأصوات (i.e. endue you with the people's voice) and judget (i.e. sweet voices: said by Coriolanus mockingly). A comparative PDA of the concept of voting nowadays and in *Coriolanus* may produce useful linguistic results as far as the history of the collocational behavior of the word 'vote' is concerned. The word 'voice' is also used in the play figuratively to mean 'eloquence': "I shall lack **voice**: the deeds of Coriolanus / Should not be uttered feebly" (2.2. 80-81). Enani renders it as is of Coriolanus (i.e. I lack the eloquence) but Jabra says gars as the logos and pathos of the discourse are concerned.

Results and Conclusions

Studying the legal element in literary works from a translational point of view helps translators working in the legal field to understand their task very well in a way that makes them emerge as translator-writers who produce specialized texts as authentic as the originals. The concept of a translator-writer here is an attempt to search for a schema of the skills that a translator of sensitive fields like medicine, law, etc. has to master. The first key skill is to digest the history and development of terminology because the translator himself is a developer of language in that field by the messages he deciphers to the target language. Studying the deciphering process in the past enables him to criticize that process and decide whether to apply the same old strategies or innovate new ones in line with the new linguistic and cultural trends at his time. A PDA approach has been proposed as a tool to analyze the components of the legal discourse and its argumentation strategies. Elements of ethos, logos, pathos, and resonance have been traced in ST an TT to judge how much they are identical, and check whether a translator presents the old text with an old mentality or sticks to a philosophy of presentism.

To trace the translational problems, legal terms have been classified according to topic: trial scenes, property and contracts are the most common in Shakespeare's legal language. Differences between modern and early modern use of legal terms at lexical and collocational levels are the main problems. Terms like acquittance, bill, warrant, etc. are not

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problematic because their old meanings are still in use. Another problem is rendering the legal tone. Translators should deal with the tone properly when it is thoroughly legal. Thus, trying to solve these problems raise new questions for further studies; the most important of which is: how much is Shakespeare's language alien to us? To what extent literary translation educators do their best regarding using Shakespeare's works to enlighten their students' skills? What is the use of the legal language in Shakespeare's plays as a discourse content?

More studies are still required to explore other translational problems in Shakespeare's plays: for example, the economic discourse needs to be analyzed in light of the modern tools of translation studies and discourse analysis. Corpus linguistics would also be useful to assess the existence of the phenomenon and help the researcher make surveys. Such translational studies of the Renaissance linguistic phenomena increase the researchers' awareness of the language of the past. Studying translational problems of that language will enlighten the field of translation theory.

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