

Problems of Transliteration of Fiqh Legal Terms (Library Research on The Book Al-Fiqh Al-Islami Wa Adillatuhu Using the Al-Munawwir Dictionary)

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Abstract: This study investigates the difficulties encountered when translating fiqh terms from the Al-Munawwir dictionary to the “Islamic Fiqh wa Adillatuh” book. This study combines a literature review methodology with qualitative research techniques. The Al-Munawwir dictionary and legal jargon included in Sheikh Wahbah Az-Zuhaili’s book “Islamic Jurisprudence wa Adilatuh” are the sources of this information. The research’s findings indicate two categories of issues related to the translation of fiqh terminology in the book “Islamic Jurisprudence wa Adillatuh”: Linguistic Issues and Technical Issues. These issues were identified through data analysis conducted with the Al-Munawwir dictionary, followed by analysis and discussion in earlier chapters. This study further emphasizes how useful the Al-Munawwir lexicon is for translating terms related to fiqh. Among the Indonesian research and translation community that preserves their language, culture, and religion, this dictionary is highly regarded. Arabic and Indonesian dictionaries are used as reference materials, and words are defined from these sources.

Keywords: Dictionary, Sharia, Islamic Fiqh

A. Introduction

Each group uses language, which is a collection of sounds, to communicate their objectives (Dari & Asvio, 2022; Marlina, 2019; Valentika, 2022). Language serves as a tool for human-to-human sound communication, and sound is produced by thinking creatures (Mailani et al., 2022). The capacity for intellectual thought that sets humans apart from all living things on Earth is a gift from Allah SWT. In this view, reason is the fundamental quality of humanity, and language is the product of reason. The human experience is communicated through language, and human experience varies and differs depending on the society (Apriyanto, 2020; Banga & Suri, 2015; Erlita, 2020; Noermanzah, 2019). However, language shapes its owner’s perception of the cosmos and existence, regardless of the situation.

Language appears to be the result of an extremely intricate web of sound interactions, in which various sound groups engage in countless mental exchanges with one another. Humans possess specific interior qualities and blessings from Allah SWT, including voice processes like vocal cords, nasal cavities, teeth, tongues, lips, and so forth.

From the second century of the Hijriah till the present, the Arabs outperformed other countries in the creation of language dictionaries and the framework for gathering vocabulary and deriving meanings from it. These dictionaries come in small and big sizes that are easily utilized by one person, with the larger ones having twenty volumes or more. In the middle of the first century Hijriah, the Arabs started the movement to compile dictionaries, with the primary goal being to explain the Koran and the hadiths of the honorable Prophet. An urgent desire emerged to gather a standard language from the mouths of its speakers before it was influenced by foreign influences after the phenomenon of *al-lahn* (mistakes in language) emerged due to the mixing of Arabs with other nations and the influx of large numbers of people into Islam.

Since the second century of the Hijriyah, Arabic has been acquired more through a process of study than practice, and lexical material has become an important requirement for this study. The words “*ma'jam*” (plural: *ma'ajim*) and “*qamus*” (plural: *qawaamis*) are synonymous words that are used interchangeably today. A researcher or student will refer to a language dictionary, for example, to obtain information about the meanings of vocabulary. The word “*ma'jam*” comes from the root “*م ج ع*” and “*al-'ajmah*” indicates a lack of clarity or obscurity. “*A'jama al-kalam*” means making something unclear and unclear about it or coming to him as an *a'jam* (a person who does not speak Arabic) who has made a linguistic error. “*Al-A'jam*” refers to something unclear or not open. It states in “*Lisan al-Arab*” that “*Al-huruf a'jamat* is explained by adding black dots to it, and *al-kitabu a'jamat* is given dots as punctuation to eliminate misunderstandings, as the form (*af'ala*) is essentially affirmative and can be used to express a negative.

The term “*ma'jam*” was first employed by hadith scholars to describe books with a certain arrangement of content, and it has now spread to other academic disciplines as well. The term “*ma'jam*” can be used to describe encyclopedias and dictionaries. A “*qamus*” (dictionary) is a kind of reference book that helps readers learn new terms by explaining their meanings. In addition to providing word definitions, dictionaries can be used to help locate a phrase's original meaning and to reinforce concepts for pupils by providing examples. Al-Qasimi defines “*qamus*” as a collection of chosen words, put together in a book with linguistic information or knowledge about them,"

in contrast to “ma’jam” (lexical dictionary) (Baznar, 2017). On the other hand, “ma’jam” refers to lexical storage, or a speaker's ability to retain a collection of words that are presumed in a language.

Therefore, a dictionary is a list of words that have been chosen and organized into a book together with linguistic context or other knowledge about the terms. On the other hand, “ma’jam” refers to a language’s lexical storage, or presumptive word list, which is a component of speaking ability. Language dictionaries, or mu’jams, typically assist in determining the meaning of a word or its multiple meanings and offer clarifications on any ambiguities that may emerge (Iwan, 2020; Muis et al., 2010). They also assist in determining the meaning of a word in a certain foreign language, as well as words that are seldom used or foreign terms inside the language. Furthermore, language speakers typically retain just a tiny portion of the lexical variety in their memory. As a result, people occasionally come across terms whose definitions they are unsure of and require a dictionary to clarify. For this reason, dictionaries play a crucial role in aiding human comprehension and translation.

The definition of sharia rules is the revealed wording of Allah Ta'ala on what is required, allowed, or forbidden for those who are bukallaf, either separately or in tandem. Legislative rules originate only from Allah, the Most High, since Sharia law is restricted to the revelations of Allah (Lbs, 2014; Masykur, 2023; Taufiq, 2018; Ubaidillah, 2022). Therefore, any revelation originating from other than Allah Most High is considered an invalid revelation. In addition, sharia revelation must be related to the actions of rational adults. Sharia revelations can be in the form of orders or prohibitions, or establishing rules or regulations.

The five categories of established sharia rules (DS, 2012; Nurhartanto, 2021; Yunus, 2018) include legitimacy, damage, causes, conditions, and impediments. True (saheeh) is any deed that has legal ramifications, whether it is devotion or a transaction (ownership resulting from a sale and buy agreement is one example of such a transaction). Genuine worship doesn’t require repetition. Worship or transactions that have no legal repercussions are considered damaged (faasid). Broken transactions are those that have no legal ramifications, and broken worship is worship that does not absolve someone of their obligations. “Cause” is an indication that a law exists, whereas “condition” is a sign that, if it is present, prevents an action from happening; if the condition is not met, the action will not happen. Factors known as barriers are things that, when they exist, keep action from happening; when they are removed, action becomes possible.

A sharia law’s taklifi (commands) can be classified into five categories: compulsory, mandub, mubah, makruh, and haram (Amsori, 2017; Fitriani, 2021; Muhtada et al.,

2021; Pachrudin, 2021). *Wajib*, sometimes called *fard*, customary, obligatory, or defined law, is an order that is mandated by sharia and is therefore enforceable. Doers of this order receive a reward, while those who refuse it can be punished. *Mandub* is an action ordered by Allah without obligation, like the *sunnah of care*, and is known as *sunnah*, *mustahabb*, *mandub*, *nafilah*, *qurbah*, and *makruh tanzih*. *Haram* is an action that is expressly prohibited by the Shari'a and requires abandonment (Misranetti, 2017; Mustafa, 2013). An example is disobedience to parents. If the prohibition is not strict, then the order is considered *makruh*. *Mubah* is an action that is permitted and ignored by the Shari'a.

B. Methods

To gather information or investigate topics that cannot be discovered using statistical analysis or quantitative methodologies, this study employs qualitative research methods (Creswell & Poth, 2018; Moleong, 2019; Sugiyono, 2014). Starting with evidence, this research can explain and arrive at a hypothesis that either supports or contradicts the data through the use of practical theory. This study employed a qualitative methodology with a literature study technique as its research methodology. This indicates that qualitative data were employed. The *Al-Munawwir* dictionary and legal jargon included in Sheikh Wahbah Az-Zuhaili's book "*Islamic Jurisprudence wa Adilatuh*" are the sources of this information.

C. Results and Discussion

Issues with Transliterating Fiqh Legal Terms Using Media from the *Al-Munawwir* Dictionary

The *Al-Munawwir* Dictionary has several obvious shortcomings, one of them being that it does not include sharia language, which is essential to religious translations. The terms in special science disciplines (physics, chemistry, medicine, mathematics, engineering, and education), which are given more attention than sharia terms, are not expanded upon in this dictionary.

Despite its progress, the bilingual dictionary business (Arabic-Indonesian and Indonesian-Arabic) still needs additional lexicographic technology and tool advancements. A few of the issues that genuinely impede the definition and execution of its duties include the deficiency of essential structure in the two primary domains of lexicography and terminology.

It was discovered by researchers that every dictionary has a unique plan, which is rather standard. What is abnormal, though, is if a dictionary's definitions don't all

follow the same pattern. Through this investigation, a number of actual issues that hindered dictionary definitions' ability to function were found. These issues primarily stemmed from the formulators' ignorance of the significance of language formulation and its role in defining concepts. As a result, several fundamental principles that set concepts apart as well as the independence of each term from a specific concept are broken. Furthermore, definitions frequently appear more than once for terms with distinct meanings, leaving readers unsure of whether two phrases are "synonyms" or not. Occasionally, definitions are so brief that they fail to accomplish their intended goal, or dictionary creators ignore definitions in favor of providing linguistic details about unfamiliar terminology. Even though the term is followed by a "definition" in both instances, the reader is still unaware of the term's meaning. Furthermore, there are instances in which a dictionary creator refers to a phrase, but fails to provide an explanation or any evidence that the term is well-known, raising questions about the reliability of the reference. This indicates that it alludes to the phrase that needs to be cited. In certain instances, a term is introduced and followed by one or more Arabic terms. The author appears to assume that no definition is necessary in these cases because the term is already well-known. This is the case with some Arabic terms that split up into phrases.

Occasionally, we discover that the terms in the Al-Munawwir Dictionary are not kept up to date in the correct alphabetical order. Among these issues are a few of these: 1) Sorting mistakes: When terms begin with the same letter or with letters that are similar to one another, internal sorting mistakes happen. There are issues with the arrangement of derived words as well. 2) Methods of Dictionary Creation Are Inconsistent: The processes used to create dictionaries are inconsistent. An inconsistent approach may cause confusion and make it harder to efficiently retrieve information; 3) Inequality in Comparison with Other Dictionaries: There are differences in the presentation style and content depth of multiple printed dictionaries. The breadth and depth of the material covered by these dictionaries, although their importance, are still lacking; and 4) Semantic Issues: This dictionary has trouble identifying and concisely expressing the meaning of terms. Users may become confused by unclear definitions.

Utilizing one phrase to refer to many foreign terms: When multiple foreign terms are used combined with one Arabic term, sometimes they are seen to be equivalent, which can lead to misunderstandings about how similar or different the terms are.

المصطلح بالعربية	ما يقابله بالإندونيسية
الفرض	Fardlu
الواجب	Wajib
الحديث	Hadits
السنة	Sunnah

Following a thorough examination of the Al-Munawwir dictionary, two categories of translated terms were identified: After being translated from Indonesian, these terms now have an Arabic translation. There are hundreds of them, which is a huge quantity.

Terms Maintained in Original Form: Occasionally, writers decide to keep exotic terms in Arabic characters without offering an interpretation. This is regarded as a contraction.

Furthermore, it might be imperative to furnish definitions for lexical phrases associated with Islamic law within the framework of this study. Lexical terms pertaining to Islamic law are groups of two words connected by a concept; these words can form a grammatical group that differs from the group the two words alone form.

It was found in scientific research on dictionary creation that Indonesian language learners have trouble understanding dictionary vocabulary. This is consistent with the findings of the study, which is among the first to examine synonyms in dictionaries and how dictionaries handle them.

Solutions to Solve Issues with Fiqh Legal Terminology Translation Using the “Al-Munawwir” Dictionary

The suggestions made by Newmark in his well-known work “A Textbook of Translation” were taken up by the researcher. The researcher summarized Newmark’s several approaches to addressing legal difficulties in translation as follows:

Transference (النقل): Includes words in the original language as they appear in the original text (for example the word “الصلاة” is translated as “Prayer”, “الفرض” as “Fardlu”, “الشرط” as “Terms”, “الركن” as “Rukun”, and “السنة” as “Sunnah”).

Providing Equivalent Meanings (إعطاء المقابل المعنوي): Providing appropriate equivalent

meanings (for example “الدعاء” is translated as “Prayer”, “السجود” as “Sujud”, “الركوع” as “Ruku”).

Literal Translation (الترجمة الحرفية): Translates literally (for example “قام” is translated as “Standing”, “جلس” as “Sit”, “قرأ” as “Reading”).

Paired Translation (ثنائية الترجمة): Presents an Arabic word and its close Indonesian equivalent (e.g. “pilgrimage/hajj” for “حج”).

International Translation (ثلاثية الترجمة): Provides examples of how to handle terms such as “Schandmauer” by providing phonetic, literal translations and the actual meaning (“حائط العار” بمعنى حائط برلين).

Known Standard Translations (الترجمة المعيارية المتعارف عليها): Uses standard translations for familiar country names (such as “إنجلترا” becomes “England”, “ألمانيا” becomes “Germany”, and “بلجيكا” becomes “Belgium”). It is interesting to note that many of these names may have been influenced by their French translations (Angleterre, Allemagne, Belgique). Some country names have been translated, while others retain their original names, and some country names are not translated at all (such as “Cote d’Ivoire” and “Costa Rica”).

Explanations and Comments (الشرح والتعليقات): Includes explanations or comments to aid understanding (e.g. “جهاز تحريك التروس” can be explained as “the gears in the car”).

Translation of Fiqh Legal Terms: A Proposal

The suggested method for determining foreign language equivalents for Arabic phrases is summarized as follows: As a known term can have multiple meanings depending on the context, it is important to find appropriate definitions for the concept of the term to be translated based on the various texts that cover it, such as books on theology or jurisprudence in a particular specialty (e.g., aqidah, fiqh of worship, proposed interpretation, etc.). When reading Sahih al-Bukhari in this situation, we can refer to many tafsir and explanation texts, such Fath al-Bari, as well as specialized dictionaries (like the Al-Qur’an word and gharib al-hadith dictionary, the aqidah dictionary, the fiqh dictionary, the hadith term dictionary, etc.).

Look through literature in the field of Islamic studies that has been translated into or authored in foreign languages, and take note of terms that are related. Examining several translations of the Qur’an and Hadith can help understand their meaning, particularly when it comes from native speakers of other languages who are proficient in Arabic, such as orientalist or others in their sphere of influence.

To locate different translation ideas for Arabic terms that are not available in the (second) step above, consult a bilingual (Arabic-foreign) dictionary.

Look through an encyclopedia or a dictionary of foreign language definitions to see which words best convey the relevant idea. In many Islamic works, the word “prophethood” is used to refer to the word “نبوة,” yet it is not found in dictionaries. As an example, the word “ناقلة” is translated by some as “show off,” even though the word implies the same thing in English. English uses the same term, “prophecy,” to convey two ideas: prediction (i.e., telling about future events) and prophethood.

To make sure that different word equivalents accurately convey the intended idea, compile reputable monolingual reference dictionaries (for foreign languages), such as Webster’s for American English and the Oxford English Dictionary for general and British English. For instance, the English word “رياء” means “show off,” although other translators render it as “show off.” Similarly, the term “prophecy” is used in English dictionaries to refer to both prophethood and divination (i.e., predicting future events), yet the word “prophecy” does not appear in many Islamic works to represent the word “نبوة.”

The translator may provide a footnote explaining the distinction between the two words if they feel that the foreign counterpart does not adequately convey the meaning of the Arabic word.

The “Al-Manar” Dictionary’s Contribution to the Translation of Fiqh Legal Terms in the Al-Fiqh Al-Islam Wa Adillatuhu Book

Among all Indonesians who protect their language, culture, and religion, the “Al-Munawwir” dictionary holds a prominent place. This dictionary serves as a resource for people to interpret words in Arabic and Indonesian. As a result, very few Indonesian citizens possess any knowledge that may take the place of consulting this dictionary (“Al-Munawwir”). Due to their involvement in the context of natural language connections, bilingual (Arabic-Indonesian) dictionaries present opportunities for mutual following and interaction, making them of both particular and general interest. This dictionary also opens up too many civilizations with their own values, information, and implications by allowing one to think on the structure of each language independently, exposing intricacies and modifications.

Arabic is not just used in literature; it is also used in terms of economics, medicine, law, engineering, and other disciplines. The necessity to define terminology for the benefit of workers in various professions is growing, particularly in the area of

meanings: “الدعاء” is translated as “Prayer,” “السجود” as “Sujud,” and “الركوع” as “Ruku’” are a few examples of appropriate equivalent meanings; 3) Literal translation: Translate literally (example: “قام” as “Standing,” “جلس” as “Sitting,” “قرأ” as “Reading”); 4) Two language relationships (couplet): Mentioning Arabic words and their close equivalents in Indonesian (example: “حج” as “pilgrimage/hajj”); 5) Triplet (triplet): Newmark provides an example of this approach in dealing with the German term “Schandmauer,” where we can state the word phonetically (“شاندماور”), give a literal translation (“حائط العار”), and state true meaning (“حائط برلين”); 6) Familiar standard translations (such as the names of translated countries, for example: “إنجلترا” becomes “England” and “ألمانيا” becomes “Germany”). The Al-Munawwir dictionary’s contribution to the translation of legal terminology. A respected resource for all Indonesian ethnic groups that protect their language, culture, and religion is the Al-Munawwir Dictionary. This dictionary provides definitions for terms that are used by them in both Arabic and Indonesian. As a result, very few people in Indonesian society possess even a passing familiarity with enough information to substitute consulting this dictionary (“Al-Munawwir”).

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