An analysis of azerbaijani turkish translations of civil and criminal ayas of the holy qur’an: a forensic linguistic perspective

Abstract

This paper aims to provide an analysis of the Azerbaijani Turkish translations of civil and criminal Ayas of the Holy Qur’an using a forensic linguistic perspective. The corpus of the current study is the relevant Ayas and their Azerbaijani Turkish translations provided by Kavyanpoor and Esmaeilzadeh. The analysis of the data shows that interpretation of discursive structures in civil and criminal Ayas of the Holy Qur’an is critical in saving or losing forensic discourse of the Holy Qur’an. This study also confirms that these discursive structures have forensic senses that serve a very important role in translating the Holy Qur’an.

Keywords: civil and criminal Ayas, forensic linguistic, Azerbaijani Turkish, translation

Introduction

Legal or forensic linguistic is a branch of applied linguistics that is the application of knowledge and linguistic methods in the context of the law. The life of this science is less than three decades and is a result of a combination of linguistics and law, using linguistic tools which can help us analyze texts in a professional manner. It can also help police and jurisdictions discover the truth in legal cases and help us in prove the circumstances of a crime. This is the reason forensic linguistics is important in many countries. Initially, some people, especially judges, were not satisfied with forensic linguistics because they thought it would be a threat to them and their jobs. After a while, they understood that this method can help them to discover the reality easier than before by means of forensic linguistics. There are some areas of application for linguists that work on forensic contexts such as the following: understanding language of written law and understanding language use in forensic and judicial processes etc. The discipline of forensic linguistics is not homogenous; it involves a range of experts and researchers in different areas of the field.

Importance of study

The purpose of the current study is to bridge the gap between forensic linguistic and CDA. In other words, it strives to study the Azerbaijani Turkish translations of the Holy Qur’an to see whether the translations have been successful in transferring the complete relevant meanings. Since studying and applying forensic linguistics in Iran is a new domain for linguists and law experts, this study is one of the first attempts to consider translations of the Holy Qur’an using a forensic linguistic perspective.

Review of literature

A brief review of literature shows that many scholars of forensic linguistics and CDA experts have frequently tried to analyze relevant texts. Arjmandi et al.,1 have conducted a comparative study of Farsi and English translations of the Holy Qur’an using a forensic linguistic perspective. This study reports that interpretation of discursive structures in civil and criminal Ayas of the Holy Qur’an is curtail in saving and losing forensic discourse of the Holy Qur’an. Ogunsiji et al.,2 confirm that pragmatics is indispensable in forensic linguistics since people do not always say what they mean. This study proves that people’s words do not always correspond with their will. As far as Ogunsiji et al.,2 are concerned, people’s expressions are open to interpretation by their listeners, thereby resulting to ‘mistaken understanding, miscommunication and eventually conflict’. According to this study, judges make use of pragmatics all the time in their judgments on the one hand and lawyers and prosecutors make use of language to do things with words on the other hand. Leonard3 studies the scientific principles of language analyses to issues of the law using a forensic linguistic perspective. It gives some samples from Roger Shuy and also a case from linguists Benji Wald. According to this paper, the main use of forensic linguistic is to understand law.

Methodology

Fairclough1 believes that language application is surrounded with social processes. It has some relationship that makes the context like forensic context. The framework used in this study is based on Fairclough1 and Fairclough.1

Corpus

The materials used in this study are the transcripts of Obama’s speeches from 2011 to 2015.

Results

The results are seen in the following:
Word choice and the importance of equivalents

Legal discourse supporting legal personality: absorbing and refining the target and purpose of the translated texts: Aya 18:52 in the Holy Qur’an.

In this Aya, two words are going to be explained; (بسم الله الرحمن الرحيم) (In the name of God, the Beneficent, the Merciful).

This Aya confirms the inherent dignity and equal inalienable rights of all members of a human family and does not allow anyone lose his face. Both translators have chosen (بسم الله) (In the name of God) to transfer the meaning in Azerbaijani Turkish.

Kavyanpoor translation: الاراده و دقیقه دستدارالدین و رفع و رفع هر چه دستدارالدین و رفع نبود.

Definition of Qisas:

Kavyanpoor translation: الاراده و دقیقه دستدارالدین و رفع و رفع هر چه دستدارالدین و رفع نبود. This Aya confirms the inherent dignity and equal inalienable right of all members of a human family and does not allow anyone lose his face. Both translators have chosen (بسم الله) (In the name of God) to transfer the meaning in Azerbaijani Turkish.

Kavyanpoor translation: الاراده و دقیقه دستدارالدین و رفع و رفع هر چه دستدارالدین و رفع نبود.

Definition of Qisas:

Kavyanpoor translation: الاراده و دقیقه دستدارالدین و رفع و رفع هر چه دستدارالدین و رفع نبود.
In this Ayat, (فیض یاء) is translated as (بیم‌وینی‌یاء) (نی): Esmaeilzadeh and Kavyanpoor have given the same Arabic words in translation on the one hand. Esmaeilzadeh provides a literal translation for the same word in Azerbaijani Turkish on the other hand.

Legal discourse supporting legality of crime and punishment:

passive versus active voices. It can be argued that representation of passive structure of this word has not changed. To sum up, the translators proposed concept. It means the ideological loan of forensic discursive structure of the Holy Qur'an is crucial in saving or losing forensic discourse of interpretation of discursive structures in civil and criminal Ayas of the Holy Qur'an is studied in different domains as supporting legal personality as absorbing and trifling the target and purpose of the translated texts and devaluing the target and purpose of the translated texts, supporting spiritual personality of people, supporting Head of Household, loan agreement, legality of crime and punishment and representation of passive versus active voices. Then, discursive structures in civil and criminal Ayas of the Holy Qur'an are extracted. The results show that interpretation of discursive structures in civil and criminal Ayas of the Holy Qur'an is crucial in saving or losing forensic discourse of the Holy Qur'an that confirms Arjmandi & Azimdokht.1 This study proves that these discursive structures have forensic senses that have a very important role in translation.

Representation of passive versus active voices

In this Ayat, (فیض یاء) is a passive voice verb. It is translated as (بیم‌وینی‌یاء) by both Esmaeilzadeh and Kavyanpoor. Esmaeilzadeh has chosen the passive voice while Kavyanpoor has chosen active voice. It can be argued that representation of passive in the relevant Ayat is passive in one translation and active in another translation.

Conflict of interest

None.

Acknowledgement

Authors declare that there is no conflict of interest.

References

1. Arjmandi M, Azimdokht Z. An analysis of forensic discursive structures in civil and criminal Ayas of the Holy Qur’an: A forensic and critical perspective (In Farsi). Proceedings of the First National Forensic Linguistics: Forensic Discourse Analysis. 2014;35-54.

2. Ogunsiji Y, Farinde RO. Pragmatics in forensic linguistic development for national re-orientation and transformation in Nigeria. British Journal of Arts and Social Sciences. 2012;7(II),113–121.

3. Leonard RA. Forensic linguistics: Applying the scientific principles of language analysis to issues of the Law. International Journal of the Humanities. 2005;3(2):112–122.

4. Fairclough N. Critical discourse analysis. London: Longman; 1995:1–27.

5. Fairclough N. Language and power. London: Longman; 2001: 1 p.