The OSCAR PUBLISHING Services
American Journal of Philological Sciences

VOLUME Vol.06 Issue04 2026
PAGE NO. 271-274
DOI 10.37547/ajps/Volume06Issue04-66

Marriage Ritual and The Legal Concepts of Sharia in Literary Translation

Khabibullaeva Feruzakhon Kazimjanovna
PhD, Associate Professor Andijan branch of Kokand University, Andijan, Republic of Uzbekistan

Received: 17 March 2026; **Accepted:** 05 April 2026; **Published:** 30 April 2026

Abstract: The article examines the rendering of ritual and legal vocabulary from the wedding cycle of Abdulla Qodiriy's novel in two Russian translations. The objects of study are the concepts of vakolat, mahr and charlar, together with two episodes in which a norm of Sharia surfaces in the speech of the characters. A substitution of legal content by everyday content is established in the rendering of the bride's delegation of authority; the confusion of mahr with bride-price and dowry is analysed; the swelling of the text under descriptive translation of ritual names is traced. The ratio between the length of the original and that of the translation is proposed as a primary indicator of a failed technique. The analysis involves a word-by-word count of the length of original and translation and checks every name against the explanatory dictionary and against the provisions of Sharia governing the conclusion of marriage. The speech characterisation of the personages is taken into account in assessing explanatory insertions placed inside direct speech. A link is shown between the loss of the legal core of a concept and the weakening of the motivation of events in the novel.

Keywords: Ritual vocabulary, legal concept, Sharia, descriptive translation, textual swelling, footnote, Uzbek historical novel.

Introduction: The ritual language of the wedding cycle combines a legal norm with an etiquette prescription, so translating it into a foreign language requires simultaneously maintaining both aspects. The problem of this work lies in the persistent substitution of legal content for everyday life, observed in Russian translations of Uzbek prose. The working hypothesis is formulated as follows. A descriptive translation applied to the legal concept of Sharia results in textual bloat and the loss of the legal core, whereas a combined method preserves both. This relevance is reinforced by the return of Sharia concepts to legal and everyday use and the growing attention to the accuracy of their translation. The wedding cycle of Abdullah Kadiri's novel "Utgan Kunlar" was chosen as the material for this study, along with two Russian translations, from 1958 and 2009. The choice of the wedding cycle is explained by the density of the legal aspect of the ritual, which surpasses other parts of the work.

LITERARY ANALYSIS

Rite combines legal norms, etiquette regulations, and artistic functions, which is why the translation of ritual vocabulary requires the simultaneous consideration of three planes. Vl. Rossels considered the recreation of the original's national character to be a translator's primary task [12], G. Salomov explored this issue using Uzbek material [13], and Z.A. Kasymova devoted a separate work to the Russian translation of the novel "Days Gone By" [7, p. 67]. The categories of adequacy and equivalence as evaluation tools have been analyzed by L.G. Romanova [11, p. 219] and R.R. Lukmanova from a semantic perspective [9], while their general formulation is presented by V.V. Sdobnikov and O.V. Petrova [14]. The wedding cycle of Abdullah Kadiri's novel contains approximately two dozen ritual terms, of which three were selected for analysis: vakolat, mahr, and charlar, along with two episodes where Sharia law is evident in the characters' lines. The original and two Russian translations, from 1958 and 2009, serve as the comparison material. The selection

was based on the legal connotation of the terms, as ritual words with purely mundane connotations are analyzed using techniques developed for material realities.

METHODOLOGY

Three ritual terms were selected from the wedding cycle: vakolat, mahr, and charlar, along with two episodes where Sharia law is evident in the characters' lines. The selection was based on their legal connotation, as ritual words with purely mundane connotations are analyzed using techniques developed for material realities. Each term was verified against an explanatory dictionary of the Uzbek language and against Sharia law regulating marriage. The length of the original and translation were calculated word by word, yielding a quantitative indicator of text expansion. Russian equivalents were assessed for their ability to capture the legal core of the concept. The consistency of footnotes with the word being interpreted and their placement relative to the first occurrence were also checked. The speech characteristics of the characters were taken into account when evaluating explanatory insertions introduced into direct speech.

RESULTS

The chapter “Unexpected Happiness” opens with the phrase «Кумушбибидан ваколат олиш ҳам жуда қийин бўлди» [3]. Both translations offer a similar rendering: «Трудно было получить от невесты согласия на брак» [1, p. 70] and «Получить от невесты положенное согласие на брак оказалось очень трудным делом» [2, p. 64]. The divergence from the original affects the legal substance of the scene. What is meant here is the authority granted by the bride to a male relative to represent her at the marriage ceremony, since she herself cannot participate in the ceremony directly. In accordance with the prescriptions of Sharia, women remain behind a curtain, while the mullah is required to hear the bride’s voice confirming that she has authorized her uncle to speak on her behalf. Without this verbal confirmation, the marriage cannot be concluded. A more precise rendering would therefore be «Получить полномочие от Кумуш было очень трудно». Replacing “authority” with “consent” obscures both the meaning of the girl’s persistent silence and the mullah’s repeated insistence on asking the question. Consent belongs to the sphere of emotion and personal volition, whereas authority belongs to the legal sphere and establishes representation; consequently, substituting one for the other erases the juridical mechanism underlying the marriage ritual.

The wording of the mullah’s question reveals the difference between the two approaches. The original reads «Сизким Кумушбиби Мирзакарим қизи, ўзингизни тошкандлик, мусулмон Отабек Юсуфбек ҳожи ўғлига бағишламоқ ваколатини амакингиз Муҳаммадраҳим Йўлдош ўғлига топширдингизми?» [3]. The 1958 translation replaces the notion of legal authorization with that of a feeling: «поручили ли своему дяде Мухаммаду Рахиму, сыну Юлдаша, передать вашу любовь ташкентскому жителю» [1, p. 70]. This rendering conflicts with the nature of personal relationships in the depicted social environment, where the girl’s intimate feelings remain concealed from everyone. Spoken aloud in the presence of her father and relatives, words expressing love would have been offensive to both parties. In the 2009 translation, the awkwardness of this rendering appears to have been recognized, and the notion of feeling is replaced with that of the body: «передать вашу плоть Ташкентскому мусульманину Атабеку» [2]. This crudeness contradicts the national etiquette that prescribes softening what is harsh, replacing the coarse with the tender and the ugly with the beautiful. Moreover, the reader of the translation is given a misleading impression of the uncle’s role: he is transformed into an intermediary responsible for conveying either a feeling or a body, whereas the original assigns him the role of an authorized representative in the conclusion of the marriage contract.

Descriptive translation remains the most common technique in rendering ritual terminology; however, its predominance disrupts the stylistic unity of the original. K.I. Chukovsky regarded the expansion of translated texts as a direct consequence of explanatory paraphrase [16], while I.S. Alekseeva considered the correlation between source and target text volumes to be an indicator of translation strategy [4, p. 181]. The sentence «Йигитлар куявни домлалар қаршисиға келтуриб тўхтатқандан кейин Отабек вакили бўлған Зиё шоҳичи билан Кумуш қиз вакили Муҳаммадраҳим ораларида маҳр масаласи очиладир» [3, p. 58] contains twenty-one words. In the 1958 translation, it is rendered as two sentences comprising twenty-nine words [1, p. 71], while the 2009 translation uses two sentences containing forty words [2, p. 65]. The concept of «маҳр» is broader than the interpretation of it as property transferred by the groom into the wife’s full ownership. Under Sharia, mahr serves as a form of financial provision for the woman in the event of the dissolution of the marriage; its amount is determined by agreement between the parties and may range from a symbolic sum to an entire fortune [15]. Conflating mahr with bride price or dowry erases the legal distinction among these three

concepts, whereas Ya.I. Retzker cautioned against substituting equivalents without verifying the scope and semantic content of the concept [10].

The cultural realia «чарлар» posed a similar challenge for the translators. The twenty-eight-word sentence in the original [3] was expanded in the 1958 translation into four sentences comprising sixty-four words [1, p. 162], with twenty-two words devoted to explaining a single lexical item. Along with the explanation, elements absent from the original—«новый» and «Ташкент»—were introduced into the text, as well as an entire sentence about the qutidor, who had allegedly left the wedding alone, thereby providing a false motivation for Atabek's depressed state. The 2009 translation reduced the passage to two sentences and forty-eight words, eliminated the additional sentence, and introduced the realia itself [2, p. 171]. However, redundant wording remained, while the second sentence was complicated by three adverbial participial constructions and an introductory phrase, causing the connection between the word «чарлар» and the elements explaining it to become obscured. N.K. Garbovsky regarded such a phenomenon as a violation of the proportionality of translation units [6, p. 543]. The elaborate syntax makes it difficult to recognize the passage as a description of a cultural realia, rendering the effort to introduce it into the text largely ineffective.

The footnote explaining the word «чарлар» in the 2009 translation was placed earlier, at the end of the preceding chapter, in connection with the line spoken by the kavak-divana [2, p. 171]. Repeating the explanation within the following paragraph is excessive, since the reader has already encountered the word and associated it with the corresponding footnote. It would have been sufficient to expand the existing note by adding information about the prevalence of the custom in Tashkent and its absence in Margilan; this would also have eliminated the need for the word «новый» in the main text. The explanatory translation of the blessed man's utterance itself, however, conflicts with the character's speech profile. The original «Ҳа, ҳа, чарлари энди бўлар эмиш... чарларга бор. Қоратегин» [3, p. 160] is transformed into an extended explanation about a feast held at the bride's parents' home to mark the newlyweds' first visit [1, p. 162]. Such coherent and logically structured speech is uncharacteristic of the blessed man, whereas transliteration accompanied by an almost literal rendering of the utterance would have preserved the speaker's distinctive manner of expression. Transferring the explanatory burden from the character's speech into a footnote would separate two heterogeneous layers the artistic and the reference-oriented which, when conflated, impoverish both. The blessed man's speech persona is constructed through fragmentary utterances, repetitions, and abrupt transitions; eliminating these features deprives the character of recognizability.

The legal norm also becomes apparent in evaluative utterances. The Uzbek oyim, considering her son's treatment of Zaynab unacceptable, exclaims: «Инсофсиз, адолатсиз!» [3, p. 211]. The 1958 translation renders this as «Да как же это можно? Совести у тебя нет!» [1, p. 209], in which the reference to injustice disappears and the categorical judgment is transformed into a complaint. The mother proceeds from the principle of equal rights of both wives, as established by Sharia, which requires a husband to treat each of his wives equally. Atabek's reference to his parents' wishes does not invalidate Zaynab's rights, since prior to the marriage she had no relationship with the Yusufbek-haji family. The 2009 translation renders the utterance almost literally as «Бессовестный, несправедливый!» [2]; however, the notion of injustice is understood here in a universal, human sense, whereas the speaker had a specific legal meaning in mind. F. Kiyikboyev examined parent-child relations in Uzbek prose as a nexus of normative prescriptions [8]. An ethnocultural note explaining the equal rights of wives would have supplied the missing link, since the legal norm itself cannot be directly inferred from the text of the novel.

DISCUSSION

The extratextual content of the utterance is particularly extensive in the conversation between the matchmakers overheard by Atabek. From the brief exchange «Тўй билан никоҳни бу кунга қилғанимиз яхши бўлди» and the interlocutor's ensuing objection [3], the reader of the original text derives six pieces of information, ranging from the identities of the speakers to the reason for one of them being dissatisfied. The key to interpreting the exchange is knowledge of the custom according to which a wedding for a woman marrying for the second time was conducted more modestly, while the qutidor, offended by his daughter's first marriage, sought to preserve his own social standing. The 1958 translation divided the two utterances into five sentences, as a result of which the words of the hot-tempered man, who is mentally continuing the argument, were transformed into the grumbling of a dissatisfied person [1, p. 223]. The 2009 translation was limited to replacing individual words [2]. Yu.V. Vannikov associated such losses with a substitution of the type of equivalence [5], while A.D. Schweitzer classified them within the pragmatic dimension of translation [17, p. 216]. When an utterance consisting of two units is divided into five

sentences, its intonational and syntactic structure is disrupted, and with it the nuance required by the speaker for self-expression is lost. The quantitative discrepancy between the length of the original and that of the translation serves as the first warning signal, whereas the final assessment of the translation technique must be based on the extent to which the legal and etiquette-related content has been preserved.

REFERENCES

1. Абдулла Кадыри. Минувшие дни / Абдулла Кадыри; перевод с узбекского Л. Бать, В. Смирновой. – Ташкент: Художественная литература, 1958. – 371 с.
2. Абдулла Кадыри. Минувшие дни / Абдулла Кадыри; перевод с узбекского М. Сафарова. – Ташкент: Шарқ, 2009. – 432 с.
3. Абдулла Кодирий. Ўтган кунлар / Абдулла Кодирий. – Тошкент: Шарқ, 2014. – 400 б.
4. Алексеева, И.С. Текст и перевод: Вопросы теории / И.С. Алексеева. – Москва: Международные отношения, 2008. – С. 181.
5. Ванников, Ю.В. Проблемы адекватности перевода. Типы адекватности, виды перевода и переводческой деятельности / Ю.В. Ванников // Текст и перевод. – Москва: Наука, 1988.
6. Гарбовский, Н.К. Теория перевода / Н.К. Гарбовский. – Москва: Изд-во МГУ, 2004. – С. 543.
7. Касымова, З.А. О переводе романа «Минувшие дни» / З.А. Касымова // Преподавание языка и литературы. – 2006. – № 6. – С. 67–78.
8. Кийикбоев, Ф. Бадиий асарнинг муаммоли таҳлили (оталар ва болалар муносабатлари асосида) / Ф. Кийикбоев. – Андижон: Ҳаёт, 2012. – 116 б.
9. Лукманова, Р.Р. Адекватность перевода художественного текста: семантический аспект: автореферат дис. … канд. филол. наук / Р.Р. Лукманова. – Уфа, 2012.
10. Рецкер, Я.И. Теория перевода и переводческая практика / Я.И. Рецкер. – Москва: Международные отношения, 1974.
11. Романова, Л.Г. Адекватность и эквивалентность как переводческие категории: теоретико-экспериментальное исследование: автореферат дис. … канд. филол. наук / Л.Г. Романова. – Челябинск, 2011. – С. 219.
12. Россельс, Вл. Перевод и национальное своеобразие подлинника / Вл. Россельс // Вопросы художественного перевода: сборник статей. – Москва: Советский писатель, 1955.
13. Саломов, Ғ. Адабий санъат ва бадиий таржима / Ғ. Саломов. – Тошкент: Фан, 1980.
14. Сдобников, В.В. Теория перевода / В.В. Сдобников, О.В. Петрова. – Нижний Новгород: Изд-во НГЛУ им. Н.А. Добролюбова, 2001. – 306 с.
15. Ўзбек тилининг изоҳли луғати. – Тошкент: Ўзбекистон миллий энциклопедияси, 2002. – 3 т.
16. Чуковский, К.И. Высокое искусство / К.И. Чуковский. – Москва: Искусство, 1964.
17. Швейцер, А.Д. Теория перевода: Статус. Проблемы. Аспекты / А.Д. Швейцер. – 2-е изд. – Москва: Книжный дом «ЛИБРОКОМ», 2009. – С. 216.