

The Representation of Fiqh Values in the Translation of Moral and Ethical Terminology in the Book *Fiqh an-Nisā'*

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Abstract: The translation of fiqh books presents challenges in transferring normative terms that convey legal and ethical values into the target language. The main issue addressed in this study is how fiqh values are represented in the translation of moral and ethical criteria terms found in the Arabic text *Fiqh an-Nisā'*. This study aims to examine the translation patterns employed and how the translator balances the accuracy of legal meanings with readers' comprehensibility. The research applies a qualitative descriptive method using two data sources: the Arabic text *Fiqh an-Nisā'* and its Indonesian translation, *Fiqh Wanita Empat Madzhab*. The data consist of terms belonging to the category of moral and ethical criteria, which were collected through observation and note-taking techniques, and then analyzed based on the equivalence of form, meaning, and function. The findings reveal three patterns in representing fiqh values: partial negotiation, full resistance, and partial resistance. Full resistance preserves fiqh terms in their original form, partial negotiation adjusts form and meaning to make them more communicative, while partial resistance retains some normative values with certain shifts. These findings indicate that the translator seeks to balance terminological accuracy with ease of understanding in the translation of fiqh texts.

Abstrak: Penerjemahan kitab fiqh menghadapi tantangan dalam mengalihkan istilah-istilah normatif yang memuat nilai hukum dan etika ke dalam bahasa sasaran. Permasalahan utama penelitian ini adalah bagaimana nilai fiqh direpresentasikan dalam terjemahan istilah kriteria moral dan etika pada kitab *Fiqh an-Nisā'* yang berbahasa Arab. Penelitian ini bertujuan menjawab pertanyaan mengenai pola-pola penerjemahan yang digunakan serta bagaimana penerjemah menyeimbangkan ketepatan makna hukum dengan keterpahaman pembaca. Penelitian menggunakan metode deskriptif kualitatif dengan sumber data berupa teks Arab *Fiqh an-Nisā'* dan terjemahannya dalam bahasa Indonesia, *Fiqh Wanita Empat Madzhab*. Data berupa istilah kategori moral dan etika dikumpulkan melalui teknik simak dan catat, kemudian dianalisis berdasarkan kesesuaian bentuk, makna, dan fungsi. Hasil penelitian menunjukkan tiga pola representasi nilai fiqh, yaitu negosiasi sebagian, resistansi penuh, dan resistansi sebagian. Resistansi penuh mempertahankan istilah fiqh secara utuh, negosiasi sebagian menyesuaikan bentuk dan makna agar lebih komunikatif, sedangkan resistansi sebagian mempertahankan sebagian nilai normatif dengan beberapa pergeseran. Temuan ini menunjukkan bahwa penerjemah berupaya menyeimbangkan akurasi terminologis dan kemudahan pemahaman dalam proses penerjemahan teks fiqh.

Keywords: Fiqh Values; Translation; Moral and Ethical Terminology; *Fiqh an-Nisā'*.

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Introduction

*F*iqh is a branch of Islamic scholarship that contains normative provisions regarding various aspects of human life, including worship, legal transactions, family relations, and social interactions in general (Khalaf, 1956; Zuhaili, 1985). These provisions do not exist in a form detached from language; rather, they are formulated, explained, and conveyed through linguistic units rich in meaning. Thus,

language occupies a central position in the dissemination of Fiqh knowledge because it is through language that a law is understood, interpreted, and practiced by society (Versteegh, 1997). In this context, the precision of terminology selection becomes crucial because certain terms do not merely function as lexical markers but also carry legal implications, recommendations, prohibitions, and the moral values inherent in the teachings (Baker, 2011; Newmark, 1988).

In the tradition of Fiqh, there are a number of terms that represent specific levels of normative value, such as *wajib*, *sunnah*, *mustahab*, *makruh*, and *mubah*. These terms fall under the category of religious terms related to moral and ethical criteria—that is, terms representing moral norms, ethical attitudes, and behaviors consistent with Islamic teachings, serving as guidelines for individuals to live their lives in accordance with applicable religious provisions (Yulianita, 2018; Al-Ghamdi, 2016). Each term in moral and ethical criteria carries a distinct conceptual meaning and indicates the position of a specific action within the framework of Islamic law. For example, the term *wajib* denotes a binding obligation, while *sunnah* and *mustahab* pertain to recommended actions, although each may carry distinct nuances in their application. Therefore, the accuracy of conveying these terms is crucial, particularly when Arabic Fiqh texts are translated into Indonesian. Errors, oversimplifications, or shifts in meaning during translation have the potential to affect readers' understanding of the degree of obligation, the level of recommendation, or the moral orientation of a particular Fiqh provision (Mukminin et al., 2025; Kadhim et al., 2023).

The translation of Fiqh texts into Indonesian is a crucial effort to expand public access to the Islamic scholarly tradition. Through translation, readers who do not master the source language (Arabic) can still understand the text's content and acquire the religious knowledge they need (Pratiwi & Syahriyani, 2022). However, the translation of Fiqh terms faces its own challenges because not all concepts have fully equivalent equivalents in the target language. Some terms can be retained through the borrowing of the original term, while others are translated using descriptive equivalents or semantic adaptation (Daud et al., 2024; Murodi, 2020). For example, the term *wajib* can be rendered as “*wajib*” or “*must*”, while *sunnah* can be translated as “*sunnah*” or “*recommended*”. These choices demonstrate that translation is not merely a process of word substitution, but also a process of interpretation and representation of values.

A number of previous studies on the translation of religious texts have generally focused on the issue of equivalence of meaning (Khan, 2025; Layliyah & Sajarwa, 2025), translation techniques (Nasution et al., 2019), domestication and foreignization strategies (Anis & Abdullah, 2023), and the relationship between language and culture (Obeidat & Mahadi, 2019; Tiwiyanti, 2018). These studies make an important contribution to understanding the complexity of translating religious texts. However, research specifically examining how Fiqh values are represented through the translation of moral and ethical criteria remains relatively limited. In fact, this category of terms holds high significance as it directly relates to how readers understand commands, recommendations, permissibility, and preferences for actions within Islamic teachings. The limitations of these studies indicate a research gap that needs to be addressed, particularly at the intersection of translation studies and Fiqh studies.

The book *Fiqh an-Nisā'* was chosen as the subject of this study because it contains a wide range of fiqh discussions related to women and includes many normative terms that represent the legal and ethical values of (Al-Khasyit, 1994). The availability of this book's translation as *Fiqh Wanita Empat Madzhab* (Fiqh for Women: The Four Schools of Thought) provides an opportunity to examine how these terms are rendered into the target language, as well as the extent to which the fiqh values contained within are preserved, negotiated, or simplified through translation choices (Abdurrohim, 2020).

Based on the above discussion, the research questions of this study focus on two aspects. First, how are the terms “moral criteria” and “ethics” in the book *Fiqh an-Nisā'* translated into the target language? Second, how are the values of Fiqh represented through the translation of these terms? In line with these research questions, this study aims to describe the translation patterns of moral and ethical criteria terms and to explain the representation of Fiqh values that emerge in the translated text. This study is expected to provide a theoretical contribution to the development of the study of religious text translation and a practical contribution to efforts to translate Fiqh terms more accurately, proportionally, and in a way that is easily understood by readers.

Method

This study is a qualitative descriptive study aimed at describing the representation of fiqh values in the translation of moral and ethical criteria in the book *Fiqh an-Nisā'*. The approach used is a translation approach that combines semantic analysis to examine shifts in meaning and fiqh terminology analysis to understand the normative values contained in the terms under study. This approach was chosen because the object of study relates not only to linguistic form but also to the legal and ethical content inherent in fiqh terms.

The research data sources consist of two types: the original Arabic text from the book *Fiqh an-Nisā'* and its Indonesian translation from the book *Fiqh Wanita Empat Madzhab*. The research data consists of terms falling under the categories of morality and ethics, such as *wajib*, *sunnah*, *mustahab*, *makruh*, and similar terms that form the focus of the study because they represent important normative values in the understanding of Islamic law (Khalaf, 1956). Data collection was conducted using the listen-and-record technique (Sudaryanto, 2015). The researcher carefully read the source text and the translation, then marked all terms falling under the categories of morality and ethics along with their corresponding translations. Subsequently, the collected data was classified based on the correspondence of form, meaning, and function between the source terms and the target terms.

The analysis mechanism is carried out in several stages. First, identifying moral and ethical terms in the source text along with their translations. Second, comparing terms in the source and target languages to examine the equivalents used. Third, classifying the data into translation patterns, including form, meaning, and function. Fourth, examining the fiqh values contained in the source terms based on the context of their use. Fifth, interpreting how fiqh values are represented in the translation. Through these steps, this study aims to demonstrate the relationship between the translator's linguistic choices and the conveyance of normative fiqh values to the target-language readers.

Results and Discussion

Based on the results of data collection and analysis, the translation of moral and ethical criteria in the book *Fiqh an-Nisā'* reveals a variety of patterns in conveying fiqh values from Indonesian to Arabic. Three translation patterns for moral and ethical criteria were identified in the book *Fiqh an-Nisā'*. The first pattern is partial negotiation regarding form and meaning, which occurs when the target-language term undergoes linguistic adaptation accompanied by changes or simplifications of specific meanings. The second pattern is full resistance, where the term is translated while retaining both the form and the conceptual values contained in the source language. The third pattern is partial resistance regarding meaning and function, where some of the term's meaning or function is retained, even though there are changes in its form. These three patterns demonstrate that the translation of moral and ethical terms in fiqh texts is a dynamic process of balancing conceptual accuracy, readability, and the needs of the target-language readers (Munday, 2016).

Results

Table 1. Partial Negotiation on Aspects of Form and Meaning

Source Text	Target Text	Pattern		
		Form	Meaning	Function
... لا يصلحان للاحتجاج بهما على التحریم المطلق (FN, 59-60)	...tidak layak dijadikan hujjah atas haramnya membaca Al- Qur'an secara mutlaq (FWEM, 79)	-	-	+

فلما لم ينقل أحد عن النبي في ذلك نهيًا مجزومًا بصحته وغير قابل للتأويل لم يجز جعله حرامًا (FN, 60)	Namun ketika tidak ada seorangpun yang meriwayatkan dari Nabi صلى الله عليه وسلم bahwa hal tersebut merupakan sesuatu yang jalas-jelas diharamkan berdasarkan riwayat shahih yang tanpa memerlukan ta'wil lagi, maka tentu tidak boleh menetapkan hal tersebut sebagai sesuatu yang haram (FWEM, 80-81)	-	-	+
وهذا الحديث لا يصلح دليلًا على الكرهية، فكيف يستدل به على التحريم (FN, 60)	Dengan demikian, maka Hadits ini tidak bisa menjadi dalil atas makruhnya membaca Al-Qur'an bagi orang yang sedang junub, lantas mana bisa dijadikan dalil bagi keharamannya?! (FWEM, 80)	-	-	+

In the pattern of partial negotiation concerning form and meaning, several terms and phrases undergo linguistic adaptation together with semantic reformulation to improve accessibility for target-language readers. This is evident in *al-tahrīm* (التحريم), which is rendered through an adjectival construction expressing prohibition rather than preserving its original nominal form. Likewise, *nahyan majzūman* (نهيًا مجزومًا) is translated using a more explicit expression that emphasizes the certainty of the prohibition instead of maintaining its literal lexical structure. Similarly, *al-karāhah* (الكرهية) is expressed through a grammatical form referring to the state of being discouraged rather than retaining the original nominal concept. In addition, *al-sunnah* (السنة) is rendered through a verbal expression indicating recommendation instead of preserving its nominal form. These examples demonstrate that the translator does not consistently retain the lexical and grammatical forms of the source-language terms. Instead, the source expressions are reformulated into structures that are more natural and comprehensible for target-language readers while preserving the underlying normative meaning of the original fiqh terminology. This finding suggests that the translator prioritizes communicative effectiveness through grammatical and semantic adaptation without altering the essential legal implications of the source terms (Pratiwi & Syahriyani, 2022). Consequently, the negotiation primarily occurs at the level of linguistic form and semantic expression, enabling the normative message of fiqh to be conveyed more clearly and naturally to target-language readers.

Table 2. Full Resistance

Source Text	Target Text	Pattern		
		Form	Meaning	Function
وقد ذهب الشافعية إلى أن الواجب هو مسح بعض الرأس... (FN, 13)	Menurut madzhab Syafi'i, yang wajib adalah mengusap sebagian kepala... (FWEM, 27)	+	+	+

النقض من الحيض مستحب (أي غير واجب) وهو الصحيح إن شاء الله (FN, 10)	Melepas gelungan/ikatan rambut di saat mandi sesuai haidh adalah <i>mustahab</i> (dianjurkan, tidak wajib); dan demikianlah yang menjadi pendapat yang benar, <i>insyaa-allooh</i> (FWEM, 23)	+	+	+
وهذا سنة عند الجمهور (FN, 14)	Membasuh kedua tangan ketika bangun tidur ini menurut Jumhur ulama', hukumnya <i>sunnah</i> (FWEM, 29)	+	+	+
وهذه الأمور الثلاثة سنة مؤكدة عند الشافعية... (FN, 15)	Ketiga hal tersebut adalah <i>sunnah muakkadah</i> (sunnah yang ditekankan/dikuatkan) menurut madzhab Syafi'i... (FWEM, 30)	+	+	+
فقال المالكية ليس بمندوب، بل مكروه (FN, 16)	Menurut madzhab Maliki hal tersebut <i>makruh</i> (FWEM, 31)	+	+	+
فهو مباح (FN, 20)	Maka hukum memakainya <i>mubah</i> (boleh-boleh saja) (FWEM, 39)	+	+	+
لعل من الحديث المعاد أن نقرر أن الجهاد فرض كفاية (FN, 361)	Barang kali termasuk pembicaraan yang perlu kita ulangi lagi adalah perlunya kita menegaskan di dini bahwa jihad hukumnya adalah <i>fardhu kifayah</i> (FWEM, 447)	+	+	+
فإذا هجم أصبح الجهاد فرض عين على كل مسلم والمسلمة (FN, 361)	Jika mereka telah melancarkan serangan, maka jihad hukumnya menjadi <i>fardhu 'ain</i> atas setiap muslim dan Muslimah (FWEM, 447)	+	+	+

In the full resistance pattern, the data consist of terms or phrases that are translated while preserving both the lexical form and the conceptual meaning of the source language. This can be observed in *sunnah* (سنة), *makrūh* (مكروه), *fardhu kifayah* (فرض كفاية), and *fardhu 'ain* (فرض عين), all of which are retained through direct transliteration without significant lexical modification. Likewise, *mubāh* (مباح) is preserved as a transliterated legal term, accompanied by an explanatory expression that clarifies its meaning as an act that is religiously permissible. These choices indicate that the translator tends to preserve fiqh terms that are already well established in the Islamic tradition of the target language, thereby maintaining semantic proximity to the source text (Arrasyid & Sajarwa, 2023). Consequently, the underlying fiqh meanings

remain intact because the translated terms continue to represent the same legal categories as those in the source text, including recommendation, reprehensibility, permissibility, collective obligation, and individual obligation. Thus, the full resistance pattern reflects the translator's effort to preserve both the terminological authenticity and the conceptual accuracy of fiqh in the translated text.

Table 3. Partial Resistance in Terms of Meaning and Function

Source Text	Target Text	Pattern		
		Form	Meaning	Function
وهي محمولة على الندب والاستحباب لا الواجب والفرض (FN, 12)	Maka Hadits-Hadits tersebut hanya menunjukkan perintah yang sifatnya sunnah atau anjuran, bukan wajib atau keharusan (FWEM, 25)	-	+	+
وهذا مندوب عند جمهور الفقهاء غير المالكية (FN, 16)	ini menurut Jumhur Fuqaha' (selain madzhab Maliki) adalah sunnah (FWEM, 31)	-	+	+
لأن المس الموجب للطهارة في هذه الآية المراد به الجماع... (FN, 20)	Sebab sentuhan yang mewajibkan mandi yang dimaksud pada ayat ini adalah jima' (coitus)...(FWEM, 38)	-	+	+
مما يوجب النظر إليها بعين التقدير والإعتبار (FN, 56)	Yang mengharuskan adanya pertimbangan dan dispensasi untuk mereka (FWEM, 75)	-	+	+
فلو كانت القراءة محرمة عليهن مطلقا كالصلاة والصوم (FN, 60)	Sekiranya membava Al-Qu'an merupakan sesuatu yang diharamkan secara mutlak atas mereka (para wanita yang hidup semasa Rasulullah) sebagaimana halnya larangan shalat dan puasa semasa haidh...(FWEM, 80)	-	+	+
ذهب الشافعي وأبو حنيفة إلى كراهية القبلة لمن حركت شهوته (FN, 122)	Imam Syafi'i dan Imam Abu Hanifah berpendapat bahwa mencium dan bercumbu dengan lawan jenis bagi orang yang mudah bangkit birahnya adalah makruh (FWEM, 141)	-	+	+
أما إذا منعها الزوج من حج التطوع... (FN, 145)	Adapun jika larangan dari suami itu berkenaan dengan haji yang sifatnya sunnah ,... (FWEM 170)	-	+	+

وَأَنْ تَكُونَ الْمَنْفَعَةُ الْمَعْقُودَ عَلَيْهَا مباحة شرعا (FN, 322)	Barang yang disewakan mengandung manfaat yang mubah secara syar'i (FWEM, 398)	-	+	+
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In the pattern of partial resistance concerning meaning and function, several terms and phrases undergo lexical modification while retaining part of their conceptual meaning and normative function. This can be observed in *al-nadb* (التنب), which is rendered through an established legal term denoting recommendation, although its original lexical form is not preserved. Similarly, *al-tatawwu'* (التطوع) is translated using the same legal category of recommendation, accompanied by a contextual reformulation that clarifies its intended legal function. These examples indicate that while the original lexical forms are modified, the core normative values remain recognizable. Concepts related to recommendation, obligation, and prohibition continue to be represented, although certain semantic nuances are adapted to align with the linguistic and cultural conventions of the target language (Sajarwa, 2021). Thus, this pattern of partial resistance reflects a compromise between preserving the conceptual accuracy of fiqh terminology and ensuring its comprehensibility for target-language readers.

Discussion

This negotiation strategy demonstrates the representation of fiqh values through linguistic adjustments designed to make the text more accessible to the target audience. Certain terms are adapted into more easily understandable forms, for example, through the use of descriptive phrases or more natural sentence structures in Indonesian. In this approach, fiqh terminology is not always retained literally, but efforts are made to ensure that the substantive legal values remain present. This strategy indicates that the translator seeks to bridge the gap between technical fiqh concepts and the needs of the general reader, who may not be familiar with Arabic terminology. Thus, partial negotiation represents fiqh values through a more accessible interpretive approach. This approach aligns with the importance of applying the principles of public interest and ease in conveying Sharia norms to the general public (Thaib et al., 2025). However, such linguistic adaptation also carries implications for readers' understanding of Islamic legal categories. Although the normative meaning is generally maintained, reformulating technical fiqh terminology into more communicative expressions may reduce readers' awareness that these terms represent specific legal classifications rather than ordinary descriptive language. Consequently, translators must balance readability with the preservation of the normative force embedded in fiqh terminology.

The pattern of full resistance reflects the translator's tendency to retain terms that hold strong authority within the fiqh tradition. This is evident in the use of terms such as *sunnah*, *makruh*, *mubah*, *fardhu kifayah*, and *fardhu 'ain* in forms already familiar to Indonesian Muslim readers. The retention of these terms indicates that fiqh values are represented through the continuity of established legal terminology. From an Islamic legal perspective, these terms have specific conceptual boundaries, so their retention helps maintain the accuracy of meaning and prevents the over-generalization of legal categories. Therefore, full retention can be understood as an effort to preserve the authenticity of fiqh concepts in the translated text. This aligns with the view that Sharia norms require conceptual precision to ensure that their legal objectives are upheld (Mariko et al., 2025). Maintaining these established legal terms also minimizes the risk of semantic simplification that could affect readers' interpretation of legal rulings. In this respect, full resistance functions not only as a linguistic strategy but also as an effort to safeguard the legal authority and conceptual integrity of fiqh terminology in translation.

Meanwhile, the partial resistance pattern indicates a compromise between preserving fiqh concepts and adapting them to the target language. In this pattern, some of the normative meanings and functions of the terms are retained, even though their lexical forms or semantic nuances have shifted. For example, terms indicating recommendation are still translated into the category of *sunnah*, even though their conceptual details are not entirely identical to the source terms. This indicates that the representation of fiqh values remains present, but in a form that is more adaptable

to the target language system. This pattern is significant because it demonstrates the flexibility of translation without completely abandoning the legal orientation of the source text. This finding aligns with the view that translation is a process of adapting meaning between the source text and the needs of the target audience, such that some elements are retained while others are adapted (Mukminin et al., 2025). Nevertheless, this compromise also illustrates that preserving normative meaning does not always guarantee the preservation of every conceptual nuance. Certain distinctions between fiqh terms may become less explicit in translation, requiring readers to rely on contextual understanding to interpret the intended legal meaning accurately.

Overall, these three patterns confirm that the representation of fiqh values in the translation of the book *Fiqh an-Nisā'* occurs through a process of selection, retention, and adaptation of terminology. The translator does not merely transfer words but also interprets how moral and ethical categories in fiqh can be understood by Indonesian-speaking readers. Thus, the translation serves as a medium for transmitting Islamic legal values, requiring a balance between terminological accuracy, linguistic acceptability, and clarity of normative meaning. These findings demonstrate that translation decisions in fiqh texts have implications beyond linguistic equivalence, as they may shape readers' understanding of Islamic legal concepts and their practical application. Therefore, this study highlights the importance of integrating translation competence with knowledge of Islamic jurisprudence to ensure that legal concepts remain both conceptually accurate and accessible to the target readership.

Conclusion

The results of the study indicate that the representation of fiqh values in the translation of moral and ethical terms in the book *Fiqh an-Nisā'* is manifested through three main patterns: partial negotiation, full resistance, and partial resistance. Full resistance indicates an effort to preserve legal terms and concepts in their entirety; partial negotiation involves adjusting form and meaning to make them easier to understand; while partial resistance involves preserving some normative values while altering specific elements. These three patterns underscore that the translation of fiqh terms does not occur in a singular manner but through various strategies tailored to the needs of the target language context. The translation of fiqh terms is also not merely about transferring linguistic elements but also involves conveying the normative values embedded in Islamic legal concepts. In this context, fiqh values refer to the moral and ethical criteria governing human actions, such as obligations, recommendations, permissibility, and prohibitions.

These findings also indicate that the translator sought to strike a balance between the accuracy of Islamic legal concepts and comprehensibility for Indonesian-speaking readers. On the one hand, technical terms were retained to preserve the precision of fiqh terminology. On the other hand, certain terms were adapted in form and presentation to make them more communicative and accessible to readers. Thus, the translation of the book *Fiqh an-Nisā'* serves not only as a linguistic translation but also as a means of disseminating fiqh values while still considering the clarity of the message and the needs of the target readers. These findings highlight that translation decisions in fiqh texts extend beyond linguistic transfer, as they may influence readers' understanding of Islamic legal norms and moral guidance. Therefore, translating fiqh terminology requires balancing linguistic naturalness with the preservation of the normative force of legal concepts.

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