INTRODUCTION

In a previous paper,¹ I tried to establish whether there was an identifiable and consistent body of theories or ideas about translation to be found in the writings of producers and recipients of Arabic translations. My verdict was largely negative: while a number of translators, chiefly Ḥunayn b. Ishāq, left us a body of scattered remarks about specific translation problems and their attitudes to their work, the material was insufficient to identify full-fledged “theories of translation.” Also, the arguments of contemporary scholars who disputed the possibility and value of translations and the philosophical and scientific knowledge they transmitted, while occasionally brilliant, only touched on specific aspects of the task of translation without developing a coherent theory of language or translation to support their criticism. Rather, what emerges from these sources is a series of criteria of translation, i.e. ideas about the nature of the translator’s task and the characteristics of a successful translation (as opposed to a suboptimal or failed one).

The findings of this paper suggested that we need to take these criteria of translation, particular those of the translators themselves, into account when assessing their work and tracing the influence of particular translations on the

Arabic philosophical and scientific traditions. Translations need to be measured against criteria applied by contemporary observers as far as they can be recovered through their own writings or are implicit in the characteristics of translations themselves. Since they often differ from our understanding of the task of translation, value judgments about the quality of Greek-Arabic translations inherent in categories such as ‘literal’ versus ‘free’ or diagnoses of ‘mistranslations’ according to modern translation standards are unhelpful.  

I want to extend this discussion by asking the following question: what happens when a translator encounters a term, a phrase or an idea that he, for various reasons, is unable to translate? The answer to this question touches on a number of extremely important theoretical issues in translation studies and, like the question of an overarching concept of translation described above, helps us understand individual translations and the impact texts and ideas had on the development of Arabic science and philosophy.

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Each translator was faced with a set of challenges determined (among others) by his training, background knowledge and experience and the character and quality of his source text(s). In spite of the highly specific nature of each such ‘translation situation,’ there are a number of typical problems that arose again and again. They raise the question of what I would like to term ‘translatability’:

1. the translator does not understand a term, phrase or idea;
2. the translator understands but feels constrained by political and/or religious sensibilities;
3. the translator understands but there is no target-language equivalent to convey a notion to his audience.

Even the most competent Greek-(Syriac)-Arabic translator was never entirely immune to the first kind of problem. Any number of factors could get in the way of a full understanding of a source text, ranging from a translator’s qualifications and simple slips of the pen to problems outside his control such as deficient manuscripts. In addition, the transmission history of a translation sometimes

3 E.g. the complexity of the subject matter or an author’s language but also material factors such as the condition of manuscripts.

4 Understood literally as the ability or potential to be translated. The ‘translatability’ issues treated here are separate from other problems that are frequently discussed under the same label, e.g. the often intimate relationship between the form and contents of a text. Cf. e.g. H.-J. Störig, Das Problem des Übersetzens (Wege der Forschung, 3), Darmstadt: Wissenschaftliche Buchgesellschaft, 1973², p. xxi-xxii.
complicated matters through scribal mistakes, glosses that were absorbed into a text or the interventions of well-meaning scribes and readers. Generally, such problems have little explanatory value for the mechanism of translation itself, i.e. the series of decisions through which a translator transitions from source to target text. Also, until we have a better grasp of the history of the Greek-Arabic translation movement and the influence of its transmitters and audiences on a text in the course of its transmission, the distinction between problems caused by translation and those arising in the course of the transmission process will remain problematic.

It is the remaining translation problems which interest me. They illustrate general phenomena of translation and reception history and the interaction between texts and their audience and illustrate the serious methodological challenges facing translators. The last item in particular, the lack of a target-language or even target-culture equivalent, affects a wide a variety of texts but has often been relegated (without further explanation) to the large and amorphous category of ‘mistranslations.’ Below, I would like to present a set of examples for this important phenomenon and try to describe it in terms of wider issues affecting translation into any language.

The translation and reception history of philosophical texts in Arabic pose an equally, if not more interesting question that is directly related to the problem described above: what does ‘translatability’ mean for the reception of a text, i.e. what happens once problematic translations become part of literary traditions, are read and commented on? In addition to an analysis of a translated text, I will attempt to trace examples for such ‘problematic’ translations and determine their influence on the subsequent philosophical tradition.
The examples discussed below are drawn from two sources: the Arabic translation of Aristotle’s *Rhetoric* and Ibn Rushd’s (d. 595/1198) so-called “Middle Commentary,” the last in a long line of Arabic commentaries on the *Rhetoric*. Ibn Rushd’s understanding of the text is informed by the philological and philosophical efforts of generations of scholars, most prominently al-Fārābī (d. 339/950) and Ibn Sīnā (d. 429/1037). At the same time, he attempts to strip the *Rhetoric* of some of the

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5 Thanks to its subject matter and its long transmission and commentary history, the Arabic *Rhetoric* contains a wealth of material with which to illustrate translation problems and their influence on the reception of a text. Also, since it belongs to an earlier stratum of the Greek-Arabic translation movement, it functions as something of a ‘translation laboratory’ in which the translator tested a range of solutions to what he himself clearly perceived as substantial problems.


philosophical accretions of previous centuries and recover what he regarded as the authentic thought of Aristotle. His commentary gives us a panoramic view of the preceding commentary tradition and also a good idea as to how one (albeit particularly qualified) reader understood the translation, because this is what he comments on: not the elusive Aristotelian ‘original,’ to which he did not have access, but the Arabic Rhetoric, the Rhetoric passed through the filter of translation. Often enough, the two are not the same.

The Islamic philosophical tradition operated with several different types of commentaries, many of them derived from the commentary practices of late antique Hellenism. They ranged from succinct abridgements to voluminous

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lemmatized elaborations of the complete text of the original together with the commentator’s often lengthy discussions. Ibn Rushd’s works include commentaries of various types which sometimes overlap in character, length and purpose. Of his commentaries on the *Rhetoric*, two are extant: the Middle Commentary or *mukhtasar* and the Short Commentary or *jawāmi‘*. The latter only covers a small part of the text of the *Rhetoric* and focuses on theoretical principles of rhetoric relevant to the wider field of logic. The Middle Commentary, on the other hand, is an extended paraphrase of the Aristotelian text following the sequence of the *Rhetoric* and expanding the text with frequent theoretical discussions and digressions.⁹

In paraphrasing the *Rhetoric* in his Middle Commentary, Ibn Rushd’s intention was not simply to gloss the text and facilitate its comprehension; he wanted nothing less than to return to the original intention of Aristotle by concentrating on the sense of the text rather than its wording.¹⁰ In this respect, his

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method was less ‘radical’ than that applied by his most prominent predecessors, al-Fārābī and Ibn Sīnā, who often either worked only on those sections of the Rhetoric that suited their purposes or read it through the lens of their own logical and ethical concerns.¹¹

In some respects, then, Ibn Rushd’s Middle Commentary on the Rhetoric represents the culmination of the philosophical commentary tradition. As such, it is highly interesting for our purposes: it illustrates particularly well how a widely read and experienced individual dealt with a text as problematic as the Arabic Rhetoric, including those issues we have filed under the label ‘translatability.’

‘TRANSPOSITION’: FROM VOICE TO MUSIC AND BACK

Book Three of Aristotle’s Rhetoric discusses practical aspects of oratory such as the style and arrangement of speeches. In the first chapter, Aristotle introduces some of the important stylistic concepts he elaborates in the first half of the book. Among others, he touches on the subject of delivery and describes how an orator’s voice helps in influencing an audience. The passage I am interested in lists a number of

vocal qualities employed to elicit emotions, e.g. volume or intensity, rhythm and intonation.\textsuperscript{12}

\textit{The Arabic Rhetoric}

Aristotle starts by stressing the role of the voice in delivery. The first vocal characteristic he takes up is volume or intensity: whether the voice of the orator be loud, soft or in between. The corresponding Greek terms are rendered with their nearest Arabic equivalent, i.e. φωνή (voice) as ṣawt, qualified by the adjectives μεγάλη (loud), kubrā; μικρά (soft/quiet),ṣughrā; and μέση (intermediate), wusṭā.

Both the Greek and Arabic terms are adjectives with a wide variety of meanings and match well with one slight exception: in the context of voice and vocal qualities, ʿulyā would have been a better match than kubrā. For the various forms of μέγας occurring throughout the \textit{Rhetoric}, the translator modulates his terminology according to context and picks from a variety of Arabic equivalents such as ʿażīm, 矍hm and ṭawīl. The somewhat unexpected grammatical form of the Arabic adjectives (elative instead of positive; feminine in spite of their linkage with ṣawt) remains puzzling. The translator either did not know that the adjectives refer to φωνή or, perhaps more likely, that he consciously chose the gender of the Greek

\textsuperscript{12}The passage is relatively short, it runs from 1403b27-32 (corresponding to volume 1, p. 172, ll. 8-14 in the Arabic translation: M. Lyons, \textit{Aristotle's Ars Rhetorica: The Arabic Version}, Cambridge: Pembroke Arabic Texts, 1982) and forms part of a wider discussion of oratorical delivery (ὑπόκρισις), translated as \textit{al-akhdh bi-l-wujūh} (the taking of faces). I have discussed this strange expression in Vagelpohl, \textit{Aristotle's Rhetoric}, pp. 77-83; for my remarks on the passage in question, cf. pp. 84-88.
forms in spite of the fact that sawt is masculine. The question arises whether the translator understood the meaning intended here or played it safe and picked the most general meaning of the term. We will come back to this idea in a minute.

A gloss in the Arabic manuscript on al-ṣughrā wa-l-wusṭā (the quiet and intermediate [sc. voice]) explains that kull hādhā min asmāʾ al-naghm fī l-mūṣiqi, “all of these are terms for [kinds of] melodies in music.” As we will see, this note anticipates the following re-interpretation of the text through the terminology chosen by the translator.

The next clause adds “pitch accent” or τόνος to the vocal qualities an orator should consciously employ to modulate his emotional appeal. The corresponding qualities are ὀξύς, βαρύς and, again, μέσος. The first of these terms means “intense,” “high” or, more specifically, “acute accent” or “rising pitch,” the second means “deep” or “with a falling pitch” or “grave accent.” The third again denotes an intermediate quality between the two or a “circumflex accent.” The system of pitch accent referred to in these lines does not correspond to any vocal category in Arabic or Syriac, a major problem for the translator.

Owing to the deterioration of the (unique) Paris manuscript of the Arabic Rhetoric, the translation for the key term τόνος is very difficult to read. Lyons suggested al-hādiyāt, probably derived from the verb hadā, “to drive camels with song.” Badawī, a previous editor of the text, and Sālim, who compared the

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13 Cf. F. Shehadi, Philosophies of Music in Medieval Islam, Leiden: Brill, 1995, p. 60. He also makes the somewhat unlikely claim that it may be related to the term hudār, the humming or singing to camels in the rhythm of the movement of the animals and
manuscript with the lemmata in Ibn Rushd’s Middle Commentary, proposed *al-hādimāt*, “the destroying,” a reading that does not seem to make much sense.

For the three types of pitch accent, the translator chose the translations *al-hādda*, *al-thaqīla* and *al-wustā*. Although the first two of these terms may have some sort of musical connotation—*al-ḥādd* is the name of the last and highest string of the ‛ūd and *al-thaqīl* occurs in the names of some rhythmic modes listed by al-Kindi— the connection to music seems tenuous enough to use the general, non-technical meaning of the words (e.g. “vivacious”, “serious” and “intermediate”) which make good sense in this context.

The next vocal quality Aristotle introduced is ῥυθμός, the “measure” or “rhythm” of the voice. The translator rendered it with the phrase *al-naghm aw al-nabarāt*. Both terms belong to the field of music. The former means “mode”, “voice” or “note,” the latter “intonation”, “cadence” or “interval.” The use of collocations in translation is a well-known translational strategy we frequently encounter in the Rhetoric but also in later, more sophisticated translations. It can serve two purposes:

notes that this genre stands at the very beginning of the history of Arabic music (Shehadi, Philosophies, p. 5-6).


to render a translation more precise by reproducing the semantic scope of a Greek term as fully as possible; or to mask the uncertainty of the translator about the exact meaning of a term by covering as much semantic ground as possible with two related Arabic terms.\(^{17}\) The case above probably falls into the second category; only one of the terms proposed, al-nabra, comes close to the meaning of ῥυθμός.

Elsewhere in the Arabic Rhetoric, ῥυθμός is translated either with the single term nabra (7 times), twice with the collocations naghma aw nabra and once with nabra aw naghma. Conversely, throughout the text, both of these terms are exclusively used for ῥυθμός.

While nabra/nabarāt also includes tonal qualities of the spoken voice, it seems (like naghma) more appropriate for describing song and singing voices. This association clearly was in the mind of the glossator of the manuscript when he added the note on al-ṣughrā wa-l-wustā mentioned above (kull hādhā min asmāʾ al-naghm fī l-mūsīqā). The link is less pronounced in a further gloss on al-shayʿ min al-naghm which reads: mithl al-raḥma wa-l-ghaḍab wa-ka-mā yarfāʿu-hu\(^{18}\) yakhfīḍu al-ṣawt wa-bi-ghadabi-hi yarfāʿu l-ṣawt wa-mā ashbaha dhālika.\(^{19}\) It might indicate that the glossator noticed the ambiguity between vocal qualities in music and spoken discourse introduced by the translator. However, if this was the same person who

\(^{17}\) Cf. Vagelpohl, Aristotle’s Rhetoric, p. 143 with n. 171 and p. 147 with n. 175 (with further references).

\(^{18}\) Lyons: bi-raḥma.

\(^{19}\) “Such as compassion and anger just as it raises it [according to Lyons’ reading: ‘in compassion’] the voice is lowered and in anger the voice is raised and what is similar to that.”
added the first gloss above, he may have thought that the section continues to
discuss singing voices.

Concluding his short digression on the voice and its role in rhetoric,
Aristotle again stressed the importance of these three vocal qualities in delivering
public speeches in terms which are already familiar: μέγεθος (volume), ἀρμονία
(“harmony” or “change of pitch”) and ῥυθμός (rhythm). By translating μέγεθος with
al-ʾizam (magnitude/power), the translator reproduced the most general meaning of
the term. It has little if any musical connotations but would fit both a vocal and a
musical context. The same applies to ἀρμονία, rendered as al-tawfiq
(adaptation/mediation). The link between ἀρμονία and τόνος (the former denotes
well-placed changes in τόνος) seems to be lost. For ῥυθμός, he picked al-nabra, one
of the components of the expression he had used just two lines earlier for the same
Greek term.

This short passage exemplifies a range of strategies to deal with obvious
cross-cultural translation issues. The translator identified the vocal and/or musical
aspect of the discussion but tried at the same time to hedge his bets by picking
terms that are very broad and correspond to the more general meaning of the Greek
vocabulary rather than their narrowly musical or vocal connotations. Most likely,
the translator did not fully understand the text at this point. He tried to retain as
much of its sense as possible by opting for a generic translation covering the more
general meanings of the Greek terms. At the same time, he adapted his translation
by transposing a (poorly understood) discussion of vocal qualities onto the field of
music, if only half-heartedly: many of the Arabic terms suggest that the translator
wanted to keep his options as open as possible.
Ibn Rushd

Since Ibn Rushd’s procedure involved paraphrase rather than verbatim quotation of lemmata, it is not always easy to establish direct correspondences between particular terms. Also, the discussion of vocal qualities in the Middle Commentary is embedded in an argument about the passions of the soul and their role in rhetoric: the voice becomes one more instrument to arouse emotions and influence an audience. Keeping these limitations in mind, we can identify the following concepts Ibn Rushd picked from our passage and elaborated on: *naghm*, “intonation” and *darb*, “rhythm.” The concepts of ἁρμονία and τόνος are either dropped or folded into the more general idea of *naghm*.²⁰

Concerning *al-naghm*, Ibn Rushd explains that it operates by “softening” *(raqqaqa)* or “raising” *(azzama)* the voice *(sawt)* to evoke emotions such as pity and anger. With some changes in terminology, this paragraph matches the beginning of the translation and reflects the vocal qualities associated with μέγεθος and perhaps also τόνος—instead of ῥυθμός, as in the Arabic *Rhetoric*.²¹ Ibn Rushd’s comment strongly resembles the marginal gloss in the Paris manuscript referred to above which also links the evocation of emotions such as pity and anger with the raising and lowering of the voice.

“Rhythm” is introduced as another aspect of intonation necessary in speech-making and immediately linked to poetry (in phrases such as *darb min al-wazn* and

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²¹ Aouad, *Commentaire moyen*, II, p. 266 = par. 3.1.7, commenting on Lyons, Aristotle’s *Ars Rhetorica*, vol. 1, p. 172, ll. 8-11. This corresponds to 1403b27-29.
Ibn Rushd explains this digression on poetry (which Aristotle does not mention at all) with its relevance in speeches: verses are useful to start or end speeches or to mark pauses.\(^{23}\)

Ibn Rushd seems to have had a better idea about the subject of this passage than the translator: while he, like the translator, did not (and most likely could not) pick up on the references to the Greek pitch accent system, he understood that the subject is the speaking voice and not music. Also, he correctly identified intonation and cadence or rhythm as the central vocal qualities discussed in this passage. His digression on poetry and its role in speech may have been motivated by his knowledge of Aristotelian poetics and triggered by the appearance of the term \textit{naghm}; the term \textit{wazn} links \textit{darb} and \textit{shi’r}.

By streamlining the terminology, limiting the discussion to two central terms and inserting his remarks on vocal qualities into a wider discussion of the role and evocation of emotions in public speech, Ibn Rushd sidestepped some of the problems of the translation. Helped by the commentary tradition that had evolved over the preceding centuries, he arrived at an understanding of this passage that was at least in parts closer to the argument made by Aristotle than the more complete but sometimes misleading translation. Keeping in mind that the translation and secondary texts written on the basis of the translation were his only source, he was surprisingly successful in his “return to Aristotle.”\(^{24}\)

\(^{22}\) Aouad, \textit{Commentaire moyen}, par. 3.1.8.

\(^{23}\) Aouad, \textit{Commentaire moyen}, par. 3.1.9.

\(^{24}\) The “Rückwendung zu Aristoteles,” as G. Schoeler, “Averroes’ Rückwendung zu Aristoteles. Die ‘Kurzen’ und die ‘Mittleren Kommentare zum Organon,’” \textit{Bibliotheca}
GENERALIZATION: GREEK COURTS AND THE ‘LEGALIZATION’ OF LOGIC

The section of text discussed above is relatively short, consisting of little more than half a dozen lines. It illustrated two mechanisms to overcome a cross-cultural gap, the adaptation of a target language text by either generalization or transposition. The former attempts to preserve as much of a source as possible with target language terms that cover more general aspects of the source language vocabulary, either because the translator barely understood the text or encountered phenomena which had no parallel in the target culture and/or language. The latter transposes an argument into categories a target language audience could comprehend. It requires the translator to understand his source well enough to make an informed decision about the field or categories he wants to transpose it into.

The next example is based on a larger text sample, the first and third chapters of Book One of the *Rhetoric*. In the first chapter, Aristotle outlined the relation between rhetoric and dialectics. He then criticized handbooks of rhetoric written by his predecessors and concluded with a discussion of the usefulness of rhetoric. In the third chapter, Aristotle distinguished between three types of public speeches and their respective subject matter.

Orientalis 37 (1980): 294-301, calls the development in Ibn Rushd’s own thought away from an early reliance on al-Fārābī’s and Ibn Sīnā’s creative elaboration of Aristotelian ideas and toward a ‘purer’ Aristotelianism.

Corresponding to 1354a1-1355b25 and 1358a36-1359a29 of the Greek text and p. 1-5 and 16-18 of Lyon’s edition of the Arabic translation.
What I am mainly interested in are references to the Greek judicial system. Since judicial oratory (δικανικόν) is one of the three species of rhetoric described in the book, Aristotle frequently referred to legal offices and institutions he expected his readers to be familiar with. In a society largely regulated by Islamic law, the institutional framework described must have been strange, even incomprehensible, as were those of the other two types of public speech Aristotle discussed, συμβουλευτικόν (deliberative/political) and ἐπιδεικτικόν (“demonstrative” speech assigning praise or blame).²⁶

The Rhetoric

With a handful of exceptions, Aristotle’s legal terminology in these chapters is derived from three word groups: firstly, δικάζω/δική, conveying the general notion of justice and its application; secondly, κρίνω/κρίσις, drawing distinctions and making decisions, both in a general and a legal sense; and thirdly, νομίζω/νόμος, acting according to or enforcing customs and laws.

Among the terms from the first group, the verb δικάζω and its derivatives, particularly the middle participle δικαζόμενος, play a key role. Aristotle used the verb δικάζω in its strictly legal sense of “judging” or “speaking in a court.” The translator rendered its two occurrences as waḍaʿa l-ḥukm and al-ḥukūma (dispensation of justice). This term also occurs in a marginal gloss at the beginning.

of the *Rhetoric* which explains *al-riṭūrīqā* as *balāgha fī l-ḥukūma*, “eloquence in the dispensation of justice.”

The medium participle δικαζόμενος denotes the speaker in front of the court. Instead of ḥakama (to judge/decide) and its derivatives, the translation relies on forms of *nāzaʿa* and *tashājara* (to dispute/fight). They reflect the conflictual nature of the situation described by Aristotle but do not carry the strong legal connotations inherent in δικάζω and particularly in δικαζόμενος. In the neuter plural, the adjective δικανικός serves as the technical term for judicial oratory, one of the three oratorical genres around which the practical parts of Aristotle’s *Rhetoric* revolve. In the two chapters we are discussing, the translator rendered this central term as *al-tashājur* ([mutual] dispute/argument) or *mushājirī* (disputing), again emphasizing the adversarial nature of the exchange between two parties at the expense of its very specific legal meaning. He also missed the fact that the infinitive τὸ δικολογεῖν, which occurs once in our sample, was little more than a synonym for [τὰ] δικανικά. Unsure about its meaning, he coined the calque yanṭuqān bi-l-ʿadl, “they pronounce justice.”

The remaining terms of this group cover the institutional side of the Greek legal system. Δική can mean either the court of law itself or the trial or lawsuit taking place in front of it. In our sample, it was translated with the infinitives of the

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27 Lyons omits the note; it is mentioned in Aouad, *Commentaire moyen*, III, p. 1. See also his following discussion of the meaning of ḥukūma on pp. 1-2.

28 Elsewhere in the Arabic *Rhetoric*, he also makes use of the terms khusūmī and *al-khuṣūma*, “dispute” or “argument” or, more specifically, “lawsuit” which reproduce the legal flavor of δικανικός much better.
VI and III forms, *al-tashājur* and *al-mushājara* (dispute/argument), dropping the contextual distinction between legal institution and legal proceeding. The term δικαστής presents an interesting problem the translator may have been aware of: together with the term κριτής discussed below, it means judge—except in Athens, where it was used for members of the jury. Modern translations of the *Rhetoric* reflect this ambiguity, some opting for one meaning, some for the other. The translator largely respected the distinction Aristotle seemed to make; with a single exception, he translates δικαστής with fāḥiṣ, “investigator.” The root f-ḥ-ṣ expresses the notion of inspection and investigation and may be an intelligent attempt to reproduce aspects of the role of the jury in legal proceedings, but it is not a legal term. Its wider scope is illustrated by its use for ἐξετάζειν ... λόγον (to test an opinion) in the first paragraph of chapter 1. This is another example for a translation that captures at least part of the general meaning of the Greek source term but sheds its more narrowly legal focus.

Aristotle’s use of the second group of terms, those linked to the verb κρίνω, oscillates between its general (to distinguish/decide) and more specifically legal meaning (to decide [in legal matters] = to judge). The root ḥ-k-m, from which the translator took his terminology, covers both aspects. His translation for the verb κρίνω is ḥakama (to judge/decide), for the noun κρίσις ḥukm (ruling/decision) and for both the participle κρίνων and the noun κριτής the corresponding active participle ḥākim (ruler/judge). In the Greek and the Arabic, the context allows us to distinguish between the concrete legal meaning of κρίσις and κριτής and its general, metaphorical use for various forms of decision-making, including the “judgments” of political advisers and lawmakers concerning future events.
The vocabulary of the third group, mainly represented by νόμος and νομοθέτης, is remarkably uniform in both languages. Aristotle spoke of the “law” as the basis for judicial decisions and introduced the “lawmaker” as the person who judges on the merits of “deliberative” speeches and also creates the legal framework for judicial decisions. The translator’s choice of terms has an Islamic ring to it: the former is translated as al-sunna (norm/precedent) or the plural al-sunan, the latter with the related calque wādi’ al-sunna (“one who establishes the norm”, i.e. a “lawgiver”?). In the same vein, he translated the isolated instances of the infinitive νομοθετεῖν and the noun νομοθεσία with the calque waḍʿ al-sunan, “establishment of the norms.” While alluding to its terminology, the translator did not seem have a transposition of Aristotle’s discussion into the world of Islamic law in mind; few, if any, of his other terminological decisions would fit such a scenario.

Other important legal terms include κατηγορία (accusation) and ἀπολογία (defence). The former is rendered as shikāya (“complaint,” a broad notion that includes legal aspects), a term the translator also regularly used for forms of the verb κατηγορέω. The same verb is also translated several times with forms of the verb shakā (to complain). For ἀπολογία, the translator selected iʿtidhār (plead in

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29 Elsewhere, sunna also translates a few additional Greek terms derived from νόμος/νομίζω and, strangely, a term with strong religious, New Testament undertones, ἐπάγγελμα (promise).

30 Outside of our sample, we also find the more general verbs dhamma (blame/criticize) and qarafa (loathe). The noun shikāya and the verb shakā also translate one instance each of δίκη and ἐγκλήμα/ἐγκαλέω (blame/accuse), terms that are even more narrowly legal in their application than κατηγορία.
defence)\footnote{Also translated as ḥujja (plea/argument) in the remainder of the Arabic Rhetoric.} which fits both legal and more general ‘argumentative’ contexts; forms of *i’tadhara* also render the verb ἀπολογέομαι.\footnote{In the rest of the Rhetoric, he variously used *ajāba* (reply/react) and two isolated instances each of *radda* (reply) and *iḥtijāj* (plea). Some of the Arabic terms listed above carry legal connotations, albeit less pronouncedly than Aristotle’s Greek. Other terms express little more than the general idea of arguing for or against a claim.}

Aristotle called the parties variously accusing or defending themselves in a court of law ἀμφισβητοῦντες, a legal term for the opposing sides in litigation. The translator apparently attempted to elaborate on what exactly these parties did in front of the court, i.e. to demonstrate or establish the merits of their case. He first called them “the one who demonstrates or proves” (*alladhī yurī aw yuthabbit*), then *alladhī yurī* or *alladhī yuthabbit*, each time in the singular. In the final occurrence (of our sample), they are “those who dispute,” *alladhīna yatashājarūn* (plural at last), evoking the terminology he used to render δικαζόμενος and other terms derived from δικάζω.\footnote{The same root translates ἐπεξέρχομαι, also a legal term for charging someone with a crime.} Finally, our sample contains a single example for straightforward transliteration of a Greek legal term: Ἀρείος πάγος was rendered as *ahl aryūs fāghūs*, “people of Aryūs Fāghūs.”

Overall, it seems to be the case that the legal character of Aristotle’s remarks becomes substantially blurred in the process of translation. The translator understood that the discussion had something to do with legal matters and...
correctly identified such legal categories for which there were straightforward
equivalents such as ḥākim and sunna. On the other hand, there are specific legal
categories without an equivalent in the Arabic language or Islamic culture such as
ἀμφισβητοῦντες, δικαστής, δικαζομένος etc.; in such cases, he picked Arabic terms
that reflect their more general (and less specifically legal) meaning. As a result, the
concrete court scenario depicted by Aristotle becomes a generic process of debate
and decision according to a framework created by a wāḍī‘ al-sunna.\textsuperscript{34}

The picture that emerges from the translation bears enough resemblance to
legal proceedings to be understood as such (the glosses tell us as much), but is
strangely removed from (and incompatible with) actual Islamic legal practice. It
must have been obvious to the reader that Aristotle’s argument takes place in a
world that was substantially different from his own. If we had more evidence to
credit the translator with a satisfactory understanding of the text, we would have to
commend him for his technique of stressing the ‘otherness’ of Aristotle’s scenario
and, by implication, the inapplicability of Aristotelian legal oratory to a world
regulated by Islamic law. However, it is much more likely that the translator simply
lacked the necessary background knowledge—he had to resort to transcription to
translate the name of the highest Athenian court, the Ἄρειος πάγος (ahl aryūs

\textsuperscript{34} For final confirmation of my claim that the translation moves away from
Aristotle’s predominantly legal terminology toward a more general frame of
reference, it would be necessary also to compare the vocabulary of the translation
to the technical terminology of other legal areas, e.g. that of maẓālim courts which
were administered by state authorities instead of the Islamic legal hierarchy, or
those altogether outside the purview of Islamic law, e.g. Christian jurisprudence.
fāghūs)—and attempted to rescue as much of the meaning of the terminology as possible by relying on more general Arabic terms. The resulting argument describes a much more generic form of decision-making about things past and future that seeks to establish truth or falsehood and justice or injustice of a proposition or action.

The legal terminology in the Rhetoric to some degree facilitated such a reading because many terms either also had more general, less specifically legal meanings to do with decision-making and verification or could be read as such on the basis of cognate, more general terms (as e.g. in the case of the relatively specific κριτής).

The translator’s understanding of the first chapters of Book One and indeed the entire Rhetoric was probably also highly influenced by its inclusion (already in late antiquity) in the canon of Aristotle’s logical writings, the Organon.\(^3^5\) It is supported by his reading of the very first words of Book One which link the discipline of rhetoric to dialectics.\(^3^6\) Dialectics, Arabic jadal, was also the title of the Arabic translation of Aristotle’s Topics, allegedly one of the earliest officially commissioned translations from Greek into Arabic.\(^3^7\) Since dialectics is a branch of

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\(^3^6\) Ἡ ῥητορική ἐστιν ἀντίστροφος τῇ διαλεκτικῇ (1354a1), translated as inna l-riṭūriyya tarjī ’alā l-diyyāliqṭiyya (Lyons, Aristotle’s Ars Rhetorica, p. 1, l. 1).

logic, rhetoric (its ἀντίστροφος, “counterpart”)\textsuperscript{38} also qualified as a branch of logic. The translator rendered ἀντίστροφος as tarjiʿ ʿalā, which can mean “derives from.” Apparently, the relationship he envisaged was one of dependency rather than opposition (which is one of the other possible meanings of ἀντίστροφος).\textsuperscript{39} The relationship between rhetoric and logic is spelled out in detail a little further down.\textsuperscript{40} There could be little doubt for the translator that the subject matter of this text was logic, albeit a specific and perhaps ‘lesser’ branch; in this, he followed a mode of interpreting the Rhetoric and the Poetics that stretches back to the late antique commentary tradition.\textsuperscript{41}

In sum, there is a connection between the tendency of the translator to drain the text of some of its legal content by ‘generalizing’ its terminology and the tradition of ‘logical’ readings of the Rhetoric which is such a prominent part of its reception in the Islamic world. There may even have been a causal link, either in the form of the general terminology suggesting or helping a logical reading and/or the


\textsuperscript{39} See Aouad, Commentaire moyen, I, p. 7 on the relation between dialectic and rhetoric on the one hand and logic on the other according to Ibn Rushd.

\textsuperscript{40} E.g. 1355a3-14 = Lyons, Aristotle’s Ars Rhetorica, p. 4, l. 15-5, l. 3. Rapp, Aristoteles: Rhetorik, II, p. 19-25 gives a detailed overview of the relevance of the ἀντίστροφος remark and its elaboration in the first two chapters of Book One for the interpretation of the relationship between rhetoric and dialectics and their treatment in the antique, medieval and Renaissance commentary tradition.

\textsuperscript{41} Cf. Vagelpohl, Aristotle’s Rhetoric, pp. 52-54.
expectation of logical content disposing the translator towards a more general interpretation of the text.

Ibn Rushd

As a paraphrase, Ibn Rushd’s Middle Commentary does not replicate the terminology of the translation in a straightforward fashion: the author expanded the text, left out some parts and systematized both the terminology and the structure of the argument of the two chapters. As a result, his commentary seems much more transparent and consistent than the translation. Ibn Rushd retained both the three-fold distinction of ‘occasions’ or types of oratory and the term for the category which interests us most, legal speeches. They were called tashājur or mushājiriyā.

On the whole, the legal vocabulary seems less ambiguous than that of the translation without, however, transposing Aristotle’s discussion into Islamic legal terms. As a result, the discussion remains abstract. Ibn Rushd adopted key terms of the translation, e.g. ḥākim, sunna/sunan and i’tidhār, or used a different form of the same root (e.g. shakwā instead of shikāya).

Instead of the term fāḥīṣ the translator used to render δικαστής, “the juryman” or “judge,” Ibn Rushd apparently preferred munāẓir (opponent/interlocutor) and tanāẓur (difference of opinion). In addition to the notions of discussion or debate, it also evokes the kind of disputes called munāẓara (dealing mostly with theological or legal issues) and also a popular literary genre of medieval prose in which animate and inanimate objects debate their relative
superiority (e.g. different varieties of flowers; vices and virtues). It is also interesting to see that the term hukm ([legal] decision) is replaced by the term taṣdiq (conviction/assent), a key technical term of logic in Islamic philosophy. The remaining terminology is a strong reminder of the judicial context of the discussion but in the end, the point Ibn Rushd stressed is the universality of the mechanisms described for generating “conviction” in a psychological rather than legal sense—his concerns were logical, not judicial.

Neither the translator nor Ibn Rushd made much use of the rich terminology of Islamic law. Both understood the legal thrust of the source text. But the translator was confronted with the incompatibility between native Arabic linguistic and Islamic legal categories and the phenomena described in the Rhetoric. Transposing the discussion into Islamic legal terms was close to impossible: the institutionalized form of oratory Aristotle described could not be understood in an Islamic legal context. Merely transcribing terms only made sense wherever the number of transcriptions remained small and informed readers were able to infer at least part of their meaning from the context. Thanks to its wide variety of legal

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terms, widespread transcription would have made the relevant chapters of the
Rhetoric unreadable. The translator used it only once for Ἄρειος πάγος. His choices
were probably ad-hoc rather than based on a conscious decision to follow a
particular translation strategy.

The apparent attenuation of the legal flavour of the text through its
translation and commentary history was not as linear a process as it seems on the
basis of the translation and Ibn Rushd’s Middle Commentary. As we have seen
above, ḥukūma is one of the terms the translator used to render forms of δικάζω.
This choice and the gloss on ṭūṭūqā at the beginning of the translation (al-balāgha fī
al-ḥukūma, “eloquence in the dispensation of justice”) counteract the apparent
tendency of the translator to downplay the legal character of the relevant portions
of the text.\(^44\) The same formulation also reappeared at the beginning of the chapter
on rhetoric in Ibn Sīnā’s al-Ḥikma al-‘arūdiyya entitled Fī maʿānī kītab ṭūṭūqā (On the
ideas of the Rhetoric): its full title is Fī maʿānī kītab ṭūṭūqā ay al-balāgha fī l-ḥukūma wa-
l-khiṭāba (On the ideas of the Rhetoric, i.e. eloquence in the dispensation of justice
and in oratory).\(^45\) The somewhat muted legal tone of the translation with its often
ambiguous terminology was amplified well before the time Ibn Sīnā and Ibn Rushd
commented on the text; the former at least clearly picked up on this tendency.

CONCLUSIONS

\(^{44}\) They also illustrate the fact that the glossator was still very much aware of the
legal relevance of the subject matter, apparently more so than the translator
himself.

So far, we have looked at two examples for strategies a particular translator
employed to deal with the class of translation problems I have subsumed under the
label ‘translatability.’ The first one is at work in the attempt of the translator to
clarify Aristotle’s discussion of the use of the voice in public speaking. Reproducing
his remarks on the system of Greek pitch accents was impossible: they cannot be
described and understood in terms of an Arabic linguistic and phonetic frame of
reference. Hence, the translator attempted to transpose them into categories that
fit Arabic linguistic phenomena, in this case those of Arabic song. The second
strategy consisted of de-emphasizing the cultural and linguistic specificity of source
language concepts and translating them with broader target language terms. To
communicate at least a substantial part of the meaning of the text, perhaps also in
an attempt to support a trans-cultural logical interpretation, the translator shed
exactly those semantic details that firmly anchor a term in its culture and language
of origin.⁴⁶

Admittedly, the amount of evidence presented so far is rather slim. However,
I believe the cases above are representative of a wider phenomenon.

‘Untranslatability’, in particular the translation of linguistic elements (concepts,

⁴⁶ These two strategies for translating culturally specific terms into a target
language and culture that do not share them are a well-known phenomenon in
translation studies. They are not the only possible methods to deal with the issue
(others include transcription, the introduction of neologisms or outright
description or explanation). Cf. S. Florin, “Realia in translation,” in: Translation as
Social Action: Russian and Bulgarian Perspectives, ed. P. Zlateva, London-New York:
Routledge, 1993, pp. 122-128 (pp. 125-126).
things or institutions) intimately bound up with the “universe of reference of the original culture,” is a universal problem. Irrespective of the source and target language, their relationship and degree of closeness to each other, their respective “universes of reference” never completely coincide. These linguistic elements can be circumscribed and sometimes even understood by a target language audience, but even under optimal circumstances, there remains a residue of meaning that cannot be transmitted.  

This issue becomes particularly acute whenever translators have to bridge vast differences in culture, space and time. Even on the basis of this limited set of examples, I am convinced that the products of the Greek-Arabic translators are ideally suited to illustrate the problem of dealing with semantic disparities between languages and to study the various strategies translators employed in dealing with them. To confirm and extend our findings, we would need to examine a wider range of texts.

The strategies of ‘accommodation’ identified above correspond well with the ‘ethos’ of translation expressed in our handful of contemporary sources such as statements by translators on their methods. Both these and the translations

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48 Among others, Aristotle’s *Poetics* is probably an extremely rich source for relevant examples. Since the subject matter of the *Poetics* and the *Rhetoric* partially overlap and the texts at the same time represent different stages of the translation movement, a comparison between the two would be highly desirable.

themselves, at least those of the mature phase of the Greek-Arabic translation movement associated with Ḥunayn b. Ishāq and his associates, suggest that translators privileged the sense of a text over its wording, up to and including the freedom to delete material that was deemed to be irrelevant or to reconstruct missing chunks of text in the process of restoring as complete a Greek version as possible before translating it into Syriac and/or Arabic.50


50 For the deletion of difficult literary quotations which, according to Ḥunayn, did not add to the medical discussion at hand, cf. M. Meyerhof and J. Schacht, “Galen über die medizinischen Namen,” Abhandlungen der preussischen Akademie der Wissenschaften. Philosophisch-historische Klasse 3 (1931): 32. In Bergsträsser, Ḥunain b. Ishāq, no. 122, Ḥunayn explains that, after translating a particular text into Syriac, he filled a lacuna at the beginning before producing an Arabic version. Another interesting example for an attempt to reconstruct missing material is preserved in his translation of Galen’s commentary on Hippocrates’ Epidemics, where Ḥunayn filled in a Hippocratic lemma from another source and added his own commentary “which I thought would be similar to that of Galen in doctrine and what is connected with it” (adaftu ilay-hi min al-tafsīr mā zanantu anna-hu yushākilu madhhab Jālīnūs fi tafsīr-hi la-hu wa-mā yattaṣīlu bi-hi); ms. Escorial 804, fol. 53a, l. 8f; cf. P. Pormann, “Case Notes and Clinicians: Galen’s Commentary on the Hippocratic
As with other potential pitfalls of translation, the translators and some of their scholarly audience shared an acute awareness of the problem of ‘translatability’ and its potential to undermine the value and even the very possibility of translation: in his Kitāb al-Imtāʿ wa-l-muʾānasa (Book of Enjoyment and Conviviality), Abū Ḥayyān al-Tawḥīdī (d. 414/1023) recalled a debate between the grammarian Abū Saʿīd al-Sīrāfī (d. 368/979) and the translator and philosopher Abū Bishr Mattā b. Yūnus (d. 328/940) set in Baghdad in the year 331/932, in which the former maintains that, rather than referring to the same “universe of reference,” each language operates within its own semantic world and even its individual system of determining the truth of a statement. In his scathing criticism of contemporary translators and translation in general, al-Jāḥiẓ (d. 255/868-9) focused more on practical than theoretical issues, blaming the deficiencies of available Greek-Arabic translations on the translators’ flawed understanding of their sources and inadequate linguistic training. In addition, he claimed that even an ideally qualified translator would find it next to impossible to avoid linguistic interference between the source and target languages, i.e. the contamination of a target text with grammatical and terminological relics of the source language.

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Given these obstacles, it is surprising how successful translators often were and how much of a source text they were able to communicate. They sometimes had to go to extraordinary lengths to achieve their goals: even early translations such as the Arabic Rhetoric display a translational flexibility that belies any description of the translation process based on schematic classifications such as ‘literal’ and ‘free.’

The process of transmitting information across such vast distances in time and space required a degree of independence and license in the handling of the sources that also undermines a static notion of authorship: the resulting texts were a creation as much of the author of the source text as of its translator(s). The more we learn about the details of the Greek-Arabic translation process and the nature of its results, the more we have to address them as independent literary creations which gave rise to scientific and philosophical ideas that were sometimes only implicit or not at all present in the sources.

However—and this is the main issue I wanted to raise by comparing the translation with Ibn Rushd’s commentary—the subsequent philosophical and scientific tradition continued to produce new re-readings and re-writings of the translations, some of which were closer to the ideas expressed in the sources than the translations themselves. With his experience in understanding philosophical translations and identifying later accretions, Ibn Rushd was able to ‘return’ to a reading of Aristotle’s Rhetoric that in some respects proved to be more faithful than the preceding commentaries and the understanding of the translator.

\(^{53}\) For a more detailed criticism of these \textit{topoi} of translation analysis, cf. Vagelpohl, \textit{Aristotle’s Rhetoric}, pp. 219-221.
In sum, the creativity and independence of the translation process does not necessarily result in irreversible departures from the thought of the original author (however fruitful and valuable they may turn out to be), but are just the beginning of a process that can lead in both directions: further away from the ideas of the original author and also back to the ‘original.’ Ironically, in the case of Aristotle, most commentators insisted that it was they rather than anyone else who presented his thought in its ‘purest’ form.