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Two Receptive Audiences for the Same Translated Text: The reception of CEDAW Convention in Occupied Palestine as a case study

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Abstract

Translation Studies comprises different approaches to translation, e.g., linguistics-oriented, functionalist, discourse register analysis, philosophical, reception theory, among many others. As for reception theory, it is found that when and where a given text is translated and the influences it is likely to exert on its audience is very useful as an approach to translation. The time and place of the text reception then tends to be significant. The current article presents a critical and elaborate analysis of the (sub)cultural environment in Palestine which has failed to assure better reception of the translation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as manifested in a Palestinian context, but rather has mounted perceptibly some social and political tension in the reception; the original version of CEDAW Convention was first published by the United Nations of Human Rights: Office of the High Commissioner on 18 December 1979, followed by the translations into four languages (Arabic, Chinese, French and Spanish). The article first looks at contiguous and overlapping disciplines: reception theory and translation bringing them together for a stimulating vision for an eclectic approach in which translation has established good relations with multifarious disciplines. The article then carefully examines the fairly comprehensible translations of the convention to an Arab audience, taking cue from Meidasari's (2014) reception theory in which reader's involvement in the initial understanding and developing interpretation is fully considered. The article then scrutinizes Arabic translation which has quite a different contextual and function, obviously a mere transference of a range of meanings inherent in a given utterance across languages and cultures; however, when Palestinian National Authority (PNA) became a full member recognizing CEDAW in 2014, the translation has been given a new lease of life and it exceeds mere ostentatious linguistic realization of the Source Language (SL) to become an issue of immense importance for a text reception whereby the translation is thus expected to gain instrumentality, that is, to meet and to fit in with the Target Language (TL) expectations. The reception of CEDAW Convention into Arabic decades after it was issued, namely 1979 stresses the importance of time and place. The time difference of the reception of the translation is considered of paramount importance. The findings of the present article, however, shows that the reception of CEDAW Convention into Arabic combines in an intricate web of intersecting political and ideological relations. The same TL triggers two different reception groups on the part of the TL audience, and thus creates a kind of overwhelming tug-of-war relation in the groups. For the first group, the translation is the coat of arms for Palestinian women to enable them to fight for their rights and has consequently adopted adulatory tone as it conforms to the readers' aesthetic expectations. For the other group, however, it constitutes the emasculation and marginalization of meritorious pillars Islam. The article concludes that the Palestine has been invariably buffeted by social and political upheaval, and the translation role should be expected to drastically change. Before the 1990s, the translation has actually a minimal role to play as Palestinians had been through the stiffest resistance against Israeli occupation which openly violated (and is still violating) international law. With the establishment of the PNA in 1994 which has exercised

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civil control on West Bank, new social and political realities emerged, paving the way for a kind of more social-international interaction. Thus, based on social milieu (be secular or Islamic) the translation is received. It has come in for criticism by Islamist, but applauded by secularist regardless of being two sides of the same coin.

الكلمات المفتاحية

اتفاقية سيداو، نظريةُ الاستقبال، اتجاهات الجمهور المتلقي، الفكر

الملخص

يُقدم هذا البحث تحليلاً نقدياً وتفصيلياً للجدل الاجتماعي الذي نشأ عن استقبال ترجمة اتفاقية القضاء على جميع أشكال التمييز ضد المرأة (سيداو) في المجتمع الفلسطيني. وقد نشرت مفوضية الأمم المتحدة لحقوق الإنسان اتفاقية سيداو بصيغتها الأصلية في 18 من كانون الأول عام 1979، وتُرجمت الاتفاقية بعد ذلك إلى أربع لغات وهي (العربية والصينية والفرنسية والإسبانية). يتناول البحث في البداية التخصصات المتجاورة والمتداخلة حيث تجمعها معاً نظريةُ الاستقبال والترجمةُ من أجل رؤية تحفز اتباع المنهج الانتقائي الذي أقامت فيه الترجمة علاقات جيدة مع تخصصات عديدة. ثم يدرس البحث ترجمة الاتفاقية مع مراعاة نظرية الاستقبال التي تعتبر تدخل القارئ في الفهم والتفسير أمراً بالغ الأهمية. ومن ثم يدقق في الترجمة العربية التي تختلف في سياقها ووظيفتها اللغوية نوعاً ما عن النص من اللغة المنقول منها، نتيجة نقل المعاني عبر اللغات والثقافات. فعندما أصبحت السلطة الوطنية الفلسطينية عضواً كاملاً يعترف باتفاقية سيداو عام 2014، تجاوزت الاتفاقية مجرد كونها ترجمة لغوية لتوضيح اللغة المنقول منها، لتصبح قضية استقبال للنص حيث يُتوقع أن تصبح الترجمة وسيلة تلبي تطلعات الجمهور في اللغة المنقول اليها. وتُظهر نتائج البحث أن النص المترجم نفسه أدى إلى نشوء فريقين مختلفين من المستقبلين في جمهور اللغة المنقول اليها، ما أنتج نوعاً من الصراع المحتدم بينهما. إذ اعتبر الفريق الأولى الترجمة شعار النبالة للنساء الفلسطينيات لتمكينهن من القتال من أجل حقوقهن، بينما يرى الفريق الثاني أنَّ هذه الترجمة تشكل انتهاكاً سافراً لأحكام الإسلام الجليلة. ويستنتج البحث أن فلسطين لطالما عانت من الاضطرابات الاجتماعية والسياسية مما أدى الى تغير جذري في دور الترجمة، فقبل التسعينيات كان للترجمة دور بسيط تؤديه، حيث كان الفلسطينيون في أوج مقاومتهم للاحتلال الإسرائيلي الذي انتهك صراحةً (وما زال ينتهك) القانون الدولي. ولكن بعد أن أُنشئت السلطة الوطنية الفلسطينية عام 1994 التي مارست السيادة المدنية في الضفة الغربية، ظهر واقع اجتماعي وسياسي جديد مهَّد الطريق لمزيد من التفاعل الاجتماعي الدولي .وبذلك، انقسم المجتمع في استقباله للترجمة إلى قسمين (العلماني والإسلامي) حيث انتقدها أصحاب الفكر الإسلامي في حين أيَّدها أصحاب الفكر العلماني.

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1. Introduction

The convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was issued in 1979 by the United Nations and was translated into the UN's official languages (Arabic, Chinese, French, Russian, and Spanish). It has also been translated into the main local languages. The purpose of the translation was to provide the audiences with reasonably adequate knowledge about the articles included in the convention. In the Arab World, a wide controversy arose among the target audiences with apparently ideologically-motivated translation reception of the CEDAW; whilst it has gained adherents, many people have defied it. Although the convention has been issued and was translated since 1979, the Palestinian community did not respond to its translation until it was ratified by the Palestinian National Authority (PNA) in 2014 when different responses emerged within the same community.

It is beguiling that translation has the ability to generate substantial reception issues since time immemorial. In a sense, "[i]n the process of translating, the translator has to work with priorities which, in light of different contextual factors (that is, author, text, and audience), may lead him [/her] to base his [/her] translation equivalence on one parameter rather than another" (Farghal and Shunnaq, 1999: 79; see also 1998 and Thawabteh and Abu Radwan, 2020). In this, the audience factor obviously presents itself as a workable solution for translating from one language into another. It is considered to be more basic and common than other factors in target-oriented approaches to translation. Hence, the same translation may be received differently, thus be analyzed, and be understood in more than one manner. McAuley (2015:1) puts it:

> The reception is determined by the interaction of different factors: the linguistic and semantic content of the translation— its text— as a product of the translator's intentions and the readiness of the target audience to accept a target text with those encoded intentions. When the former and the latter align, then a translation is well-received; if, however, they conflict, then the opposite is the case.

Insofar as the target linguistic community (the Palestinian community) is concerned, it varies considerably, in the level of education, political direction, religion, customs and traditions, and ideology. The reception of the translation of the CEDAW convention was heavily influenced by the constant interaction amongst these factors. For the sake of the current study, one and only one focus on the ideological factor will be predominant, as Islamic and secular ideologies are normally identified and discernible in the Palestinian community. This study explores the impact of ideology on the reception of the translation of the CEDAW convention into Arabic by the Palestinian audience.

2. Reception Theory

Reception Theory has surfaced in literary studies, namely literary theory, with a view to providing a framework for reader response that lays emphasis on the reader's

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reception of a literary text, being generally called audience reception. In literary studies, reception theory originates from the work of Hans-Robert Jauss in the late 1960s. Jauss stresses the significance of the interpretation of the users' intentions by the reader.

Reception Theory often introduces and further promotes the basic necessity of the reader's immersion in the initial understanding of an interpretation to be included in the process of literary experience (as cited in Meidasari, 2014: 184). Meidasari (2014) aptly remarks that the Reception Theory focuses on the role which the audience plays in the interpretation of a text, rather than on the text itself. In other words, the theory suggests that the audience plays an active role in reading texts, that to say, each text user can forge his/her interpretation of the same text quite differently, and that a text by itself – i.e., without the text producer (i.e., author and work) to the text receiver (i.e., text and the reader) has no specific meaning. Holub (1984) believes that Reception Theory proposes a shift in concern from the text producer (i.e., author and work) to the text receiver (i.e., text and the reader).

Stuart Hall (cited in Procter, 2004**)** is considered one of the leading proponents of Reception Theory, first developed for media and communication studies from literary and history-oriented approaches. Hall argues that a "text" is not passively accepted by the audience; but that the reader/viewer interprets the entire range of attitudinal meanings they would have of the text based on a rather firm belief that their immediate individual cultural horizons and life experiences are so crucial (cited in Procter, 2004). In essence, the meaning of a given, say, text is not inherent within the text itself, but is created and made within an intangible complex of the semiotic relationship between the text and the reader (Meidasari, 2014: 187; see also Shehab *et al.* 2020).

Brems and Ramos Pinto (2013) argue that the effective combination of translation and reception has also appeared very useful in the study of cultural translation. One can study disparate aspects such as how a source culture was received in the target culture, e.g. by looking at criticism, influence and intertextuality, censorship, etc. The influential concept of 'norms' often plays an important role in reception. "The reception of translated texts studied at a textual level can complement the study of reception at a social level" (Brems & Ramos Pinto, 2013: 144).

Curiously enough, Baker (2006) does not limit her research on reception at a social level to cultural or literary texts; but she also looks at political translations heuristically. She explores the terms 'frame' and 'framing', which have to consider and can account for how various discourses are altered when transferred because they are injected by other, personal, or collective narratives in the translation practice. Baker (2006) starts from the initial assumption that "the meaning of narratives is defined not only by their production but also by their reception, which is clearly the crux of reception studies" (Brems & Ramos Pinto, 2013: 145). "A successful translation," Pym (2004:13) adds, "is one that meets its corresponding success conditions," regardless of whether those conditions are as varied as there are translations, translators, and translation theories.

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Any attempt to ensure the immutable success of a given translation has to consider the reaction of its intended audience: as a broad generalization, a translation is a text produced with a specific audience in mind, "a more or less defined group of individuals who may share some cultural models but not others" (Martin de Leon, 2008: 19). If that target audience does not want to read a translation intended for it, it would not matter how excellent the translation's formal qualities may be. It can no doubt adequately be described as less than entirely successful (McAuley, 2015: 5).

In addition, "the success of the translated text is crucially dependent on the expectations of the target audience" (Gutt, 1996: 252). The expectations an audience has for "translation", however, as Nord (1991: 92) suggests, vary between cultures, and within cultures at different times, which is a major reason why translations once judged acceptable can be found wanting later, and "why there will never be a common translation code for all cultures" (Nord, 1991: 92).

3. Methodology

This study is conducted to demonstrate how the official translation of the United Nations is paradoxically received by the Arab target audience, with a special focus on Palestinians. In fact, the problem of the study can be stated in the following main question: "to what extent does the target audience's ideology affect the reception of the translation of the CEDAW?" The purpose of the present study focuses on finding out whether the same translation may have various receptions and interpretations. Thus, we can clarify the necessity of the readers, represented by society, in the translation process.

3.1.Data Collection

The data of the research is drawn from official sources; the CEDAW Convention and its translation were taken from the UN official website. The target audience's reactions and opinions were also collected from official publications in journals, websites, and books, namely from: (1) research by Zaynab Salfity entitled "A study of some legal aspects of the Convention on the Elimination of all Forms of Discrimination Against Women." The research was submitted to the Palestinian Council of Ministers in May 2020, but it has not been published yet; (2) a report in *Independent Arabia* entitled "Palestinian controversy over the CEDAW Agreement/calls for withdrawal from it for its contradiction with Islamic law" by Khalil Mousa in 2019; (3) a report in the Jerusalem Post entitled "[PNA] outlaws child marriage - Mohammad Shtayyeh's government raises the minimum age of consent to 18" by Dima Abumaria in 2019; (4) an article containing the interview with Rima Nazzal by *Nisaa Radio* in 2019; (5) "Debating the Law, Creating Gender/ Sharia and Lawmaking in Palestine, 2012-2018" by Irene Schneider; and (6) the official YouTube channel of Iyad Qunaibi.

3.2. Procedure

The reception of the translation is discussed in Palestine by examining the responses of the proponents represented by the Palestinian Prime Minister Mohamad Shtayyah,

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Rima Nazzal a member of the Secretariat of the General Union of Palestinian Women, the Legal Counsel of Al Haq organization, Issam Abedin, and the Platform of Palestinian Non-Governmental Organizations against Domestic Violence against Women, al-Muntada. On the other side, the responses of the opponents are reflected by the Palestinian lawyer Zaynab Salfity and Syariah Judge of the Court of Appeal in Nablus Mohamed Jamal Abu Asnina from Palestine and Iyad Qunaibi. It should be noted that Iyad Qunaibi is not from Palestine, but his opinion is included because of its importance in representing the Islamic point of view.

The Palestinian audience received the Arabic translation of the CEDAW convention and reflected on it in Arabic language. Thus, their arguments were published in Arabic. These arguments were translated into English by the authors. The translations of the Quranic verses were taken from Yusif Ali's translation of Al-Quran.

4. Data Analysis and Discussion

Thus far, the theoretical framework for this study is explored in detail in the work of Meidasari (2014), and presents us with an opportunity to examine several examples to corroborate our argument. The present study stresses the most controversial articles in the CEDAW Convention, namely Article 1, Article 2, Article 5, Article 6, Article 13, Article 15, and Article 16. The articles are stated with their translations taken from the official website of the UN, followed by discussion. Consider Article 1 below:

Article 1	المادة ١
For the purposes of the present Convention, the term "**discrimination against women**" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.	لأغراض هذه الاتفاقية يعنى مصطلح "التمييز ضد المرأة" أي تفرقة أو استبعاد أو تقييد يتم على أساس الجنس ويكون من آثاره أو أغراضه النيل من الاعتراف للمرأة، على أساس تساوي الرجل والمرأة، بحقوق الإنسان والحريات الأساسية في الميادين السياسية والاقتصادية والاجتماعية والثقافية والمدنية أو في أي ميدان آخر، أو إبطال الاعتراف للمرأة بهذه الحقوق أو تمتعها بها وممارستها لها بغض النظر عن حالتها الزوجية.

Being a diehard with an avowed belief, Zaynab Salfity (2020: 30; see also Rezga, 2019) convincingly argues that Article 1 above calls for exact justice and equality between men and women, which flatly contradicts the universal and legitimate realities. She adds

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that the convention accords with the underlying principle of women's rights, without imposing duties on them, to gain the support of women. It is self-evident that a right must be matched by a duty to achieve the required balance in societies. The convention's definition of the term discrimination against women in this article is incompatible with the Islamic view. Islam has triggered arguments about basic human rights and how they are being flagrantly abused. It has sought to spread justice among humans in an untiring manner whilst considering the abilities and characteristics of each sex.

The Islamic view is almost always based on a rather immaculate conception of equality. There are things required of both women and men as human beings. Likewise, there are things required of men in view of male-only traits and those of women because of female-only traits. In this regard, the Qur'an says: "And of everything We have created pairs: That ye may receive instructions" [Al-Zariyat, 49]. Salfity succinctly adds that it is rather difficult to get as much mileage out of the convention, and its application will lead to faux pas for the Palestinian Arab Muslim and Christian people (authors' translation).

On the other hand, Nazzal (2020) believes that this would eliminate most blatant below-the-belt discrimination between men and women, repeal the unjust laws against women, enshrine the non-aggression concept of sex equality and back up the fundamental political and social rights of Palestinian women. Nazzal takes the discussion of the convention a step further by adding that the Palestinian statute has provided for equality among all citizens of the State of Palestine and granted women all their rights (authors' translation).

As paradoxical as it might seem, the former interpretation of the translation is necessarily influenced by the Islamic-view ideology. However, the latter interpretation is underpinned by a different ideology, heavily influenced by an unblinking secular ideology. It is consequently important to be clear that the same translation is no doubt understood along different lines by homogeneous people with almost the same socio-cultural and socio-textual practices, but holding adversarial ideologies. After all, the strength of opposition voiced by the proponents and opponents illustrates the powerful binding role of the audience in forging the interpretation of a text (see Holub, 1984). The translation seems to be new in its situation of reception. It has actually been given a new lease of life due to its existence in the space and time of reception. For more elaboration on the reception of the CEDAW Convention, consider Article 2 below:

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Article 2
States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:
(f) To take all appropriate measures, including legislation, **to modify or abolish existing laws, regulations, customs and practices** which constitute discrimination against women...

المادة (2)
تشجب الدول الأطراف جميع أشكال التمييز ضد المرأة، وتتفق على أن تنتهج، بكل الوسائل المناسبة ودون إبطاء، سياسة تستهدف القضاء على التمييز ضد المرأة. وتحقيقا لذلك تتعهد بالقيام بما يلي:
...(و) اتخاذ جميع التدابير المناسبة، بما في ذلك التشريع، لتعديل أو إلغاء القوانين والأنظمة والأعراف والممارسات التي تشكل تمييزا ضد المرأة...

In an attempt to inject some new life into her argument, Salfity (2020: 35) points out that the CEDAW Convention succinctly orders all people, Muslims, and non-Muslims, to change into freewheeling lifestyles, laws, customs and traditions whereby no restrictions on what to do are left. By the same token, it commands them to go all the way back to the fundamental nature of the convention. It aims to render its texts to be judges of religions. Its aim is to govern whatever provisions and morals it wishes. Thus, it will become the one that corrects laws and constitutions (authors' translations) Salfity further adds, "[a]s one of our scientists said, CEDAW wants it to be a final message after the final message" (authors' translations).

Pitted against Salfity as an adversary, however, the Platform of Palestinian Non-Governmental Organizations against Domestic Violence against Women (2020), (al-Muntada), argues that CEDAW will protect women from violence resulting from customs and traditions. It points out that twenty-two women had been violently killed in 2018. Those killings are so far more adequately seen as attributable to Israel, but to sacrosanct *ʿadāt wa taqālīd* ('customs and traditions'). Violence against women, al-Muntada explained, was against not only the Palestinian basic law but also several other laws. Acts, al-Muntada further argues, should be enacted to protect women from batterers.

It should be noted that readily apparent ideologies have necessarily led to different interpretations of the same text. The translation meets the expectations of the audience holding the secular ideology (i.e., al-Muntada), and thereby is considered a well-received translation. However, it defies the expectations of the audience holding the Islamic ideology (see Gutt, 1996) and relays a particular ideological stance and/or slants towards Islamic teachings.

In Article 2, above, the source text reads "to modify or abolish existing laws, regulations, customs and practices"; a text that is immediately conspicuous of cultural

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values in terms of what is familiar to the Western readers' cultures. As can be noted, it is exquisitely translated into لتعديل أو إلغاء القوانين والأنظمة والأعراف والممارسات التي تشكل تمييزا ضد المرأة, a translation that can be said to reflect the predominant trend towards domestication. Consider Article 5 below:

Article 5	**المادة 5**
States Parties shall take all appropriate measures:	تتخذ الدول الأطراف جميع التدابير المناسبة لتحقيق ما يلي:
(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women; (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.	(أ) تغيير الأنماط الاجتماعية والثقافية لسلوك الرجل والمرأة، بهدف تحقيق القضاء على التحيزات والعادات العرفية وكل الممارسات الأخرى القائمة على الاعتقاد بكون أي من الجنسين أدنى أو أعلى من الآخر، أو على أدوار نمطية للرجل والمرأة، (ب) كفالة تضمين التربية العائلية فهما سليما للأمومة بوصفها وظيفة اجتماعية، الاعتراف بكون تنشئة الأطفال وتربيتهم مسؤولية مشتركة بين الأبوين على أن يكون مفهوما أن مصلحة الأطفال هي الاعتبار الأساسي في جميع الحالات.

Salfity believes that Article 5 is particularly concerned with modifying the social and cultural patterns of the roles of men and women. Stereotyped role constantly refers to the role of a full-time mother caring for her children. Motherhood, according to the convention, is a social function that can be performed by anyone. So, it is no different from other unprofitable domestic chores that are stereotypical and traditional roles that must be changed.

This article with its clauses A and B addresses the possibility of modifying roles in the family. It is a clear indication of the negation of the physiological differences between men and women.

The article states that motherhood does not relate to the innate nature and readiness of women. It is only a social function that can be alternated between men and women. Salfity adds that everyone agrees that the upbringing and education of children is a joint responsibility of both parties, but attention must be paid to what this article wants to

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highlight by considering motherhood only a social function and not a biological one (authors' translation). This represents the legalization of homosexuality and same-sex marriage and a call to enable them to establish multiple types of families.

Allah Almighty made the tasks of pregnancy, childbirth, breastfeeding, and motherhood for the mother. Allah Almighty says, "So We sent this inspiration to the mother of Moses: Suckle (thy child), but when thou hast fears about him, cast him into the river, but fear not nor grieve: for We shall restore him to thee, and We shall make him one of Our messengers" [Surah Al-Qassas, 7]. Allah Almighty says in Surah al-Baqarah verse 233, "Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]."

On the other side, Nazzal defends the convention by saying Palestinian society urgently needs equality to promote economic, social, and political realities, as women are the main resource for the development of society. Educated women account for about 55% but do not take their rights.

The audiences play an active role in reading texts, and each person can interpret the same text differently (see Meidasari 2014). Regarding the audience holding the Islamic ideology, this article is not passively accepted; the meanings of the text are interpreted based on one's ideological background and life experiences (see Procter, 2004). Article 16 below clarifies the argument more.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: **(a) The same right to enter into marriage; (b)** The same right **freely to choose a spouse** and to enter into marriage only with their free and full consent; (c) **The same rights and responsibilities during marriage and at its dissolution;** …(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for **both spouses** in respect of the ownership, acquisition, management, administration, enjoyment

االمادة 16

1. تتخذ الدول الأطراف جميع التدابير المناسبة للقضاء على التمييز ضد المرأة في كافة الأمور المتعلقة بالزواج والعلاقات العائلية، وبوجه خاص تضمن، على أساس المساواة بين الرجل والمرأة:

(أ) نفس الحق في عقد الزواج،

(ب) نفس الحق في حرية اختيار الزوج، وفي عدم عقد الزواج إلا برضاها الحر الكامل،

(ج) نفس الحقوق والمسؤوليات أثناء الزواج وعند فسخه،

(ز) نفس الحقوق الشخصية للزوج والزوجة، بما في ذلك الحق في اختيار اسم الأسرة والمهنة ونوع العمل،

(ح) نفس الحقوق لكلا الزوجين فيما يتعلق بملكية وحيازة الممتلكات والإشراف عليها وإدارتها والتمتع بها والتصرف

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and disposition of property, whether free of charge or for a valuable consideration.
2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

فيها، سواء بلا مقابل أو مقابل عوض.
2. لا يكون لخطوبة الطفل أو زواجه أي إثر قانوني، وتتخذ جميع الإجراءات الضرورية، بما في ذلك التشريعي منها، لتحديد سن أدنى للزواج ولجعل تسجيل الزواج في سجل رسمي أمرا إلزاميا.

With reference to Article 16/ Item 1 above, Salfity (2020:92-114) has campaigned for the abolition of polygamy, on the grounds that it is contrary to the nature of women's rights on an equal basis with men. This is obvious in Article 16 of the CEDAW Convention (authors' translation). It is important to appreciate that the translation deprives the target audience of the necessary contextual and structural clues, so it can be deemed null and void. Being so, the case is only for an audience adopting Islamic ideology. The Qur'an has legislated polygamy— "Marry women of your choice, Two or three or four" [Surah al-Nisa'a, 3] In Islam, however, strict observance of justice should be ensured and is further considered a legitimate requirement of polygamy.

The marriage of a Muslim to a non-Muslim is allowed according to this article. A Muslim woman is allowed to marry a non-Muslim on an equal footing with a man who may marry a non-Muslim. This does not go in harmony with the provisions of Islam— the prohibition against the marriage of a Muslim woman to a non-Muslim. Such a marriage will impede her from practicing her religion freely. The word "a spouse" does not necessarily mean a couple, as it is translated into "a partner". Here are the explanations, not according to what we understand, but according to their binding interpretations. One wonders whether a marriage contract will be made between a woman and one of her incestuous men, in light of the abolition of all religions!

Furthermore, Clause (a) and Clause (b) ignore the issue of guardianship and the consent of the guardian in the case of a daughter who has never been married before. However, many legal opinions require the consent of the guardian to conclude the marriage contract, to be legitimate. It considers the judge to be the guardian of the person who has no guardian. Clause(c) ignores the dowry imposed by Islam on the husband and the furnishing of the matrimonial home.

In Article 16, there is also a clause to cancel Iddah, a period during which women should not get married (after the death of the husband, the divorce). There is also, the abolition of the principle of male guardianship of women. Guardianship is established because the family must have a manager who manages its affairs. Almighty Allah has favoured some of them with things, including preparedness of men for tasks, alimony including dowry, and preparation of the marital home, etc. It should be known that guardianship must coexist with mutual advising, understanding, and exchange of opinion.

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According to the CEDAW Convention, as can be illustrated in Article 16, divorce is equal for men and women. A woman may marry whomever she wishes, even if her husband wants her or refuses that she wants to divorce herself.

Regarding article 16 (2), Salfity (2020: 100) points out that through its programs and documents, the United Nations affirms that early marriage is a form of moral and sexual violence against women. On the other hand, these documents unleash the freedom of sexual relations for adolescents and women outside of marriage. They consider this a fundamental right of women. Salfity adds that the Convention denounces the controls imposed on freedom of the body and the maintenance of virginity. On the other hand, it considers the legalization of abortion, the choice of sex identity, and the choice of sexual orientation as basic human rights.

Qunaubi (2022) says: we don't advocate for the marriage of young men and girls at an early age. Rather, we advocate for girls and young men to be psychologically, intellectually, emotionally, and socially qualified before marriage. If they become qualified early, then they can get married regardless of their age. However, nowadays it is difficult to get married, so early marriage has already become difficult. We as Muslims have a reference, a preserved revelation from Allah, the only one that has not changed over the centuries. Al-Islam marriage laws are not rigid moulds. Rather, it sets standards for women and men to be considered before getting married. If these standards exist, then marriage is suitable for them.

These standards take into account individual, geographical, and contemporary discrepancies. No one example fits all people. The convention suggests that the marriage age is 18 because at this age the girl is mentally and physically ready. However, if she is mentally and physically prepared before that, then, how could you forbid her from getting married? Al-Islam requires the girl to be mentally and physically equipped, and the sexual relationship is not harmful to her, no matter how old she is. The CEDAW Convention does not have a problem with out-of-marriage sex, adultery, and homosexuality before the age of 18. It only has a problem with halal marriage before 18. The Convention does not have a problem with girls practicing prostitution; on the other hand, it forbids marriage before the age of 18.

Shariah Judge of the Court of Appeal in Nablus “Mohamed Jamal Abu Asnina” (2019) says that article 16 contains explicit breaches of Islamic law norms, in particular, issues relating to "equality in marriage, divorce, and inheritance." Abu Asnina adds that the issues of marriage, custody and descent of a father are considered “religious rather than civil legislation.”

On the other side, The PNA Prime Minister (2019) Mohammad Shtayyeh’s government has passed a law setting the minimum age for matrimony at 18 for both sexes in an effort to reduce rates of early marriage. Prime Minister explained, “The new law is meant to protect Palestinian families and ensure the advancement of Palestinian women.” Exceptional cases will be determined by the chief justice. The table below justifies the attitude of the Palestinian Authority:

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The Palestinian Central Bureau of Statistics 2020 demonstrates that the divorce rate is significant under the age of 18, so setting the minimum age for matrimony at 18 for both sexes will reduce the rate of divorce.

Rima Nazzal (2020) stresses that the convention does not conflict with Islamic law and the values of society, which essentially urged equality and justice. "We seek a democratic state of justice and equality," she said.

The necessity of the reader's involvement in the interpretation is evident (see Meidasari, 2014). The audiences holding the Islamic ideology recognize the hidden meaning, as they consider the implicit intentions in the CEDAW Convention. They involve Islamic ideology in their reception of the translation. They believe that following Isalmic legislation will protect women's rights without a need for human regulations. On the other hand, the audiences holding the secular ideology consider the importance of human rights. Shtayyah's reception of the translation demonstrates his intention to enhance women's life. Both sides interpret the meanings of the text based on their ideological and cultural background and life experiences (see Procter, 2004).

5. Conclusion

This study examined how the Palestinian audiences reflected on the translation of the CEDAW Convention, aiming to demonstrate the necessity of considering the reader in the translation process. In this study, the focus was on the influence of the ideological factor on the reception of the translation. Considering the argument of Farghal and Shunnaq (2018), the strategies adopted by translators were closely bound up with three major contextual factors: the text, author, and audience. It was concluded that when the CEDAW Convention was first translated in 1979, the audience factor appeared to be minimal, and the text-the convention-was the dominant factor. The response of the audience arose when the PNA discussed in greater detail its adoption and diffusion in 2014. Since then, the audience's role has become a far more dominant factor, rather than some complication ascribable to the text and corollary of this.

This study has shown that the very quest for the formality of the translation is not a crucial part of guaranteeing that the translation will be well received or entirely successful because the expectations of the audience have a considerable role in judging the translation (see Gutt, 1996). It has also demonstrated that the active involvement of the audience has a role to play in the interpretation of the intentions of the translation. That is to say, the meaning of the text is defined not only by their production but also by the dynamism of effective reception (see Baker, 2006).

The CEDAW Convention was created in alignment with the situation of Western women because they have long been suffering from injustice and oppression and was quite discordant with the Palestinian context. The CEDAW Convention was drafted and translated in a tempting way to make women follow it without thinking of the consequences, and to get as much mileage out of it as possible. Going beyond the bounds of the convention, however, Islam does full justice to women and gives them all their

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rights. Therefore, the translation of the CEDAW Convention aligns with the expectation of the audience holding the secular ideology but it conflicts with the audience holding the Islamic ideology.

Finally, insofar as translators are concerned, choosing the right receptive audience before starting the translating process would hopefully be helpful to an exquisite and well-received translation. As discussed above, in the course of translation, three contextual factors (author, text and TL audience) should be meticulously considered, one of which is the TL audience. In a sense, based on the audience, the translation should, or even must, be made.

Very much relevant to this is a discourse that embodies "attitudinal expression with language becoming by convention the mouthpiece of societal institutions (sexism, feminism)" (Hatim and Mason (1997: 15). For instance, 'polygamy' in Article 16 is a discourse feature which tends to dominate Islamic and Arab world. Therefore, speaking out against it is likely to be opposed by a large segment of the Mulsim target audience. By contrast, the same attitudinal item, i.e., 'polygamy' is also considered as a discourse feature insofar as secularists are concerned. Consequently, two conflicting discourses have prevailed.

In the data we have looked at, it is no doubt possible that the predominant linguistic approaches to translation have little to do with the real functions of translation. The study shows that the reception of the text seems to be a workable solution to the complex problems of translation.

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