

**ASSESSING THE USEFULNESS OF ASENATH BOLE ODAGA'S
ENGLISH-DHOLUO DICTIONARY TO A TRANSLATOR OF
THE CONSTITUTION OF KENYA, 2010**

BY

AMBROSE OTIENO RACHIER

REGISTRATION NUMBER: C50/64525/2013

UNIVERSITY OF NAIROBI

CENTRE FOR TRANSLATION AND INTERPRETATION

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DECLARATION

I AMBROSE OTIENO RACHIER do hereby declare that this is my original work and that this work has not been submitted for a degree examination in any other university.

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.....

AMBROSE OTIENO RACHIER

DATE

C50/64525/2013

This dissertation has been submitted for examination with our approval as the university
Supervisors

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DR. JANE AKINYI NGALA ODUOR

DATE

.....

.....

MR. JOSEPHAT GITONGA

DATE

DEDICATION

This work is dedicated first to my parents, the late Reverend Canon Hezron Rachier and the late Mama Ludia Aoko Rachier who despite their abject poverty ensured that my ten siblings and I received decent education and secondly to my young children Dylan Rachier and Chantal Rachier who were deprived of my companionship during the period that I undertook both the translation studies and this project for the award of Master of Arts degree in Translation.

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ABSTRACT

We set out to assess the usefulness of the English-Dholuo Dictionary by Asenath Bole Odaga, to a translator of the Constitution of Kenya, 2010. Our concern was with the indisputable need to disseminate the Constitution to Kenyans in general and to the Luo speaking citizens of Kenya in particular. This concern arose out of the published levels of literacy in Kenya which put the figure of those who are illiterate in one way or another at 35% (KNBS, 2009). The problem that we set out to address was how to disseminate the Constitution of Kenya 2010 to a target population that was largely illiterate. We considered the fact that the constitution in question is published by the government in English and Kiswahili only with the result that it remains incomprehensible to the illiterate population thus posing a challenge to dissemination. This inevitably led us to consider translating the Constitution into indigenous languages which in turn brought into focus the need for translation tools such as dictionaries. We chose Dholuo as a sample of an indigenous language hence the Luo as a target audience and the English Dholuo Dictionary by Asenath Odaga as a translation tool for evaluation.

In conducting the study, we identified 150 key words in the Constitution and perused the Dictionary under assessment in search of equivalent words that would be used by a translator of the Constitution to render the meaning of the key words identified into the target language namely, Dholuo. We proceeded on the major hypothesis that the dictionary under review or assessment was useful and adequate as a tool in translating the Constitution of Kenya 2010 into Dholuo.

Our theoretical framework was an eclectic one combining the concepts of lexical equivalence, terminology development and translation in specialised fields which in this case is the legal field. We identified key words on the basis of the theme of a given chapter of the Constitution focusing on the words whose translatability would be crucial in conveying the spirit, the thrust and the meaning of the chapter of the Constitution. Where we were unable to find in the dictionary words equivalent to the key words identified or where the key words identified were missing from the lexical entries in the dictionaries we attempted a translation of the key words using other techniques usually employed in translation in such circumstances including terminology development. We were able to measure the outcome by taking account of the number of the

identified key words against the number of those words that we were able to translate using the English-Dholuo Dictionary.

Our finding was that out of the 150 keywords that we identified, only 45 key words had been entered into the English-Dholuo Dictionary by Odaga representing a paltry 30% of the words sampled. The remaining 105 words had not been entered into the dictionary and for this reason could not be translated by use of the dictionary under evaluation. The inescapable conclusion was this dictionary was inadequate as a tool in translating the Constitution of Kenya 2010.

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CHAPTER ONE

INTRODUCTION

1.1 General Background

1.1.1 Background to the Study

On the eve of the declaration of Kenya's independence in 1963, the Late Mzee Jomo Kenyatta in his maiden speech as the first Prime Minister of Kenya, exhorted the people of Kenya to strive to conquer and eradicate the evils of poverty, illiteracy (severally referred to as ignorance), disease and hunger (Kenya Yearbook, 2013/14:2). More than fifty years later, our society still ails from these vices. The Constitution of Kenya, 2010 entrusts the state with the responsibility of fighting ignorance and enjoins it to publish and publicise any important information affecting the nation.

The Constitution being the *grundnorm* should be at the heart of every Kenyan. This is premised on the fact that it spells out the fundamental rights and freedoms of every Kenyan and dictates among other things what every citizen should expect from their elected and appointed leaders. Moreover, one of the central objects of the devolution of government that Kenya has embraced is to give powers of self governance to the people and enhance the participation of the people in the exercise of the powers of the state and in making decisions affecting them. The importance of disseminating the Constitution to the people is therefore a fundamental function of the state

In its endeavours to disseminate the Constitution, the government has faced major challenges. Firstly, a majority of the population in Kenya are illiterate, semiliterate or are confined to elementary reading and writing. According to the Kenya National Adult Literacy Survey Report of 2007, the adult literacy level stands at approximately 64.6%. Therefore, there is some 35% of

the population that cannot read the constitutional text at all and have to rely on other people in order for them to understand its provisions.

Another challenge faced by the government is that among the 64.6% adults considered to be literate, a huge percentage of them is only confined to elementary reading and writing. Besides a majority of the people of Kenya cannot understand the specialized legal text that the Constitution is crafted in. Moreover, some can only read and write in their vernacular languages as opposed to English and Kiswahili, which are the official languages.

On the backdrop of the importance of disseminating the Constitution vis-à-vis the literacy levels in Kenya, the government should endeavour to ensure that the Constitution is translated into the 42 ethnic languages (Kenya Yearbook 2013/14:123). This will assist the semi literate people to understand the Constitution and also offer material for educating the completely illiterate persons. There is therefore need for resource material such as Dictionaries to enable translators render effective translation particularly in specialized fields into vernacular languages.

This research focused on the usefulness of Asenath Bole Odaga's (2010) English-Dholuo Dictionary in translating the Constitution of Kenya 2010 from English into Dholuo which is one of the widely spoken nilotic languages in East Africa. It specifically seeks to assess the adequacy of the dictionary in translating key words identified in the Constitution of Kenya, 2010 into Dholuo.

The English-Dholuo dictionary by Asenath Bole Odaga is a general language dictionary. This can be compared with the French dictionary by Le Grand Roberts. General dictionaries are defined by Rey (1995) in his paper *Essays on terminology* as a dictionary which fits into all

manner of discourse which is not always scientific or technical, but is still part of a functional whole.

The Dictionary contains lexical entries in English which it then attempts to translate into Dholuo by giving meanings and stating their synonyms. In the preface Mak Onyango asserts that the dictionary presentation is simple with more than one Dholuo word given for every English word and that where word for word is viewed as inadequate brief descriptive and illustrative examples are given to bring out the meaning of an English word. The dictionary is therefore intended to assist translators and any person subscribing to Dholuo in translating and understanding Dholuo and Luo culture.

1.1.2 The Luo people and Dholuo

Kenya has more than 40 million people represented in 41 distinctive cultural/ linguistic communities. These are the Aweer, Bajuni, Borana, Bukusu, Dahalo, Elmolo, Embu, Gabbra, Gala, Isukha, Kalenjin, Kamba, Kikuyu, Kisii, Kore, Kuria, Luhya, Luo, Maasai, Maragoli, Marama, Meru, Mijikenda, Njemps, Ogiek, Orma, Oromo, Pokomo, Rendile, Samburu, Sengwer, Somali, Suba, Swahili, Tachoni, Taita, Taveta, Teso, Turkana, Watha and Yiaku (Kenya Yearbook 2013/14:124).

This research was specifically concerned with the language spoken by the Luo people referred to as Dholuo. The Luo community constitutes one of the largest groups of Nilotes in East Africa. They are spread in East Africa and are found in western Kenya, eastern Uganda, the Mara Region in northern Tanzania and the Democratic Republic of Congo (Greenberg, 1966). According to Greenberg, Dholuo is part of the Western Nilotic languages which belong to

Eastern Sudanic language groups, and forms part of the Chari-Nile branch of the Nilo-Saharan languages which make up one of the main language groups in Africa.

The original land of the Nilotes was in the Southern Sudan before their migration to Central and Eastern Africa. The various Nilotic groups found within the entire region with some common traditional kinship or history of migration include the Dinka, the Nuer, the Atwot, the Shilluk (or Joka-Cholo), the Anyuak, the Jur (Luo), the Burun, the Thui, the Bor Bellanda, the Acholi, the Jo-Paluo, the Alur, the Lang'o, the Jo-Padhola, the Pari, and the Kenya-Tanzania Luo (Kokwaro, 1998).

The present day Kenyan and Tanzanian Luo originally settled along the shores of Lake Victoria from Uganda. Together with their cousins who remained in Uganda, (the Paluo, the Padhola, the Alur and the Lang'o), they form a section of Jii-speaking groups who by 1000 A.D. still occupied Southern Sudan although a good number also migrated to either Central Africa or parts of Ethiopia. Owing to both overpopulation and overstocking the then Luo of Sudan plunged into quarrels over leadership. As they quarrelled, the pastoral Azande community took advantage of their division to attack them. This forced the Luo to migrate southwards in several tribal groups. The Acholi and the Lang'o remained in northern Uganda, the Alur settled westward in the Nile district, the Paluo in northern Bunyoro, and the Padhola in South-East of Uganda as far as Tororo (Kokwaro, 1998).

In 2009, their population in Kenya had grown to 4,044,440 (13% of the total population) making the Luo the third largest ethnic group in Kenya after the Kikuyu at 22% and the Luhya at 14% (KNBS, 2009). Dholuo is therefore spoken by a large population in Kenya.

Article 7 of the Constitution directs the state to promote and protect the diversity of the languages of the people of Kenya. It goes further to empower the state to promote the development and use of indigenous languages and other forms of communication. Dholuo being a vernacular language of the People of Kenya, just as the remaining 41 should be protected by the state and developed. There is therefore need to assess the current source materials available for use in translating particularly public documents into Dholuo in a bid to ascertain their adequacy or otherwise in promoting and developing Dholuo. This will help in preservation of the Luo heritage and further in keeping informed a large population of Dholuo speaking people who are mostly conversant with Dholuo.

1.2 Problem Statement

The importance of the Constitution cannot be over emphasised. Mr. Justice Ringera delivering Judgement in the case of Reverend Dr. Timothy M. Njoya and 6 others against the Attorney General and another (2004), commonly known as Njoya's case, had this to say of the Constitution:

“It is the supreme law of the land; it is a living instrument with a soul and a consciousness; it embodies certain fundamental values and principles and must be construed broadly, liberally and purposely or teleologically to give effect to those values and principles.”

The Constitution is so important to every citizen as it lays the very strands of our existence as a society by stating that all sovereign power belongs to the people and can only be exercised directly or indirectly through democratically elected representatives. It establishes portfolios and creates powers and directs how such powers are to be exercised. It spells out the rights of each

and every individual and gives direction on how the national resources ought to be divided among the citizens.

So important is the Constitution that Article 3 makes it mandatory for every person to respect, uphold and defend it. These requirements laid down by the Constitution can only be achieved if the public at large is conversant with its provisions. One cannot defend or uphold something that is alien and incomprehensible.

Fuller (1964) sets out key ingredients of the causes of failure of any legal system. These include; failure to publicize or make known the rules of law and unclear or obscure legislation that is impossible to understand. The need to publish laws and make the people aware of them is therefore paramount. It is the Constitutional duty of the government of Kenya to ensure that the public is well informed of the existing laws, their implications and consequences.

In order to achieve this, the Government of Kenya has on several occasions distributed the constitutional texts from time to time to the people for free and undertaken public awareness programmes. The Constitution of Kenya, 2010 so far has only been published in two languages being English and Kiswahili. The problem that this noble public awareness exercise has faced is lack of comprehension attributable as already stated to the various forms of illiteracy as well as the technical nature and language of the legal text that forms the Constitution of Kenya, 2010.

The role of the public in the implementation of the Constitution is central. Article 10 of the Constitution anchors 'public participation' as one of the core national values and principles of governance. The danger in letting a large number of our population to remain ignorant of the Constitution is that it will hamper its implementation. Where people are not aware of their fundamental rights, the rule of law, accountability of both elected and appointed leaders, the

devolution of national resources and the intended benefits that should come with the new constitutional dispensation will remain a pipe dream.

There is need not only to disseminate the Constitution of Kenya 2010 to the entire population but to also try to make the constitutional text most comprehensible to all individuals. In doing so the government should endeavour to translate the Constitution into vernacular languages so as to have far reaching effect at the grass root level. However, translators who might undertake the translation of the constitutional text into vernacular languages, including Dholuo, might be hampered in their undertaking by the challenge of inadequate translation tools. There is therefore need for adequate materials and translation tools to enable translators translate the Constitution into vernacular languages.

The following comprised the questions for Research:

- a) What are some of the key words in the Constitution of Kenya 2010 and how many of these key words can be found in the English-Dholuo dictionary by Asenath Bole Odaga?
- b) Is the English-Dholuo dictionary adequate in translating all the key words identified in the Constitution of Kenya, 2010?
- c) What techniques can a translator of the Constitution of Kenya 2010 use in translating the key words which cannot be found in the English-Dholuo Dictionary?
- d) What challenges does a translator of a legal text such as the Constitution of Kenya, 2010 into a vernacular language face?

1.3 Aims and Objectives

The main aim of this study was to critically analyse Asenath Bole Odaga's English–Dholuo Dictionary and assess its usefulness to a translator of the Constitution of Kenya 2010.

The specific objectives of this study were to:

- a) identify key words in the Constitution of Kenya 2010 and determine how many of the identified key words have similar entries with words in the English-Dholuo dictionary by Asenath Bole Odaga.
- b) investigate whether the English-Dholuo dictionary is adequate in translating the key words identified in the constitution.
- c) determine ways of formulating terminology that are not catered for by the English-Dholuo dictionary.
- d) investigate the challenges in developing suitable terminology for effective translation of the Constitution of Kenya 2010 into Dholuo.

1.4 Research Hypotheses

This study has proceeded on the following hypotheses:

- a) that the terminology and lexical entries contained in the English-Dholuo dictionary by Asenath Bole Odaga is adequate in translating the Constitution of Kenya 2010;
- b) that there are other techniques that a translator of the Constitution of Kenya 2010 can use in translating key words that cannot be found in the English Dholuo dictionaries; and,

- c) that there are challenges in the task of translating the Constitution of Kenya 2010 into a vernacular language such as Dholuo.

1.5 Significance of the Study

This study is important as it seeks to interrogate the usefulness of the English-Dholuo dictionary by Asenath Bole Odaga in translating the Constitution of Kenya, 2010. The findings may assist in further research to improve the dictionary as may be found necessary. Should the dictionary be found deficient as a tool in any respect with regard to the task of translating the Constitution of Kenya 2010 into Dholuo, such deficiency should inform the curative steps to be taken with a view to improving the dictionary. Further, the findings will help decision makers in encouraging the publication of similar dictionaries in other vernacular languages. This will aid the translation of the Constitution into vernacular languages hence the dissemination of the Constitution of Kenya, 2010 to a wider population in order to promote public participation envisaged and enshrined in the Constitution.

It also seeks to assist the State to comply with the mandatory requirements of Article 7 of the Constitution which directs it to promote and protect the diversity of language of the people of Kenya and to promote and develop the use of indigenous languages. Should the dictionary be found useful in the task contemplated, then it will provide an impetus to policy makers to expand the scope of publication of dictionaries in indigenous languages in order to facilitate compliance by the state with the immediately foregoing constitutional requirements.

This study is also significant in that it aims to achieve translation of the Constitution of Kenya 2010 to the common citizen to enable such a citizen to respect, uphold and defend it as provided.

1.6 Scope and Limitation of the Study

Ideally we should have identified and analysed as many key words in the Constitution of Kenya 2010 as there could be. However, this could go beyond the scope of this project as it would result in a voluminous treatise requiring a longer time to complete than that allocated for this project. We therefore teased out the theme of each chapter of the Constitution and based our identification of the key words on the yard stick that their translatability was absolutely necessary to achieve that theme. In this way we came to some 156 key words in the 18 chapters comprising the Constitution of Kenya 2010 which we rounded up to 150 key words. It is possible that with a greater number of key words our assessment of the usefulness of the dictionary would have been different.

1.7 Theoretical Framework

This study is grounded on an eclectic theoretical framework that combines three theories namely, lexical equivalence, processes of terminology development and strategies for translation in specialized fields which are discussed below:

a. Lexical Equivalence

The central debate that has dominated the theories of translation from time immemorial has been the dichotomy between literal or “word-for-word” translation and free or “sense for sense” translation as the two modes or skills of translation. The ancient Greek words *metaphrasis* and

paraphrasis supplied the English with the terms *metaphrase* meaning “literal” and *paraphrase* meaning “free” or a saying in other words. Dryden (1680) advocating a compromise, described translation as the judicious blending of these two schools of thought. Nida (1991) was later to introduce the concepts of “formal equivalence” and “dynamic or functional equivalence”, where formal equivalence corresponds to ‘*metaphrase*’ and dynamic equivalence to “paraphrase”.

The debate about this distinction established within the Roman system has continued “in one way or another right upto the present...emerging again and again with different degrees of emphasis in accordance with differing concepts of language and communication” (Bassnett 2002:50 Translation studies). Steiner 1998:319 calls it a “sterile debate over the triad “literal” “free” and “faithful”. A more radical recent theorist, Barbe (1988) dismisses the whole debate thus:

“Literal and free represent only rather inaccurate and questionable descriptive terms and do not constitute a real distinction. A cross-culture study of translation including non-Indo European languages may help us to break out of this dichotomy, as may the study of translation in oral cultures.”

The relevance of this discussion to this study stems from the fact that in the process of our investigation, we combed the Dictionary in search for the key words that we had identified in the Constitution of Kenya 2010 whose translatability we interrogated. We analysed the equivalents of these key words in Dholuo to test their accuracy in rendering the meaning of the key words into the target language. Besides, in assessing translatability of words from English to Dholuo a translator cannot escape the search for equivalence and the challenges associated with the lack of

it in certain situations. Where key words were found missing in the dictionary it follows that we could not find their equivalents.

We applied this theory in our analysis of data by measuring the degree of equivalence between the key words identified and their presence or otherwise in the dictionary under evaluation. The main theoretical framework of this study was equivalence because in translation tasks, one first looks for equivalent words in the target language vis-à-vis the words to be translated from the source text. Upon failing to find such equivalents one resorts to other techniques employed in translation tasks.

Where no equivalent exists, we not only identified the attendant challenges but also recommended ways of overcoming them. Mwangi, P. (1996) in his study entitled “MATATIZO YA KILEKSIKOLOGIA: TATHMANI YA KAMUSI YA F. JOHNSON, 1939” (Complexities Of Lexicographical Translation; An Evaluation Of F. Johnson’s 1939 English-Swahili Dictionary) observed that “equivalents are not easy to find,” pointing out that “the situation is more pronounced for words closely tied to a certain culture and also for specific and technological terms that lack equivalents among the languages in developing countries” (Mwangi 1996: 101).

According to Jakobson (1959/2004:139) there is ordinarily no full equivalence between code units. “The translator recodes and transmits a message received from another source. Thus translation involves two equivalent messages in two different codes.” Chomsky (1957, 1965) sees Kernel sentences as a universal feature of human language and maintains that in every phrase structure there is a deep structure that is transformed into a final surface structure through transformational rules used in translation.

Irrespective of the mode of translation adopted by a translator, equivalence whether formal or functional must entail a search for words that render the true meaning of the source text into the target language. In our study, the source text is the Constitution of Kenya 2010 written in English and the target language is Dholuo. The translation tool was the Dictionary under evaluation. In translating the English words into Dholuo the concept of equivalence and process of encoding and recording to render meaning is an inescapable exercise.

b. Terminology Development

The second theory is premised on the fact that where a translator is unable to find direct equivalents in the target language he will resort to other terminology developed through different techniques.

The strategy of framing new words is the function of terminology development. Terminology development is the process of coming up with new words that fill the gap created by lack of equivalence. Techniques for language development include coinage, compounding, borrowing, blending, derivation or affixation, adaptation, semantic expansion, acronyms, calquing and lately neologism to these techniques we now turn:

Coinage involves coming up with new words through usage. These words may be derived from nouns, pronouns, verbs, adverbs, conjunctions, propositions, adjectives and others. A noun like “Xerox” becomes a verb through usage so that one may talk of going to “Xerox” a document. Similarly, “Mpesa” an electronic process of sending money in Kenya becomes a verb and a person can “mpesa” money to another. It is usual to hear people making requests to others in this manner “*can you please mpesa me something?*”

Compounding is the process of combining two or more words to form a new word. An example of this is combining two nouns such as BOY and FRIEND to form BOYFRIEND. The same can be done with adjective and noun (BLUE + BERRY = BLUEBERRY), verb and noun (WORK+STATION=WORKSTATION), noun and verb (ZEBRA + CROSSING=ZEBRACROSSING), verb and verb (SLEEP + WALKING = SLEEPWALKING) adjective and verb (HIGH + LIGHT = HIGHLIGHT) adjective and preposition (SLOW + DOWN=SLOWDOWN) and preposition and verb (BY + PASS = BYPASS)

Borrowing, on the other hand, is the process of taking a word from another language and using it without changing it much. Some examples are given below. These are English words borrowed from the Language enclosed in brackets:

1.

- a. Skunk and Tomato (indigenous American)
- b. Sushi, Tycoon and Taboo (Japanese)
- c. Humus, Chutspan, Ciprer and Artichokee (semitic languages)
- d. Alcohol (Arabic)
- e. Zebra, Yam and Banana (African languages)
- f. Safari (Kiswahili)
- g. Piano (Italian)
- h. Café and champagne (French)

- i. Kindergarten (German)
- j. Yoghurt (Turkish)

Blending as a process of terminology development entails the chopping of two words and bringing them together to form one new word. For example:

2.

- a. Mortar + Hotel =Motel
- b. Slip + glide = Slide
- c. Twist + whirl =Twirl
- d. Uhuru + Ruto = Uhuruto (Kenyan)
- e. Smoke + fog =Smog
- f. Breakfast + lunch = Brunch
- g. Camera + Recorder = Camcorder
- h. Canal + Tunnel = Channel
- i. Telephone + Exchange = Telex
- j. Binary + Digit = Bit

Calquing is another process of terminology development. Calquing is the process of taking a word from one language and adapting it to another language by giving it a different spelling and

phonetic aspects. Translators in the course of their work have allowed inappropriate spill-overs of source language idioms and usage into target language. Such spill-overs have imported useful source language calques and loan words which have subsequently enriched the target languages. In this way, translators have helped substantially to shape the languages into which they have translated. The following calques from English into Kiswahili provide an example:

3.	<u>English</u>	<u>Kiswahili</u>
a.	Motor car	motokaa
b.	Driver	dereva
c.	Bicycle	baiskeli

Acronymy is a process that involves taking initials or letters or parts of words to form new words. Examples include:

- 4.**
 - a. RADAR from Radio Detecting and Ranging
 - b. LASER from Light Amplification by Stimulated Emission of Radiology
 - c. UKIMWI (Swahili) from Upungufu wa Kinga Mwilini
 - d. SCUBA from Self Contained Underwear Breathing Apparatus

Derivation or Inflection is the process of forming a new word from another word category. Examples include:

5.

- a. Write - writer
- b. Ride - rider
- c. Computer - computerize
- d. Institution - institutionalize

The first two are derivations while the latter two are inflections.

Adaptation is the process of borrowing a word from another language and retaining it as it is as well as retaining its meaning as in the original language. Examples include:

6.

- a. Locus communis common place
- b. Locus standi a place to stand on
- c. Status quo the same state
- d. Chairman mwenye kiti (Kiswahili)
- e. Amicus Curiae Friend of the Court

Paraphrasing as a process of terminology development entails using a term to describe another word. Examples include:

7.

- a. DENTIST daktari wa meno (Kiswahili)

- b. GYNAECOLOGIST Daktari wa Magonjwa ya Akina Mama (Kiswahili)

The relevance of this discussion to this study is that where the English-Dholuo Dictionary is found deficient in terminology for translating the key words then a translator will resort to terminology development as a strategy in translation particularly in specialized fields.

c. Strategies for Translation in a Specialized Field

The third aspect of our theoretical framework is founded on the recognition of the terminology of the Constitution as a province of a specialized field. The terminology employed in the Constitution is of necessity legal hence specialized. In translating keywords identified in the Constitution using Odaga's English-Dholuo Dictionary as a tool, we looked for the key words and their equivalents which would render the meanings of the keywords into Dholuo for the benefit of the target audience. The question that detained us throughout this study was whether or not the Dictionary under assessment contained the key words and their equivalents and what strategies we would employ in case the lexical entries in the Dictionary were found wanting.

A perusal of the Constitution of Kenya 2010 reveals a variety of subjects including Human Rights, Land Law, Environment, Public Finance and International Law to mention but a few. This variety of subjects imports into the Constitution words that are not used in ordinary parlance. We therefore encounter words or expressions such as: "repugnant to justice and morality", "Conservatory Order" and "Common Law Jurisdiction" which are only easily understood by lawyers.

Translation in specialized fields requires a high degree of specialization and expert knowledge in the subject of the source text. This has arisen out of the realization that translation which was for a long time considered as a linguistic operation oblivious of the nature of the subject has undergone a metamorphosis for a number of reasons including:

1. the ever increasing areas of subject knowledge attributable to the era of information technology and nanotechnology, secondly;
2. the ever increasing critically nuanced cultural differentiation, and thirdly;
3. the many instances where texts have become so complex with so much specialized vocabulary pertaining to specialized fields.

Accordingly, translation in specialized fields demands that a translator possesses an in-depth knowledge concerning varied sectors within a given field. Such knowledge requires that a translator must have the ability to empathize with the prevailing mentalities of the various target language groups. Specialized field translations must be done in such a way as to build bridges across linguistic, technical and cultural boundaries. Text meant for translation in specialized fields must be translated optimally on two levels i.e. on a linguistic level and from an expert's point of view.

Applying this theoretical framework to our study, we interrogated the adequacy of the lexical entries in the English-Dholuo Dictionary in translating the key words in the Constitution of Kenya 2010 having regard to the fact that the Constitution is couched in technical language hence belonging to a specialized field.

1.8 Literature Review

It is instructive to discuss as we now do what other writers have contributed in this field. We shall also look at different classes of dictionaries in order to determine which dictionary is most suitable to a translator of a specialized language into a vernacular language.

To begin with, Wanza (1981) in her study of the problems of translating from English into Kiswahili as exemplified by Voice of Kenya (VOK) news items, identified the following challenges with regard to lexical equivalence; first the rapid growth of languages, secondly lack of technical terms for specific subject matter and thirdly, the fact that there are some established source words and names which conveyed the meaning best when directly used in the receptor language.

From the foregoing we note that all languages are dynamic and their development is a continuous exercise. Since the publication of the subject dictionary in 1997 (later edition in 2010), there are various inventions, discoveries and new phenomena that have come about. For instance, Kenya is currently under a new constitutional dispensation that has created new terminologies. There is therefore need to incorporate these changes in the dictionary. However from the observations made by Wanza, we realize that there are certain technical terms that may lack an equivalent in Translation.

Mwangi (1996) who conducted a study on F. Johnson (1939) dictionary noted that after investigating the factors and challenges that occur during the process of translating words from bilingual dictionaries concluded that bilingual dictionaries contain many misinterpretations particularly at morphological, phonological and syntactical levels. Having this in mind a translator should be very selective in translation tasks and should ensure that he not only looks at

the meaning of a word but also the context in which the word is spoken. This observation should guide any translator who undertakes translation of particularly specialized field into vernacular. The researcher will be careful to avoid morphological, phonological and syntactic misinterpretations when formulating equivalent Dholuo terms for words in the Constitution of Kenya 2010.

1.8.1 Legal Terminology as a Language of Limited Diffusion (LLD)

In interrogating the translatability of the Constitution of Kenya 2010 into Dholuo one is actually dealing with translation in a specialized field and hence what Picken (1984) calls “Language of limited diffusion” (LLD). “Limited diffusion” in our case refers to special terminology that belongs to the province of law and in the case of this constitution, legal terminology. Such terminology may not necessarily be found in a general bilingual dictionary which is designed for general use. And this is the case in such professional fields as medical texts, engineering texts and others.

Picken (1984) observes that unlike the major languages, LLDs are usually less well supplied with bilingual dictionaries, which in any case do not always come up with the right answers. This is a limitation that we bore in mind as we delved into our assessment of the suitability and the capacity of the English-Dholuo dictionary in question in rendering the meaning of the key words in the Constitution of Kenya 2010 into the Dholuo. Picken (1984) concludes by advising a translator working with a language of limited diffusion to be able “to acquire complete mastery of unfamiliar subjects in no time” and to “get rapid feel” for the type of terminology and style employed and to be able “to go like a homing pigeon to the relevant word or phrase in a dictionary, encyclopaedia or other reference material”.

1.8.2 Translation and Special Languages

Rey (1995) in his discussion of translation and “special languages” implies that the latter means mother tongue and special field. Talking about semantic equivalence he posits:

In fact the problem of semantic equivalences between languages ...is posed in all types of translation. This is obviously so in translation of novels, poetry and literary translation in general. But also in technical, scientific and legal translations, i.e., translation of language for special purposes (LSP) (Rey, 1995)

In his discussion of special languages, Rey indicates that all of us are aware that legal terminologies are national and that religious and philosophical terminologies are bound up with particular cultures, theories and very influential authors, whereas the terminologies of mathematics, the empirical sciences and technical fields- which are, moreover, very different- lend themselves to universality and therefore translatability (Rey, 1984).

Rey state further that this universality is debatable on ethical and intellectual grounds, because it has been historically rather than rationally ordained. He contends that we should accept some measure of autonomy of some traditional forms of medicine (African, Chinese), but none when it comes to nuclear physics in a given culture because the European-rooted North American civilization dominating the world today has extracted, established and organized the terminologies and special languages, without leaving any whatsoever for mental constructs of other civilizations, whether past or present. (Rey, 1984)

The relevance of this discussion to our study is that culture, philosophy and religion of a people define and influence their terminologies. In our case, we are dealing with the Luo culture, philosophy and way of life. This fact will inform the presence or absence of equivalents in the lexical entries in the English-Dholuo Dictionary.

1.8.3 Translatability

According to Rey (1984) cultural and ideological value judgements have a bearing in translation into a mother tongue such as Dholuo. He explains; this further thus;

We can see, therefore, that in the terminological subject fields, however structured and relatively systematic they may be, the analysis of the special languages and versions thereof in other languages reveals differences, sometimes mistranslations and total error. We can also see that the problems posed by terminologies and those apparently more learned discourses – scientific language in the strict sense of the term or, stricter still, technical languages – are not entirely different from those posed by the major text codes (the Bible and the Koran, as well as the legal codes), philosophical theories and lastly, the novel form and poetry (Rey, 1984).

He further observes that there is a very sharp contrast between culture-specific discourses and intercultural discourses, which sometimes aspire to universality. In making his observation he argues that this contrast does not lie between special and literal discourses but, for example, between modern sciences or technologies, on the one hand, the legal subject fields, traditional technical areas and literature on the other (Rey, 1995).

From the above, he concludes that it is from the culture specific discourses that the “untranslatables” are most in abundance and most irreducible. There is a clear lexical indication of this in the bilingual dictionaries, if we compare the units (words and idioms) which are given translation equivalents- even if we can always qualify and criticise such equivalents- and those requiring a descriptive gloss without actually suggesting a “translation”. These cultural specificities correspond not only to a single language but to a single usage: the monolingual dictionaries must rely on a “quasi” translation or to a gloss in order to clarify for the reader who

masters the standard language, the argots or “slangs,” the special terminologies and, of course, the archaisms. (Rey, 1984)

1.8.4 The Importance of the Dictionary for the Translator

A dictionary forms part of resource material that can be used by a translator to carry out his task. In order to ascertain the importance of a dictionary we shall look at lexicography, classification of dictionaries, advantages of using a dictionary and others. The aim of this section is to determine the type of dictionary that would be most useful in carrying out translation of the Constitution of Kenya, 2010 into Dholuo.

1.8.5 Dictionary-Lexicography

A dictionary is defined as a book or electronic resource that lists the words of a language (typically in alphabetical order) and gives their meaning, or gives the equivalent words in a different language, often also providing information about pronunciation, origin, and usage.

Lexicography is also defined as the art of compiling a dictionary. Therefore Dictionary lexicography entails the art of compiling a dictionary. In order to lay ground for discussions on the importance and usefulness of dictionaries for a translator in a given field it is important to discuss the terms dictionary and lexicography.

Rey (1995) in his “Essays on Terminology” in reference to dictionary lexicography says that many different realities are hidden behind the two terms. He points out that the first difference is a contrast which everyone can clearly understand being monolingual dictionaries and bilingual or multilingual dictionaries represent and reflect two quite distinct realities which imply different production methods directed towards quite separate objectives.

It therefore means that there are dictionaries which we describe as ‘general’ or ‘language dictionaries’. The opposite of this type are all those dictionaries whose content does not permit the generation of discourse because they lack the web of grammatical words, the key functional verbs, the general and frequent words etc. these are the specialized dictionaries, which are themselves extremely varied, but which are very significant for terminology.

The dictionary whose terminology we seek to assess is a bilingual general dictionary that is not intended for any specialized field such as the legal terminology that is the language of the Constitution of Kenya, 2010.

Rey proceeds thus:

There are finally also dictionaries which comment on the language in the same or in another language. In the first case, which applies to many monolingual dictionaries, the metalanguage has the same linguistic substance as the object language which creates difficulties and interference. In the second the metalanguage differs from the object language. This is the case of bilingual dictionaries and also applies to a less well-known type of dictionary, that of ethnology. This type is interesting because it describes in a usually widely known language, like English or French, the reality of peoples whose languages are frequently totally unwritten and hence do not even have a lexicographic description, and also because their content is heavily terminological.

1.8.6 Making and Classification of Dictionaries

The problem of compilers of general dictionaries is particularly difficult. They have to reflect the articulation of terminological elements in their description of the global lexicon of a language at a given level, both in the form of specific signs (the learned vocabulary) and in separate sub-

entries under polysemic head words, and in many different subject fields. With a little more temporal distance than translators, and only implicitly standardizing through the choice and the omission of information, they can generally take account of existing terminological work. Still, it is increasingly felt necessary that the terminology in dictionaries be controlled by terminologists.

The average language user (and often translator) relies on a dictionary as authoritative source of information. People typically refer to the dictionary. Dictionaries play a key role in the preservation of language as well as the important role of making information available to their users.

There are different types of dictionaries and the classification of dictionaries is a very important aspect of lexicography bearing a direct practical significance to the preparation of dictionaries.

We consider below types of dictionaries that are relevant to our study:

a) Translation Dictionaries

Online dictionaries that enable visitors to type in a word and receive its equivalent in another language (or obtain an English word by entering a foreign one) abound; many websites, such as Dictionary.com's Translator site, include search engines for multiple languages. Of course, print translation dictionaries are also easy to find on the Internet and in bookstores.

b) General Dictionaries

The general dictionary covers the total language. The dictionary of any size may be a general dictionary. It contains words from all spheres of human activities and all areas of the life of the speakers of the language.

The general dictionaries are of two types:-

i. Academic or normative dictionary

The academic dictionary gives the lexical stock of the standard language. The aim of this dictionary is to present the language as it is expected to be and stop it from decay. It has an eye on the future usage of the language.

ii. Referential or overall descriptive dictionary

The referential or overall descriptive dictionary does not have any normative aim. The word stock of this dictionary is selected from different heterogeneous speech groups. The corpus includes not only literary texts but also oral literature. It contains words of regional, social and stylistic variations.

c) Bilingual Dictionary

A bilingual dictionary gives words in two languages. Each language is grouped alphabetically in separate halves of the book, with translations into the other language.

d) Glossary

A glossary is a list of words or phrases used in a particular field with their definitions. Glossaries are often found at the back of a specialist or academic book as an appendix to the text.

1.8.7 Advantages of Using a Dictionary

Through the aid of a dictionary, one can check out a word's right utterance. In this way the dictionary can assist one in arriving at the right pronunciation of words.

The dictionary may also be useful in helping a reader to determine the part of speech to which a word belongs. May it be a verb, noun, adjective or a combination of these three? Furthermore, it could also be a guide as to how a particular word should be used.

Linguistically speaking, it is not in doubt that a dictionary could help us out in knowing the proper spelling of words. In this connection, it will guide us in writing a word or phrase.

A dictionary is of great help to everyone especially to an interpreter/translator who is learning a language and it is also helpful in enriching vocabulary.

Therefore a dictionary is like a mini library as it provides information on words and terms and it also has the advantage of how one should pronounce words a feature which is most important and vital to an interpreter/translator in his endeavours of determining what words mean.

1.8.8 About the English-Dholuo Dictionary

The English-Dholuo Dictionary by Asenath Bole Odaga was first published by Lake Publishers & Enterprises Limited in 1997. It gives a linguistic overview of Dholuo at the beginning where it discusses the 9 vowel phonemes and the 21 consonant phonemes that are found in Dholuo. It then provides an overview of morphonemics when the author gives an insight into consonant alteration and vowel harmony in Dholuo. The author also discusses albeit briefly orthography of Dholuo and points out its lack of uniformity.

The author points out the fact that the lexical entries in the Dictionary are far from exhaustive of Dholuo vocabulary attributing this to the vastness and dynamism of language.

This position is not new. Tytler (1790) in his essay on Principles of Translation emphasized that assiduous reading is a more comprehensive guide to a language than dictionaries.

1.9 Research Methodology

In order to meet the objectives set out above the following was done:

1.9.1 Desk Top Study

In starting this research topic, we had to ensure a clear grasp of the Constitution of Kenya 2010 by reading each chapter thoroughly. We then identified key words in the Constitution that formed the subject of our interrogation.

Secondly, we conducted a desktop study of the English-Dholuo Dictionary to ascertain if the key words identified were entered into the dictionary and if against them were set out suitable Dholuo words that could assist in translating the key words identified in the Constitution. We analysed whether or not the terminology in the dictionary was adequate for translating the key words in the Constitution by laying out separate appendices and tables for those key words which were missing in the dictionary and those that could be found in the dictionary with their equivalents in Dholuo.

Going chapter by chapter, we identified key words under the various headings such as “citizenship”, “the Bill of Rights”, “Land and Environment” and “Leadership” and “Integrity” to mention but a few. The criterion for identifying key words was the potential and importance of a given word in rendering the meaning of the provision of the Constitution from the source text to the target language. We looked for the bare minimum number of key words that would convey the theme of a given chapter to the intended target audience and actually identified 156 key words which we rounded up to 150 key words.

1.9.2 Discussions with key informants

Discussions were held with some frequent users of the Dholuo language when we undertook the exercise of translating keywords which had not been entered in the dictionary. These included Luo vernacular radio station presenters and Luo elders. We considered the presenters in Dholuo vernacular radio stations and members of the Luo Council of Elders as frequent users of Dholuo because the former are engaged on a daily basis in translating all kinds of materials including news items for broadcast while the latter are frequently engaged in disseminating policies which seek to harmonize the Luo culture and modern ways of life in the Luo society. We held discussions with three presenters from the Ramogi Radio Station and two from Radio Mayienga both Luo vernacular radio stations located in Nairobi but with a wider coverage than the rest that broadcast in Dholuo. Some of the presenters spoke varieties of Dholuo from Homabay, Migori, Kisumu and Siaya counties. Further, we held discussions with 16 members of the Luo Council of Elders in Kisumu and City. The elders were drawn from all the Counties in Luo land.

We did not interview the author of the dictionary as we were not sure of her reaction to the study which would of necessity entail a critique of her work.

From these discussions we were able to find out how these presenters and elders handle challenges with respect to translation of specialized languages and in the absence of adequate translation tools whenever they come across them and how coining, borrowing and calquing have been used to gain acceptability of new terminology.

CHAPTER TWO

AN ANALYSIS OF THE CONSTITUTION OF KENYA, 2010

2.1 Introduction

In this chapter we shall highlight the importance and centrality of the Constitution in governance. We shall do this by ascertaining the true meaning of the Constitution, the role the people play in implementation of the Constitution and the importance of the Constitution to the people. We shall also highlight the salient features of the Constitution, chapter by chapter. This is intended to inform any willing translator of the aim that every chapter seeks to achieve.

2.2 Definition and Importance of a Constitution

Ghai (2011) defines a national constitution as a set of values and institutions which form the fundamental framework for the organisation and operation of governments in a country. He emphasises the importance of a constitution by stating that modern states cannot function without a constitution since it is the instrument that establishes authority and institutions for running the country, as well as limitations of the powers of the government. He recognizes that unity, stability and prosperity of any country depend to a great extent on the Constitution. Democracy and people's rights are also dependent on it.

From the forgoing, the importance of a constitution to any country cannot be over-emphasised. It is a sacrosanct document that should be held in high esteem and jealously protected. Kenya like many other states, has a Constitution that was promulgated in the year 2010 after a long process that dates back to the time of the invasion of European settlers in 1890 into present day Kenya.

2.3 The Constitution and the People

The Constitution of Kenya, 2010 is drafted in a way that lays great emphasis on the importance and centrality of the people. The Preamble of the Constitution is actually written in the voice of the people. It is the people stating out the building blocks of the Kenyan society. For instance it states “we the people of Kenya-exercising our sovereign and inalienable right to determine the form of governance (The Constitution of Kenya 2010: 13)”. This tone is different from what was there previously under the colonial regime or under the previous dictatorial heads of state. The Constitution purely reflects that it is a result of a process of struggling against those who were in power and abused such positions of power.

The very first article appreciates that sovereign power belongs to the people and shall be exercised in a manner that conforms to the Constitution. The Constitution also embodies and recognizes the rights that Kenyans fought for throughout the process of pushing for a new constitution. It underscores human rights and the premise that they are not given by the state but are inherent. Further it provides for many opportunities for people to influence decisions of the state.

The Constitution also makes itself supreme under Article 3. Everyone therefore Government, Parliament, courts, people, are all bound by it and must carry out actions that conform to it. All laws and policies must be consistent with the constitution. Ghai (2013: 12) correctly notes that:

State institutions are constantly reminded that their powers come from the people. (e.g., the President is told that executive authority comes from the people (Art. 129 (1), judges are reminded that judicial authority is derived from the people (Art. 159(1)). This is another way of acknowledging the sovereignty of the people.

The importance of this expose is to underscore the importance of empowering the people by way of translating the Constitution into a language that they understand to enable them play their role in society.

2.4 Structure and Style of the Constitution

Unlike our independence Constitution, the current constitution regards the people as its primary audience. The previous constitutions were written to advocates who were expected to translate the constitution to the people. Therefore it is worth noting that the drafters of the current constitution endeavoured to use a much simpler language that is more comprehensible to the people. Despite the attempts by the Constitutional experts at improving the language of the constitution, we must appreciate that the language is still legal hence technical. Not any average Kenyans can understand the legal jargon. One still has to have some level of good education (though not necessarily in law) to fully grasp the Constitution of Kenya, 2010.

The Constitution is divided into 18 chapters. In order for any translator to render effective translation of the constitution, then the translator ought to have a grasp of what each and every chapter highlights. This will help a translator to come up with the relevant key words for effective translation. This is where Chomsky's Kernel clauses become relevant. The key highlights of every chapter in the Constitution are briefly discussed below:

The Preamble of the constitution is the people's declaration that they adopt the Constitution and give reasons why they do so. Its main aim is to establish that the Constitution is the voice of the people expressed in writing on how they intend to run their affairs.

Chapter 1 further fortifies the position of the preamble and declares that the Constitution is based on the sovereignty of the people and that all laws must be based on the Constitution as it

is the supreme law. Chapter 2 declares the nature of the Republic, the national language and symbols. Most importantly this chapter sets out the National values and principles of governance which are the cornerstones for governance.

Chapter 3 declares nationality, thus who is a Kenyan and his entitlements and issues of dual citizenship. Chapter 4 is very important to every citizen as it spells out the fundamental rights and freedoms of all individuals. The Bill of Rights recognises the rights of citizens and others, says when rights can be limited and creates the procedure for protection of such rights. A translator must of necessity be conversant with the rights and freedoms set out in chapter 4 because they are central to governance and to participation of the people as a cardinal principle of the Constitution of Kenya, 2010.

Chapter 5 deals with land which is considered a valuable commodity in Kenya; creates a framework for ownership and management. It sets out to define several categories of land tenure, ownership, adverse possession and other interests in land. It also makes provisions relating to the environment and sustainable development.

Chapter 6 sets out principles of conduct for state officers to combat and prevent corruption and gives requirements for holding public office, deals with the conduct of public officers to ensure that they are accountable and that they exercise their powers within the law.

Chapter 7 gives rules and principles on who can vote, on fair elections, and political parties; creates Electoral and Boundaries Commission. Chapter 8 creates Parliament with National Assembly and Senate. It sets out the powers of these bodies and how they are to operate including public participation. Chapter 9 further creates an executive presidency system, with powers of and limits on the president, rules for forming government and procedures for control

and impeachment. Chapter 10 on the Judiciary sets out the system of courts including a new Supreme Court; and stipulates on the appointment of judges and judicial independence

Chapter 11 on devolution sets up a system of county government: institutions of government, their powers and responsibilities. Chapter 12 dictates how public funds are controlled, who approves taxes and spending, procedures for checking on how it is spent; and provides for fair sharing financial resources. Chapter 13 sets out the values of public service, and how public service is organised.

Chapter 14 spells out principles and values of national security, sets up the main institutions, to protect national security. Chapter 15 states how various commissions must be established and how they are to operate independently

Chapter 16 provides for how the Constitution can be changed- making it difficult for any person to change it on flimsy grounds. Chapter 17 sets out rules for interpreting the constitution. Chapter 18 deals with the implementation of the Constitution of Kenya, 2010. The Schedules provide details on powers of national government and counties and how The Constitution is to be implemented.

From the foregoing it is worth noting that before identifying what can be described as the key words a translator has to acquaint himself with the highlights of each chapter in the Constitution. This will help to easily identify words that must be translated to give the desired meaning of the source text in the target text. By key words, we mean those words whose translatability is crucial to rendering the meaning of the source text to the target text.

2.5 Participation of the People

The Constitution of Kenya, 2010 supports active citizen participation in governance in a number of ways. We shall briefly highlight a number below:

- a) Article 10 of the Constitution makes public participation a national value and principle of governance.
- b) It further directs Parliament, including its committees, to sit in public unless there is very good reason so that people know what is going on. (Article 118)
- c) There are similar provisions with respect to county assemblies. (Article 197)
- d) The public is also expected to participate in the management, protection and conservation of the environment. (Article 69).
- e) The Constitution allows any person to present a petition to parliament. (Article 119 and public Authorities Article 37.
- f) Public participation is also to be encouraged in issues of public finance (Article 201) and in management of the environment (Article 69)
- g) Amending the Constitution may at times require a referendum which involves the people of Kenya.

The public is expected to participate in the law making process. They are expected to point out laws that do not conform to the Constitution even before they are passed by Parliament This public participation demands public awareness of the law which in turn calls for improved communication in a language that people understand.

This study seeks to interrogate the translatability of the Constitution into an indigenous language namely Dholuo using the English-Dholuo Dictionary as a tool. The overall objective is the

concern for dissemination of the Constitution to a population that is not literate either in English or Kiswahili to enable that group to participate in governance as also to empower the state to discharge its constitutional obligations.

2.6 Conclusion

In this chapter we have sought to highlight the importance and centrality of the Constitution in governance. It is from the Constitution of a nation that all other laws flow. It accordingly forms the spine and framework of the legal system. It is thus the supreme law of the land that gives birth to all other laws. The Constitution of Kenya 2010 is unique in as far as it seeks to entrench the participation of the people as a cardinal principle of governance. This right goes hand in hand with the obligation placed on the people to respect, uphold and defend the Constitution. The constitution therefore confers rights upon the people and at the same time creates obligations that the people must discharge. The Constitution of Kenya, 2010 comprises 18 chapters each devoted to distinct subjects considered as forming the cornerstones of our governance system. Its major departure from the previous constitutions is the entrenchment of devolution as a system of governance and the prominence of the role of the people in the decision-making process.

CHAPTER THREE

DATA PRESENTATION AND DISCUSSION

3.1 Introduction

In this Chapter we present by use of appendices and tables data regarding key words that we identified chapter by chapter in the Constitution of Kenya, 2010 together with our justification of criteria for their identification (Appendix I). We then provide a list of those key words that we had identified but which had not been entered or included in the English-Dholuo Dictionary in the English lexical entries (Appendix II). The third list contains those key words which had been entered in the dictionary together with their equivalents in Dholuo juxtaposed (Table 1). Table 2 is devoted to key words which we identified in the constitution and which we have translated through other techniques not using the dictionary. From this exercise we have been equipped with such material that would enable us to discern alternative techniques that can be employed to surmount the translation challenges encountered.

3.2 Key Words Identified From the Constitution of Kenya 2010

In the preamble to the Constitution, we identified two words namely “preamble” and “enact”. Our reason for this was that it was important to highlight the title as the point of entry followed by the declared aspirations of the Kenyan people who “enacted” the Constitution. The word “enact” is key because it demonstrates that the Constitution is made by the people.

We chose the words “sovereignty of the people” and “supremacy of the Constitution” from chapter one to underscore the superiority of the Constitution and the principle of participation of

the people which runs through the Constitution. In chapter 3 dealing with citizenship the novel idea was that of dual citizenship hence our choice of these two words. Chapter 4 of the Constitution of Kenya 2010 is devoted to the Bill of Rights and as a concept in international law that has recently developed is generous with new terminology in the nature of freedoms, rights and responsibilities. The key words include “human dignity”, “freedom of the media”, “picketing” and others.

We chose peculiar words such as “peppercorn”, “leasehold”, “genetic resources” and “intellectual property” in the chapter dealing with land and environment because they touch on concepts that are generally alien to the public and we predicted that it would be almost impossible to find them in the Dholuo-English Dictionary.

Chapter six is preoccupied with matters of integrity in leadership so we chose words such as “financial probity”, “ethics” and “anticorruption” that have to do with moral turpitude. In chapter seven, the theme is representation of the people and key words have to do with the electoral system and the democratic process. Key words therefore include “secret ballot” and “delimitation of electoral units”. The legislative arm of government is the subject of chapter eight so we identified key words such as “senate” “right of recall” and “quorum”.

In the same fashion, chapter nine is devoted to the executive arm of the government where one finds the presidential prerogative of mercy and dominant concept of impeachment. For this reason we chose words such as “power of mercy” “impeachment” and “director of public prosecution”. Chapter ten which deals with the judiciary is understandably dominated by the theme of justice and court system. This is what informed our choice of expressions such as

“superior and subordinate courts”, “original and appellate jurisdiction” and “common law” jurisdiction.

Chapter 11 contains provisions for devolved government and is dominated by the theme of devolution. This justifies our choice of words such as “decentralization”, “executive organs” and “conflict of laws”.

Public finance provided for in chapter twelve is punctuated with terminology on financial matters such as “fiscal capacity”, “public debt”, “equalization fund” and “contingencies fund”. The chapter that follows is dedicated to the public service with the theme on service commissions hence the words “public service” and “staffing” with overtones of serving the public. The chapter on national security brings out matters of state security police and intelligence service and the defence forces. Here, key words include “paramilitary”. Chapter fifteen deals with commissions and independent offices and here one finds “the controller of budget” as a key word with oversight authority.

Chapter sixteen provides for amendment of the Constitution through the involvement of the people. Accordingly, one finds the word “referendum” as a key word.

Chapter seventeen devoted to general provisions lays emphasis on interpretation, construction and enforcement of the Constitution and these latter three words have been identified as key words that influence the meaning of the chapter. The last chapter is on transitional and consequential provisions with key words in similar terms.

3.3 Key Words Missing In the English-Dholuo Dictionary

The words that were missing in the English Dholuo dictionary had mainly to do with information technology, systems of governance, devolution, judicial system and environmental issues to mention but a few. It became apparent to us that:

- a. The age of information technology has ushered in new terminology that is alien to the Dholuo world. Specifically, words such as “airwaves”, “signal distribution”, and “electronic media” could not be found in the dictionary under review.
- b. The Luo traditional system of governance did not know such words as “coat of arms”, “public seal” and “referendum” to give but a few examples. They therefore were conspicuously missing in the lexical entries in the dictionary.
- c. The devolved system itself, a creature of the Constitution of Kenya 2010 has introduced a plethora of new terminologies in the arena of governance that had no mention in the dictionary. These include such words as ‘asymmetrical’ “executive organs” “conflict of laws” and “gender balance”
- d. The divergence between the traditional and modern judicial systems accounts for the absence from the dictionary of such words as “habeas corpus” “conservatory order” and “injunction” in the English-Dholuo Dictionary.
- e. Recent concerted campaigns for the protection of the environment which have given birth to such new terminologies as “biodiversity” “genetic resources” and concepts such as “intellectual property” and “beneficial interest” cannot be found in the dictionary.
- f. The dictionary being a general one could not be used to translate specialized terminology namely legal texts in the Constitution of Kenya, 2010.

We used the above reasons as criteria for assessing the usefulness of the dictionary under review to a translator of the Constitution of Kenya, 2010 into Dholuo.

3.4 Key Words Found in the Dictionary and Translated

We sampled 150 key words which are enumerated in Appendix 1 to this project. We observe from the key words identified that there were no direct equivalents of a number of expressions such as “sovereignty of the people”. Instead we found the word “sovereign” which was translated as “*ruoth, kingi kata kwin, teko mar piny ruoth, teko loch mabor maonge giko ne, molore kende*”. We then looked at the word “people” which was translated as “*chuo gi mon ka achiel gi nyithindo: ji*” We then combined the meaning of “sovereign” and “the people” to create “sovereignty of the people” (*teko loch moa kuom jo piny*) which loosely translates to the power of governance derived from the people.

Similarly we looked at the “Classification of Land” which had no equivalent in the dictionary although the dictionary had the words “classification” (*migawo mag kido machalre*) and “land” (*piny, lowo, chopo, gowo, yudo*). The Dholuo equivalent given had varied meanings and we had to rely on the contextual meaning of the word “land” in the dictionary to opt for *lowo* (literally soil) as opposed to “*gowo*” which means to land by boat.

For the “oath of office” there was in the lexical entries in the dictionary, the word “mbira” to mean oath. The equivalent of the word office was given as “afis” which is clearly arrived at through the process calquing.

For the word corruption there was no direct equivalent but there was the word corrupt the equivalent of which was given as *ketho, kawo asoya*. “*Ketho*” actually means to spoil or to

destroy. We therefore used the context to arrive at the proper translation of the word corruption as *kawo asoya*.

The word “privileges” presented a unique problem in that there was no single word as a direct equivalent and the author had to use five words in Dholuo to give meaning namely *manyalo yudo gimoro amora modwaro*.

The forgoing examples bring out the issues of equivalence and its attendant problems in translation. They demonstrate that a translator sometimes has to resort to contextual meaning to arrive at the meaning of a given text.

Table 1: Key Words Found in Odaga’s English-Dholuo Dictionary and their translation

1.	a. Sovereign b. People	Ruoth, kingi kata kwin, teko mar piny ruoth, teko loch mabor ma onge gikone, molore kende Chuo gi mon kaa chiel gi nyithindo; ji
2.	Patriot	Hera mang’ato oherogo piny gi
3.	Citizen	Jopiny kamoro kaka an ja-kenya
4.	Dual	Ma otingo ariyo kaka yoo- dual carriage, madhi koni to moro dhi kocha
5.	Infringe	Ketho, kalo, ketho chik
6.	a. National b. Land c. Policy	Mar piny te, kaka yiero mar Kenya tee Piny, lowo, chopo, gowo, yudo Chanruok mar gik midwar tim, kata midwaro tiyogo; gima ondiki kaka chik manyiso kit kata chan mar gimoro kaka otiyo
7.	a. Classification b. Land	migawo mag kido machalre Piny, lowo, chopo, gowo yudo
8.	a. Oath	Kuong’ruok/mbira

	b. Office	afis
9.	Corrupt	Ketho, kawo asoya
10.	Anti- Corruption	The prefix was not found but corrupt was found
11.	Ethics	Chik/timbe
12.	a. Independent b. Candidate	Ma ochung' kende, maok orit kata rang gi ng'ato Ng'ama ochung' madwaro tich kata telo ewi migawo moro
13.	a. Election b. System	Goyo ombulu, yiero mar siasa, kata mar bura Tim kata kido miluwo e rito, rango kata timo gimoro
14.	Represent	Monyiso, mochung'ne, man e loyo
15.	a. National b. Assembly	Mar piny te, kaka yiero mar Kenya tee Chokruok, riwruok, bura, romo
16.	a. Register b. Voters	Kitabu moting'o nying ji kata gik moko. Ndiko piny mondo obed kaka rapar, ndiko e bug register
17.	Privilege	Moyiedhi, ma nyalo yudo gimoro amora modwaro
18.	Secret	Mopondo, ma ok ji ong'eyo, maling' ling', apanda
19.	a. Dispute b. Resolve	Dhaw, lweny, gwindruok, dhawo, koko, bedo ma onge gi winjruok Ng'ado guok, yie gi duol achiel, yiego, wacho mogik
20.	a. Legal b. System	Ma oluwore gi chik Tim kata kido miluwo e rito, rango kata timo gimoro
21.	Boundary	Giko, mpaka, gimageng'o, tong'
22.	a. Public b. Participate	Ma ong'ere, mar ji te betie, timo gimoro kaka goyo mbaka, twak kata e chiwo paro moko
23.	a. Burden b. Tax	Ting, tich, osiigo osuri
24.	a. Loan b. Guarantee	Hola, gowi, lon Chung' e gimoro kata ng'ato, singo
25.	a. Revenue	yuto mar piny e osuri, ohala etc

	b. Allocate	Pogo
26.	a. Budget b. Spend	Kwan mar gik mibiro konyruokgo kaka pesa Konyorego kaka gi pesa, loso go gik moko
27.	a. Financial b. Control	Mar pesa Rito, bedo gi teko gi thuolo mar rito gimoro
28.	a. Civilian b. Authority	Rahia, dhano, duto Telo, teko mochiwo chik
29.	Amend	Loso maber, bawo, Loko, medo
30.	a. Public b. Officer	Ma ongere, mar ji te Jatich morito ofis. Ofisa
31.	Interpret	Loko tiend wach kang'ato dhum, kata loko tiend gimorokaka ngero mondo odonji neji
32.	Contravention	Keth, timo gima ok ni kare, ma ok oluwore gi chik, ketho
33.	a. Sovereign b. Republic	Ruoth, kingi kata kwin, teko mar piny ruoth teko loch mabor ma onge gikone, molore kende Piny ma loch en mar ji wegi kaka Kenya
34.	Vulnerable	Manyalo kethore mayot, mang'awo
35.	a. Universe b. Suffrage	Piny ngima, polo gi piny bedo gi thuolo mar kata ni inyalo goyo ombulu
36.	a. Code b. Conduct	chik tim, telone, rito
37.	Eligible	Moromorego, mowinjorego
38.	Assent	yieruok/winjruck
39.	Quorum	kwan ji manyaka bedi eka bura kata chokruok dhi nyime
40.	a. Legislation b. Authority	Chik bura mar piny Telo, teko mochiwo chik
41.	Referendum	Goyo ombulu, yiero mondo oyud gima ji dwaro
42.	Enforce	Chuno, medo teko kata jing'o
43.	a. National b. Heritage	Mar piny te, kaka yiero mar Kenya tee Mwandu, gikeni

44.	Treaty	Winjruok/yieruok tiyo kanyachiel e kind pinje
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Table 2: Key Words Found in the Dictionary and Translated by the Researcher

1.	Sovereignty of the people	Teko loch moa kuom jopiny
2.	Patriotism	Hera mang'ato oherogo piny gi
3.	Citizenship	Bedo japiny
4.	Dual citizenship	Bedo japinje ariyo
5.	Administrative action	Lwet Sirkal kata tich sirkkal
6.	Violation and infringement of rights	Ketho ratiro mag ji
7.	National land policy	Chenro mag piny e weche lowo
8.	Classification of land	migawo mag kit lowo
9.	Oath of office	Kuong'ruok/mbira mar afis
10.	Corruption	kawo asoya/Mibadhi/ Gajruok
11.	Anti- corruption	Kedo gi Mibadhi/ Gajruok
12.	Ethics	Chik/timbe
13.	Independent candidate	Chung kend/ Achung kenda
14.	Electoral system	Chanro/ Chenro mar yiero mar siasa
15.	Representation	Chung ni ji
16.	National assembly	Od bura
17.	Registered voters	Jogo ombulu
18.	Privileges	manyalo yudo gimoro amora modwaro
19.	Secret ballot	Ombulu ma ling ling

20.	Dispute resolution	Ng'ado guok
21.	Legal system	Chenro mar chike (Kaka chike tiyo)
22.	Boundaries	Tong
23.	Public participation	Tiyo gi pach jopiny
24.	Burden of taxation	Ting mar golo osuri
25.	Loan guarantees	Singo
26.	Revenue allocation	Pogo yuto mar piny e osuri
27.	Budget and spending	Chenro kaka omenda onego ti kendo tiyo gi omenda
28.	Financial control	Rito omenda
29.	Civilian authority	Teko jopiny
30.	Amendment	Loko
31.	Public officer	Jatich jopiny
32.	Interpretation	Loko tiend wach
33.	Contravene	Ketho
34.	Sovereign republic	Teko loch mabor
35.	Vulnerability	Manyalo kethore mayot
36.	Universal suffrage	bedo gi thuolo mar kata ni inyalo goyo ombulu
37.	Code of conduct	chik mar tim kata ritruok
38.	Eligibility	mowinjorego
39.	Assent	yieruok/winjuok
40.	Quorum	kwan ji manyaka bedie eka bura kata chokruok dhi nyime
41.	Legislative authority	Teko mar Loso chike

42.	Referendum	yiero mondo oyud gima ji dwaro
43.	Enforcement	medo teko kata jing'o/chuno
44.	National heritage	gikeni mar oganda
45.	Treaty	Winjuok/yieruok tiyo kanyachiel e kind pinje

3.5 Key Words Translated by Other Techniques

Table 3 below contains key words which we identified in the Constitution of Kenya 2010, but which we could not find in the English-Dholuo Dictionary. We therefore translated them from our knowledge of dholuo and in consultation with media workers, elders and translators from English into Dholuo in other fields. Borrowed words included; “Gomo” taken from the Kiswahili word “Kugoma” (picketing), “sirkal” (serikali) meaning government “pesa” for money, “raia” for public. There are also words from calquing such as “afis” for office, “Komonwelth” for commonwealth, “Senet” for Senate “apil” for appeal. Among the challenges we encountered in translating the keywords in this table were lack of words equivalents which could facilitate word for word translation. We have therefore used descriptive phrases or sentences to render meaning. For example, “transitional provisions” has been translated as “chike matiyo e kinde ma lokruok mag chike eka chako tich.”

The other challenge we encountered was the difficulty in finding Dholuo equivalents for legal terminology such as “court” and Latinate words such as “ex-officio” and “habeas corpus”

This evinces the theory of terminology development as a technique of translation as can be observed from the borrowed words *raiya*, and *pesa* or words derived by calquing such as *afis* (Office), *komonwelth* (commonwealth), *apil* (appeal), *Senet* (Senate) and *sirkal* (Serikali)

Table 3: Key Words Translated By Other Techniques

1.	Preamble	Chakruok
2.	Administrative Action	Lwet sirkal kata tich sirkal
3.	Supremacy of the constitution	Teko mar pend chik
4.	Devolution of power	Keyo telo e gwenge
5.	Life begins at conception	Ngima dhano chakore chieng' ma min omako ichne
6.	Indigenous languages	Dho ogendni mopogore opogore
7.	Human dignity	Luor ma ekind ji
8.	Picketing	Gomo (Swahili)
9.	Marginalised groups	Ogendni mobwon
10.	Bill of Rights	Andike mar ratiro mar dhano
11.	Rule of law	Teko mar chike
12.	Animal sanctuaries	Bungu mar Le
13.	Construing	Lero tiend wach
14.	Money bills	Omenda/ Pesa (Swahili)
15.	Assumption of office	Donjo e ofis
16.	Impeachment	Thicho
17.	Temporary incumbency	Bedo e kom kojolo (Jolo)
18.	Power of mercy	Teko mar ng'uono ne ng'ato

19.	Professional ethics	Weche mag dembruok/ dimbruok
20.	Public service	Tiyo ni jopiny
21.	Staffing	Chenro mag jotich
22.	National security	Arita mar piny
23.	Peppercorn	bedo gi lowo ma ok chulie gimoro kaka omenda
24.	Supremacy of the Constitution	Teko mar pend chik
25.	Ratification	Pwodho kata puodho
26.	Minorities	Ogendni matindo
27.	Child's best interest	Ratiro mar nyathi
28.	Repeal	Golo oko chik mayande tiyo
29.	Convention	Winjuok e kind pinje
30.	Territorial waters	Nembe mikwano kaka bath pinje jomoko
31.	Coat of arms	Kuot mar rito piny
32.	Sustainable development	Dongruok mochwere
33.	Cumulative civilization	Lony mopogore opogore
34.	Renunciation of citizenship	Kwedo bedo japinyu
35.	Fundamental freedoms	Ratiro Maiye
36.	Academic freedom	Ohuru mar tiegruok
37.	Injunction	Rachungi e yor chik
38.	Conservatory order	Chik mar kot mar rito mwandu kapod iyalo
39.	Judicial review	Dok nono bura moseyal
40.	Habeas corpus	Chik machuno ngato mondo ogol ng'ama omaki kendo okel e kot

41.	Reproductive healthcare	Ritruok mar nyuol
42.	Freedom of conscience	ohuru mar golo paro
43.	Social security	rito ngima marji
44.	Electronic media	fwambo weche gi masinde
45.	Presumption of innocence	chike mawacho ni ng'ato ongee ketho kapok ong'adne bura
46.	Self –incriminating evidence	saidi manenie elela kuom weche mawuok kuom ngato owuon.
47.	State of emergency	bedo ni piny rach omiyo arita ok ber
48.	Natural justice	ratiro mar dhano monyuolego kaka ratiro mar duoko wach ka odonjni
49.	Land holding acreages	lach lope
50.	Territorial sea	Ataro mikwano kaka bath piny
51.	Continental shelf	Kama ataro ogikie
52.	Leasehold	lowo mopangi kendo ichokoe rent
53.	Freehold	lowo ma ok chulie sirkal rent
54.	Rationalise	lero kata yango tiend wach
55.	Intellectual property	ratiro mar chamo tich obuongoni kaka ng'at mofwenyo gimanyien kaka yath mar thietho
56.	Indigenous knowledge	rieko mar oganda moa chon
57.	Sustainable exploitation of environment	tiyo gi mwandu mag piny gi rieke mondo kik girum
58.	Ecologically sustainable development	rito mwandu piny kaka le mondo nyikwawa bende chieng moro oyudgi
59.	Sectoral land use laws	migawo mag chike mopogore opogore
60.	Genetic resources	mwandu maluware kod sayans mar

		dend gimoro amora mangima
61.	Biodiversity	sidienje mag gik mangima
62.	Financial probity	ratiro mag tij omenda kata pesa
63.	Delimitation of units	yango ondamo mar gimoro
64.	Senate	senet kata od bura maduong'
65.	Ex officio member	ng'ano momi bedo jakanyo kaluwore gi tich ma otiyo
66.	Immunities	dhial
67.	Right to recall	teko jopiny mar ketho yiero mar ng'atov kendo duoke e yiero manyien ka one ni otiyo marach
68.	Standing orders	chike miluwo e od bura kaka lejiko
69.	Director of public prosecution	ng'atno maduong ni donjoni jo moketho chik e kot
70.	Ethnic Diversity	pogruok e kind ogendini
71.	Procedural technicalities	ondamo moket piny ni nyaka luw ka itimo gimoro kaka e kot
72.	Repugnant to justice and morality	mamono e bwo chik kod yore mag dimbruok
73.	Superior and subordinate courts	kot maduong kod kot matin
74.	Original and appellate jurisdiction	teko mar kot mar winjo bura kendo winjo apil
75.	Common- law jurisdiction	chike mane wayudo koa e ukoloni mag jo komonwelth
76.	Tenure of office	mako apis
77.	Decentralization	duoko telo e gwenge
78.	Democratic principles	weche motelo mar sirkand ji duto

79.	Executive organs	bede sirkal
80.	Demographic trends	Kaka kwan dhano dhi
81.	Conflict of laws	tuomruok e kind chike kowuok e pogruek gi
82.	Gender balance	neni ni chuo gi mon yudo ratiro maromre
83.	Fiscal capacity	Tut nyalo mar tiyo gi pesa
84.	Economic optimisation	neni ni ohala wuokie e yo ma malo
85.	Equalization fund	pesa ma ichulo ji ma ok romre to luwore gi kama ng'ato oaye
86.	Public debt	Gop raia kata oganda
87.	Public borrowing	Hola mar konyo piny
88.	Contingencies fund	pesa mirito go tich mopogore
89.	Controller of budget	ngatno morito kaka pesa tiyo
90.	Consolidated fund	pesa mochok e yore mopogore opogore
91.	Revenue fund	pesa mawuok e yuto
92.	Appropriation bill	Chik mar pogo pesa
93.	Public finance	pes raia
94.	Equitable share	yuto machalre
95.	Accountability	lero kaka pesa otiyo
96.	Paramilitary	modok korka jolweny
97.	Constitutionalism	pend chik
98.	Independent office	afis ma ok sirkal chiki
99.	Body corporate	afis mongirore
100.	Parliamentary initiative	gima owuok e lejiko

101.	Draft bill	chik ma kojolo
102.	Affirmative action	temo nego pogruok mawuok e yore mopogore kaka jogo modak e pinje motuo
103.	Exclusive economic zone	bath ataro mani e pinyu ma un kendu emoyienu chieme
104.	Consequential legislation	chik moluwore gi chike mosendiki
105.	Transitional provisions	chike matiyo e kinde ma lokruok mag chike eka chako tich

3.6 Conclusion

In the principal arm of our methodology we indicated that we would identify Key words whose translatability would be crucial to the rendering of the meaning of the Constitution of Kenya 2010 to the target audience, namely the Dholuo speaking population that is not literate either in English or Kiswahili. In this chapter we have presented those key words together with our justification for their identification.

Appendix I contains the Key words which we identified from the Constitution of Kenya 2010 these numbered 150. We have presented in Appendix1 key words which we identified in the Constitution of Kenya 2010 but found missing in the English Dholuo Dictionary the usefulness of which we set out to assess. These numbered 105.

Table 1 contains the Key words and their direct translations as found in the English-Dholuo Dictionary by Odaga. In table 2 we have presented the Key words which we found in the dictionary under assessment and their translations by the research. Table 3 contains key words with their translations by the research using other techniques.

CHAPTER FOUR

SUMMARY, CONCLUSION AND RECOMMENDATIONS

4.1 Summary of Findings

With regard to the first objective, namely, to identify key words in the Constitution of Kenya 2010 and determine how many of the identified key words have similar entries with words in the English-Dholuo dictionary by Asenath Bole Odaga, we found out that out of the 150 key words that we identified in the Constitution of Kenya, 2010 only 45 key words had been entered in the English-Dholuo Dictionary with equivalents or near equivalents in the English-Dholuo Dictionary under evaluation. In other words the Dictionary could be used to translate only 30% of the key words that were sampled in the Constitution. The corollary is that 105 words being 70% of the key words were not translatable through the instrumentality of the dictionary in question.

The second objective was to investigate whether the English-Dholuo dictionary is adequate in translating the key words identified in the Constitution. Our finding in this regard was that the dictionary in question was largely inadequate in translating the key words in the Constitution of Kenya 2010.

The third objective was to determine ways of formulating terminology that are not catered for by the English-Dholuo dictionary. We found out that as is known in translation practice, the technique of terminology development is applicable in translating from English to Dholuo as the

key words that we have analysed in table 2 demonstrate the applicability of borrowing and calquing. The last objective was to investigate the challenges in developing suitable terminology for effective translation of the Constitution of Kenya 2010 into Dholuo. In translating certain words that were identified, we had to resort to lengthy descriptive words from our general knowledge of Dholuo and from putting together descriptive words that could render their correct meaning in Dholuo. For example, to translate the expression “Budget and Spending” found in chapter 12 of the Constitution, we had to use ten (10) words namely “CHENRO MAR KAKA ONEGO TI KENDO TIYO GI OMENDA” to arrive at the correct meaning of those key words.

In translating Latinate “habeas corpus” we used 17 words namely “CHIK MACHUNO NG’ATO MOND OGOL NG’AT MA OMAKI KENDO OKELE E KOT MONDO ONON GIMA OMIYO OMAKE”

We analysed the data as follows:

First, 105 of the key words could not be found in the Dictionary under assessment. What this means is that we could not look for their equivalents in the dictionary hence we could not translate them by use of the dictionary. This in itself demonstrates the inadequacy of this dictionary as a translation tool. A further inference that could be made is that given the genre of the words sampling a greater number would have escalated its inadequacy.

Secondly, the age of information technology has brought with it new terminology which poses challenges to translators in whichever target language including a translator into Dholuo. It was not easy to get equivalents of the words “electronic media” “airwaves” “signal distribution” and “mass media” for example even by resorting to alternative techniques such as contexts,

borrowing, calquing and others. Instead we adopted windy and circumloquacious descriptive mechanism to render their meanings. In these circumstances, we could not avoid verbosity.

Further challenges in translatability of the identified key words were found in the chapters dealing with technical matters such as in the field of public finance. These key words included “equalization fund”, “appropriation bill” and “fiscal capacity”. The reason why these and similar words could not be found in the English-Dholuo Dictionary was not far to seek. The introduction of a cash economy through colonialism in Kenya hence among the Luo is a phenomenon that is just about a century old. Economics and finance have been exclusively taught in tertiary institutions and universities. Accordingly, there have been no writings on the subjects in Dholuo that would assist in the development of appropriate terminologies to address the lacuna.

Moreover, certain key words were totally alien to the traditional governance system of the Luo. There was for this reason no near equivalent of the words “coat of arms” “public seal” and “body corporate” even when we resorted to other techniques of terminology development. There will perhaps be no Dholuo word for word translation of the expression “coat of arms” but there will be efforts at least to explain them to Dholuo speakers.

The post World War II promulgation of Universal Human Rights codified in the Universal Declaration of Human Rights of 1948 led to the development of a host of new terminology that was alien to traditional African Societies. In this category we find key words such as “Bill of Rights” “universal suffrage” “security of the person” “fundamental freedoms” “freedom of conscience” “access to justice” and “freedom of the media” whose translatability using the Dholuo English Dictionary posed a great challenge because they belong to a specialized domain of special vocabulary.

Furthermore, the judicial process was not spared either. It is common knowledge that the advent of colonialism introduced an alien judicial system and in a way destroyed our traditional systems of dispute resolution some of which were considered to be repugnant to justice and morality. Accordingly, almost all the key words in the Chapter on the Judiciary including ‘injunction’ ‘habeas corpus’, ‘conservatory order’ and ‘judicial review’ had not been entered into the English-Dholuo Dictionary.

The devolved system of government is itself a creature of the Constitution of Kenya, 2010 which has introduced new terminologies in the arena of governance. For this reason it was not possible to find these words in the Dictionary under assessment. Key words such as ‘asymmetrical’ ‘devolution’ ‘Executive Organs’ ‘Conflict of laws’ and ‘gender balance’ were conspicuously missing in the dictionary under review.

Finally, there was also the challenge of the borrowed Latin words in the English language which had not been entered into the Dictionary. Here we cite words ‘Habeas corpus’ and ‘ex-officio’ and the words from medieval era such as ‘Freehold’ and ‘Peppercorn’ relating to land which could not be translated using the Dictionary because they did not exist even in the lexical entries in English.

There was another category of key words or expressions in the constitution whose connotations in the constitution brought out how concepts which do not exist in the traditional Luo philosophy posed challenges to a translator. In this category we found words or expressions such as ‘Intellectual property’, ‘Academic freedom’, ‘mass media’, ‘beneficial interest’ ‘biodiversity’ and ‘genetic resources’ which could not be translated using the dictionary because they were not entered into it hence their equivalents could not be looked up.

4.2 Conclusions

From the foregoing expose it is safe to conclude that:

- a) The usefulness of the English–Dholuo Dictionary by Asenath Bole Odaga to a translator of the Constitution of Kenya 2010 is grossly limited in that it could only be used to translate 30% of the key words identified; and,
- b) Being a general dictionary it is inadequate as a tool of translation of the specialized terminology in the field of law in which the Constitution of Kenya 2010 is grounded.
- c) Cultural aspects of the Luo way of life, the advent of information technology, the evolution of new economic and scientific concepts, and the universal adoption have all contributed to the deficiency of the dictionary under review in the task of translating the Constitution of Kenya, 2010.

4.3 Recommendations

- a) There is need to research and publish special subject dictionaries that can be used by translators in specialized fields such as the Constitution of Kenya 2010. In this way, legal, medical and other technical terminology can be translated much more accurately and with precision.
- b) In response to the challenge of lack of both lexical entries of the key words and hence the lack of equivalent words we recommend terminology development as a technique and a strategy that would facilitate translation into Dholuo and any other indigenous language.

We believe that except for a few words such as “coat of arms”, “habeas corpus” and a few others whose translatability is doubtful and problematic, resort can be had to various techniques of terminology development and contextual translation to fill the void.

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APPENDICES

Appendix 1: Key Words Identified From the Constitution of Kenya 2010

1.	Preamble
2.	Administrative Action
3.	Supremacy of the Constitution
4.	Devolution of power
5.	Life begins at conception
6.	Indigenous languages
7.	Human dignity
8.	Picketing
9.	Marginalised groups
10.	Bill of Rights
11.	Rule of law
12.	Animal sanctuaries
13.	Construing
14.	Money bills
15.	Assumption of office
16.	Impeachment
17.	Temporary incumbency
18.	Power of mercy
19.	Professional ethics
20.	Public service
21.	Staffing

22.	National security
23.	Peppercorn
24.	Public Seal
25.	Ratification
26.	Minorities
27.	Child's best interest
28.	Repeal
29.	Convention
30.	Territorial waters
31.	Coat of arms
32.	Sustainable development
33.	Cumulative civilization
34.	Renunciation of citizenship
35.	Fundamental freedoms
36.	Academic freedom
37.	Injunction
38.	Conservatory order

39.	Judicial review
40.	Habeas corpus
41.	Reproductive healthcare
42.	Freedom of conscience
43.	Social security
44.	Electronic media
45.	Presumption of innocence
46.	Self –incriminating evidence
47.	State of emergency
48.	Natural justice
49.	Land holding acreages
50.	Territorial sea
51.	Continental shelf
52.	Leasehold
53.	Freehold
54.	Rationalise

55.	Intellectual property
56.	Indigenous knowledge
57.	Sustainable exploitation of environment
58.	Ecologically sustainable development
59.	Sectoral land use laws
60.	Genetic resources
61.	Biodiversity
62.	Financial probity
63.	Delimitation of units
64.	Senate
65.	Ex officio member
66.	Immunities
67.	Right to recall
68.	Standing orders
69.	Director of public prosecution
70.	Ethnic Diversity

71.	Procedural technicalities
72.	Repugnant to justice and morality
73.	Superior and subordinate courts
74.	Original and appellate jurisdiction
75.	Common- law jurisdiction
76.	Tenure of office
77.	Decentralization
78.	Democratic principles
79.	Executive organs
80.	Demographic trends
81.	Conflict of laws
82.	Gender balance
83.	Fiscal capacity
84.	Economic optimisation
85.	Equalization fund
86.	Public debt

87.	Public borrowing
88.	Contingencies fund
89.	Controller of budget
90.	Consolidated fund
91.	Revenue fund
92.	Appropriation bill
93.	Public finance
94.	Equitable share
95.	Accountability
96.	Paramilitary
97.	Constitutionalism
98.	Independent office
99.	Body corporate
100.	Parliamentary initiative
101.	Draft bill
102.	Affirmative action

103.	Exclusive economic zone
104.	Consequential legislation
105.	Transitional provisions
106.	Sovereignty of the people
107.	Patriotism
108.	Citizenship
109.	Dual citizenship
110.	Hate Speech
111.	Violation and infringement of rights
112.	National land policy
113.	Classification of land
114.	Oath of office
115.	Corruption
116.	Anti- corruption
117.	Ethics
118.	Independent candidate

119.	Electoral system
120.	Representation
121.	National assembly
122.	Registered voters
123.	Privileges
124.	Secret ballot
125.	Dispute resolution
126.	Legal system
127.	Boundaries
128.	Public participation
129.	Burden of taxation
130.	Loan guarantees
131.	Revenue allocation
132.	Budget and spending
133.	Financial control
134.	Civilian authority

135.	Amendment
136.	Public Officer
137.	Interpretation
138.	Contravene
139.	Sovereign republic
140.	Vulnerability
141.	Universal suffrage
142.	Code of conduct
143.	Eligibility
144.	Assent
145.	Quorum
146.	Legislative authority
147.	Referendum
148.	Enforcement
149.	National heritage
150.	Treaty

Appendix 2: Key Words Missing in the English-Dholuo Dictionary

1.	Preamble
2.	Administrative Action
3.	Supremacy of the constitution
4.	Devolution of power
5.	Life begins at conception
6.	Indigenous languages
7.	Human dignity
8.	Picketing
9.	Marginalised groups
10.	Bill of Rights
11.	Rule of law
12.	Animal sanctuaries
13.	Renunciation
14.	Money bills
15.	Assumption of office
16.	Impeachment
17.	Temporary incumbency
18.	Power of mercy
19.	Professional ethics
20.	Public service
21.	Staffing
22.	National security

23.	Peppercorn
24.	Supremacy of the Constitution
25.	Ratification
26.	Minorities
27.	Child's best interest
28.	Repeal
29.	Convention
30.	Territorial waters
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32.	Sustainable development
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34.	Renunciation of citizenship
35.	Fundamental freedoms
36.	Academic freedom
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41.	Reproductive healthcare
42.	Freedom of conscience
43.	Social security
44.	Electronic media
45.	Presumption of innocence
46.	Self –incriminating evidence
47.	State of emergency
48.	Natural justice
49.	Land holding acreages
50.	Territorial sea
51.	Continental shelf
52.	Leasehold
53.	Freehold
54.	Rationalise
55.	Intellectual property

56.	Indigenous knowledge
57.	Sustainable exploitation of environment
58.	Ecologically sustainable development
59.	Sectoral land use laws
60.	Genetic resources
61.	Biodiversity
62.	Financial probity
63.	Delimitation of units
64.	Senate
65.	Ex officio member
66.	Immunities
67.	Right to recall
68.	Standing orders
69.	Director of public prosecution
70.	Ethnic Diversity
71.	Procedural technicalities

72.	Repugnant to justice and morality
73.	Superior and subordinate courts
74.	Original and appellate jurisdiction
75.	Common- law jurisdiction
76.	Tenure of office
77.	Decentralization
78.	Democratic principles
79.	Executive organs
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94.	Equitable share
95.	Accountability
96.	Paramilitary
97.	Constitutionalism
98.	Independent office
99.	Body corporate
100.	Parliamentary initiative
101.	Draft bill
102.	Affirmative action
103.	Exclusive economic zone

104.	Consequential legislation
105.	Transitional provisions