Structural Adjustments in Translation: A Descriptive Study of Legal Translation

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Abstract

The present study investigates the structural adjustments that occur in the translation of legal texts. It primarily analyzes two structural adjustment strategies namely expansion and reduction in the Urdu translation of Punjab Laws, originally written in the English language, by using a qualitative approach. Nida and Taber's (2003) idea of structural adjustments in translation is used as a theoretical framework. The findings of the study reveal the frequent use of reduction strategy while transferring legal codes from English to the Urdu language. It shows that structural adjustments, whether it is expansion or reduction in the structure, occur due to differences in both language systems. Furthermore, in order to communicate the message of the original in transparent ways and preserve the intent of the legal text along with equivalent meaning and effect, source text structures often undergo structural variations in the process of translation. The study is significant for translators as well as for researchers in the field of translation studies as it exposes better ways of legal communication through translation.

Keywords: Structural Adjustments, Expansion, Reduction, Communication, Legal translation

1. Introduction

The translation is defined by a leading linguist and translation expert Jakobson (2013) as "the interpretation of verbal signs by means of some other language" (p. 233). In translation, a text is transformed from one language

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into another keeping the same meaning. The translation's nature as well as its scope are determined by the nature and scope of the translated elements. These elements vary from isolated words in a lexicon to an intricate network of sentences. Moreover, translations may express plain and provable laws of natural sciences, unambiguous commandments of legal systems as well as poetry's delicate emotions and personal insights. Though, the standards of accuracy and precision are higher in legal translation than in literary translation (Gotti, 2016). Legal language is culture-bound as the law is simultaneously historical, political, social as well as jurisprudential, therefore it is difficult to translate every term from one context to another. As a result, not only does the translator follow the norms of other languages but also the rules of that legal system. Legal translation contains its own sets of rules that must be part of those already existing for non-legal translations.

Šarčević (2000) underlines the importance of legal translation not just in obtaining equivalent impact and equal meaning but in keeping the original aim of the legal document as well. Although similar issues are addressed through texts in all languages, it is done in different ways due to the distinct language in which they are written. A legal translation is complex due to the culture-laden nature of legal discourse and a requirement for formal correspondence amongst equally authoritative forms of the same text (Gotti, 2016).

The most difficult and key task in translation is the communication of information to the target audience. So, various translation methods and strategies have been developed to obtain the best possible translation that is suitable in terms of accurately conveying the message and being faithful to the intent of the original writer or speaker. In this regard, Nida and Taber (2003) give an idea of structural adjustments in translation. They state that in translation, with the accurate transfer of semantic content, translators strive to retain the structural form as well if it is feasible, but generally it is not. The effort to retain structural form generally results in awkward and unintelligible translation (Ibid.). The structural features such as length of sentences and patterns of phrase structure are not much significant and the intent to imitate the source in these formal aspects leads to poorly overloaded communication which becomes extremely hard for the audience to comprehend. The key responsibility of a translator is to focus on the sense

more than its form (Ibid.). So, using the idea, the current article analyzes structural variations in the Urdu translation of an English legal text by employing Nida and Taber's concept of structural adjustments in translation.

2. Literature Review

In view of Gotti and Šarčević (2006), translation of legal texts has been in considerable demand for the past several decades throughout the planet due to globalization and greater interaction among people and nations. Certainly, several texts at the local level presently are the product of the translation process of general texts produced internationally. This is the outcome of the fact that law is swiftly taking a worldwide viewpoint rather than staying a merely local matter. In this context, the intricacy of the interlinguistic translation of the law is mainly related to the variations between the source and the target legal as well as linguistic systems (Gotti, 2016). This is why the translation of a legal text is generally reviewed depending upon its adequacy to its communicative purpose in the target culture (Ibid.). Hence, communicating the accurate meaning is the most challenging task in translation. Translators face several difficulties while transferring the message from one language to another. So, translators generally select a foreign text and choose an appropriate method to translate it (Venuti, 1998). Structural adjustment is one of the ways used by translators in any translation activity.

In order to achieve successful and effective communication through translation, translators make different changes in the structure of a text to make it a terrific fit in the context of the target text, and these changes are known as structural adjustments. The concept of structural adjustments is defined by Nida and Taber (2003) in their work *Theory and Practice of Translation*. These are the variations in the structural units of a text while translating them from one language to another. Nida and Taber introduce two categories of structural adjustments in translation to preserve the content of source text which are called Expansion and Reduction. They state that expansion occurs when an element is disseminated among a number of diverse terms. It is viewed as translating one word in the source language into numerous words in the target language. The translator expands the structure by adding words, phrases, clauses, or adding connectives to

maintain the coherence in the text as well as to increase readability (Al-Badani, Awal, Zainudin & Aladdin, 2016). Dastjerdi & Rahekhoda (2010) assert, "expansion is sometimes referred to as addition is a translation strategy that causes the translation to be longer than the original" (p.8). Put differently, text expansion occurs when the target language requires more words and takes up more space depending on the different grammatical forms used in different languages, sentence structure, or due to discrepancies in their terminology. On the other hand, reduction occurs when multiple words in the source text are translated into fewer words in the target text. In reduction, the word length decreases in the target language instead of taking more space. In other words, the message of the source text is communicated in fewer words in the target language. There are various reasons behind such adjustments. According to Barkhudarov (1975), structural changes in translation occur due to structural differences between languages. On the same line, Melkumyan and Dabaghi (2011) state that translators add or omit words or phrases to make the translation serve its goal better.

Along with structural adjustments, Nida and Taber (2003) also give the idea of semantic adjustments where meanings are reduced or expanded for different reasons. However, this research primarily focuses on the structural adjustments in translation so the emphasis is given to structural adjustments only.

The adjustments can be obligatory as well as optional depending on the reasons for their employment in the text. A structural adjustment can be obligatory if it is used by the translator due to differences between the languages involved in the translation process. Sometimes, when the translator translates the structure in the direct equivalent of the original structure, it results in an awkward or ungrammatical sentence in the target language hence it becomes obligatory to adjust the structure to produce a suitable structure. In other words, structures are adjusted by reducing or expanding them when the adhering structure to the source text is impossible to be maintained in the target text. On the contrary, structural adjustments are labeled as optional as they are employed by translators even when a translation with a direct structural equivalent is possible.

In this regard, few researches have been conducted. Abbasi and Koosha (2016) explore expansion and reduction strategies in two different translations of *Masnavi*. They investigate the text written in Persian and its English translations. They focus on the semantic adjustments and find out the frequency of semantic expansion ad reduction in both translated versions using Nida and Taber's (2003) conceptual framework. The findings reveal that expansion is frequently used in both translations in order to give clear meanings to the highly complicated language used by the poet of the text. They conclude that such adjustments are necessary to transfer the meaning as well as the beauty of the source text into the target. Similarly, Sheppard (1997) conducts a study particularly on morpho-syntactic expansions as structural variations in translation. He analyzes morpho-syntactic expansions at the sentence as well as supra-sentential level in the Slovenian translation of a text *Christie* originally written in English language. The study reports that structural variations occur on the basis of different factors. These factors involve text type, genre, the approach adopted by the translator, or the personal style of the translator.

Another research is conducted on the idea of adjustments in translation by Yari and Zandian (2022). They examine semantic and structural adjustments in three English translations of Az Zariyat (A surah in the Quran) utilizing the framework proposed by Nida and Taber (2003). The findings of the study reveal the frequent use of semantic adjustments while structural adjustments also occur but to a lesser extent. All translators chose to adhere to the form of the original due to the sensitive nature of the sacred text.

The current research investigates the phenomenon of structural adjustments in translation by applying the framework proposed by Nida and Taber (2003). The previous researches discusses the adjustment strategies usually in literary texts. However, the current study examines the phenomenon in the Urdu translation of an English legal text.

3. Research Methodology

3.1 Data Collection
The data used for the present research is a legal text, particularly Punjab laws which are retrieved from the website http://www.punjablaws.gov.pk/. The

website contains all laws of Punjab in both English and Urdu language. For the collection of data, a set of procedures is followed. In the very first stage, all the files (both source and target) containing legal data are downloaded and converted into text files (.txt). Then, the text files are imported and aligned by using Microsoft Excel and a parallel is created. After that, through purposive sampling data is extracted for the purpose of analysis.

3.2 Theoretical Framework

The qualitative approach is used in the present study to analyze the collected data. The theoretical frame operationalized in the present research is based on the concept of adjustments in translation defined by Nida and Taber (2003). They propose that two kinds of adjustments occur in translation. One of them is semantic adjustment and the other is a structural adjustment (Nida & Taber, 2003). The current research primarily deals with structural adjustments which focus on the variation in every aspect of linguistic structure and these changes occur to avoid incomprehensibility and awkwardness in the target language (Yari & Zandian, 2022). Due to such adjustments (e.g. simplifying the doublets, change in active and passive structures), the structure undergoes different changes and causes reduction or expansion in the text. These changes are sometimes obligatory when there is no other choice available to translators except a particular change in the structure of the source while transferring it to the target. However, on some occasions, these adjustments are optional where translators may have other options but in order to make the text more comprehensible and fluent, they choose to mold the form. In the next section, structural adjustments are investigated in the selected data by breaking the sentences into its different constituent parts to analyze how they are transferred in the target text.

4. Data Analysis and Discussion

This section deals with the analysis and discussion of the selected data. Different excerpts from the source text along with their translation are taken and presented. Moreover, for an effective understanding of the analysis back translation of the target text is also provided where needed. Data is analyzed by comparing the structures of both the original text and its translated version.

Excerpt 1

Source Text
(k) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;

Target Text
(کے) طلبہ کی رہائش کے لیے اقامتی ہال اور ہاسٹل قائم کرنا اور ان کی دیکھ بھال کر نا یا ہاسٹلوں یا اقامت گاہوں کی منظوری دینا یا انھیں لائسنس جاری کرنا؛

Transliteration: *(k) talba ki rahaish ke liye Iqamti hall aur hostel qaim karna aur un ki dekh bhaal kar na ya hastlon ya Iqamat gaahon ki manzoori dena ya unhein licence jari karna;*

Structure: **ENG**= non-finite clause, object (Unexpressed, implied in the context)

UR=non-finite clause, object (explicitly expressed)

Discussion
In excerpt 1, the structure of the source text is expanded after its transfer to the target text. Although clauses in the source text and the target text are equal in number, due to constituents within the clauses, the structure of the target text is extended. In the source text, there are four clauses in which four basic points are discussed which are:

- To **establish** halls of residence and hostels for the residence of students
- To **maintain** halls of residence and hostels for the residence of students
- Or **approve** hostels or lodging for the residence of students
- Or **license** hostels or lodgings for the residence of students

These four points are merged in a way that the structure contains four non-finite clauses. However, some of them consist of a non-finite verb and an explicit object while others consist of a non-finite verb and an implicit object. In the first part of the sentence, there are two non-finite verbs 'establish' and 'maintain' that have the same object, and hence it is stated only once in the sentence. When it is translated into the Urdu language, the object is stated more than once, separately in each non-finite clause which has become the

reason for expansion in the translation. The verb 'maintain' has its equivalent term in Urdu as '*dekh bhaal krna*' but it cannot stand without an object in the translation of the current text and thus needs an explicit object which is overtly stated in the translation by using the pronoun '*in*' and translated as '*in ki dekh bhaal krna*'. The pronoun used in the translated version refers to the object 'halls of residence and hostels'. Furthermore, in the last two clauses of the sentence, the verb 'license' has an explicit object while the object of the verb 'approve' is implied in the context as it is the same object as for the verb 'license'. While in the translation, the structure is adjusted in a way that the object for both of the terms is expressed separately for each verb by using a pronoun and noun phrase.

The structure of the translation is adjusted according to the structural norms of the target language. Without expanding the structure, an accurate translation is not possible. In other words, expansion in the current example is obligatory as it is due to the structural differences between both languages. It is obligatory because the direct structural equivalent is not available in the target language. Translating the text in a direct structural equivalent would result in an ungrammatical sentence in the Urdu language.

Excerpt 2

Source Text
The licensee shall cause the open and unbuild portion of the premises and their surroundings to be kept at all times in a clean and sanitary condition and shall not permit construction of any latrine, cesspool, cow shed, stable, manure heap or other insanitary heap or other insanitary place within the premises *which in the opinion of the Food Authority renders it undesirable, that the premises should be used for the business aforesaid.*

Target Text
(4) لائسنس دار احاطہ کا غیر تعمیر شُدہ حصہ کُھلوائے گا اور اس کے گردو نواح کو ہر وقت صاف اور صحت بخش حالات میں رکھے گا اور کسی لیٹرین، حوض، مویشیوں کا باڑا، اصطبل، کھادوں کا ڈھیر یا کوئی دیگر مضرِ صحت ڈھیر یا احاطہ میں دیگر مضرِ صحت جگہ کی تعمیر کی اجازت نہیں دے گا *جو فوڈ اتھارٹی کی رائے میں کاروبار کےلیے استعمال کرنے کےلیے نا مناسب ہے۔*

Transliteration: *(4) licence daar ihata ka ghair taamer shudah hissa khlwaye ga aur is ke gardo nawah ko har waqt saaf aur sehat bakhash halaat mein rakhay ga aur kisi*

*latrine, hoz, maweshion ka baara, astabal, khadon ka dhair ya koi deegar mzr e sehat dhair ya ihata mein deegar mzr e sehat jagah ki taamer ki ijazat nahi day ga **jo food authority ki raye mein kaarobar ke liye istemaal karne ke liye na munasib hai**.*

Back Translation*:* Which, in the opinion of the Food Authority, is undesirable to be used in business.

Structure: ENG: Subordinate clause + that-clause

UR: Subordinate clause + embedded clause

Discussion
This example also shows reduction as a structural adjustment in translation. The structure of the source text has been reduced after its transfer to the target language which can clearly be seen in the text. In the source text, the underlined part of the excerpt comprises two clauses, a dependent clause followed by a that-clause. The second clause in the source contains conjunction, subject, verb and prepositional phrase and all the elements of the clause are reduced in the target and transferred in minimum possible constituents. In other words, the complete that-clause 'that the premises should be used for the business aforesaid' is translated into a non-finite clause *karobaar k liye istamal krny k liye*, which is embedded in the structure of the subordinate clause and hence no separate clause is created for it. It shows the reduction in the text. Embedding a clause into another clause is the way here which causes a reduction in the structural elements but the meaning does not get affected.

The adjustment is not obligatory but rather optional as the text can be translated by keeping the same form as the source text but is not more fluent than the structure maintained by the translator. It can be seen as:

Jo k food authority ki raaye ma na munasib hai k mazkura jaga ko karobaar k liye istamaal kiya jaye.

The structure imitating the form of the source text presents the clauses separately which breaks the thought of the sentence and causes difficulty in comprehension for the readers. Such choices make the translation less

effective and this is the reason, translators avoid using such choices and prefer to mold the structure in a way that the translation becomes communicative and easily comprehensible for the target audience.

It demonstrates that there is no need to employ enlarged structures if a complete meaning can be communicated by using fewer words. There is no need to create expanded structures or to adhere to the structure of the source text exactly if it is not required. If adequate communication is feasible without expanding the structure, translators do not need to do so. A translator's primary duty is to provide a comprehensive meaning and intent that may be expressed with fewer words as well.

Excerpt 3

Source Text
(ii) Any special condition for the storage of food shall be declared on the label if the validity of the day depends thereon. Storage instructions of the opened packages of the food shall be included on the label to ensure that the opened food maintained its wholesomeness and nutritive value. *A warning should be included on the label if the food is not capable of being stored after opening or is not capable of being stored in the container after opening.*

Target Text
(ii) غذا کے ذخیرے کےلیے مخصوص شرائط لیبل پر تحریر کی جائیں گی اگر اس دن کی میعاد اس پر منحصر ہو۔ غذا کے کھلے ہوئے پیکجز کی تذخیری ہدایات لیبل پر اس امر کویقینی بنائیں گی کہ انھیں کھولے جانے پر کھلی ہوئی غذا کی افادیت اور غذائی قدر برقرار رہے گی۔ *اگر غذا کھولنے کے بعد محفوظ یا ڈبے میں محفوظ نہیں کی جاسکتی تو لیبل پر اس کے متعلق انتباہ شامل ہو گا۔*

Back Translation: If the food cannot be stored or canned after opening, the label will include a warning about it.

Transliteration: *(ii) ghaza ke zakheeray ke liye makhsoos sharait label par tehreer ki jayen gi agar is din ki meyaad is par munhasir ho. ghaza ke khulay hue packages ki tazkhiri hadayat label par is amr ko yqini banayen gi ke unhein khole jane par khuli hui ghaza ki ifadiyat aur ghazai qadar barqarar rahay gi. agar ghaza kholnay ke baad mehfooz ya dabbay mein mehfooz nahi ki ja sakti to label par is ke mutaliq intibah shaamil ho ga.*

Structure: **ENG**: Conditional Sentence (3 Clauses) -> C2 (Conj+S+VP+PP); C3 ((implicit Subject) + VP+PP+PP)

UR: Conditional Sentence (3 Clauses) -> C2 (Conj+S+PP+VP); C3 ((implicit Subject) + PP+VP)

Discussion

This example illustrates structural adjustment in translation. In the example, the structure is adjusted in the target language by using the strategy of reduction. The structure of the source consists of three clauses in number and is transferred to the target language structure that also comprises three clauses. Although the number of clauses in both the source text and the target text is the same, clausal elements cause a reduction in the structure of the Urdu language. Here, the expanding structures are 'phrases' particularly prepositions and verb phrases.

In the last two clauses of the source text, the constituents i.e. verb phrases, prepositional phrases, adjectives etc., are used recurrently except for the subject. However, when the text is translated into Urdu language the structure has contracted. In the second and third clauses, prepositional phrase (after opening) is used separately in both clauses while in the Urdu language the number of prepositional phrases has reduced to a single phrase '*kholnay ke baad*'. Moreover, the English structure contains verbal elements (i.e. is not capable of being stored) in both clauses explicitly, however, in the Urdu structure verbal elements are not used in both clauses explicitly rather they are used only once in the provided structure. The reason behind such kind of structural adjustment is to avoid repetition in the structure so that the idea can be provided precisely and the text will be more fluent and communicative than the structure translated by keeping the same structural form. Translation assimilating the source text structure will be as:

Agr ghaza kholnay ke baad mehfooz nahi ki ja sakti ya kholnay k baad dabby m mehfooz nahi ki sakti tou label par is k mutaliq intibah shamil ho ga.

It shows that the version provided in the excerpt is better than the above translation from the perspective of effective communication. If a complete sense can be conveyed through using precise language or in a small number of words, there is no need to use expanded structures. If it is not necessary

to use lengthy structures to convey a complete meaning of the text and proper communication is possible without expanding the structure, there is no need to produce extended structures or to follow the source text's structure as it is. The key responsibility of a translator is to convey a complete meaning and intent that can be conveyed in fewer words as well. So, the translator does not need to expand the structures or imitate the form of the source text.

The structural adjustment in the extract is optional. The direct structural equivalent of the text is available. In other words, translation of the source text with a direct structural equivalent is also possible, but in order to make the text more fluent and communicative, the translator has translated the text without transferring the same structure in the target text.

Excerpt 4

Source Text
Prepare financial statements and present them for internal and external audit in the manner *as may be prescribed.*

Target Text
مالیاتی گوشوارے تیار کرنا اور **مجوّزه** طریقِ کار کے مطابق انھیں اندرونی اور بیرونی آڈٹ کے لیے پیش کرنا۔

Transliteration: *maliyati goshwaray tayyar karna aur **mujawza** triq e car ke mutabiq unhein androoni aur bairooni audit ke liye paish karna.*

Structure: ENG: Subordinate Clause

UR: Single word

Discussion
In excerpt 3, the structure of the source text is reduced in the translation. It is reduced by transferring a clause into a word. The clause which is minimized in its structure is 'as may be prescribed which is a dependent clause supporting the other two independent clauses. The clause consists of a conjunction, an auxiliary, and the main verb but is translated in a word

classified as an adjective. The expression can be translated in the structure adhering to the source such as:

Jesa k tajweez kiya gya hai

Jesa k paish kiya gya hai

These choices show that the structure can be translated in different ways but these choices do not fit adequately in the complete form of the sentence. It can be observed as:

Maliyati goshwary tyar karwana aur aisa tareeq e kaar jo tajwez kiya gya hai, k mutabiq inhen andruni aur beruni audit k liye paish krna.

Maliyati goshwary tyar karwana aur aisa tareeq e kaar jo paish kiya gya hai, k mutabiq inhen andruni aur beruni audit k liye paish krna.

These choices disturb the fluency of the sentence and break the structure of the target text and lead the readers toward complexity in comprehending the sense properly. However, the translator has translated the expression without imitating the source structure. Although other options are available, it is transferred in the Urdu language in a more concise way as *mujawza* which is the core of the abovementioned choices. It is translated in the form of a word without affecting the accuracy and authenticity of the meaning. So, if the meaning can be conveyed more appropriately instead of adhering to the form of the original, the translator does not need to imitate the form of the source text.

5. Conclusion

The article concludes that communication is a significant part of translation. To communicate a complete sense and message of the source, it is observed that the structures of the source text bear various changes during the process of translation. It demonstrates the frequent use of reduction strategy while transferring legal text from English to the Urdu language. Reduction occurs in legal translation to communicate the exact meaning without expanding the structures or constructing similar formal patterns to the source text which are less effective to perform the communicative function. These structural changes occur in order to have a fluent, natural, and

communicative translation for the target audience. As every language has its own distinct structure from other languages so, usually the changes in the structure of the sentences and their constituent parts occur due to linguistic differences in the languages involved in the process of translation. In some cases, these changes are obligatory as language norms of the target language require these changes in order to convey the message with the same intent and sometimes these variations are optional and translators opt for such adjustments in order to communicate the same meaning of the original in concise and effective ways. This research opens the doors for future research as well. Further studies can be conducted on different language pairs and in different text genres.

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