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## TRANSLATIONAL TRANSFORMATION OF COHESIVE DEVICES: AN ANALYSIS OF CONSTITUTIONAL DOCUMENTS OF PAKISTAN

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### **Abstract**

*Different legal genres and their translational transformation in multilingual context has been a frequent subject matter of linguistic inquiry in the wake of globalization. Similar line of inquiry has been followed in the current study that aims to investigate the ‘shifts’ which cohesive devices undergo in the institutional translated legal documents. A corpus based approach for inquiry has been adopted in this study. A unidirectional, parallel corpus consisting of the source English and target Urdu text of the constitution of Pakistan has been selected for the purpose of analysis. Both parts of the corpus were tagged to retrieve parts of speech information, the English text was tagged with Claws 7 devised by university of Lancaster and Urdu text with the POS tagger devised by Centre for language Engineering UET Lahore. In order to retrieve information about grammatical cohesive devices the tagged texts were further analysed by AntConc 3.5.9. The analysis has revealed that the translated text has verified Blum-Kulka’s (1986) explicitation and Toury’s (1995) source text interference contentions and by doing so cohesive devices have served the source text purpose. The study would add to the existing knowledge of translators, post editors, trainers and pedagogy developers in the domain of translation studies, legal linguistics and machine translation programming.*

**Keywords:** Cohesive devices, text of constitution, corpus based, explicitation, legal linguistics.

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## **1. Introduction**

The distinctive features of translated texts pejoratively termed as ‘translationese’ have been focus of study over years Vanderauwera (1985) (Gellerstam 1996 Blum-Kulka 1986, Baker 1996) Øverås (1998), Eskola (2004), Mauranen (2004), Olohan and Baker (2000), Puurtinen (1995), Laviosa,(1998a, 1998b, 2002), Schaeffner & Adab (2001), Hansen (2007). These earlier studies analyzed the textual features like dominant aspects of vocabulary, syntactic traits, and traces of source or target languages in the translated texts. These studies provided evidence for the existence of general laws and norms for translated texts. However, the analysis in most of these studies was confined either to religious or literary texts or their translated versions. The translational transformation analysis of technical texts particularly dealing with functional varieties and genres has been a comparatively later development and it has connected translation studies to discourse analysis and translation scholars sought insight from discourse analysis to investigate different translated genres.

Tannen (2007) has categorized translation studies among the disciplines that fall under the umbrella of discourse analysis. Her inventory of disciplines includes literature, linguistics, anthropology, rhetoric, sociology, psychology, speech communication, philosophy and philology. Since most of analysis in the field of discourse “can only be genre-specific” Dooley and Levinsohn (2000), they base their hypothesis on the fact that linguistic observations are text type specific and they can not be generalized. Longacre (1996) has also shared the similar contention in the following word: "the linguist who ignores discourse typology can only come to grief". The notion of genre or text-type is also central to translation studies, like authors, translators also work within specific text types and have expertise only in certain types. When translation activity is viewed from the text type perspective, the legal texts have been highly translated texts among the functional varieties during the recent past. Due to distinct nature of legal text translation, the experts in the field (Garzone 2000, Šarcevic 2000, Gémar 2001, Kjaer 2007) have accepted it as an autonomous field with its own approaches. This unique nature of legal translation has been aptly stated by (Joseph 1995): the translation process of different legal text types i.e statute laws, contracts and court testimonies “stands at the crossroads of legal theory, language theory and translation theory.” The task of legal translator requires a distinct competence and a linguistic endeavor that involves simultaneously the innovation of literary translation as well as “terminological precision of technological translation (Harvey 2002).” The linguistic challenge of a legal translator demands strong grip over

the semantic and syntactic resources, discourse patterns acceptable both in source and target text language and legal system.

## **2. Literature review**

Cohesion being a unique and essential linguistic category has been investigated by linguists, particularly those working with the English language, for decades Gleason (1968), Hasan (1968), Quirk et al. (1972), Enkvist (1973), Halliday and Hasan (1976), Gutwinski (1976), De Beaugrande (1980), Hoey (1983), and other, more recent, scholars. The notion of cohesion involves “surface structure markers as well as their cohesive functions” that help in “texture” (Halliday and Hasan 1976), and presents it as “an interpretable whole rather than unconnected sentences” (Tech and Fankhauser 2004) and by doing so the cohesive devices facilitate reader’s cognitive process while making an effort to comprehend the upcoming information. Regarding the worth of cohesive devices in translation process Callow (1974) has observed that the topic of cohesion is the most useful constituent of discourse analysis or text linguistics applicable to translation. Cohesion must be handled carefully by the translator because deficiencies in this area may cause the reader to miss important cohesive links and as a result, cause the target language readers to have difficulties in the interpretation process. For instance, to follow the writer’s line of thought and understand what is written, it is of utmost importance that the referential chain involving people and events be correctly preserved in the target text.

The role of cohesive devices and the change that they undergo during the process of translation is a comparatively recent discussion in translation studies that emerged with the rise in ‘textual turn’ (Neubert and Shreve 1992). “In theory and pedagogy of translation” the cohesive devices have not been properly studied (Hu 1999). Even the American Translation Association (ATA)’s framework for error evaluation had not fixed any category for cohesion and certain other above mentioned categories. The result is that the translator’s expertise is evaluated on the basis of a global top down approach towards the creation of text (Trikkonen Condet and Jaakkelaninen 1991, Kussumaul 1995). Resultantly novice translators ignore cohesion during the process of translation and focus more on sub sentential features. One of the factors responsible for negligence of cohesive devices in the domain of translation studies is that “the qualities that constitute cohesion are generally difficult to pinpoint and isolate (Baeor and Bystrova 2009).” Another dimension elaborated by Baker (1992) regarding the ambiguous nature of cohesion markers is that the transformation

of cohesion markers in translation is quite complicated and it creates a juxtaposition between syntax and thematic patterns that requires recasting not only for semantic reasons but due to cohesion. Blum- Kulka (1986) has referred to such translation specific recasting as “shifts” in cohesion. Moreover, it is quite difficult to investigate cohesive devices by using automated tools and this factor has restricted Baker (1995) to restrict indicators of cohesion to lexical density and type taken ratio and omit other cohesive devices from her domain of automated study.

Another trend in the analysis of cohesive devices, adopted by (Hoey 1991, Hu 2004, Zhao et al. 2009) is the manual annotation of the cohesive ties and this sort of analysis entails the selection of limited number of texts. While (Teich and Fankhauser 2004) point out lack of reliability and representativeness in the case of such analysis, Øverås (1998) and Zhao (2009) prefer the advantage of in depth, detailed analysis in such studies.

Working on cohesive ties as indicator of explicitation, Olan and Baker (2000) studied the use of connective ‘that’ after reporting verbs both in Translational English Corpus (TEC) and British National Corpus (BTC). The study interpreted that cohesive connector ‘that’ has been found more in TEC which is an indication of explicitation in translation. Earlier Øverås (1998) also worked on cohesive devices in English Norwegian parallel corpus and found that translation process has entailed explicitation in the text and cohesive devices as indicators of the explicitation. Her findings suggested that ‘shifts in conjunctive and reference cohesion’ were due to addition and expansion of determiners, substitution and shifts in lexical cohesion. Blum Kulka’s (1986) explicitation hypothesis is also based on the assumption that translational transformation involves a higher level of cohesive explicitness.

Working on the lines of text specific study of cohesive devices in the translated text Zhao et al. (2009) investigated medical texts only. Moreover, analysis only focused on the use of reference in terms of occurrences and frequencies. Their findings suggested more similarities in the use of cohesive devices both in source and target texts which he considered to be the result of ‘precision, clarity and logicity’ of the medical text. They further suggested to devise a model to investigate the text type specific usage of cohesive devices in translation.

Although the studies on the use of cohesive devices in English Language abound, yet only a few analytical endeavors have been made to analyze the use of cohesive devices in Urdu particularly in the context of translation. Rashid and Abid

(2016) conducted a comparative analysis of lexical cohesive devices used by L1 and L2 Urdu speakers. Results revealed that L1 Urdu speakers are more proficient users of cohesive devices. Ali, Rasheed and Burrio (2014) analyzed the Urdu and translated English versions of short stories to analyse the use of cohesive device 'Reference' and established the fact that in Urdu language more intricate reference system exists.

Since earlier studies dealing with the translational transformation of cohesive ties from English to Urdu were either confined to literary texts or to manual analysis of the cohesive devices and none of them investigated the cohesive trends in legal genre so it was deemed appropriate to investigate the translational transformation trends of cohesive ties in legal genre and that too with the help of corpus based tools. The current study is prompted by following research questions:

1. Does Urdu translated draft of the constitution of Pakistan follow the cohesive trends of the source text?
2. Has the use of cohesive devices in translated text confirmed Blum-Kulka's (1986) explicitation hypothesis based on the contention that translated texts involve cohesive shifts to explicitate?
3. Do the findings of the study suggest any text type specific trends in the use of cohesive ties?

### **Definition of cohesion in the present study and its justification**

The notion of cohesive devices in this study has been derived from Halliday and Hasan's (1976) broader categories of grammatical and lexical cohesion markers. However analysis in this study has been restricted to two devices; one of these is a purely grammatical cohesive device i.e reference device and the other one is a hybrid category having features of both grammatical and lexical cohesion i.e conjunction devices. Halliday and Hasan's (1976) notion of cohesive devices does not take into account the extended notion of cohesion illustrated by Campbell (1995) including information organization and graphical presentation devices. Moreover, Halliday's notion, does not take into account 'intra sentential relations', (Herbest 2010). 'Clause complex' (Halliday 1976) is the essential unit for the study of cohesion. Similar point of view has been shared in a later analysis by Beurgrande and Dressler (1981). The reason for the selection of these two devices is that an authentic and accurate inquiry of these two devices is possible by means of corpus based tools.

### **3. Methodology**

As far as the data selected for the purpose of analysis in this study is concerned it consists of the source English and target Urdu draft of the constitution of Pakistan. Web has been source for both texts; the English text has been retrieved from the official site of national assembly of Pakistan and translated Urdu text has been retrieved from internet archive. As far as specifications of the corpus selected for the purpose of this study are concerned, it can be characterized as unidirectional (Zanitten 2014), parallel (Baker 1995), specialized i.e text type/genre specific (Zanitten 2011), synchronic corpus. According to norms set by Zanitten (2011) "Representativeness remains the 'holy grail' of corpus linguistics, something to strive for rather than something that can reasonably be attained." Hence the text selected for the purpose of investigation in this study i.e the translated version of the constitution of Pakistan deemed to be suitable as representative of normative, institutional legal translation.

#### **3.1 Corpus Annotation**

For the purpose of analysis, the data was tagged to retrieve parts of speech information. The English part of the corpus was tagged by CLAWS 7 parts of speech tagger designed by the University of Lancaster. The tool has an established credibility since it has been used to annotate the world's largest corpus BNC. Moreover, the CLAWS website claims to have achieved 96 to 97 percent accuracy. The Urdu part of the corpus has been tagged by using POS developed by Center for Language Engineering, KICS, UET, Lahore. Though the tagger is capable to successfully tag Urdu parts of speech yet it cannot identify the subcategories comparable to those tagged by CLAWS7. After annotating the broader parts of speech categories the, certain equivalent subcategories i.e comparative cohesive features required for the purpose of this study were manually scrutinized from the broader categories. However, all the automatized analysis was done in the case of both texts with Antconc 3.5.9.

#### **3.2 The framework for analysis**

The analytical framework for the scrutiny of cohesive devices has been derived from Dong and Lan (2010) who applied it for the analysis of Chinese-English language pair translation produced by novice, non-native and native translators. This study was published by a major translation publisher, St. Jerome Publishing, in 2010. The present study focuses on a different application of Dong and Lan's (2010) framework, focusing on translational transformation of cohesive markers in institutional legal genre so only the part of framework dealing with cohesive markers has been employed. Since Urdu

language has no specific articles that can be considered equivalent to English language articles so the article component from the model has not been added for the analysis purpose. Dong & Lan based their analytical framework on Halliday & Hasan's (1976) insight on cohesive devices and selected two (reference and conjunction) of his five categories i.e lexical cohesion, reference, ellipsis, substitution and conjunction. This very model in its compact form has also been applied by Mycintyre (2012) to investigate cohesive and textual devices used in human and machine generated translations.

### 3.3 Analytical tool

Table 1: Analytical instrument as adapted from Dong and Lan (2010)

Cohesive Devices	English	Urdu
<b>Pronominal Reference devices</b> (3rd person pronouns only)	CLAWS (PPH1+PPHO1+PPHO2+P PHS1+PPHS2) (It, him, her, then, she, they etc.)	PP (آپ، انہیں، انہوں، انہی)
<b>Pronominal Reference devices (possessive Pronouns)</b>	CLAWS (APPGE) (My, your, our etc.)	GR (میرا، میری، تیرا، تیری، تمہارا، تمہاری، انکا، انکی)
<b>Demonstratives Reference devices</b>	CLAWS (DD1+DD2) (This, that, these, those, another etc.)	PD (یہ، وہ، اس، اُس، ان، اُن)
<b>Comparative Reference devices</b>	CLAWS (JJR+JJT*+RGR+RGT) (Older, better, oldest, best, more, less, most, least etc.)	ADJ (تر، ترین، بہت، کم، کافی، کچھ)
<b>Additive Conjunction devices</b>	CLAWS(CC) (And, or etc.)	CC (یا۔ اور۔)

<b>Adversative Conjunction devices</b>	CLAWS(CCB) (But )	CC (مگر، لیکن، بلکہ، جبکہ، چنانچہ، حالانکہ)
<b>Causal devices (subordinate conjunction)</b>	CLAWS(CS) (If, because, unless, so, for etc.)	SC(کیونکہ، کہ، تاکہ، بشرطیکہ، تو) (
<b>Temporal Conjunction devices</b>	CLAWS(RT) (Now, tomorrow etc.)	ADV (آج، کل، ابھی، اب، تب، گزرا ہوا، گزشتہ، پہلے سے، فوراً، عنقریب، بعد میں۔)

Table2. Frequencies of grammatical cohesive devices in source and target text normalized per thousand words

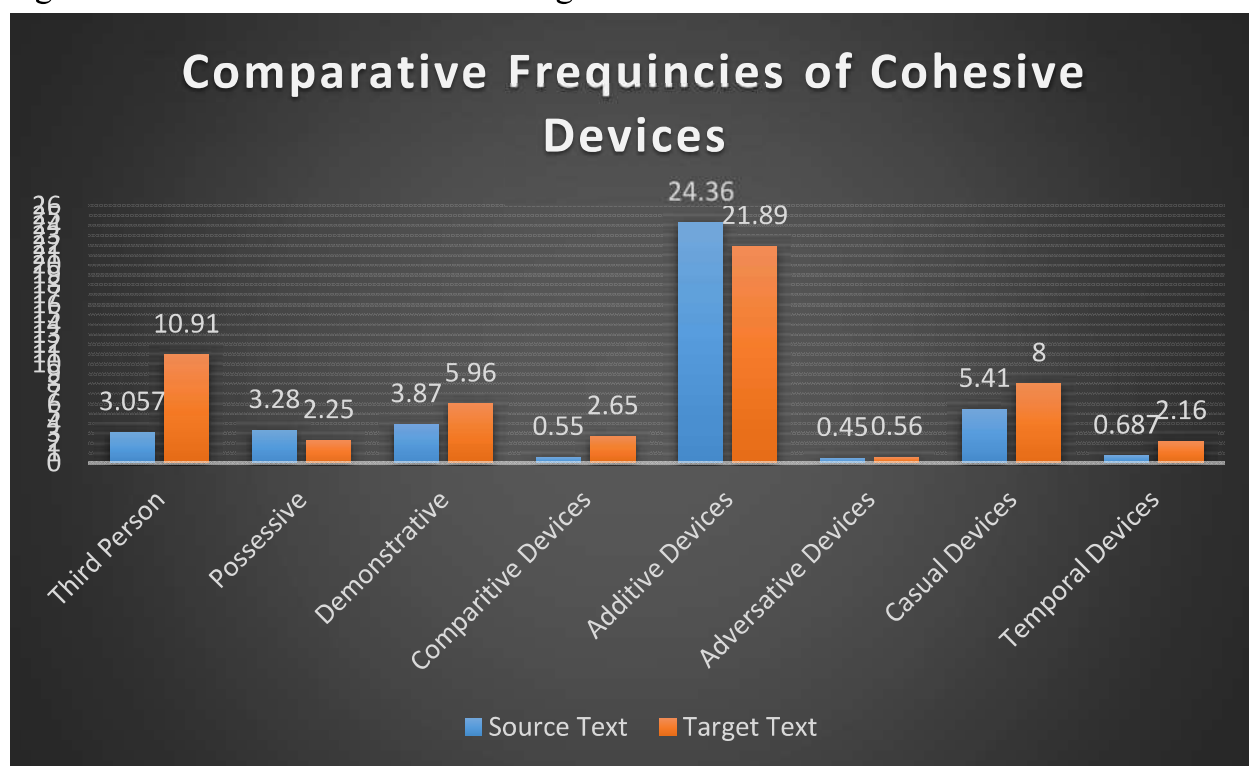
<b>Cohesive Devices</b>	<b>English</b>	<b>Urdu</b>
<b>Pronominal Reference devices (3rd person pronouns only)</b>	3.057	10.91
<b>Pronominal Reference devices (possessive pronouns)</b>	3.28	2.25
<b>Demonstratives Reference devices</b>	3.87	5.96
<b>Comparative Reference devices</b>	0.550	2.65
<b>Additive Conjunction devices</b>	24.36	21.89



<b>Adversative Conjunction devices</b>	0.458	0.56
<b>Causal Conjunction devices (subordinate conjunction)</b>	5.41	8
<b>Temporal Conjunction devices</b>	0.687	2.16

#### 4. Results and Discussion

A comparative analysis of the incidence of grammatical cohesive devices in the study is given below. The table of comparative analysis reveals that a higher incidence rate of grammatical cohesive ties has been observed in the translated text and this tendency confirms to the hypothesis put forward by Blum-Kulka (1986) and others regarding language universals. Six out of eight cohesive categories in this study have undergone explicitation during translation process. The remaining two categories have not shown significant deviation in their use in target text.



*Graph 1: Comparative frequencies of cohesive devices*

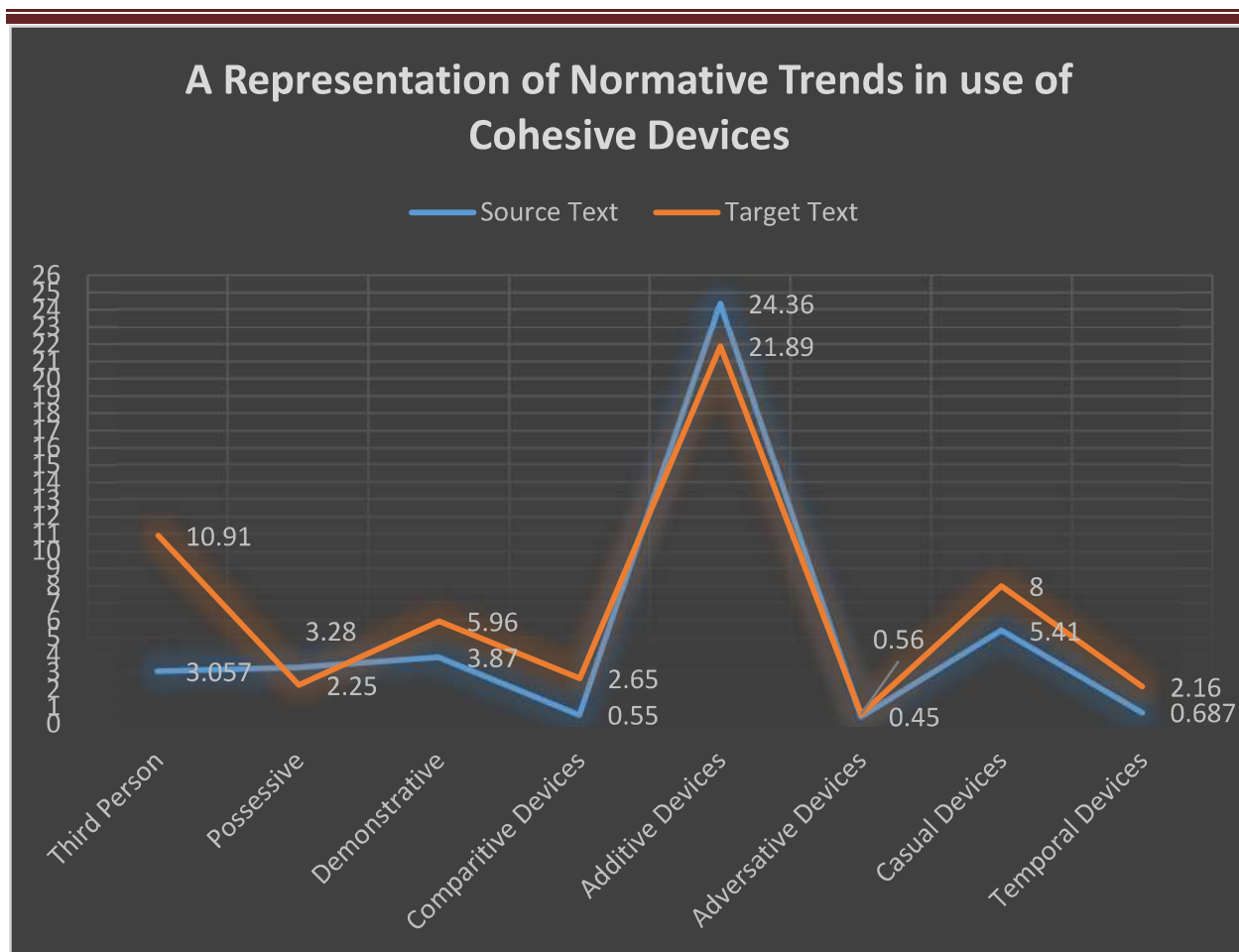
A further investigation has also been made regarding the contributing factors for this translational linguistic trend in this specific text. Two factors can be determined being

responsible for this trend. Firstly, the excessive use of grammatical cohesive ties can be an inherent feature of Urdu language syntactic system. Since the language system specific features do not fall within the preview of the analysis of current study and a separate in depth analysis based on translated and non-translated text of Urdu would be more revealing in this regard, the second factor that can be deemed responsible for this linguistic trend and directly related to the hypothesis of this study is the translational transformation process itself, and that the translated text contains a higher level of usage of grammatical cohesive devices as compared to its parallel source text. This finding can be attributed to Blum Kulka's (1986) explicitness hypothesis that claims an observable level of cohesive explicitation in translated texts irrespective of differences in the linguistic and textual system of two languages involved. This finding is also verified by Toury's (1980) suggestion that there exists "an almost general tendency, irrespective of translator's identity, language, genre, period, to explicitate in the translation; information that is only implicit in the original text"(1980). Baker (1993) has also contended that translations present a marked rise in the level of explicitness compared to specific source texts and to original text in general. Vanderauwera (1985) also noticed that implicit information is frequently made explicit and the particular explicitness devices she found included grammatical cohesive ties like interjections, modifiers, quantifiers, and conjunctions. Seguinot (1985) while working on French and English translations also observed explicitness at syntax, lexical and punctuation level. While Vanderauwera's (1985) observation was based on investigation of literary texts from Dutch to English, Vehmas-letho (1989) after working on journalistic texts translated from Finnish to Russian observed that translated texts from the same register are more explicit than same source texts. Sidiropoulou (1994) also found higher tendency to use cohesive ties in target texts while working on informative texts translated in Greek from English origin. The discussion has revealed that the findings of this study are in conformity with the findings of earlier studies conducted on the translated texts, either belonging to literary or normative texts.

The findings regarding the second research question are suggestive of the fact that occurrence rate of cohesive ties in the target text corresponds to the proportion of occurrence rate of cohesive ties in the source text. This finding confirms Toury's (1995) contention that during the translation process the makeup of the source text is transferred to the target text. Blum Kulka (1986) also seems to be suggestive of the same fact while stating that it is possible for cohesive patterns in the target text to

reflect the conventions of the source text in the same register and it can be result of the transfer process active at the time of translation. For Toury (1995) the higher the consideration would be given to the makeup of the target text the more it would show traces of source text. He further elaborated that the degree of transformational influence can be dependent upon the expertise of the translator and the sociocultural scenario in which a particular text is translated and consumed. When legal translated text under investigation is viewed according to the parameters outlined by Toury (1995) it is found that there is a demand to translate the institutional documents in Urdu in Pakistani context after the orders of Supreme court of Pakistan in 2017 to translate all official documents in Urdu language and that too without effecting their spirit. This particular sociocultural scenario demanded a translated version of the constitution that would ensure a unanimity in the understanding of the message. So a text is required that would be ‘equal’ i.e. of equal value. Although, this notion of equal value is rather a narrow interpretation of equivalence that implies a linguistic correspondence or literal rendering that is based on the supposition that the readers of the different translations would conceive the same message Koskinen (2000). Moreover, Koskinen (2000) opines that “here is an institutional attitude that does not encourage any degree of cultural adaptation, nor perceive translators as experts in intercultural communication”. This view establishes translation as “interlinear [rather] than intercultural” communication. So the proportionate maintenance of source text cohesive trends in the target text of the constitution can be viewed as an ‘interlinear’ development as observed by Koskinen (2000).

Another factor that can be considered relevant in the context of translation under study is described by Toury (1995) in the following words: “Tolerance of interference \_and hence the endurance of its manifestation \_tend to increase when translation is carried out from a major to highly prestigious language/culture, if the target language/culture is minor”. Since English language enjoys the status of lingua franca and is universally considered a superior language as compared to Urdu, hence the translated text in the minor language is more prone to adhere the cohesive trends of the dominant source text. The following graph indicates that occurrence rate of the cohesive devices and the curve suggests the above mentioned normative trends.



*Graph 2: A representation of normative trends in the use of Cohesive Devices*

A far as the answer to third research question is concerned, the findings of the analysis seem to confirm Toury’s (1995) notion of language norms, this very notion of linguistic norms has been termed as genre specific linguistic features by Bhatia (1997). Norms are culture bound and socially defined and as a result compliance with them in particular communicative acts amounts to satisfying what may be termed appropriate conditions so that the acts and utterances in question are accepted as correct (Hermans 1991). When the translated draft of the constitution and the use of cohesive devices and their function in this draft is considered, it becomes evident that though there is a tendency to enhance the use of cohesive devices in the translated text yet this usage has contributed to achieve the communicative purpose of the source text. Cohesive devices have made the compliance of the target text to the function of the source text. In this category of legal translation, the communicative purposes of the SL and TL texts are identical. When viewed from the text typological perspective; the communicative purpose of this translated draft would fall under the category of

normative translation as compared to informative and general purpose based translation according to Cao’s (2007) categorization. This category can also be labelled as institutional translation or self-translation. This status is given to some version of translation when an institution “uses translation as a means of ‘speaking’ to a particular audience. Thus the voice that is to be heard is that of translating institution as a result in a constitutional sense the institution itself gets translated” (Koskinen 2001) and it can be perceived as a distinct sub-genre in the domain of legal translation. The Urdu translation of Pakistan’s constitution falls in the category of institutional translation and influenced by institutional norms of highest qualitative requirements. From legal point of view neither the original nor the translated version is less or more authentic, all versions are supposed to have “the same weight Baajj (2012) this approach is known as principle of equal authenticity (Šarcevic 1997), the principle of plurilinguistic equality (Van Els 2001) or the equal authenticity rule Cao (2007). Cohesive devices under study have facilitated to serve the purpose of this specific genre and contributed in communicating the letter and spirit of the source text.

### **5. Limitations of study**

The findings are text type (institutional) legal translation specific and Urdu English language specific. So they cannot be generalized to other text types and languages. Only grammatical cohesive devices have been investigated and the data was limited to the text of the constitution of Pakistan. For further insight and more revealing findings the data set and the number of cohesive devices can be enhanced.

### **6. Insight for further Study**

An interesting development can be investigation of the similar data based on the similar framework from the angle of co drafting techniques and the findings would be illuminating in text type specific peculiarities. Moreover, an analysis based on the similar analytical design of translated and non translated literary texts as well as of other legal text types produced in Urdu, English language pair may add more dimensions to the findings of this study.

### **7. Conclusion**

The study despite being language pair and text type specific would add to the existing sum of knowledge by introducing corpus based translational analysis in legal linguistics particularly in Pakistani context. The specific findings of the study suggest that the explicitation hypothesis that is conventionally considered applicable to the

literary translation, has relevance for translation of other functional varieties and the analysis of legal translated text in the current study is a case in this point. It can be further inferred from this study that legal translation explicitates at least in terms of grammatical cohesive devices. Moreover, a comparative investigation of the use of cohesive devices in source and target text suggests that the source text norms determine cohesive devices usage in target text since the trends in the occurrence rate of cohesive devices have followed the trends in source text.

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