

ISSN 1799-2591

Theory and Practice in Language Studies, Vol. 5, No. 12, pp. 2571-2580, December 2015

DOI: <http://dx.doi.org/10.17507/tpls.0512.19>

Assessment of Semantic Adequacy: English Translations of Persian Official Texts in Focus

Narges Jamali

Department of English, Islamic Azad University, Shahreza Branch, Shahreza, Iran

Hossein Vahid Dastjerdi

Department of English, Islamic Azad University, Shahreza Branch, Shahreza, Iran

Abstract—Translation quality assessment is one of the growing fields of translation studies that focuses on the relationship between the source and target language. This relationship involves vocabulary, grammar, syntax and semantics in both languages. The semantic adequacy of the translation is one of the main concerns of experts in the field of translation. The present study was an attempt to evaluate the semantic adequacy of English translations of Persian official texts done at Iranian accredited translation offices. To this purpose, 90 Persian articles of association done at Iranian accredited offices (in the years 2012-2014), were selected and their quality was measured based on ATA (American Translation Association) framework which includes 22 errors types. Then, the related frequency chart and percentage diagram were devised based on the frequency of errors in each sample. Finally, the total percentage of errors which affects semantic adequacy was calculated. The results revealed that great effort should be made by Iranian accredited offices translators to reduce the number of errors in the translations of official texts. Actually, it was disclosed that due to the importance of semantic adequacy in translating such texts, translators are in urgent need of continuously enhancing their knowledge of language and translation.

Index Terms—legal translation, translation quality assessment, semantic adequacy, accredited offices

I. INTRODUCTION

Translation of legal and official texts is a serious challenge. Cao (2007) states that ‘in general the complexity and difficulty of legal translation is attributable to the nature of the law and the language that law uses, and the associated differences found in intercultural and inter-lingual communication in translating official texts’ (p. 13).

According to Mattila (2006):

It is clear to see that legal language is not based on ordinary language. For that reason, the grammar and – in general – the vocabulary of legal language are the same as ordinary language. However, legal language is a language for special purposes. This means, first of all, that a large number of legal terms exist whose properties vary according to the branches of the law. In addition, the legal languages of different countries and of different periods possess, to a varying degree, characteristics that distinguish them from ordinary written language (e.g., sentence structure). One may speak of a specific legal style. For those reasons, it often occurs that legal language may be incomprehensible from the standpoint of the general public. Legal language is often characterized as a technical language or “technolect”, which is to say a language used by a specialist profession. That is accurate, but only with certain reservations (p. 1).

Mattila (2006) also adds:

Europe, in a state of ongoing unification, increasingly needs translations of official texts (e.g., laws, judgments, administrative decisions, and private documents). The majority of these translations are very often done by linguist-translators, not by lawyers. Technical tools as aids to legal translation have been considerably developed over recent years. Legal translation will remain an essentially human activity, at least in the near future. At the end of the day, human control of automated translation or with the aid of computers is based on the culture and general knowledge of the translator. That is why the translator needs information on the characteristics of legal language from a universal standpoint, as well as on the history and features of the legal languages concerned. Given that translation tools and instruments are inevitably imperfect; this general knowledge is the key to eliminating mistakes and misunderstandings (p. 22).

In the modern sense, Mattila (2006) states:

Legal linguistics is a discipline that has only recently become established. However, legal language has aroused interest for thousands of years, from various angles. Law is necessarily bound to language (notably in matters of legal interpretation), and in that sense legal language has existed as long as the law. In certain contexts, the language aspect of law dominates: legal translation, legal lexicography, and legal rhetoric. In ancient times, the goals of interest in legal language were mainly practical (p. 5).

II. BACKGROUND OF THE STUDY

Long and compound sentences as a part of legal and official texts' features necessitate profound understanding and scrutiny. Misapprehension can result in big errors. Understanding and experience in translating official texts are greatly required to create the most excellent result. Actually, in rendering such documents, the translator should discover their characteristic features and should be capable to employ the appropriate style. Williams (1989) believes:

'Translators and translation offices must be accountable for the quality of their works' ... 'translation quality assessment (TQA), in the eyes of many academics and practitioners, it is too subjective. The purpose of the translation is to determine how much effort should be expended to ensure quality. To make a realistic assessment, the evaluator must be able to determine that purpose with a reasonable degree of certainty. Yet, the question of how to judge that quality can never be answered' (pp. 1-2).

In the present study, the researchers tried to find to what extent the quality of English translations of Persian official texts done at Iranian accredited offices is semantically adequate. The study was conducted on the basis of ATA framework (2005). Actually, the researchers evaluated the quality of articles of association translated at accredited translation offices from 2012 to 2014. Since the quality of translation is very important, the study kept its central focus on the errors made by translators in accredited offices. It, thus, aimed to find answers to the following questions:

1. To what extent are the English translations of Persian articles of association done at Iranian accredited offices semantically adequate?
2. What are the most frequently observed errors in the English translations of Persian official texts done at Iranian accredited offices?

III. METHODOLOGY

A. Research Design and Corpus

The present study is descriptive in nature and, therefore, the researchers descriptively investigated the quality of English translations of Persian official texts done at Iranian accredited offices to measure how much their translations are semantically adequate. To do so, it was needed to have some documents translated by official translators. Thus, 10 accredited offices were randomly chosen in Isfahan, the articles of associations were collected and the samples were investigated based on ATA Framework for Standard Error Marking (2005). Actually, since different forms of articles of association are valid according to Iranian organization for registration of deeds and properties, the corpus came to consist of the articles which were of similar nature in the Persian language.

B. Framework of the Study

ATA Framework for Standard Error Marking (2005) was the basis of data analysis in the present study. The criteria suggested in this framework for error marking are stated in the following table, with subsequent explanations for each of them. (Retrieved May 2015, from http://www.atanet.org/certification/aboutexams_error.php)

ATA FRAMEWORK FOR STANDARD ERROR MARKING (2005)

Code #	Criteria of each error
1	Incomplete Passage
2	Illegible
3	Misunderstanding of Original Text
4	Mistranslation into Target Language
5	Addition or Omission
6	Terminology, Word Choice
7	Register
8	Too Freely Translated
9	Too Literal, Word-for-word
10	False Cognate
11	Indecision, Giving More than One Option
12	Inconsistency, Same Term Translated Differently
13	Ambiguity
14	Grammar
15	Syntax (Phrase/Clause/Sentence structure)
16	Punctuation
17	Spelling
18	Accents and Other Diacritical Maries
19	Case (Upper/Lower)
20	Word Form
21	Usage
22	Style

1. Incomplete passage

A substantially unfinished passage is not correct. Missing titles, headings, or sentences within a passage may be marked as one or more errors of omission marked as incomplete passage, depending on how much is omitted.

2. Illegible

It is the translator's responsibility to ensure that the researcher can clearly understand what is written translators are instructed to use pen or dark pencil and to write firmly enough to produce legible photocopies. Deletions, insertions, and revisions are acceptable if they do not make the intent unclear.

3. Misunderstanding of original text

This category applies when the researcher can see—usually by back-translating the target-language text—that the error arises from misreading a word, for example, or misinterpreting the syntax of a sentence. In other words, the result is wrong because the translation was based on a misunderstood source text.

4. Mistranslation into target language

The meaning of the original text is not conveyed properly in the target language. For example, a term in the translated text might be much more general (*scientists* instead of *researchers*, *protein* instead of *albumin*) or more specific (*stallion* instead of *horse*) than the original term. Mistranslations can also involve the choice of prepositions, the use of definite and indefinite articles and the choice of verb tense and mood.

5. Addition or omission

Something is inserted that is not clearly expressed in the original text, or something essential to the meaning is left out. The tendency to insert “clarifying” material should generally be resisted. It is permissible to shorten the ponderous modes of expression that are common in some source texts, so long as the meaning does not suffer.

6. Terminology, word choice

This error often involves terms used in various technical contexts. This also applies to legal and financial contexts where words often have very specific meanings. In more general texts, the candidate might not have selected the most appropriate word among several that have similar (but not identical) meanings.

7. Register

The register (language level, degree of formality) of the source text should be preserved in the translation.

8. Too freely translated

Translators are translating the meaning and intent of the source text, not to rewrite it or improve upon it. The grader will carefully compare the translation to the source text. If a “creative” rendition changes the meaning, an error will be marked.

9. Too literal, word-for-word translation

Translations that follow the source text exactly may result in awkward, often incorrect renditions. Translate literally when it works, but not at the expense of clarity and natural syntax.

10. False cognate

In some language pairs, this is the most common type of error.

11. Indecision—gave more than one option

Translators will not choose the right word for the candidate. Even if both options are correct, an error will be marked. More points will be deducted if one or both options are incorrect.

12. Inconsistency (same term translated differently)

In general, a term that is used consistently in the source text should be translated consistently into the target language. Conversely, if the source text uses different terms for the same idea interchangeably, the translators should attempt to come up with a similar variety in the target language.

13. Ambiguity: If the meaning is clear in the source text but ambiguous in the translation, an error may be marked. The reader should not have to puzzle out the meaning.

14. Grammar

Grammatical errors include lack of agreement between subject and verb, incorrect verb tenses or verb forms, incorrect case of nouns, pronouns, or adjectives, and use of an adjective where an adverb is needed.

15. Syntax

The arrangement of words or other elements of a sentence should conform to the rules of the target language. Errors in this category include sentence fragments, improper modification, lack of parallelism, and unnatural word order. If incorrect syntax changes or obscures the meaning, the error is more serious.

16. Punctuation

The conventions of the target language should be followed, including those governing the use of accents and other diacritical marks, quotation marks, commas, semicolons, and colons. Incorrect or unclear paragraphing is counted as an error.

17. Spelling

There is less tolerance of spelling errors in some languages than in others, for reasons that derive from the language itself as well as from the national culture. In all languages, a spelling error that causes confusion about the intended meaning is more serious.

18. Accents and other diacritical marks

The conventions should be followed consistently. If incorrect or missing diacritical marks obscure the meaning, the error is more serious.

19. Case (upper/lower)

The conventions of the target language should be followed.

20. Word Form

The root of the word is correct, but the wrong form is used.

21. Usage

Correct and idiomatic usage of the target language is expected. Errors include use of the wrong preposition or misuse of a grammatical form.

22. Style

If the source text is characterized by a distinctive manner of expression—flowery, staccato, conversational, instructional—this should be reflected in the translation. Awkward or clumsy renditions that obscure the meaning may also be penalized. (Retrieved May 2015, from http://www.atanet.org/certification/aboutexams_error.php)

C. Procedures

There are many accredited translation offices in Iran working within a special framework determined by the judiciary. In the present study, the researchers tried to analyze and evaluate the quality of available translations in a selected number of such. To achieve this purpose, the following steps were taken:

First, available Persian and English articles of association translated by official translators in the years 2012, 2013 and 2014 were collected from the Ministry of Foreign Affairs, Isfahan branch.

Second, the articles were analyzed on the basis of 11 ('mistranslation into target language error', 'omission error', 'word choice error', 'incomplete passage error', etc.) out of 22 criteria proposed in ATA Framework for Standard Error Marking. These criteria are directly related to semantic adequacy.

Third, all the observed errors were formed in terms of frequency and percentage.

Forth, among all the observed errors, the errors which affect semantic adequacy were identified and their percentage was calculated.

Finally, in order to reduce the extent of mistakes in analysis, the researchers checked the texts 3 times in specified intervals (every 3 weeks).

IV. DATA ANALYSIS AND RESULTS

A. Analysis of Data

In this section, the focus is on examples from the translated articles of association done at Iranian accredited translation offices. Forty five Persian samples were randomly chosen from 55, 56, and 64 articles of memorandum, with translations by two different translators. In order to reduce the level erroneous analysis, the researchers checked the exemplar texts 3 times in specified intervals (every 3 weeks). Below, just 2 examples of each article (for the sake of brevity), with their two English translations are stated, analyzed and explained.

Memorandum with 55 articles

Text 1

سهام شرکت- سهام شرکت باید بامضا صاحبان امضا مجاز شرکت رسیده و به مهر شرکت ممهور گردد.

Translation 1:

Stocks of the company:

Stock certificates must bear the signatures of signatories and be sealed by the company.

Translation 2:

Shares of the company:

The Shares should be signed and sealed by the authorized signatories.

Analysis: The first translation is semantically and grammatically correct. In the second translation, the whole sentence has just 1 error (*Mistranslation into Target Language*), i.e. the sentence

باید بامضا صاحبان امضا مجاز شرکت رسیده و به مهر شرکت ممهور گردد.

has been wrongly translated as "should be signed and sealed by the authorized signatories".

Text 2:

انتقال سهم طبق ماده 40 قانون تجارت در دفتر ثبت سهام شرکت ثبت و عمل خواهد شد و انتقال دهنده و انتقال گیرنده باید دفتر مذکور را امضا نماید.

Translation 1:

According to Article of the Commercial Act, transferring the shares should be registered in the registration book of the company and transferers and transferee must sign the a/m book.

Translation 2:

According to Article 40 of Trade Act, the transfer of registered shares must be entered in the Shares Book of the Company. The transferee and transferors must sign the said book entry.

Analysis: In the first translation "دفتر ثبت سهام شرکت" has been translated as "registration book". In a company, more than one registration book may exist and, therefore, the translator should refer to the specified book. So, here the word 'shares' has been *omitted* in the translation. Another mistake is that the abbreviation "a/m" has been used in this official translation (*register error*).

The second translation is semantically and grammatically correct.

In general, the analysis of the data in this section showed that 15 translations were completely correct while 15 errors were observed. The two translators have made 1 *mistranslation*, 3 *omissions*, 2 *register errors*, 2 *inconsistency errors*, 2

word choice errors, 1 grammar error, 2 spelling errors and 2 word form errors in their translations. These errors are formulated in the following figures in terms of frequency and percentage:

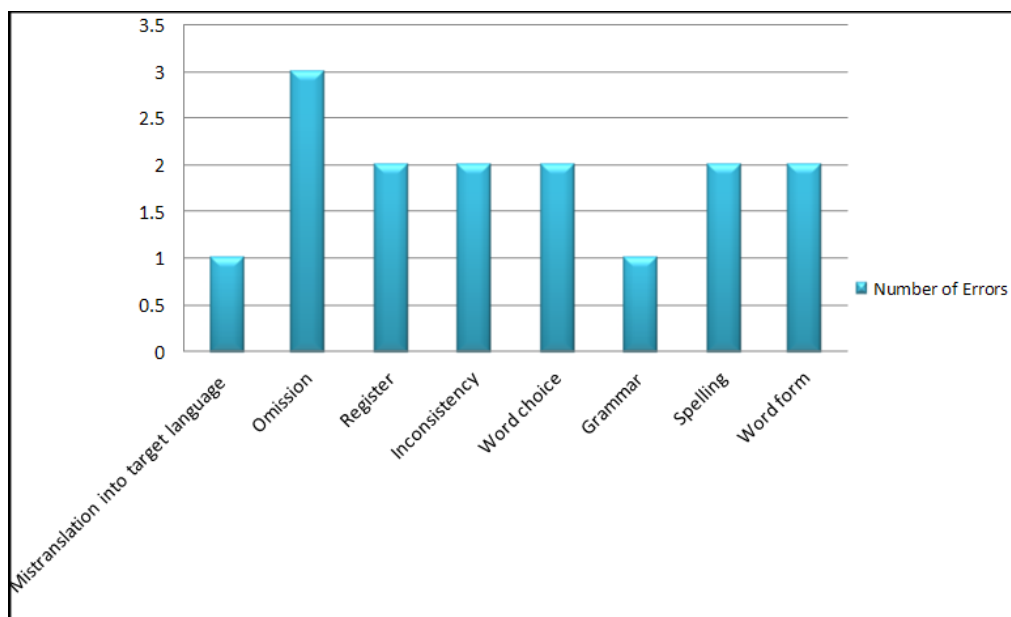


Figure 4.1: Frequency of errors in the memorandum with 55 articles

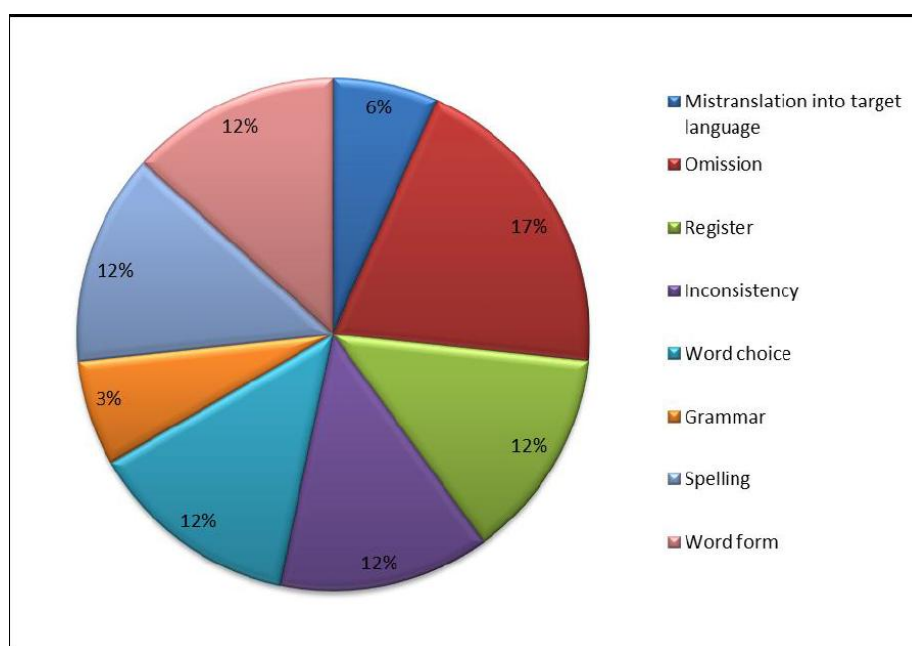


Figure 4.2: Percentage of errors in the memorandum with 55 articles

Memorandum with 56 articles

Text 1:

جلسات هنیت مدیره بر حسب ضرورت در محل شرکت منعقد می گردد مگر در صورت احتیاج که بنا به دعوت رئیس هنیت مدیره و یا مدیر عامل در محل دیگری که تعیین می شود تشکیل می گردد.

Translation 1:

The Board of Director's sessions will be held at the company's office, unless, if necessary in accordance with the chairman's invitation, it will be determined to be held in another place.

Translation 2:

The sessions of the board of directors, if necessary, are held in focus of the company, unless in case of need upon the invitation of the chairman of the board of director, it will be held elsewhere.

Analysis: The first translation is almost semantically and grammatically correct. In the second translation, the translator has made *word choice error* by translating محل شرکت as "focus of the company". The correct choice is *premise of company*.

Text 2:

سود سهام باید حداکثر ظرف سه ماه پس از تصویب مجمع به سهامداران شرکت پرداخت گردد.

Translation 1:

The dividend must be paid to shareholders not later than three months after it has been approved by the general assembly.

Translation 2:

The divided shall be paid to the shareholders within three mounts after being approved by the general meeting.

Analysis: The first translation is grammatically and semantically correct. In the second translation, the word divided has *spelling error*. Also, the translator has made *inconsistency error* by using the word "shareholders" in this article and "stockholder" in another article.

Based on the analysis of the whole data related to memorandum with 56 articles, the following information was obtained: Twenty five translations were completely correct and 5 errors were observed. The two translators have made 1 *omission*, 1 *addition*, 1 *word choice*, 1 *grammar* and 1 *spelling errors*. These errors are formulated in the following figures in terms of frequency and percentage:

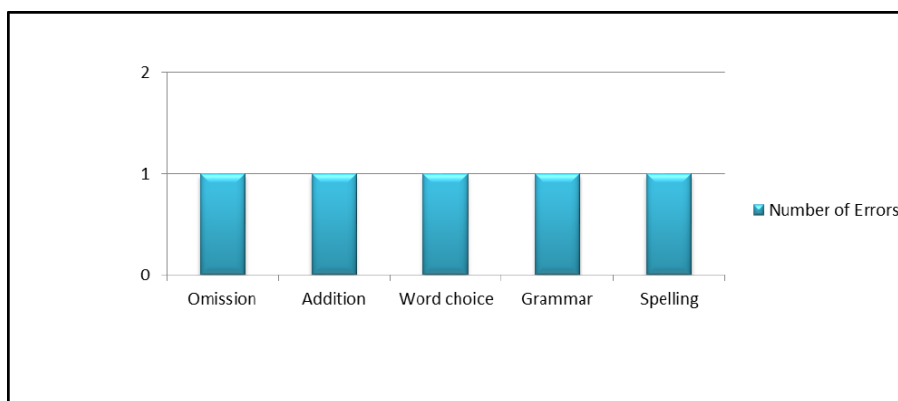


Figure 4.3: Frequency of errors in the memorandum with 56 articles

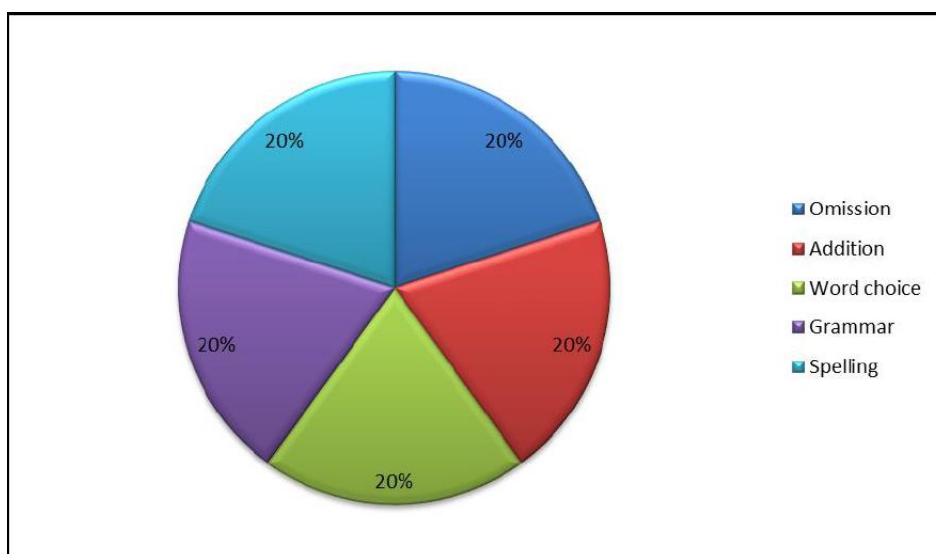


Figure 4.4: Percentage of errors in the memorandum with 56 articles

Memorandum with 64 articles:

Text 1:

اوراق سهام

یا بی نام است . اوراق سهام شرکت متحدالشکل و چاپی و دارای شماره ترتیب و حاوی نکات مذکور در ماده 26 لایحه کلیه سهام شرکت با نام و قانونی اصلاح قسمتی از قانون تجارت مصوب اسفند ماه 1347 بوده و به امضای دو نفر از مدیران شرکت که از طرف هیئت مدیره تعیین می شوند خواهد رسید و به مهر شرکت مهمور می گردد.

Translation 1

Shares of the Company: The Shares should be signed & sealed by two authorized signatories of the Co.

Translation 2

Bonds: All shares of the company are either named or unnamed. Company Bonds are uniform, printed and bear consecutive registry number. _ and contain the points stipulated by article 26 of the bill of modification of the law of commerce of march 1969, and are signed by two of the managers of the company that are elected by the board of directors and bear the seal of the company.

Analysis: In the first translation, many parts are absent in translation and thus, the meaning of the sentence is totally different from the original text; consequently, the translator has made *mistranslation into target language error*. Furthermore, *register error* has been made using “co.” instead of company. In the second translation, there is a *punctuation error* in the second line, i.e. the translator has used both colon and full stop successively in the sentence.

Text 2:

حق تقدم در خرید سهام جديد

در صورت افزايش سرمايه صاحبان سهام شرکت در خرید سهام جديد به نسبت سهامی که مالکند حق تقدم خواهند داشت ترتيب استفاده از اين حق تقدم طبق مقررات لايحه قانونی اصلاح قسمتی از قانون تجارت مصوب اسفند ماه 1347 خواهد بود.

Translation 1:

Priority in purchasing of the new shares: Case of Increase of the capital of the company, each shareholder will be given priority in purchasing a number of the new shares in proportion to the shares he/she already owns. Arrangements for exercising this priority shall be as stipulated by the regulations of the amendment of the law of commerce enacted on March 1969.

Translation 2:

Priority in purchasing new shares: In case of increase of capital, the shareholders of the Co. have priority in purchasing the new shares, and the manner of using the said priority will be as per Legal Bill of Commercial Law ratified in March 1969.

Analysis: The translation of the first text is correct grammatically and semantically. In the second translation, the sentence:

“صاحبان سهام شرکت در خرید سهام جديد به نسبت سهامی که مالکند حق تقدم خواهند داشت”

Is absent; hence, *incomplete passage error*. The translator has also made *register error*, using “co.”

Based on the analysis of all Articles in the memorandum with 64 articles, the following information was obtained: 10 translations were completely correct and 28 errors were observed. The two translators have made 4 *incomplete passage*, 6 *mistranslation*, 1 *punctuation*, 7 *word choice*, 6 *omission*, 1 *register*, 2 *grammar*, and 1 *addition errors* in their translations. These errors are formulated in the following figures in terms of frequency and percentage:

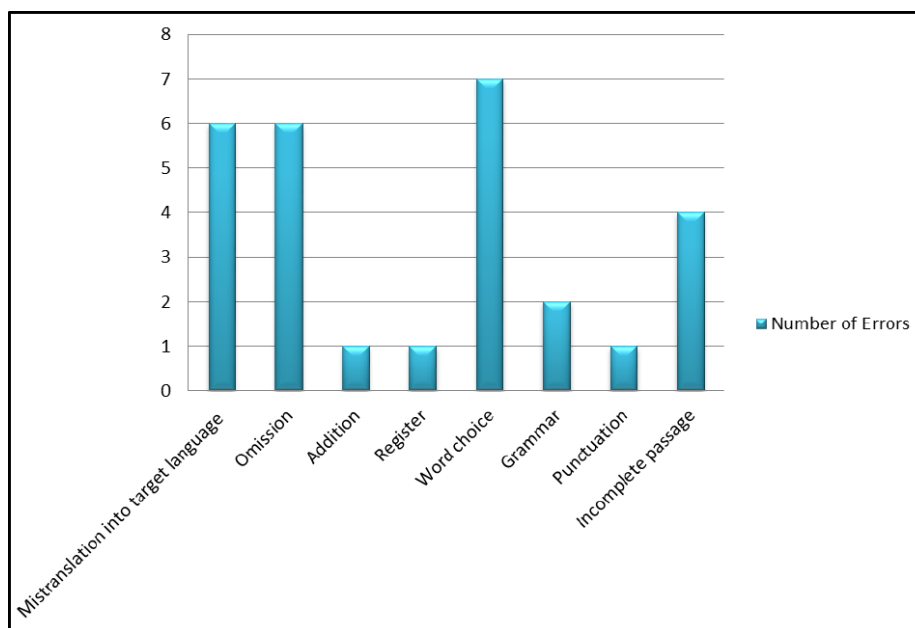


Figure 4.5: Frequency of errors in the memorandum with 64 articles

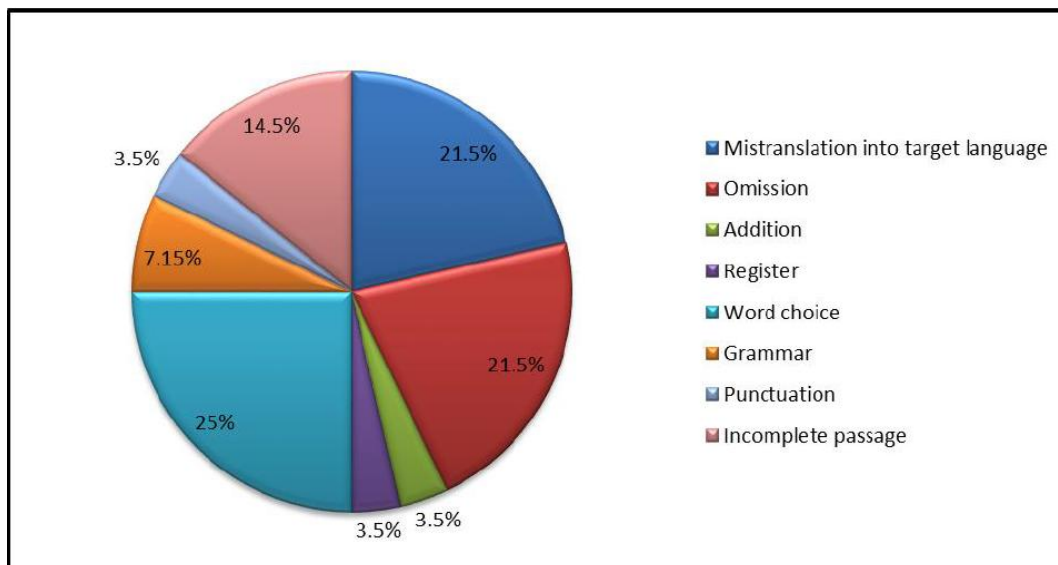


Figure 4.6: Percentage of errors in the memorandum with 64 articles

B. Results

In the following figures, the percentages of all errors are shown. The errors that affect semantic adequacy, causing the meaning of ST to be absent in TT are: ‘*mistranslation into target language error*’ (14%), ‘*omission error*’ (20%), ‘*word choice error*’ (20%) and finally, ‘*incomplete passage error*’ (8%). These results show that the translators were successful in translating many of the targeted texts. They also show that a number of translations are not semantically adequate, i.e. the translators were not able to adequately reproduce the meaning of source text in the target text.

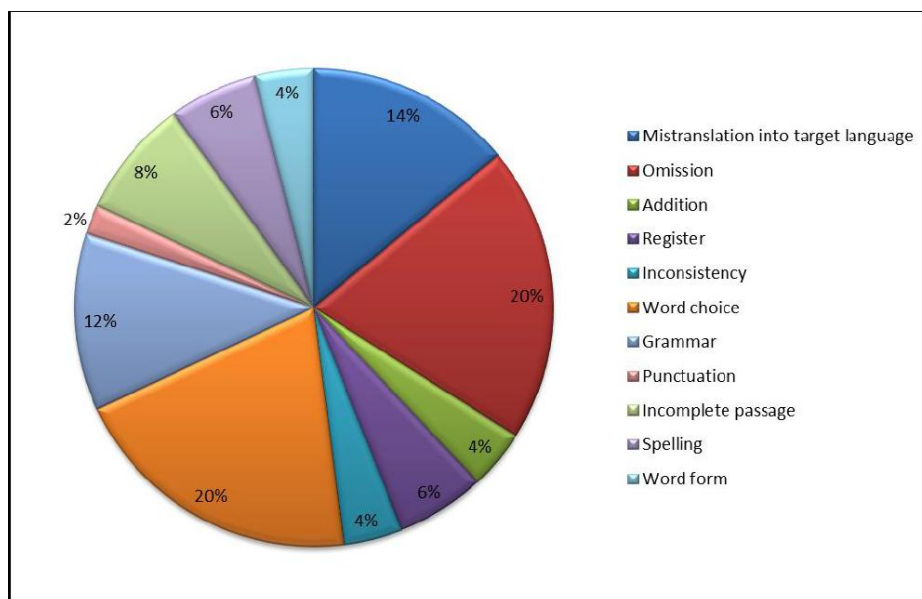


Figure 4.7: Percentage of all errors

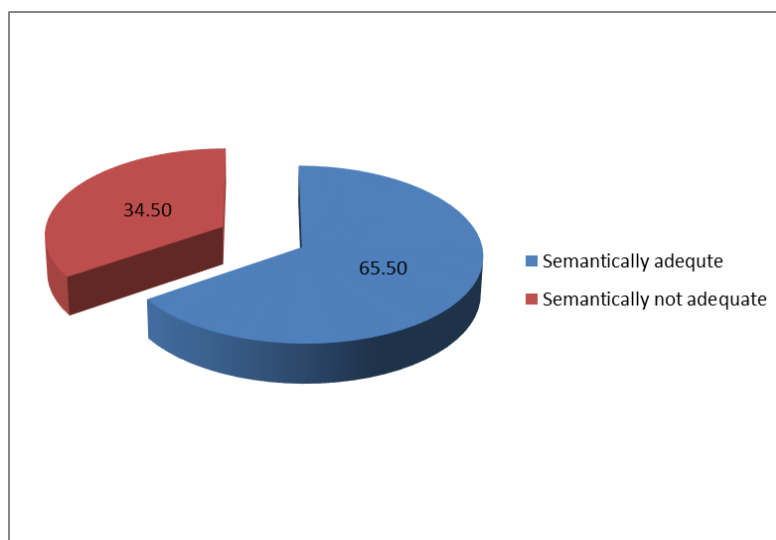


Figure 4.8: Percentage of semantic adequacy

V. DISCUSSION AND CONCLUDING REMARKS

A. Discussion of Results

In connection with the first research question of this study, the above results revealed that many of the articles under study have been translated correctly in terms of semantic adequacy, while a number of them have been erroneously rendered in this respect. This way, the semantic loads of words which carry the exact message of the source language have not been conveyed to the target language, which in some cases can lead to misunderstanding. As an example, when the translator does not translate a considerable part of a sentence and makes an “*incomplete passage error*”, the meaning of ST is not transferred properly to TT. Likewise, when a translator omits a word in a sentence that affects the meaning of the whole sentence (for example, using ‘registration book’ instead of ‘registration share book of the company’), the meaning of the original text is not carried over to the target language and thus, the translation turns out to be semantically adequate.

As for the second research question, it is to be noted that since translations were made by official translators of the judiciary, with due regard to the fact that these translators are usually acquainted with official texts and legal circumstances, the researchers not only expected lack of errors in their renderings, but also expected to learn from them. Unfortunately, upon analyzing the selected texts, the above-stated errors were observed. The causes behind such errors can be: 1) Time restriction which is usually imposed by customers, 2) Repetition of the same document forms during years and 3) Unfamiliarity of non-official translators (who work in accredited translation offices) with legal texts and legal translation.

B. Concluding Remarks

This study investigated translation quality assessment regarding English translations of Persian official texts done at Iranian accredited translation offices based on the ATA framework. Thus, effort was made to unearth the errors which translators of accredited offices make in the rendering the articles of association, and check to what extent such renderings are semantically adequate.

The findings of the study showed that there are definitely certain errors in such translations affecting semantic adequacy. Actually, by studying all the selected samples, it was revealed that ‘Mistranslation into target language error’ (14%), ‘omission error’ (20%), ‘word choice error’ (20%) and ‘incomplete passage error’ (8%) have respectively a negative impact on semantic adequacy of the English translations. In general, in all the ninety English samples, 31 errors were discovered to negatively affect semantic adequacy. It can, therefore, be concluded that translators of accredited offices should be more careful in doing their translations and do their utmost to make them semantically adequate, i.e. construct a quality product.

A final word is that the findings of this study may be useful for translation accredited offices, students of English language translation who like to be professional as legal translators and work in accredited offices, and generally those who need to be aware of importance of semantic adequacy in translation.

REFERENCES

- [1] American Translators Association. (2005). ATA Framework for Error Marking. Retrieved May 2015, from http://www.atanet.org/certification/aboutexams_error.php.
- [2] Bhatia, V. K. (1991). Translating legal genres. In Trosberg (ed.), *Text typology and translation*. Amsterdam: John Benjamin, 203-216.

- [3] Borja, A. (2000). The concept of equivalence in medical and legal translation. *International Journal of Translation* 12, 1-2.
- [4] Cao, D. (2007). *Translating law*. Toronto: Multilingual Matters Ltd.
- [5] House, J. (1981). A Model for Assessing Translation Quality. Retrieved May 2015, from <https://www.erudit.org/revue/meta/2001/v46/n2/003141ar.pdf>.
- [6] Maley, Y. (1994). The language of law. In J. Gibbones (ed.), *Language and the law*. New York: Longman.
- [7] Mattila, H. (2006). *Comparative legal linguistics*. (C. Goddard, Trans.) England: Ashgate Publishing Limited.
- [8] Mochny, D. (2005). Translating law is translating culture. Retrieved March 2005, from <http://www.ccaps.net/newletter/06-05/art-1en.htm>.
- [9] Pinchuck, I. (1997). *Science and technical translation*. London: Colins.
- [10] Reiss, K. (1989). Text types, translation types and translation assessment. In A. Chesterman (ed.), *Readings in translation theory*. Helsinki: Oy Finn Lectura Ab, 105-115.
- [11] Samadi, M. (2009). Translation of legal codes of Iran. Unpublished M.A. thesis, University of Isfahan.
- [12] Sarcevic, S. (1997). *New approach to legal translation*. Hague: Kluwer Law International.
- [13] Schauer, F. (1987). *Law and Language*. Aldershot: Dartmouth.
- [14] Tiersma, P. (2001). *Legal language*. Chicago: University of Chicago press.
- [15] Williams, M. (1989). The Assessment of Professional Translation Quality: Creating Credibility out of Chaos. *TTR : traduction, terminologie, redaction* 2, 13-33.
- [16] Zweigert, K., Kotz, H. (1992). *An introduction to comparative law*. (T. Weir, Trans.). Oxford: Clarendon Press.

Narges Jamali has an M.A. in Translation Studies. She has been teaching English to Iranian students in high schools and language institutes and, at the same time, is the head of an official translation office in Isfahan.



Hossein Vahid Dastjerdi teaches in the English Language Department at the University of Isfahan, Iran. He is associate professor of applied linguistics and has taught courses of variegated character, including translation courses, for years. He has been a fellow of the English Centers at the universities of Isfahan and Shiraz where he has investigated into issues related to materials preparation for GE. and ESP. courses. He is the author of a number of books in this respect. He has also published a good number of articles on discourse, testing and translation in local and international journals.

Dr. Vahid's current research interests include testing, materials development, translation, the metaphoricity of language, discourse analysis, pragmatics and critical discourse analysis. He is presently involved in a number of projects concerning translation studies as well as figurative language use.