

Minimalist Perspective on Legal Communication: A Case Study of English to Urdu Translation of Punjab Laws

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Abstract

Syntactic choices and complexity reduction make translation communicative for the readers. This paper underscores the syntactic choices as well as complexity reduction in Urdu translation of Punjab laws in English. The study focuses on legal communication in a minimalistic perspective. It draws upon the theory of minimalism proposed by Chomsky (1993), along with the three-stage model by Nida and Taber (1969). Data is analyzed by employing Burton's (2021) clausal analysis. The legal data used for the research comprises Punjab laws in English and their Urdu translation. The findings reveal minimalism as a useful strategy in the translation process for reducing structure complexity and making the translation understandable to laypeople. The study is beneficial to English-Urdu translators since it instructs them on how to make their translations communicative, especially when dealing with legal texts. It is also useful for academics in the field of Translation Studies who are working on minimalist views.

Keywords: minimalism, complexity reduction, legal translation, syntactic choices, communication

INTRODUCTION

Translation is a complex phenomenon, particularly when it comes to legal translation. To make translation communicative, syntactic decisions are crucial. According to Sadiq (2008), because the organization of signs in each language differs due to syntactic structures, it is not enough to simply translate the words; they must be ordered in a way that corresponds to the target language structure norms. Otherwise, the target readers will have great difficulty grasping the idea. This paper investigates how the complexity of legal sentences in English is decreased throughout the Urdu translation process, and how legal communication is maintained in Punjab Laws by decreasing operations and words.

The current study looks at legal communication from a minimalist approach. It is based on Chomsky's (1993) concept of the Minimalist Program (MP), in which he explores the economy principle of language by emphasizing the simplicity of language structures. Minimalist Program explores the concept that the fundamental operations of language are not complex but rather simple and few (Clark, 2020). The language economy principle is unquestionably a crucial factor that governs both language use and change. It is the dynamic stability between the speaker's tendency to make the least amount of effort and the achievement of their communicative needs (Iamartino, 2015). The language economy principle combines the concepts of "economy of derivation" and "economy of representation," which deal with the smallest number of steps and the smallest number of words in the generation of sentences (Chomsky, 1995). However, the speaker can make a concise but communicative sentence using the bare minimum of steps and words. In this context, Vicentini (2003) claims that the linguistic structure undergoes many modifications and alterations to provide the greatest possible communication. Similarly, different ideas are conveyed from one language to another by altering the structure of the source text according to the target language's conventions. Sentences are reassembled in a variety of ways to convey the full meaning. In this way, the language economy principle of the Minimalist program is likewise linked to translation.

The translation process is tied to the minimalist philosophy in this study. By operationalizing the three-stage translation model of Nida and Taber

(1969) and Chomsky's (1995) Minimalist Program, both economy of derivation and economy of representation are applied to English legal texts of Punjab Laws and their Urdu translation. Nida and Taber's (1969) three-stage translation model is based on Chomsky's (1993) generative grammar, in which the source language's deep structures, also known as kernel sentences, are transformed into the target language's deep structures and then reconstructed using target language norms. As a result, in the translation process, economy principles are used to reduce the source language sentence to the simplest, fluent, and understandable form possible. It demonstrates how economy principles are important in decreasing sentence complexity and developing basic structures in translation that is easily understood by target readers and convey the entire meaning to the audience. In this regard, Murphy (2020) asserts that minimalism contributes to higher cognition of individuals as well. In the same way, the purpose of legal text translation is to make the translation understandable for laypeople. This study aims to look into how the economy principle can help in making legal texts more communicative for the intended audience.

Recent years have seen that the syntactic component has become the most prominent focus of research in linguistics particularly in generative grammar and the most noticeable reformulation of generative grammar has been the Minimalist Program introduced by prominent linguist Chomsky (1993). Minimalism is generally linked with certain creative tendencies whose function is stripped down to its most basic elements (Andreu & Gallego, 2009). In this regard, Chomsky states that grammars are minimally complex and completely structured in optimal design. He represents four essays namely Principles and Parameters Theory, Economy of Derivation and Representation, A Minimalist Program (MP) for Linguistic Theory, Categories and Transformations in a Minimalist Framework. However, this article primarily focuses on the Economy Principle of Language. These principles emphasize the simplicity of language structures.

The word 'economy' was derived from *économie*, a French word, in 1530 (Simpson, 1989). As this word has been extensively used in contemporary linguistics based on grammar as well as language theory, the first quantitative study unveils that it has not been discussed in depth in grammar and

linguistics. Chomsky (1993) first uses the term in his theory of MP under the field of grammar and linguistics. The term is defined as thrift, less burden, saving, and gain and it is an essential idea in generative grammar which asserts that structural or, in more linguistic terms, syntactic representations must consist of as few constituents as possible. Furthermore, it should involve minimum syntactic derivations as well as grammatical operations. Language varies due to certain external and internal forces that also influence social contacts and customs as well as cause variation in irregularity, constant importation, and alteration in communication. The economy of language controls the whole language system with minimum cost and thus is called “the principle of least effort” (Vicentini, 2003).

The economy principle of language states that the cost, as well as the length of derivation, must be minimized. In this regard, Collins (2001) claims that in the process of derivation, representations to be made must not be kept complex; rather, they should be simple, holding a minimal number of syntactic objects that can be interpretable. In other words, the economy principle suggests simpler forms of sentences following shortest derivation moves and they must be communicative for the audience.

According to Chomsky (1995), ‘minimality’ allows you to choose from two comparable operations and selects the lowest one. This is similar to the Shortest Derivation Requirement (SDR) with the smallest number of derivational operations. SDR minimizes the derivational steps and lessens the number of operations for convergence. Chomsky (1995) states that full interpretation can easily be understood by using as few words as possible in the economic realization of deep structures. The reason behind this claim is that extra steps in the derivational process correspond to additional symbols and violations. In other words, the economy principle leads towards the rejection of less conspicuous forms and suggests the most conspicuous ones. Similarly, Workflow, under these conditions, is a grammar that can reduce the level of ranks, movements’ length, and the number of derived steps or violations of certain conditions (Collins, 2001).

In this context, Vicentini (2003) argues that to achieve the aim of best possible and efficient communication in the most effective way, language structures go through numerous changes and adaptations. He asserts that

the speaker and the listener both tend to minimize efforts in communication. He and Xiao (2008) supporting the idea argue that the speaker generally tries to communicate rich messages by using fewest words while the addressee expects precise information from the speaker that entails a greater amount of information units to make the prior understood in the given context. Hence, the speaker emphasizes a word or phrase to convey its meaning to the recipient more clearly. Similarly, Anjomshoa and Sadighi (2014) assert, “the reductions and minimizations of the minimal Program result in a system that is immensely different in many respects to the earlier generative GB system of language.” Jespersen (1949) rejects this idea as it is an addressee-biased approach and states that linguistic economy must be considered from both perspectives; the addressee and the speaker. According to him, the speaker, and the listener both tend to lessen their efforts in communication. The essential part of the linguistic economy is to produce the structures that are communicative for the speaker by saving his/her articulating energy as well as for the addressee by minimizing his/her mental efforts. Therefore, the mental energy of the listener and the energy of the speaker’s articulation are optimally saved. The principle of Linguistic Economy reduces the speaker’s time and energy, but it is not always appreciated because sometimes complete satisfaction of linguistic economy makes the message incomprehensible and increases the concentrating energy of the listener.

In the process of language acquisition, the economy principles are quite useful. In the context of the acquisition of children’s language, Jackendoff (2005) proposes a strategy of ‘Minimize Complexity’ to deal with the apparent language complexity that is to minimize what has to be learned for instance complexity of adult grammar through simplifications. In this context, VanEenoo (2011) states that Minimalism principle appears as a valuable device for complex as well as diverse understanding, which elucidates the firm idea of simplicity in its aspects.

The historiographical analysis of Vicentini (2003) also sheds light upon the role of the linguistic economy in functionalism and formalism. By analyzing the notion of the linguistic economy in different texts from the 16th to 18th century, it is stated that the principle of economy can be defined as a result of the creation of the communication theory and models of linguistic

variations. Furthermore, Lowth (1762) studies different early modern English works to investigate the phenomenon of the linguistic economy. He states that the English language is simple to learn that involves few grammatical rules and it is the most simple of all European languages in terms of its construction. The idea of simplicity, in general terms, is taken as a guideline to the statements and comments of the writers who search for it within the linguistic system. In this regard, various meanings are conveyed for the idea of simplicity e.g. non-difficulty, sobriety, brevity, and efficiency (Ibid.).

The overall simplification of the English language points us towards economic trend, which is the reason for its worldwide spread; its grammatical form and construction save the learner from many difficulties and are adequately clear (Collyer, 1735). In this way, the economy principle upholds stability between efficient and direct communication. According to the theoretical approach of the principle of economy, most of the variations occur in the linguistic system due to full optimization of communication and any change will occur only when they are needed rather than to make a linguistic system easier or more complex. According to Vicentini (2003), the variations occur in a linguistic system to fulfill the communicative needs of the speakers and communication is the most essential feature of any language as well as translation. In this regard, Nida and Taber (1969) present a communication model by introducing the communication theory in translation studies. The model comprises sender, message, receiver, setting, medium, noise, and feedback. It states that translation is a message, which goes through the steps of decoding and recoding by the sender and the receptor. Following the idea, Nida and Taber (1969) were the first who applied Chomsky's theory of generative grammar in translation to conceptualize the function of universal patterns behind diverse grammatical structures. They emphasize retaining the complex foreign elements from the text to advantage the target language readers.

The economy principle is also linked with the interpretive theory. They are interrelated as both of them focus on the function of the language. The interpretative theory states that the interpreters aim to determine the functional equivalence for the target audience. In this context, Lederer (2010)

asserts that the reformulation occurs according to the sense produced by the combination of the interpreter's cognition and his/her linguistic choices instead of the original language's form. Thus, the sense is the major component of interpreting (Shuttleworth & Cowie, 2004). According to interpretive theory, translation is not only a process of transforming one code into another rather communication of ideas. Similarly, economy principle is simple and understandable representation through minimal derivation. Economy principles are purely linguistic and are not yet applied to the phenomenon of translation; however, the current research deals with the application of the economy principles on the process of translation and intend to explore that these principles work as an aiding tool in producing a communicative product.

A significant number of research studies have been conducted on the idea of minimalism. Fong (2008) conducted a study on the idea of minimalism focusing on computational issues in languages having SOV structure by employing the probe-goal framework. He asserts that the probe-goal framework as a kind of Chomsky's generative theory works as an aiding tool to discover pre-nominal relative clauses in Turkish, Korean, and Japanese because of their SOV structure. In the same way, Zipf (1949) investigated speech as a natural phenomenon, human conduct is naturally predisposed to the criteria of regulating economy, which is guided by the Principle of Minimum Effort. This is also true in terms of language development. During the dynamic process of language change words are continually reduced and changed in meaning but under Principle of Least Effort an equilibrium with maximum economy of communication is kept with maximal permutation and elimination of words, borrowing and alteration. Furthermore, Kobayashi (2015) did a study on the Principle of Linguistic Economy and Emphasis in English that was connected to the principles of Minimalism. To emphasize specific English terms, he states that the earlier theory regarding sound patterns was wrong since it focused on speaker and hearer. The climax may influence the expression of need, which is thought to be a primary cause of stress shifts. It suggests that one needs to spend more time and effort in order to understand the message's clarity and accuracy.

Ali, Jabbar, and Kiyani (2021) investigate scrambling in Clause-Internal by operationalizing minimalist programs as a framework on the Urdu language. The study is based on Urdu Naturalistic data that comprise a corpus of 100 proficient Speakers of Urdu, collected in audio format, within a normal setting. The study explores that when the minimalist program is applied to Urdu data, the displacement of statements from base to host position depends on the phase heads, and thus there is no need for other external devices fundamentally needed for scrambling.

Linguistic redundancy is strongly connected to economy principles and has an important role in the occurrence of successful communication (Wit and Gillette, 1999). Linguistic redundancy, whether it is contextual or grammatical, is very helpful in communication as it provides a suitable way to reduce the complexity of communication by creating simpler forms. In this regard, Samadi, Sayyar, and Sadighi (2015), by advocating the phenomenon of economy and simplicity in minimalism, assert that regarding cognition and evolution, the minimalist approach is very advantageous for child acquisition. The minimalist approach is based on syntactic rules that make learning easier and assist child acquisition. In the same context, Vicentini (2003) asserts that by using rich vocabulary and fewer words, comprehensible results can be achieved in communication. He propounds the argument by researching the role of the economy principle in modern English works (16th-17th century). He analyzes linguistic economy on phonetic/phonological, lexical, and syntactic levels and concludes that the use of minimum however tangible vocabulary can result in clear communication. Furthermore, Mobbs (2015) explains minimalism and the language faculty design as acquisition and use of language. He discusses different arguments regarding minimalism and then states that minimalism is a linguistic inquiry with linguistic variations for the role of language in human cognition.

The current research explores the syntactic choices as well as complexity reduction making legal translation effective for the readers by applying the theory of minimalism proposed by Chomsky (1993) and the three-stage model of Nida and Taber (1969) in English-Urdu legal translation.

RESEARCH METHOD

The legal text of Punjab Laws was acquired from the Punjab Codes website <http://www.punjablaws.gov.pk/> for the current study where a variety of legal categories are available. The information is gathered based on the scholars' own legal translating experience. Examples that are suitable for this study have been extracted. Both source and target language files are retrieved from Punjab Codes' official website, and multiple processes are used to make the selected text adequate for the analysis. Both the source and target text files are downloaded independently and converted to plain text files.

Subsequently, the text files are imported into Microsoft Excel and aligned on two columns. Both aligned forms are made parallel evenly with the use of Microsoft Excel data operations, ASAP utilities, and manual review. Data are extracted after the parallel creation procedure. Purposive sampling is the data extraction technique used, in which examples are chosen depending on qualities that the researchers think are appropriate for the investigation. The researchers have manually examined the data and extracted the related data in the form of complex segments (a sentence with more than twenty-four words or more dependent clauses along with one independent clause, as Huang (2016) defines it, and their translation choices, which are further analyzed in this research.

The current study's theoretical approach is based on Chomsky's (1993) theory of Minimalism and Nida and Taber's (1969) communicative translation model. Chomsky (1995) emphasizes in the minimalist program that language must have some constraints, which he refers to as "virtue conceptual necessity," or the usage of only those words that are required for syntactic processes. According to Radford (2007), the concept goes toward the economy principles in syntactic structures, which "require that syntactic representations contain as few constituents as feasible and syntactic derivations use as few grammatical processes as possible" (p. 335).

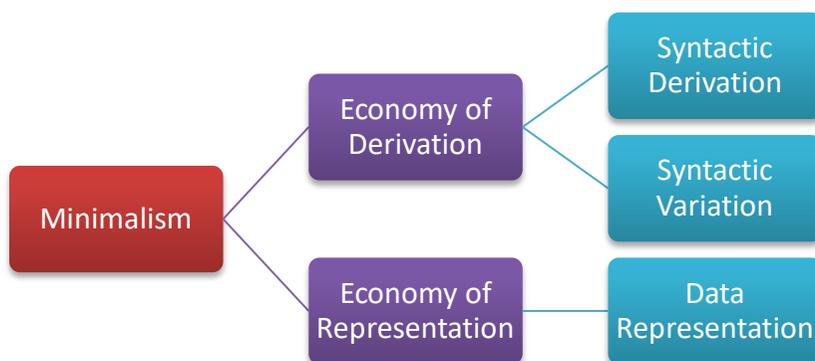


Figure 1. Chomsky's Minimalism (Economy of Derivation and Economy Representation)

The study is based on the two most significant economy principles. The economy of derivation in translation is described as a sentence restructuring stage. To produce a sentence, only a few steps must be taken, and only a few operations must be performed. When a sentence is finished, it has the bare minimum of elements and conveys a complete meaning, demonstrating an economy of representation. These Economy Principles serve as a foundation for making the intended text more communicative.

The current study establishes a link between the notion of minimalism and the translation process. Nida and Taber's (1969) three-stage model is combined with minimalism theory to assess the acquired data. This model depicts A as a source text, which is then analyzed to reveal the deep structure, which is represented by X. This X is then transferred into the target language's deep structure (known as the kernel sentence) and shown as Y in the picture. In addition, the other structure is examined and restructured following Chomsky's economy principle. Different phrases and clauses derive for

translation and a minimal link is established together, reducing the complexity of the structure, and then B is displayed in the figure as receptor language, which illustrates the usage of the economy of representation. As a result, the target language's clear and easy structure emerged, which is deemed communicative by the target audience.

According to Nida (1964), sentences in translation go through a process in which they are first interpreted into the source language's deep structure and then converted into the target language's deep structure, and these sentences are referred to as kernel sentences by Nida and Taber (1969). The structures in the target language appear as absolute structures after such syntactic alterations. Kernel sentences serve as the central unit of any sentence, developing the surface structure.

In order to illustrate these principles whether it is economy of derivation or economy of representation, Burton's (2021) clausal analysis is used in data analysis, and clause is taken as equivalent to a sentence as he gives a clause a rank of a sentence. By using his idea, syntactic structures are presented in order to depict the idea of economy. In addition, back-translation is also provided to depict the changes more clearly.

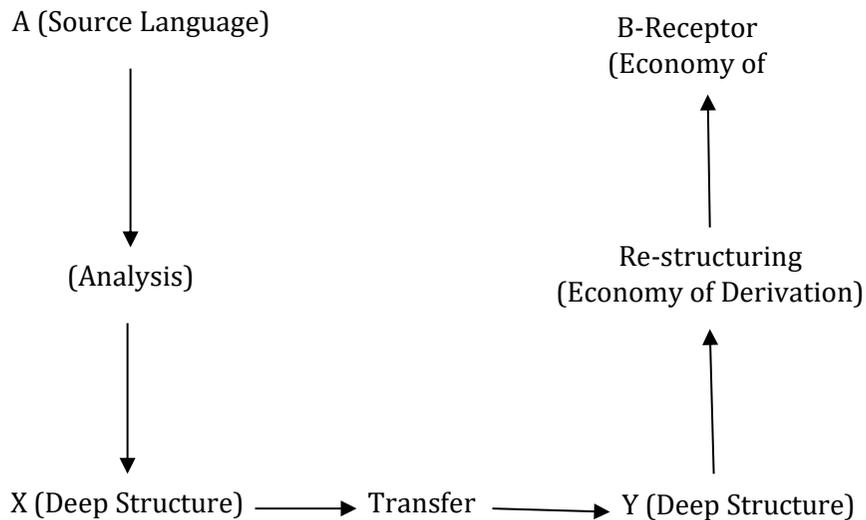


Figure 2. The three-stage model by Nida and Taber (1969)

DATA ANALYSIS

The data selected from the translated legal text is analyzed and discussed in this part. The data is acquired using a technique called purposive sampling, which is appropriate for our study. The data is tabulated and evaluated using the methodology described in the preceding section. The extracts are also transliterated in the translated form for the convenience of the readers. The data is studied on a syntactic level, demonstrating how a structure with minimum constituent might be more communicative than longer phrases and clauses in the translation process.

Extract 1

English Source Text

Every marriage solemnized by any person who has received episcopal ordination, but who is not a Clergyman of the Church of England, or of the Church of Rome, or by any Minister of Religion licensed under this Act to solemnize marriages, shall, immediately after the solemnization thereof be registered in duplicated by the same; (that is to say) in a marriage register-book to be kept by him for that purpose, according to the form contained in the Fourth Schedule hereto annexed and also in a certificate attached to be marriage-register-book as a counterfoil.

Christian Marriage Act, 1872

Urdu Translation

چرچ آف انگلینڈ یا چرچ آف روم کا کابن یا مذہب کے کسی منسٹر کی جانب سے شادیاں رسمائے کے لیے لائسنس یافتہ نہ ہونے مگر بطور اسقف فائز کسی شخص کی جانب سے رسمائی گئی ہر شادی اس کے رسمائے کے فوراً بعد مثنی طور پر رجسٹر کی جائے گی؛ (یعنی) اس ایکٹ سے منسلک چوتھے شیڈول میں درج شکل کے مطابق اس کی جانب سے اس مقصد کے لیے رکھی گئی شادی رجسٹر بک میں اور شادی رجسٹر بک سے منسلک سرٹیفکیٹ میں مثنی طور پر بھی رجسٹر کی جائے گی۔

Transliteration

charch of England ya charch of Rome ka kaahin ya mazhab ke kisi minister ki janib se shadian rismaanay ke liye licence Yafta nah honay magar bator usqf Faiz kisi shakhs ki janib se rismai gayi har shadi is ke rismany ke foran baad Musna tor par register ki jaye gi (yani) is act se munsalik chouthay schedule mein darj shakal ke mutabiq is ki janib se is maqsad ke liye rakhi gayi shadi register buk mein aur shadi register buk se munsalik srtifkit mein musna tor par bhi register ki jaye gi.

Extract 1 describes the syntactic level analysis in the context of reduction of complexity and the process of communication in translation. The present extract shows how the complexity of structures is reduced during the process of translation and the structures are made communicative for the common readers. The deep structure of the given extract in the source language is:

“The authorized person of solemnizing marriage will immediately register the marriage after solemnizing it.”

The first step is to analyze the deep structure of the source language so that the main theme of the sentence is made understandable. Then the sentence is to transfer in the deep structure of the target language. The possible deep structure of the target language is:

" bator usqf Faiz shakhs shadi rismany ke foran baad is ki registration kere ga. "

The most important point in the legal text is to maintain the meaning of the text because if the meanings get changed the whole text becomes ambiguous and the legal implication is changed. For that purpose, the structure other than the main theme is a responsibility to change accordingly. The structure of the English language is different from the Urdu language. The main structure is changed in the process of translation but arranging the target text structure properly and communicatively is a difficult task. In the given extract, the translated structure is modified according to Urdu language rules and in minimum words, which is communicative and economically minimal at the same time. The information given in the extract other than deep structure is as important as the deep structure itself, so it is carefully connected to the main theme but the structure becomes complicated when that information is attached to it. It is presented in the form of various phrases and clauses, which are connected by different connectors. These phrases and clauses are connected in a way that the structure is made complex by them. The given extract represents the application of economy principles on text.

Source Text (Labelled Bracketing)

S[**S1**[Every marriage **S2**[solemnized by any person]**S2** **S3**[who has received episcopal ordination] **S3**, **S4**[but who is not a Clergyman of the Church of England, or of the Church of Rome] **S4**, **S5**[or by any Minister of Religion licensed under this Act to solemnize marriages] **S5**, shall, **S6**[immediately after the solemnization thereof] **S6** be registered in duplicated by the same] **S1**; **S7**[(that is to say) in a marriage register-book to be kept by him for that purpose, according to the form contained in the Fourth Schedule hereto annexed and also in a certificate attached to be marriage-register-book as a counterfoil.] **S7**]

Target Text (Labelled Bracketing)

S[S1[charch of England ya charch of Rome ka kaahin ya mazhab ke kisi minister ki janib se shadian rismaanay ke liye licence Yafta nah honay magar bator usqf Faiz kisi shakhs ki janib se rismai gayi har shadi is ke rismany ke foran baad Musna tor par register ki jaye gi]S1 S2[(yani) is act se munsalik chouthay schedule mein darj shakal ke mutabiq is ki janib se is maqsad ke liye rakhi gayi shadi register buk mein aur shadi register buk se munsalik srtifkit mein musna tor par bhi register ki jaye gi.]S2]

Back Translation (Labelled Bracketing)

Marriage that is solemnized by any person who is not the priest of the Church of England or the Church of Rome or not licensed by any minister of religion, but a bishop, will be duplicately registered immediately after the ceremony. That is to say; In accordance with the form given in the Fourth Schedule attached to this Act, the duplicate will also be registered in the marriage register book kept by him for this purpose and also in the certificate attached to the marriage register book.

The labelled bracketing shows a clear difference on the syntactic level in the given extract. The legal text is complex and has sentences within sentence. There are seven different clauses, shown in the source text but these are converted into two clauses in the target text. In this case, the economy of derivation is clearly shown. While constructing a sentence in the target language, clauses are merged and a less complicated and minimal structure is made which is less complex and easy to understand for common readers. The final structure shows economy of representation. The structures in the source text are lengthy and complex and the target text brings a comprehensive expression in the Urdu language for target readers. Moreover, back translation is also given here to show the reduction of complexity in target text.

It is clear that the structure wise translation does not give a proper understanding of the information so there is a need to reconstruct the translation in a way that is having a piece of complete information as well as communicative. The source structure in the given extract is reconstructed in a way that is minimal as well as communication and according to the rules of the target language. The connected phrases and clauses are merged

communicatively. When the whole structure is read in a single go, it is minimal as a whole, it is not complicated and it is communicative at the same time.

Extract 2

English Source Text

Whoever while driving or attempting to drive a motor vehicle is under the influence of drink or a drug to such an extent as to be incapable of exercising proper control over the vehicle, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, and if having been previously convicted of such an offence, shall again be guilty of an offence punishable under this section, shall be subject for every such subsequent offence to imprisonment of either description for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

The Motor Vehicles Ordinance, 1965

Urdu Translation

جو کوئی بھی گاڑی چلاتے وقت یا گاڑی چلانے کی کوشش کرتے وقت شراب یا دوا کے اس حد تک زیر اثر ہے کہ گاڑی پر مناسب کنٹرول برقرار نہیں رکھ پاتا، چھ ماہ تک کی مدت کی قید یا ایک ہزار روپے تک کے جرمانہ یا دونوں سزاؤں کا مستوجب ہو گا، اور اگر وہ پہلے بھی ایسے جرم میں سزا یافتہ ہو اور دوبارہ اس سیکشن کے تحت قابل سزا جرم کا مرتکب پایا جائے تو وہ ایسے ہر جرم پر کسی بھی طرح کی دو سال تک کی قید یا ایک ہزار روپے تک کے جرمانہ یا دونوں سزاؤں کا مستوجب ہو گا۔

Transliteration

jo koi bhi gaari chillate waqt ya gaari chalanay ki koshish karte waqt sharaab ya dawa ke iss had tak zair-e assar hai ke gaari par munasib control barqarar nahi rakh paata, chay mah tak ki muddat ki qaid ya aik hazaar rupay tak ke Jurmana ya dono sazaon ka mstojb ho ga, aur agar woh pehlay bhi aisay jurm mein saza Yafta ho aur dobarah iss section ke tehat qabil e saza jurm ka murtakib paaya jaye to woh aisay har jurm par kisi bhi terhan ki do saal tak ki qaid ya aik hazaar rupay tak ke Jurmana ya dono sazaon ka mstojb ho ga .

Extract 2 is analyzed by comparing the source language structure with target language structures in terms of reduction of complexity. The given structure is complex when it comes to the process of translation. The analysis of the given extract shows that the deep structure is:

“If a person under the influence of any drug is driving a car shall be punishable with fine or imprisonment.”

The possible deep structure in the target language is:

koi shakhs jo gaari chillate waqt dawa ke zair-e assar hai jurmana ya qaid ki saza ka murtakib ho ga .

The understanding of deep structure is important for the translation of complex structures. It is easy to understand the other information linked with the main idea and helpful in maintaining the right meaning of a translation. Every word of legal text contains a significant meaning itself. The difference in the sentence structures of two languages is obvious in translation but formal translation only conveys equivalent meaning and is not communicative. To make the text communicative it is important to modify the structure according to the target language. The source structure in the given extract is modified for communicative purposes and it is made easier while reconstructing the sentence. The given text shows that the minimalist approach is used in the process of translation.

Source Text (Labelled Bracketing)

S[S1[S2[Whoever while driving or attempting to drive a motor vehicle is under the influence of drink or a drug to such an extent as to be incapable of exercising proper control over the vehicle]S2, shall be punishable with imprisonment for a term]S1 S3[which may extend to six months]S3, S4[or with fine which may extend to one thousand rupees, or with both]S4, S5[and if having been previously convicted of such an offence]S5,S6[shall again be guilty of an offence punishable under this section]S6, S7[shall be subject for every such subsequent offence to imprisonment of either description for a term]S7 S8[which may extend to two years]S8, S9[or with fine which may extend to one thousand rupees, or with both]S9.

Target Text (Labelled Bracketing)

S[S1[S2]jo koi bhi gaari chillate waqt ya gaari chalanay ki koshish karte waqt sharaab ya dawa ke iss had tak zair-e assar hai]S2 ke gaari par munasib control barqarar nahi rakh paata,] S1 S3[chay mah tak ki muddat ki qaid ya aik hazaar rupay tak ke Jurmana ya dono sazaon ka mstojb ho ga,]S3 S4[aur agar woh pehlay bhi aisay jurm mein saza Yafta ho]S4 S5[aur dobarah iss section ke tehat qabil e saza jurm ka murtakib paaya jaye]S5 S6[to woh aisay har jurm par kisi bhi terhan ki do saal tak ki qaid ya aik hazaar rupay tak ke Jurmana ya dono sazaon ka mstojb ho ga]S6].

Back Translation (Labelled Bracketing)

Anyone who is under the influence of alcohol or drugs while driving or attempting to drive to such an extent that he cannot maintain proper control over the vehicle is liable to imprisonment for a term not exceeding six months or a fine of up to one thousand rupees or both and if he has been convicted of such an offense before and is again found guilty of an offense punishable under this section, he shall be liable to imprisonment for a term not exceeding two years or up to one thousand rupees for each such offense will be liable to a fine or both.

The structure is divided according to the concept of sentences within sentences. There are nine different clauses within one sentence and when it is translated, six clauses are made equal to nine clauses. It means different phrases and clauses are merged to make simpler and easier structures in the target language. It clearly shows the economy of derivation and economy of representation here. The words are reduced minimally and in the final product, communicative and minimized structures are presented. The strategy of back translation is also used to show the difference between source text and retranslation of target text.

If the translation is done according to the source language structure, there will be a problem in communication between the text and the audience. The other problem is that these structures do not fit in the whole sentence and cause the breakage of the structure. The fluency of the text is affected by these structures because of the repetition of the connectors used in the target language. The reconstruction of the sentence according to the target language rules makes the structure and its meaning easier to understand. The words are reduced while reconstructing the sentence and a comprehensible structure is made out of it.

Extract 3

English Source Text

Any person considering himself aggrieved by an order passed by 111[a Commissioner], Collector or an Assistant Collector, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the order was passed, or on account of some mistake or error apparent on the face of the record or for any other sufficient reason, desires to obtain a review of the order passed against him, may apply for a review of the order to 112[the Commissioner], Collector or Assistant Collector, as the case may be, and such officer may modify, reverse or confirm any order passed by himself or by any of his predecessors-in-office:

The Punjab Land-Revenue Act, 1967

Urdu Translation

کوئی شخص جو خود کو 111 [کسی کمشنر]، کلکٹر یا کسی اسسٹنٹ کلکٹر کی جانب سے جاری کیے گئے حکم سے متاثرہ سمجھے اور جو ایسی نئی اور اہم شہادت جو مناسب احتیاط سے کام لینے کے باوجود اس کے علم میں نہیں تھی یا جسے یہ حکم جاری کیے جانے پر پیش نہیں کر سکتا تھا، کی دریافت سے یا ریکارڈ میں کسی غلطی یا خطا کی وجہ سے یا کسی دیگر معقول وجہ کی بنیاد پر اپنے خلاف جاری کیے گئے حکم کی نظر ثانی کے لیے 112 [کمیشنر]، کلکٹر یا اسسٹنٹ کلکٹر، جو بھی صورت ہو، کو نظر ثانی کی درخواست دے سکتا ہے اور ایسا افسر اپنی جانب سے یا اپنے پیش رو کی جانب سے جاری کیے گئے کسی حکم کو تبدیل، منسوخ یا اس کی تصدیق کر سکتا ہے:

Transliteration

koi shakhs jo khud ko 111 [kisi commissioner], collector ya kisi assistant collector ki janib se jari kiye gaye hukum se mutasirah samjhay avrjo aisi nai aur ahem shahadat jo munasib ahthyat se kaam lainay ke bawajood is ke ilm mein nahi thi ya jisay yeh hukum jari kiye jane par paish nahi kar sakta tha, ki daryaft se ya record mein kisi ghalti ya khata ki wajah se ya kisi deegar maqool wajah ki bunyaad par –apne khilaaf jari kiye gaye hukum ki nazar sani ke liye 112 [commissioner], collector ya assistant collector, jo bhi soorat ho, ko nazar sani ki darkhwast day sakta hai aur aisa Afsar apni janib se ya –apne paish ro ki janib se jari kiye gaye kisi hukum ko tabdeel, mansookh ya is ki tasdeeq kar sakta hai :

Extract 3 is complex in nature because of the phrases and clauses, which are connected together with one after another apart from the deep structure and main theme of the sentence. Various phrases and clauses are connected through different connectors making a long sentence that makes it complicated to comprehend. The deep structure of the source language is;

“Any person considering himself aggrieved by an order passed by Collector or an Assistant Collector may apply for a review of the order to Collector or Assistant Collector.”

The other information related to the deep structure is connected through connectors and brings a complex sentence to the audience. The translation of deep structure helps to understand the core meaning of the sentence. The possible deep structure of target text is;

koi shakhs jo khud ko kisi commissioner, collector ya kisi assistant collector ki janib se jari kiye gaye hukum se mutasirah samjhay collector ya assistant collector, jo bhi soorat ho, ko nazar sani ki darkhwast day sakta hai .

While adding the other information in deep structure and reconstructing the sentence, it is modified according to the rules of the target language and phrases and clauses are merged in a way that sentences remain fluent and communicative at the same time. The clauses are divided as equal to sentences for the comprehensibility of target audience.

Source Text (Labelled Bracketing)

S[S1[Any person considering himself aggrieved by an order passed by 111[a Commissioner], Collector or an Assistant Collector, and who, from the discovery of new and important matter or evidence which, S2[after the exercise of due diligence]S2 was not within his knowledge]S1 S3[or could not be produced by him at the time]S3 S4[when the order was passed]S4, S5[or on account of some mistake or error apparent on the face of the record or for any other sufficient reason, desires to obtain a review of the order passed against him,]S5 S6[may apply for a review of the order to 112[the Commissioner], Collector or Assistant Collector, as the case may be,]S6 S7[and such officer may modify, reverse or confirm any order passed by himself or by any of his predecessors-in-office:]S7]

Target Text (Labelled Bracketing)

S[S1][koi shakhs jo khud ko 111 [kisi commissionaire], collector ya kisi assistant collector ki janib se jari kiye gaye hukum se mutasirah samjhay]S1 S2[S3[avr jo aisi nai aur ahem shahadat jo munasib ahthyat se kaam lainay ke bawajood is ke ilm mein nahi thi]S3 S4[ya jisay yeh hukum jari kiye jane par paish nahi kar sakta tha,]S4 ki daryaft se ya record mein kisi ghalti ya khata ki wajah se ya kisi deegar maqool wajah ki bunyaad par –apne khilaaf jari kiye gaye hukum ki nizr sani ke liye 112 [commissionaire], collector ya assistant collector, jo bhi soorat ho, ko nazar sani ki darkhwast day sakta hai]S2 S5[aur aisa Afsar apni janib se ya –apne paish ro ki janib se jari kiye gaye kisi hukum ko tabdeel, mansookh ya is ki tasdeeq kar sakta hai :]S5]

Back Translation (Labelled Bracketing)

A person who considers himself to be affected by an order issued by 111 [a commissioner], a collector or any assistant collector and who has not been aware of any new and important evidence which, despite due diligence or cannot present it on issuance of order, can apply to 112 [Commissioner],

Collector or Assistant Collector, or any other, for revision of order issued against him on the basis of discovery or any error or mistake in the record or on any other reasonable ground. The officer may request a review and such officer may change, revoke or confirm an order issued on his behalf or by his predecessor:

The given extract clearly shows the application of economy principles in the translated version of source text. Sentences within a sentence are shown in the target text to present the complexity of the source text. The translated version has fewer sentences, which represents the economy of derivation. It also shows that the complexity is reduced in target text so that the target audience easily understands the text.

If the translation is done according to the source language structure, the fluency of the sentences gets affected and it is difficult to comprehend for the target audience what the structure is all about. For that purpose, the structure of the target text is rearranged and reconstructed in a way that is minimal, fluent, and communicative at the same time and which is presented in a whole proper way. The phrases and clauses are merged in a proper way and by avoiding so many connectors which are the reason to break the sentence in between. The repetitive use of connectors can cause the breakage of the sentence structure and the minimal use of words and merging the phrases and clauses are the source of making a communicative text.

Extract 4

English Source Text

In the absence of a contract or local usage to the contrary, all rents, annuities, pensions, dividends and other periodical payments in the nature of income shall, upon the transfer of the interest of the person entitled to receive such payments, be deemed, as between the transferor and the transferee, to accrue due from day to day, and to be apportionable accordingly, but to be payable on the days appointed for the payment thereof.

The Transfer of Property Act, 1882

Urdu Translation

کسی معاہدہ یا مقامی رسم میں اس کے برعکس کچھ موجود نہ ہونے پر تمام کرایہ جات، سالیانے، پنشنیں، کمپنیوں کے منافع جات اور آمدنی کی نوعیت کی دیگر میعادی ادائیگیاں ان کی وصولی کے حق دار شخص کے مفاد کے انتقال پر منتقل کنندہ اور منتقل الیہ کے درمیان دن بہ دن بڑھتی ہوئی واجب الادا متصور ہوں گی اور اسی لحاظ سے قابل تقسیم ہوں گی، مگر وہ ان کی ادائیگی کے لیے مقرر کردہ تاریخ پر واجب الادا ہوں گی۔

Transliteration

kisi moahida ya muqami rasam mein is ke bar aks kuch mojud nah honay par tamam kiraya jaat, saalianay, pnshnin, companiyon ke munafe jaat aur aamdani ki noiyat ki deegar meaadi adayigyan un ki vasuli ke haq daar shakhs ke mafaad ke intqaal par muntaqil kanandah aur muntaqil ilaihi ke darmiyan din bah din barhti hui wa jab alada musatawir hon gi aur isi lihaz se qa bil taqseem hon gi, magar woh un ki adaigi ke liye muqarrar kardah tareekh par wajib alada hon gi.

Extract 4 is complex because of the way information is presented and arranged in a sentence. Technical texts are complicated because of the field-specific vocabulary and the way of presenting them because every chunk of it has important information that is mandatory to convey to the target audience without changing and ambiguity. To avoid ambiguity in the text, the first step is to find out the deep structure of the sentence that is;

“All rents, annuities, pensions, dividends, and other periodical payments shall be deemed to be apportionable on the given terms.”

It provides insight into the theme of the text and is a way to understand other information linked with it. The possible deep structure of target language is;

" tamam kiraya jaat, saalianay, pnshnin, munafe jaat aur deegar meaadi adayigyan muqarara sharait par wajib alada musatawir hon gi. "

The deep structure gives some insight into the meaning of the sentence. It helps to collect the meaning from other structures of the sentence linked with it. Minimal steps are taken while reconstructing the text and joining phrases and clauses altogether in the given target text. Phrases and clauses are merged in a simple form and minimum words. If the structure is arranged according to the source text, the sentences are longer, more complicated, and ambiguous at the same time because of the different arrangement rules of the two languages. To clear the ambiguity, the following analysis is given in which structure is divided into different sentences in source and target language, which clears the application of economy principles.

Source Text (Labelled Bracketing)

S[S2[In the absence of a contract or local usage to the contrary]S2, S1[all rents, annuities, pensions, dividends and other periodical payments in the nature of income shall, S3[upon the transfer of the interest of the person entitled to receive such payments]S3, be deemed, as between the transferor and the transferee, to accrue due from day to day]S1, S4[and to be apportionable accordingly]S4, S5[but to be payable on the days appointed for the payment thereof.]S5]

Target Text (Labelled Bracketing)

S[S2[kisi moahida ya muqami rasam mein is ke bar aks kuch mojud nah honay par]S2 S1[tamam kiraya jaat, saalianay, pnshnin, companiyon ke munafe jaat aur aamdani ki noiyat ki deegar meaadi adayigyan un ki vasuli ke haq daar shakhs ke mafaad ke intqaal par muntaqil kanandah aur muntaqil ilaihi ke darmiyan din bah din barhti hui wa jab alada musatawir hon gi]S1 S3[aur isi lihaz se qa bil taqseem hon gi]S3, S4[magar woh un ki adaigi ke liye muqarrar kardah tareekh par wajib alada hon gi.]S4]

Back Translation (Labelled Bracketing)

All annuities, pensions, company profits and other term payments of the nature of income, in the absence of anything contrary to any contract or local custom, on the transfer of interest to the person entitled to receive them will be considered as increasing day by day between the transferor and the transferee and will be divisible accordingly, but they will be due on the due date for their payment.

The extract given above represents the economy principles of language clearly as the sentences within the sentence are less in translated version as compared to the source text. The reason is to make translated text easy to understand for target readers. Back translation is also given above. The reason to show back translation is the difference between the original text and the retranslation of its target text. The complexity is reduced in the retranslation version.

The translation according to the source text structure is broken into chunks and does not provide the proper information. The fluency of the sentence is affected by formal translation. So, to make the text communicative

the sentence is restructured as given in extract 4. While reconstructing the structure phrases and clauses are merged and steps for making sentences are minimum than before. The final structure is also minimal because of the merged chunks of the sentence. The final structure is communicative and easy to understand for the common readers.

Extract 5

English Source Text

The powers exercisable by the Board of Revenue under sub-section (1) may, by like order and in like manner, be exercised by 25[a Commissioner] or Collector in respect of any business cognizable by, or any case pending before, other Revenue Officers under their respective control.

The Punjab Land-Revenue Act, 1967

Urdu Translation

دیگر ریونیو افسران کے اپنے متعلقہ کنٹرول کے تحت ان کے رُوپرو کسی قابل سماعت کارروائی یا کسی زیر سماعت مقدمے کے حوالے سے 25 [کوئی کمشنر] یا کُلکٹر ذیلی سیکشن (1) کے تحت بورڈ آف ریونیو کی جانب سے قابل استعمال اختیارات کو اسی طرح کے حکم کے ذریعے اور اسی انداز میں استعمال کر سکتا ہے۔

Transliteration

deegar revenue afsaraan ke –apne mutaliqa control ke tehat un ke rubaroo kisi qabil e samaat karwai ya kisi zair-e samaat muqadmay ke hawalay se 25 [koi commissionaire] ya collector zeli section (1) ke tehat board of revenue ki janib se qabil e istemaal ikhtiyarat kwasi terhan ke hukum ke zariye aur isi andaaz mein istemaal kar sakta hai .

Extract 5 shows the other example of the complex sentence structure of the legal text. The legal text gives detailed information on a given topic in a single sentence. The information is linked together in a way that there is a space of phrases and clauses in between the subject, main verb, and the object, which makes the sentence, complicated to comprehend. It is important to understand the deep structure of the source text to translate into the target language with complete information. The deep structure of the source text is:

“The powers which are exercisable by the board of revenue may be exercised by a commissioner or collector.”

The other structures connected to it are joined together in a complicated way. The structure is first translated to the deep structure of the target language. The possible deep structure of the target language is:

" revenue afsaraan koi commissionaire ya collector board of revenue ki janib se qabil e istemaal ikhtiyarat istemaal kar sakta hai. "

The other information related to the deep structure is arranged according to the rules of the target language. For that purpose, the phrases and clauses are merged and minimum steps are taken to create the final sentence. If the structure is according to the source text rule it will be ambiguous and have a less comprehensibility level. For Example:

Source Text (Labelled Bracketing)

S[S1[The powers exercisable by the Board of Revenue under sub-section (1) may, by like order and in like manner, be exercised by 25[a Commissioner] or Collector in respect of any business cognizable by, or any case pending before, other Revenue Officers under their respective control.]S1]

Target Text (Labelled Bracketing)

S[S1[deegar revenue afsaraan ke –apne mutaliqa control ke tehat un ke rubaroo kisi qabil e samaat karwai ya kisi zair-e samaat muqadmay ke hawalay se 25 [koi commissionaire] ya collector zeli section (1) ke tehat board of revenue ki janib se qabil e istemaal ikhtiyarat kwasi terhan ke hukum ke zariye aur isi andaaz mein istemaal kar sakta hai .]S1]

Back Translation (Labelled Bracketing)

The powers of the Board of Revenue under sub-section (1) may, by order and in the same manner, be exercised by 25 [any commissioner] or the Collector in respect of any proceedings or any pending case before them under the respective control of other Revenue Officers.

The above given extract has one sentence in the source text and is translated into the source text in only one sentence. The source text is apparently difficult to comprehend because of the organization of structure. Phrases are interlinked in a way that structure is break down in pieces. In the target text, the organization of structure is different which makes the text easy. While rearranging the sentence, structures are merged and minimal steps are taken to make the whole sentence meaningful and to avoid ambiguity. In this way, the final structure is minimal and communicative at the same time. Back translation is also given above to show the reduction of complexity in targeted version of original source text.

CONCLUSION

The above analysis exhibits that legal texts are difficult to comprehend, which makes the task of translating a legal text more difficult. Because the legislation is intended to be understood by ordinary people, the first and most crucial feature is to make the text communicative for the target audience. The most important point to keep in mind when translating a legal document is that it has legal repercussions. The translated material in this article demonstrates simple translation structures. The accompanying examination of data demonstrates that using language economy principles in the translation process can minimize the complexity of the translation and improve text comprehension. The model offered for the study outlines the entire translation process. It shows that a sentence's deep structure is so important that it may be used to extract meaning from a text. Rather than adopting more steps in structure with a lower comprehensibility level, while rebuilding a text, modifying the structure in smaller amounts might express meaning that is more effective. The study also finds that shorter sentences are easier to understand than the lengthier ones. The economy principles lay the way for a communicative translational strategy in this regard.

The present study reveals that economy principles can be used as a translation method or procedure. It gives translators a theoretical foundation for communicative translation. The model given in this study can aid in the development of a more effective and communicative translational project. To put it another way, the study provides a useful tool for teaching translators how to make their translations more communicative, especially in the context of legal translation. It will also serve as a great resource for researchers, working in the subject of Translation Studies, who are interested in a minimalist perspective on translation.

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