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Analyzing the Interplay of Social and Linguistic Systems in Translation: An Investigation of English-Urdu Parallel Corpus

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Abstract

Law is of utmost importance for each society as it ensures access to justice. In our increasingly interconnected global community, characterized by diverse, multilingual populations, the use of monolingual legal systems can present significant impediments. Consequently, the imperative emerges to translate legal texts into multiple languages. Such translations fall into distinct categories, with some pertaining to domestic legal systems within society and others extending to international legal contexts. The act of translation becomes a multifaceted challenge due to the inherent differences in linguistic and social structures of languages, each offering a unique lens through which to interpret reality. Drawing upon Even-Zohar's (1979) polysystem theory, Saussure's semiotic framework, and Halliday's metafunctional language analysis, this paper attempts to find out the way translators deal with these challenges when translating English-Urdu legal texts. The investigation uncovers that the conceptualizations of legal reality may undergo some shifts during the translation process, as influenced by the idiosyncrasies of the target language and its social context. The study

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proposes that legal texts should receive parliamentary endorsement, especially in their translations, to ensure comprehensive legal harmonization. This research paves the way for future research where issues in the implementation of translated law can be highlighted and the ways to eradicate those problems can be discussed.
Keywords: linguistic system, legal translation, SFL, corpus, transitivity

1. Introduction

The process of translation becomes complex, primarily due to the inherent disparities in linguistic and social structures among languages, each providing a distinct perspective for interpreting reality. This article analyzes Punjab laws of Pakistan originally written in English language and their Urdu translation. It is a kind of specialized translation (Cao, 2007) where a legal document in one language is rendered in another language keeping the exact meanings. It includes translations of statutes, agreements, charters, and every kind of legal text. Such kinds of texts are sensitive as they are frequently used in legal proceedings. Therefore, conveying accurate meanings is necessary for translating legal documents.

From the functional perspective, Halliday's (1974) idea of ideational meta-function is sufficient to understand the meaning and function of language. The ideational meta-function states language as a medium to describe objects in the world and the way they act upon each other. Ideational meta-function is realized by transitivity patterns. A strong connection lies between the linguistic choices realized through transitivity processes and recreating the ideational meanings also known as experiential meanings in the target text. It is because the transitivity patterns incline to vary in the target as a transfer from one sign system to another and the sign system lies under a social system. It implies that social, and linguistic factors may be involved in the shift of language function in the process of translation. This article employs a systemic functional linguistics approach in connection with polysystem theory on a legal text by adopting Halliday's metafunctional language analysis.

2. Literature Review

In the current era of global interactions, the importance of legal translation cannot be overstated. It facilitates effective communication by bridging linguistic and legal gaps, ensuring the accurate transfer of legal concepts across diverse languages and jurisdictions. The legal translation goes beyond mere word conversion; it entails accurately rendering intricate legal concepts and terminologies while preserving their intended meaning. Legal documents, agreements, contracts, court rulings, and other legal materials necessitate careful translation to uphold their legal validity and enforceability. This specialized form of translation requires a deep understanding of legal systems, linguistic proficiency, and cultural awareness as every social system has a particular legal system. In the context of the distinctiveness of different social systems, Even-Zohar, an Israeli theorist of literature and culture, introduced a theory of polsystem in the 1960s as a replacement for the ahistorical and text-oriented approaches of that era. Gideon Toury, Zohar Shavit, and Rakefet Sheffy, members of Tel Aviv University, further refined and elaborated his concept (Codde, 2003). Initially, it was created to address the specific issues in translation theory, and then it was explained with reference to the diverse cultural systems. It was explained as a connection between different cultural systems as well as subsystems of any cultural system. In the beginning, Even-Zohar (1979) presented it as a hypothesis, and then by extending the idea, he made it a polysystem theory. The polysystem theory takes its roots in Russian Formalism and Structuralism (Codde, 2003.).

Polysystem theory defines a polysystem as multiple systems, a system containing several systems overlapping and interconnecting, employing simultaneously distinct choices while working as one organized whole, whose elements are dependent upon each other (Even-Zohar, 1990b). Codde (2003) asserts that it is a functionalist approach in that its analysis is based on all semiotic phenomena of a particular system or systems and deals with these phenomena in the context of their functions. It is also concerned with Functionalism in a way that it is linked with the systems

that are not dynamic with reference to the concept of Ferdinand de Saussure. Umberto Eco (1979) states that semiotics deals with signs and a sign is defined as anything that can be substituted for something else (p.7).

Fundamental and central to Saussure's (1974) theory of the sign system is the emphasis on the idea that language is a system of signs. The human world comprises numerous systems of sign but he views language as the most transcendent sign system among other systems. The sign system is considered the most significant as it has a key role in the construction of realities. He further gives importance to the language's underlying system in comparison to its use. In this regard, Chandler (2002) states, "We do not only use language or give meaning to anything that exists in the world of reality, but also to anything that does not exist in it" (p. 28). Thus, language is used to conceptualize everything whether it is concrete or abstract.

In connection to the previous discussion, Halliday's (1974) idea of Systemic Functional Linguistics (SFL) is also very significant where he discusses language as a meaning-making resource. SFL focuses on the function of language, the way words are designed to work in sentences. He proposes three types of social functions of language for which he uses the term 'meta-functions' (Halliday, 1978). The three types are known as ideational, interpersonal, and textual functions. The ideational meta-function states language as a tool to describe entities in the world and how they act upon or interact with one another. Thompson (2014) expresses the idea in quite simple terms:

> At the simplest level, language reflects our view of the world as consisting of 'goings-on' (verbs) involving things (nouns) that may have attributes (adjectives) and which go on against background details of place, time, manner, etc. (adverbials). Thus the following representation distinguishes not only a recognizable type of going-on ('unlocked') but also doers ('they') and 'done-to' ('the front door'), and a manner ('slowly'). (Thompson, 2014, p. 93)

It can further be defined as a representation of our inner as well as outer experiences. The ideational meta-function is realized by transitivity processes. According to Halliday (1985), transitivity is a kind of analysis that illustrates the way clauses in a language signify the experiences to express different events and states of both the inner and outer world in the human mind. In other words, different processes of transitivity are used to understand the experiences of the speaker to consider the semantic meanings of the language (Halliday & Matthiessen, 2014).

Many studies have been conducted where language is analyzed from functional perspectives. Rashid and Jameel (2017) analyze political speeches by applying Systemic Functional Grammar. The speeches of Barack Obama and David Cameron produced in 2012 are used as data for the research. The research investigates the linguistic choices used by the speakers by identifying the more frequent transitivity processes in their speeches. Their study reveals material process as the most frequent process type in the speeches by both of the selected speakers. It indicates that the speakers successfully produce their message to persuade their audience. On the same note, Anggraini (2018) studies transitivity patterns in political speeches, particularly by Donald Trump. The study examines each process in the selected data and then conducts a critical discourse analysis of Trump's speech. The results expose Trump's efforts to present a democratic perspective in his remarks. Nova's study greatly contributes to one's understanding of the use of transitivity processes in ideology construction.

The current research is conducted in the context of translation. The translation transfers ideas from one language to another. As previously mentioned, a sign system refers to language, and translation generally involves two different sign systems. Further, keeping the view of polysystem theory, the sign system is a sub-system of a social system which implies that the phenomenon of translation also involves two different social systems. Realities are differently conceptualized in different languages as they belong to different social systems. The current study analyzes how those conceptualizations are transferred in

the process of translation and how language shifts its function after entering into another system.

In the context of translation, primarily legal translation, a few researches have been conducted involving functional paradigms. Aghagolzadeh and Farazandeh-pour (2012) examine the translation of legal texts to find out translation errors. In their study, the target text is analyzed by using the Systemic Functional Grammar approach. To achieve the set objectives, the text is analyzed by the researchers at the sentence level. They categorize each sentence into participant, process, and circumstance and then examine the sentences based on mistranslation, omission, and the choice of words. The research reports the functional approach as a suitable criterion for investigating the precision of the legal translation. Similarly, Yunzuo (2013) analyzes literary text from a functional perspective through transitivity analysis and compares Henry's *The Gift of the Magi* in its English and Chinese versions. The study aims to uncover similarities and differences, exploring how transitivity patterns express meaning in both languages.

Stepanova (2018) also utilizes the functional approach in translation. The objective of her research is to observe the viability of the functional approach in analyzing legal translations. The research reviews the application of the Systemic Functional Grammar approach in previous works and asserts that the functional approach is feasible for all genres of translation and applicable to research in the legal domain. Kazemi and Mohammadi (2022) also utilize SFL as the basis for the translation quality assessment of an English novel and its Persian translation. The objective of their study is the identification of overt errors in translation. They find mismatches in meanings on ideational, interpersonal, and thematic levels. The findings unveil the highest frequency of errors in conveying ideational meanings. The SFL analysis also exposes the translation strategies reduction and expansion used by the translator. Another study was conducted by Masykar, Nurrahmi, and Masykar (2023) in which Systemic Functional Linguistics (SFL) is examined for its effectiveness in translation compared to the traditional grammar-

translation method. Highlighting the importance of registering in SFL, the study involves the translation of English sentences depicting specific scenarios into Indonesian and vice versa, employing both the grammar-translation method and the systemic functional linguistic approach. Results indicate that SFL preserves ideational meaning better than the grammar-translation method, which often leads to meaning shifts. While SFL allows grammatical changes, it consistently maintains functional meaning, facilitating more accurate translation.

The previous studies indicate that SFL is a suitable framework for analyzing linguistic and translation issues. However, taking roots from polysystem theory, the current research aims to analyze legal translation (English-Urdu) from a functional perspective by conducting a transitivity analysis of how realities are conceptualized in one language, and in what ways they are transferred from one sign system to the other through translation.

3. Methodology

3.1 Data Collection

The data selected for the current study is a legal text specifically Punjab laws of Pakistan. It is retrieved from the official website of the Punjab government https://punjabcode.punjab.gov.pk/. The text is available on the website in both its original language (English) and the target language (Urdu) as well. Thus, both the source and the target files are downloaded and a corpus containing 400,000 words is created.

3.2 Theoretical Framework

Even-Zohar's (1979) polysystem theory and Saussure's idea of signs in language provide the theoretical basis for this research. Even-Zohar (1990b) defines a polysystem as "multiple systems, a system of various systems which intersect with each other and partly overlap, using concurrently different options, yet functioning as one structured whole, whose members are interdependent" (p. 11). Language and literature both are part of a social system. Language is defined by Saussure as a system of signs which presents a connection between an idea and a sound pattern and deals with the way ideas are conceptualized in a language.

Taking into view the idea of polysystem theory, a sign system lies under a social system. Polysystem theory provides a framework for studying various cultural phenomena (Codde, 2003) and language is a cultural phenomenon as stated by Yakin and Totu (2014). It can be said that it is not isolated but rather one of the systems within a system,

In translation, a linguistic system that lies in a social system is transferred to the linguistic system of another social system. In other words, the conceptualization of reality in one system is reconstructed in the other. For a clear understanding of the idea, it is illustrated in the following figure:

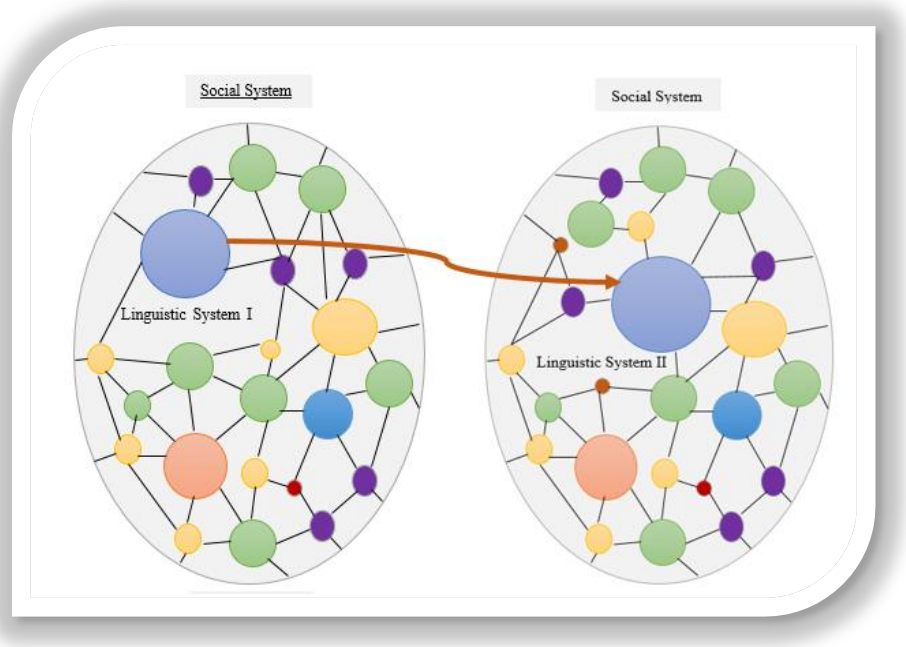


Figure 3.*1*

In this context, Halliday (1981) introduces three metafunctions in the SFL paradigm: ideational, interpersonal, and textual. Ideational metafunction refers to the way external realities are constructed in a language. It is closely linked with the processes including actions, states or events, the objects involved in these processes, and the circumstances

within which they take place (Banks, 2002). The interpersonal metafunction is concerned with the relationships between the participants performing their roles as the speaker and their listener (Halliday, 1981). The textual metafunction deals with textual features like thematic structure and cohesion etc. (Ibid.). The present study does not deal with dialogic data and is not intended to analyze textual features of the text. It deals with the representation of realities in two different social systems, hence it deals only with the ideational metafunction of language. A major component of ideational metafunction termed transitivity is employed as a model in the current research. The transitivity process is defined by Halliday (1967) as "the set of options relating to cognitive context, the linguistic representation of extra-linguistic experience, whether of phenomena of the external world, or feelings, thoughts, and perception" (p.199). He divides these processes into six types which are defined through the following figure:

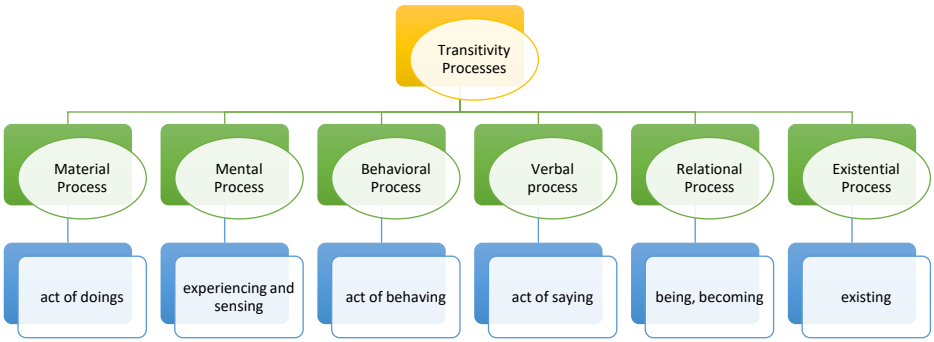


Figure 3.2: Transitivity Processes

Each transitivity process is analyzed in the corpus of legal text. A list of different processes is given by Halliday and Matthiessen (2014) which provides the base for the current study. Each process is analyzed in the source text and its translated version to examine the functional variations that occur in legal translation.

4. Data Analysis

This section presents the transitivity processes found in the corpus along with their Urdu equivalents. Five examples of each transitivity process are extracted from the source and by using the translation software SDL Trados, their equivalent terms are searched in the corpus through concordance search which is illustrated in the following table. They are further explained in the discussion section.

Table 4.1: Relational Processes in Legal Data (ST and TT)

Processes		**Process Type in ST**	**Process Type in TT**
ST	**TT**		
make	*Dena*	Material Process	Verbal Process
declaration	*halaf uthana*	Material Process	Verbal Process
take	*Hona*	Material Process	Existential Process
give	*Btana*	Material Process	Verbal Process
pass	*qarar dena*	Material Process	Mental Process
ask	*darkhwast karna*	Verbal Process	Mental Process
report	*hazir hona*	Verbal Process	Material Process
explain	*rikard kiya jana*	Verbal Process	Material Process
announce	*faraham karna*	Verbal Process	Material Process
promise	*waada karna*	Verbal Process	Verbal Process
watch	*jaiza lena*	Behavioral Process	Mental Process
look	*samajhna*	Behavioral Process	Mental Process
sing	*gana gana*	Behavioral Process	Behavioral Process
sleep	*so jana*	Behavioral Process	Behavioral Process
breath	*saans lena*	Behavioral Process	Behavioral Process
determine	*wazaa karna*	Mental Process	Existential Process
determined	*hal karna*	Mental Process	Relational Process

consider	*dekhna*	Mental Process	Behavioral Process
agree	*qarar krna*	Mental Process	Verbal Process
decide	*hal kiya jana*	Mental Process	Relational Process
ensure	*darkhwast dena*	Existential Process	Material Process
ensured	*bandobast karna*	Existential Process	Material Process
occur	*aana*	Existential Process	Material Process
stand	*mojud*	Existential Process	Existential Process
remain	*rehna*	Existential Process	Existential Process
meant	*bheja jana*	Relational Process	Material Process
called	*pukara jana*	Relational Process	Verbal Process
keep	*chalana*	Relational Process	Material Process
kept	*qalamband krwana*	Relational Process	Material Process
do	*karna*	Relational Process	Material Process

5. Data Discussion and Findings

Different examples of each process in connection to their equivalent terms in the target text are extracted along with their textual context and discussed in this section. The highest frequency among all transitivity processes in the legal text is the material process. As material processes refer to the occurrence of an action or event, first of all, their highest frequency in the text shows that English legal text mainly illustrates the acts of doings. However, the analysis shows that when the material processes are translated into the Urdu language, their function varies and the category of the transitivity process does not remain the same. Consider the following segment taken from the Punjab laws:

ST: *Association of consultants. – (1) An association of consultants may* ***take*** *either the form of a joint venture or a sub-contract and such*

association may participate in procurement process with the permission of the procuring agency.

TT: *mshiran ki association - (1) mshiran ki association mushtrka mohim ya zeli muahiday ki shakal mein* ***ho sakti*** *hai aur aisi association prokyoring agency ki ijazat se prokyormnt ke amal mein hissa le gi.*

In the segment provided above, the verb 'take' is translated as 'hona' in the target text. The verb 'take' is a material process according to Halliday's classification of transitivity processes. After its translation into the Urdu language, it has shifted its role from material to existential. The proposition in the current segment is about the existence of a consultants' association in the form of a joint venture or sub-contract. Thus, the process is translated in the Urdu language as 'hona' which refers to the occurrence or existence of something, therefore it is part of the existential process. In the Urdu language, as there is no defined list of transitivity processes, Urdu processes are given a particular type based on the definition of each process given by Halliday and Matthiessen (2014) and the use of Urdu terms in their particular context. The function of the word has shifted from material to existential after going through the process of translation. It shows that the meaning of the term is the same as in the source but the way it is designed to work in sentence changes. It can be seen in another example:

ST*: If such person declines to* ***give*** *his name and address, or there is reason to doubt the accuracy of the name and address given.*

TT*: agar woh shakhs apna naam or pata* ***btanay*** *se inkar kere, ya uss ke naam aur pata ki durusti par shubah ki wajah mojood ho.*

In this section, the process 'give' is used in the English text and translated as 'btana' in the target. The term 'give' is a material process according to Halliday's categorization of transitivity processes but when it is translated into the Urdu language it shifts its category into a verbal process. The process 'btana' indicates oral expression which clearly defines its role as a verbal process. The Urdu equivalent 'btana' refers to the communication of any piece of information orally, and hence is used by the translator to communicate the exact meaning of the term 'give' in

its current context. So, the example illustrates that in legal translation, the function of words gets changed without affecting the sense of the original text.

In the same way, there is another term 'pass' which is again a material process and when it is translated into Urdu language, its transitivity pattern changes and shifts to a mental process. The word used for it in the Urdu language is 'qarar dena' which refers to deciding or determining something. The processes referring to deciding or determining fall under the category of mental processes, therefore 'qarar dena' is a mental process. The word 'pass' also has other equivalent terms in the Urdu language such as 'saadir krna', 'manzoor krna', 'dena' etc., but neither of them is an accurate fit in the context. It shows that the meaning is communicated accurately being fully faithful to the source, however, the transitivity patterns vary due to the different lexical and structural norms of both linguistic systems. It can be seen in the following segment.

ST: *Powers of courts to **pass** a sentence of detention in a Borstal Institution in the case of convict under twenty-one years of age in lieu of transportation or rigorous imprisonment.*

TT: *ikees saal se kam umar mein mujrim **qarar panay** ki soorat mein jala watni ya qaid ba mushaqqat ke bajaye borstal idaray mein hirasat ki saza dainay ke adalaton ke ikhtiyarat.*

Similarly, there is another example:

ST*: Winding up of an Undesirable Cooperative Society.– (1) As soon as may be, after the commencement of this Act, the Registrar shall make a petition to the Cooperatives Judge for winding up of an Undesirable Cooperative Society who shall thereupon **make** an order for its winding up and appointment of a Cooperatives Board as Liquidator.*

TT*: qabil e aitraaz koaaprative society ki bandish - (1) registrar is act ke aaghaaz nifaz ke baad jitni jaldi ho sakay qabil e aitraaz koaaprative society ko band karne ke liye koaaprative judge ko arzi dayer kary ga jo is ke nateejay mein usay band karne aur kisi koaaprito board ko bator tahleel kanandah muqarrar karne ka hukum **day ga** .*

A process 'make' is used in the above section that is categorized by Halliday and Matthiessen (2014) in their division of transitivity processes as a material process. The context shows that the proposition maintained in the text indicates that the judge is giving some orders for the appointment of a cooperative board orally. When the term 'make' is translated into the Urdu language as '*dena'* by keeping the context the same as maintained in the source text, the process becomes verbal. In the Urdu language, 'dena' is also a material process but when it collocates with the term 'hukam' it becomes verbal particularly in the current context because the judge is giving an order orally. It shows variation in the function of the process in a specific context.

Many verbal processes are also translated in a way that their transitivity pattern gets changed in translation. For instance,

ST*: Every employee must* ***report*** *to duty on time and be punctual. He will not leave the office without permission of his/her supervisor.*

TT*: Har mulazim ki janib se duty par bar waqat* ***hazir hona*** *aur waqt ki pabandi karna laazmi ho ga. woh –apne sprwayzr ki ijazat ke baghair daftar nahi chhorey ga / gi.*

The verb 'report' is translated from the source text to the target as 'hazir hona'. As given by Halliday, 'report' is a verbal process and when it is translated in the target as 'hazir hona' it shifts its role as a material process. The idea communicated in the selected segment is about the timely presence of the employees on their duty which makes it evident that 'hazir hona' is a material process. Similarly, 'announce' is also a verbal process that is used in the source text as given below:

ST*: The procuring agency engaging in prequalification shall* ***announce****, in the prequalification documents, all information required for prequalification including instructions for preparation and submission of the prequalification documents, evaluation criteria, list of documentary evidence required by contractors to demonstrate their respective qualifications and any other information that the procuring agency deems necessary for prequalification.*

TT*: paishgi ahliat se wabasta prokyoring agency paishgi ahliat ki dastaweez mein paishgi ahliat ke liye darkaar tamam maloomat Bashmole paishgi ahliat ki dastawizaat ki tayari aur usay jama karwanay ke liye Hadayat , jaizay ke miyaar, kntriktr ki janib se matloob dastawizi shawahid ki fehrist jo un ki mutaliqa ahliat aur deegar maloomat ko zahir kere jinhen prokyoring agency paishgi ahliat ke liye zaroori samjhay,* ***faraham kere gi****.*

The term is translated as 'faraham karna' which is a material process. The word means providing something and in this segment, it refers to providing a list of documentary evidence which implies that the term belongs to the category of material process. The sense is conveyed accurately by choosing the term 'faraham karna' but due to the target language's distinct norms, its transitivity pattern does not remain the same. Another verb 'explain' is categorized as a verbal process given by Halliday and Matthiessen (2014) is used in the legal data and is translated into the Urdu language as 'record kiya jana'. The Urdu equivalent is functioning in the following section as a material process which can be observed as:

ST*: The reasons for adopting the figures for the budget estimates of the coming financial year shall be clearly* ***explained****; and*

TT*: aindah maali saal ke liye takhmeenah jaat ke aadad o shumaar lainay ki wajohaat wazeh tor par* ***record ki jayen*** *gi aur*

The interpretation according to the legal implementation of the segment implies that the reasons regarding budget estimates shall be noted via written mode which makes 'record kiya jana' a material process. There is another segment where a verbal process 'ask' is used in the source text:

ST*: -4 The Musalihat Anjuman shall inform the court if the dispute is not settled within the time fixed by the court or, may* ***ask*** *for extension in time for settlement of the dispute.*

TT*: -4 agar tanaza ka tasfia adalat ke janib se muqarrar kardah waqt mein nah ho to musalihat anjuman adalat ko mutala kere gi ya tanaza ke tasfia ke liye mddt mein tosee ki* ***darkhwast kar sakay*** *gi.*

The term 'ask' is a verbal process according to Halliday's classification of transitivity processes. It is translated as 'darkhwast karna' which is a material process in the target text. The interpretation of the segment implies that it is about requesting an extension in time through written mode. In this context, 'darkhwast karna' falls under the category of material process. The Urdu equivalent is a terrific fit in the current context as it conveys an accurate sense of the source text.

The verbs that indicate an act of behaving fall under behavioral processes. There is a very small number of behavioral processes found in the selected English legal text. The way they are translated into the Urdu language is described here in this section. Table 4.1 shows that, on some occasions, behavioral processes shift their function however usually their function remains the same in the target text. For example, a process 'watch' is used in the source text and classified as a behavioral process by Halliday. It is translated in the target language as 'jaiza lena' providing the exact meaning of the idea maintained in the English text which can be seen in the following excerpt:

ST: *The Audit Department will* ***watch*** *the total expenditure during a year against the permissible limits.*

TT: *mehakma audit qabil e ijazat hudood ke andar kisi saal ke douran kul akhrajaat ka* ***jaiza le ga****.*

The term 'jaiza lena' refers to examining, or inspecting something which makes it a mental process. It is translated in this way because the verb 'watch' is used for the action that will be taken by the audit department to examine expenditures. The equivalent term is chosen appropriately for communicating the exact meaning of the segment but the function of the term does not remain the same. Hence, 'watch', a behavioral process has shifted its function to a mental process after its transfer in the Urdu language in the legal data, however, the sense is not affected rather the message is communicated.

There are different behavioral processes, although fewer in number, used in the English legal text selected for the current study. The analysis

shows that there are rare examples of behavioral processes whose function gets changed after their transfer in the target text.

Some verbs are used as verbal processes i.e. 'decided' and 'determined' used in the source text of legal data chosen for the current research. Both of the verbs are categorized as mental processes in Halliday's classification of transitivity processes and translated in the target language as 'hal kiya jana' which can be seen in the following excerpts:

ST*: Any dispute as to whether compensation is payable or as to the amount of any compensation so payable, shall, in default of agreement, be* ***determined*** *by arbitration in accordance with the provisions of the 4[* * *] Arbitration Act, 1940*

TT*: koi jhagra khuwa talaafi ke wajib alada honay se mutaliq ho ya zre talaafi ki wajib alada raqam se mutaliq ho, muahiday ki Adam mojoodgi mein, salisi ki janib se 4 [* * *] salisi act, 1940 ki daf-aat ke mutabiq* ***hal kya jaye*** *ga.*

ST*: Adjudication of disputes.– (1) All disputes regarding the powers, functions and jurisdiction of the Farmers Organizations shall be dealt with and* ***decided*** *by the Authority or by a Dispute Resolution Committee constituted by the Authority:*

TT*: tanazeaat ka faisla - (1) kisaan tanzeemon ke ikhtiyarat, af-aal or daiyra ikhtiyar ke hawalay se tamam tanazeaat authority ya authority ki janib se tashkeel kardah committee baraye tasfia tanazeaat ki janib se tay aur* ***hal kiye jayen*** *ge :*

The first section states that disputes among two parties shall be solved by the third party which indicates a link between two parties. In this regard, 'hal kiya jana' is a relational process maintaining a relation between two objects which is used as an equivalent for the verb 'determined', a mental process. Similarly, in the other segment which is again about resolving the disputes, the verb 'decided' is translated in the same equivalent expression shifting the transitivity process from mental to relational. However, the ideas conveyed in the source text remain the same and are communicated appropriately. The term can also be translated as 'faisla karna' but it is not a suitable option for maintaining

an appropriate Urdu structure in this context. It asserts that transferring ideas from one language to another can result in a change in words' function due to the linguistic peculiarities of two different language systems.

Another process 'agree' is translated as 'iqrar karna in the target text. The source term 'agree' is classified as a mental process according to Halliday. In general, the term 'iqrar krna' is regarded as a mental process because it is used to convey a sense of agreement. However, the legal implication of the current segment connects the term to some oral communication. Thus, the function of the term 'iqrar karna' here becomes a verbal process which can be observed in the following section:

ST*: A and B* ***agree*** *that A shall sell B a house for 10,000 Rupees but that, if B uses it as a gambling house, he shall pay A 50,000 rupees for it.*

TT*: a aur b* ***iqraar karte*** *hain ke a 10, 000 rupay ke aiwz b ko makaan farokht kere ga, lekin agar b is ko juwa khanaay ke tor par istemaal kere to woh a ko is ke aiwz 50, 000 rupay ada kere ga*

Similar to the behavioral processes, existential processes have occurred in the legal data less frequently. Also, the existential processes do not shift their function most of the time after their translation into the Urdu language. However, some of them change their function after their transfer to the target language. For instance, see the following segments:

ST: *All geotechnical investigation and material testing services shall be* ***ensured*** *by all respective professionals.*

TT: *tamam arzi takneeki jaanch partaal aur material testing ki khidmaat tamam mutaliqa pesha vron se* ***haasil ki jayen*** *gi.*

ST: *The Municipal Offices shall* ***ensure*** *expeditious disposal of the business for convenience of the people.*

TT: *municiple dafatir sahoolat aama ke liye amor e car ka fori* ***bandobast karen*** *ge.*

The term 'ensure' is translated into the Urdu language as 'bandobast krna'. The English word lies under existential process and when it is translated as 'bandobast karna' that refers to the arrangement of

something it becomes a material process. Similarly in another section, the same term is translated as 'hasil krna' which is again a material process. The term is used in the text in terms of performing some duties which indicates that 'hasil karna' is a material process. It demonstrates that the translator's choices for conveying exact meanings of the original lead to a change in the function of the words. Similarly, see the following section:

ST*: (i)For "Provincial Government" where it* ***occurs*** *for the first time substitute "Commissioner".*

TT*: jahan "sobai hakoomat {provincial government}" pahli martaba* ***aaye*** *usy "kamishner {commissioner}" sy badal diya jaye.*

In the above example, we can see that the term 'occur' is used in the source text and translated as 'aaye'. The section is about a written document and states that if the expression 'provincial government' appears in the text for the first time then it should be replaced with 'commissioner' The source term falls under the category of an existential process given by Halliday and Matthiessen (2014) but when it is translated as 'aaye, it gives the meaning of 'appearing' in the current context which makes it relational process as they classify the process of appearing as a relational process. The translator translates the term in this way because it is the accurate way to translate it in order to convey the exact meaning. Even if we focus on the literal meanings of the term 'aaye' without considering the context it can be translated as 'come' which is a material process that again shows the change in the transitivity process.

There are some other examples extracted from the Punjab State Aid to Industries Act, 1935 where a relational process is changed into a material process. See the following segments:

ST*: "Cottage industry" means any industry carried on by a worker in his home and includes dairy farming, bee-keeping, lac-making and* ***keeping*** *a poultry farm.*

TT*: "gharelo sanat" se morad kisi worker ki janib se –apne ghar mein chalaye jane wali sanat hai aur is mein dairy farming, shehad ki makhyan paalna, laakh saazi, aur poultry farm* ***chalana*** *shaamil hai .*

ST*: The trustee shall cause proper minutes to be* ***kept*** *and entered in a minute book of all their resolutions and proceedings and any such minute of the meeting of the Trustees if purporting to be signed by the Chairman of such meeting or by the Chairman of the next succeeding meeting shall be received as prima facia evidence of the matters stated in such minutes.*

TT*: matwalli munasib rudaad* ***qalam band kurwaye*** *ga aur –apne tamam faislon aur karwaiyon ko rudaad ke register mein darj kurwaye ga aur mutawalliyan ke ijlaas ki aisi rudaad, agar is par is ijlaas ke chairman ya aglay anay walay ijlaas ke chairman ki janib se dastakhat kurwaye jane hon to usay is rudaad mein bayan kiye gaye mamlaat ka bzahir saboot samjha jaye ga.*

In these sections, the processes 'keeping' and 'kept' are translated as 'chalana' and 'qalamband karwana' in the Urdu text. Both 'keeping' and 'kept' are progressive and past forms of the verb 'keep' respectively and are categorized as relational processes. The interpretation of the first segment reports that 'keeping' is used to convey the meanings of managing the poultry farms and hence translated as 'chalana'. The interpretation of the segment maintains that 'chalana' in the provided segment is a material process as it is a process of doing something physical. In the second segment, 'kept' is translated as 'qalamband karwana' providing a sense of noting the minutes in a minute book. In this way, it functions as a material process. The translated version of the text shows that such choices are used to make the translation easily comprehensible by the readers and avoid ambiguous constructions as there is a lot of ambiguity in English legal texts (Cao, 2007). Thus, to convey the appropriate meanings, the words go through different functional variations.

In the same way, another verb 'called' which is a relational process according to Halliday's classification of transitivity processes is

translated in the target text as 'pukara jaye' which refers expressing something orally. Moreover, in the following segment, it is evident that 'pukara jaye' is used to name a person orally. A verbal process, according to Halliday, is an act of saying, hence the verb 'pukara jaye' is a verbal process.

ST*: "person" means any individual, partnership, corporation, company, firm, trustee, or association by whatever name* ***called****;"*

TT*: "shakhs" se morad koi fard, shiraakat daari, coopration, company, firm, matwalli ya association hai khuwa usay kisi bhi naam se* ***pukara jaye*** *;"*

The overall transitivity analysis of the Punjab laws and their Urdu translation reveals that the representation of external realities varies after their transfer into the other system. Translators are always considered responsible for communicating the exact meaning and sense of the original document and in the legal context, it becomes more important due to the sensitivity of legal texts. In this regard, translators adjust the interpreted sense of the original documents into the structure of the target language. Hence, this is the reason for the shift in the function of words after their transfer to another system of signs. Keeping in view Even-Zohar's (1979) polysystem theory, as language is one of the sub-systems of a social system, every language has its own particular way of conceptualizing the realities and when these realities are transferred into another linguistic system, the functions do not always remain the same rather they vary.

6. Conclusion

In conclusion, the study highlights the multifaceted challenges faced by translators when dealing with legal texts. One of the key findings of this study is the potential for shifts in the conceptualizations of legal reality during translation, underscoring the need for a context-sensitive approach to legal translation. Moreover, the paper advocates for parliamentary endorsement of legal texts, particularly in their translated versions, as a means to achieve comprehensive legal harmonization. This endorsement can facilitate a more consistent and uniform interpretation

of the law, bridging the gap between different linguistic and legal systems.

This research not only provides valuable insights into the challenges of legal translation but also lays the foundation for future investigations into the implementation of translated law. By further exploring the issues that may arise in the practical application of translated legal texts, scholars and practitioners can work towards solutions to ensure effective cross-cultural and cross-linguistic legal communication.

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