

**Syntactic Structure of Embedded Sentences
in Translating
English International Law
into Arabic**

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الخلاصة

اللغة القانونية الانكليزية هي نوع فريد من اللغة التي كانت وما زالت موضع اهتمام كبير لعصور عدة. وقد يعطيها شكلها المميز مظهرا ذو مهابة واحترافا عظيما ، ولكن قبل كل شيء قد ينتقد البعض هذه اللغة القانونية لصعوبة قرائتها . هذا وأن اللغة القانونية الإنجليزية هي الأكثر إثارة للاهتمام، وفي الوقت نفسه وبشكل استثنائي مصطلحاتها القانونية المعقدة . وأن احد المشاكل التي تجعل بنية الأحكام القانونية غريبة وغير مفهومة هو أن الجمل معقدة جدا وطويلة. واكتسبت هذه الميزة إما عن طريق كثرة الجمل الضمنية او عن طريق العبارات الضمنية. وتستخدم الجمل الضمنية بشكل مفرط في الأحكام القانونية الإنجليزية سواء اذا كانت محددة او غير محددة .

أن الأنواع الرئيسية من الكتابات القانونية هي الاتفاقيات والمعاهدات . ويجب ان تكتب هذه الاتفاقيات والمعاهدات على شكل قانون اوبند . ويطلق على نظام القانون الذي ينظم العلاقات المتبادلة بين الدول ذات السيادة والحقوق والواجبات فيما يتعلق ببعضها البعض بالقانون الدولي. ويعرّف القانون الدولي بالقانون الدولي العام لتمييزه عن القانون الدولي الخاص، الذي لا يتعامل مع العلاقات بين الدول.

والهدف من هذه الدراسة هو تحليل الجمل الضمنية من القانون الدولي ومناقشة الاختلافات بين جمل القانون العام والخاص.

Abstract

Legal English is a unique type of language which for ages has been a subject of great interest. Its peculiar form may give it the air of great dignity and professionalism, but above all it is criticized for its unreadability. Legal English is a most interesting and at the same time exceptionally complex legal jargon. One of problems that make the structure of legal provisions odd and unintelligible is that the sentences are so complicated and long. This feature is gained by either the ample of embedded clauses or embedded phrases. The embedded clauses whether finite or non-finite, are excessively used in English legal provisions.

The major types of legal writings are conventions, treaties, and agreements. All of them have to be written in form of Law, Act, or Code. The system of law regulating the interrelationship of sovereign states and their rights and duties with regard to one another is called international law. International law is also known as public international law to distinguish it from private international law, which does not deal with relationships between states.

The aim of this study is to analyze embedded sentences in the international law and discuss the differences between public and private law sentences.

This study has been devoted to investigate the problems translator will face in translating provisions mentioned in the appendix concerning to:

- Public international law articles taken from (Geneva Convention), (The Charter of United Nations), (Human Rights/ Protocol Relating to the Status of Refugees).
- Private international law articles taken from (Anti –Terrorism Act, 1997), (commercial law),(criminal law).

Finally the study arrives at main results such as: there are many problems which may occur during the translation process. The translator can control them by analyzing the syntactic structure of legal text and find an equivalent structure. The translator needs to use his/ her skill and knowledge to convey the meaning of the legal text accurately.

Key words

- 1.E S = Embedded Sentences
- 2.S S = Syntactic Structure
- 3.D C = Dependent Clause
- 4.VEC = Verbless Embedded Clause

The syntactic structure of the embedded sentences

1.1 Preliminary

This section focuses on the syntactic structure of English and Arabic embedded sentences. The researcher presents kinds of embedded sentences and their uses in legal provisions of two languages. The researcher also shows the particles use in Arabic to form a grammatical classifications.

1.2.1 Type of Sentences

A brief explanation of the sentence types in English is provided below as a basis for discussing complex sentences. Two definitions are needed in order to do so:

Sentence and clause. A *sentence* is a “structure that consists of one or more clauses capable of presenting a complete thought in a manner which is grammatically acceptable” (Turner, 1966, p. 87). A *clause* contains a subject and predicate (verb plus any complements or modifiers) (Harris, 2006). Sentences can be identified based on their function or clause structure.

2.2.2 Sentence Function

Huddleston&Pullum (2005:62) state that sentences can be classified depending on the function of the sentence. There are four functions of sentences. The speaker's purpose could be:

- Declarative when the speaker makes a positive or negative statement.

The dog is big. I like to eat chocolate. We are not home.

- Interrogative when the speaker asks a question in the form of yes/no, *wh-*, or tag.

Are you going home? Where is the school?

- Imperative when the speaker gives a command or makes a request.

Give me the keys. Put the paper on the floor.

- Exclamatory when the speaker expresses strong feeling.

That was an amazing day! Oh no, the dog got hit was there.

1. 3.1. Embedded sentences

Embedded complex sentences contain an independent clause and a dependent clause or phrase. A dependent clause and phrase must be attached to an independent clause in order for it to have complete meaning Paul (1981: 29). Embedded phrases or clauses can be found at the beginning or end of a sentence. They can also be within the sentence (embedded). For instance:

- The toy *is* on sale.

- I *want* the toy.

They can be combined to make a complex sentence:

“The toy *that I want is* on sale.”

This sentence contains the independent clause “The toy is on sale.” This sentence can be said by itself and maintain its full meaning. On the other hand, the dependent clause “*that I want*” cannot be said by itself. It does not have full meaning unless it is attached to the independent clause. Because embedded clauses are a bit more difficult to understand, a second example is provided:

- They can see us.

- We are sitting by the water.

These two sentences can be combined as such: “They can see us *sitting by the water.*” This is an embedded sentence called a gerund. In this sentence, the independent clause is: “They can see us.” This sentence maintains full meaning by itself. However, “sitting by the water” is not a complete sentence. It has to be attached to the independent clause in order to have meaning Paul (1981: 29).

- I said {that John wrote the assessment}. Tensed or finite

- I want {John to write the assessment}. Tenseless or none- finite

1.3.2 Dependent Clauses

Joan R. Griffin(2009: 25-38) cites that any clause introduced by a dependent word has been deprived of its independence and can function only by playing a role in a larger sentence. A dependent word does two things: it turns an independent clause into a dependent clause, and it defines a role for that clause to play within a larger sentence:

Zora Neal Hurston was writing during the Harlem Renaissance.
She may not have realized something.
Her novel about Janie Starks would become an American classic.

The addition of dependent words to the first and last sentences above turns them into dependent clauses. The dependent words will also define the roles that the two newly dependent clauses play in a larger sentence (Ibid):

Because a dependent clause contains a subject and a verb, it may look like a sentence. Sometimes a dependent clause is even longer than the independent clause in which it is embedded. A dependent clause, though, is not able to stand alone as a sentence.

1.3.3 EMBEDDED PHRASE

1.3.3.1 Verb and Verbal

Structuralists refer to the verbals and the most influential figure is Stageberg. Stageberg (1971: 276) states that verbals are those forms which occupy verb positions.

A verb may become a *verbal*, ready for embedding, by the addition of the word *to* or by the loss of an auxiliary. In each set of sentences below, the verb in the first sentence has become a verbal in the last one.

Emily **takes** out the garbage.

Emily **wants** to take* out the garbage.

First kind of verbal: To + [base form of verb]

This is called an *infinitive*. An infinitive never acts as the verb of a sentence.

Transformationalist Quirk et al. (1985: 161, 162) regards infinitives as reduced versions of finite clauses handling them in terms of deep structure. In other words, each infinitive is derived from an underlying clause or sentence.

It's natural for them to be together.

It's natural that they should be together.

Second kind of verbal: [base form of verb] + -ing with no auxiliary in front

This kind is called a present participle, or in some cases, a gerund. The present participle, when it stands without an auxiliary, may play the role of modifier:

Willie Loman was a traveling* salesman. ("What kind?")

Sometimes the same verb form is used in one of the roles that a noun could play. Then it is called a gerund:

Losing* his job pushed him beyond the brink of sanity. (Subject, "What pushed?")

Third kind of verbal: [past participle of verb] with no auxiliary in front

A past participle, standing alone without an auxiliary, plays the role of modifier:

Ghandi's chosen* strategy of non-violent protest had its roots in Christian as well as Hindu doctrines. ("Which strategy?")

1.3.3.2 Verbless Embedded clause

Leech and Svartvik (1994: 214) define verbless clauses as clauses which lacks verb and in most cases lacks subject too. Verbless clauses function as finite and non-finite clause and can be analyzed in term of one or more clauses elements. While Quirk et al., (1985: 287-288) states that a verbless clause is one of the three main structural types of clauses because it can be analysed into the same functional elements one recognized in clauses. The missing verb *be* and subject can be assumed in the same clause.

- Whether right or wrong , he always creates new ideas.
[Whether he is right or wrong] , ...

When the subject is omitted from the verbless clause, it can be determined from the subject of main clause:

- The articles, when ready, are voted and issued.
- The articles, when are ready, are voted and issued.

Characteristics of Legal Language

2.1. Preliminary

Butt (2006), Crystal (1970), Garner (DMLU; 2002), Tiersma (1999), and others. The main characteristics of legalese are as follows:

- □ Aloof design and layout; solid blocks of dense text with scarce punctuation, overuse of capitalisation, deficiency of white space and margins, decorative Gothic fonts.
- Specific patterns of reference; using archaic adverbs and referential modifiers which are often imprecise and misleading, avoidance of pronouns.
- Use of *shall*; often in several distinct meanings within one document.
- Frequent use of passive voice, subjunctive, and nominalization.
- Wordiness; using tautological phrases conjoining words of the same meaning.

2.2 Long Sentences

August (2002: 45) points out the long sentences are common in legal, political and theoretical writing, which depends on modification for accuracy. Sentences used in legal documents are long and quite often the entire document is composed in the form of a single

sentence. Long sentences are often complex sentences, which include relative clauses or adverbial clauses.

2.3 Propositional Phrases

Other syntactic feature of legislative provisions which occurs one after another is propositional phrases. Quirk et al.(1985:302) refer to this type of prepositional phrase as complex – prepositional phrases. They state that structure of complex prepositional phrase can be as P-N-P (preposition + noun + preposition). Another common feature is the fact that the prepositional phrases are often misplaced the normal usage. Some complex prepositional phrases in legislative provisions are:

for the purpose of

in respect of

in accordance with

in pursuance of

by virtue of

Complex prepositional phrase is used instead of simple one for two reasons: firstly to avoid ambiguity, secondly, to give the statement clarity. For example, *by virtue of* is used instead of *by*, *for the purpose of* instead of *for* , and *in accordance with* instead of simple prepositional *under* (Bhatia, 1993:107).

Quirk, et al. (1985: 274) point out that “ a prepositional phrase is by far the most common type of post modification in English: it is three or four times more frequent than either finite or non – finite clausal post modification.”

Translation Application

3.1 Preliminary

(Kelsen, 1979:40) regards translation as an act of communication between text producers and text receivers. As in general communication, a distinction is made in legal communication between direct and indirect receiver or addressees.

3.2 Translation shifts

Catford's approach to translation equivalence clearly differs from that adopted by Nida since Catford had a preference for a more linguistic-based approach to translation and this approach is based on the linguistic work of Firth and Halliday. His main contribution in the field of translation theory is the introduction of the concepts of types and shifts of translation. Catford proposed very broad types of translation in terms of three criteria:

1. The extent of translation (*full translation vs partial translation*);

2. The grammatical rank at which the translation equivalence is established (*rank-bound translation* vs. *unbounded translation*);
3. The levels of language involved in translation (*total translation* vs. *restricted translation*).

The researcher will refer only to the second type of translation, since this is the one that concerns the concept of equivalence, then will move on to analyze the notion of translation shifts, as elaborated by Catford (1965:73), which are based on the distinction between formal correspondence and textual equivalence. In *rank-bound translation* an equivalent is sought in the TL for each word, or for each morpheme encountered in the ST. Catford argues that there are two main types of translation shifts, namely *level shifts*, where the SL item at one linguistic level (e.g. grammar) has a TL equivalent at a different level (e.g. lexis), and *category shifts* which are divided into four types:

1. *Structure-shifts*, which involve a grammatical change between the structure of the ST and that of the TT.
2. *Class-shifts*, when a SL item is translated with a TL item which belongs to a different grammatical class, i.e. a verb may be translated with a noun.
3. *Unit-shifts*, which involve changes in rank.
4. *Intra-system shifts*, which occur when 'SL and TL possess systems which approximately correspond formally as to their constitution, but when translation involves selection of a non-corresponding term in the TL system, Catford (1965:80). For instance, when the SL singular becomes a TL plural.

3.3 Approach to translation equivalence

An extremely interesting discussion of the notion of equivalence can be found in Baker (1992) who seems to offer a more detailed list of conditions upon which the concept of equivalence can be defined. She explores the notion of equivalence at different levels, in relation to the translation process, including all different aspects of translation and hence putting together the linguistic and the communicative approach. She distinguishes between:

- Equivalence that can appear at word level and above word level, when translating from one language into another. Baker acknowledges that, in a bottom-up approach to translation, equivalence at word level is the first element to be taken into consideration by the translator. In fact, when the translator starts analyzing the ST s/he looks at the words as single units in order to find a direct 'equivalent' term in the TL. (Baker ,1992:11-12).
- Grammatical equivalence, when referring to the diversity of grammatical categories across languages. She notes that grammatical rules may vary across languages and this may pose some problems in terms of finding a direct correspondence in the TL. In fact, she claims that different grammatical structures in the SL and TL may cause remarkable changes in the way the information or message is carried across. These changes may
 - Induce the translator either to add or to omit information in the TT because of the lack of particular grammatical devices in the TL itself. Amongst these grammatical devices

which might cause problems in translation Baker focuses on number, tense and aspects, voice, person and gender (Baker,1992:11-12)..

- Textual equivalence, when referring to the equivalence between a SL text and a TL text in terms of information and cohesion. Texture is a very important feature in translation since it provides useful guidelines for the comprehension and analysis of the ST which can help the translator in his or her attempt to produce a cohesive and coherent text for the TC audience in a specific context.
- Pragmatic equivalence, when referring to implicatures and strategies of avoidance during the translation process. Implicature is not about what is explicitly said but what is implied. Therefore, the translator needs to work out implied meanings in translation in order to get the ST message across. (ibid).

3.4 Translation procedures

3.4.1 Transposition

Transposition, or shift as Catford calls it, reflects the grammatical change that occurs in translation from SL to TL. According to Newmark (1988: 85-86), transposition consists of four types of grammatical changes. The first type concerns word's form and position, for instance in the English/Arabic examples: 'a red car', 'سيارة حمراء'; 'a beautiful girl', 'فتاة جميلة'. In the latter examples, we notice that the position of the adjective changes from English into Arabic. This change in position is not arbitrary, since it depends on the TL structure.

The second type of transposition is usually used when the TL does not have the equal grammatical structure of the SL. In this case, the translator looks for other options that help conveying the meaning of the ST. For example, the gerund in the English expression 'terrorizing civilians...' might be translated into Arabic in two variable ways:

The subordinate clause: "ارهاب المدنيين"

The Verbe- Noun "يرهب المدنيين"

The translator added words like (fiemkanyyat al-samah في امكانية السماح ,watazwedahim convey the meaning (وتزويدهم) in the following example to.

Which are regularly serving

In the case of refugees regularly serving as crew members on board a ship flying the flag of a Contracting State, that State shall give sympathetic consideration to their establishment on its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their establishment in another country. (Convention relating to the Status of Refugees, Article 11. - Refugee seamen)

في حالة اللاجئين الذين يعملون بصورة منتظمة كأعضاء في طاقم سفينة ترفع علم دولة متعاقدة، تنتظر هذه الدولة بعين العطف في إمكانية السماح لهؤلاء اللاجئين بالاستقرار علي أرضها وتزويدهم بوثائق سفر، أو في قبولهم مؤقتا علي أرضها تسهيلا، علي الخصوص، لاستقرارهم في بلد آخر. (الاتفاقية الخاصة بوضع اللاجئين، المادة 11- البحارة اللاجئين)

For the third type, Newmark (1988: 86) defines it as "the one where literal translation is grammatically possible but may not accord with the natural usage in the TL." Transposition, here, offers translators a plenty of possible versions. For instance, the SL verb can be shifted into a TL empty verb plus noun:

Protected persons are entitled, in all circumstances, to respect for their persons, their honor, their family rights, their religious convictions and practices, and their manners and customs. (Fourth Geneva Convention, Article 27)

للأشخاص المحميين في جميع الأحوال حق الاحترام لأشخاصهم وشرفهم وحقوقهم العائلية وعقائدهم الدينية وعاداتهم وتقاليدهم.

Internees shall enjoy complete latitude in the exercise of their religious duties, including attendance at the services of their faith, on condition that they comply with the disciplinary routine prescribed by the detaining authorities.(Convention relating to the Status of Refugees.Article 11. - Refugee seamen)

تترك الحرية التامة للمعتقلين في ممارسة عقائدهم الدينية، بما في ذلك الاشتراك في الشعائر، شريطة مراعاة تدابير النظام السارية التي وضعتها السلطات الحاجزة. (الاتفاقية الخاصة بوضع اللاجئين المادة 11 - البحارة اللاجئين)

Concerning the fourth type, it occurs when the translator uses a grammatical structure as a way to replace a lexical gap.

3.5 Unit of Translation

The unit of translation (UT) has been given various definitions by different theorists. Shuttleworth and Cowie (1997:192) define it as: "a term used to refer to the linguistic level at which ST is re-codified in TL" . In other words, it is an element with which the translator decides to work while translating the ST.Barkhudarov (1993) defines a UT as "the smallest unit of SL which has an equivalent in TL" (as cited in Shuttleworth and Cowie, 1997, p. 192). He recommends that this unit of translation, no matter how long, can itself "have a complex structure" (as cited in Shuttleworth and Cowie, 1997, p. 192) although its parts separately cannot be translated and replaced by any equivalent in the TL. Phonemes, morphemes, words, phrases, sentences and entire texts are probable units of translation for him. What determines the appropriate U.

3.6 Translating Embedded Sentences of the Public international Law

The languages in private and public international laws are deferent, thus embedded sentences are deferent too. The draftsmen use embedded sentences in writing articles. The researcher finds that most of the embedded sentences in the public international law are (relative clause, adverbial, verbal, adjectival, and prepositional phrase), and the tense is passive tense as in Geneva Convention. The sentences are clear and understandable so that

translators may not find difficulties in translating them. The researcher focuses on the syntactic structure (grammatical equivalence) of SL and how a translator shall keep it in TL. The sentence structures are parallel in both languages in translating articles (36 and 93) of the Geneva Convention, as the following:

Article 36

deep structure (Which are permitted) embedded verb (verbal) passive construction

Departures permitted under the foregoing Article shall be carried out in satisfactory conditions as regards safety, hygiene, sanitation and food.

تنفذ عمليات المغادرة التي يصرح بها بمقتضى المادة السابقة في ظروف ملائمة من حيث الأمن، والشروط الصحية، والسلامة والتغذية.

Religious, Intellectual and Physical Activities(Article 93 of Geneva Convention)

Internees shall enjoy complete latitude in the exercise of their religious duties ,

Verbal phrase p.pp.p relative clause

including attendance at the services of their faith, on condition that they

p.pp.p

complywith the disciplinary routine prescribed by the detaining authorities.

الأنشطة الدينية والذهنية والبدنية المادة 93

تترك الحرية التامة للمعتقلين في ممارسة عقائدهم الدينية، بما في ذلك الاشتراك في الشعائر، شريطة مراعاة تدابير النظام السارية التي وضعتها السلطات الحاجزة.

According to (Baker ,1992:11-12) who claims that different grammatical structures in the SL and TL may cause remarkable changes in the way the information or message is carried across. These changes may provoke the translator either to add or to omit information in the TT because of the lack of particular grammatical devices in the TL itself. As in following text (*Geneva Convention. Article 39*)

Protected personswho, as a result of the war, have lost their gainful employment, shall be granted the opportunity to find paid employment. That opportunity shall, subject to security considerations and to the provisions of Article 40, be equal to that enjoyed by the nationals of the Power in whose territory they are.

توفر للأشخاص المحميين الذين يكونون قد فقدوا بسبب الحرب عملهم الذي يتكسبون منه، فرصة إيجاد عمل مكسب، ويتمتعون لهذا الغرض بنفس المزايا التي يتمتع بها رعايا الدولة التي يوجدون في أراضيها، مع مراعاة اعتبارات الأمن وأحكام المادة 40.

The change in translating the above example places in moving (*subject to security considerations and to the provisions of Article 40*) to the end of the Arabic sentence.

Wherea Party to the conflict applies to a protected person methods of control which result in his being unable to support himself, and especially if such a person is prevented for reasons of security from finding paid employment on reasonable conditions, the said Party shall ensure his support and that of his dependents. (Geneva Convention. Article 39)

إذا فرض أحد أطراف النزاع على شخص محمي تدابير مراقبة من شأنها أن تجعله غير قادر على إعالة نفسه، وبخاصة إذا كان هذا الشخص غير قادر لأسباب أمنية على إيجاد عمل مكسب بشروط معقولة، وجب على طرف النزاع المذكور أن يتكفل باحتياجاته واحتياجات الأشخاص الذين يعولهم. (اتفاقية جنيف . المادة 39).

Translator here omits 'where' and 'which result' for they disturb the meaning of the sentences and uses the words (اذا ، من شأنه). The translator also prefers to use Arabic equivalent (غير قادر) to the verb 'prevented' for purpose of keeping the sentence effective and reach the end of this article.

The following example taken from the Charter of United Nations presents the barriers translator faces in translating legal text such as this article. The translator has used transposition technique to convey the meaning of it. Literally translation (word by word) will not be a proper method. It will make the article meaningless. According to the researcher's point of view the following article cannot be translated in another way.

Article 5 (the charter of United Nations)

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

يمكن للجمعية العامة تعليق عضوية اي عضو في الامم المتحدة الذي اتخذ مجلس الامن بحقه اجراءات تنفيذية او منع من ممارسة حقوق و امتيازات العضوية بناء على التوصية الخاصة بمجلس الامن. كما ويمكن لمجلس الامن اعادة تلك الحقوق والامتيازات .

3.7 Translating Embedded Sentences of the Private international Law

Several embedded thoughts may be compounded in a single lone sentence. The embedded (clause or phrase) can be compound by the conjunctions and, but, yet, or, nor. The language of private international law is difficult to be comprehended for it consists of many embedded thoughts. The sentence of each idea is very long. The draftsmen combine embedded clause with phrases to present one issue of a law. This technique of combination creates difficulty and sometimes ambiguity in the reader's mind. Consequently, it leads to different translation and mistranslation. A translator may lose the center-embedded structure.

Miller and Chomsky (1963) noted that sentences with multiple center-embeddings are invariably unacceptable...(Newmerer 1988:7). They explain the difficulties people would face in understanding such sentences by using many examples (see chapter two). Therefore, to translate the articles mentioned bellow needs concentration and awareness in the syntactic structure of embedded sentences. For instance the translations of (Anti – Terrorism Act , 1997) :

A person is said to commit a terrorist act if he,

in order to, orif the effect of his actions will be to, strike terror or create a sense of fear and insecurity in the people, or any section of the people, does any act or thing by using bombs, dynamite or other explosive or inflammable substances, or such fire-arms or other lethal weapons as may be notified, or poisons or noxious gases or chemicals, in such a manner as to cause, or be likely to cause, the death of, or injury to, any person or persons, or damage to, or destruction of, property on a large scale, or a widespread disruption of supplies of services essential to the life of the community, or threatens with the use of force public servants in order to prevent them from discharging their lawful duties;

يعد الشخص ارهابيا اذا ارتكب أي عمل يبعث الرعب ويخلق الاحساس بالخوف ويزعزع امن الناس او اي شريحة منهم مستخدما القنابل او الداناميت او المتفجرات او اسلحة قاتلة كالتني تم الابلاغ عنها ، او غازات سامة او غاز الاعصاب او مواد كيميائية ، مثل هذا العمل يسبب او يمكن ان يسبب الموت او الجرح لاي شخص اولعدة اشخاص او يلحق الضرر او الدمار الكبير بالممتلكات ، او يعطل بشكل واسع توفير الخدمات الضرورية لحياة المجتمع او يهدد باستخدام القوة مع الموظفين العموميين وذلك من اجل منعهم تأدية واجباتهم القانونية ؛

The above text may be translated in two different forms. These forms have been determined by the Auxiliary (does). "does" can be the auxiliary of the following sentences (A person is said to commit a terrorist act if he, does any act or thing by using bombs,...), or (or any section of the people, dose any act or thin by using bombs,...). Here a skilled translator will use the translation techniques (transposition technique) and move VP to become the conditional VP.

Notwithstanding anything contained in sub-section (1), if, having regard to the exigencies of the situation prevailing in a Province, the Government is of the opinion that it is expedient to establish in relation to an area, or in relation to two or more areas, in the Province, an anti-terrorism court outside the said area or areas, for the trial of offences committed in the area, or areas, it may, by notification, establish in relation to such area or areas an anti-terrorism court at such place outside the said area, or areas as may be specified in the notification.

على الرغم من اي شيء احتواه الجزء الثاني من الفقرة (1) ، مع الاخذ بنظر الاعتبار الوضع الذي تسود اقليم ما ، وحسب الرأي القائل ، فإن الحكومة بحكم صلتها بمنطقة واحد او منطقتان او اكثر في لاقليم تعد الوسيلة لتأسيس محكمة مكافحة الارهاب خارج المنطقة او المناطق المذكورة وذلك لاقامة المرافعات الخاصة بالجرائم المرتكبة في المنطقة او المناطق ، كما ويمكن ان تؤسس الحكومة ، من خلال الاشعار ، و اعتمادا على العلاقة بهذه المنطقة او المناطق محكمة مكافحة الاهداب خارج المنطقة او المناطق المذكورة و حسب ماهو محدد في الاشعار .

4. Conclusions

The current study has come up with the following conclusions:

- 1- Draftsmen use long and complex sentences particularly in legal provisions.
- 2- The study has presented types of embedded sentences. It investigates embedded clause (dependent and independent clause), and embedded phrase.
- 3- The sentences in Public Laws are simpler and shorter than in private law. The reason behind that goes back to the complexity of subject matter the act deals with.
- 4- Both (private and public) subject matters are complicated and complex for they deal with articles used by legislators to regulate relationships between states and to limit people activities.
- 5- The study has reached the result concerning the common use of embedded phrase in the public law as shown in Geneva Convention.
- 6- The study has proved that the most complex structure of the sentences is of private law represented in the Anti terrorism Act, 1997.
- 7- The study has proved that translating public law is easier than private law.
- 8- The study has found that the present simple form is dominantly used more than all tenses. The reason behind it is that a provision must have a continuity effect and must reflect facts.
- 9- Due to the fact that each act may concern the active voice is preferable to be used more than passive voice specially in writing the private international law texts but in the public international law such as Geneva Convention, the researcher finds that the legislator uses passive voice. The passive is acceptable when the actor is unidentified or when it is clear who he is.
- 10- The study has confirmed that in the finite embedded clauses the modal verbs (shall and may) are professionally used for the purpose of an obligation and have a vital role in the international law texts.
- 11- The good and accurate translation will not be achieved unless the legal translator studies the syntactic structure of the legal text of the source language and must find the equivalent structure in the target language.
- 12- The translator may use some of translation's techniques to convey the meaning of the text.
- 13- Transposition is preferable technique used by translator when the text is complicated and long.

Appendix

Public International Law

Geneva Convention

Article 36

Departures permitted under the foregoing Article shall be carried out in satisfactory conditions as regards safety, hygiene, sanitation and food. All costs in connection therewith, from the point of exit in the territory of the Detaining Power, shall be borne by the country of destination, or, in the case of accommodation in a neutral country, by the Power whose nationals are benefited. The practical details of such movements may, if necessary be settled by special agreements between the Powers concerned. The foregoing shall not prejudice such special agreements as may be concluded between Parties to the conflict concerning the exchange and repatriation of their nationals in enemy hands.

المادة 36

تنفذ عمليات المغادرة التي يصرح بها بمقتضى المادة السابقة في ظروف ملائمة من حيث الأمن، والشروط الصحية، والسلامة والتغذية. ويتحمل بلد الوصول، أو الدولة التي يكون المستفيدون من رعاياها في حالة الإيواء في بلد محايد، جميع التكاليف المتكبدة من بدء الخروج من أراضي الدولة الحاجزة. وتحدد الطرائق العملية لهذه الانتقالات، عند الحاجة، عن طريق اتفاقات خاصة تعقد بين الدول المعنية. ولا يخل ما تقدم بالاتفاقات الخاصة التي قد تكون معقودة بين أطراف النزاع بشأن تبادل رعاياها الذين سقطوا في قبضة العدو وإعادتهم إلى أوطانهم.

Analytic Box:

Embedded clause / phrase	Classification
<i>Permitted</i>	Embedded verb/ (verbal) phrase [who are permitted]
<i>the Detaining</i>	Embedded Adj./Adjectival phrase
<i>whose nationals are benefited</i>	Embedded clause
<i>,if necessary be settled</i>	Embedded clause
<i>Concerned</i>	Embedded Verb/(verbal) phrase [which is concerned]
<i>as may be concluded</i>	Embedded clause
<i>Concerning</i>	Embedded verb / verbal phrase [which is concerning]

Art. 39.

Protected persons who, as a result of the war, have lost their gainful employment, shall be granted the opportunity to find paid employment. That opportunity shall, subject to security considerations and to the provisions of Article 40, be equal to that enjoyed by the nationals of the Power in whose territory they are. Where a Party to the conflict applies to a protected person methods of control which result in his being unable to support himself, and especially if such a person is prevented for reasons of security from finding paid employment on reasonable conditions, the said Party shall ensure his support and that of his dependents. Protected persons may in any case receive allowances from their home country, the Protecting Power, or the relief societies referred to in Article 30.

المادة 39

توفر للأشخاص المحميين الذين يكونون قد فقدوا بسبب الحرب عملهم الذي يتكسبون منه، فرصة إيجاد عمل مكسب، ويتمتعون لهذا الغرض بنفس المزايا التي يتمتع بها رعايا الدولة التي يوجدون في أراضيها، مع مراعاة اعتبارات الأمن وأحكام المادة 40.

إذا فرض أحد أطراف النزاع على شخص محمي تدابير مراقبة من شأنها أن تجعله غير قادر على إعالة نفسه، وبخاصة إذا كان هذا الشخص غير قادر لأسباب أمنية على إيجاد عمل مكسب بشروط معقولة، وجب على طرف النزاع المذكور أن يتكفل باحتياجاته واحتياجات الأشخاص الذين يعولهم. وللأشخاص المحميين في جميع الحالات أن يتلقوا الإعانات من بلدان منشئهم، أو من الدولة الحامية، أو جمعيات الإغاثة المشار إليها في المادة 30.

Analytic Box

Embedded clause / phrase	Classification
<i>Protected persons</i>	Embedded verb /verbal phrase [persons who are protected]
<i>Who.... have lost their gainful</i>	Embedded clause
<i>That opportunity shall..be equal to</i>	Embedded clause
<i>Where a Party to the conflict applies</i>	Embedded clause
<i>if such a person is prevented</i>	Embedded clause
<i>Protecting Power</i>	Embedded verb /verbal phrase [a power which is protecting...]

Convention relating to the Status of Refugees

Article 11. - Refugee seamen

In the case of refugees regularly serving as crew members on board a ship **flying the flag** of a Contracting State, that State shall give sympathetic consideration to their establishment on its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their establishment in another country.

الاتفاقية الخاصة بوضع اللاجئين

المادة 11 - البحارة اللاجئين

في حالة اللاجئين الذين يعملون بصورة منتظمة كأعضاء في طاقم سفينة ترفع علم دولة متعاقدة، تنتظر هذه الدولة بعين العطف في إمكانية السماح لهؤلاء اللاجئين بالاستقرار على أرضها وتزويدهم بوثائق سفر، أو في قبولهم مؤقتاً على أرضها تسهيلاً، على الخصوص، لاستقرارهم في بلد آخر.

Analytic Box

Embedded clause/ phrase	Classification
<i>refugees regularly serving</i>	Embedded verb/ verbal phrase [refugees who are regularly serving..]
<i>ship flying the flag</i>	Embedded verb/ verbal phrase [Ship which is flying the flag..]
<i>that State shall give sympathetic consideration</i>	Embedded clause

Private International Law

المحكمة العليا في باكستان Supreme Court of Pakistan قانون مكافحة الارهاب (Anti- Terrorism Act ,1997)

A person is said to commit a terrorist act if he,

in order to, or if the effect of his actions will be to, strike terror or create a sense of fear and insecurity in the people, or any section of the people, does any act or thing by using bombs, dynamite or other explosive or inflammable substances, or such fire-arms or other lethal weapons as may be notified, or poisons or noxious gases or chemicals, in such a manner as to cause, or be likely to cause, the death of, or injury to, any person or persons, or damage to, or destruction of, property on a large scale, or a widespread disruption of supplies of services essential to the life of the community, or threatens with the use of force public servants in order to prevent them from discharging their lawful duties;

يعد اي شخص مرتكبا عملا ارهابيا اذا كان يقوم بأي عمل يبعث الرعب ويخلق الاحساس بالخوف ويزعزع امن الناس او اي شريحة منهم مستخدما القنابل او الداناميت او المتفجرات او اسلحة قاتلة كالتي تم الابلاغ عنها (المحظورة) ، او غازات سامة او غاز الاعصاب او مواد كيميائية ، مثل هذا الاسلوب يسبب او يمكن ان يسبب الموت او الجرح لاي شخص او لعدة اشخاص او يلحق الضرر او الدمار الكبير بالممتلكات ، او يعطل بشكل واسع توفير الخدمات الضرورية لحياة المجتمع او يهدد باستخدام القوة مع الموظفين العموميين وذلك من اجل منعهم تأدية واجباتهم القانونية ؛

Analytic Box:

Embedded clause / phrase	Classification
<i>if he,... does any act or thing</i>	Embedded clause
<i>if the effect of his actions will be to, strike terror</i>	Embedded clause
<i>, in such a manner as to cause</i>	Complex prepositional embedded phrase

Notwithstanding anything contained in sub-section (1), if, having regard to the exigencies of the situation prevailing in a Province, the Government is of the opinion that it is expedient to establish in relation to an area, or in relation to two or more areas, in the Province, an anti-terrorism court outside the said area or areas, for the trial of offences committed in the area, or areas, it may, by notification, establish in relation to such area or areas an anti-terrorism court at such place outside the said area, or areas as may be specified in the notification.

على الرغم من اي شيء احتواه الجزء الثاني من الفقرة (1) ، مع الاخذ بنظر الاعتبار الوضع الذي تسود اقليم ما ، وحسب الرأى القائل ، فإن الحكومة بحكم صلتها بمنطقة واحد او منطقتان او اكثر في لاقليم تعد الوسيلة لتأسيس محكمة مكافحة الارهاب خارج المنطقة او المناطق المذكورة وذلك لاقامة المرافعات الخاصة بالجرائم المرتكبة في المنطقة او المناطق ، كما ويمكن ان تؤسس الحكومة ، من خلال الاشعار ، و اعتمادا على العلاقة بهذه المنطقة او المناطق محكمة مكافحة الارهاب خارج المنطقة او المناطق المذكورة و حسب ماهو محدد في الاشعار .

Analytic Box:

Embedded clause / phrase	Classification
<i>if, having regard to the exigencies</i>	Embedded Verbless clause
<i>that it is expedient</i>	Embedded Clause

Where more anti-terrorism courts than one have been established in any area, the Government in consultation with the Chief Justice of the High Court shall designate a judge of any such court to be an administrative judge and all cases triable under this Act pertaining to the said area shall be filed before the said court and such judge may either try the cases himself, or assign any case, or cases, for trial to any other anti-terrorism court at any time prior to the framing of the charge.

اينما كان قد اسس المزيد محكمة في اي منطقة فإنه على الحكومة بالتشاور مع رئيس المحكمة العليا تعيين قاضي من اي محكمة ليكون قاضي اداري كما ويجب تسجيل جميع القضايا المحالة للمرافعة وفق هذا القانون المتعلق بالمنطقة المذكورة و يمكن لقاضي ما ان يحكم بنفسه في القضايا او يعين قضية او قضايا للترافع في اي محكمة اخرى من محاكم مكافحة الارهاب في اي وقت مسبق.

Analytic Box:

Embedded clause / phrase	Classification
Where more anti-terrorism courts than one have been established	Embedded clause

Any judgment given or sentence passed by a trial court or a court of appeals convened under section 3 of the repealed Ordinance, except cases in which sentence of death was passed and has been executed, shall have no effect and all such cases shall stand transferred to the anti-terrorism court having jurisdiction under the Act for decision after hearing the parties on the basis of the evidence earlier recorded.

اي قرار او حكم يصدر من محكمة الترافع او محكمة الاستئناف المنعقدة وفق الفقرة (3) من القانون الملغاة ، بأستثناء القضايا التي صدر بها حكم الموت وقد نفذ الحكم ،يجب ان لا يكون الفاعلية كما وان جميع القضايا المماثلة يجب استمرار تحويلها الى محكمة مكافحة الارهاب التي لديها السلطة القضائية وفق القانون وذلك لاعطاء الحكم بعد الاستماع الى الاطراف بناء على الافادة المسجلة مسبقا .

Analytic Box:

Embedded clause / phrase	Classification
appeals convened	Embedded verb/ verbal phrase [appeals which are convened ..]
the repealed Ordinance	Embedded verb/ verbal phrase [the ordinance which are repealed ..]
in which sentence of death was passed	Embedded clause

Power to enter or search.-

If any officer of the police, armed forces or civil armed forces is satisfied that there are reasonable grounds for suspecting that a person has possession of written material or a recording in contravention of section 8 he may enter and search the premises where it is suspected the material or recording is situated and take possession of the same;

صلاحية الدخول او البحث –

في حالة اقتناع اي ضابط من الشرطة او القوات المسلحة او القوات المسلحة المدنية ان هناك اسس منطقية للشك بأن شخص ما يمتلك مادة مكتوبة او تسجيل تنتهك البند (8) فإنه يمكن للضابط ان يدخل ويفتش المبنى حيث وضعت المادة او التسجيل المشكوك به كما ويمكنه حيازتها .

Analytic Box:

Embedded clause / phrase	Classification
If any officer of the police, armed forces or civil armed forces is satisfied	Embedded clause
that there are reasonable grounds	Embedded clause
where it is suspected	Embedded clause

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Appendix-Websites

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