

Known Knowledge and Non-lawyer Translators' Understanding of the Language of the Law Pronominal adverbs in Legal English

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Abstract

This paper will explore the relationship between what has already been known by most translators as non-lawyers and the specific meaning they want to know in their venture into understanding a special expression in law language. Based on domain-general concepts extracted from the available semantic information, non-lawyer translators' understanding also involves a process of transferring their known knowledge and detecting the path linking known knowledge and the newly encountered meaning, so as to make an optimal use of all their known knowledge and gradually move toward the possibility to achieve their correct understanding.

Key Words

Known, Concept, Frame, Understanding, Law



Introduction

For most non-lawyer translators, especially those foreign non-lawyers who want to approach the field of the English common law, “the language of the law” named by David Mellinkoff in his book mainly refers to the type of English as used in legal writing, which is also prevalently called as “legal English” both on the Internet and in people’s daily conversation. Generally speaking, it does appear as a specialized and formalized language differing from the ordinary English in terms of vocabulary, syntax, as well as other linguistic features, and at least one of the reasons is its retaining usage of old English and mixture of many different languages like Latin and French, which appears peculiar and distant from most modern people (Tiersma, 1999). Under the influence of such general impression, non-lawyer translators without systemic handling of professional knowledge of law deem the understanding of such special expressions in legal English in a correct way as a very difficult, if not impossible, task to fulfill. Most of such translators, intimidated by the special appearance of the language of the law, chalk their inability to get instant understanding up to their lack of knowing the literal and the special meaning adopted by the legal English. Thus, as they always do in learning new words and expressions, they would resort to dictionaries or resources like websites for semantic information concerning such special expressions. Others think they can get the drift of the meaning by relying on the relevant authoritative legal interpretations that are, however, even more professionalized and incomprehensible to them. While these attempts do let translators’ knowledge of the relevant semantic information get increased or enriched, they are not really favored by those non-lawyers who, if merely following the advice from such attempts, can hardly bring forth their own understanding and interpretation in an instant manner as they usually do and expect. Most translators still cannot or will not, as we always do in performing our usual understanding acts, thus effectively and proactively establish connection between the semantic information (i.e. what they can know from available resources) and the correct meaning of a specific expression like a pronominal adverb in a specific context (i.e. what they want to know exactly) while avoiding acquiring the former type of information in an overloaded way.

With regard to this, this paper suggests these translators try to make an optimal use of their own knowledge — knowledge already known including both knowledge steadily stored in their long-term memory and the one newly collected from available sources, extract the common conceptual elements applicable to both the knowledge they have grasped and the one awaiting their understanding, and bridge connections between the specialized meaning and what they have already known well at the higher level of the concept, so as to make their understanding and translation therefrom possibly to be realized in an asymptotical way.

1. Literature Review

According to Holm's overall framework describing what translation studies covers in his 'The name and nature of translation studies' (Holmes 1988b/2004), translation studies in recent years could have been divided into two general categories, i.e., 'pure' and 'applied' (1988b/2004). Generally speaking, this research can firstly be deemed as a process-oriented translation study exploring what might happen during the process of a legal translation.

Take an overview of the recent relevant process-oriented translation studies, most researchers took the whole process into a holistic picture, routinely generalizing or describing it into three parts or steps at first, then foregrounding one of these parts or one factors within such parts and keep on its further detailed exploration. To be more specific with the specific parameter or parameters translators need to consider for translating, i.e., factors relevant to translators' competence or what translators should or could do for starting and proceeding their translation, some researchers stressed translators' ability to make inferences based on relevance and contexts, and proposed translators deem translation as communication and try to achieve dynamic equivalence between intentions and expectations (e.g. Ernst-August Gutt, 2014); some called for translators' attention of cultural elements functioning in translation, viewing translation as intercultural from the perspective of ethnography (Wolf, Michaela, 2014); some emphasized the methodological and empirical aspects involved in

translation, interpreting with a methodological and empirical orientation, featuring translation studies on influencing methodological factors like time, keystroke, eye-tracking, disfluency and those empirical ones like metaphor comprehension, audience perception and meta-linguistic awareness (e.g. C Alvstad, A Hild, E Tiselius, 2011); some, with consideration to the present interdisciplinary nature of translation studies, promoting an approach that should be tried by translators by focusing on the essentiality of the core principles of reliability, validity and ethics for translation (O'Brien, Sharon, and Gabriela Saldanha, 2014); There are also others who focused on a translation process by itself, and from a cognitive perspective, advocated simultaneous recording of translators' verbalization of the translation process as they translate, which were named as "think-aloud protocols" (Jääskeläinen, Riitta, 2010); or those, with the aim to solve problems in legal translation training, advocated the integral development of legal translation competence by employing interdisciplinary methodologies for practical problem solving (e.g. Prieto Ramos F., 2011).

While all these translation studies in recent years did adopt new perspectives, principles, theories, methodologies to deal with problems encountered during processes of practical translation compared to most of the past traditional researches mainly concentrating on linguistic features of the source language, what they hypothesized was that translators be equipped with necessary pre-known knowledge as much as possible, so as to start their jobs, few ever thought about what translators actually could do in the case of their deficiency in professional knowledge background, and how to make their translation start and proceed merely with the generally known, yet non-professional, knowledge inherent in their mind since they were born. Furthermore, even fewer researchers were concerned themselves with the real needs of many non-lawyer translators like those in China as college students or postgraduates desiring to achieve their correct understanding of legal English for self-improvement or job-hunting. In this sense, legal translation studies competence-oriented with consideration to the real needs of non-lawyer translators are both practically and theoretically significant to those translators. To solve the problems encountered by such translators with little or even none of the necessary background

knowledge, researches taking their difficulties into consideration need to be conducted.

2. Understanding and Translation

2.1. Understanding for Translation

Undoubtedly, correct understanding functions as a prerequisite to correct translation. It is the meaning, rather than appearance or form of language, that should be translated between different languages. In this sense, to fulfill a correct translation, a translator needs to get a correct understanding of the meaning and the concepts represented by the original language. On the contrary, translation assumed by someone that is merely based on the literal transference can only be counted as a mechanic match between two or more forms of language, which can even be conducted by machines or persons without any understanding of the meaning. And translation which makes the meaning transference dwarfed by the convenience of the target language readers can even lead to the original meaning's fading away.

Presuming such importance of understanding to translation, translators still to make clear the way to realize their correct translation based on correct understanding. In this paper, we would like to deal with this from the level of concepts, and talk about the manner from perspectives of a cognitive concept—the frame.

2.2. Understanding and Frame

As you cannot expect to gain a good command of a word's correct meaning by mere reliance on mechanic memorization of every dictionary annotations, neither can you, at the higher level of concept and from the common ground shared by almost everyone, meet your expectation of realizing your precise understanding by merely focusing on such concepts alone. Even after you have

had a detailed description of the attributes of a category represented by the relevant concepts in greater detail, as for the specific problems like “how does such category function as a constituent within a special cognitive context?” or “how to ensure the correct understanding of the meaning compatible with the specific context where its referent is used?”, you would find that you cannot get the precise answer in an instant manner without taking other relevant elements into consideration. At least for some words such as those calling for preciseness or accuracy required by professional law language, you need to go further to view such objects of understanding with consideration to the specific contextual information they are in for gaining their adequate and sufficient references (Carnine D., Kameenui E. J., Coyle G., 1984). Over-reliance on general or vague sketch of the concept represented by a word in law language still cannot meet the demands of such precise legal interpretation.

Instead of treating objects of understanding by itself, recent views concerning understanding of words or other linguistic units have assumed that interpreters should go beyond not only independent or separate meaning annotations, but also single concept abstraction, and see objects waiting to be understood by reference to the interactive pattern within which such objects interconnect closely with other related components in formation of a holistic structure (e.g. Dascal M, Weizman E.,1987; Entman R M.,1993). In this way, it is likely that readers can even decode the meaning of certain neglected information, as long as it plays a role along the interactive paths within such structure or framework. In line with such claims tending to look at an individual linguistic phenomenon within an interactive pattern or structure, this paper will, based on the known knowledge and concepts abstracted therefrom, also resort to the notion of “frame” (Fillmore, 1975, 1976, 1985) in trying to articulate the processes that may occur during a non-lawyer’s understanding of the special meaning of the special words in the language of the law. According to the frame theory, that a frame or certain schemata or frameworks of concepts linking together as system would impose structure or coherence on some aspect of human experience and may contain elements which are simultaneously parts of other such frameworks (Fillmore, 1975). In this sense, a frame would function as a basically presupposed reference for starting cognitive activities like alignment in understanding process,

and both categories (concepts) and interactions between these categories within a specific frame should be taken into consideration when conducting understanding of a specific object. Understanding the meaning of the word buy in Fillmore's classic "commercial event" frame, for instance, can be conducted with consideration to a situation where the 4 basic or elementary categories BUYER, SELLER, GOODS and MONEY interact closely with each other into a general representation of a commercial event (F. Ungerer, H. J. Schmid, 2013). No matter how different the name of a buyer or a seller appears, as long as the interactive categories conceptually representing these various appearances maintain the consistent functioning of their relationship structure, the frame underlying that holds such relationship will not change, acting as a stable and reliable reference for inference of the meaning of a word representing a role within the frame. Besides, as a steady referential framework representing an event, some expressions like to somebody, or for a certain amount of money as adverbials in the form of a prepositional phrase, despite of not being figured as subjects or objects, or even being elicited or omitted from a clause pattern, are still likely to be pinpointed as long as their meanings represent one of these concepts along the interactive paths within the same frame. Thus, understanding the meaning of the word buy from the perspective of a frame can be deemed as considering the category BUY within the framework of a commercial event stored as an organized systematic structure commonly known by almost everyone with normal experience of social life. You can also get the meaning referred to by other related words like seller, goods, or even prepositional adverbs like to, in, after, as long as they are framed as such and have a role to play within one same event-frame.

In a word, to understand the specific meaning of a word, non-lawyers may try to look further at the concept represented by such meaning within a framework commonly known and presupposed where you can at least get the specific role played by each central component therein, the relationship between objects you want to understand and other key components within the same frame, and, possibly, the positioning of other elements — no matter fore-grounded or not — along the paths holding close interconnection between these components.

3. Illustration

According to the aforesaid, we can get that the understanding of a word's meaning has been traditionally conducted through concentrating on the word's literal meanings by consulting its synonyms, antonyms, or lexical context surrounding the word for reference, or its usage in a clause or sentence (e.g. Tiersma P M., 1999; Mellinkoff D., 2004). Apart from this kind of approach, many researchers have also maintained that understanding can be the object of scientific inquiry considered from experiential perspectives (Fingeret H A.,1991). In conformity with the latter point of view, understanding can be seen as an act performed by interpreters by making connections between the objects they encounter (new experience) and the knowledge they have already known (known experience, both direct and indirect). To be specific with the understanding of pronominal adverbs in law language, this paper presumes that (1) the concept represented by the meaning of a pronominal adverb in its most general sense is inherently possessed by almost everyone in representing a type of relation denoted by its latter prepositional adverb, with the deictic meaning of the former locative adverb varying upon the contextual information where the adverb is used; and (2) when such an adverb is adopted by professional lawyers in the special genre of law language, there would be, as for the specialized meaning used in quite a distinctive manner, a shift of representation ranging from generalization of people's commonly-known knowledge (e.g. spatial relation egocentric) to specialized categorization (e.g. relation ipso jure) represented by the meaning of a special term such as a pronominal adverb in law language. These presumptions will be illustrated in the following Figure 1:

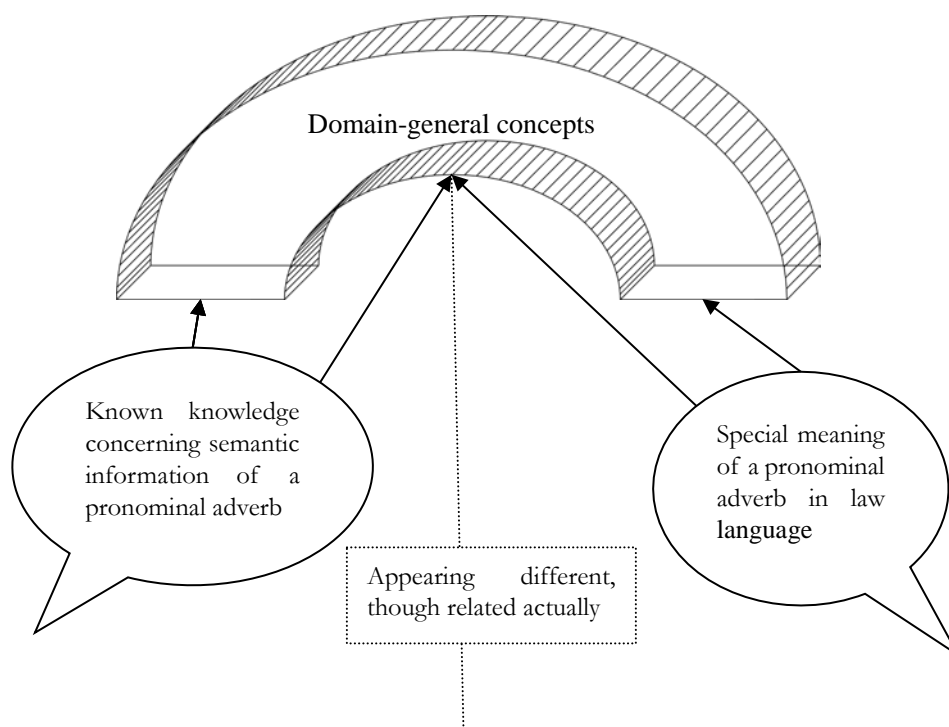


Figure 1. The known semantic information and the specialized meaning

3.1. Known Knowledge about the Meaning of a Pronominal Adverb and the Concepts Derived

As far as the information concerning the meaning of a pronominal adverb goes, what most people can know from both publicly available resources and their personal experience mainly include two categories of information: (1) traditional descriptions of the words such as those checklist-style annotations or explanations in dictionaries, websites, corpus, or databases (see Table 1), and (2) conceptual commonsense knowledge that can thus be abstracted and universally stored in almost every people's mind accompanying their growing

experience.

Pronominal adverbs	Semantic information from dictionaries	Sentences	Notes
HEREIN	In this thing (such as a document, section, or matter).	The due-process arguments stated herein should convince the court to reverse the judgment.	Black Law Dictionary, 8ed., P2124
THEREFROM	From that, it, or them.	Hofer had several financial obligations to Ricks, who refused to release Hofer therefrom.	Black Law Dictionary, 8ed., P4617
WHEREOF	1. Of what. 2. Of which. 3. Of whom.	Judge Wald knows whereof she speaks. Citations whereof even the most responsible are far afield from the true issue. Judges whereof only the most glowing words might be said.	Black Law Dictionary, 8ed., P4929

Table 1. Examples illustrating the semantic information listed in a dictionary

We can see from the table that the general meaning of a pronominal adverb can be paraphrased into a “preposition (P2) + this/that/which...” phrase, and the preposition (P2) paraphrased from a pronominal adverb corresponds with both the form and the meaning of the latter prepositional adverb (P1) within the

pronominal adverb, while the “this/that/which...” part corresponding semantically to the former locative adverb (here/there/where) within the pronominal adverb. Besides, we can get it clearly that in such paraphrased expressions, the last part “...” whose specific meaning indicated by the demonstratives this or that within the phrase “this/that/which ...” calls for more relevant contextual information for its precise interpretation, which indicates, to put it in a simple way, that the meaning of a pronominal adverb is not fixed, but may change as it is employed in different contexts.

Apart from this, we can, from the paraphrased prepositional phrase (“preposition + this/that/which...”) mentioned above, make an induction or extraction that the elementary concepts thus represented may, as prepositions usually are in ordinary English, be a kind of relationship between one existence and another, or may, as adverbs always do, be a way or manner the verbs directly modified or even categorized by such phrase or adverb take effect. Despite of the difference between the meaning usually denoted by the preposition in ordinary English and that by the prepositional adverb part in a pronominal adverb in law English, such induction or extraction shows that there is a domain-general element inherent within all such semantic information. Take the “herein” with its paraphrased phrases “in this/that/which...” for instance, no matter how different the form of a pronominal adverb and that of its paraphrased phrase are in terms of word classes or specific referents, a domain-general concept of containment indicated by the “in” always exists accompanying such differences. Such relationship of containment of one object (“...” in the paraphrased phrase) within another (that usually directly followed by such a pronominal adverb and a past participant, e.g., the terms and conditions herein stated), taking into consideration of people’s daily life experience into consideration, can act as a common essence overarching such semantic information listed in the aforesaid first category.

Nevertheless, while such commonality extracted from semantic information can function as a hub connecting differences together, there are various cases in which depending on such commonality alone is not enough to achieve a correct understanding of a specific meaning. Higher concepts, though broader in range, are poorer in content at the same time (Les Z, Les M, 2015). To be specific with

the understanding of a pronominal adverb in law language, despite it seems plausible for non-lawyers to start from the common-ground to analyze the conceptual relationship represented by such prepositions or prepositional phrases by using domain-general concepts as elementary and stable basis or reference for further cognitive processing, and in this way, non-lawyers may, employ what they have known or at least what they can know as basis for their understanding performance, compare or spot both similarities and differences between a pronominal adverb's ordinary meaning and legal meaning, then try to know more about the special meaning of a pronominal adverb, it is impossible for non-lawyers' to achieve the correct understanding by relying on such commonality alone. They cannot just equate unequal meanings in different contexts by mere reference to the commonality at the level of the concept. From a basic domain-general concept to the specific referent, non-lawyers still need to go further, so as to approach toward a deeper and more precise understanding along such overarching paths constructed through such extraction.

3.2. Concepts Framed

Then for the sake of decoding the specific meaning of a pronominal adverb within a specific clause or sentence in a legal text, non-lawyers need to make further efforts to achieve a more precise understanding. On the one hand, we have already seen the paraphrased meaning and the schematic representation of a pronominal adverb. On the other hand, as what has been mentioned before, the known knowledge such as those formerly known or those latterly abstracted or newly acquired is still not enough for non-lawyers to make accurate identification of the meaning of a pronominal adverb commensurate with the specific context within which it is used. Although domain-general concepts extracted from semantic information remain consistent and stable no matter what kind of text a pronominal adverb is in, the specific meaning adopted as appropriate for a distinctive domain, or more specifically, for a specific holistic event framework may vary with the context within which such framework is constructed (Coulson S. , 2001). In a word, context-dependency of a word's specific meaning calls for non-lawyers' consideration of not only the semantic

information of the adverb and the general concepts extracted therefrom (as a basic reference), but also such concepts' interactive relationship with other key elements within a specific context (e.g. a framework) formed or constructed on the basis of such composing concepts and their interaction.

In postulating that a pronominal adverb's specific meaning would have to be adjusted to its interaction with other related elements toward formation of the internal structure of a holistic framework, non-lawyers, based on their daily experience about the containment relationship extracted from and represented by the meaning of the paraphrased prepositional phrase "in ..." from the pronominal adverb herein (for instance), may take a step further to position the precise referent of the pronominal adverb along the paths holding together such interaction. To add an example from Article I, Section 1 of the Constitution of the United States of America, consider the pronominal adverb herein in this sentence: "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives". First, we can get from many available sources (e.g. dictionaries, websites) that the adverb herein before the past participle of the verb grant acts, as an adverb always does, as an adverbial modifier of the verb in its representation of the concepts like the place, manner, or the way by which an agent ("We the People of the United States") performs the act grant. Since the one (usually a verb like the "grant" in the example) modified by such an adverb can evoke a framework within an interactive network holding together participants (agents, patients) and the way or manner the agents' behavior exerts influence upon patients, concepts representing such way or manner by which relationship between components within a framework (like those represented by herein in this sentence) operates would play an important role in non-lawyers' approach toward deeper, even comprehensive understanding of the meaning of the whole sentence reflecting the [GRANT] frame.

Second, as for the exact meaning of the adverb herein in this sentence, we would soon find despite the fact that it can simply be paraphrased into a prepositional phrase like "in this ...", and the domain-general concept thus extracted provides an important clue for non-lawyers to proceed their understanding, the specific referent or entity "... indicated by the demonstrative this within the

paraphrased meaning interpretation “in this ...” or “in this law, contract, document...” still remain indefinite, which requires that understanding the specific meaning of herein could not be realized by counting on such concept alone, but viewing it as unfixed and varying upon the particular context where it interacts with other relevant concepts to form a holistic structure as a stable cognitive reference framework.

During such a viewing process, one thing especially worth mentioning is that, even after having taken the meaning of herein into the scope of the framework represented through this example, we still need to notice that the meaning of the paraphrased phrase “in this ...” that would ordinarily be understood by most of us in our daily life as “in this place, container, moment” is not applicable to the specific framework evoked in this sentence by the verb “grant”, and the framework evoked by a synonymous verb like “give” that can also be modified by herein in ordinary life would not be exactly the same with that evoked by “grant” in the example. Since it is impossible for “We the people of the United States” to “grant” “All legislative Powers” in a house, an office, or even a playground as people usually do something or conduct an act in a place, or within a space. The direct objects of the “grant” here are “All legislative Powers” that are so authoritative and powerful, components involved within such a framework evoked by the verb “grant” cannot be just something personal, or merely related to an individual speaker’s private life. In correspondence with this, relationships between such components within two different frameworks cannot be exactly the same, either.

With regard to this, it’s not proper for non-lawyers to make mechanic one-to-one alignment between the two different frameworks. Instead, from the former everyday thinking toward the later specific, they need to go further to adjust themselves to the components involved within the specific framework evoked by “grant” in such authoritative law language as U.S. Constitution—from their ordinarily-understood concepts like a place, a house, or a site to something more authoritative or significant, so as to make the exact concept revealed when the component category (agent) represented by “We the people of the United States” performs the act of “grant”. In this sense, with consideration to the specific frame of [GRANT] (See Figure 2), non-lawyer translators may, based on these

key component categories like GRANTOR (“We, the people of the United States”), GRANTEE (“a Congress of the United States”), OBJECT (“All legislative Powers”) and their close interactions within the frame, and the prerequisite that such act of granting have both legal effect and validity popularly recognized and accepted by the people within the jurisdiction of the United States of America, make an inference that herein in this sentence should, though with certain similarity with the ordinary sense of “in this ...” representing the concepts of areas, spaces or places nearby where the act like “give” usually takes place or performs, represent something more influential that shall abide by legal rules or regulations, which may lead to a mapping-style inference from “in some place nearby the speaker or perceiver” to an interpretation like “in this law, or in accordance with this law (i.e. this Constitution)”, which is also in consistency with what was illustrated in Table 1.

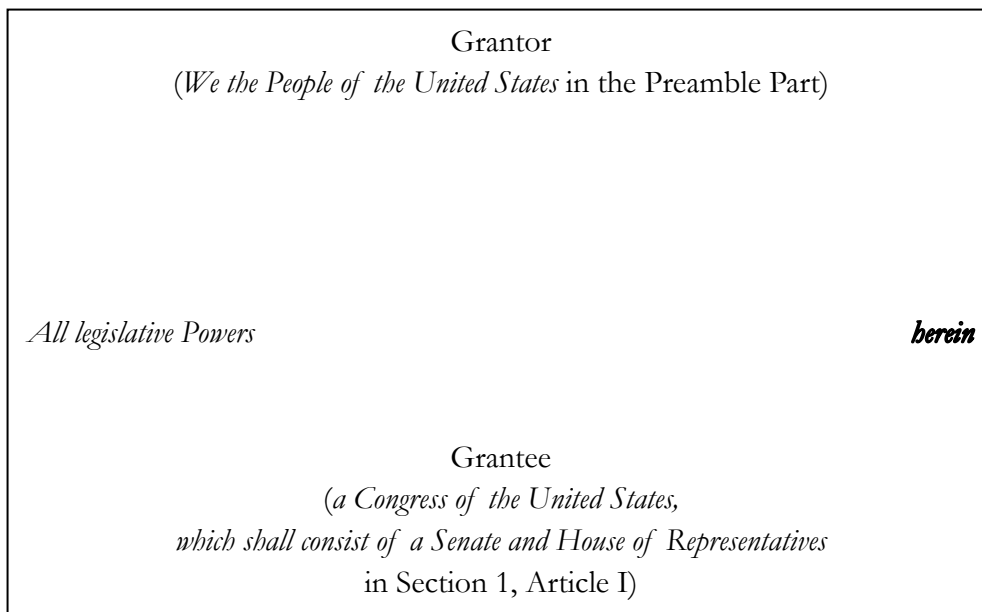


Figure 2. The frame of [GRANT] in U.S. Constitution, Article I, Section 1

3.3. Translation

In line with Table 1 and the above-mentioned analysis, since no contexts, let alone frames were provided according to the mere exemplary sentences

illustrated in dictionaries, translators could do none but a general inference on the meanings of special expressions like pronominal adverbs listed therein, rather than make an accurate determination on the exact meaning of each word included therein. With regard to this, translations of the pronominal adverbs listed in Table 1 could only be vaguely done as follows:

Pronominal adverbs	Semantic information from dictionaries	Sentences	Vague translations for pronominal adverbs in the sentences illustrated on the left column (from English into Chinese) and their problems
HEREIN	In this thing (such as a document, section, or matter).	The due-process arguments stated herein should convince the court to reverse the judgment.	Translation: 本(法)陈述地; Problem: no accordance with which the concept represented by here can be made clear.
THEREFROM	From that, it, or them.	Hofer had several financial obligations to Ricks, who refused to release Hofer therefrom.	Translation: 该债务; Problem: detailed information such as the reason for such obligations, the way agreed upon by both parties to pay back needs further clarification.
WHEREOF	1. Of what / which / whom.	Judge Wald knows whereof she speaks.	Translation: 什么 ; Problem: even translators could know nothing about the exact referent based on such translation.

Table 2. Translations of pronominal adverbs illustrated in Table 1's exemplary sentences

From this table, we can get that, without key referent information such as contexts, culture, or more organized frames, legal translations could only be done in a fuzzy, indeterminate manner, which is in contradiction to the preciseness requirements of the prevalently-known linguistic features of legal English. Even in the case of the translation of therefrom that appears more

lucid, since the denomination of 债务 seems to be clarified through former indication. However, even translators could get the initial understanding by referring to the former signifier (financial obligations) , in line with the professional legal way of thinking, readers or lawyers after reading the translation could do nothing without further exploration of the detailed information involved within a legal transaction framework or a frame of a case that he or she is handling. In this sense, translation into 该债务 as aforesaid could not be counted as a translation achieved on the basis of a holistic understanding, which could not meet the needs of partitioning lawyers, readers and professionally qualified translators.

4. A Case Study

Repeated consultations of various resources listing semantic information are mere comparisons between words' different meanings in their ordinary and legal sense respectively, which could not address the problem of what could bring about both such difference and connection between the legal meaning and the ordinary meaning of one same word both adopted in ordinary English and legal English. In the present experiment, we would test the above hypothesis that could be tried by non-lawyer translators in the process of their translating operation which involves, on the basis of holistic conceptual structures organized into units of frameworks extracted from their ordinarily known knowledge, transferring from conceptual structures extracted from translators' known knowledge to those extracted from the semantic information collected from various resources concerning legal English.

We examined whether subjects as non-lawyer translators who had seen many illustrations of expressions employing pronominal adverbs (using herein as an illustration) would extract abstract structures out of the semantic information of pronominal adverbs in these expressions and detect connections or associations with their own known knowledge and those between these two structures. If students simply knew to copy what they consulted in dictionaries or websites, their translations should be obviously the same as those annotated

therein. If not, their translations should be reasonably flexible and variable with the paragraphs where the source herein was used. Besides, if students translated all herein in these paragraphs by using expression indicating something generally applicable to all semantic information concerning the word, it could be inferred that they get the ability to extract the domain-general part out of meanings of herein they had searched.

We also examined whether students, based on the domain-general structures super-categorizing both the conceptual structure extracted from translators' known knowledge and that from the semantic information collected from various resources concerning legal English, can make transference between the two, which would be demonstrated by specific replacements of components within the frameworks representing such conceptual structures. If students became confused when asked to translate different paragraphs adopting different genres at the same time, and mistranslated the legal ones into ordinary ones, or vice versa, then they would be deemed unable to accomplish such transference. If not, their translations should precisely vary with specificity of genres, adopting correct expressions representing components of the frameworks evoked by verbs modified (visibly or invisibly) by herein in those paragraphs.

4.1. Subjects

Thirty two postgraduates of English major from Foreign Language School in Hefei University of Technology participated the experiment that was conducted as in-class experiments for the course of Legal English Translation during their first semester in one academic year (from 2017 to 2018).

4.2. Materials and Design

Sixteen short paragraphs were used for the whole quiz phases, asking students in the Legal English Translation class to write down at least their understanding about the main idea of the whole paragraph where herein was used, and put the

herein in these paragraphs into Chinese.

The whole experiment was divided into two main phases. In the first phase, four paragraphs including herein in its ordinary sense were first given to students for testing, then another four paragraphs including herein in its legal sense were given to students for their translations. Since we predicted and aimed to examine the ability of such non-lawyer translators in generalizing and extracting domain-general structures out of known knowledge and semantic information relatively newly acquired, we asked all of such students in advance to do their preparatory work by searching and consulting semantic information concerning meanings of herein in both legal English and ordinary English. In the second phase, all thirty two students were given the translation quiz together, testing their translation of herein in paragraphs given to them in an random order at the same time.

Eight paragraphs chosen for the first phase were from the samples in COCA Corpus. It was designed that each paragraph selected from COCA was assigned to students due to whether a key conceptual component constituting a frame including the concept represented by such an adverb as herein was omitted in its linguistic form. Since adverbs are used to describe or restrain verbs, such key elements regularly include categories representing the agent(s) performing the act(s) or motion(s), the act(s) or motion(s) of such agent(s), the object(s) such agent(s) is/are acting on, and concepts like the manner, way, place, degree concerning how such act(s) exert(s) impact.

Eight paragraphs (four in ordinary English and four in legal English) chosen for the second phase were also from the samples in COCA Corpus according to both ordinary and legal genre of language and were assign to all thirty two students in a random order. While these paragraphs were different in appearance from those selected in the first phase, they were also selected with respect to the above four attributes, i.e., agent, motion, object, and manner.

The whole stage of these two phases took about ninety minutes with a ten-minute short break between the two phases, which meant that within such ten minutes, students could take a break and conduct a brief rethinking about the understanding and the translation they had done in the former phase, and the

average time each student needed to finish each paragraph's understanding and translation should be no more than five minutes.

To guarantee the generality of this study's results, the students we chose were Chinese postgraduates of English major from Foreign Language School in Hefei University of Technology whose average scores through National Graduate English Examination were similar with minor variance, which meant that their English level was on the same level in dealing with problems encountered in English-to-Chinese translation. All these students rarely encountered such words like herein before, or used to read such special language as legal English scarcely or never, which meant that they were all unfamiliar with the material offered to them before starting their legal translation classes. Furthermore, before the quizzes began, we got to know that students, though some of heard of COCA before, never used the corpus, nor be familiar with the Corpus. Apart from this, to erase the affects of factors such as familiarity on non-lawyers' understanding and translation so as to let them automatically make optimal use of their known knowledge, we omitted all titles and source information of the paragraphs we chose from COCA, which meant that students could only get no more than two or three sentences including herein in the quizzes, and could not be equipped with enough contextual information during the test period. In a word, we hypothesized that participants we chose for the quizzes were representative of most inexperienced non-lawyer translators in China in dealing with problems encountered in such special English translation as legal English translation.

Five points were assigned to each first-phase translation exercises, testing students' understanding of the meaning of herein from five aspects: domain-general properties indicating relevance to oneself or something (some place or time) closely near oneself (hereinafter referred to as A), the four factors mentioned above, i.e., the agent(s) performing the act(s) or motion(s) (hereinafter referred to as B), the act(s) or motion(s) of such agent(s) (hereinafter referred to as C), the patient or object(s) such agent(s) is/are acting on (hereinafter referred to as D), and concepts like the manner, way, place, degree concerning how such act(s) exert(s) impact (hereinafter referred to as E). Each correspondence represented through the written answers of students with such five aspects would be scored with one point. Full

correspondence with such five aspects would let the student get five points for one paragraph.

4.3. Procedure

For the first phase, each student was first given four paragraphs including herein in its ordinary sense in a random order, and was asked to write down their thinking or understanding of the main idea of each paragraph, then translate each herein into Chinese; Then another four paragraphs including herein in its legal sense in random order were given to each student, asking them to write down their thinking or understanding of the main idea of each paragraph, then translate each herein into Chinese. This first-phase test should exactly be finished within twenty minutes. When time was up, quiz papers would be taken away.

After the first phase and a ten-minute short break, the second phase began. Eight newly selected paragraphs would then be assigned to the whole class in a random order, asking students to write down thinking or understanding of the main idea of each paragraph, then translate the herein into Chinese. Among these newly selected paragraphs, four paragraphs adopted herein in its ordinary meaning, and the other four paragraphs adopted herein in its legal meaning. Students were asked to make their job done within forty minutes.

4.4. Results and Discussion

Among the thirty two students' marks, the highest score was eighty two, and the lowest score was thirty eight, the average score was sixty, which demonstrated that prior preparation of students in searching semantic information of herein was useful for their later understanding and translating paragraphs including the word herein. Apart from this, the average score and standard deviation (S.D) for each five factors (A, B, C, D, E) within a framework evoked by the verb described by herein were listed in Table 3 as follows:

	A	B	C	D	E
Average score	0.66	0.81	0.84	0.78	0.69
Standard deviation	0.23	0.15	0.13	0.17	0.21

Table 3 The average score and standard deviation (S.D.)

From this table, we can get that the average score for B,C,D is higher than that for A,D, which meant understanding and translation of herein in the sense of general domain concept and its specific application within a specific context is harder for those students than that of other components such as agent, motion and patient whose existence and corresponding grammatical forms (SVO) are deeply rooted in almost every normal person's mind. In this regard, familiarity with the traditional grammatical elements such as subject, predicate and object could give an aid to students' understanding, and efforts needed to extract common-sense or domain-general concept from more familiar semantic annotation in dictionaries and other relevant resources could make students' mind hesitate or unwilling to go any further. On the other hand, despite the average score for A was lower, it was still higher than we had expected (0.4), which meant that most students, after acquiring enough semantic information, would tend to seek common elements out of such known information. As for the relatively lower average score for E, it could be inferred that students' familiarity with traditional grammatical rules concerning adverbs modifying verbs might still work in students' understanding of the word herein, while the fact that less students could do it right might be due to the insufficient contextual

information we provided, and might indicated that students' mere positioning of key components (agent, motion, patient) of a frame evoked by the verb modified by herein was not enough, unless they could make clear the interconnections between these components, which would unavoidable involve other conceptual elements such as those represented by adverbs. On the other hand, despite the average score for E was relatively lower, it was still higher than we had expected (0.5), which meant that most students, after acquiring enough semantic information and extracting common conceptual structure, would tend to seek interrelations between components within this framework and make their interferences concerning the exact meaning of a word in a specific context.

Besides, consistent with what we had presupposed, the standard deviation for each of those five factors was not high, which meant that most students got their scores close to the mean score. Apart from this, the standard deviation of A and E was higher than that of B, C and D, which indicated that scores corresponding A and E factors spread out over a wider range of values and more differences existed between students doing tests for A and E than those for B, C and D. It could be inferred that those having already extracted common conceptual structure and known to go further to establish interconnections between key components within a framework would do better in their understanding and translation. Lower standard deviation between scores for B, C and D indicated that little difference existing in students understanding and translation of frame components such as agent, motion and patient, which, again, demonstrated that familiarity did account during translators' cognitive operation of their work.

Conclusions

This paper has attempted to untangle the seemingly-complex cognitive process that may be involved during a non-lawyer translators' understanding of the professionalized law language. A hypothesis of starting from their known knowledge concerning semantic information of a special expression in law language, through extracting or abstracting therefrom the domain-general

concepts, and aligning or mapping from the interactive patterns within which such concepts are steadily stored in people's mind toward the pinpoint of the specific referent within another specific holistic-tending structure or cognitive framework represented by the law language has been proposed, which demonstrates, in an indirect way, the connection or the relationship between most of such translators' known knowledge and that indicated by a special term like a pronominal adverb in the language of the law cannot be constructed in an instant manner as we always do for ordinary English's understanding. Rather, apart from usual consultation or collection of semantic information for reference, non-lawyer translators need to make full use of their known knowledge in their understanding of law language. Known knowledge, both those domain-general concepts extracted or abstracted from listed semantic information from available sources like dictionaries, or websites and the framework where such concepts are organized into a holistic pattern or structure would lend a hand to needy non-lawyer translators aiming to achieve their effective understanding of law language.

Further research is still needed to get a sketch of the more detailed process involved in the alignment or the metaphoric mapping from non-lawyer translators' known knowledge, or the systemic concepts extracted therefrom and stored as an organized unit therein toward the newly encountered meaning adopted in the special language of the law. Besides, since understanding is a fuzzy concept without a definite boundary as a clear-cut standard to determine where it can be deemed as absolutely complete, comprehensive or even perfect, researches concerning other aspects such as attention, grounding, or subjectivity that may be involved within the understanding process are also needed to be conducted for helping more non-lawyer translators to achieve a better grasp of law language.

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