



## Modality in Legal Translation: A Corpus based Investigation of “Shall”

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### ABSTRACT

This paper aims at analyzing semantic nuances of modality in Law-Translation focusing on modal verb shall in legal text in English and its translations in Urdu. Ambiguity inherent in the meanings of English modal verbs and the way they are translated into Urdu, create many issues to be explained. Almost all the modal verbs may, might, must, will, shall, should, would, can and could, are commonly used in conveying legal sense but their implications are different and varied. modal auxiliary verbs in English grammar. Punjab laws and their translation is from the Punjab Codes have been used as data. Ant Conc has been employed for gathering statistical values of the most frequent of the modal in the ST. It runs with its various meanings in the legal text and distinguishes it as formal language, a Register. The research has explored an intriguing presence of modal shall and variety of its Urdu translations that significantly resolve the ambiguity found in the use of modal shall. This disambiguates through Urdu translation in legal context, and can bring a propitious convenience for law users. This research unfolds the age-old ambivalence of legal text and brings a solacing opportunity for understanding legal sense with native or local cognition. It opens a new venue for linguists and corpus-based investigations in the field of law.

**Keywords:** Legal text, Modal Verb, Semantic Variability, Translation, ruling document.

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## INTRODUCTION

Semantic variability is opposed to a strictly static view of meaning in semantics, and aligns with more usage-based, pragmatic, and cognitive approaches. The meaning of a word shifts depending on linguistic context, non-linguistic context and can be domain-specific. It shapes the ways in which words are understood, processed, and used across different linguistic, cognitive, and social and also in legal contexts. Semantic variability of modal *shall* reflect ideological differences and legal implications in meaning across the whole text of Punjab Laws. It is also used strategically in political or media discourse to influence interpretation. Translation of legal text is a kind of documentary translation. In this connection we need to have a look at following suggestions. Mahmoud Ordudari (2010) in his article “Translation Procedures, strategies and methods has enumerated points of view of translation expert evaluators, he refers that Venuti (1998) indicates that translation strategies involve the basic tasks of choosing the foreign text to be translated and developing a method to translate it. (p. 240). He employs the concepts in *Pakistan Languages and Humanities Review (PLHR)*.

*June, 2020 Volume 4, Issue I* of domesticating and foreignizing to refer to translation strategies. At another place he has quoted, Newmark (1988) who tells the difference between translation methods and translation procedures. He writes, & quot; while translation methods relate to whole texts, translation procedures are used for sentences and the smaller units of language. He goes on to refer to the following methods of translation:

Word-for-word translation, in which the SL word order is preserved and the words are translated singly by their most common meanings, out of context. Literal translation, in which the SL grammatical constructions are converted to their nearest TL equivalents, but the lexical words are again translated singly, out of context. Faithful translation attempts to produce the precise contextual meaning of the original within the constraints of the TL grammatical structures. As all these approaches and methods, clearly focus meaning, sense and context. We also dig out that the most useful translation strategy should be sense and context not word for word (Newark, p.81). Selection and use of strategy depend on the genre and the purpose of translation. As for as legal translation is concerned, word for word translation is not required, rather sense is to be conveyed essentially. Legal language is used to convey functions so the meanings are more important than mere words. Modal verbs are the pivot point of the whole research so we need to define and describe these verbs to see the complexity they create in their usage. Modal verbs are one of grammatical categories, exclusively English. These are one of the kinds of verbs, used as

auxiliaries but convey multiple meanings determined by the context in which they are used.

## LITERATURE REVIEW

“Semantic variability” refers broadly to the idea that the meaning of words (or expressions, concepts) is *not fixed* but can vary depending on context, usage,

speaker community, culture, time, etc. The meaning of a word shifts depending on *linguistic context* (surrounding words, topic, discourse). It can vary with *non-linguistic context* (culture, environment, speaker's background, situation). Variability can also be temporal (meanings shift over time), social (different strata or groups have different uses), or domain-specific (e.g., political discourse, scientific discourse). Semantic variability is thus opposed to a strictly static view of meaning in semantics, and aligns with on context, usage, speaker community, culture, time, etc. More precisely pragmatic, and cognitive approaches. "Cao takes up the Habermasian notion of communicative rationality to explain legislative and judicial acts. By contrast to approaches to (legal) speech acts that derive meaning primarily from intention, Habermas stresses the importance of intersubjectivity and acceptability, thus echoing the Piercing reading of the relation between the construction of meaning, intersubjectivity and rationality." (INTERPRETATION, 2007) Institute of Public International Law, Vrije Universiteit, Amsterdam, The Netherlands DEBORAH CAO Griffith University, Australia. The inherent ambiguity in language of law creates difficulty for law users but gives more ruling power and discretion to the authority.

"Modality may be defined as the manner in which the meaning of a clause is qualified so as to reflect the speaker's judgment of the likelihood of the proposition it expresses being true." (Quirk et al 1989, 219) In more practical view term modality includes, "various semantic notions such as ability, possibility, obligation and imperative meaning." (Huddleston 2002, 173).

"Generally, kinds of modality are known as epistemic and deontic, intrinsic, root, non-complex or intrapropositional and dynamic modality." (Huddleston 2002, 55). "Modal auxiliary verbs have some characteristic features which distinguish them from full verbs. In some sources they are called the NICE properties. These are described by Quirk." Quirk et al. 1989, 121-128). Legal language is used in wide variety of documents like, statutes, treaties, declarations, conventions, closing of agreements and contracts between individuals or corporations. Legal documents are composed, by professional contract drafters, who confirm that sentence in document says exactly what it is intended to say and also avoid misinterpretation. It is not a spontaneous emerging text, but is picked from 'form books'. 'Legal language must always behave in conformity with the law' (Crystal and Davy 1983, 214) and "it can be considered as opposition to informal spontaneous conversation." (Crystal and Davy 1983, 193-194). A salient feature of legal language is the overuse of modal verb shall. It can be found in all types of legal documents. Its main purpose is to impose an obligation, prohibition, to impose a duty, to grant a right, to give directions, to state circumstances, to order, create a condition precedent, to express future or to express present. The main reason for its overuse is its capacity to mark many types of meaning. (Butt 2006, 131). In Punjab laws like all the global legal texts, shall is found predominantly, open to variety of interpretations. Its Translations has untied many of the knots of its inherent meanings in English. Modality in the Language of Legal Documents Radovan Zelenkalike (2013). Translating *Shall* and the hidden challenges

of English–Urdu Legal Language stir up inquisition about the strategies used in the process of translation and the solutions picked up in absence of one semantic equivalent of shall that conveys all the required meanings in Urdu.

### **Semantic variability of *Shall***

Pelíšková, (2006), refers Quirk et al 's (1985) point of view “*Shall* is used to express the simple future with the first person, its use with other persons is old-fashioned and is used quite rarely in currently spoken general English.” (p.12). Its use is generally restricted to prediction and volition both are used only with 1<sup>st</sup> Person subject. In Urdu language, future verb GA ڪا is the equivalent of both shall and will. Maulvi Abdul Haq (2013) in his book *Qwaid e Urdu*, describes verb and its types in Urdu language. He also has told of the combination of different dummy verbs with auxiliary GA to convey different senses. For example, he says that HO GA not only gives the meaning of future tense, it also gives the sense of present tense. GA seems to behave here like modal verb as it also conveys the sense of present and present perfect. It is seen through the Urdu translation of Punjab laws. Shall translated as GA is used in the sense of will and must and even in the meaning of should. May and can, also have an equivalent SAKTA HA, only used in the meaning of possibility or ability, by using present tense verb. Should and ought to have an equivalent CHAHIAI, to show different levels of obligation and retain ambiguity in its use in Urdu. CHAHIAI shows the intriguing characteristic of English modal verbs should, must and ought to. Many other verbs are translated and are attached directly with GA. Bowker and Pearson report that a special purpose corpus focuses on a particular aspect of language. It usually relates to the language for special purposes or it may refer to a particular language variety. It can be the study of one genre or register. In addition, it may relate to a language used by certain demographic group or a specific text type.

### **METHODOLOGY**

The frequencies of all the modal verbs in the corpus are detected and the most frequent of the modal is selected by using corpus tool, AntConc.

Urdu translation of the most frequent of English modal auxiliary verbs especially shall is picked in parallel corpora. Different extracts have been selected, along with their parallel translation,

from the legal text to check semantic variability; different senses conveyed by *shall* in particular contexts, as per its ambiguous nature. Its Urdu translations have been explored to as regards the equivalents and analyzing their translations in absence of equivalents. Different patterns in translation of frequent modal verb, *shall* in the selected corpus are explored. Its ambiguities and translations are found out. The frequencies in translation perspective with reference to English – Urdu language pair are explained. Ant Conc helps to sort out particular modal verb from parallel files, to take the frequency of that particular verb in ST and its translation in parallel file in TT, Descriptive analysis supports the use of both the qualitative and

quantitative paradigms in the same research. This work will also be at the advantage of using both the ways to analyze data.

## RESULTS AND DISCUSSION

Data has been collected and analyzed. Modals categories becomes evident by finding their frequencies. It has been calculated that English Corpus of 210131 words contains 4940 modal verbs. Corpus tool brings out that shall is the most frequent modal verb used in this legal corpus. Shall (2991) and may (1617) make the most frequent modals in the examined reference corpus. Role of shall seems very significant due to its dominant occurrence in the text.

*Shall* make 60.5% of the whole of this verb category. Modal verbs play pivotal role in communicating the whole sense of the action that used to be a command.

These laws and rules are made to be ordered, directed or prohibited. These verbs convey whether there is possibility, permission, volition, or prohibition or any other state or function to convey. Source translation (ST) is highly formal document; no other connotations are there but ambiguity of modal verb shall. It is a questionable, problematic factor in this register. Different strategies are used to translate modal shall. In Target Translation (TT), the translation of these modal verbs is traced accordingly in parallel corpora. GA is commonly found as equivalent of shall and will and mentions future time in Urdu generally. Although modal verbs are exclusively in English and this category is not found in Urdu yet in legal text GA seems to behave as modal verb to some degree.

Dummy verbs are used with GA to resolve ambiguity to some extent. They also fulfil the syntactic requirement of Urdu. *HO GA/GI, KAREY GA/GI, JAEY GA/GI* are frequently and regularly occurring patterns in Urdu translation of modal shall. GA although not defined generally as modal in Urdu grammar yet it seems to convey the sense of present tense also, in Urdu legal text. No superfluous word can be found in this formal text and even punctuation marks have meaning according to their placement. In this case of sensitivity, ambiguity of modal verb is highly meaningful. It requires care and expertise for its interpretation and translation. Descriptive analysis of modals and their translation in a way shows how the problem of ambiguity in the process of translation is resolved. Frequency of shall and its translations is shown in Table 2. Extracts from Acts and Ordinances have been picked out to show and analyse modals along with their

translations. Study of ST shows that modal verb shall is used in multiple meanings and also serve as stylistic markers in the legal Register. Study of TT shows that shall one of the most frequent of the modals have been replaced with many combinations of different dummy verbs with future tense verb GA. Three regular patterns in the translation of shall are quite visible in TT. There are also other less frequent combinations in the translation of shall.

### Various Meanings of *shall* and its Translations

Shall is frequently used but not in fixed, one lexical meaning. It conveys more

than one sense and also adds the flavor of a separate register to the whole text. It changes its color all through the corpus and gives almost all the shades of its meanings. It is used as both epistemic and deontic modal and has the capacity to express command. Command is conveyed in the form of order, direction, permission, compulsion, obligation and volition. Along with its meanings the researcher needs to analyze how these meanings are conveyed in Urdu. Let's have a look at this phenomenon.

### Command

Extract from the Punjab laws text presents the role of shall as is used in the sense of command. For example:

“The Government shall appoint a District Public Prosecutor in each district who shall be the officer in charge of the prosecution in the district within the meanings of the Code.”

حکومت ہر ضلع میں ایک ڈسٹرکٹ پبلک پراسیکیوٹر کا تقرر کرے گی جو ضابطہ کے مفہوم میں ضلع میں استغاثہ کا انچارج افسر ہوگا۔

“If the Committee finds the Commissioner guilty of any of the charges mentioned in subsection (8), the Government shall remove the Commissioner.”

اگر کمیٹی کمشنر کو ذیلی سیکشن (8) میں مذکور کسی الزام کا مرتکب پاتی ہے تو حکومت کمشنر کو ہٹا دے گی۔

Use of shall in the above given extracts shows the sense of command, an order. English grammar does not need/ allow gender specification in the use of *shall* whereas Urdu language shows gender specification so it uses *GA* or *GI*. The sense of command can further be elaborated by following examples from the corpus of Punjab Laws:

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### Obligation

Commands exist in shades in their functionality in legal text. Some functions are obligatory others are mandatory. Laws convey volition, power and direction. The sense of Command is conveyed through modal verbs, mostly shall. In legal drafting, the acceptable use of “shall” is imposing obligation. Its obligatory sense is traced in the following examples from the selected legal text:

“A member shall be liable to be removed by the Controlling Authority if

He, — “

رکن کنٹرولنگ اتھارٹی کی جانب سے ہٹائے جانے کا مستوجب ہوگا۔

Urdu words /verbs *HO GA, KAREY GA, JAEY GA* and other miscellaneous uses exhibit the tone of authority and resolve ambiguity of shall found in ST.

### **Mandatory Sense**

Rules are defined and basic, compulsory, mandatory sense is also conveyed by the use of shall and its translation *KAREY GA*. "If a person commences to keep a motor vehicle for use, he shall pay the tax before the expiration of twenty-one days from the day when he commences to keep the motor vehicle for."

اگر کوئی شخص اپنے استعمال کے لیے موٹر گاڑی رکھنے کا آغاز کرے تو وہ موٹر گاڑی کے استعمال کے آغاز کو اکیس دن گزرنے سے پہلے ٹیکس ادا کرے گا۔

### **Power Function**

Shall carries the sense of power function and is translated as *KAREY GA*

"The Commission shall take measures and devise a strategy to counter sale of drugs without prescription"

کمیشن تجویز کردہ نسخے کے بغیر ادویات کی فروخت کو روکنے کے لیے اقدامات کرے گا اور حکمت عملی وضع کرے گا۔

### **Directory Sense**

"Amendment in Act I of 1972 - In the Punjab Finance Act, 1972 (I of 1972), section 9 shall be omitted"

ایکٹ بابت 1972 میں ترمیم - پنجاب مالیات {فنانس} ایکٹ، 1972 (1 بابت) 1972 کا سیکشن 9 حذف کر دیا جائے I گا۔

Above given examples confirms Veronica Peliskova's (2006) point that categorization of the modal verbs into epistemic and deontic seems inefficient as shall has a number of meanings, with only slight but very effective differences. It is used almost exclusively in legal documents to express deontic modality/root modality, to show the obligatory consequence of a legal decision rather than to express pure future.

### **Volition**

The rules of grammar have been followed in both the languages, in TT verb *GA* is used with every clause whereas in ST, its syntax does not allow to repeat shall again and again in one complex sentence. *Shall* conveys the sense of authority and power. Generally known as volition through modality is noted in this extract: "Removal of a member - (1) A member shall be liable to be removed by the Controlling Authority if he,"

### **Order**

رُکن کی برطرفی - رُکن کنٹرولنگ اتھارٹی کی جانب سے ہٹائے جانے کا مستوجب ہو گا،  
"Warning to first offender - It shall be lawful for Head of District Police or any other officer authorized by him not below the rank of Inspector, to request the relevant court to issue in lieu of prosecution, a warning in writing to the accused in relation to first commission of any offence mentioned in Articles 138 to 140":

پہلی بار قانون توڑنے والے کو تنبیہ - ضلعی پولیس آفیسر یا اس کی جانب سے مجاز افسر، جو عہدے میں انسپکٹر سے کم نہ ہو، کے لیے یہ جائز ہو گا کہ وہ متعلقہ عدالت، آرٹیکل 138 تا 140 میں مذکور کسی بھی

جُرم کا پہلی مرتبہ ارتکاب کرنے والے ملزم کو استغاثہ کے بجائے تحریری طور پر تنبیہ جاری کرنے کی درخواست کرے

### Prohibition

In most cases the negation usually applies to the situation expressed in the proposition. Modality also serves the function of prohibition as sometimes for the purpose of generalization, as in the following example: sentence starts with No:

“Limitation - No Court shall take cognizance of any offence against the

Ordinance or any rule made there under unless complaint thereof has been made to the Inspector of Factories within six months of the date on which the offence is

میعاد۔ کوئی عدالت آرڈیننس یا اس کے تحت وضع کردہ قواعد کے خلاف کسی جُرم کی سماعت نہیں کرے گی جب تک کہ اس کی شکایت جُرم کے مبینہ ارتکاب کی تاریخ سے چھ ماہ کے اندر فیکٹریوں کے انسپکٹر کو جمع نہ کروائی گئی ہو۔ "alleged to have been committed".

### Shall as Future Tense

Word shall is also used in simple future to display the promise to be acted upon in future. It shows an oath or a promise that will be kept in future. “I \_\_\_\_\_ do hereby swear/solemnly affirm that I shall be faithful and bear true allegiance to Pakistan and to the Constitution of the Islamic Republic of Pakistan; that as member of the Police I shall honestly, impartially and truly serve the people without fear, favour or affection, malice or ill-will; that I will to the best of my ability, skill and knowledge discharge, according to law, such functions and duties as may be entrusted to me as a member of the police and in such a manner as to uphold and protect the dignity and rights of the citizens; that I shall abide by the principles contained in the Code of Conduct for police officers”.

حلفاً اقرار کرتا ہوں کہ میں پاکستان اور اسلامی جمہوریہ پاکستان کے /قسم کھاتا ہوں \_\_\_\_\_ میں

آئین

کا وفادار اور فرمانبردار رہوں گا؛ یہ کہ پولیس کے رُکن کے طور پر میں ایمانداری سے، غیر جانبداری سے اور

کسی خوف، طرف داری یا کسی لگاؤ، عداوت یا بغض کے بغیر لوگوں کی حقیقی طور پر خدمت کروں گا یہ کہ

میں اپنی بہترین قابلیت، مہارت اور علم کے ساتھ پولیس کے رُکن کے طور پر مجھے سونپے گئے ایسے افعال

اور فرائض قانون کے مطابق اور ایسے انداز میں سر انجام دوں گا جو شہریوں کی عزت اور حقوق کو برقرار اور محفوظ رکھے؛ یہ کہ میں پولیس افسران کے لیے وضع کردہ ضابطہ اخلاق میں درج اصولوں کا

پابند

رہوں گا۔

### Declaration

Shall be is in Declaration mode in the following excerpt: “No person shall be deemed to be a tenant or to have any right or title in the land allotted to him until such a written order has been passed and he has taken possession of the land with the permission of the Collector. After possession has been so taken, the grant shall be held subject to the conditions declared applicable there.

کسی بھی شخص کو اُسے الاٹ کی گئی اراضی کا تحریری حکم جاری کیے جانے اور کلکٹر کی اجازت سے اراضی کا قبضہ حاصل کرنے تک کسی اراضی کا مزارع یا اس میں کوئی حق یا استحقاق رکھنے والا نہیں

سمجھا جائے گا۔ اور یوں قبضہ حاصل کرنے کے بعد گرانٹ اُس پر قابلِ اطلاق واضح کردہ شرائط کے تحت ہو گی۔

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### Entitlement

“The Collector shall determine the capital gain through calculating difference in valuation at the time of acquisition and sale on the basis of valuation table notified by the Collector of the district under section 27-A of the Stamp Act, 1899 (II of 1899) or the recorded value in the transfer deed, whichever is higher.”

{کپیٹل گین} کا کلکٹر حصول اور فروخت کے وقت مالیت کے اندازہ کا فرق نکال کر سرمایہ پر منافع تعین کرے گا۔ یہ تعین وہ اُس تخمینہ جاتی ٹیبل جس کا نوٹیفیکیشن ضلع کے کلکٹر نے سٹیپ ایکٹ II) 1899،

کے تحت جاری کیا ہو یا معاہدہ انتقال میں درج شدہ مالیت، ان دونوں میں سے جو بھی زیادہ (1899) بابت ہو، کی بنیاد پر کرے گا

We can see that shall convey all its possible meanings in Punjab Laws. Its translation is not one and fixed, GA only rather the combinations of dummy verbs and GA present the best solutions according to the context. At many occasions shall is used in the sense of must, will, may, has an entitlement to. Frequency of Translations of Shall When Shall occurs with be, most of the time it is translated as HO GA, but does not so happen always. When shall come with main verb and an action is attributed to the subject shall is translated as *KAREY GA*, in active voice form. Third regular pattern of Urdu translation *JAHEY GA* shows the meaning of shall be shows passive voice condition of the verb. It would not be *HO GA* rather it would be *JAHEY GA*. Along with these three frequent patterns there are also other verbs attached with GA. These occurrences are very rare, few and far between, and used with transitive verb like; “hold, grant, revoke, remove, decide, renew, call, appoint, keep, establish, submit, conduct, communicate, impose, meet, ensure, apply, be, preclude, exceed, act, vacate, so on and so on, each to tell about the action to be done and to be maintained.

Üã ðã/ Äã RAKHEY GA/GI

Üã ðã-Äã NJÿ 2/ Äã ðã-à GÖNJÿ NAHIN KAREY GA/ NAHIN KAREY GI

Üã ðã/ Äã KAHLAEY GA/GI

Üã ðã/ Äã BNAEY GA/GI

Üã ðã/ Äã DAEY GA/GI

Äã Dÿÿ/ ðã HOON GI/GAEY

Äã GÖljð/ ðã DAEN GI/GAEY

*The Chameleon Modal: A Descriptive Analysis of Shall in Urdu Translation of English Laws*

20 *SAKEY GA/ SAKEY GI* replace occasionally both shall and may. In this research Table 1 has given the clear picture that ‘shall’ is the most frequent modal verb in the legal text, 2991 out of 4940 occurrences. ‘*Shall*’ has always an equivalent ‘GA’ in Urdu, generally GA verb is present as an equivalent to both shall

and will in simple English for future tense. Although modals make a grammatical category in English exclusively, yet in a way GA can be referred as a modal in Urdu, because it also gives many senses other than a single verb to present future tense in legal text. It gives the sense of order, obligation, direction, volition, entitlement, mandatory sense, description of rules, shows existence or composition of different boards/ working committees, gives the sense of permanently perpetuating process etc. Another point to be noted here in table 2 is that GA does not excitingly there to convey the full meaning of shall. Its ambiguities are resolved using other dummy verbs like 'HO', 'KAREY', 'JAEY', 'HOON' along with GA to convey exact meaning. In Urdu translation three kinds of patterns have been traced.

Researcher has seen while studying the corpora that shall is virulently active in the whole text and some patterns are seen regularly existing in it.

Translations of modal verb shall:

When *shall* occurs with be, most of the time it is translated as *HO GA*, but does not so happen always. When *shall* come with main verb and an action is attributed to the subject shall is translated as *KAREY GA*, in active voice form. Third regular pattern of Urdu translation *JAEY GA* shows the meaning of *shall be* shows passive voice condition of the verb. It would not be *HO GA* rather it would be *JAEY GA*. Along with these three frequent patterns there are also other verbs attached with GA. These occurrences are very rare, few and far between, and used with transitive verb like; "hold, grant, revoke, remove, decide, renew, call, appoint, keep, establish, submit, conduct, communicate, impose, meet, ensure, apply, be, preclude, exceed, act, vacate, so on and so on, each to tell about the action to be done and to be maintained.

RAKHEY GA/GI      Āã/Ûã ڀã

NAHIN KAREY GA/ NAHIN KAREY GI      Āã ڀ-à ĞŃNJč5/Ûã ڀ-à ĞŃNJč5

KAHLAEY GA/GI      Āã/Ûã ڀũãčã

BNAEY GA/GI      Āã/Ûã ڀũÛs

DAEY GA/GI      Āã/Ûã ڀ

HOON GI/GAEY      ڀã/Āã DŽč

DAEN GI/ GAEY      دین گی اگے

SAKEY GA/ SAKEY GI replace occasionally both *shall* and *may*.

### Example

ST	TT	
"The administration of the Service shall vest in the Prosecutor General."	سروس کا انتظام و انصرام پراسیکیوٹر جنرل کے زیر اختیار ہو گا	<i>Only GA is not sufficient to translate shall in this clause. Shall is a prescriptive modal translated as HO GA. HO dummy verb is added with future verb GA to convey the prescriptive role of shall.</i>

Obligatory function of shall is put into Urdu substitute as it conveys the same sense. In translation of legal text, sense is translated. Nothing can be deleted or omitted or even added with the choice of translator Modal verb plays the role of auxiliary in the sentence so the whole sense of state or action is conveyed through this verb. It is used here to express what is to be the obligatory consequence of a legal decision.

### Example 2.

ST	TT	
<p>“The Collector shall determine the capital gain through calculating difference in valuation at the time of acquisition and sale on the basis of valuation table notified by the Collector of the district under section 27-A of the Stamp Act, 1899 (II of 1899) or the recorded value in the transfer deed, whichever is higher.”</p>	<p>کلکٹر حصول اور فروخت کے وقت مالیت کے اندازہ کا فرق نکال کر سرمایہ پر منافع { کیپیٹل گین } کا تعین کرے گا۔ یہ تعین وہ اُس تخمینہ جاتی ٹیبل جس کا نوٹیفیکیشن ضلع کے کلکٹر نے سٹیٹمپ ایکٹ (II) 1899، بابت 1899 کے تحت جاری کیا ہو پامعاہدہ انتقال میں درج شدہ مالیت، ان دونوں میں سے جو بھی زیادہ ہو، کی بنیاد پر کرے گا۔</p>	<p>In this order shall is used with all its ambiguity in a complicated sentence, relating past action and present strategy, with reference to a section of an Act. In Urdu translation syntactic necessity is fulfilled and GA is used twice as <i>KAREY GA</i>. <i>KAREY GA</i> translates a per formative <i>shall</i>. GA does not exist alone and takes a dummy verb here <i>KAREY</i> with it.</p>

The subject according to the law will perform a function. Shall is used in the meaning of will. It gives formal, ritualistic and legal status to the text. *KAREY GA* shows active voice form of action. It is one of the repeated or regular use of dummy verb with *GA*.

ST	TT	
<p>“The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.”</p>	<p>کسی دیگر قانون سے غیر اس آرڈیننس کی -متصادم دفعات دفعات فی الوقت نافذ العمل کسی دیگر قانون سے اضافی ہیں نہ کہ . اُس سے متصادم</p>	<p>Shall be here is neither substituted by <i>GA</i> nor any other main verb is present. It is straight away a position shown. A state described. An adjectives <i>IZAFI</i> and <i>MUTSADAM</i> replace nouns <i>ADDITION</i> and <i>DEROGATION</i> respectively.</p>

Strategy of following the syntactic pattern of TL is working here in this sentence. Shall be here is not a presentation of passive voice. Here it is the sign of present simple, a static position without particular Urdu equivalent HO GI. A very rare use/ translation of shall. Different translation, appropriate sentence structure, just to convey proper idea of state of affairs and give in itself the tone of order as it is given in SL. It also confirms the point that word to word translation is not required in legal text. Equivalent of shall is to be crafted from time to time to convey the exact idea and to eliminate any confusion in translated form of the legal text. Shall has sufficiently been discussed to clarify its uses and its different translations. Above illustrated excerpts and their description seems enough for the justification and answers to the research questions. The strategies used in translating shall into Urdu, in the light of above examples are:

Role of *shall* in Punjab Laws presents the universal and significant characteristic of this text. The reasons of presence have also been mentioned in the following comments and they establish the authenticity and universality of the text of Punjab Laws. *Shall* plays a pivotal role not only in Punjab Laws, its rules and Ordinances but it is also an important grammatical category in the legal text all over the world. It is found to be the international characteristic of legal text. It is much discussed by grammarians and Law critics.

## CONCLUSION

In this study it is found out that shall is the most frequently used modals in the legal text of Punjab Laws, with all the potentialities of its meanings. It not only simply plays as auxiliary verb but also displays multiple senses and conveys the function to be performed. It adjusts its meanings according to the context. Their basic function is to express mood. It is said that shall, adds into the authoritative mode of the legal text. Modal verb shall consciously and intentionally use in legal language makes it more formal and sacred. Its use presents the Power function of the legal text. Command, volition, prohibition possibility or permission, as verb like present, present perfect and future time and also expresses orders, commands, directions, suggestions and instructions for future actions. Numerous occurrences of shall exhibit the authoritative mood of this legal text. This modal verb Shall out numbers may and establish the factor of power and authority as the essence of this text because may is permissive and polite and shall is more powerful and authoritative. So, the use of shall in this legal text helps maintaining the controlling force of these laws. Description of translation also depicts that one-word equivalent is not enough for it all the time. GA is there to translate shall but many dummy verbs come ahead to help conveying what is the intended meaning of shall in that particular sentence in legal language as is presented through extracts from the ST. Shall help maintaining the formality, fixity and sanctity of this register. Legal translation requires skilled professional, trained persons in this field. They need to be aware of all the constraints posed by legal language. The translators of legal English

should look for pragmatic equivalence of concepts rather than for semantic equivalence of individual words. *Shall* is also used in the meanings of will and must.

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