

# **Developing A Model of Translation Strategy: Contract Document Translation Products**

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**Abstract:** *The purpose of this study is to find out the development model of translation strategy in the process of contract document translation from English into bahasa Indonesia. There are six contract documents (translation products) as the source of data in this analysis. It can be identified that the terms used in the documents are mostly related to economical terms (accounting, management, and finance). In grasping the idea of translation product, the researcher found some problems. This is because of the culture difference and linguistic system of both languages (source text to target text). Hence, there are the deviance of idea on concept and sentences. Translators may choose two methods of translating, namely direct or literal translation (borrowing, calque, literal translation), and oblique translation (transposition, modulation, equivalence, adaptation). So, in analyzing the products of translation, the writer focuses the analysis on these items of the method. In order to get detailed analysis, the analysis is also focused on the meaning field in order to find out the meanings of the terms of both ST and TT. The results of analysis show that there are some complexities in understanding the translation procedures and methods that should be mastered. Those that are related to ways of terms identification, the application of translation method with its various problems, such as direct or literal translation (borrowing, calque, literal translation), and oblique translation (transposition, modulation, equivalence, adaptation), and translating the foreign terms, need to be observed.*

**Keyword:** *translation strategy, borrowing, calque, literal, transposition, modulation, equivalence, adaptation.*

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## **I. Introduction**

### **1. Background**

Translation competence is viewed as the ability to derive the range of possible target text for existing text sources, and the ability to choose the appropriate words quickly from a series of texts with confidence (ethical) version for the reader. Popper (1972 in Dollerup and Annette (ed.) 1993:88-89) notes that first of all, the translator must be able to produce a range of tentative theory, and the more is better, as long as the increasingly wide range of theories. As result, it seems that the possibility of optimal chosen version is greater. The second, a translator must be able to criticize the tentative theory in order to complete the process of elimination / reduction errors. It is not only requires the knowledge of readers, the function of target text, the desire related to the source text, etc, but also requires the ability to self-criticize concerning the relevance of considerations from the possibilities of different criteria, how to keep in mind the translation principles in the host culture and context. Pym (1992:175) pointed that the definition of such translation competence recognize an implicit theorization models in translation practice, as long as reduction targets alternative text relies on a series of hypotheses that applied intuitively. Regarding the title of this study, the text to be analyzed is the product of translation in the contract documents (English - Indonesian ).

### **1.2 The Problems of Study**

The problems of study are:

- (1) How to identify the terms of contract document per word, phrase and clause?
- (2) How to develop the translation strategy in translation proces of contract document from English into Indonesia?
- (3) How to identify the equivalence in contract document translation in both languages
- (4) How to evaluate the product of contract document translation?

### **1.3 The Objectives and Benefit of Study**

The purpose of this study is to describe the translation process phenomenon by finding and specifying a number of information and linguistic facts related to the process of translation (English-Indonesian) contained in contract document. Furthermore, the translation theory is used in analyzing the translation product in order to derive the results that can be used as a model.

In detail, the purpose of study are: (1) identification of technical terms relating to the contract documents, (2) review of translation method for the terms contained in contract documents in English and

Indonesian, (3) evaluation of Indonesian terms that paired to English terms, and (4) review of special significance provision to the terms contained in the contract documents by comparing the technical meaning and the common meaning.

The benefits of this study is to enrich the translation insight, particularly for English contract document into Indonesian. From the point of view of translation theory, the translator should apply the various aspects contained in the translation process, particularly concerning the technical terms meaning. In addition, especially for the spectators of translation, hopefully other academic theoretical benefit that is the result of this study can be used as a reference or research model.

The practical benefits of this study is to contribute a the common knowledge in translation and translation product analysis method based on the relevant theory to the needs and objectives of analysis.

## **II. Analysis And Discussion**

### **2.1 Identification of English Contract Document Terms**

The terms contained in various areas of science are usually grouped into two parts, namely (1) a term that consist of one syllable, and (2) a term that consists of words (phrases).

#### **2.1.1 The one syllable and its equivalent**

From the results of reviewing conducted on the contract documents (DK) as a source of text, the equivalent of the English terms in Indonesian translation include: *asset* (aset); *completeness* (kelengkapan); *exhibition* (lampiran); *liability* (kewajiban); *losses* (kerugian); *neutrality* (netralitas); *contract* (kontrak); *contractor* (kontraktor); *company* (perusahaan); *party* (pihak); *operation* (kegiatan); *personnel* (personil/tenaga kerja); *facilities* (fasilitas); *experties* (keahlian); etc.

#### **2.1.2 The phrase term and its equivalent**

Determination of terms in contract documents that consist of two or more words (phrase) is conducted by identify the level of frequency of such terms used in the document. Those terms are *the exhibits form* (lampiran-lampiran); *the payment of severance* (pembayaran atas santunan); *in the event of any conflict* (dalam hal terdapat pertentangan); *the most stringent term* (penafsiran yang paling menguntungkan); *to the contrary*, (dikecualikan); *mutual promises* (perjanjian bersarna); *general term* (ketentuan umum); *the scope of work* (lingkup kerja); *the applicable law* (hukum yang berlaku). *satisfactory performance* (pelaksanaan pekerjaan yang memuaskan); *legalfees* (ongkos penasehat hukum); etc.

### **2.2 The Application of Translation Method**

Bell (1991:71) proposed seven methods that used in the translation, namely *borrowing*, *loan translation* (*calque*), *literal translation*, *transposition modulation*, *equivalence*, dan *adaptation*. The description of these methods are as follows:

#### **2.2.1 Borrowing Method**

The borrowing method is incorporation of words or terms of source text (SL) into the target text (TT). Direct borrowing process does not change the form and meaning of the word into the TL (Indonesian). The result of sources text review in analysis of document translation terms shown that the use borrowing method apparently rare in this study.

Surprisingly, the modified borrowing method is general in use in Indonesian. Haugen (Fishman, ed. 1978:37-43) argued that the pure term borrowing is considered less appropriate in translation process. Moreover, Haugen divide these methods into three types, namely (1) pure loanwords (the borrowing of source text without morphological and orthographic adaptation process, (2) mix loanword, by borrowing words and source text and using morphological adaptation process or and (3) the borrowing of source text with composition or compound words.

#### **2.2.2 Pure Loanwords**

Pure loanwords is the direct borrowing of word or term from source text (English) into target text (Indonesian). In other words, the transferred text were not experiencing affixation process, abbreviation, reduplication, and derivation. For example, copy → *copy*, items → *items*; cover → *cover*; base → *base*; operator → *operator*; units → *units*; liters → *liters*; profit → *profit*, etc.

#### **2.2.3 Mix Loanwords**

The mix loanwords method that is used in the English into Indonesian translation experiencing morphological or orthographic adaptation. The adaptation is usually in the form of affixation and derivation. For

examples: neutrality → *netralitas*; contract → *kontrak*; contractor → *kontraktor*; facilities → *fasilitas*; claim → *klaim*; capacity → *kapasitas*; premium → *premi*; insurance → *asuransi*; republic → *republik*; specification → *spesifikasi*; truck → *truk*; tank → *tangki*; capacity → *kapasitas*; communication → *komunikasi*; correspondence → *korespondensi*; percentage → *persentase*.

### 2.2.4 Loanblend

The loanblend method is the borrowing of compound words with the blend of source text and target text. For examples: quotation document → *dokumen penawaran*; qualification requirement → *persyaratan kualifikasi*; administrative indifference → *kelalaian administratif*; professional judgement → *keputusan profesional*; net asset → *aset bersih*; contractor's invoice → *faktur dari kontraktor*; pay period → *periode pembayaran*; billing procedure → *prosedur penagihan*; contract price → *harga kontrak*; etc.

### 2.2.5 Loan translation (Calque)

Bell (1991:71) mentioned that the translation method of source language (SL) into the target language (TL) is by means of a linear substitution. For example, the English phrase *current value* becomes 'nilai sekarang' in Indonesian. The English document contract terms that translated into Indonesian by this method are: satisfactory performance → *pekerjaan yang memuaskan*; mutual promises → *perjanjian bersama*; general term → *ketentuan umum*; the scope of work → *lingkup kerja*; the applicable law → *hukum yang berlaku*; satisfactory performance → *pelaksanaan pekerjaan yang memuaskan*; legal fees → *ongkos penasehat hukum*; any purported provision → *setiap ketentuan*; local task force → *satuan tugas setempat*; etc.

### 2.2.6 Literal Translation

Literal translation method is known as word for word translation. Bell (1991; 71) argues that the literal translation is a way to translate word for word, hence the syntactical structures of ST and TT are similar or nearly same in it quantity and structures (isomorphic). This method also occur in phrases translation as can be seen in contract document translation. For examples: mutual promises → *perjanjian bersama*; general term → *ketentuan umum*; contractor's general terms → *ketentuan umum kontraktor*; quotation document → *dokumen penawaran*; breakdown cost calculation → *rincian perhitungan harga*; applicable exhibit → *lampiran yang berlaku*; procurement goods/services → *pengadaan barang/jasa*; incorporated under → *didirikan berdasarkan*; local task force → *satuan tugas setempat*; general requirement → *ketentuan umum*; standard employment contract → *kesepakatan kerja standard*; administrative indifference → *kelalaian administratif*; annual leave allowance → *tunjangan cuti tahunan*; etc.

### 2.2.7. Transposition

Transposition method involves the shifting of the word class Bell (1991:71). There are two types of transposition, namely (1) *obligatory transposition* in the case of TT have no other choice than the existing linguistic system, For example, a pair of trousers → *sebuah celana* (2) optional transposition that related to the structuring style in TT. For example, in the following sentences:

ST : Roni never gave his Mom any gifts

It can be translated with different ways:

TT :

- (a) *Roni tak pernah memberi hadiah apapun pada ibunya.*
- (b) *Tak satu hadiah pun yang pernah diberikan Roni pada ibunya.*
- (c) *Roni sama sekali tak pernah memberi hadiah pada ibunya.*

**Table 1. Document contract terms in English and Indonesian**

English	Indonesian	Transposition process
applicable exhibit	<i>lampiran yang berlaku</i>	applicable (adjective) → <i>yang berlaku</i> (relative clause)
marketable	<i>sekuritas yang dapat dipasarkan</i>	marketable (adjective) → <i>yang dapat</i>
securities	<i>dipasarkan</i>	(relative clause)
any purported provision	<i>setiap ketentuan</i>	purported provision (phrase) → <i>ketentuan</i> (noun)
satisfactory	<i>pekerjaan yang</i>	satisfactory (adjective) → <i>yang memuaskan</i>
performance	<i>memuaskan</i>	(klausa relatif)
stamp duty	<i>materai</i>	stamp duty (phrase) → <i>materai</i> (noun)
income statement	<i>laporan laba rugi</i>	income (noun) → <i>laba rugi</i> (phrase)

### **2.2.8. Modulation**

Bell (1991:71) argues that in modulation translation method, the shifting may occur in viewpoint or the equivalent message. Moreover, there are two types of modulation, namely (1) free or optional modulation and (2) obligatory modulation. The free or optional modulation may occur by reason of nonlinguistic and usually to emphasize its meaning, while obligatory modulation occurs when a word or phrase or the structure of sentence is absent in the TL.

For example:

ST : Indonesian people suffer from the consequence of social life degradation.

TT : *Masyarakat Indonesia menderita karena (adanya) penurunan mutu kehidupan sosial.*

ST : It is not easy to raise kids in metropolitan. (Negative)

TT : *Sulit membesarkan anak di metropolitan. (Positif)*

The modulation process is not found in this study.

### **2.2.9. Equivalence**

Furthermore, Bell (1991:71) proposes that the equivalence method emphasizes the equivalence function of a linguistic unit such as proverbs, idioms, congratulations, and others.

For example:

ST : totally identical

TT : *seperti pinang dibelah dua*

ST : to kill two birds with one stone.

TT : *sambil menyelam minum air.*

ST : cock-a-doodle-do

TT : *kukuruyuk*

ST : still waters run deep

TT : *air tenang menghanyutkan*

There are several forms of translation results in contract document that uses equivalence method. For examples: *stamp duty* (materai); *income statement* (laporan laba rugi); *any purported provision* (setiap ketentuan); *applicable exhibit* (lampiran yang berlaku); *total base cost* (jumlah biaya pokok).

### **2.2.10. Adaptation**

Adaptation translation method is needed due to the different of cultural backgrounds in both languages. As result, the concepts referred to by the term of SL is not found in TL (Bell, 1991:71). This procedure is taken when the object or situation relate to the existing culture in SL is absent in TL. In this case the translator must create a new situation, or the new expression that relevant to the context of the situation.

For example:

meal allowance → *bantuan biaya makan*; total base cost → *jumlah biaya pokok*; legal fees → *ongkos penasehat hukum*; allowances → *biaya umum*; amount of expenditures → *biaya-biaya pengeluaran*; screening cost → *biaya pelatihan khusus*.

*Allowance* in meal allowance, *cost* in total base cost, *fees* in legal fees, *expenditure* in amount of expenditure, and *cost* in *screening cost* are translated as 'biaya'. This means that the various words in the ST translated as 'biaya'.

### **2.2.11. The Shifts in Translation**

Catford (in Venuti 2000:141) mentioned that what is meant by the shift is departing from formal correspondence in the process of ST into TT. Moreover Catford distinguishes the shift into two types, namely (1) the level shifts and (2) category shifts. What is meant by a shift in the level shifts is any element in linguistic level translated into different levels in the TT.

For examples:

**Table 2. The Shift in Contract Document Term Translation**

English	Indonesian	Shifting
<i>applicable exhibit</i>	lampiran yang berlaku	<i>applicable</i> → yang berlaku (adjective) → (relative clause)
<i>Marketable securities</i>	Sekuritas yang dapat dipasarkan	<i>Marketable</i> → yang dapat dipasarkan (adjective) → (relative clause)
<i>any purported provision</i>	setiap ketentuan	<i>purported provision</i> → ketentuan (phrase) → (noun)
<i>Satisfactory performance</i>	pekerjaan yang memuaskan	<i>satisfactory</i> → yang memuaskan (adjective) → (relative clause)
<i>stamp duty</i>	materai	<i>stamp duty</i> → materai (phrase) → (noun)
<i>income statement</i>	laporan laba rugi	<i>Income</i> → laba rugi (noun) → (phrase)

### A. Structural Shifts

The structural shifts is one of the most frequently shifting in translation process. This is occurs due to different structure of SL and TL. In this study, English as source text using pre-nominal modifier (*menerangkan-diterangkan*), while Indonesian as target text using post-nominal modifier (*diterangkan-menerangkan*). For examples: mutual promises → *perjanjian bersama*; general term → *ketentuan umum*; quotation document → *dokumen penawaran*; applicable exhibit → *lampiran yang berlaku*; procurement goods/services → *pengadaan barang/jasa*; incorporated under → *didirikan berdasarkan*.

The phrase *mutual promises* in SL is equivalent with '*perjanjian bersama*'. Structurally, *mutual* is modifier (explainer) the subsequent word *promises* as essence (explained), while equivalence of *perjanjian* has the same position with *mutual* as modifier (markers).

### B. Unit Shifts

The shifting of unit usually occurs in translating the phrases with prepositional *of* that equivalent to un-prepositional phrase in TT. For example: *the payment of severance* → pembayaran atas santunan; *in the event of any conflict* → dalam hal terdapat pertentangan; the scope of work → *lingkup kerja*; termination of employee → *pemutusan hubungan kerja*; cost of sales → *beban pokok penjualan*;

The *-able* suffix in adjectives of ST is generally translated with matching relative clauses in TT.

**Table 3. The Unit Shift**

Bahasa Inggris	Bahasa Indonesia	Proses tranvosisi
<i>applicable exhibit</i>	lampiran yang berlaku	<i>applicable</i> → yang berlaku (adjective) → (relative clause)
<i>marketable securities</i>	sekuritas yang dapat dipasarkan	<i>Marketable</i> → yang dapat dipasarkan (adjective) → (relative clause)
<i>the applicable law</i>	hukum yang berlaku	<i>applicable</i> → yang dapat dipasarkan (adjective) → (relative clause)

### C. The Class Shift

The word class shift is the shifting of specific SL word class into different classes in TL. The shifting of word class in this study are:

English	Indonesian
satisfactory performance (adjective)	Pekerjaan yang memuaskan (relative clause)
the applicable law (adjective)	<i>hukum yang berlaku</i> (relative clause)
satisfactory performance (adjective)	<i>pelaksanaan pekerjaan yang memuaskan</i> (relative clause)
legal fees (adjective)	<i>ongkos penasehat hukum</i> (noun)
any purported provision (noun phrase)	<i>setiap ketentuan</i> (noun)
marketable securities (adjective)	<i>sekuritas yang dapat dipasarkan</i> (relative clause)
pay period (verb)	<i>periode pembayaran</i> (noun)

**D. Intra-system shifts:** Intra-system shift occurs in the same grammatical category. The following table presents this shift.

English	Indonesian
share holders	<i>pemegang saham</i>
noncurrent assets	<i>aset tidak lancar</i>
net assets	<i>aset bersih</i>
marketable securities	<i>Sekuritas yang dipasarkan</i>
contractor's general terms	<i>ketentuan umum kontraktor</i>
any terms and conditions	<i>segala syarat dan ketentuan</i>
cost of sales	<i>beban pokok penjualan</i>

It is obviously that all forms of nouns in ST (holders, assets, securities, terms, conditions, sales, expenditures, allowances, facilities, and expertises) has the plural marker. However, they are absent in TT, because Indonesian does not recognize such marker in the form of noun.

### 2.3. Absorption and Foreign Translation

The terms and phrase contained in contract document covers many areas, especially economics (marketing, accounting, and management). Therefore, the determination of the orientation the terms used in the ST and their equivalences also refers to these three areas. The General Guidelines for Establishment of Term supposed that if in Indonesian or cognates not found the appropriate term, hence the source text (foreign term) should be use as the source of Indonesian terminology, by absorption, and or simultaneously absorption.

For the ease of translation in the future, the inclusion of a foreign term by absorption process can be considered as shown on the following conditions.

1. net assets → *aset bersih* (*net* is translated as *bersih*, however *asset* is absorbed with adjusted form and speaking in Indonesian).
2. subcontract → *subkontrak* (*sub* is absorbed, while *contract* is adjusted).
3. subdivision → *subbagian* (*sub* is absorbed, while *dan division* is translated)

From the analysis result, it is obviously that direct absorption is occurs in translation process. For example: *basis* → *basis*; *copy* → *copy*; *item* → *item*; *cover* → *cover*.

Some words experience the adjustments that conform to the rules of absorption and adaptation of foreign terms applied in the General Guidelines for the Establishment Term. For example: *neutrality* → *netralitas*; *contractor* → *kontraktor*; *personnel* → *personil*; *facilities* → *fasilitas*.

## III. Conclusion

The results of analysis in this study revealed the complexity of procedure and method of translation that must be understood. The matters concerning the identification of the term, the application of the translation method that includes borrowing, calque, literal translation, transposition, modulation, equivalence, adjustment, structure shift, units and level shift, as well as absorption are should be noted. In the terms of shifts, there are two kinds of shifts that should be regarded, namely (1) the level shifts and (2) the category shifts. These shifts generally occurs in the translation process due to the structure of English as the source text is dissimilar to Indonesian structure as the target text. English structurally impose the pattern of post-nominal modifier, while Indonesian is contrary. Hence, this condition causes a significant shift in the translation process. And, both types of shifts affects each other. Similarly with the matters related to adoption of foreign terms (English). The focus of analysis is useful in the determination of the exact term in target text (Indonesian). By regarding those matters, the translation results will be close into perfection.

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