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A Corpus-based Study on Chinese Translation of the Be-Passive in Conditions of Contract for EPC/Turnkey Projects

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Abstract: This paper is a combination of quantitative and qualitative methods that examines the linguistic features of the be-passive and their Chinese translation forms from three dimensions: formal, semantic, and pragmatic. The data is from the self-built English-Chinese parallel corpus of Conditions of Contract for EPC/Turnkey Projects. Our statistics show that the English be-passive constructions are translated into 11 Chinese translation forms, such as active sentence, notional sentence, and attributive construction. But only 10% of the be-passive are converted into Chinese passive sentence. Although the passive are common both in English and Chinese, it is hard to achieve an equivalent translation from English to Chinese due to the considerable differences in the formal, semantic, pragmatic, and other aspects. The result of this paper can be helpful in further understanding the essential differences between English and Chinese.

1. Introduction

Legal instruments can be divided into three types according to their functions: prescriptive, descriptive, and a combination of the two. The first category of legal instruments includes laws, regulations, contracts, treaties, etc. "Similar to other legal papers, contracts are used to give one or both parties certain rights while also establishing a binding relationship of duty between the parties."[1] Although passive sentences are also used in Chinese, they are more commonly seen in English." In the context of China's "go global" strategies, it is necessary to improve the translation competence of legal translators. Qualified translators who are familiar with international laws can help their enterprises or customers with business abroad to clarify the rights they enjoy and obligations they should comply with to avoid risks and ensure maximum profitability.

At present, most domestic scholars have studied FIDIC conditions of contract at the macro level or based on experience, and there is a severe lack of corpus-based research. In this paper, a parallel corpus of Conditions of Contract for EPC/Turnkey Projects (hereafter referred to as the EPC/T Corpus) is built to analyze the linguistic characteristics of the be-passive, the Chinese translation forms, and also the causes of such conversion patterns. We hope that this paper can help translation students master the Chinese translation strategy for English passive construction and be ready for their future careers.

2. Literature Review

In recent years, with the development of corpus technology, Chinese scholars have begun to apply it to the translation research of passive construction. Yu & Liang. [2] examined the diachronic development of passive construction based on the three-generation Brown family corpus. Their results indicated that the more formal the genre, the more frequently the be-passive appears. But the author only discussed four genres: academic, news, general, and fiction, and did not discuss normative texts such as legal contracts. Based on a super-sized English-Chinese parallel corpus, Wang & Liu [3] studied the Chinese translation forms of the English passive in scientific and technical texts and summarized ten counter-translation forms. They found that 36.16% of English passive constructions are converted into active sentences in Chinese, followed by 29.82% into notional sentences. However, the proportion of the English passive transformed into Chinese passive is less than 10%. Fehringer [4] analyzed the possible constraints that affect the distribution of the get-passive and be-passive based on the Diachronic Electronic Corpus of Tyneside English. The author pointed out that the use of get-passive structures is the result of a complex combination of semantic and syntactic meaning, and that get-passive sentences use more frequently by young people but the usage is still constrained by most factors.

So far, there is litter linguistic or translation-related research on FIDIC outside China, while the earliest linguistic-related research on FIDIC by Chinese scholars can be traced back to the 1990s. Before the 21st century, domestic research on FIDIC mainly came from translators or those who have business with foreign companies. Li [1] explored the translation of the phrase “subject to” in FIDIC conditions of contract in different contexts. After entering the 21st century, Chinese scholars have gradually deepened their research on FIDIC conditions of contract. Wang & Yao [5] used rhetorical structure theory to examine the distribution pattern of noun and pronoun preterit in FIDIC conditions of contract. Zhang & Zhao [6] studied the Conditions of Contract for EPC/Turnkey Projects (1999 Editions) and discussed the translation principles, language features, and strategies of FIDIC conditions of contract and the differences between English and Chinese translations. They also pointed out the problems and translation strategies in the translation. Kang [7] analyzed the linguistic features of FIDIC conditions of contract from the perspectives of vocabulary, phrases, and grammar. Wang & Wen. [8] studied the semantics and lexicality of the Conditions of Contract for EPC/Turnkey Projects with the tool Wmatrix. Yang [9] studied the Chinese translation forms of the passive voice in FIDIC conditions of contract and found that the passive voice is usually converted into passive, judgmental, and active sentences in Chinese. It is worth noting that most of the above-mentioned studies take experience- or observation-based methodology to examine the linguistic features and Chinese translation strategies of FIDIC conditions, and the research conclusions may not be compelling due to the lack of data support. For this reason, this paper combines qualitative and quantitative research methods to help verify and improve the existing findings.

3. Research Design

3.1. Research Questions

This paper aims to answer the following three questions:

What are the linguistic features of the English passive construction in Conditions of Contract for EPC/Turnkey Projects?

What are the Chinese translation forms of the English passive construction of Conditions of Contract for EPC/Turnkey Projects?

How are these features related to the translation strategies?

3.2. Source of Corpus

The data for this paper is collected from the FIDIC Silver Book or The Conditions of Contract for EPC/Turnkey Projects (2017 Edition) that are compiled by the International Federation of Consulting Engineers and published in 2021 with the translation performed by China Machine Press. We have built a parallel corpus named the EPC/T Corpus. The source text has 82,670 words and the target text has 133,829 words.

3.3. Object of Study

In modern English, passive construction is generally associated with the form of "BE+V-EN". There are prototypical and non-prototypical passives, among which the prototypical passive is formed in two types: "NP+BE+V-EN" and "NP+BE+V-EN+BY+NP". Based on whether there is an agent or not, a passive without an agent is called a short passive, and a passive with an agent is a long passive. However, the BE+V-EN construction doesn't always refer to a passive construction, but can also be a copula construction expressing an emotion or indicating a state. According to Xiong & Wang [10], the determination of whether a passive sentence is valid or not is not related to the verb's dynamic statics but depends on whether the verb expresses a causative event. Although the English copula construction and the passive structure share the same form, there is a fundamental difference between them. The BE in a copula construction can be replaced by other linking verbs to express the state of the recipient, and the whole construction cannot be converted to the corresponding active construction and also cannot introduce an actor.

Since the copula construction is not truly passive, it is excluded from the data. Chinese verbs do not have morphological changes. We use lexical or syntactic means to express passive meanings. Liu [11] pointed out that "the English passive voice is extremely common in scientific, technical, official and applied literature". English tends to use clear structured marked passive sentences because of the strict requirement of form, while Chinese tends to use unmarked passive sentences because of the strict requirement of meaning and less demanding requirement of form.

This paper aims to study the linguistic features of the English prototypical passive and its corresponding Chinese translation forms. We will analyze the formal, semantic, and pragmatic features of the be-passive, and calculate the frequency of 11 Chinese translation forms (See Table 1). Since the frequency of some forms is too low, we will only concentrate on the translation forms with a frequency above 10% (See Table 2).

Table 1. Corpus annotation system

<table>
<tr><th colspan="3">Original language features</th><th>Chinese translation forms</th></tr>
<tr><td rowspan="6">Formal</td><td rowspan="6">Long passive
Short passive</td><td rowspan="11">11
forms</td><td>Active sentence</td></tr>
<tr><td>Notional sentence</td></tr>
<tr><td>Attributive construction</td></tr>
<tr><td>Passive sentence</td></tr>
<tr><td>Ellipsis</td></tr>
<tr><td>Grammaticalization</td></tr>
<tr><td rowspan="3">Semantic</td><td rowspan="3">Positive
Negative
Neutral</td><td>Disposal construction</td></tr>
<tr><td>Nominalization</td></tr>
<tr><td rowspan="2">Quasi-grammaticalization</td></tr>
<tr><td rowspan="3">Pragmatic</td><td rowspan="3">Animate
Inanimate</td><td>Periphrastic causative construction</td></tr>
<tr><td rowspan="2">Causative construction</td></tr>
</table>

3.4. Analysis Tools and Steps

The first step is building the English-Chinese parallel corpus. We convert the printed book into an editable format. All symbols, formatting, and content in the text that do not meet the corpus-building standards have been removed. The bilingual corpus then is aligned by using Tmxmall, an online corpus alignment tool. The English text is annotated by Tree Tagger, a part-of-speech tagger developed by the Beijing Foreign Studies University Corpus Research Group. And the Chinese text is annotated by Corpus WordParser developed by the Chinese researcher Xiao Hang. The aligned corpus is then imported into CUC_ParaConc, a software developed by Dr. Cheng Nanchang from the Communication University of China. We use the regular expression of "\S+_VB\w*\s(\S+_R\w+\s)*\S+_V\wN\s" for complex search. As a result, 1652 pairs/3304 lines of valid results are successfully retrieved.

For the second step, random sampling is performed on 1652 pairs of samples. Given the possibility of manual annotation, we use Excel to conduct simple random sampling of the above search results and 330 pairs of data are randomly selected from 1652 sentence pairs. The 330 pairs or 660 indexed lines are then manually checked and 40 cases of copula constructions indicating emotion or state or using literal translation are removed from the data. Finally, we have 290 pairs of valid be-passive constructions.

3.5. Statistical Results

Our statistics show that the Chinese translation forms of the be-passive in the corpus include 11 forms (See Table 2). Table 3 provides detailed statistics on the linguistic features of the English passive and the Chinese translation form. The translation forms that account for 10% or more include active sentences, notional sentences, attributive construction, and passive sentence. What is noteworthy is that the first four contribute to 81.4% of the total, of which the active sentences are the most frequently converted constructions. We will focus on these four forms in the following discussion.

Table 2. Details of the converted translation forms in Chinese

No.	Chinese translation forms	Frequency	Percentage
1	active sentence	123	42.4%
2	notional sentence	51	17.6%
3	attributive construction	33	11.4%
4	passive sentence	29	10.0%
5	ellipsis	22	7.6%
6	grammaticalization	15	5.2%
7	disposal construction	9	3.1%
8	nominalization	3	1.0%
9	quasi-grammaticalization	3	1.0%
10	periphrastic causative construction	1	0.3%
11	causative construction	1	0.3%
Total		290	100%

Table 3. Statistics of the linguistic characteristics of English passive construction and its Chinese translation forms

Features / Translation forms	Formal				Semantic						Pragmatic			
	long passive		short passive		positive		neutral		passive		animate		inanimate	
Active sentence	112	26.1%	111	45.5%	2	40.0%	112	42.3%	9	45.0%	16	53.3%	107	41.2%
Notional sentence	14	30.4%	37	15.2%	2	40.0%	46	17.4%	3	15.0%	3	10.0%	48	18.5%
Attributive construction	11	23.9%	22	9.0%	0	0.0%	33	12.5%	0	0.0%	1	3.3%	32	12.3%
Passive sentence	5	10.9%	24	9.8%	1	20.0%	23	8.7%	5	25.0%	6	20.0%	23	8.8%
Ellipsis	0	0.0%	22	9.0%	0	0.0%	22	8.3%	0	0.0%	2	6.7%	20	7.7%
Grammaticalization	1	2.2%	14	5.7%	0	0.0%	15	5.7%	0	0.0%	1	3.3%	14	5.4%
Disposal construction	1	2.2%	8	3.3%	0	0.0%	7	2.6%	2	10.0%	0	0.0%	9	3.5%
Nominalization	0	0.0%	3	1.2%	0	0.0%	3	1.1%	0	0.0%	0	0.0%	3	1.2%
Quasi-grammaticalization	0	0.0%	3	1.2%	0	0.0%	3	1.1%	0	0.0%	1	3.3%	2	0.8%
Periphrastic causative construction	1	2.2%	0	0.0%	0	0.0%	0	0.0%	1	5.0%	0	0.0%	1	0.4%
Causative construction	1	2.2%	0	0.0%	0	0.0%	1	0.4%	0	0.0%	0	0.0%	1	0.4%
Total	46	100%	244	100%	5	100%	265	100%	20	100%	30	100%	260	100%

4. The Formal Characteristics of English Passive Construction and its Chinese Translation

As stated by Weiner & Labov [12], passive sentence constructions are regarded as the most active form of grammatical variation in English. Quirk [13] remarked that the passive is generally more commonly employed in informative writing than in imaginative one, especially in the objective, and non-personal style of scientific discourse and news items. BE+V-EN passives are mostly found in formal genres, and passive sentences without an agent are the regular form of such passive constructions. Biber et al. [14] referred to passive constructions with an agent as "long passives" and those without an agent as "short passives".

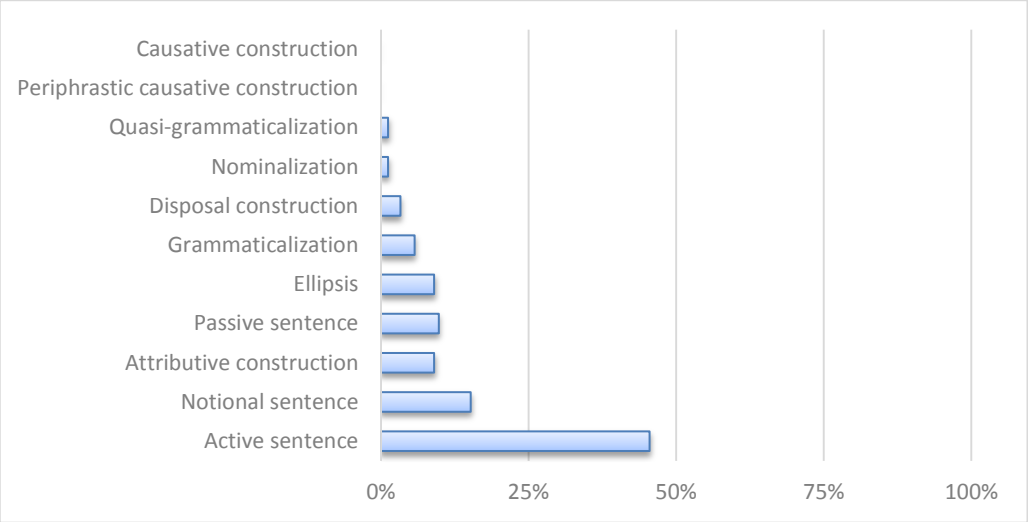

Figure 1. The formal features of the short be-passive and its Chinese translation

As shown in Table 3, there is a total of 46 cases of long passives and 244 cases of short passives, and the number of long passives is much lower than that of short passives, which is consistent with the result from Jespersen [15], Xiao et al. [16], and Wang & Liu [3]. In addition, the long passive is more often translated as notional sentences, active sentences, and attributive constructions. Based on our observation, the notional sentence is formed as "the recipient+ you +the actor+action", where "by" acts as a preposition to introduce the actor. The long passive is also more often transformed into the Chinese active sentences, which are structured as "the actor + action + the recipient". Wang &Liu [3] pointed out that "when the original passive structure and the recipient form a modifying or supplementary description relationship, i.e., the recipient serves as the subject or object of the sentence, while the passive structure is used as a definite function or component, the available Chinese translation is to place the recipient to the grammatical subject position through the attributive construction. Lian [17] argued that the recipient is placed in the subject position for communication purposes, and this "subject" functions as a topic. We also found that nearly 50% of the short passives are converted to active sentences in Chinese (See Figure 1). This is because, under normal circumstances, the passive structure in Chinese needs to specify the actor, so it is difficult to convert the English short passive to the Chinese passive reciprocally. "Legal English prefers the passive voice to highlight the essential content or the beneficiary of the right, while legal Chinese uses the active voice more often to highlight the owner of the right and the actor of the action." [18] Based on the sample retrieved, the active voice in Chinese is mainly reflected in two ways: firstly, the original structure of "subject-action-agent" is converted into the Chinese structure of "agent-action-subject"; In the second case, when the actor cannot be identified and there is no need to point out the actor, the active meaning is expressed in the sentence without a subject at the

front of the sentence. In most cases, the agent can be identified according to the context, making it more common to omit the agent.

5. The Semantic Characteristics of English Passive Construction and its Chinese Translation

In this study, semantic prosody is identified by observing the collocations of the passive construction in the context. We have analyzed the distribution of different semantic prosodies, including positive, neutral, and negative ones in the translation.

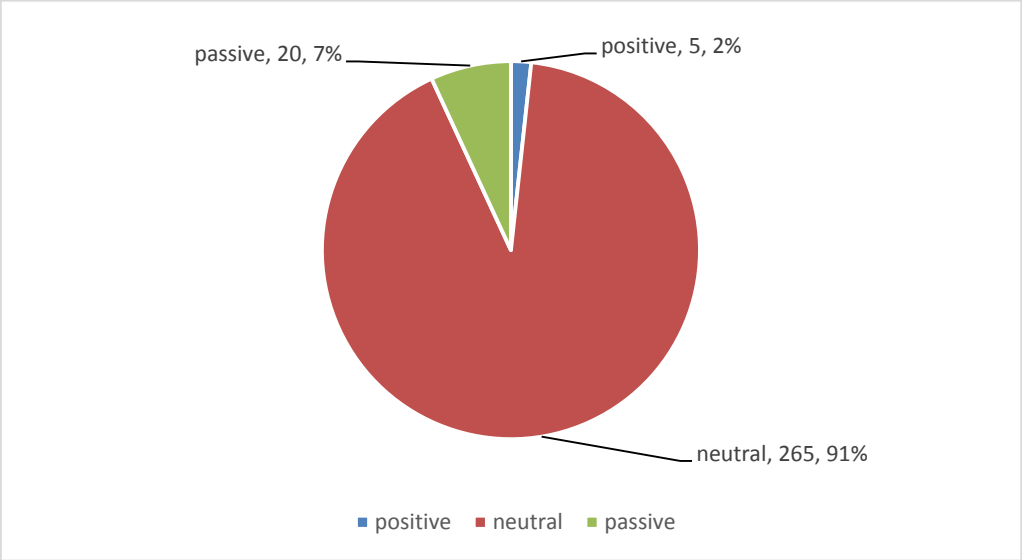

Figure 2. Semantic prosody of the be-passive

As shown in Figure 2, the number of English passive construction that is semantically neutral is 265 cases, accounting for 91% of the total. The result we've found is close to that of Liu & Wang [19]. According to their study, English passive structures with neutral meaning in scientific and technical texts contributed to about 85.20%. The study by Yu & Liang [2] found that semantically-negative sentences are mostly found in novels and semantically-positive sentences are mostly found in academic texts, while passive constructions with neutral meaning do not vary much among the four types of genres: academic, news, general and fictional genres, indicating that the semantic meaning of the be-passive is closely related to the genre. As a contract is written in a more rigorous and formal style, neutral semantic prosodies are more in line with the rigorous and objective style of writing centered on rights and obligations required by legal contracts. The passive construction of English with neutral meaning is seldom transformed into the Chinese passive because English passive constructions mostly are semantically neutral, while Chinese passive structures mostly indicate a negative meaning, which makes it difficult to achieve an equivalent transformation during the English to the Chinese translation process. Since the Chinese active and passive structure has little to do with semantics, passive structures no matter whether they are positive, neutral, or negative can be translated into the active form.

6. The Pragmatic Characteristics of English Passive Construction and its Chinese Translation

In this study, the recipient of the action is divided into animate recipients and inanimate ones. We found that 90% of English passive constructions have an inanimate recipient, much higher than those with animate recipients. English commonly uses impersonal subjects, which refer to sentences in English in which an impersonal noun or pronoun is the subject. The passive voice is one of the

main expressions of impersonal subjects. As legal language has normative and performative functions, impersonal subjects can be frequently found in legal English. Our data show that 41.2% of the Chinese translations with inanimate subjects and 53.3% of the Chinese translations of the animate subject are in the Chinese active sentence. This indicates that there is an tendency to convert the English passive construction to the Chinese active sentence regardless of whether the recipient is animate or not. Since the recipient is animate and cannot give an action, any occasion where it is not necessary or possible to point out the actor of the action, or where it is necessary to highlight the actor can be used in the passive voice, and therefore it is easier to convert to the active or notional sentences in Chinese.

7. Conclusion

We've found that short passives are more frequently-used than long passives in the EPC/T Corpus; most of the English passive are semantically neutral in which the subject is normally inanimate. The Chinese translation forms of the be-passive include 11 forms, of which the active sentence is the most common form of conversion. It is worth noting that only 10% are translated into Chinese passive construction. This is mainly due to the difficulty of equivalent conversion caused by the large differences between the two languages. We suggest that, when translating English passive sentences, we can take into consideration the formal, semantic, and pragmatic features and decide which form is more applicable.

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Data Availability

The datasets used during the current study are available from the corresponding author on reasonable request.

Conflict of Interest

The author states that this article has no conflict of interest.

References

[1] Li, X. H. (1997). Analysis of the Translation of SUBJECT TO Phrase in FIDIC Conditions of Contract. Chinese Science & Technology Translators Journal, (01):28-30. DOI:10.16024/j.cnki.issn1002-0489.1997.01.010.

[2] Yu,T. & Liang, M. C. (2014) . A Multi-Dimensional Study of English Passive Structures. Foreign Language Education, 35(04):11-15. DOI:10.16362/j.cnki.cn61-1023/h.2014.04.020.

[3] Wang, K. F. & Liu, D. J. (2018). A Study on the Chinese Translations of English Passives: A Supper-Sized English-Chinese Parallel Corpus-Based Approach. Journal of Foreign Languages, 41(06):79-90.

[4] Fehringer C. (2022). The Get-Passive in Tyneside English:A Highly Frequent yet Constrained Variant. English World-Wide, 43(3), 330 - 356. https://doi.org/10.1075/eww.21039.feh

[5] Wang, H & Yao, Z. J. (2008). The Application of the Anaphora Distribution Rule in the Discourse Analysis of the FIDIC Conditions of Contract. Foreign Languages and Their Teaching, (04):21-25.

[6] Zhang, W. J. & Zhao, Z. J. (2011). The Translation of FIDIC Contract Terms and Conditions. Chinese Science & Technology Translators Journal, 24(02): 17-20. DOI:10.16024/j.cnki.issn1002-0489.2011.02.017.

[7] Kang, L. (2013). Linguistic Features of FIDIC Contract and Its Translation. Foreign Language Education, (00):160-169.

[8] Wang, L. F. & Wen, D. R. (2017). A Corpus Study on Semantic Categories and POS Distribution Patterns in Business English Contracts. Shandong Foreign Language Teaching, 38(02):12-20. DOI:10.16482/j.sdwy37-1026.2017-02-002.

[9] Yang, Y. Q. (2022). A Study of the Translation Strategies of English to Chinese Passive Voice in Engineering Contracts——Taking FIDIC as an Example. English Square, (16):20-22. DOI:10.16723/j.cnki.yygc.2022.16.001.

[10] Xiong, X. L. & Wang, Z. J.(2001). A Cognition-based Contrastive Study of English and Chinese Passives. Foreign Language Research, (03):1-6+112.DOI:10.16263/j.cnki.23-1071/h.2001.03.001.

[11] Liu, M. Q. (1998). Genre and Translation. Beijing: China Foreign Translation and Publishing Corporation.

[12] Weiner, E., & Labov, W. (1983). Constraints on the Agentless Passive. Journal of Linguistics, (1): 29-58.https://doi.org/10.1017/S0022226700007441

[13] Quirk, R.,Greenbaum, S., Leech, G. and Svartvik, J. (1973). A grammar of Contemporary English(807-808). London: Longman.

[14] Biber, D., Johansson, S., Leech, G., Conrad, S. and Finegan, E. (1999). Longman Grammar of Spoken and Written English. Harlow: Longman.

[15] Jespersen, O. (2006). Essentials of English Grammar. London: Routledge.

[16] Xiao, R., McEnery, T. and Qian, Y. (2006). Passive Constructions English and Chinese: A Corpus-Based Contrastive Study. Language in Contrast,(1):109-149. https://doi.org/10.1075/lic.6.1.05xia

[17] Lian, S. N. (2010). A Comparative Study of English and Chinese (Revised), Beijing: Higher Education Press.

[18] Han, J. (2013). Comparative Analysis of Legal Texts in the Context of Functional Linguistic. Shanghai: Shanghai Jiao Tong University Press.

[19] Liu, D. J. & Wang, K. F. (2020). The Translation of Passive Constructions from English to Chinese-A Multi-Variate Study Based on Big Data. Technology Enhanced Foreign Language Education, (01):45-52+7.