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Passive- and passive-like constructions in the translation of a Croatian legislative text into English

This paper is based on the study of the translation pairs of passive sentences found in two legislative texts, a corpus of 23,140 words. The two texts are used to determine the passive voice frequency and retention or change in the grammatical (passive and passive-like) and thematic structures of extracted passive sentences in the Croatian (source) and English (target) texts. While English in the legislative text and official document shows a bias in favour of the passive periphrastic, Croatian mainly retains the *se* passive. The main conclusion of the study confirms the hypothesis that a change in the grammatical structure does not always trigger a change in the thematic structure. In a number of cases it is the word order that shows the function of thematic shift and not the passive.

Key words: translation; passive; passive-like construction; thematic structure; legal discourse.

1. Introduction

Translation studies generally focus on texts rather than on lexical items or sentences. This small corpus study, however, analyzes the isolated passive sentences and the retention or change in the grammatical (*passive and passive-like*) and thematic structures in translation. Our claims about changes in the grammatical structure will apply only to the changes occurring in the *passive and passive-like* constructions in the present study.

Even though there is a great degree of transparency between passive structures in Croatian and English, we have often heard claims that the passive voice is much more common in English than in Croatian. The assertion that this structure is more common in English is thus anecdotal. To have more evidence to support the claim we studied two legislative texts, one in Croatian, “Plan prihvata broda u nevolji” (source text—ST), and one in English, “Plan for the Acceptance of a Ship in Distress” (target text—TT). The passive and thematic structures of passive sentences were thus approached in the situational context of legal written discourse.

This study does not lead to a neat set of conclusions where we can present answers regarding translation and what translators should do. Our study is ongoing; translation is a complex task. By attempting to address the issue of passive and thematic structure in the two parallel texts, we provoke questions and deeper understanding, rather than provide simple answers. We also perceive the study as leading to increased awareness and deeper understanding of the complexity of translation and translation studies.

1.1. *Theoretical framework*

1.1.1. *Characteristics of written legal discourse*

It is often said that the function of legal discourse is to be detached. Tessuto (2001) writes that legal discourse is a sequence of clauses whose information is logically positioned around the Theme. Some of the clauses are statements or conclusions, others as premises, arguments or reasons are supporting them. The language, oral or written, which serves argumentative and pragmatic purposes in legal discourse is situated within a context “which, on the one hand, provides the jurist with a suitable environment to fit in his own pragmatic legal discourse and, on the other, it requires lawyer linguists to assume different values of the discourse meaning in order to achieve pragmatic purposes for effective written communication” (Tessuto 2001: 7). When discussing the methodology of legal translation, Tessuto concludes that the character of the legal language must be contextualised in the target language so that translation allows certain semantic categories of the source language to be interpreted reasonably in the context of the target language in order to produce the desired legal effect.

In addition, legal discourse is often impenetrable due to its phrasing and organisation. It produces an organised rhetoric so that the language system characteristic of the law neutralises the content of the terms integrated into its lexicon. The terminology then implies legal categories that are both objective and assimi-

lated into a technical vocabulary (Wagner 2002). Further characteristics of legislative texts are verb and noun phrases, modal auxiliaries (especially *shall* and *may*) and passives. The syntax consists of long sentences that contain a great number of coordinated and, especially, subordinated clauses, containing numerous and elaborate qualifications, all those elements beginning with *notwithstanding*, *in accordance with* and so on (Hiltunen 1990; Swales 1990).

1.1.2. *Passive voice formation in Croatian*

Over the years, passive voice as a grammatical category in Croatian and English has been subject to vast research (Ham 2005, 1990; Belaj 2004; Katičić 2002; Raguž 1997; Barić et al. 1997; Kučanda 1992; Carter and McCarthy 2006, 1999; Biber et al., 1999; Halliday 1994; Quirk et al. 1985; Jespersen 1969; Zandvoort 1962).

For quite a long time, it was considered that every active sentence could be turned into the passive and vice versa (Jonke in Ham 1990: 65–66). Ham finds the statement inaccurate. She highlights verbs which are transitive by nature, for example: *imati*, *posjedovati*, and modal verbs like *htjeti* and *trebati*, yet, she notes, they cannot form the passive. In order to support the claim, Ham gives the following examples:

- (1) a. *(Netko) ima, posjeduje, hoće, treba kuću.*
b. *Kuća se ima, posjeduje, hoće, treba.* (ibid)

The passive voice, observed within the mentioned constraints, shows that only sentences with transitive verbs of *specific* meaning can form the passive. The occurrence of passive is therefore not determined by a sentence with an active verb but by the one which has a passive correlation (Ham 1990).

In regard to the passive voice discussion, linguists (e.g. Raguž 1997; Barić et al. 1997) generally refer to the construction *biti* + past participle. The construction is usually used when the agent is unknown or not in the focus of interest, e.g. *Očigledno je broj oboljelih sveden na minimum* (Katičić 2002: 143), or when it can be easily inferred from the linguistic or extralinguistic context. The “agentless” passive is far more widespread as the agent sometimes goes unnoticed since it is not always expressed in the well-known “*by*-phrase” (Ham 1990). Raguž (1997) adds to the discussion of the passive voice and points out that both *biti* (perfective and imperfective) and *bivati* (imperfective) can be used in passive formation. When referring to the past, the passive voice of perfective verbs is formed by using the verb *biti*: *Prevođena je na strane jezike*. On the

other hand, when referring to the present, the verb *bivati* should be used: *Bivaju ispitivani*. Like Ham, Raguž (1997: 202) also notes that, except for the verbs like *imati* ‘have,’ *trebati* ‘need,’ *htjeti* ‘want,’ the passive construction is possible with most transitive verbs. Some recent research into the passive sentence (Belaj 2004) reports two types of grammatical passive voice in Croatian: 1. *biti* + past participle (passive periphrastic), and 2nd personal verb form + particle *se*. The *biti* + past participle passive is defined in compliance with the three criteria: a) S = O, b) actional/dynamic and statal/stative, and c) semantically transitive and syntactically intransitive. The personal verb form + particle *se* passive is determined by the criteria: a) S = O, b) S ≠ V, semantically transitive and syntactically intransitive, and c) actional/dynamic and statal/stative (Belaj 2004: 13-53). Yet the S = O criterion is not as consistent and stable in the personal verb form + particle *se* passive as it is in the passive periphrastic. Shibatani (1985), Siewierska (1988), and Kučanda (1992) challenge the S = O criterion as a prerequisite of being defined as a passive. Their argument is in favour of impersonal constructions characterised by a direct object of an active conceptual correlation in a passive sentence. Moreover, Kučanda (1992) distinguishes three rather than two passive types: a periphrastic passive, a reflexive passive with a nominatively marked patient, and a reflexive passive with an accusatively marked patient. He (1992: 184) notes that the last type is described in the literature as an active construction because the patient has not been assigned subject function. Finally, Kučanda does not consider subjectivisation of patient and object to be a critical property of passive formations.

To pursue the issue, it is often hard to clearly distinguish what Belaj defines as the passive voice from what is usually referred to as *impersonalisation*. Katičić (2002) writes that a sentence like *Zidaju kuću* is transformed into an impersonal one by replacing 3rd person plural of a transitive verb with 3rd person singular and particle *se*. The following examples (ibid: 146):

- (2) a. *Zida se kuća*. Passive + nominative
 b. *Zida se kuću*. Impersonalisation + accusative

underline the difference between the passive voice and *impersonalisation*. Subjectivisation of patient and subject-verb agreement is thus taken as a distinctive feature: the passive with a nominatively-marked patient and impersonalisation with what is usually an accusatively-marked patient.

Some linguists claim that to passivise a sentence or a clause inevitably results in changing thematic structure of the sentence/clause: the object becomes the Theme whereas the subject takes on rhematic features. In this study the thematic structure means the Theme and Rheme. Many approaches, however, use the

term to imply the semantic structure, that is, thematic roles in the sentence. It also is considered that the “process of derivation of the passive sentence includes three transformations: thematization, rhematization and passivisation” (Tomić in Ham 1990: 70). Ham further highlights the importance of the context arguing that without the context it is difficult to determine with absolute certainty which part of the sentence is the Theme and which is the Rheme. This leads to the conclusion that passive and active forms of the same sentence convey different messages regardless of the fact that they contain the same amount of information, and, thus, one cannot be easily replaced with the other without the change in meaning.

1.1.3. *Passive voice formation in English*

The passive in English has various functions. It is often used when the agent is unknown, irrelevant or obvious. As Jespersen (1969: 120) notes “the active-passive change is not superfluous for a language but is useful in shifting the point of view.” As a result, the starting point or Theme of the message is the person or thing that is the affected participant of the action (Carter and McCarthy 2006). Jespersen (1969) summarises the reasons for using the passive as follows: a) the agent is not known or difficult to state; b) the agent is self-evident from the context; c) mentioning the agent is avoided due to special reasons; d) there is a greater interest in the passive subject; e) as a cohesion-building tool in the discourse. The demotion of the subject and object promotion is inferred.

Carter and McCarthy (2006: 793-802) identify various forms of passives, from the *be* passive (true, typical, central, basic), the *get* passive (more common in spoken language), pseudo passives with *have* (more common in spoken language), to adjectival constructions (See Table 1). This is only one of many various interpretations of the passive voice in English.

Example	Comments
He <i>was killed</i> in the war.	central <i>be</i> -passive.
They <i>got arrested</i> .	central <i>get</i> -passive.
He <i>got himself promoted</i> to manager.	reflexive <i>get</i> -passive (recipient more actively involved).
We <i>had some trees taken down</i> .	<i>have</i> -pseudo-passive (causative: beneficiary of the action initiated the action).
They <i>had their garden furniture stolen</i> last year.	<i>have</i> -pseudo-passive (non-causative: beneficiary of the action did not initiate the action).
I <i>got my car serviced</i> in that garage once.	<i>get</i> -pseudo-passive (causative: beneficiary

	of the action initiated the action).
I'll <i>get you set up</i> on the computer and then you can work away on your own.	<i>get</i> -pseudo-passive (describes a process initiated by someone who may or may not be the agent).
I'm <i>quite fascinated</i> by what you say.	semi-passive (like passive but also like adjectival construction: may be modified like an adjective).
He's <i>totally obsessed</i> with astrology.	more adjectival; prepositional complement has no active agent role.
The tape seems to have <i>got stuck</i> .	resultative; describes a state resulting from an agentless process.
The handle's <i>broken</i> .	adjectival; describes a state.

Table 1. Examples of passive forms. Source: Carter and McCarthy (2006: 794).

The *be* passive is formed by making the object of an action or event the grammatical subject of the clause and by using the auxiliary *be* + past participle of the verb. The agent may be realised as a prepositional phrase, most typically with *by* (Carter and McCarthy 2006). The formation *be* + past participle can be considered as the norm for English passives.

1.1.4. *Conceptualising Theme*

Prior to analysing the grammatical and thematic structures of passive sentences in the two legislative texts, we will address the concept of Theme (following Halliday 1994: 25, labels for all Functions are written with a capital letter in this section). In order to do the analysis of thematic structures, “the one which gives the clause its character as a message” (ibid: 37), of passive sentences in the scrutinised source and target texts, we need to refer to Halliday’s comprehensive work on the thematic organisation of the sentence. Halliday uses a clause as a unit of analysis and divides it into Theme and Rheme. He (ibid: 37) writes that “the Theme is the element which serves as the point of departure for the message; it is that with which the clause is concerned.” Combined Theme and Rheme constitute a message. The Theme is the starting point for the message (Fries 1995; Halliday 1994) while the Rheme is the development of the message. Baker (1992: 121) argues that the two functions of the Theme are to act “as a point of orientation by connecting back to previous stretches of discourse and thereby maintaining a coherent point of view” and “as a point of departure by connecting forward and contributing to the development of later stretches.” Unlike what we did in this study, in her work, Baker focuses on the text structure rather than the individual clause structure explaining that methods of organisation and development in different types of text are reflected in the overall choice of Themes.

In English, in a declarative clause, the Theme coincides with the subject. Halliday refers to it as the unmarked Theme. If, however, an element other than the subject is placed in the Theme position, it is called the marked Theme, the most usual being an adverbial group or prepositional phrase functioning as adjunct in the clause (1994: 43-44). The terms marked and unmarked have been defined by many linguists. In this study, we choose Halliday's definition of "unmarked choice, or unmarked option, in a grammatical system, which is a kind of default choice" (Thompson and Collins 2001: 148). To paraphrase Halliday, this is what we do, unless there is a good reason for doing something else, which would then be a marked choice.

Much of the literature has highlighted the relevance of thematic structures to translation. Varela Perez (1999: 166) argues for the crucial role of Themes and Rhemes and refers to Hatim and Mason (1990), who write that "Thematization is important as the translator has to respect the source text arrangement of information in terms of given/new information and also in terms of the desired thematic prominence." Baker further stresses the importance of thematic and information structures for translation. She (1992: 129) states that understanding thematic structures and marked and unmarked structures can "help to heighten our awareness of meaningful choices made by speakers and writers in the course of communication." It is of the utmost importance to translation as the prominence of the Theme and the message of the source text has to be preserved. Passive clauses are then of great significance as one of the reasons to get passive voice is "(1) to get the Medium as subject, and therefore as unmarked Theme, ... and (2) to make the Agent either (i) late news, by putting it last, or (ii) implicit, by leaving it out" (Halliday 1994: 169). Moreover, by thematising the Medium and not the Agent in legislative texts, the regulations, and not the government or other authority, are given prominence and power.

Katičić's (2002) and Silić's (1984) discussion of focus of the Theme and Rheme, (Cro.) *dano* and *novo* ("given" and "new"), is also clause-based. The methods of organisation and development in different types of text are reflected in the overall choice of Themes. Having noted the significance of the thematic progression, we still need to explain how the Theme and Rheme are realised in the text. Throughout the process of dynamic sentence analysis, Silić (1984: 67-73) questions the premise: T = given, R = new. He posits that the Theme is not always the given, and the Rheme is not always the new. The Theme can hold both the given and new information. Silić argues that the multiplicity of the Theme/Rheme is not identified by the increased number of the Theme and Rheme but by the increased number of the given and new.

1.2. *Aim of the study*

The aim of the study was to investigate whether the grammatical (*passive and passive-like*) and thematic structures of passive sentences were maintained or altered in translation between Croatian and English. Translation pairs of passive and passive-like formations in the Croatian (source language) and English (target language) documents provided a point of departure for the study.

1.3. *Hypotheses*

In an attempt to study the grammatical (*passive and passive-like*) and thematic structures of passive sentences we posited the following hypotheses. When translating the source text into the target text:

1. there is no change in grammatical and no change in thematic structure;
2. there is a change in grammatical and no change in thematic structure;
3. there is no change in grammatical and there is a change in thematic structure;
4. there is a change in grammatical and a change in thematic structure.

2. Method

The corpus was formed by two texts: “Plan prihvata broda u nevolji” (2008) and its English translation “Plan for the Acceptance of a Ship in Distress”. The source text (ST) contained 10,751 words while the translated text (TT) had 12,402 words. Two types of analysis were carried out. Our first step was to study the translation equivalence and non-equivalence of passive and passive-like forms in the source and target language. We started by extracting passive and passive-like forms from Croatian and English texts. Each case was examined and grouped into one of the passive and passive-like categories: the *biti* passive, the *biti* passive + agent, the *se* passive, non-finite verb + agent, and non-finite verb. A total of 592 passive and passive-like forms were analysed. The next step was to examine what elements got to be the Theme, and to determine the (un)markedness of Theme in the extracted passive sentences. We further used the sentences from the source text and the target text to document evidence for the change or retention of thematic structure in translation. In order to test the hypotheses, we then compared the grammatical (*passive and passive-like*) and thematic structures in the source and target text passive sentences.

A limitation of our approach to the analysis of the passive may be the inability to offer a detailed account of the variation within and nature of the extracted non-finite verbs in the passive sentences, in both texts. Further comprehensive research would be needed to study the differences in terms of their type and nature.

3. Results

3.1. *Passive analysis*

At this point it is important to restate that one of the aims of the study was to investigate whether the grammatical (*passive and passive-like*) structures were maintained or altered in translation between Croatian and English. We did not analyse a possible change of tenses, nor did we analyse the character of the participles: verbal/eventive or adjectival/stative (both bear the same morphology), for example *Nakon primljenog zahtjeva...* (After receipt of the request...), as in Table 7, or ... *potrebnim jamstvima, uvjetima ...* (... required guarantees, conditions and limitations ...), as in Table 8. The occurrence and features of such examples indicate the area of further exhaustive study.

The analysis offered here distinguishes each of the constructions exemplified from the passive and passive-like forms (the *biti* passive, the *biti* passive + agent, the *se* passive, non-finite verb + agent, and non-finite verb). Tables 2 and 3 show the distribution of passive and passive-like forms across the ST and the TT.

Passive & passive-like forms	No of examples	Selected example
<i>se</i> passive	88	Prikupljanje podataka <i>obavlja se</i> korištenjem popisa provjere.
non-finite verb	70	Agent je pravna ili fizička osoba <i>ovlaštena</i> ili <i>opunomoćena</i> da dostavi podatke u ime poslovođe broda.
<i>biti</i> passive	62	U tom pogledu <i>preuzeta je</i> obveza usklađivanja pravnog sustava Republike Hrvatske s pravnim sustavom Unije.
non-finite verb + agent	10	Potvrde o jamstvu <i>izdane od</i> P&I kluba ili druge odgovarajuće ustanove.
<i>biti</i> passive + agent	8	Svako premještanje broda iz mjesta zakloništa <i>mora biti odobreno od</i> dežurnog službenika Nacionalne središnjice.
Total	238	

Table 2. Distribution of passive/passive-like forms in the ST.

Passive & passive-like forms	No of examples	Selected example
<i>be</i> passive	157	In this respect, the obligation of aligning the legal system of the Republic of Croatia with the <i>acquis communautaire</i> was <i>adopted</i> .
non-finite verb	124	An agent is a legal or natural person <i>authorised</i> or <i>given</i> the power of attorney to forward data on behalf of the ship manager.
<i>be</i> passive + agent	42	Any relocation of a ship from the place of refuge <i>must be approved by</i> the on-duty officer of the RCC.
non-finite verb + agent	31	Marine casualties and incidents are events as <i>determined by</i> the IMO.
Total	354	

Table 3. Distribution of passive/passive-like forms in the TT.

The passive/passive-like constructions in the TT greatly outnumbered those in the ST. A total of 354 isolated examples were found in the TT in comparison with 238 examples found in the ST. The *se* passive ranked highest in the ST (See Table 2). Table 3 gives evidence that the *biti* passive was the most frequent passive form in the TT. Second most frequent passive/passive-like form in both ST and TT was the non-finite construction. The lowest proportion of passives in the ST was the “agentful” passive (the *biti* passive + agent) and the non-finite verb + agent in the TT.

3.1.1. *Passive-to-passive translation*

The analysis of the change/retention of the passive in translation is shown in Tables 4 to 8.

Passive & passive-like forms	No of examples	Source/target text	Selected example
non-finite verb	49	ST	Dežurni službenik jest službenik Nacionalne središnjice <i>osposobljen</i> i <i>ovlašten</i> poduzimati mjere sukladno Pravilniku i ovom Planu.
		TT	The on-duty officer is the officer of the RCC, <i>trained</i> and <i>authorised</i> to undertake measures in accordance with the Ordinance and this Plan.
<i>biti</i> passive	31	ST	U tom pogledu <i>preuzeta je</i> obveza usklađivanja pravnog sustava Republike Hrvatske s pravnim sustavom Unije.
		TT	In this respect, the obligation of aligning the legal system of the Republic of Croatia with the <i>acquis</i>

			communautaire <i>was adopted</i> .
non-finite verb + agent	10	ST	Potvrde o jamstvu <i>izdane od</i> P&I kluba ili druge odgovarajuće ustanove.
		TT	Letter of guarantee <i>issued by</i> P&I club or other corresponding institution.
biti passive + agent	2	ST	Svako premještanje broda iz mjesta zakloništa <i>mora biti odobreno od</i> dežurnog službenika Nacionalne središnjice.
		TT	Any relocation of a ship from the place of refuge <i>must be approved by</i> the on-duty officer of the RCC.
Total	92		

Table 4. Passive-to-passive translations from the ST into the TT (unchanged passive form).

The selected examples in Table 4 present the passive-to-passive translations, no change in the passive/passive-like form was observed. The count of passive and passive-like forms was restricted to those for which a passive or a passive-like counterpart would be available, that is, a passive or a passive-like form in the ST was rendered as such in the TT, 92 examples in total. Forty-nine out of 92 analysed examples were instances of non-finite verb passive-to-passive translation, followed by 31 examples of the *biti* passives.

3.1.2. Distinctive cases in passive-to-passive translation

Along with the examples presented so far, there was a number of cases that needed to be highlighted, 210 occurrences in all (See Tables 5-8). Tables 5 and 6 exemplify various types of formation changes in, still, passive-to-passive translations from the ST into the TT.

Passive & passive-like forms	No of examples	Source/target text	Selected example
biti passive	6	ST	Onečišćujuće tvari jesu: ulja, kako <i>su navedena</i> u Prilogu I MARPOL konvencije, škodljive tekuće tvari, kako <i>su navedene</i> u Prilogu II MARPOL konvencije te štetne tvari, kako <i>su navedene</i> u Prilogu III MARPOL konvencije.
non-finite verb	6	TT	Pollutant substances are: oil as <i>listed</i> in Annex I of the MARPOL Convention, noxious liquid substances, as <i>listed</i> in Annex II of the MARPOL Convention, and harmful substances as <i>listed</i> in Annex III of the MARPOL Convention.

biti passive + agent	3	ST	Kompanija je kompanija kako <i>je određeno</i> Pravilom 1 (2), Poglavlja IX SOLAS konvencije.
non-finite verb + agent	3	TT	A company is the company as <i>defined by</i> Rule 1 (2), Chapter IX of the SOLAS Convention.
Total	18		

Table 5. Passive-to-passive translations from the ST into the TT (changed passive form).

The analysis generated the major finding: the high number of occurrences of the *se* passive in the ST. In the majority of cases, 62 out of 70, the *se* passive in the ST was translated as the *be* passive in the TT (See Table 6). This particular result suggests the need to further investigate the habitual nature of the extracted examples.

Passive & passive-like forms	No of examples	Source/target text	Selected example
se passive		ST	Stručna skupina <i>se</i> na brod <i>prevozi</i> u pravilu korištenjem helikoptera.
be passive	62	TT	As a rule, the inspection team <i>is transported</i> to the ship using a helicopter.
se passive		ST	Kad god je to moguće, početna procjena okolnosti <i>potvrđuje se</i> nalazom i mišljenjem stručne skupine.
be passive + agent	4	TT	Whenever possible, the initial evaluation of the circumstances <i>shall also be confirmed by</i> the findings and opinions of an inspection team.
se passive		ST	Sastav skupine koja <i>se upućuje</i> na brod ovisi o prijetnjama odnosno potrebama u svakom pojedinom slučaju.
non-finite verb	3	TT	The composition of the team <i>sent</i> to a ship depends on the threats and needs in each individual case.
se passive		ST	Ako multikriterijalna analiza ukaže na bitno različita mjesta zakloništa od onih do kojih <i>se je došlo</i> primjenom osnovnog iterativnog postupka dežurni službenik Nacionalne središnjice dužan je još jednom razmotriti čimbenike primjerenosti odnosno prikladnosti razmatranih mjesta zakloništa.
non-finite verb + agent	1	TT	If the multi-criteria analysis indicates significantly different places of refuge than those <i>selected by</i> applying basic iterative procedure, the on-duty officer of the RCC shall once again consider the applicability and suitability of the places of refuge taken into

consideration.	
Total	70

Table 6. Passive-to-passive translations (changed passive form): *se* passive translations from the ST into the TT).

Tables 7 and 8 account for the passive/passive-like forms from the ST, translated into different categories in the TT, and different categories from the ST that were translated into the passive/passive-like forms in the TT. The analysis revealed that a change from the *biti* passive (ST) to active (TT) was a general case, 18 out of 25 occurrences (See Table 7). The opposite direction, different categories from the ST translated into the passive/passive-like forms in the TT, showed that in the majority of cases, 39 out of 97, a verb in the active was translated into the *be* passive + agent, while the impersonal construction (Cro.) *treba /valja* + infinitive was translated into the *be* passive in 18 instances (See Table 8). The result confirmed a bias towards the active (ST) to passive (TT) direction in translation.

The findings below (Table 8) display the number of passive and passive-like forms examined, and the ratio of the *be* passive and the *be* passive + agent constructions in the TT with respect to active and other forms in the ST.

Passive & passive-like forms	No of examples	Source/target text	Selected example
<i>biti</i> passive	18	ST	Nacionalna središnjica dužna je potvrditi prijem obavijesti i osobi posredstvom koje <i>je</i> zahtjev <i>zaprmljen</i> .
active		TT	The RCC shall also confirm receipt of the notification to the person who <i>transferred</i> the request.
non-finite	3	ST	Nakon <i>primljenog</i> zahtjeva, bez obzira na način kako je on pristigao do Nacionalne središnjice, dežurni službenik dužan je u što kraćem vremenu prikupiti podatke o stanju okoline i prijetnjama brodu i okolišu koristeći odgovarajući popis provjere.
noun/noun phrase		TT	After <i>receipt of the request</i> , regardless of the manner in which it reached the RCC, the on-duty officer shall in the shortest possible time period gather data about the state of the designated area and threat to the ship and environment using the appropriated check list.
non-finite	2	ST	... u mjestima zakloništa <i>određenima</i> u različitim državama.
other		TT	...in places of refuge in several countries.

<i>se</i> passive	1	ST	Ako je iz raspoloživih podataka neupitan način na koji <i>će se pomoći</i> brodu, dežurni službenik Nacionalne središnjice dužan je bez odlaganja i bez čekanja na mišljenje stručne skupine započeti s pripremama za pružanje pomoći.
non-finite		TT	If from available data the manner of <i>providing</i> assistance to the ship is indisputable, the on-duty officer of the RCC shall without delay and without waiting for the opinion of the inspection team begin the preparations for providing assistance.
<i>biti</i> passive	1	ST	... <i>bi</i> napuštanje broda u slučaju potrebe <i>bilo</i> značajno <i>otežano</i> ;
adjective		TT	...the abandon of the ship, if required, would be more <i>difficult</i> ;
Total	25		

Table 7. Passive from the ST translated into other categories in the TT.

Passive & passive-like forms	No of examples	Source / target	Selected example
active	39	ST	... takvu obavijest dežurni službenik <i>će dostaviti</i> i nadležnim vlastima država.
<i>be</i> passive + agent		TT	... such a notification <i>shall also be forwarded</i> by the on-duty officer to the responsible government authorities.
noun/noun phrase	22	ST	... neposredno <i>po saznanju</i> ...
<i>be</i> passive		TT	... immediately upon <i>being notified</i> ...
<i>treba / valja</i> + inf.	18	ST	Određeno mjesto ili morsko područje <i>valja smatrati</i> neprimjerenim za smještaj broda ...
<i>be</i> passive		TT	A place or a sea area <i>shall be considered</i> unsuitable for accommodation of a ship
adjective	8	ST	... obavijestiti subjekte koji prekranci teret mogu prihvatiti te prikupiti obavijesti o količinama koje se mogu prihvatiti, brzini prihvaćanja, tehnološkim i financijskim uvjetima prihvaćanja tereta, <i>potrebnim</i> jamstvima, uvjetima i ograničenjima u pogledu čuvanja i skladištenja tereta, te o vremenu spremnosti.
non-finite		TT	... notify subjects who can accept unloaded cargo and collect information on quantities which may be accepted, rate of acceptance, technological and financial conditions of acceptance of the cargo, <i>required</i> guarantees, conditions and limitations in relation to securing and storage of car-

			go and the time of readiness.
<i>moći + inf.</i>	5	ST	Zahtjev za dodjelom mjesta zakloništa <i>može uputiti</i> i lučki kapetan nadležne lučke kapetanije ...
<i>be passive + agent</i>		TT	The request for granting a place of refuge <i>may also be sent by</i> the harbourmaster of the responsible harbourmaster's office ...
noun / pronoun + <i>be + moguće + inf.</i>	4	ST	... brod <i>može</i> samostalno kretati svojim porivom ili <i>ga je moguće dotegnuti</i> u razumnom vremenu do mjesta nasukanja.
<i>be passive</i>		TT	...the ship can sail under its own propulsion or it <i>may be towed</i> within a reasonable time period to the place of running aground.
other	1	ST	... gospodarskih i drugih subjekata.
non-finite		TT	... commercial and other subjects <i>included</i> .
Total	97		

Table 8. Different categories from the ST translated into passives in the TT.

3.2. Thematic structure analysis

The tables below summarise the thematic structures in declarative clauses in the ST and TT. As previously stated, we did not analyse textual structure across the whole text but restricted the analysis to the thematic structure in the extracted passive sentences. A total of 100 clauses in the ST and 139 clauses in the TT were analysed. The analysis of the ST produced the findings displayed in Table 9. In the typical, unmarked case the nominalisation functioned as the Theme (69 instances in total), while an adverbial group (a total of 29) and a prepositional phrase (two in all) exemplified the marked Theme.

Thematic structure	No of examples	Selected example
nominal group	68	<i>Agent</i> je pravna ili fizička osoba <i>ovlaštena</i> ili <i>opunomoćena</i> da dostavi podatke u ime poslovođe broda.
adverbial group	29	<i>Kada god je to moguće</i> , početna procjena okolnosti <i>potvrđuje se</i> nalazom i mišljenjem stručne skupine.
prepositional phrase	3	<i>Na mjestu zakloništa</i> brod <i>može biti smješten</i> sidrenjem u zaštićenom priobalnom području, uz <i>izgrađenu</i> obalu ili nasukavanjem na žal.
Total	100	

Table 9. Distribution of the thematic structure in the ST.

Table 10 illustrates the distribution of thematic structure in the TT. The nominal group became the unmarked Theme in 97 instances in comparison with the adverbial group as the marked Theme in 40 instances and the prepositional phrase occurring only twice.

Thematic structure	No of examples	Selected example
Nominal group	97	<i>A place of refuge</i> means a port, part of a port or sheltered pier or anchorage or other sheltered area which <i>is listed</i> as such in chapter 5 of this Plan.
Adverbial group	40	<i>After implementing the basic procedure</i> , a multi-criteria analysis of available places of refuge <i>may be conducted</i>
Prepositional phrase	2	<i>In places of refuge</i> the ship <i>may be accommodated</i> by anchoring in a sheltered coastal area, alongside a port structure or by running aground on a beach.
Total	139	

Table 10. Distribution of the thematic structure in the TT.

Thematic pattern	No of examples	Source/target text	Selected example
nominal group	16	ST	<i>Agent</i> je pravna ili fizička osoba <i>ovlaštena</i> ili <i>opunomoćena</i> da dostavi podatke u ime poslovođe broda
		TT	<i>An agent</i> is a legal or natural person <i>authorised</i> or <i>given</i> the power of attorney to forward data on behalf of the ship manager.
adverbial group	7	ST	<i>Ako ni nakon primjene načela navedenih u točkama (11) i (12) nije moguće dati prednost jednom mjestu</i> tada valja sva <i>razmotrena</i> mjesta predložiti kao mjesta zakloništa.
		TT	<i>If after applying the principles listed in items (11) and (12)</i> it is still not possible to give precedence to one location then all the <i>considered</i> places should be proposed as places of refuge.
prepositional phrase	1	ST	<i>U tom pogledu preuzeta</i> je obveza usklađivanja pravnog sustava Republike Hrvatske sa pravnim sustavom Unije.
		TT	<i>In this respect</i> , the obligation of aligning the legal system of the Republic of Croatia with the <i>acquis communautaire</i> <i>was adopted</i> .
Total	24		

Table 11. No change in the grammatical and no change in the thematic structure.

Table 11 presents the default case: the passive/passive-like form and the thematic structure were maintained in the TT. The default case was kept in 24 cases in translation from the ST into the TT. The Theme and the subject conflated in 16, the marked alternative (an adverbial group and a prepositional phrase) was noticed in eight instances.

The most notable differences are shown in Table 12. Sixty-eight examples demonstrated a change in the grammatical (passive and passive-like) structure in translation but no alteration to the thematic structure. We found 49 unmarked and 19 marked Themes.

Thematic structure	No of examples	Source/target text	Selected example
nominal group	49	ST	<i>Kompanija</i> je kompanija kako <i>je određena</i> Pravilom 1(2), Poglavlja IX SOLAS konvencije
		TT	<i>A company</i> is the company as <i>defined</i> by Rule 1 (2), Chapter IX of the SOLAS Convention.
adverbial group	18	ST	<i>Nakon provedbe osnovnog postupka može se provesti</i> multikriterijalna analiza raspoloživih mjesta zakloništa.
		TT	<i>After implementing the basic procedure</i> , a multi-criteria analysis of available places of refuge <i>may be conducted</i> .
prepositional phrase	1	ST	<i>Na mjestu zakloništa</i> brod <i>može biti smješten</i> sidrenjem u zaštićenom priobalnom području, <i>uz izgrađenu</i> obalu ili nasukavanjem na žal.
		TT	<i>In places of refuge</i> the ship <i>may be accommodated</i> by anchoring in a sheltered coastal area, alongside a port structure or by running aground on a beach.
Total	68		

Table 12. A change in the grammatical and no change in the thematic structure.

The findings in Tables 13 and 14 present trends in translation that are not statistically significant, but are interesting in the frequency and hypotheses aspect. There was a single occurrence of no change in grammatical (passive and passive-like) and a change in thematic structure (See Table 13). The change in the thematic structure does not respect the ST arrangement of information and thematic prominence.

Thematic structure	No of examples	Source/target text	Selected example
prepositional phrase	1	ST	<i>O tijeku pružanja pomoći</i> dežurni službenik dužan je voditi zabilješke na <i>propisanim</i> obrascu (Dnevnik pomaganja).
nominal group		TT	<i>The on-duty officer of the RCC</i> shall keep records during the course of providing assistance on the <i>stipulated</i> form (Activity Logbook).
Total	1		

Table 13. No change in the grammatical and a change in the thematic structure.

A change in the passive/passive-like formation and a change in thematic structure in translation are shown in Table 14.

Thematic structure	No of examples	Source/target text	Selected example
nominal group	3	ST	Prijem zahtjeva za dodjelom mjesta zakloništa Nacionalna središnjica dužna je potvrditi brodu <i>od kojeg je zahtjev zaprimljen</i> .
nominal group		TT	The RCC shall confirm the request for granting of a place of refuge to a ship from which the application <i>was received</i> .
nominal group	2	ST	Stručna skupina <i>se</i> na brod <i>prevozi</i> u pravilu korištenjem helikoptera.
adverbial group		TT	As a rule the inspection team <i>is transported</i> to the ship using a helicopter.
nominal group	1	ST	Mogućim mjestima zakloništa, pored onih prethodno navedenih <i>smatraju se</i> i sva prikladna mjesta u njihovoj neposrednoj blizini koja u pojedinom slučaju mogu pružiti veću razinu sigurnosti broda odnosno zaštite okoliša.
prepositional phrase		TT	Aside from those <i>listed</i> earlier, all suitable places in their immediate vicinity, which in individual cases may provide a greater level of safety to the ship or environmental protection, <i>shall also be considered</i> as potential places of refuge.
Total	6		

Table 14. A change in the grammatical and a change in the thematic structure.

3.2.1. *Distinctive cases*

Tables 15 and 16 account for different behaviours concerning the correlation between the change of voice and the change in the thematic structure in translation. The analysis demonstrated 38 distinctive cases (See Table 15). The most interesting were those where an active in the ST was translated into the *be* passive, and where the impersonal structure (Cro.) *valja / treba* + infinitive was translated into the *be* passive. No change in the thematic structure resulted from translation.

Construction	No of examples	Source/target text	Selected example
<i>valja / treba</i> + inf.	19	ST	U pogledu sastava dna odgovarajućim <i>valja smatrati</i> pješčana odnosno muljevita dna.
<i>be</i> passive		TT	In regard to the composition of the sea bed, sandy or muddy sea beds <i>shall be considered</i> suitable.
active	13	ST	Ako je takav zahtjev <i>uputio</i> brod hrvatske državne pripadnosti dežurni službenik Nacionalne središnjice dužan je pratiti razvoj događaja sve do trenutka okončanja prijetnje.
<i>be</i> passive		TT	If such request <i>has been sent</i> from a Croatian ship, the on-duty officer of the RCC shall supervise the development of the event until the threat ceased to exist.
<i>biti</i> + <i>moгуće</i> + inf.	3	ST	... ako to ni na koji drugi način <i>nije moguće izbjeći</i> .
<i>be</i> passive		TT	... if this <i>cannot be avoided</i> in any other manner.
noun/noun phrase	3	ST	Stručna skupina ili pojedini njezini članovi mogu ostati na brodu i tijekom pružanja pomoći odnosno <i>do trenutka otklanjanja</i> prijetnje.
<i>be</i> passive		TT	An inspection team or its members may stay on board the ship while providing assistance, that is, until the moment the threat <i>has been eliminated</i> .
Total	38		

Table 15. A mixture of constructions translated into the *be* passive – no change in the thematic structure.

Table 16 displays the case where the passive voice in the TT recaptured the thematic structure from the ST. The changed word order in the ST (O + V + S)

was retained as the direct object was kept foregrounded by passivisation in the TT.

Voice	No of examples	Source/target text	Selected example
active	24	ST	<i>Popis sredstava i opreme za ograničavanje i uklanjanje onečišćenja ažurira rukovoditelj Nacionalne središnjice.</i>
passive (<i>be</i> passive + agent)		TT	<i>The list of resources and equipment for control and removal of pollution is updated by the head of the RCC.</i>
Total	24		

Table 16. Active sentences with a changed WO translated into passive - no change in the thematic structure.

4. Discussion

In the study we focused on the change or retention of the grammatical (*passive and passive-like*) and thematic structures in translation. To our knowledge, there is no study of grammatical or thematic structure of Croatian and English pair texts. The literature review has largely revealed analyses of parallel texts in English and Chinese (for example: Ghadessy and Gao 2001; Halliday 1994) or Spanish and English (Varela Perez 1999; Colina 1997). The predictive assertion that the passive voice is more common in English than in Croatian is confirmed by 345 isolated examples of passive and passive-like formations in the TT in comparison with 238 examples found in the ST (See Tables 2 and 3). The present paper has attempted to account for the prevailing bias and has used a detailed analysis of the passive and passive-like constructions in the parallel texts as the basis for their demarcation.

A prime example of such a bias is shown in Table 3. It gives evidence that the *be* passive is the most frequent type of passive in the TT (157 out of 354 instances), the structure that can be considered as the norm for English passives (Carter & McCarthy 2006). *Se* passive, however, is the most common construction with the passive meaning in the ST (88 out of 238 isolated examples, see Table 2) and, in the majority of instances (62 out of 70), it is translated into the *be* passive in the TT (See Table 6). It is also the most salient difference between both texts as the *se* passive has no equivalent in English. We would like to argue that both formations are the result of the demotion of the agent. The results of this study are in line with Colina's (1997) contrastive discourse analysis of the

textual functions of the passive in English and Spanish. She reports that “agentless” passives are normally rendered as *se* passives in Spanish. On different ground, the results are also consistent with Ham’s (1990) assertion that “agentless” passive is far more widespread as the agent sometimes goes unnoticed because it is not always expressed in the well-known “by-phrase.”

Unsurprisingly, due to the text genre and stylistic reasons, a great number of Croatian original passives/passive-like forms (92) are translated into unchanged passive/passive-like constructions. The demoted agent marked by the preposition *by* is only found in two (the *be* passive + agent) and ten (non-finite verb + agent) cases respectively (See Table 4). In addition to unchanged forms in passive-to-passive translation, there is a number of translation patterns and categories with a mixture of constructions, still within passive-to-passive translation. What is commonly found in the analysis of the cases where passives from the ST are translated into different categories in the TT, or where different categories in the ST are translated into the *be* passive and the *be* passive + agent, is that the passive vs. active ratio increases significantly in translation from the ST into the TT (See Tables 7 and 8). Also, the verbs (Cro.) *treba/valja* + infinitive are always translated as the *be* passive. All the evidence reflects a strong bias in favour of the active (ST) to passive (TT) pattern of translation.

In the study we also investigated another area, the thematic pattern in extracted passive sentences in the ST and the TT. The hypotheses concern the relation between changes in the grammatical (passive and passive-like) and thematic structure in translation. It is widely accepted that the thematic analysis helps translators become aware of how the text guides a reader. Let us reiterate that understanding the thematic structure and recognising what unmarked or marked structure is can raise awareness of meaningful choices and help decide whether it is appropriate to translate using an unmarked or a marked form (Baker 1992).

The overall results of this study imply what is happening in translation of the type of texts and what kind of changes are brought about. The distribution of Themes across both texts and the analysis of the thematic structure of passive sentences show that the Theme consists of nominal elements in the majority of cases: 69 in the ST and 97 in the TT, (forming an unmarked Theme); and 31 adverbial and prepositional phrase occurrences in the ST and 42 in the TT (forming marked Themes) (See Tables 9 and 10).

Although Croatian syntactic organisation is more flexible than English, the basic word order in English can be preserved in Croatian with no difficulty. The tendency that the default case with no changes in grammatical (passive and pas-

sive-like) or in thematic structure is common in translation confirms the first hypothesis. It assumes that *there is no change in grammatical and no change in thematic structure* (See Table 11). The unmarked Theme is characterised by the choice of the thematic element which means that the Theme and the subject conflate. Apparently, the translation follows the grammatical and thematic structure of the ST. This is in line with Ghadessy and Gao (2001) who studied similarities and differences between the English and Chinese Themes in small corpora. Their findings showed that, in spite of significant differences in clause numbers and some Theme types, the data from the two parallel texts were similar in terms of selected thematic features and Theme pattern.

The results shown in Table 12 confirm the second hypothesis. It predicts that *there is a change in grammatical and no change in thematic structure* in translation. The change in grammatical structure only concerns the *type* of passive/passive-like construction. Judging by the results and the two confirmed hypotheses we could say that what was written in Croatian can be directly transferred in English. But this is not the case. Croatian has characteristics that present a problem for a direct transfer of what has been put forward in English. We, however, believe that what is being achieved by means of translation in the analysed text is the intention to (re)produce the desired legal effect already observed in the ST. The passive voice is common in written legal discourse since it is often felt necessary to shift the focus from a human agent to the action or process. In particular, foregrounding the agent in such a process is considered to be inappropriate Theme.

The fact that there is only one case supporting the third hypothesis which assumes that *there is no change in grammatical and there is a change in thematic structure* (Table 13), and that there are five instances to support the fourth hypothesis that *there is a change in grammatical and a change in thematic structure* (Table 14), suggests that these correlations are either not as frequent as thought or at least are not frequent in legislative texts. Apparently, the findings present cases in translation that may not be statistically relevant, and cannot thus be made the basis for conclusion, but are still interesting in the process of translation aspect. But this may also indicate the translator's personal choice as to which piece of information shall come first in the sentence in order to make it flow "naturally and smoothly" (Baker 1992: 172).

Especially interesting are the results shown in Tables 15 and 16. They account for different behaviours concerning the correlation between the change of voice and the change in the thematic structure in translation. The analysis highlights 38 distinctive cases (see Table 15). The most interesting are those where an active verb in the ST is translated into the *be* passive, and where the impersonal

structure (Cro.) *valja/treba* + infinitive is translated into the *be* passive. We would expect that a change in the voice triggered a thematic shift. Contrary to our expectations, no change in the thematic structure is brought about. Impersonal constructions like *valja/treba* + infinitive are used simply to hedge a message. The message is thus hedged by the use of impersonal *valja/treba* + infinitive construction in the ST and the *be* passive in the TT. Both enable the author and translator to avoid a direct commitment to a legislative act which active voice may create.

Table 16 displays the case where the passive voice in the TT recaptures the thematic structure from the ST. The changed word order in the ST (O + V + S) is retained in the TT as the object is shifted to the initial position and changed into a grammatical subject, and therefore unmarked Theme. The topicalisation of the object can occur in declarative sentences when the preceding context paves the way for it (Hiltunen 1990: 42). And to refer back to Halliday (1994: 169) “by thematising the Medium and not the Agent” in legislative texts, the regulations are given prominence and power. In another research project, with English as the ST, Colina (1997) reported that when the passive was used as a way to maintain thematic continuity by placing the object in the Theme position, it was often translated into Spanish by an active form with a change of word order.

As we have already stated, some linguists claim that to passivise a sentence or a clause inevitably results in changing thematic structure of the sentence / clause: the object becomes the Theme whereas the subject takes on rhematic features (Ham 1990). Our study offers results that indicate trends in translation of legislative texts, where the object is already focalised via passivisation in the ST and consequently gets to be the unmarked Theme. We believe this is because of the character of the legislative text, of the *text* as a “language that is functional”, a text that is approached with reference to the context of situation, to the context “in which a text unfolds” (Halliday 1994: 5-10).

5. Conclusion

In this study we explored grammatical (*passive and passive-like*) and thematic structures in Croatian and English on the basis of small corpus - two parallel texts. General presumption is that passive voice is more frequently used in English than in Croatian. Comparing the two texts it may be concluded that this presumption reflects the real state of affairs. If the two analysed texts are representatives of the writing and translation styles in the field, it would seem that in legislative text, the passive verb construction occurs much less frequently in Croatian texts than in English.

The results of the study indicate that a) the *se* passive is the most frequent construction with the passive meaning in Croatian, and in the majority of cases it is translated by “agentless” *be* passive in English, b) the *be* passive is confirmed as the typical passive in English, c) a change in the grammatical structure does not always trigger a change in the thematic structure in translation. In a significant number of cases it is word order that shows the function of thematic shift and not the passive.

Throughout the study it was unexpectedly difficult to identify the unique properties of the Theme and the passive, and establish the relationship between the passive and other similar constructions. Although the study was restricted to the analyses of the passive/passive-like forms in the Croatian and English pair texts, none of the established features of the passive, for example: the correlation of the passive subject to an active object, the *be*-passive (+ agent) or the *se* passive, represents the passive voice uniquely or completely. This makes this and future research interesting. In addition, all those engaged in translation need to get the message across that the thematic structure in translation, as long as the translated text unfolds easily, should be respected. It is a valuable aid to assess whether a translation is good or not.

5.1. Practical implications of the study

The study has highlighted some issues in translation. The results demonstrate that profound understanding of a text and its grammatical and thematic structure would help translators in understanding what they need to do when they translate a text so that it reads “naturally and smoothly” (Baker 1992: 172). Baker (1992: 2-4) also bolsters more formal academic training of translators as they “need to develop an ability to stand back and reflect on what they do and how they do it.” The same approach is advocated by Colina (1997: 128) who underlines the need for a more influential role of linguistics in translation and emphasises the benefits of knowledge of linguistics and discourse analysis for the translator. We would like to end this section with direct reference to legal translators who “must be able to use language effectively to express legal actions that achieve the desired legal effects” (Šarčević 2000: 9).

5.2. Directions for future research

The results of the study bear out the need and space for further research. For example, the data accumulated in this study could be further exploited to inves-

tigate the use of cohesion devices in the ST and TT. Apart from the study of passive-like constructions, verbal and adjectival passives, further analysis of grammatical and semantic similarities and differences in the use of modal auxiliaries in the source language (Croatian) and the corresponding translation (English) would also be interesting.

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PASIVI I KONSTRUKCIJE SLIČNE PASIVU U PRIJEVODU HRVATSKOG PRAVNOG TEKSTA NA ENGLISKI

Ovaj se rad temelji na analizi hrvatsko-engleskih parova pasivnih rečenica izdvojenih iz dvaju paralelnih pravnih tekstova od ukupno 23.140 riječi. Time se željela odrediti učestalost pasiva i konstrukcija sličnih pasivu u pisanom pravnom diskursu, utvrditi je li tijekom prevođenja došlo do promjena u njihovoj strukturi te je li to imalo utjecaja na tematsku strukturu rečenica.

Prvi korak bio je izdvojiti sve pasive i konstrukcije slične pasivu te razvrstati ih u unaprijed određene kategorije. Nadalje, bilo je potrebno izdvojiti pasivne rečenice iz oba teksta, odrediti im temu i utvrditi koji je elementi tvore te kojem tipu pripada. Kao posljednji korak analize uspoređivali su se parovi pasivnih rečenica kako bi se utvrdio odnos između gramatičke (pasivne i pasivu slične) i tematske strukture.

Rezultati potvrđuju uvriježeno mišljenje da su pasivne i pasivu slične konstrukcije češće u engleskom nego u hrvatskom jeziku, posebice kada je riječ o perifrastičnom pasivu. U hrvatskom je tekstu najčešći pasiv tvoren ličnim glagolskim oblikom i česticom *se*. Zanimljiv je i podatak da se taj pasivni oblik na engleski najčešće prevodi kao perifrastični pasiv. Što se tiče tematske strukture, najučestalijom se pokazala nominalna tema koja se podudara sa subjektom rečenice. Utvrđivanje odnosa između spomenute gramatičke i tematske strukture pokazalo je da unatoč tome što je u najvećem broju slučajeva došlo do promjene gramatičkoj strukturi, to nije rezultiralo promjenom teme. To se može pripisati činjenici da je već u izvornom hrvatskom tekstu došlo do promjene uobičajenog reda riječi u rečenici čime je u velikom broju slučajeva objekt postavljen na početno mjesto preuzeo ulogu subjekta na gramatičkoj i teme na obavijesnoj razini.

Dobiveni podaci ukazuju na važnost daljnjeg propitivanja i razumijevanja teme u prevođenju. Naime, postavlja se pitanje koliko je važno prilikom prevođenja poštovati ono što autor teksta postavi kao ishodište/polazište rečenice. Osim toga, nameće se i problematika „prirodnog“ jezika kroz različite diskurse, odnosno koliko se unutar pojedinog diskursa (u ovom slučaju pravnog) može i smije udaljiti od onoga što govornici prepoznaju kao „svoj“, „prirodni“ jezik.

Ključne riječi: prijevod; pasiv i pasivu sličan; tematska struktura; pravni diskurs.