THE TRANSLATION OF "COPYRIGHT FOR LIBRARIANS" INTO ROMANIAN: DIFFICULTIES ENCOUNTERED BY UNDERGRADUATE STUDENTS

Rodica CARAGIA

Universitatea de Stat din Moldova

This article emphasis the problems and constrains encountered by undergraduate students, at translating specialized texts. It shares the experience of supervising the traslation from English into Romanian of "Copyright for Librarians: an online open curriculum in copyright law" - a great example of inter-disciplinary co-operation. The students from the Department of Translation, Interpretation and Applied Linguistics, Modova State University, performed this activity during their graduation internship. Of course, ideally, a would-be translator has to specialise in a certain subject field and develop his/her translation skills and professional knowledge in that particular domain. But, in reality, especially in our country and in other countries with a small translation market and a big competition, translators have to be multidisciplinary. During their undergraduate studies we suggest practical translation courses in different domains such as economics, law, socio-political domain. But, it is impossible to cover all the domains. There are also courses in the initiation into specialised translation, terminology, in order to guide students in their professional activity, but still there are many problems and challenges the students have to deal with.

Keywords: *undergraduate cycle, specialised translation, translation competence, difficulty of translation, librarian terminology, copyright terminology.*

TRADUCEREA CURRICULUMULUI „DREPTUL DE AUTOR PENTRU BIBLIOTECARI": DIFICULTĂŢILE ÎNTÂMPINATE DE STUDENŢII DE LA NIVELUL LICENŢĂ

Articolul prezintă unele dificultăţi cu care se confruntă studenţii de la nivelul licenţă în efectuarea traducerilor specializate. Observaţiile sunt bazate pe experienţa de coordonare a traducerii din limba engleză în limba română a curriculumului online „Dreptul de autor pentru bibliotecari" în cadrul practicii de absolvire. Beneficiile susţinerii acestui demers au fost destul de avantajoase pentru studenţi, fiind oferită posibilitatea exersării şi îmbunătăţirii cunoştinţelor şi abilităţilor de traducere în domenii precum biblioteconomie şi drept. În mod ideal, un traducător ar trebui să se specializeze într-un domeniu, însă realitatea din ţara noastră – piaţă mică de traducere, concurenţă mare – cere ca un traducător să fie multidisciplinar. Deşi programul de studii include cursuri practice de traducere specializată în domeniul economic, juridic, sociopolitic, analiza textelor specializate, precum şi cursuri teoretice de terminologie şi traductologie, studenţii de la nivel licenţă întâmpină multe dificultăţi la traducerea textelor specializate.

Cuvinte-cheie: *nivel licenţă, traducere specializată, competenţă de traducere, dificultate de traducere, biblioteconomie, drept de autor.*

Introduction

Specialised translation poses a lot of challenges and problems both for the student and the teacher.

The objectives of the paper are to present the definition and peculiarities of specialised translation, as well as the competences needed for translating a specialized text; to make an overview of the specialised translation courses at the undergraduate level at the Department of Translation, Interpretation and Applied Linguistics, Modova State University; to identify the problems faced by undergraduate students (especially during their internships); to present some solutions.

The definition of specialised translation is not an easy task. Of course, ideally, the translator should specialise in a certain subject field and develop his/her translation skills and professional knowledge in that particular domain. But, in reality, especially in our country and in other countries with a small translation market and a big competition, translators have to be multidisciplinary and to possess the necessary competences and means for providing a quality translation.

Overview on the Program of Study

The program of study at the Chair of Translation, Interpreretation and Applied Linguistics includes practical courses of written translation, specialised text analysis and theoretical courses on Terminology, Translation Studies during which our students aquire the necessary knowledge and develop the necessary competences for translating different types of texts. Besides, there are also consecutive interpreting classes in the field of economics/business, legal terminology, socio-political field, etc. Even if the range of topics and

subject fields covered is wide enough, one cannot manage to treat all the specialised domains. Besides, the number of classes dedicated to each domain permit only the initiation into the domain and not its thourough analysis and undestanding. Thus, the more specialised and specific the text, the more difficulties the students will have to deal with.

The program of study also includes an initial internship (second year, two two-week internships) and a graduate internship (six week internship). The graduate internship is held in various institutions, such as translation agencies, non-governmental organisations, international projects, etc. The undergraduate students have to translate/interpret a wide range of documents depending on the sphere of activity of the institution. Thus, we cannot speak of a specialisation in a domain, but of adjustment to the market needs. Accordingly, the undergradute students may have to translate/interpret in domains which were not covered during classes: probation terminology, librarian terminology, criminal law terminilogy or to provide administrative translation, commercial/business translation (correspondence, company accounts, tender documents, reports, etc.), medical translation, technical translation, etc.

Our objective, as teachers of translation, is to provide our students with the necessary skills and competences to make them competitive in the translation market. By competences we mean demonstrated abilities to apply knowledge and skills. Theory of translation presents various taxonomies and competences in specialised translation. The European Standard EN 15038 Translation Services – Service Requirements defines and describes the translation process, sets the standards for a quality translation, specifies the professional competences of each of the participants in the translation process, mainly translators, reviewers, revisers and proofreaders, and it also includes the competences for a translator.

According to the paragraph 3.2.2 of the European Standard, translators shall have at least the following competences [3-6]:

a) *Translating competence* which comprises the ability to translate texts to the required level. It includes the ability to assess the problems of text comprehension and text production as well as to produce a text that is in accordance with the rules of the linguistic system of the target language and that meets the instructions received in the project assignment.

b) *Linguistic and textual competence* in the SL and the TT which includes the ability to understand the SL and mastery of the TL. Textual competence requires knowledge of text type conventions […], and includes the ability to apply this knowledge when producing texts.

c) *Research competence, information acquisition and processing* which includes the ability to efficiently acquire the additional linguistic and specialised knowledge necessary to understand the ST and to produce the TT.

d) *Cultural competence* which includes the ability to make use of information on the locale, behavioural standards and value systems that characterise the source and target cultures.

e) *Technical competence* which comprises the abilities and skills required for the professional preparation and production of translations.

Throughout the process the translator shall pay attention to the terminology; grammar: syntax, spelling, punctuation, orthotypography, diacritical marks; lexis: lexical cohesion and phraseology; style: compliance with the proprietary or client style guide, including register and language variants; local conventions and regional standards [5].

Copyright for Librarians

"Copyright for Librarians" is a joint project of the Berkman Center for Internet & Society and Electronic Information for Libraries (EIFL) network of library consortia in 50 countries in Africa, Asia and Europe. The goal of the project was to provide librarians in developing and transitional countries information concerning copyright law. More specifically, it aspires to inform librarians concerning: copyright law in general; the aspects of copyright law that most affect libraries; how librarians in the future could most effectively participate in the processes by which copyright law is interpreted and shaped.

Our participation included translation of the online open curriculum in copyright law into Romanian. The curriculum was launched in 2012 in Moldova. It forms part of the "Legal Framework for Libraries Course" in the Bachelor's degree programme and the "Digital Libraries and Copyright Issues Course" in the Masters programme at Moldova State University. For carrying out the project the source text was distributed among seven students who performed the translation as a task for their graduation internship. Each student had to translate approximately 30 pages (1800 signs per page). The translation activity was conducted based on

European Standard on Quality Translation which states that the quality is guaranteed not by the translation, but by the fact of the translation being reviewed by a person other than the translator (paragraph 5.4). The basic requirements for a translator, according the European Standard are the translation and checking. The Standard states "A translator with the appropriate competences translates the documents and after finalising the initial translation, checks his/her own work" [5]. Then, a person other than the translator shall review the translation. The standard defines review as "examining a translation for its suitability for the agreed purpose, and respect for the conventions of the domain to which it belongs and recommending corrective measures" [5].

Thus, the translation of "Copyright for Librarians" followed these requirements. The translation was rendered and checked by the students, then it was reviewed and revised by me, as a supervisor of this activity, and later a final verification was conducted by a professional editor and a specialist in copyright law. Their conclusion was that the translation was of a very good quality and few corrections were made.

But what initially was expected to be an ordinary translation activity, turned out a real challenge!

Problems Encountered in Translation

"Copyright for Libraians" is a specialized text. The biggest difficulty was that it included different types of terminology which, generally, do not constitute part of the background knowledge of the third year students and which do not commonly represent a topic of interest to non-specialists. Even in the documentation process, the students had to turn to various sources: manuals on copyright, and other specialized texts that were not quite easy to find, especially in their native language, Romanian. In the process of translation of this type of texts it is necessary to make sure that the information, the concepts, the terms in the target text correspond to those in the source text. The source text contained terms and concepts from copyright terminology: *work, derivative work, collective work, blanket license, copyright holder, neighboring rights,* etc.; librarian terminology: *library trustee, patron*, etc.; legal terminology: *jurisdiction, circumvention, copyright, common law, commons, counterfeiting, (actual/statutory) damage, infringer,* and many others.

As for the difficulties encountered in the process of translation, after having analysed the submitted translations, few mistakes were identified at the cultural level (register), some mistakes at the pragmatical level (errors that affect the meaning of the text). The majority of mistakes were at the linguistic level. Many corrections were made as regards the structure of the sentences: subject-predicate agreement, noun-adjective agreement, usage of prepositions, collocations, adjustment of the words to the text register.

Handling terms constitutes a major difficulty when dealing with a specialized text. It is quite difficult to find an equivalent to an abstract term, from a domain you do not know very well. These type of terms constitute the basis of the "Copyright for Librarians". A term that caused many problems and that ignited discussions and additional documentation was *Creative Commons*, in other contexts only *Commons*, rendered into Romanian through concretisation *licenţa Creative Commons / licenţele platformelor Creative* and which were, in some cases mistakenly confused with the legal term *commons* (referring to goods) which is rendered into Romanian by *bunuri comune*.

Another problem in rendering terms is represented by terms which have different equivalents depending upon the domain used: for example the term *infringer* (a person who breaks the law) has several equivalents in Romanian depending upon the domain of law: in criminal law – *infractor*, in administrative law – *contravenient*, etc. Thus, the equivalent *inculpat*, the student opted for is a wrong one, because it refers to criminal law and means the accused person. The correct equivalent is *contravenient*.

Another difficulty is represented by terms created from general language through the process of terminologisation. Thus, a general language word acquires a terminological designation. For example, the term *work* from copyright terminology, together with its collocations *derivative work*, *collective work* or the terms *neighboring rights, copyright holder* were *neighboring* and *holder* acquire terminological value. Thus, *work* is not rendered as lucru, but *operă* and the equivalents for *derivative work*, *collective work* are *operă derivată* and *operă colectivă*, respectively. Whereas the equivalent of *neighboring rights* is the term *drepturi conexe,* as for *copyright holder – titular a dreptului de autor*.

Some terms were rendered by including English elements in their structure This strategy was mostly applied in cases dealing with abbreviations (further in the text only the abbreviation had to be used): *utilizarea în scopuri necomerciale (NC - Non-Commercial), fără drept de a crea opere derivate (ND - Non Derivative), Legea HADOPI (High Authority for Copyright Protection and Dissemination of Works on the Internet)* or with concepts which lack in the target language: *licenţa globală (de tip „blanket"), licenţa de utilizare a paginilor web de tip „browsewrap", licenţă de tip „clickwrap", licenţa Creative Commons* and some other examples.

One should perform a very thorough documentation, information and research process in order to be able to find the right solutions to these difficulties.

Attributive groups represent a widely spread grammatical phenomenon in the English specialized discourse. They constitute a cluster of nouns, adjectives and participles which function together as a noun. These phrases concentrate the information by reducing the number of words and changing their position in the sentence, providing thus short expressions for complex ideas – that is why they are a vital resource in scientific and technical texts. Here are some examples of attributive groups: *effective community-based cultural conservation; American Library Association ("ALA") Code of Ethics; Anti-Counterfeiting Trade Agreement ("ACTA") Proposal; Compulsory Collective Management; Technological Protection Measures*, etc. The list of examples can be very long.

These types of groups are peculiar to the English language, because English is an analytic language, in comparison with Romanian which tends to place attributes postnominally by using prepositions and other subordinate items. The major factors for using attributive groups are: the need for conciseness, the lack of space, the need to conform to the type of text.

The comprehension and the translation of highly complex attributive constructions with a high degree of ambiguity make up, undoubtedly, a very difficult task. In order to understand properly their meaning one should split them up and understand how every element is added. Thus the attributive group: *effective community-based cultural conservation* is rendered into Romanian as *protejarea eficientă a tezaurului cultural în cadrul comunităţii*.

The major mistake made by some students was the failure to identify the head word in an attributive group (which is the last word from the cluster). Thus, the attributive group *American Library Association ("ALA") Code of Ethics* was mistakenly translated as *Asociaţia Bibliotecarilor din America ("ALA") Codul Etic* instead of *Codul deontologic al Asociaţiei Bibliotecarilor din America ("ALA")*. This attributive group is a complex one, made up from two attributive groups: *American Library Association* and *Code of Ethics*. The student did not correctly identify the elements of the group and provided a wrong translation.

False friends represent another trap for student. These are words having the same or similar form in the source and target languages, but having a different meaning. They are often called deceptive cognates [4-190], because their meanings are different and they can easily confuse the target text receptor. The formal similarity is usually the result of the two words having the common origin, mainly derived from Romance languages. Thus, *contributors* should be rendered as *autori* and not as *contribuţii* or *colaboratori*, *clan groups* means *reprezentanţii triburilor* and not *clanuri de comunităţi*; *the Sto:lo Nation* is *populaţia Sto:lo*; *artist* should be rendered as *pictor*; *effective* should be rendered as *eficient* and not *efectiv*; *privacy issues* has the equivalent *probleme privind confidenţialitatea*; *economic benefit* should be rendered *profit material*; the equivalent of *academics* is *cadre universitare* and not *academicieni*; *patron* means *utilizator*; etc.

Conclusions

This paper has tried to identify the major translation mistakes made by undergarduate students in the process of rendering specialised texts.

After having performed the review and correction of the students translation the general conclusion is that the translation of such texts is extremely difficult, especially for students from the undergraduate level who lack practical experience in the field of translation and do not have sufficient knowledge in the domain to be translated. Nevertheless, from the didactic point of view, the translations were acceptable and did not contain many mistakes that would distort the overall meaning of the text. The major mistakes were at the linguistic level and implied difficulties of rendering terms, false friends, some grammatical structures.

Thus, the would-be translator should pay more attention to the pre-translation process preparation: to find, analyse parallel texts, in order to get familiar with the domain, style. The would-be translator has to understand that translation is a team work activity and that translation implies a continuing professional development and a commitment to life-long learning.

Bibliography:

1. *Copyright for Librarians: the essential handbook.* Berkman Center for Internet and Society, the Netherlands, 2012. 192 p. ISBN 978-90-818360-1-2
2. *Dreptul de autori pentru bibliotecari*, http://cfl.eifl.net/ro/Pagina_principal%C4%83 [accessed on October 2013].
3. *EN 15038 Translation services – Service requirements.* Brussels: European Committee for Standardization, 2006. 17 p.
4. NEWMARK, P. *A Textbook of Translation*. Hertfordshire: Prentice Hall, 1988, 292 p. ISBN 0-13-912593-0.
5. *BS EN-15038 European Quality Standard*, available at: http://qualitystandard.bs.en-15038.com/

Prezentat la 31.10.2014