

Iryna Tersina
Kyiv, Ukraine

A win-win condition in translating skills acquisition

Abstract. *Should translation disappear in business or international tourism with English becoming the global international language of communication, the need of professional translators will always remain to render the regulatory documents or international legal instruments. For instance, in Ukraine, the fast process of European integration when joining the EU leads to a major need of translating the regulatory instruments. It calls for the better quality of the translated texts, translations being as accurate as possible to the original, as well as for the text clarity. It also demands accountability, and ethical approach. This research reflects on the types of conventional translating skills, namely accuracy, accountability, persuasion, credibility behind the translating and interpreting process of legal regulatory instruments, as well as concentrating on aspects and issues of win-win condition in acquiring bilingual translating skills in the era of machine translation growth. However, it has to be emphasized that a fluent bilingual professional has to be also good at persuading listeners to trust him or her, creating neural pathways, preparing carefully for the event, and regularly refining these skills. This research focuses on how these skills (trust, persuasion, ethics) can be applied and what new issues in training translator's skills and competences for future arise.*

Key words: *regulatory legal documents, clarity, accountability, competences, machine translation, win-win condition.*

The problem under discussion. The aim of this paper is to consider the particular aspects of the professional texts translation and the new role of a translator to this end due to the rapid development of cross-cultural relations on the international arena in various professional fields as well as the issue of being ethical in the era of machine translation growth. The recent years failed to conclude the debate on the future role of the translator's profession in the globally changing world, but the main thing clears up — the Translator's job shall not disappear, although the image of this profession shall depend on which hands it appears to be in. What will be there to be translated? That choice mostly will be influenced by the global market. Nowadays, it is politics and political ongoingings that dictate it. Should translation disappear in business with English becoming the global international language of communication, the need of professional translators will always remain to render the international documents. For instance, in Ukraine, the fast process of European integration when joining the EU leads to a major need of translating the regulatory instruments. What is the path to becoming a professional Legal Translator? The essential skills and competences are named in the ESCO classification and debated in numerous studies.

The present paper discusses the ways of and difficulties in acquisition of these skills. However, it has to be emphasized that a fluent bilingual professional has to be also good at persuading listeners to trust him or her, creating neural pathways, preparing carefully for the event, and regularly refining these skills. Although this problem has been partially investigated in theoretical terms, it is difficult to agree that this issue has now been reviewed comprehensively, as the translator faces new difficulties in translating professional texts in various fields.

Analysis of recent research and publications. The problems of professional translation have attracted the attention of many scholars, as evidenced by the significant amount of scientific papers and publications on this topic. With regards to the theoretical background, first of all, we should mention such prominent Ukrainian and foreign translators and linguists as M. Cronin, V. Karaban, T. Kiyak, I. Korunets, T. Roger [1; 2; 3; 4; 5]. The problem of ideology and translation, the problem of ethics in the era of machine translation is fundamentally examined in the works of contemporary linguists as R. Zorivchak, Nijolė Burkšaitienė [6; 7], the problem of studying professional vocabulary is considered in the works of scientists such as G. Miram [8].

The aim of the article is to identify the main features of the professional English texts translation affecting the accuracy and clarity of the translating process, extending knowledge bases in these areas; to analyze the ideology behind the legal language of regulatory instruments concentrating on ethical aspects and trust/persuasion issues; to examine how these skills (trust, persuasion, ethics, ideology) can be trained and applied in actual day-to-day translator's work and what new issues in training translator's skills for future arise. The further task is to seek whether translators and interpreters are a dying breed? Finally, we question what is a win-win condition in the translating practice in the era of machine translation.

Discussion and findings. Should translation disappear in business, IT-sphere, science or international tourism with English becoming the global international language of communication, the need of professional translators will always remain to render the regulatory documents and international legal instruments. For instance, in Ukraine, the fast process of European integration when joining the EU leads to a major need of translating the regulatory instruments. It calls for the better quality of the translated texts, translations being as accurate as possible to the original, as well as for the text clarity. The main thing in translating from a Source Language into a Target Language is a way of rendering accurately the legal concepts. To understand and comprehend the legal documents the trainers are to be aware of principal international regulatory documents, the terminology, the style, contextual meaning of legal concepts. It also demands responsibility, and ethical approach. Drawing on Nijolė Burkšaitienė [7, p. 155–156], Ph.D, is a Professor, researcher and translator, the ethics in translator and interpreter training is hereon moving towards accountability. The speedy development of technologies and their impacts on societies have raised ethical questions in many fields of social life.

With regards to translation as a profession, ethical questions arise on two different levels. The first one is the linguistic level, which presupposes some type of ideal loyalty to the source text. The second one is the level of the control of translation as a profession, which involves codes of ethics regulating the relationships of the translator with other translators and with different stakeholders. The overview of the most recent research shows that in translation as a profession, there has been a shift from the understanding of the concept of ethics of equivalence towards ethics of accountability. This makes accountability for the decisions made by translators and interpreters the central ethical issue in the profession and calls for changes in translator and interpreter training.

Considering the abovementioned, the translator and interpreter institutions shall foster students' awareness of the possible influences that their decisions can make on the society. In translation studies, ideology is often intertwined with negative issues, such as political connotation and purposeful manipulation, but it can also neutrally refer to a set of beliefs held by a particular group and influences the way they behave, as defined by Oxford Dictionary. The issue of ethics is challenging thing in translating medical topics, religion, war affairs. In translating news about wartime in Ukraine the role of translator in the cross-cultural information exchange can not be underestimated and the importance of delivering precise information about it grew tremendously. However, complying with the norms of the traditional code of ethics is not always easy to attain, namely, stay no matter ethically impartial. Having the reason of the abundance of the sensitive content a good professional translator under given circumstances is not only to render the information faithfully, but to harmonise the emotional and psychological well-being of the audience without any offences. A translator as well may alter the sensitive text only with the author's consent.

Translators are responsible for the probable effects of their translations. The trainers in translating shall be aware of trust which can be gained or lost for several different reasons. In translating the context of legal affairs, war or any sensitive topics the manipulation in language may occur bringing the cumbersome implications of ideological clashes. The trouble concerns the rendering of the following English words and word combinations relating legal terminology into Ukrainian: competition law – antitrust law – unfair competition matter – anticompetitive concerted practices; decision – decree – resolution; nationalism; policy – perpetrator – trustee – solicitor ; discussion paper; aggressor state – terrorist state. Drawing on Gunter Grass, “translation is that which transforms everything so that nothing changes” [9].

Practical translation of any texts discloses as a rule a number of challenges to be dealt with by means of various methods and techniques that involve search for target language counterparts that are not simple one-to-one correspondences to be found in the dictionary's entry or belong to parallel grammatical structures.

Pre-reading of the original text is helpful for determining the genre, style, semantic information and illocutionary power. Nevertheless while engaged in the translating process the translator has to choose some definite translational patterns that are dictated by the situation. Certainly, the help of two-language dictionaries is not sufficient for covering the meanings of a great variety of word combinations and lexemes contextual usage that are being actualised in the speech stream.

The language as a phenomenon is a system of phonetic, lexical and grammatical means that functions to express thoughts, senses and wills in people's communications. To our belief, a language as a positive substance could be fixed on material carriers: paper (manuals, dictionaries, grammar books), audio means, etc. A language exists i.e. is being realised in the process of speech, in the speech stream, that is brought into being by a speaker who uses certain lingual means in addressing the community or him/herself.

Speech is more specific, corporeal: it has pure material form of existence: air vibrations, textual material on paper and of course functioning of technical means. For better understanding of the following topics the reader has to discriminate clearly between language and speech since different types of translational counterparts belong to different aspects of communication, either language or speech.

The translational counterpart is one of the principal categories belonging to the translation science for it represents coincidence of formal, semantic and informative significations in the initial and final translation items. One of them substitutes another in the translation process and each one possesses a certain semantic and communicative stability acquired due to their regular usage. Therefore when a target language (TL) item is being constantly used to render a peculiar source language (SL) item the former carries out the functions of the translational counterpart of the latter. In closer studying of typical cases that come across repeatedly one can discern three types of translational counterparts: equivalents, e.i. translational items identical in both SL and TL; variant and contextual counterparts; products of diverse translational transformations.

Contextual counterparts are being used as non-regular, exceptional choices in rendering SL lexical items that could be applied exclusively in the given context. As a matter of fact no dictionary fixes contextual correspondences since they appear in the aftermath of the creative quest of the translator displaying his/her skill and, perhaps, insight. It should be distinguished between repeated and individual or exceptional counterparts. Repeated counterparts are used to render the meaning of a SL item in some sporadic cases and in the aftermath of repeated uses by different translators in similar contexts they could be accepted by lexicographers and after being registered in dictionaries gradually pass onto the category of variants. Individual counterparts remain exclusive choices and in no way enter the dictionaries. Both types appear as the result of translational method that is called contextual replacements.

Types of translation transformations. Despite variations in theoretical approaches, in practice most commonly applied transformations fall into the following categories, classified according to the levels involved: semantic: generalization, concretization, modulation (logical development), lexical: omission, addition, lexico-grammatical: antonymic translation, compensation of losses, grammatical: word order change (transposition), part of speech change (conversion), change of the sentence members, sentence fragmentation (partitioning), sentence integration (combining). These transformations are caused by differences in the grammar and vocabulary of the source language (SL) and target language (TL).

Word order change (transposition) involves changing the order of words in the target text (TT) as compared to the Source text (ST). Typically, an English sentence has a “subject + predicate + (object) + adverbial modifier of place + adverbial modifier of time” word order. A typical Ukrainian sentence would generally have a reverse word order: “adverbial modifier of time + adverbial modifier of place + predicate + subject + (object) + adverbial adjunct”.

Part of speech change (conversion) is a substitution of a word belonging to one part of speech by a word belonging to another part of speech (morphological replacement) or substitution of one syntactical construction by another one (syntactical replacement). Conversion results from the differences in the morphological and syntactic categories and structures of the source and target languages. Typical are verb – noun, adjective – verb, noun – adjective conversions.

Change of the sentence members implies the SL and TL words of the same part of speech performing different functions in the sentence, as a result of differences in the surface structures of the source and target languages.

In translation training to emphasize the importance of combining theoretical fundamentals and practices while delivering written translation courses of socio-political texts may be of the following structure: tasks to speak on the topic of the text; words/terms study which are the stem of the text; key words to understand the parts and whole text; tasks to understand the main idea; tasks to read the text in the following order: word, sentence, paragraph, text; after text tasks include detailed lexical analysis, grammatical difficulties.

Evaluation of the translation may be done on the following principles: communicative pragmatic norms of translation; equivalent norms of translation; absence of contextual, cultural, functional, lexical-grammatical mistakes. Detailed analysis revealed that the requirements of professional translators include knowledge of lexical and grammatical peculiarities of both languages in socio-political sphere; deep understanding of the concepts employed by specialists in particular field and the specialist terms used to express these concepts and their relationships in the source and target languages.

Conclusions. Internet technologies, cloud computing, and artificial intelligence – these and other achievements of humanity at the beginning of the 21st century have become a new vector for the world society's development. They not only improve general well-being by facilitating everyday operations but also assist most occupations in performing activities more efficiently. However, if company managers can exploit the Internet to optimize the company's activities, then for some jobs, technologies may threaten their extinction. In this light, the question occurs about the relevance and future of interpreters.

Are translators and interpreters a dying breed?

Drawing on pros and cons of technologies, so what is the future role of man in this race, and may it be a win-win condition? Starting with the advantages of ordinary online translators, which each of us employs, first of all, it is about speed. A professional requires time to perform a reliable and accurate translation, especially if it concerns legal document interpretation. Machine translation performs the stuff almost instantly. Secondly, the cost. Interpreters' services are expensive, unlike most free online translators from all kinds of corporations. Why would a person use services to translate minimal amounts of text when they can use their phone? Nonetheless, the phenomenon has its drawbacks. The most striking of them is the inaccuracy of the translation of the sophisticated construction. For instance, the Google app could not translate complex sentences, sophisticated stylistic constructions, idioms, and even specific field vocabulary for a long time. Syntax is challenging for the machine so resulting in misleading translations, and in the context of war there is evidence of manipulation of war.

Although machine translators had this shortcoming at the beginning of their life cycle, we can already see how 80% of the translation is almost perfect. An interesting fact is that the tendency to seek the services of professionals in the 21st century did not decrease but, on the contrary, increased. It was caused not by the technologies' disadvantages but by the globalization processes. Undertakings entering foreign markets cannot rely on an inaccurate translation from the program. In this context, machine translation can become a tool for interpreters to speed up the translation process rather than replace it.

The next issue to be assessed and concluded in the present paper is understanding the path to becoming a professional Legal Translator? The essential skills and competences are named in the ESCO classification and debated in numerous studies. Following the ESCO classification Essential skills and competences of the lawyer [10] – linguist (legal translator) the essential legal translator's skills are as follows: analyse legal evidence; apply grammar and spelling rules; compile legal documents; follow translation quality standards; improve translated texts; translate language concepts; use computer-aided translation. The constituent parts of a translator's professionalism are: Language skills proficiency; Translating skills proficiency; Understanding the realia; Self-management skills – flexibility, concentration, stress resistance.

However, it has to be emphasized that a fluent bilingual professional has to be also good at persuading listeners to trust him or her, creating neural pathways, preparing carefully for the event, and regularly refining these skills. The most challenging both, for training and for applying in actual day-to-day translator's work are the following skills (trust, persuasion, ethics, ideology) so that translator training is somehow presently lacking of understanding and emphasis on ethical and ideological differences and clashes. These findings reflect the fact that new issues in training translator's skills for future arise.

References

1. Cronin, Michael. *Translation and Globalization*. London : Routledge, 2003, rpt.2004.
2. Karaban, V. *Translation of English scientific and technical literature*. Vinnytsa : Nova knyga, 2002, 564 p.
3. Kyiak, T. Fahovi movy yak novyi napriam lingvistychnoho doslidzhennia. *Foreign philology*. Lviv : Ivan Franko LNU, vol. 121, P. 138–142.
4. Korynets, I. *Introduction to the translation studies*. [Textboob]. Vinnytsa : Nova knyga, 2008, 512 p.
5. Bell, Roger, T. *Translation and Translating*. Longman, 1991, 322 p.
6. Zorivchak, R. *Realia and translation*. Lviv : LNU, 1989, 215 p.
7. N. Burkšaitienė, M. Teresevičienė. 2008. Integrating alternative learning and assessment in a course of English for law students. *Assessment & Evaluation in Higher Education* 33 (2). 155-166.
8. Miram, G., Daineko, V., Taranukha, L., Gryschenko, M., Gon, O. (2002). *Basic translation*. Kyiv : Elga, Nika-centre, 2002, p. 240.
9. Grass, Gunter. <https://www.goodreads.com/quotes>
10. European Skills/Competences, Qualifications and Occupations (ESCO). <https://ec.europa.eu>