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ELECTRONIC CORPORA FOR LEGAL ENGLISH TRANSLATOR/ INTERPRETER TRAINING - A CASE STUDY

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Abstract: *This article looks into the experience of using parallel and comparable corpora in the training of future legal English translators and interpreters between English and Montenegrin. Both corpora have been used extensively for many years, but the method has recently been expanded and modified to better meet the specific needs of our trainees and prepare them for the challenges of the competitive market.*

Keywords: *comparable corpora, concordances, interpreter training, parallel corpora, translation training.*

1. Introduction

Electronic corpora have been in use for over two decades and it can now rightly be said that they have stood the test of time. During this period, literature about their application has also grown. Some of the most frequent definitions are that parallel corpora are compilations of texts and their translations (Baker 1995:230; Zanettin 1998:2), while comparable corpora are compilations of texts in two or more languages that belong to the same genre and cover the same subject. Therefore, comparable corpora include original texts in two languages and not translations (Laursen and Pellon 2012, but see also Zanettin 1998, Baker 1995, Laviosa 1998). The analysis of corpora has proven useful for understanding the technical content in one or more languages, vocabulary extraction, raising awareness of collocability of words in a foreign language, but also in one's native language, study of stylistic features of the genre in two or more languages, and so on. With the advance of technology, electronic corpora have also become instrumental in creating software applications known as translation memories ('TM'). They have almost completely replaced print and online dictionaries and other similar reference materials, they are more up-to-date, broader in scope, and often more accurate, which is logical given the pace of change in almost all areas of life. Electronic corpora are readily available on the Internet, which is why the Internet is often referred to as the "largest corpus available" (Borja 2007:3).

In law, the pace of change is even quicker. Legal professionals often describe the process of legislative change as a 'moving target' because it often happens that by the time a country has enacted its newly amended legislation, the international instrument that an act was brought in compliance with has already changed. Also, new products and practices lead to new legal relations among physical and corporate entities, and laws are often a medium for the introduction of new concepts that govern these relations. As a result, with an exception of a body of general legal terms, no print dictionary could remain up-to-date for a very long time. That is why corpora and glossaries have become the main tools for translators and interpreters.

This paper addresses the use of electronic tools in translator and interpreter training in a specialized translation study programme, specifically in its legal English component. Section 2.1. describes the old methodology and the observations made based on that experience. Section 2.2. presents the new methodology that has been introduced more recently. Section 3 presents a number of conclusions that will guide our future work.

2. Use of corpora

2.1. Initial experience in using electronic corpora

Our specialized translation programme prepares trainees for both translation and interpretation between English and Montenegrin. In translation training, the focus is on specialized language, and Legal English is one of the courses the students receive during the two years of training. In interpretation training, the focus is mainly on general English.

Electronic corpora were used as primary resources where to find the specialized terms, learn or check collocability of specific words and phrases, and raise awareness of genre conventions in terms of style, typography, etc. What happened in class was that the trainer would announce a new topic for the next week and provide the students with the initial compilation of parallel and comparable corpora to work on at home, and then produce a translation of a different text on the same subject. The homework assignment could be monodirectional or bidirectional. The students were trained in how to process corpora at home and were encouraged to expand the corpora with additional research at home. No TM or software solutions were used. These were simply ad hoc compilations (see Nebot 2008:226) that were processed more or less manually.

The advantage of this approach is that it teaches the students some of the key skills that they will need in translation practice after the training and that they are given some good corpora to start with. If suitable parallel corpora are available, they serve as a perfect source of initial vocabulary in both L1 and L2. Parallel corpora are also a good introduction into the legal subject matter in the two legal systems. With comparable corpora in this approach, it is often easier to find the texts that match the assignment better and so are particularly useful for the understanding of the legal concepts that the assignment addresses and for finding the target vocabulary. On the whole, corpora helped the students produce translations that resembled original legal texts better.

The disadvantages were many. The majority of students relied on the compilation provided by the trainer and never engaged in additional research in order to practice the skill of collecting corpora and expand the material for their assignment. The result of this was that whenever an assignment included a legal phrase that could not be found in the corpora, the students translated them without using corpora, thus missing the whole point of the method. The students would often identify the right term but would not check the immediate and more distant collocates that the term was normally found with. For example, the students would extract the English term *criminal offense* for Montenegrin *krivično djelo* but would not notice the longer phrase *constitute a criminal offense*. As a result, where a Montenegrin text used the phrase *predstavlja krivično djelo*, for example, the students would translate it as *represents a criminal offense* instead of *constitutes a criminal offense*. The students' assignments were corrected and discussed in the next class. The trainer would again emphasize the correct collocates, introduce additional collocations, and discuss other corrections that were relevant for most homework assignments. However, because every student had their own paper corrected, they focused on their own errors and did not participate much in the discussion about those made by other students. Needless to say, the students are pretty much exam-oriented and believe that memorizing the corrections in their assignments is sufficient preparation for the exam paper. As a result, the students would perform poorly in exams whenever they needed to use the target key vocabulary with different collocates and syntactic structures.

We wanted our students to change the focus and be oriented towards development of knowledge and skills for their future careers and not towards the final exam only. This meant we needed to change our approach and modify our methodology to increase retention, production, and overall competence.

The modified methodology was meant to respond to another challenge related to the current demand for interpretation. The market changed in that most events required interpretation on purely technical subjects, including legal topics. This meant that in preparing for an

assignment interpreters had to go through the same process as that for preparing for a translation of a text. A natural response to this was our decision to modify the specialization programme so that during their advanced translation course in legal English they would also receive at least initial training in interpreting legal English. The reason for this was that legal English was most in demand on the market and that there were no additional training courses offered in the country that the students could attend after our specialization programme. The revised programme focused therefore more on the ways in which the translation and interpretation training components could better inform and support each other so that the students could leave the programme with good initial competence in both.

2.2. The new methodology

The following sub-sections describe the steps of our new modified methodology using the example of the admissibility criteria for individual applications filed with the European Court of Human Rights ('ECHR').

2.2.1. Warm-up

The warm-up happens in the last half an hour of the class preceding the class where the written assignment will be reviewed. The trainer announces the new topic, e.g. admissibility criteria that the ECHR uses for incoming applications. The trainer explains the system in the country that the application originates from and also provides basic information about the role of the ECHR. This also includes the discussion about the first instance decision making in the country of origin, the appeals procedure, mechanisms before the constitutional court, etc. What follows is a short introduction to the role of the ECHR that the trainer may share with students by means of handouts or in the form of discussion.

The ECHR is an international court which oversees compliance with the European Convention on Human Rights. At present, some 800 million people have the right to bring an application before the court. Every year the court in Strasbourg receives over 50,000 new applications, yet about 90% of them are declared inadmissible. Why is that? Simply because in order to be admissible, applications must fulfil certain conditions. They can only be brought against states which have ratified the Convention. They cannot be brought against companies, individuals or states which are not members of the CoE, such as the USA, for example. The complaint must concern one or more rights which are actually protected by the Convention. The applicant bringing a complaint against a state must be the victim of a violation of the Convention. You cannot challenge a law simply because you disagree with it. The violation complained of has to have occurred after the date on which the convention entered into force for the country concerned. Before the Court can examine a case, applicants must take their case as far as they can in the national courts including the highest courts, this is what we call exhausting domestic remedies. Once the final decision has been pronounced in the domestic proceedings the application must be brought within 6 months of the decision of the domestic proceedings. Any later than that and the application will be declared inadmissible. The date that counts is the date on the postmark. The court can reject an application if it considers that the victim has not suffered a significant disadvantage. The ECHR cannot overturn decisions of the national courts. It is not a court of appeal. (transcript made of the audio material from [www.http://www.echr.coe.int/Pages/home.aspx p=court&c=#newComponent_1346149514608_pointer](http://www.echr.coe.int/Pages/home.aspx?p=court&c=#newComponent_1346149514608_pointer), accessed on 5 May 2017)

The trainer engages the students by asking them questions about law and questions about the legal terminology. In this process, the trainer both elicits and gives information. As the discussion develops, the trainer is writing key terminology on the blackboard (see the underlined phrases in the passage above). This may include various items, from individual terms to longer phrases that include the basic term, e.g. *legal remedy*, *exhaust all domestic legal remedies*, *applicant*, *file an application with the ECHR*, *submit an application*, *application is declared inadmissible/admissible on points of law/procedure*, etc. In this question and answer exercise, students are not just learning about the legal systems and instruments, but are already using much of the key terminology. The trainer then summarizes the content of the texts selected as corpora

for the assignment. This way, the students know what to expect and this initial core vocabulary gives them more confidence for their independent work at home.

2.2.2. Work on parallel and comparable corpora

If available, one set of electronic parallel and comparable corpora is provided to the students. Their task is to thoroughly process the parallel corpora and extract all the relevant words and phrases into a bilingual glossary. For the topic of admissibility criteria, there are some parallel corpora on the ECHR website (http://www.echr.coe.int/Pages/home.aspx?p=court&c=#newComponent_1346149514608_pointer). What follows is a short extract for illustration.

<p>Ako je <u>neprihvatljivost</u> vaše predstavke <u>nesumnjiva</u> jer ista <u>ne ispunjava sve uslove prihvatljivosti</u>, njome će se baviti sudija pojedinac. <u>Odluka o neprihvatljivosti koju donosi sudija pojedinac je konačna.</u></p> <p>Ako se vaš predmet tiče žalbenih navoda u pogledu kojih <u>postoji ustaljena praksa</u> Suda u odnosu na zemlju protiv koje se žalite, vaš predmet će biti <u>dodijeljen</u> odboru od tri sudije. U tom slučaju, Sud će vam poslati pismo s objašnjenjem procedure.</p>	<p>If your <u>application is clearly inadmissible</u> because it <u>does not meet all the required admissibility criteria</u>, it will be dealt with by a single judge. The <u>inadmissibility decision given by that judge is final.</u></p> <p>If your case is considered to be a <u>repetitive case</u>, which raises an issue on which the Court has already rule in a number of cases concerning the State in question, <u>it will be handled by a Committee of 3 judges.</u> In this case, a letter explaining the procedure will be sent to you.</p>
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Table 1- parallel corpora from the ECHR website

The students then need to read comparable corpora and the translation assignment. The ECHR website offers a lot of corpora in English. As for admissibility criteria, the students are asked to read a selection of paragraphs from the document titled *Admissibility guide* (http://www.echr.coe.int/Documents/Admissibility_guide_ENG.pdf, accessed on 5 May 2017). Here is an extract:

“The Court may receive applications from any person, non-governmental organisations or a group of individuals claiming to be the victim of a violation by one of the High Contracting Parties of the rights set forth in the Convention or the Protocols thereto. ...”

In order to rely on Article 34 of the Convention, an applicant must meet two conditions: he or she must fall into one of the categories of petitioners mentioned in Article 34 and must be able to make out a case that he or she is the victim of a violation of the Convention.

Any person may rely on the protection of the Convention against a State Party when the alleged violation took place within the jurisdiction of the State concerned, in accordance with Article 1 of the Convention, regardless of nationality, residence, civil status, situation or legal capacity.

Applications can be brought only by living persons or on their behalf; a deceased person cannot lodge an application, even through a representative.

And here is an extract from comparable corpora in the students' L1:

Temelj cijelog sistema zaštite Konvencije predstavlja pravo na pojedinačnu predstavku. Uslovi prihvatljivosti pojedinačne predstavke regulisani su članom 35 Konvencije. Prije svega, predstavka će biti proglašena prihvatljivom samo ako su već iscrpljeni svi unutrašnji pravni lijekovi, koje Evropski sud za ljudska prava smatra djelotvornim. Kako zaštita Konvencije pred Sudom počiva na načelu supsidijarnosti, primarna zaštita određaba Konvencije ostvaruje se pred organima država potpisnica, zbog čega se nadležnost Evropskog suda za ljudska prava uspostavlja tek po iscrpljivanju svih unutrašnjih pravnih lijekova. Ustavna žalba pred Ustavnim sudom Crne Gore proglašena je djelotvornim pravnim lijekom

presudom Siništaj protiv Crne Gore. Međutim, Evropski sud za ljudska prava zadržava pravo da u skladu sa čl 35.1 Konvencije diskreciono odlučuje o delotvornosti/nedelotvornosti svih pravnih lekova koji se koriste za zaštitu Konvencije.

The above short selection of corpora already contains a large number of legal terms and phrases, underlined in the above extracts. The students are required to create a bilingual glossary on the basis of the corpora and submit it together with their translation assignment. For any legal terminology in their assignment that is not covered by the corpora, they are asked to do additional research and include the solutions in the glossary. For all entries, the students are asked to provide an example of use from the actual corpus. The same applies to dictionary entries. If the dictionary in question does not provide examples of usage, the students are asked to search the Internet and find examples there. In this way, the students are taught to always check usage and not rely only on dictionary entries in cases of gaps in the corpora. This also teaches them to be responsible translators who will do their best to find the right translation equivalent and check everything thoroughly, even the phrases they are sure about. Also, the glossaries they create during their studies are something they will hopefully keep developing throughout their careers.

2.2.3. In-class review of translation

The students hand in their assignments electronically minimum one day before the class. At this stage the trainer corrects the papers only by marking those parts of the text that need improvements. The marked text can be a single word, such as a preposition, or an entire clause. The students are not offered suggestions on how to improve the translation but are asked to go through the text before class and rethink the marked sections. They are suggested to bring with them a copy of their assignment.

In class, the trainer projects papers on the screen for review. The translations are analysed sentence by sentence by whoever is invited by the trainer, not necessarily by the student whose translation is on screen. The purpose of this is that everyone is fully engaged. The students also give suggestions about the parts that are not marked as in need of improvement. They rephrase the sentences, suggest a different theme/rheme setup, and make other corrections that they think would improve the text. The student whose work is analysed often defends their choice and explains what they were guided by, be it another corpus or a dictionary entry. The group then engages in a discussion on the proposed translation. A huge benefit of this is that they do not focus on their own work only but also learn from others, both from their errors and from solutions that are better than theirs. More importantly, the exchange grows into a real debate on the subject in English, which helps the acquisition and retention of the new vocabulary and increases their confidence and fluency. The trainer is more of a moderator in this process so that the students can benefit more from their active involvement and self-correction.

Another very important part of this class is the review of their glossaries. A few good glossaries are shown on the screen to reward and encourage this positive and extremely useful practice.

2.2.4. Follow-up work on the same translation at home

The trainer asks the students to resend their corrected translations. For their work at home, they use their notes from class and the glossaries that they have corrected or improved in class. They may also be asked to do a translation of a much shorter text on the same subject but with a different language of the source text. A source text could be a short passage that the trainer has composed based on the most frequent problematic areas identified.

2.2.5. Revision and exercises

In this class, a couple of corrected translations are reviewed. At this stage, as the students have become very familiar with the subject matter, processed a lot of corpora, and discussed the key concepts and terms in class, their translations are much better and have a real legal flair.

The extra passage is also reviewed for correctness and overall quality. It serves as a revision exercise meant to increase retention. The trainer may also prepare a number of in-class exercises such as a cloze test, a fill-in exercise, or an exercise where they are asked to replace the wrong collocates. Here is an example with the wrong collocates in italics:

Prije nego Sud može da *pregleda* neki predmet, *aplikanti* moraju *iznijeti* predmet pred domaće sudove, uključujući i najviše *nivoa*, što se naziva *korišćenjem* domaćih pravnih *instrumenata*. Kada se *usvoji* prenosna presuda u *domaćoj proceduri*, *aplikacija* se mora podnijeti u roku od 6 mjeseci. Svaka *aplikacija* koja se preda nakon tog *datuma* biće proglašena *neprihvaćenom*. Datum koji se računa jeste datum na poštanskoj markici koja pokazuje kada je predstavka poslata. Sud može da *odbije aplikaciju* ukoliko smatra da žrtva nije pretrpjela *znatnu* štetu.

In the following passage, they are given initials of some words that the students are asked to complete (cloze test).

The ECHR is an i_____ court which oversees c_____ w_____ the European Convention on Human Rights. At present, some 800 million people have the right to b_____ an a_____ b_____ the court. Every year the court in Strasbourg r_____ over 50,000 new a_____, yet about 90% of them are d_____ inadmissible. Why is that? Simply because in order to be a_____, applications must fulfil certain conditions. They can only be b_____ against states which have r_____ the Convention. They cannot be brought a_____ companies, individuals or states which are not m_____ of the CoE, s_____ as the USA, for example.

Although a lot of the work in this class is based on handouts, there is a lot of exchange and debates. This work usually takes around one hour (to leave the last thirty minutes for the new topic) and ends with the projection of an electronic concordance on the screen. The concordance is deliberately introduced at the very end of the process because we do not want the students to lose the benefit of analysing the integral text. The concordance is used to filter the corpora for different items, key terms, but also prepositions, articles, connectives for their role in the syntactic and semantic setup of the text. Here is an example from AntConc concordancer.



Hit	KWIC	File
1	have the right to bring an application before the court	EHR I
2	the domestic proceedings the application must be brought	EHR I
3	any later than that and the application will be declared	EHR I
4	work. The court can reject an application if it considers	EHR I

Figure 1 - Concordances

If there is time, the review of concordances can be used for a number of different exercises. One example could be transformation exercises where the students try out different syntactic structures that would produce more or less the same content.

2.2.6. Interpretation exercises

This part of the process relies on close coordination between the two trainers responsible for translation and interpretation. All the materials are shared with the interpretation trainer who

then uses them for interpretation exercises. The students are well prepared for the content and may focus more on interpretation techniques.

2.2.7. Written examination

To emulate a real-life situation, we allow the students to use their own glossaries in the written translation exam. This is not just a way of encouraging them to produce good glossaries throughout the semester, but also showing that what matters are translation skills, not memory. In the last two years that the modified methodology has been used, the students' performance in the exams has improved a lot. There is also a greater level of positive competition among the students, in class, but also in the exams.

3. Conclusion

In this paper we have presented our modified methodology in using parallel and comparable corpora for a Legal Translation and Interpretation programme. The modifications have proven to give us the results we wanted: active involvement of the students through exchange and discussion in class, greater oral competence in discussing the legal concepts, focus not just on individual words but also on patterns that words are used in as part of larger phrases, production of glossaries with larger phrases to show patterns of usage, and, very importantly, a greater sense of responsibility for one's own progress.

The trainer, on the other hand, has a changed, but a very important role of mediator throughout the process, someone who guides the students' discussions on possible solutions. Of course, the trainer remains very active as someone who corrects the students' papers by indicating places where improvement is needed and monitors the students' exchange and suggests why some of the solutions offered are not appropriate. The trainer also has to design a large number of exercises using corpora or concordances. However, the general idea is to raise awareness among the students of the fact that just like in actual translation practice once they leave school, their performance during the training depends mostly on their own work and the time and effort they are ready to invest.

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