LEGAL TERM BASE FOR TRANSLATORS – THE CASE OF *SECHESTRU*

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Abstract

The present paper tries to present the possible sources for a Romanian–English legal term base which may be used effectively by a present day translator. The introductory part argues for the importance of term bases in general, connecting the idea with machine translation and computer-assisted translation. The next section presents the possible sources for creating a legal term base for the two languages involved, mentioning problematic issues regarding the sources. We will also discuss aspects of quality assurance before we conclude with the possible gains of having a specialized term base.

Keywords: term base, dictionary, legal, Romanian, English.

1. Introduction

The profusion of information regarding translation in Weissbort & Eysteinsson's book starts with the importance of translation today:

> Translation is still of the utmost importance in the affairs of a world that has gone through the rapid technological development called modernization, which furthermore has enhanced international relations to the point where people feel they can legitimately talk of 'globalization'. While this development is far from having reached all parts of the world in equal measure, it is true that science, media, entertainment, commerce, and the many forms of international relations embrace the globe so extensively now, that translation becomes an almost overwhelming issue, indeed a 'problem'.
> (Weissbort & Eysteinsson, 2006, pp. 1–2)

However, we would not like to focus on translation as a 'problem', but upon its importance. One aspect of globalization, the development of technology, has led to the revolution of translation (Imre, 2013), and today we can talk about a translation 'industry'. The term may refer to the size of the business, but also to the working conditions of translators. The industrialized way of life – in case of translators – means computers, term bases, translation memories, online and offline (re)sources, and the abundance of choices may turn stressful either because the technical requirements are overwhelming or the quality of the translation is endangered due to the bulk of unreliable sources.

It is our firm belief that a successful present day translator can handle well the technical challenges of translation – on the one hand –, whereas they can also distinguish the reliable and unreliable sources upon which they can create their own collection of sources. And they do build up their own term bases on specific fields and create their own translation memories, which may be reused during subsequent translations. In fact, computer-assisted translation tools (CAT-tools) offer a framework

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for translation with these built-in features, which may offer further enhanced productivity by activating machine translation (MT) features, spell-check, and quality assurance, to mention the most important ones only.

As specialized term bases (TB) and translation memories (TM) are in fact the hallmark of professional translators, the issue regarding the quality of MT is less important. It is not our aim to discuss this matter, as ardent supporters of MT focus only on two aspects (processing speed and hope for improvement in quality over time), whereas the opponents focus on the poor quality of MT by highlighting top quality human translations, disregarding production speed. We believe that expert translators look beyond the issue and grasp the benefits of built-in MT options of CAT-tools, not thinking too much about the (im)possible replacement of human translators. For instance, *memoQ* translation environment has around ten different MT-tools, which can activated or not during translation. When it comes to finding translations for specific nouns (e.g. names of trees) or adjectives, MT may be a time-saving tool indeed.

Consequently, at this point we would like to browse through the possible options for translators when they have in mind creating a specialized term base.

2. Sources for a Romanian–English legal term base

One of our favorite remarks regarding the importance of CAT comes from Daniel Gouadec, who stated that "The PRAT or Pencil and Rubber-Assisted Translator is clearly on the way out, though there are still a few specimens at large. The Computer-Assisted Translator has taken over." (2007, p. 109). As languages are under constant change (new words enter, old ones disappear, or new meanings for old words, synonyms and antonyms may appear any time), monolingual, bilingual or multilingual dictionaries and term bases (containing specific words) need a regular check. Creating and/or finding these databases is crucial during the work of translators, who have to filter the information very effectively in order to select the best option(s) available within a language.

2.1. Printed dictionaries

Our project started from the idea that a really effective Romanian–English legal dictionary would be very useful for certified translators (e.g. proz.com), and at the beginning we were very confident that based on reliable sources (predominantly printed dictionaries), it is possible to create a legal term base containing a collection of core entries. Thus we have tried to collect all the available Romanian–English and/or English–Romanian dictionaries published in Romania in the last fifteen years (1999–2014). However, we soon realized that a "legal" term may be also found in other dictionaries as well (e.g. 'general' dictionaries, or dictionaries of economics), and we should take them into consideration.

Thus, we have collected the following dictionaries for the research:

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1. Lozinschi, 2008	2. Hanga & Calciu, 2009	3. Lister & Veth, 2010
4. Dumitrescu, 2009b	5. Botezat, 2011	6. Voroniuc, 2011
7. Voroniuc, 1999	8. Voiculescu, 2008	9. Jidovu & Nitu, 2010
10. Dumitrescu, 2009a	11. Pucheanu, 1999	12. Mezei, 2006
13. Ionescu-Cruţan, 2006	14. Năstăsescu, 2009	15. Leviţchi, 2004
16. Butiurcă, Imre, & Druţă, 2013	17. Imre, Butiurcă, Druţă, & Bakos, 2014	

Table 1. The collection of dictionaries

Although the list contains 17 dictionaries, it is not exhaustive; however, we knew in 2014 that even these dictionaries would be almost impossible to cover and search for relevant entries in.

In the initial stage we considered the first 12 of these dictionaries as the most authoritative ones in the field of legal terms, completed with dictionaries covering terms of economics, but legal ones as well (13-17). Our findings regarding some of these dictionaries are described in various articles (e.g. Imre, 2014), but we can summarize them in short in the following lines:

- Printed dictionaries are not as reliable in the 21st century as they used to be before. One possible reason may be the relative easiness to publish various contents;
- To support our initial statement, we can mention that (some) printed dictionaries contain errors and mistakes of all kinds: grammatical, typographical (language specific characters), translation-related (not translated word, improper translation), layout, and even alphabetical order;
- It may prove very difficult to separate legal terms from terms belonging to the economic field. Sometimes this is not even necessary (e.g. *fraud*), but it may be disturbing to discover that a supposedly legal dictionary contains entries belonging to basic vocabulary of any language, such as numbers (!) or countries.

Nevertheless, the majority of translators still trust printed dictionaries the most, and for the time being a typical specific term base comes into being by adding terms to a personally created TB within a CAT-tool or – more simply – by creating a list of entries in a Microsoft Excel format (.xls, .xlsx or .csv format) or Open Document Spreadsheet format (.ods, created with the help of free software, such as *LibreOffice Calc*). The effectiveness/usefulness of the printed dictionaries will be discussed after presenting other possible sources as well.

2.2. Online dictionaries

In the age of technical revolution it is not difficult to search on the Internet for online dictionaries, both general and specific ones. These dictionaries may be monolingual, bilingual or multilingual, some of them from reliable sources (mostly major

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publishing houses, such as Oxford University Press, Cambridge University Press, dex.ro), while others with unknown background. In the following, we would like to present a few online dictionaries, with Romanian–English language selection options.

First of all, we may consider ourselves lucky, as there is a most authoritative online dictionary or TB for legal terms, which is the Inter-Active Terminology for Europe's website: http://iate.europa.eu/. Here we can browse through terms in 25 languages, including both Romanian and English, and the terms come from the EU's inter-institutional terminology database, containing around 1.4 million multilingual terms[2]. Further online dictionaries are listed below:

1. http://www.wordreference.com/roen
2. http://www.ectaco.co.uk/
3. http://translation.babylon.com/romanian/to-english/
4. http://dictionare.com/
5. http://dictionar.net/dictionar-universal.php?fl=ro&tl=en
6. http://hallo.ro
7. http://en.bab.la/dictionary/romanian-english/
8. https://www.dictio.ro/
9. http://www.activ-traduceri.ro/
10. http://ro-en.gsp.ro
11. http://www.dictionarromanenglez.ro
12. http://dictionare.oceanus.ro/

In these cases we should be much more careful, as their source is typically unknown, or gathered from other e-sources. For instance, link number 9 is not active, whereas the company behind link number 2 advertises itself as the company that "Translates anything you say!"[3]…

We tend to think that a possible future is represented by https://glosbe.com/, where we can see an interesting combination of TB and TM, completed with the possibility to check the sources as well. We may trust this site, as its sources include the previously mentioned EUR-Lex database[4], although less reliable sources are also available (e.g. http://www.opensubtitles.org/en/search).

In the following it would be interesting to see what results we may obtain if look for a specific term in both printed and online sources.

3. The case study of *sechestru* 'sequester'

Specialized dictionaries should contain concepts in specific fields (terms) and they are supposed to be onomasiological (first identifying concepts then establishing the terms used to designate them, (cf. Landau, 2001, pp. 1–6), while general dictionaries should be besemasiological (word to definition), although dictionaries cannot really respect this, especially when bilingual dictionaries are involved.A further problem is the definition of *term* itself: "1. A word or phrase used in a definite or precise sense in some particular subject or discipline; a technical expression. 2. Any word or group of words expressing a

[2]http://iate.europa.eu/about_IATE.html, 09.06.2015.
[3]http://www.ectaco.com/, 09.06.2015.
[4]http://eur-lex.europa.eu/JOIndex.do, 09.06.2015.

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notion or conception, or used in a particular context; an expression (for something."(Trumble & Stevenson, 2002). This means that any number of 'words' may form an expression, thus we can even get to the limit of a full sentence within a headword. However, this time we opted for a one-word term and an expression with that term due to the number of sources.

Our starting point is the New Penal Code of Romania[5](*Noul Cod penal; Noul Cod de procedură penală*, 2014, p. 112), which contains Article 261 about *sechestru* ('sequester') and an expression (*sustragerea de sub sechestru*, 'purloining from sequester). We would like to summarize our findings from both printed (Romanian-English) and online sources in the list below:

Source	**One term**	**Nr.**	**Nr. of Ro/En expressions**
1. Lozinschi 2008	*sequester, distraint (upon), execution, distress, seizure of, arrestment, levy*	7	18*
2. Hanga & Calciu 2009	*execution, distress, distrain upon, seizure of, arrestation, arrestment*	6	5
3. Lister & Veth 2010	*sequestration, receivership, attachment, distraint, distress (upon), seizure, lien*	7	9
4. Dumitrescu 2009b	*attachment, distrain, distress, embargo, execution, extent, sequestration*	7	12
5. Botezat 2011	*execution, distress, distraint upon, seizure of*	4	8
6. Voroniuc 2011	*arrestation, distraint, execution*	3	6
7. Voroniuc 1999	*arrestation, distraint, execution*	3	4
8. Voiculescu 2008	-	0	0
9. Jidovu et al. 2010	-	0	0
10. Mezei 2006	*attachment, seizure, requisition, warrant, distress, sequestration, distraint*	7+	14+
11. Ionescu-Cruţan 2006	*distraint*	1	0
12. Năstăsescu 2009	*sequester, distraint, execution*	3	2
13. Leviţchi 2004	*attachment, confiscation, detention, distrain, distrainment, distress, embargo, excussion, execution, inhibition, levy, seizure, sequestration*	13	20+
14. Imre et al. 2014	-	0	2

Table 2. Entries for 'sechestru' in printed dictionaries

After having collected these entries, we can see that all in all 61+ one word terms were found in 14 printed dictionaries and more than 98 entries containing the head word (*sechestru*). The + sign refers to Leviţchi's dictionary where the source language is English

[5] Also available online at http://www.just.ro/LinkClick.aspx?fileticket=Wpo7d56II%2FQ%3D, 10.06.2015.

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and Mezei's dictionary, where the source language is Hungarian and we cannot guarantee that all entries referring to *sechestru* were found. After eliminating the repetitions, the following terms remain: *arrestation* (3), *arrestment* (2), *attachment* (4), *confiscation* (1), *detention* (1), *distrain* (3), *distraint* (8), *distrainment* (1), *distress* (6), *embargo* (2), *excussion* (1), *execution* (8), *extent* (1), *inhibition* (1), *levy* (2), *lien* (1), *receivership* (1), *requisition* (1), *seizure*(6), *sequester* (2), *sequestration* (4), *warrant* (1), leaving us with 22 terms. Now let us check the online options in alphabetic order:

Source	**One term**	**Nr.**	**Nr. of Ro/En expressions**
1. http://dictionar.net/dictionar-universal.php?fl=ro&tl=en	*attachment*	1	1
2. http://dictionare.com/	*arrestment; caption; distrait; levy*	4	0
3. http://dictionare.oceanus.ro/	*sequester, distraint, execution*	3	1
4. http://en.bab.la/dictionary/romanian-english/	*sequester*	1	0
5. http://hallo.ro	*attachment, distraint, embargo, inhibition, sequestration*	5	14
6. http://ro-en.gsp.ro	*embargo, attachment, distraint, sequestration*	4	9
7. http://translation.babylon.com/romanian/to-english/	*seizure*	1	0
8. http://www.activ-traduceri.ro/	-	0	0
9. http://www.dictionarromanenglez.ro	*sequester, distraint, execution*	3	1
10. http://www.ectaco.co.uk/	*sequester, distraint, execution, attachment, extent*	5	0
11. http://www.wordreference.com/roen	-	0	6
12. https://www.dictio.ro/	*sequester*	1	0

Table 3. Entries for 'sechestru' in online sources

All in all, 28 one word terms and 32 expressions were found in online sources. After eliminating the repetitions, we have 13 terms left: *arrestment* (1), *attachment* (5), *caption* (1), *distraint* (5), *distrait* (1), *embargo* (2), *execution* (2), *extent* (1), *inhibition* (1), *levy* (1), *seizure* (1), *sequester* (5), *sequestration* (2). The IATE term base offers *attachment* and two more expressions, while glosbe.com offers *distraint* and 2 further expressions, although the example sentences contain *seizure* and *attachment*. One website was not functional, and only 5 websites (although two of them are entirely similar!) returned acceptable to very good results. The IATE website is rather laconic (although with reliable results), and it takes

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time to browse through the findings of glosbe.com, which offered the translations in contexts.

To sum up, the list below contains the terms which were found in the printed and online sources with at least two occurrences:

PRINTED	ONLINE
execution(8)	***attachment***(6)
distraint(8)	***distraint***(6)
seizure(6)	***sequester***(5)
distress (6)	***execution***(2)
attachment(4)	***seizure***(2)
sequestration(4)	***sequestration***(2)
arrestation (3)	
distrain (3)	
arrestment (2)	
embargo (2)	
levy (2)	
sequester(2)	

Table 4. 'Sechestru' with at least two occurrences

4. Conclusions

Although we would not like to favor one or the other type of source, certain facts are obvious. One of them is that online sources are rather tight-fisted in offering more possible translations. One may argue that they are either more specific than printed sources, or – being freely available – they are under development and in time they will prevail. Anyway, for the time being, printed dictionaries seem to be richer and more comforting in the one-word terms as well as in the expressions. In fact, one of the dictionaries (marked with *) offered the exact translation for the Romanian term in the New Penal Code of Romania. The obvious drawbacks of printed dictionaries are that all of them are to be purchased in the desired language combination if a specialized translator wishes to be an expert in the field and even if one has all of them, the proper search in all of them may prove exhaustive. Yet, if we take into consideration the targeted quality, one should definitely not overlook the comforting options in a printed format.

Online sources may excel in offering very precise terms, but the question still remains: can a translator effectively distinguish reliable translations from less reliable ones in the case of specialized terms? After all, the wrong choice of possible translations may cause *distress* in all specialized fields, be it medical, technical or legal.

We argue for the investment of time, money and energy on behalf of professional translators in creating their own term bases from all possible sources. It may prove ineffective the calculation of the gain, as is the case with many other activities. To put it simply, present-day translators should be able to create databases compatible with computer-assisted translation software. The most widespread CAT-tools are compatible

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with each other – at least, to a certain extent, and a term base in *csv* format is compatible with the major CAT-tools. We now know that one can never finish a TB, but translators should aim at its continuous improvement.

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