Roxana Anamaria Suciu – SENTINȚA PENALĂ: O ANALIZĂ CONTRASTIVĂ ROMÂNO-GERMANĂ PE BAZA MODELULUI DE ANALIZĂ DE TEXT DEZVOLTAT DE CHRISTIANE NORD

Abstract

Our interest in the topic of this doctoral dissertation came as a response to a need that we found both in the professional practice within the field of legal translation and in its professional training. There is a lack of specialized bilingual materials for the documentation and training of professionals in the field of specialized translation and interpreting, especially in the criminal justice area in the language combination of German – Romanian. These problems demonstrated the translators' need to look for practical solutions: the use of the analytical comparison of specialized monolingual materials as a main work method. The creation of an organizational tool for specialized knowledge is therefore proposed as a solution for some conceptual and terminological difficulties in legal translation within criminal law and criminal procedure area for the language combination German – Romanian.

Moreover, it is our personal belief that conceptual structure and organization is an essential need for the professional practice and academic training in the use of legal terminology. Our research focuses on two main aspects: a) conceptualizing fundamental elements specific of criminal and procedure law and b) present a method of contrastive analyses between Romanian and German sentences with the help of Nord's Modell.

It should be highlighted that the conceptual and terminological work was based on a prior analysis of a broad theoretical foundation which was further specified chapter by chapter in the theoretical part (Part II). A natural and progressive learning model from the most general to the most specific was followed in an attempt to contextualize the theoretical part. The focus of the first part will be the theoretical approaches to teaching specialist translation with particular focus on the competences of the learner and teacher and the goals and phases of the translation process and training, as well as the knowledge a specialist translator needs in the individual stages of the translation process. It will then be pointed the way towards developing a didactic model for the teaching of specialist translation. In the chapters that follow, it will be discussed the phenomenon of legal language compared to general language and other specialist discourse, their characteristics and specific national features (German and Romanian language[s]), the need for a collaboration between

jurisprudence and translation studies, the problem of legal translation and the process of forming and delivering criminal judgments in Germany and Romania.

In order to achieve this aim, we have designed and created a concept organizational tool in the practical part (Part II). In the second part, it will be analyzed the investigation material in the form of a contrastive translation-relevant text analysis of German and Romanian sentences.

Regarding the theme of each chapter, this can be resumed as followed:

Chapter 1 analyses the criminal procedure area in Romania and Germany. It discusses the territorial and administrative organization of each country involved, the characteristics of a penal process, its phases, the parts and principles of a process.

With chapter 2 begins the discussion of the phenomenon legal language in comparison to standard language. Here we highlight the different meaning a word or structure in legal language has. A typology of texts and characteristics of the legal language are also a focus of the current chapter.

Chapter 3 opens the door to specialized translation, methods to achieve a good translation, when no equivalent seems to be appropriate, and, because the translator plays an important part in the process of translation, we offer a perspective of the way a translation process should be planned.

The sentences as a juridical species constitute the focus of chapter 4. The knowledge of the way sentences are composed helps having a better overview of the text to be translated.

The practical part, in which we analyze the selected Romanian and German sentences, is the center of chapter 5. Using Christiane Nord's model we analyze in detail the external factors, the internal factors and the effect of the source and the target language. Comparing the two analyses and regarding the focus of the translation we will have the best solutions that make a good translation.

In this paper, we aim to demonstrate that a contrastive translation-relevant text analysis is an essential part of specialist translation teaching and that such text analyses should be prepared for all specialist languages, types of specialist texts and for different language combinations, so that in future it may be used in specialist translation textbooks. This, in turn, would represent a major contribution to the standardization, systematization and formalization of the system and methodology of specialist translator training.

Eventually, by focusing on the research methodology as a model to be applied to other fields of interest, we also aim to raise the awareness of professionals and trainers, and even

students, about the importance of certain aspects, propelling the creation of other quality and practical bilingual and multilingual tools and resources.