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Rhyming for Image Revival – A Controversial Issue: Revisiting Classical Chinese Poetry Translation

Chan Kar-yue

Abstract

Rhyming is considered one of the most essential and regular methods of writing classical Chinese poetry, providing a foreground for poets to revive poetic meter and create rhythmic onomatopoeia. In translating classical Chinese poetry into English, however, the rhyming system becomes a controversial issue, as some translators may insist on replicating it, while others may be reluctant to do so. Both approaches have their merits and demerits, which deserve careful consideration.

To gain a more in-depth idea of how rhymes can be properly applied, this paper focuses on the problem of distorting the creative imagination by the use of rhyming schemes when translating classical Chinese poetry into English. Creativity is an element necessary for equivalent-effect re-creation in the case of literary translation, and the revival of images, imagery and therefore imagination may successfully be achieved through methods of substitution, meters, and lexical and semantic renderings. However, an interesting phenomenon of deformation occurs when a translator wants to make manifest the poetic images by maneuvering rhyme as a way of adding more semantic meanings. Distortion of images, and therefore the basic meanings (whether underlying or explicitly stated), is likely to happen.

Introduction

In the field of poetry, be it Western or Chinese, ancient or modern, stylistic features are deemed indispensable in creating aesthetic effects, and they serve myriad functions in literary discourses. Styles of texts are refined and in a way strengthened by these features, and their significance cannot be ignored. As Pollard (1996: 47) correctly points out,

... form (cadence, rhyme, balance, tone) is what makes poetry sing, and in classical Chinese poetry especially, the striking off of form against content gives it its thrill and resonance. Form, though, is impossible to carry across from Chinese to a language as different as English. Its monosyllables, each with its fixed pitch, form patterns that cannot be transferred to a language of long and short syllables and light and heavy stresses.

Peter Newmark (1988: 42) has provided a useful basic list of such features, and emphasises the importance of aesthetic function when translating literary texts. He notes:

This is the language designed to please the senses, firstly through its actual or imagined sound and secondly through its metaphors. The rhythm, balance and contrasts of sentences, clauses and words also play their part. The sound-effects consist of onomatopoeia, alliteration, assonance, rhyme, meter, intonation, stress—some of these play a part in most types of texts.... In translating expressive texts—in particular, poetry—there is often a conflict between the expressive and the aesthetic function (“truth” and “beauty”)—the poles of ugly literal translation and beautiful free translation.

Malcolm Budd (1995: 84-85) also remarks, “any subtle state of emotion, or nuance or shade of attitude or tone, can be captured in language only by the

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use of figurative language, meter, rhyme, and so on...”. Amongst all these features, rhyme is considered one of the most essential and regular schemes in writing classical Chinese poetry, providing a foreground for poets to revive poetic meter and create rhythmic onomatopoeia.

Rhymes can be expressed in a variety of forms, including “end-rhymes”, “alliterations”, “internal rhymes”, “eye-rhymes” and “accords”. Although differentiated in name, these rhymes are interrelated and are used in various capacities. Accords, or what I call “mimic rhymes,” are frequently applied in modern and contemporary poetry for creation of melodious, but not necessarily stringently musical, effects. The following example is from a very familiar piece of modern Chinese verse. It shows how rhyme can be applied in modern and contemporary contexts:

Source language

輕輕的我走了，正如我輕輕的來；我輕輕的招手，作別西天的雲彩。
那河畔的金柳，是夕陽中的新娘；波光裡的豔影，在我的心頭蕩漾。
軟泥上的青荇，油油的在水底招搖；在康河的柔波裡，我甘心做一條水草。
那樹蔭下的一潭，不是清泉，是天上虹
揉碎在浮藻間，沉澱著彩虹似的夢。
尋夢？攆一支長篙，向青草更青處漫溯，
滿載一船星輝，在星輝斑斕裡放歌。
但我不能放歌，悄悄是別離的笙簫；
夏蟲也為我沉默，沉默是今晚的康橋！
悄悄的我走了，正如我悄悄的來；我揮一揮衣袖，不帶走一片雲彩。
(徐志摩〈再別康橋〉)

Target language

Saying Goodbye to Cambridge Again

Very quietly I take my leave,
As quietly as I came here;

Quietly I wave goodbye
To the rosy clouds in the western sky.

The golden willows by the riverside
Are young bridges in the setting sun;
Their reflections on the shimmering waves
Always linger in the depth of my heart.

The floating heart growing in the sludge
Sways leisurely under the water,
In the gentle waves of Cambridge,
I would be a water plant!

That pool under the shade of elm trees
Holds not water but the rainbow from the sky;
Shattered to pieces among the duckweeds
Is the sediment of a rainbow-like dream.

To seek a dream? Just to pole a boat upstream
To where the green grass is more verdant;
Or to have the boat fully loaded with starlight
And sing aloud in the splendour of starlight.

But I cannot sing aloud:
Quietness is my farewell music;
Even summer insects keep silence for me;
Silent is Cambridge tonight!

Very quietly I take my leave,
As quietly as I came here;

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Gently I flick my sleeves,
Not even a wisp of cloud will I bring away.
(Hu and Li 2009: 322-323, translator's name not mentioned)

The translated version of this poem reveals a typical method in rendering modern verse. Somewhat graceful is the way the translator deals with the so-called “rhymes”: s/he deliberately uses accords, hither and thither, to create a feeling of random musical effects, aiming to magnify the onomatopoeic effect by casually-set rhyme patterns throughout the whole verse. The quality of such randomness is intertwined with the light jumping rhythmic pattern of the original poem. It can be seen that the rhymes used here are not necessarily as forceful as the ones used by Xu Zhimo (the author) in the Chinese version. Clearly, adjustments have been made to accommodate to a modern or contemporary literary aesthetic: modern and contemporary verses tend not to emphasise rhyme as much as ancient ones, and thus in many people's perceptions, rhyme is something belonging to the classical and ancient-styled literary realm. In analyses of poetry writing, rhyming was deemed crucial for classical Chinese poetry, and was also popular in English old poems throughout many literary periods.

Translation, then, may call for a different approach to the use of rhyme than that found in the original text, a situation especially true of classical poetry. In translating classical Chinese poetry into English, for instance, the handling of rhyming systems is a controversial issue, as some translators may insist on following the rhymes of the original, while others may be reluctant to do so. Certainly this has to do with individual taste and choice according to the style and aura of the intended poem: rhymed poetry may appear more melodious and tidy, while unrhymed poems are supposed to be expressed in a freer and more unrestrained way. It may have also to do with the different approaches used by different authors. John A. Turner, for instance, expresses the need to employ rhyme in a poem when it is

translated from Chinese to English:

Chinese poetry tends strongly to be epigrammatic, and most short Chinese poems are epigrams. Now if an effective epigram is transformed into prose, it becomes inconsequential. For the point of epigrammatic and antithetical poetry is carried by its rhyme and rhythm.... In an attempt to preserve the singing or musical quality in Chinese, I regularly employ rhyme. (1976:11)

Graham presents an opposing point of view: “[a]lmost all Chinese poetry is rhymed, and most classical forms have lines with equal numbers of syllables, so that it is understandable that some translators still prefer to take liberties with the sense in order to impose iambics and rhyme” (1965:15). Whilst the urge to use rhyme may be “understandable”, Graham suggests, the re-creation of poetic images is overly confined by the restrictions of applying rhymes.

There are definitely merits and demerits about whether to apply the scheme or not in the translation process. For example, appropriate rhymes can be effective in creating solidarity of a series of sounds, meters and hence the cadences of the whole poem. However these rhymes would sound monotonous sometimes as they resemble dull repetition of similar sounds if the vowels used lack inspiring or interesting elements. In contrast, irregular rhymes may ultimately produce a displacement of the musical effect, but the meter they produce would to a large extent be attention-grabbing. Poems without any rhyme may fabricate a sense of freedom and wit, getting rid of the strict restriction of the austere quatrains. However, they may be mistakenly regarded as prosaic poems or even plain prose. Thus, no single approach presents itself as obviously superior.

As indicated above, classical poetry may possess further possibilities to extend and inspire a reader’s thoughts. To have a more in-depth idea of how rhymes can be reasonably applied in an appropriate manner, the problem of distorting the creative imagination by the use of rhyming schemes should be addressed

seriously when translating classical Chinese poetry into English. Creativity is a vital element for equivalent-effect re-creation in the case of literary translation, and the revival of imagery and therefore imagination may well be achieved through methods of substitution, meters, lexical and semantic renderings. As Liu Miqing remarks, “The non-formal aesthetic element is characterised by openness to imagery. The mechanism of fuzziness in man’s thinking leads to amazing flexibility and dynamism of his imagination” (1995: 8).

A. Substitution

It has been many people’s assumption that Chinese poetry is to a large extent untranslatable, since China has enjoyed an extraordinarily long history of literary and cultural development, and its specific and delicate cultural roots are supposedly nontransferable into the English world, an entirely different cultural and linguistic realm. In this regard, although the possibility of translation seems to be slim, there are still various translation methods that can be applied in order to maximize the possibilities of creative imagination. The following is an example from Song Dynasty *ci*-poetry:

Source language

哀箏一弄湘江曲，聲聲寫盡湘波綠。纖指十三弦，細將幽恨傳。
當筵秋水慢，玉柱斜飛雁。彈到斷腸時，春山眉黛低。(張先〈菩薩蠻〉)

Target language

The zither grieves o’er lady of River Xiang’s death;
Green wave on wave exhales her everlasting breath.
Fine fingers touch the thirteen strings;
Slowly her heartfelt sorrow sings.
Her rippling eyes, feast to the sight;
Slanting jade pegs, wild geese in flight.
When her heart-breaking music thrills,

Her eyebrows lower like spring hills.

(Trans. Xu Yuanzhong, cited in Gu 2007: 216-217)

The poem is about the playing of a melancholic song on a zither, resembling *Xiangjiang nü* 湘江女 (ladies of River Xiang), the wives of Emperor Shun 舜 (2255 - 2205 BC). According to legend, they committed suicide by jumping into the River Xiang upon the emperor's death as a sign of mourning:

[W]hen Shun the Great made a royal tour of his territories, his two queens followed the expedition. They drowned in Hsiang [Xiang] River and their spirits wandered over the deeps of Lake Tung-t'ing [Dongting 洞庭] and appeared on the banks where the Hsiao [Xiao 瀟] and Hsiang Rivers meet (Birrell 1993: 209).

Zhang Xian 張先 (990-1078), the poet, brings his readers to watch, and listen to the performance and sounds of the lady who plays the music in their mind and imagination. Never does Zhang describe the appearance of the lady, but the delicate mentioning of *xianzhi* 纖指 (slim fingers), *qiushui* 秋水 (literally “autumn water”, usually referring to a lady's eyes) and *chunshan* 春山 (literally “spring hill”, figuratively referring to the eyebrows) contributes to depicting the features of a classical Chinese lady.

Therefore, it is quite important to make known to the target readers the implications of the subtle fluctuation of a lady's emotions when playing the miserable song. The implications are fine-packed in the adjectives and adverbs applied by the poet, such as *jin* 盡 (completely) in showing her sadness expressed towards the story of River Xiang; *xi* 細 (delicately) in transmitting her grief; *man* 慢 (slow) in describing her sight; and *di* 低 (low) in depicting her eyebrows. The tactful application of these schemes should best be expressed with appropriate parts of speech rather than an emphasis on strict rhymes in the process of translation as shown in the example above.

To be more precise, “lady of River Xiang's death” in the first line

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exactly rhymes with “her everlasting breath” in the second. As the phrase “lad[ies] of River Xiang” contains such a cultural borrowing, it would be somewhat unwise to reveal every cultural element to the target readers if a footnote has to follow.^[1] “[H]er everlasting breath” is in no way similar to what is expressed in the original: “notes on notes spreading all sad waves of the green river”, if translated relatively literally. In terms of cultural diversity, target English readers can hardly adjust themselves to the resemblance of “eyebrows” to “spring hills” in the last line either, as “spring hill” recalls the shape of the eyebrows, and therefore the former is actually a *substitution* of the latter in the Chinese poetic language. Hence the rhymes of “death”, “breath”, “thrills” and “hills” do not stand out. As a consequence, the poetic imagination of the readers may be seriously affected by the translated version because of the over-emphasis on strict rhymes.

Why is Chinese poetry nearly untranslatable? It is because of all sorts of metaphors, schemes and cultural specificities embedded in the poetic language. Translators can always assist the target readers by using substitutions, which could appear in terms of metaphors or culturally acceptable anecdotes. As the story of the River Xiang ladies is not readily familiar in the target world, suggestions can be drawn towards altering the “lady of River Xiang’s death” into “love mourning.” The last line might be changed to “Her eyebrows, like spring hills, lower.” With these changes, the rhymes have gone, but new and fresh elements come in, which result in more reasonable reception by the target readers. It is the creation of an alternative beauty. This point is stressed by Stephen Owen, who says of his translation of Du Fu’s “Broken Boat” 破船 that

If we choose the way of translation, to move the poem rather than the reader [a similar idea with my translation approach following Schleiermacher’s theory], we must sacrifice Chinese poetics—the openness of relation

between words, the parallel structures, the nonfictional poet speaking from a particular moment, moving with experience. But we will choose the best analogues from our own [Western] literature: the dramatic monologue, the confessional tradition, the diary. (Owen 1985: 125)

B. Meters

When translating classical Chinese poems into English, meter is deemed a key poetic element since it gives the sense of the whole poem. No other genre shows such a prominent focus on meters, which supplement poetry with the beauty of sounds. If rhyme is considered important, meter can be even more significant in poetry writing and translation. A simple comparison can demonstrate the different emphases of rhymes and meters:

Source language

美人捲珠簾，深坐顰蛾眉。
但見淚痕濕，不知心恨誰。(李白〈怨情〉)

Target language 1

My lady has rolled up the curtains of pearl,
And sits with a frown on her eyebrows apart.
Wet traces of tears can be seen as they curl.
But who know for whom is the grief in her heart?
(Trans. W. J. B. Fletcher, cited in Lü and Xu 1990: 134)

Target language 2

How beautiful she looks, opening the pearly casement,
And how quiet she leans, and how troubled her brow is!
You may see the tears now, bright on her cheek,
But not the man she so bitterly loves.
(Trans. Witter Bynner, cited in Lü and Xu 1990: 135)

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The first translation is a typical and classical rendering of the source text, a five-character short poem. In four short lines the poet has presented a delicate, though not necessarily subtle, complaint about love by a fair lady in her boudoir. The rhymes “pearl” and “curl,” “apart” and “heart” produce the light and melodious sounds required for a short piece. However, these rhymes have twisted the original meaning: “[w]et traces of tears can be seen as they curl.” The meaning of “as they curl” has come from nowhere in the original poem. Although “pearl” and “curl” are effective renderings in terms of poetic sounds, the creative imagination of the target readers concerning how the “tears” have become “curl[ed]” has been seriously distorted. The translator has directed the target readers to another kind of interpretation of the text.

The second translated text does not contain any rhyme, and therefore one would not expect distortion of the original meaning to be a problem. Rhymes can always be a reliable contributor to cadence, but the unrhymed poem here seems to have diverted the target readers’ attention to the overall arrangement of the song, such as the setting and the meter. A similar number of syllables is used, while the relatively free and prosaic arrangement of lexis and syntax has provided the readers with a more “Westernised” (or more foreignised) way of looking at the poem. Virtually no cultural element can be depicted through this translation, and no limitations as to when and where – in which period or space – the poem belongs can be explicitly illustrated. It is also unwittingly melodious, with plenty of freedom to add any imaginative elements: a typical work of bitter boudoir complaint towards her lover, although not overtly spelt out in the original poem.

C. Lexical renderings

Lexis is of the utmost importance in both writing and translating poetry. The use of words produces a tremendous impact on the overall impression of the poem on the readers, and creates an everlasting misunderstanding of the source language if the words which work to illustrate the main meaning

or cultural implications are transferred inappropriately. In the worst case, a translator's willful decision to include unnecessary or inappropriate rhyme may also restrict the possibilities of word usage and hence the semantic structure of the lines. An example is shown below:

Source language

歲歲金河復玉關，朝朝馬策與刀環。
三春白雪歸青塚，萬里黃河繞黑山。(柳中庸〈征人怨〉)

Target language

Year after year I went to River Gold,
And then to Jade-Gate Pass;
Day after day my horse ship did I hold,
My sword hilt made of brass.
In late spring white snow did enfold
Green graves with their green grass,
Where Yellow River of Ten thousand li, all told,
Embraced Mount Black's huge mass.
(Trans. Li Funing, cited in Xu, Loh and Wu 1987: 234)

The poem is about a kind of grudging emotion towards having had to go on an expedition to a very remote place. The rhyme pattern of the translated version is expressed in a very strict way, basically *abababab*, with only two rhyme roots in the whole poem. This may be considered rather unusual in almost all the translations of Chinese classical poetry into English, as the rhymed translated version here has become even more rigid than the original poem, which normally emphasises rhymes in the even-number lines, with the first line being optional. According to an informal survey conducted at an academic conference which the author attended in 2008,^[2] the practice always creates a “comic” effect in the eyes of native speakers of English.

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In order to achieve the strict rhyme pattern, the translator has added ideas that do not exist in the Chinese poem, for instance, “Pass” in the second line, “made of brass” in the fourth, “did enfold” in the fifth, “with their green grass” in the sixth, “all told” in the second last, and “huge mass” in the last sentence. These meanings can in no way be constructed from the Chinese context, and may be seen as unnecessary and even unintelligible elements added in the translation process. These have added non-existent information, and to a large extent provided so much extra substance that the target reader’s capacity to trace the original author’s thoughts is impeded. Reviving the image will also be obstructed due to this interference.

The colours in the source text, however, have been rendered quite extensively in the target text, and they are presented in extremely regular positions and schemes, as in *jin* 金 (gold) and *yu* 玉 (jade) in the first line; *bai* 白 (white) and *qing* 青 (green) in the third; and *huang* 黄 (yellow) and *hei* 黑 (black) in the last line. Target readers, however, may not be too familiar with such regularities and therefore can hardly adhere to such a tidy arrangement in English poetry. Hence some phrases like “white snow” are seemingly redundant, and “River Gold” and “Jade-Gate Pass” are readily seen as commonly unacceptable. They resemble neither real nor imaginary place-names from the point of view of the target readers.

D. Semantic renderings

The use of rhyme in a translation could also serve as a basic means of tackling all sorts of elements, but an interesting phenomenon of deformation occurs when a translator wants to make manifest the poetic images by maneuvering rhyme to add more meanings. Distortion of images, and therefore the basic meanings (whether underlying or explicitly expressed), is likely to happen.

Classical Chinese poetry has been, again, regarded as untranslatable because of the different mentalities of Chinese and Western people, especially when the content comes from classical or ancient periods that

most readers may not be able to relate to. The following poem conveys a special subtle feeling through the voice and persona of a woman.

Source language

君知妾有夫，贈妾雙明珠。感君纏綿意，繫在紅羅襦。
妾家高樓連苑起，良人執戟明光裡。知君用心如日月，事夫誓擬同生死。
還君明珠雙淚垂，恨不相逢未嫁時。(張籍〈節婦吟〉)

Target language 1

Knowing, fair sir, my matrimonial thrall
Two pearls thou sentest me, costly withal.
And I, seeing that Love thy heart possessed,
I wrapped them coldly in my silken vest.
For mine is a household of high degree,
My husband captain in the King's army;
And one with wit like thine should say,
"The troth of wives is for ever and ay."
With thy two pearls I send thee back two tears:
Tears – that we did not meet in earlier years!
(Trans. Herbert Giles, cited in Lü and Xu 1990: 231)

The especially ancient style of translating the poem shows the translator's painstaking effort in re-creating the original poem. The use of old English expressions, such as "fair sir," "thou," "sentest," "thy" and "thine", helps contribute to the style therein. The rhymes are in pairs [i.e., *a a b b c c d d e e*], a very traditional way of translating such poetry.

However, the translation has still provided an obstacle for the target readers; they cannot understand and creatively link up with the incident described in the Chinese poem. For example, "matrimonial thrall" in the first line suggests the seemingly legal bindings of a marriage, which do not match

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the literary expression showing that the persona already has a husband. It is quite obvious that the translator has wished to create a rhyme with the two words “thrall” and “withal,” even though these may not be entirely necessary.

On the semantic level, as mentioned above, the mentalities of Chinese and Western people are quite different, and therefore some concepts are received in different ways. One example is shown in the phrase *chanmian* 纏綿 (the word “sentimental” may convey largely the meaning in Chinese) in the third line of the original poem. “Love” in the translated version may have moved quite far away from the Chinese original. In a general sense, there is no demerit in rendering *chanmian* into “Love”, yet there is a certain difference between the two phrases. The former is somewhat less overt but more euphemistic than the latter. In this case, therefore, the translation of “I wrapped them *coldly* in my silken vest” in the next line is unjustifiable, as the “cold” emotion can hardly be found in the original while the female voice indicates clearly in the last line that “we did not meet in earlier years.” The sentiment expressed in the poem is subtle, touching upon an extremely trivial train of thought and a very Chinese way of expressing it. The translation may have dealt with it more explicitly.

The seventh and eighth lines can also be considered to have contradicted the original meaning of the poem. The two lines basically illustrate a turning point, meaning “although I know your sentiment resembles heaven and earth, / it is my determination to serve my husband no matter whether alive or dead,” which is unlike what is shown in the translation: “[t]he troth of wives” should be said by the “fair sir”. It may have been due to the fact that the translator wanted to apply the rhyme roots of “say” and “ay”. If this is an encouragement from the “fair sir”, it is illogical that he still sends two pearls to the persona. We can say that the “love” between these two people illustrated in the poem is to a large extent very delicate, and that readers could only experience the passion by understanding more about Chinese culture. In this sense, the readers’ creative imagination can be revived only through a more logical semantic rendering.

Conclusion

It is often argued that in translating classical Chinese poetry into English, rhyming is essential in achieving equivalence both in terms of style and meaning. However the meaning of equivalence in every way is difficult to define, and as mentioned, the huge differences between Chinese and English only compound this difficulty. Moreover, distortion is more frequently seen as a result of applying rhyme. In addition, an excessive emphasis on rhyme can lead to other potentially more significant elements being overlooked. Certainly, onomatopoeic terms, assonance, alliteration and syllable stresses may be used to serve similar purposes. These alternative ways all make poetry translation more musical. It is never easy to strike a balance in translating poetry, but reasonably melodious renderings can always be achieved. Rhymes should only be applied together with other schemes and should not be relied upon exclusively to convey the poeticality of the original.

Notes

- [1] The footnote of the translation reads, “Lady of River Xiang, wife of the legendary emperor Shun (2255-2205 BC), drowned herself in the lake after the emperor’s death and became the goddess of River Xiang”. According to the legend, Emperor Shun has two wives, namely Ehuang 娥皇 and Nüying 女英. Therefore the subject should be in the plural form.
- [2] Asian Studies Conference Japan 2008, held at the Rikkyo University in Tokyo, Japan, from 21-22 June 2008.

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Revisiting the Goals and Strategies of Legal Translation: The Case of Hong Kong

Ling WANG

Abstract

This paper investigates different views on the goal of legal translation as a special type of LSP translation. It re-examines the aim and strategy of legal translation and show, in the light of a clarified goal of legal translation in Hong Kong, that a domesticating strategy is not appropriate for the kind of legal translation which aims to produce an authentic version of the law. It argues that a foreignizing strategy is best exemplified in the translation of a particular legal system where the meta-linguistic operation is vital to the production of two different language texts with the same legal meaning.

Introduction

In traditional translation theory, legal texts were regarded as a species of LSP text, and their translation was accordingly treated as a kind of technical translation. In recent translation theory, a change in perspective has occurred along with the emergence of approaches centered on cultural and communicative factors. The translation of legal texts has increasingly been regarded as a communicative act, no longer a mere technical operation on the linguistic elements to achieve verbal and grammatical parallelism as well as equivalence in legal meaning. Moreover, the translator is no longer

considered a passive mediator but rather an intercultural operator, whose choices are increasingly recipient-oriented and based not only on strictly linguistic criteria but also on extra-linguistic considerations—first and foremost the function of the translated text in the target culture.

Legal Translation Theory: In Search of Goals and Strategies

Wilss (1982) observed that at the outset of translation studies it was generally agreed that the goal of all translation was to achieve equivalence by producing the closest possible equivalent text. In normal practice, the legal translator was expected to produce a strictly literal translation to retain the elements of the original texts. The basic unit of translation was still the word. Basic changes in syntax were permitted so as to respect the grammatical rules of the target language.

Approaching legal translation from the perspective of communication, Sager (1997) held that recent translation theory has taken into consideration cultural differences between the source and target languages as well as the purpose of the translated text. He also noted that the concept of equivalence has been modified to text-type equivalence as opposed to textual equivalence. Rejecting the static view of linguistic equivalence and characterizing translation “as one possible step in a communication process between two cultures”, Sager proposed an approach to translation based on communication theory with a view to “redefining the relationship between source and target text” (Sager 1997: 26, 27). The translator was considered as an information mediator who needs to identify the writer’s intention, the reader’s expectation, the text-type in question, and possible ways to reconstruct them. In relation to translation strategy, he also pointed out that the traditional concept of translation which aimed to preserve both content and intention applies only in the case of

translation of a letter or a technical instruction from one language to another. Sager's communicative approach represents a shift of focus from source text to target text and frees the legal translator from the rigid grip of linguistic equivalence. However, Sager did not explain how the legal translator can reconcile the writer's intention with the reader's expectations and in what ways the goals of translation of legal language as a special text-type differ from those in translating other text-types.

Functionalists who focus their attention on the concepts of *skopos* and target-orientedness no longer take the source text as the only standard for assessing a translation. Instead, translation is now assessed on the basis of its adequacy for the communicative purpose within the target culture (Vermeer 1986; Nord 1997). As for the applicability of this approach to legal translation, functionalists have claimed that their theory is comprehensive and applicable to all text-types in all situations (Vermeer 1986: 99). But doubts have been raised as to whether the functional approach could be validly applied to LSP texts and in particular to legal texts (Trosborg 1997).

The main objections are centered on the typical recipient-orientedness of the functional approach, which seems inappropriate for legal language, one governed by rigorous rules of interpretation. In response to such objections, Šarčević (1997) argued that legal translation should no longer be regarded as a process of linguistic trans-coding but an act of communication in the mechanism of law (1997: 55). She criticized scholars who focus their attention primarily on language and the linguistic elements of the text for ignoring the fact that legal translation is also receiver-oriented and that legal communication can be effective only if interaction is achieved between text producers and receivers (1997: 55-56). She thus redefined the goal of legal translation as the production of a text with the same meaning and effect as the original text, with special emphasis on effect. The translator should also preserve the unity of a single instrument by striving to produce a text that would be interpreted and applied by the courts in the same manner as the

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other parallel texts of that instrument, particularly the original (1997: 72). In order to achieve this goal, a thorough understanding of the legal cultures in which the translation ultimately functions is a must, as translation problems emerge as a result of different legal histories and cultures. Legal translators can only overcome the problems posed by different legal cultures with a clear knowledge of the fundamental differences between legal systems. For Šarčević, understanding the legal cultures of ST and TT is vital for legal translation. Like functionalists, she attaches a great deal of importance to the communicative function of legal translation. However, she does not explain how the legal translator can simultaneously achieve the same meaning and the same effect as the source text.

Taking the view that legal texts form a specific genre with their own unique linguistic framework and generic knowledge, text typology as recently developed has positive implications for the goal and theoretical methodologies of legal translation. Trosborg (1997) held that distinguishing between political texts, legal texts and other text-types is of great significance as they require different translation approaches. Defining genre analysis as “the study of situated linguistic behavior in institutionalized academic or professional settings”, Bhatia (1997) adopted a genre-based approach to translation. He noted two crucial characteristics of genre analysis. One is that genre analysis is not “an extension of linguistic formalism” in the sense that it examines the use of language to achieve a communicative purpose rather than linguistic equivalence. The second is that genre theory explores “all aspects of socio-cognitive knowledge situated in disciplinary cultures in order to analyze construction, interpretation and use of linguistic communication to achieve non-linguistic goals” (1997: 205). Therefore, the genre-based approach to legal translation is by nature a pragmatic study of the use and effect of language within a particular legal culture. For Bhatia, the goal of legal translation must include the “accessibility of the target text for a specific audience”, and he therefore advocated the method of easification, “a process of making a text-genre more accessible to

an intended readership without sacrificing its generic integrity” (1997: 209). He held that this genre-based approach to the teaching and learning of translation has the advantage of encouraging the learner. He remarked: “this awareness of participation in the ownership of the genres of legal culture is what Swales (1990) calls raising rhetorical consciousness in the learner (or translator)” (1997: 212). Accordingly, cultural awareness is a pre-requisite for the legal translator. While Bhatia’s approach to legal translation is genre-based, his emphasis on legal culture is similar to Šarčević’s view. He also held that the goals of legal translation should include the readability of the target text.

We can see from the discussion above that legal translation has been approached from three different perspectives. There has been a shift from producing the closest possible equivalent text to producing a text with the same meaning and effect as the other parallel text(s), a shift of focus in translation theory from fidelity to the source text to the readability of the target text, and a shift from the merits of interlingual equivalence to the demands of cross-cultural communication. Awareness of the differences between the cultures of different legal systems is of paramount importance in legal translation.

The Goals and Strategies of Legal Translation in Hong Kong

While Hong Kong ceased to be a British colony on July 1 1997, it has been allowed to retain English law under China’s policy of “One Country, Two Systems”. The laws previously in force, namely, the common law, rules of equity, ordinances, subordinate legislation and customary law, together with the use of English as an official language, have been preserved under the Basic Law of the Hong Kong Administrative Region.

Under the bilingual legislation system of Hong Kong, the English text and its Chinese counterpart must fulfil two conditions. First, they must have

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equal legal status. Second, they must convey the same legal meaning. The first condition must be, and was in fact, met by legislative measures. However, how the second condition can be met is still not clear to many translation scholars and practising law translators. Thinking along the line of Vermeer's skopos theory, we have a definitive purpose here: whatever we do, and however we do it, the Chinese text must convey the same legal meaning as the English text; in other words, the two texts must be equivalent in legal meaning. If equivalence were indeed an illusion, then no multilingual legal system would be viable.

The authoritative status of legislation dictates that the goal of legislative translation is to reproduce a legal text in the target language which conveys the same legal meaning as the source text. It requires the legal translator to adjust the target language in such a way that the legal meaning of the source text could be expressed by the target language. Regarding this, Roebuck and Sin (1993) defined the goal of translating the common law into Chinese:

In attempting to create in Chinese an authentic version of a Common Law rule or principle, it is essential that the Chinese express exactly the same message as the original rule in English, insofar as its meaning is prescriptive (Roebuck and Sin 1993: 193).

Sin (1998) pointedly voiced the dilemma that the legal translator faces in seeking to achieve such a goal:

The tension between the translator's paramount duty to represent the law with uncompromising accuracy on the one hand and the strong desire of the public to have the law communicated to them in clear language on the other was deeply felt. . . It is a perennial tension between the polarity of the two extreme approaches to translation characterized by Schleiermacher: "either the translator leaves the writer alone as much as possible and moves the reader toward the writer; or he leaves the reader alone as much as possible

and moves the writer toward the reader” (Sin 1998: 203).

Thus the inherent difficulties of the translation of the common law into Chinese present a highly relevant case for our further discussion of the strategy of the legal translation in Hong Kong.

Legal translation is certainly among the varieties of translations where the translator is subject to stringent semantic constraints at all levels due to the peculiar features of the language of English law on the one hand and the culturally mediated nature of legal discourse on the other. To maintain the authenticity of the law, the cultural concepts which are specific to the original legal system cannot be replaced by functionally equivalent concepts of the Chinese language. Thus adopting the strategy of domestication is not appropriate in legal translation. Foreignizing strategy is best exemplified in the translation of a particular legal system from one language to another – in the present case, the translation of the common law into Chinese.

As a matter of fact, foreignizing is not a novel idea in the history of translation in China. The translation of Buddhist scriptures is a much cited paradigm of foreignization. Although Buddhism became a popular religion in China, it originated in India and was unknown to the Chinese before the middle of the first century. The translation of Buddhist scriptures into Chinese began in the Han dynasty. Many Buddhist concepts were new to the Chinese and there were no Chinese terms expressing Buddhist concepts. Xuan Zhuang (玄奘), the most influential figure in the translation of Buddhist scriptures, developed important translation techniques like amplification, omission, borrowing, and transliteration, all effective methods to introduce Buddhist foreign concepts into Chinese. Linguistic adjustments for conceptual assimilation were made and with the gradual integration of the translated texts into the Chinese language Buddhist concepts have now become an inseparable part of Chinese culture. This would not have happened if the domestication approach had been adopted, for the obvious reason that it would have turned

foreign Buddhist concepts into indigenous Chinese ones, leaving Chinese culture intact without incorporating Buddhism. Examples of foreignization abound in the history of translation, not only in China but also in other parts of the world. Whenever a culture is transferred from one language to another, there is always a need for conceptual adjustment, which invariably results in the foreignization of the importing language. The translation of the common law into Chinese is simply one such case.

Metalinguistic Devices for Legal Translation

As has been noted, the primary aim of legal translation in the context of bilingual and multilingual legislation is to prepare different language versions of *one and the same law*. This means that they must convey the same legal meaning. Thus semantic equivalence is presupposed by all bilingual and multilingual legislation systems.

The term “equivalence” has been used in the literature to define successful translation or to describe the ideal result of translation, and the concept of equivalence has been variously defined in terms of functional equivalence, conceptual equivalence, semantic equivalence, formal equivalence, dynamic equivalence, lexical equivalence, syntactic equivalence, textual equivalence and pragmatic equivalence. Since legal translation is primarily concerned with the translation of legal concepts, it is “conceptual equivalence” or “semantic equivalence” (sameness in legal meaning) that we have to achieve. Conceptual equivalence requires that different language versions of the law must convey the same legal concept(s) in question. Doubts have been raised as to whether conceptual or semantic equivalence can be achieved. If it could be shown that semantic equivalence cannot be achieved, then all bilingual and multilingual legislation systems would be

groundless. Thus it is of paramount importance in legal translation that semantic equivalence can be shown to be possible.

Language can be viewed as a system of symbols, codes or signs. As is well known, Saussure's dualism of the signifier (sound, image or the word) and the signified (concept) was developed by Peirce by way of a triadic relationship of the sign and subsequently by Ogden and Richards by way of the semantic triangle. According to the semantic triangle, words are the means of representing concepts in a language no matter whether such a concept is directly coupled with a referent in reality or not. In other words, any word has a referent in reality, however indirectly, and all concepts can be described by their manifestations in reality. If a word refers to a certain object directly perceivable in reality, then we have a typical case of the semantic triangle of word, concept and referent. If a word denotes an abstract concept which has no direct referent in the physical world, the referent in the semantic triangle may not be directly perceivable in reality but still can be explained by means of observable objects.

Similarly, the referents of legal concepts can be directly or indirectly described by their manifestations in reality. This is especially true due to the nature of the law, as Sin points out:

Law is a set of rules which prescribe and regulate human behaviour. Legal systems differ only in the content but not in the nature of such rules ... One important property of human behavior is that it is publicly observable. Accordingly, all legal systems can be understood in the light of human behavior observable in identifiable circumstances and conditions ... Human behaviour, as well as the circumstances and conditions in which it is observed, can be described with sufficient precision in any language. (Sin 1992: 95)

In legal translation, the translated version should prescribe the same behaviour as does the original version "not only by virtue of its legal authority, but also

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by virtue of its legal meaning” (Sin 1992: 95). The translated version can acquire the same legal meaning as the original version only when the legal meaning of the translated version is construed in the light of the semantic reference scheme of the original version. Sin goes on to analyze the goal of legal translation in terms of semantic equivalence:

Although no two texts in different languages are identical in all aspects of meaning, semantic equivalence ... can still exist between them if they are compared with reference to the same aspect of meaning ... (and) should be defined in terms of sameness in legal meaning, which is evidently the most relevant aspect of meaning they should have in common (Sin 1992: 96).

One may still ask: In what way can semantic equivalence be achieved in translation when the languages in question do not contain concepts that are exactly the same or when the meanings or concepts of the source language, which we generally refer to as cultural concepts, are different or even absent in the target language? The answer to this question can be found in Feyerabend’s (1987) insightful observation on Evans-Pritchard’s translation of the Azande language. When translating the Azande word “mbismo”, the translator decided to translate it as “soul” in English, but this is not the end of it. The translator added that “soul” in English implies life and consciousness while “mbismo” in Azande covers a collection of public or “objective” events. The significance of the translator’s note is fourfold. First, it draws attention to the fact that the use of the word “soul” in itself constitutes a problem. Second, it makes the word “soul” more suitable for expressing what Azande people have in mind. Third, it redefines an English notion to accommodate elements of a new concept. Fourth, it effects conceptual change, i.e., cultural transfer, at the metalinguistic level (Feyerabend 1987: 267-68). Feyerabend sums up all these points in a well formulated general principle of translation: “Successful translations always change the medium in which they occur”

(1987: 266). The importance of this principle can never be overstated, for it shows that any successful transfer of culture must change the importing language and that such transfers must be effected at the metalinguistic level.

The concept of metalanguage is not new in translation studies. Before Feyerabend, Roman Jakobson had pointed out that the metalinguistic function was one of the major functions of language. He noted:

A faculty of speaking a given language implies a faculty of talking about this language. Such a 'meta-linguistic' operation permits revision and redefinition of the vocabulary used ... and its classification is conveyable in any existing language. Whenever there is deficiency, terminology may be qualified and amplified by loanwords or loan-translations, neologisms or semantic shifts, and finally, by circumlocutions (quoted in Chesterman 1989: 56).

As can be seen, even if the concept that a certain word designates exists in one language but not in another, the referent (direct or indirect) that the word and concept stand for can always be replaced by a word in another language by way of linguistic adjustment in the form of a loanword, a descriptive phrase or a newly coined word. In the case of translation, the various metalinguistic devices adopted by the translator are often explicitly stated in his/her explanatory notes. And it is at the metalinguistic level that conceptual/semantic equivalence is achieved. A word in the target language is *defined* as the equivalent for its counterpart in the source language. That is to say, two different signs are made to denote one and the same concept.

Thus understood, foreignization is simply a metalinguistic operation whereby the goal of legal translation is accomplished. In this study, conceptual/semantic equivalence is not understood as the one-to-one correspondence between languages, which is absent as languages stand, but as a semantic relationship at the metalinguistic level. Put simply, conceptual/semantic equivalence is not *found*, but *created*. It results from a most common metalinguistic

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operation—making two things stand for one and the same concept. It should now be clear how different language texts produced by translation can convey the same legal meaning—they are simply made to do so.

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譯員職業化與譯員培訓

——抗戰時期國民政府對軍事譯員
培訓與管理的個案研究

郭婷

Abstract

The Professionalization and Training of Interpreters: A Case Study of the Republican Government's Training and Management of Military Interpreters during the War of Resistance (by Ting Guo)

This article reviews the interpreter training scheme jointly run by the Republican government of China and the American armed forces during the latter part of the Pacific War. From 1941-45, the Republican government recruited over 2,000 military interpreters from various schools and organizations and gave them 6 months' training to become interpreters, who would be deployed in various capacities in military operations. Such a programme of training is unprecedented in the history of interpreting not just in China but also all over the world. By way of studying the available documents on the recruitment, training and accreditation of military interpreters at the time, the author examines the power relationships involved, and seeks to understand how the training of interpreters contributes to their professionalization.

口譯在國際政治軍事活動一直都扮演了不可或缺的重要角色，因此軍事口譯也是研究世界口譯歷史的一個重要領域。但是鑒於種種原因，尤其是涉及到國家安全、軍事保密等等方面，研究軍事譯員也具有相當大的難度。現有的大部分研究一般著重在對參與軍事法庭或身處戰

區個別譯員的研究，研究的方法主要是訪問和法庭口譯紀錄。而對於隨軍譯員的徵用、培訓和管理方面，仍然還是比較薄弱。但是，隨著近年來中國大陸的檔案解禁以及一些學者翻譯的努力，一段鮮活且詳細的國民黨政府軍事譯員的歷史也正慢慢顯露出來。網路上以及一些新聞媒體上所提到的“飛虎隊譯員”，“美軍翻譯”，“學生譯員”等等，就是這段歷史受到關注的一個反映。因而，研究中國國民政府在抗戰期間招募和培訓軍事譯員這段歷史對於研究中國口譯史，深入解析軍事譯員這一職業以至於整個翻譯研究領域都是有重大意義的。

本文擬對這段歷史作一個回顧，並尤其著重分析國民黨政府在1941年後因為開闢中國戰場，為中美軍事合作而招募隨軍譯員的過程。通過考察由國民黨外事局主持的譯員招考和培訓等環節，以及其與美方聯合進行的對在崗譯員的管理和評估，本文討論了培訓在樹立和強化譯員職業道德和職業精神方面的重要作用，並指出譯員職業化的同時也是一個社會化和政治化的過程。軍事譯員的確是特殊情況下身份比較特殊的一個群體，無法代表大多數和平時期或者從事其他領域口譯活動的譯員。但是也正是這種特殊的環境使很多隱含的利益關係和社會框架凸顯出來。研究這段歷史不僅填補了我國口譯史的一段空白，並且對當前譯學界有關譯員身份定義、培訓和職業規範的制定等熱點問題有積極的意義。

1. 相關口譯研究

在口譯研究中，譯員的定位和職業化一直是討論的中心，並且比較常見的問題就是有關譯員的道德準則和行為規範。是否完整無誤譯出源語、保持中立、零介入等等這些一般被看作是職業譯員並具備

的素養。這種一邊倒的局面與譯員職業和口譯研究的歷史有關。一般認為口譯作為一項職業在現代社會出現是源自二戰後的盧森堡軍事法庭口譯，而之後口譯界研究的物件和重點也集中在會議口譯和法庭口譯。對這兩方面的研究方法自70年代就是心理學和語言心理學佔主導位置，涉及譯員的預測能力(Chernov2002/1979; Lambert 1983, 1989)，認知能力 (Gile 2002/1997; Danks et al. 1997)，筆記分析(Seleskovitch 2002/1975)等等。應該說，這些研究在塑造口譯的職業形象起到了積極作用，但在一定程度上也局限了我們對口譯職業社會性的理解。正如Daniel Gile提到的，會議口譯為研究者提供了一個嚴格控制但過於理想化的研究物件，過濾掉了很多更為複雜而日常口譯活動中常常會涉及的關係和因素 (Gile 2002/1997: 174)。可喜的是，在過去的十年裡，很多研究者都已經證明，譯員與僱主和顧客的互動是必然的，也可以是有益的，尤其是在社區口譯 (community interpreting) 的醫療、難民等等領域中。儘管在口譯職業和學術界社區口譯常常被認為是最不“專業”的口譯 (Mikkelsen 1996: 125)，顯然，我們對譯員這一職業應有更多角度和多層次的瞭解，並且對以前認為是理所當然的所謂的職業規範進行深度的反思。

有別於以上提到的種種口譯模式，軍事口譯在學術界被討論的並不多。比較早提到戰時口譯員的是Ruth A. Roland。在其1982年出版的*Translating World Affairs*一書中，Roland研究了在世界外交和政治舞臺上，包括在武力衝突當中，頗有影響的一些口譯員。此書在1999年更名為*Interpreters as Diplomats: Diplomatic History of the Role of Interpreters in World Politics* (1999)，再版問世。其中，Roland根據外交官間的傳聞雜記、譯員日記，國際政治軍事會議紀錄、檔案等等對譯員在國際關係中的活動進行了研究，包括二戰期間日軍譯員參與對

敵國平民的折磨和殘殺等等(1999: 171)。Roland指出以某機構或權力機關制定的所謂的職業規範來衡量和評價譯員個人行為是有問題的，因為譯員個人因為本身文化背景或者社會經驗對事物的判斷和看法會有所不同(1999: 164, 172)。儘管她對影響譯員行為的內外部原因沒有進一步闡述，但她指出研究譯員在特殊環境下，尤其在戰爭中，可能面臨的意識形態和文化上的控制以及自身利益與安全考慮的重要性(同上文)。

在“The Empire Talks Back: Orality, Heteronomy and the Cultural Turn in Interpreting Studies”(1997)一文中, Michael Cronin 對 R. Bruce W. Anderson 的一篇名為“Perspectives on the Role of the Interpreter”的舊文進行了反思，並提出了在口譯研究中考慮到譯員個人的社會背景以及環境因素(比如說各方之間的權力關係和緊張程度)的重要性以及權力關係在口譯實踐中的中心地位(同上文: 391)。Cronin又特別提到了在2002年伊拉克戰爭中，美方伊拉克譯員在搜集軍事情報中的作用以及因為協助美方而受到當地勢力報復的難堪處境(Cronin 2006: 114–115)。除了Cronin，對戰爭中譯員有所關注的還有 Jerry Palmer (2007)，Mila Dragovic-Drouet (2007)和 Lawrence Wang-chi Wong (2007) 等人。Palmer 研究主要關注2003年以來協助西方記者工作的當地伊拉克譯員；而Dragovic-Drouet 則主要研究前南斯拉夫戰爭中的翻譯和口譯活動，尤其是駐前南斯拉夫的國際組織、維和部隊、非政府組織機構等所招募的譯員。Dragovic-Drouet 觀察到這些譯員都是從民間直接招募，而非專業譯員，往往語言能力有限，而當地政府則選擇聘用“可靠的”的譯員以鞏固其權力(Dragovic-Drouet 2007: 34–35)。Lawrence Wang-chi Wong 在“Translators and Interpreters during the Opium War between Britain and China (1839–1842)”一文中則描述了一段鮮為人知的歷史，即鴉片戰爭期間

活躍在中英雙方的譯員。在強調譯員對交戰雙方的影響和掌握的權力的同時，Wong也指出在口譯活動中譯員可能被捲入的複雜政治軍事關係可能被誤讀或者利用，因此有必要加強軍事譯員培訓(2007: 54)。

然而，在軍事譯員培訓這一方面，因為所涉及領域的敏感性，口譯界目前出現的資料並不多。美國南加州大學歷史學家Roger Dingman教授在2004年曾發表一篇文章，題為“Language at War: US Marine Corps Japanese Officers”。文章對二戰期間美國培養日本軍事譯員的情況進行了研究。根據Dingman的調查，在1942到46年間美國海軍日語學校（現址在 University of Colorado, Boulder）為對日作戰培養了一批日語軍事口譯隨軍參戰（2004: 867-868），並在戰爭中為減低傷亡，爭取戰俘和獲取情報上起到了一定作用。Dingman的研究表明，在培訓這些軍事譯員的過程中，軍事職責以及政治立場是貫穿培訓的重要內容。事實上，這兩點從挑選學員到培訓隨軍出征就一直被強調，並直接影響到第二代日本移民能否被選入參加，儘管他們的日語能力要比本土美國人強（Danton 1943; Takeda 2007）。

在一篇由Thomas O. Brandt在1944年撰寫的文章中，我們可以看到實際上在二戰中，除了培訓普通譯員，美軍已經開始培養具備外語技能和當地知識的特殊軍事人才(即所謂的 Language and Area Project)。通過與大學內外語機構合作，美軍嘗試培養了一批精通敵國語言、文化、風俗、地理歷史、政治機構的軍官。在9個月的集訓後，這批軍官將獨立在敵區執行軍事任務（Brandt 1944: 74）。被挑選的學員都是在智商和能力測試中高分通過的士兵。Brandt強調培養這些“軍事語言專家“對於”贏得戰爭，與佔領區和敵國當地人民協作，與同盟國有效合作，以及保持長久的和平是物有所值的和必要的，具有重要意義”（同上文: 74-75）。儘管這項語言地區專案的主要目的是使軍事行

動能不依靠譯員協助下有效進行，但從現實來看，即使是在半個世紀之後，在對伊拉克和阿富汗戰爭中，美軍仍不得不從外部聘用大量譯員。這說明譯員的可靠性一直受到有關方面的質疑，但他們在國際軍事衝突中又發揮了不可或缺的作用。

英國國防語言學校的陸軍語言強化訓練專案負責人Eleni Markou在2006年威斯特敏斯特大學年會就英國陸軍口譯需要提出了一個總框架，指出在現代社會和平和戰爭時期軍隊在建設、管理、戰略部署、戰後維持秩序、人道主義援助等等方面都需要專門的軍事譯員的協助。她進一步指出，這些軍事譯員應該具備多方面的素質和技能，以順利完成戰時軍事活動的各種複雜任務。這些素質和技能至少包括除英語外一門外語知識、文化適應性（身份、性別、年齡）、可靠、忠誠、軍事行動意識、安全保密意識，以及團隊（非言語）協作精神（Markou 2006）。顯然上述這些方面已經遠遠超出了語言及口譯技巧層面，也有別與傳統口譯研究涉及的會議和法庭口譯。儘管Markou並沒有深入討論如何培養、考核和評定譯員的這些素質和技能，但她無疑明確了口譯這一職業在軍事領域的定位和發展方向。

綜上所述，研究軍事譯員已經成為口譯研究的一個新興並且重要的領域。儘管相對其他領域的研究來說，在資料獲取和理論建構上還相對滯後，但對重新解讀口譯這一職業以及其隱含的政治權力關係有積極的意義。這也是本文聚焦中國抗戰軍事譯員這段歷史的意義所在。目前，有關這段歷史的研究還比較零散，但一些學者和譯員（嚴家瑞2005；羅天2008）根據一些譯員個人回憶做了一定的整理和綜述。因篇幅所限，一些細節在這裡略去不表。通過對以下史料的整理和分析中，本文提出：1）口譯職業在實際社會生活中具有多面性和多層次，所謂絕對中立和

純語言層面的翻譯模式不適用於所有形態和各種語境的口譯活動；2）軍事譯員職業規範的制定和執行是以權力／統治機關利益為出發點，並圍繞鞏固其權力和控制權；3）培訓是譯員職業化、社會化的重要一步。而軍事譯員培訓也是統一價值觀，加強意識形態控制的重要環節之一。瞭解抗戰時期中國國民黨政府的軍事譯員培訓這段歷史對研究現代口譯職業的形成和發展歷程都有重要意義。

2. 國民黨的國際軍事合作與職業譯員培養

2.1 三十年代的早期譯員培養

儘管國民黨政府大規模公開招募和培訓譯員是在1940以後，但事實上早在30年代初，國民黨就已經開始著手培養職業軍事譯員了，目的主要是協助政府所聘請的外國軍事顧問（主要來自蘇聯和德國）的在華工作。這一時期內，國民黨政府投入了大量人力物力整編和訓練軍隊。外國軍事顧問，特別是德國顧問團，在30年代國民黨政府軍隊整訓和發展軍事基礎設施中發揮了重要作用。在1936年德國與日本簽訂《反共產國際協定》並在第二年召回在華德國顧問團之前，中德維持了將近十年較為密切的軍事合作關係（Kirby 1984: 3）。這一特殊的合作關係，跟國民黨政府在九一八事變以後沒有獲得任何實質上的其他國際勢力的支持有關，也與德國希望擴張其在亞洲的勢力並且奪取其軍事和工業發展所需的資源和市場有關（Twitchett et al 1993/1986: 582; Kirby 1984: 4）。也正是因為這些政治和軍事合作的考慮，從30年代初國民黨政府開始著手培訓職業軍事譯員，專門協助外國顧問指導軍事訓練和從事與軍隊建設及相關的聯絡翻譯

（口譯及筆譯）工作。根據國民黨中央軍事委員在1932年8月份的一份會議記錄，軍事譯員的挑選和訓練已經成為中德合作工作的一部分（中國國家第二歷史檔案館1994: 110-114）。會議中提到了所應配備的譯員數量（兩倍或一倍半于顧問名額），軍事背景知識以及相關的訓練。這些都是一些早期的軍事譯員職業化思想。在這一過程中，德國顧問也起到了重要作用。比如說，當時的德國駐華顧問代表Hans Klein在1935年給蔣介石的報告中就強調了培訓專業譯員的重要性，並對此類人員所應具備的技能和品質作了建議，尤其強調了“精通中德兩國文字”，“誠信可靠”，體現了軍事譯員這一職業本身特定要求(Twitchett et al 1993/1986: 151)。

應該說早期的中德關係中的軍事譯員的人數雖然沒有之後中美軍事合作中的數目大並且不太為人所知，但是他們的貢獻是不可抹煞的。在華德國顧問團從1928年的26人在1934年6月達到了61人(Kirby 1984: 124)。從這些顧問與國民黨機關的日常溝通到每日在軍事訓練基地的指導，都離不開這些譯員。到1937年盧溝橋事變時，德國顧問幫助國民黨政府整訓了300,000人的軍隊，其中80,000為核心精編師，而且是全德國武器裝備(Kirby 1984: 220; Liu 1956:102,147)。更重要的是，在國民黨政府挑選和培訓這批人員過程中，譯員作為一種特殊崗位被逐漸正規化和軍事化，為之後40年代的大規模社會公開招募和培訓定下了基調。

正如前文提到的，除了中德譯員，國民黨政府也僱用了一批中俄譯員，為在華蘇聯顧問提供語言服務。但是由於國民黨對於共產主義背景的蘇聯顧問不夠信任，除了蘇聯空軍直接參加對日作戰以外，並沒有更密切的軍事合作。因而，中俄譯員的工作並沒有受到重視，相關的檔案記載也不多。有意思的是，因為對蘇聯顧問的偏見，中俄譯

員似乎也受到了一定排擠（見 Guo 2009）。鑒於篇幅有限，本文在這方面不再詳述，而將重點分析40年代的中美軍事譯員。

2.2 四十年代的中美軍事譯員

在30年代，儘管中日摩擦不斷升級，二戰戰場日益緊張，美國基本保持了中立態度。但是自從1941年，特別是日本襲擊美國珍珠港軍事基地以後，美國在對華政策上有了大幅度轉變。美國政府逐漸認識到中國戰場在制約日本軍事擴張的重大意義，開始援助蔣介石政府抗擊日軍。在1941年3月，美國國會通過了《租借法案》（the Lend-Lease Act），以此替換之前的《中立法案》（the Neutrality Acts），並在同年8月26日正式派出由 John Magruder 準將帶隊的駐華軍事代表團。根據該《租借法案》，美國政府在之後的五年內，向國民黨政府提供了大約\$13.36億美元的援助（Young 1963:351）。^[1] 而從1942年3月美國在雲南昆明建立第一個駐華軍事基地開始，直至抗戰結束，駐華美軍人數每年都在遞增。到1942年末，美方軍事人員為1,255人；^[2] 而到了1943年10月，這個數目已經增長為4,800人。^[3] 在印度Ramgarh、中國的昆明和桂林都建立了中美合作軍事培訓基地，由國民黨政府訓練軍隊準備抗擊日本。僅桂林步兵訓練基地就駐紮有大約2,200美方軍事人員。^[4] 到1945年8月日本投降前，在華美軍人員已經達到60,360人（Hook 1993: 672）。激增的在華美軍使中美雙方的溝通問題變得尤為緊迫，特別是國民黨軍隊在接受美方軍事訓練和領導作戰時需要解決的隨軍譯員問題。而根據國民黨政府在1942年6月2日與美國政府簽訂的一項互助協定，國民黨政府承諾盡力為美方提供在華所需的物品，服務和情報（Hsu & Chang 1972: 256）。^[5] 應該說，這雙重背景是國民黨政府開始招募和培訓中美軍事譯員的主要原因。作者的這一推測也

可以在一份國民黨政府檔案檔中得到證實：

因美國協助我國訓練新軍，美軍官佐陸續來華，加以遠東戰場美軍實力日益擴張，譯員需要隨之增加，本年度，美方要求選派譯員計越三千五百餘人…^[6]

儘管培訓中美軍事譯員直到1941年末才正式被提到議程上著手進行，^[7] 其規模遠遠超出了之前中德合作中的譯員培訓。自1941年以後的短短四年中國國民黨政府招募並培訓了超過4,000名軍事譯員，其中大部分是由外事局直接從大中專學校公開招聘考核選拔(梅彥祖2004: 52)。被選拔的譯員在經過短期6-8周的培訓後被分派至各軍事單位協助美方工作，包括軍事訓練基地(見圖一)、航空局、或後勤交通部，或者留任外事局從事聯絡翻譯工作。



圖一 第九縱隊學員在跟美軍中尉指揮官Caputo學習如何保留犯罪現場證據[中國譯員在美國教官右側]^[8]

表一列出了國民黨外事局在1944年10月17日對所屬譯員的統計情況。在被調查的1,919名譯員中，1,335人(69.6%)隨軍駐紮在印度，117人(6%)在中國桂林，其餘467人(24.4%)在中國重慶。此時大部分譯員在印度跟當時美軍對日軍事行動計畫有關。除了133人被分派至印度Ramgarh基地（當時國民黨在印度戰區的主要軍事培訓基地）（Romanus & Sunderland 2002/1953: 214–221），這1,335名外事局譯員大部分都隨軍參加了由美軍在華總部於1944年4月發起的粉碎日本ICHIGO Operation的Burma戰役。其他分配到中國戰區的譯員，117人在東南軍官培訓中心（桂林），其餘467人則在重慶各軍事後勤單位工作：戰地服務團(98)，航空委員會(187)，軍需部(40)，及交通部(49)。換句話說，在此統計期間服務的每位元軍事譯員，有63%的機會在前線戰地服務，24.3%的機會在後勤部，而在後方訓練中心工作的機會只有13%。

表一 外事局譯員分佈表(1944年10月17日)^[9]

| 地區 | 譯員人數 | | | | | 總數 |
|----|------------------|----------------|----------------|-------------|-----------|---------------|
| 印度 | Ramgarh基地 133 | Ledo 基地 451 | 昆明 Y 部隊 596 | 中國遠征軍 66 | 其他 89 | 1,335 (69.6%) |
| 桂林 | 東南軍官訓練中心 117 | | | | | 117 (6%) |
| 重慶 | 中美合作中心 93 | 戰地服務團 98 | 航空委員會 187 | 軍需部 40 | 運輸部 49 | 467(24.4%) |
| 總數 | 1,919 (100%) | | | | | |

但是在三個月內，形勢就發生了明顯變化。根據在華美軍總部於1945年1月統計的資料（見表二），譯員的數量有了明顯下降，從兩個月前的1,919人減少為1,651人。這一減員當然有很多因素，包括譯員的退職，升職或者殉職。戰鬥減員是這一時期一個重要因素，特別是鑒於大部分譯員與 Y Force 和中國遠征軍隨軍參加緬甸戰役。就單個部門而言，最需要譯員的前三個部門分別為美軍領導的中國部隊

(昆明)(697人)，北緬甸戰區的Ledo美軍總部(296人)和第十四航空隊(AVG)(200人)。這三個部門的譯員總數達到了1,192人。也就是說在這所有的1,651名譯員中，72%在前線工作，或者與空軍軍官、飛行員、地勤、機械師，或者與美國軍官和中國軍隊並肩作戰。另外28%，有19%在軍事訓練中心（其中121人在昆明，194人在印度）。剩下的9%則服務於軍需部門（昆明13人，Ledo 113人）或者重慶地區（9人）。根據表二，美軍總部預計在1945年6月底需要3,014名譯員，比之前要大約增加45%。而昆明是最需要譯員的地區，尤其是中國軍隊昆明總部訓練中心以及昆明軍需部，每個月需要大約150名譯員補充。

表二 服務在華美軍的外事局譯員數量(1945年1月19日^[10])
以及之後6個月內所需增補新譯員的數量^[11]

| 部門 | | | | | |
|----------|-------------------------|----------------------------|----------------------------|-------------------|------------|
| 月份 | 重慶地區 18 | 昆明訓練中心 121 | 中國軍隊指揮部(昆明) 697 | 軍需處(昆明) 13 | |
| 未來所需新譯員數 | | | | | |
| 一月 | 1 | 0 | 65 | 0 | |
| 二月 | 1 | 35 | 65 | 150 | |
| 三月 | 1 | 95 | 70 | 150 | |
| 四月 | 1 | 55 | 25 | 150 | |
| 五月 | 1 | 45 | 25 | 150 | |
| 六月 | 2 | 25 | 25 | 150 | |
| 部門 | | | | | |
| 月份 | 第十四航空 隊(AVG.) 200 | 指揮部, Ledo- 北緬甸地區 295 | 第三軍事基地 (Ledo)軍需處 113 | 印度訓練 基地 194 | 合計 1651 |
| 未來所需新譯員數 | | | | | |
| 一月 | 26 | 0 | 0 | 0 | 92 |
| 二月 | 10 | 0 | 0 | 0 | 261 |
| 三月 | 10 | 0 | 0 | 0 | 326 |
| 四月 | 10 | 0 | 0 | 0 | 241 |
| 五月 | 10 | 0 | 0 | 0 | 231 |
| 六月 | 10 | 0 | 0 | 0 | 212 |
| 合計 | | | | | 1363 |
| 總計新老譯員數 | | | | | 3014 |

表一和表二所表現的這種譯員資源的流動主要與美軍反擊日本“一號戰役”(Ichigo Campaign)的軍事戰略調整部署有關。這些資料雖然只能表現一個階段的大體情況，但是多少說明了這些軍事譯員有可能在各種不同的環境下工作，工作的內容和性質包含從聯絡、後勤、訓練中心到前線戰場，因而所面臨的風險和機會也有所不同。顯然，除了語言能力，譯員們要面臨更加嚴峻的從專業背景、心理到身體方面的挑戰。前線的譯員也許有更多立功升職的機會，但同時也面臨更多危險；在後方服務的譯員雖然暫時比較安全，但在津貼和福利方面或許要差些。那麼接下來一個重要的問題就是針對這些方面國民黨政府在挑選和培訓譯員中採取了什麼政策，以及譯員個人又是如何應對的呢？

2.3 譯員的招募與培訓

對於國民黨政府來說，招募軍事譯員的直接目的就為了配合與美軍的軍事合作，打擊日軍，其重要性和緊迫性是顯而易見的。但作為其內部軍事機關的直接成員，其政治可靠性也是必要的。因而，雖然美方在招考和培訓的很多方面都有一定程度的參與，國民黨對挑選譯員方面還是盡可能地進行了把關，並且在教授軍事常識的過程中注意灌輸軍紀軍規和忠黨獻身的思想。而對於譯員個人來說，參加譯訓班成為軍事譯員的動機也是多種多樣的。對於很多飽受戰亂之苦的人來說，當軍事譯員也許是一種報效祖國，直接打擊日寇的光榮之舉；但對於某些人來說，也許就是解決生存問題，謀求發展的一個出路。因而，譯員培訓的實際情況應該是比較複雜。從性質上來考慮，它不是一般的語言或翻譯技能培訓，而是軍事機關；而參加譯員培訓班的學員也一般會有更實際的考慮而不會僅是出於純粹的愛國抱負。

因為這些譯員的工作性質，譯訓班的招考、培訓、分配和管理等等

皆由國民黨外事局直接統籌（中國國家第二歷史檔案館 1998: 142）。國民黨外事局設立於1941年，隸屬國民黨中央軍事委員會，主要負責有關聯絡戰時外國顧問、培訓和管理軍事譯員等事宜。外事局設有二部，一部主要負責聯絡和招待美英軍事人員；二部負責僱用和接待蘇聯顧問。到抗戰結束前，外事局在贛州，蘭州，桂林，昆明和印度都設有分部，因而可以方便與美方協調並管理各區的軍事譯員（同上文: 142-143）。

那麼國民黨外事局希望招聘什麼樣的人擔任軍事譯員的工作呢？或者換句話說，哪些人是國民黨當局心目中理想的候選人呢？筆者在檔案檢索過程中發現了一份外事局對社會公開招聘軍事譯員的佈告^[12]《軍事委員會外事局考選高級譯員簡章》（見附錄一）。在這則譯員招考廣告中，招考條件大體可分為三類：首先是譯員的身體素質（性別、年齡、健康狀況），譯員的知識技能（大學程度以及英語語言知識）以及政治忠誠和可靠性（“愛國熱忱思想純正”）。對譯員身體素質的要求顯然跟其將來的環境有關。戰事中，軍事譯員的年齡、健康以及性別，包括生活嗜好，都會對其工作效率造成影響。第二個方面則是對譯員軍事翻譯能力的要求。所有參加招考的人員都要經過筆試（英漢漢英對譯）和口試，測試英語口頭和書面的表達能力。這也從一個側面反映了雖然這些軍事譯員在今後的培訓中的重點是口譯，但是要求在工作中承擔相應的筆譯工作，而不是單純的現代意義的口譯職業的概念。鑒於所招考的譯員的工作內容將主要與軍事有關，測試在考察報考人員的語言水準之外，也注意考察譯員在軍事方面的常識和詞彙。在另一份檔案卷宗裡，筆者有幸發現了一份外事局譯員筆試的漢譯英考卷，現部分摘錄於下：

Translate the following paragraphs into Chinese ^[13]

1. Nothing more spacious than your own backyard is needed for your take-

- off and landing when you own a helicopter, while any airplane will need a field of substantial size for safe operation.
2. The war has hastened the development of aviation by many years and the airplane will be one of the greatest factors in developing political and economic internationalism in a post-war world.
 3. At present the speed, ceiling, ruggedness, and especially the effectiveness of the long-range high velocity .50 calibre guns of the Fortresses and Liberators give the Americans an edge over the best fighter defence the Luftwaffe can muster.

顯然這份考卷考的不是一般的英語語言能力，卻涉及了包括航空、步兵和武器類的詞彙。考生對這些詞彙的熟悉直接決定了能否順利完成這些翻譯，而鑒於所面向的考生並不是軍事院校學生，所以也間接考核了考生平時對時政和軍情的瞭解和知識面。口試的主要目的則是考察考生用英文應對的能力，而非口譯能力。這或許跟當時口譯還沒有作為一門專業的技能被教授和考察有關。但通過口試來衡量考生的靈活應變能力和性格，也不失為一種方法。畢竟，軍事譯員所要面對的是殘酷的戰爭，工作涉及更多的不確定因素。

第三類要求則是考生的政治背景。這是一個比較難以把握的標準，因為所謂的“愛國熱忱”和“純正思想”都很難在測試中量化。於是，外事局在招考中加試了一項“黨義測驗”，即對國民黨黨章，三民主義等等進行筆試。同時，在筆試（漢譯英）中，也注意設計了相關考題，強調軍事譯員的絕對服從上級，忠於國民黨政府（見下文）：^[14]

中譯英：

請將下段中文譯成英文

軍紀者，軍隊之命脈也。軍隊必須有嚴肅之軍紀，然後精神上之團結力得以穩固，戰鬥力之持久性得以確保。蓋戰時各部隊之任務不同，其境遇亦各有差別，而上自將

帥，下至士兵，尤能聯絡一貫，萬眾一心，從一定之方針，取一致之行動者厥惟軍紀是賴。故平時須將典令所定之制式，確實熟讀而應用之，尤須注意於內務衣食住行之教養，與整齊清潔之習慣，以保持軍紀之嚴正。而軍紀之要素，則在全軍一致之信心。故上下將士，無論在任何時機，當以信仰上官，信任部下，而自信其為效忠黨國，服從命令，與愛護人民，恪守紀律之軍人也。

選擇此類的材料為考核的內容應該說還只是在形式上對軍事譯員工作的特性和政治性進行了強調，至於考生是否真心受教是另一回事。這也就是為什麼在招考簡章的最後，外事局強調所有考試符合條件的考生必須填寫保證書，並有當局所認可的公職人員或法人作保才能正式參加培訓，有機會成為軍事譯員。在外事局的檔案中保存了追討一些因故未能及時具保的譯訓班學員的相關文書以及一些譯員的保證書。從這些保證書來看，除了通常所要求的“不得見異思遷倦及怠職虧欠情事”，外事局對譯員的保守機密和政治立場（“保守機密，不得有洩漏及失職與反動行為”）作了明確要求，並且要求保證人負連帶責任。應該說由有一定社會地位的人士具保，本人填寫保證書在中國社會政治制度中，並不是種不常見的做法。防止軍事譯員的“洩漏及失職與反動行為”大概是出於對當時國共之間的政治矛盾的考慮，另一方面強調保密工作，則是充分考慮到了軍事譯員工作的性質。因為這些譯員往往被分派在關鍵軍事機關或前線，他們有機會瞭解國民黨軍隊的戰略部署，特別是與美方的軍事合作。他們的保密工作對戰事有直接影響。這一點與現代法庭口譯的職業規範有一定的相同之處。只是後者所強調的中立原則顯然不適用於軍事譯員。軍事譯員要求有明確的政治立場和對一方的絕對忠誠。這一點在國民黨外事局的招考中就體現得非常清楚。

除了報考資格之外，招考廣告中也對譯員待遇做了描述，包括譯員的軍階、工資、駐外津貼以及醫藥福利。^[15] 應該說這些待

遇在譯員招募的初期階段還是有一定吸引力的，包括已經在國民黨政府機關任職的公務員。^[16]特別在為了吸引在校優秀大學生，外事局曾宣稱在校大學生擔任譯員可以免修一定學分畢業，並且戰事結束後將擇優派遣譯員去美深造，很多在校學生以及學校都積極參與了軍事譯員招考。比如說，西南聯大就曾明文規定除體檢不合格者外，所有大四男生都應報考軍事譯員，而凡完成譯員服務後學生可免修30學分提前畢業。^[17]根據現有的資料來看，絕大部分軍事譯員的年齡在20-30歲，而主力就是三四年級的男性大學生（Guo 2009）。當然，考慮到地區差異和40年代飛漲的物價，尤其是前線譯員所面臨的危險，這些待遇似乎也並不算太高。比如說，在1945年一個駐印三級譯員工資為7,000元以及190盧比的津貼。但是，根據某些譯員的回憶，到抗戰結束前8,000元的工資只夠買4包駱駝牌香煙（盧國維2005），而一塊印度盧比也不過是一碗麵條的價值（Su 2005: 204）。但是，從另一個方面來看，在抗戰時期能夠擁有一份政府的穩定工作且不耽誤學業，對於一般人來說還是頗為吸引人的。這與之前所提到的其他研究者所發現的軍事譯員服務的動機往往帶有物質功利性還是相吻合的。只不過鑒於當時國民英語教育的特點，國民黨把重點放在了高等教育系統，而以社會公開招聘為輔。也正因為不少人投考譯員是因為摻雜有物質利益的考慮，在面對殘酷的戰爭時，外事局譯員管理上遇到了不少問題。在下文中，我們將談到期間有的要求改善譯員待遇，也有的直接就臨陣脫逃或者裝病怠工等等。

2.4 從譯訓班到翻譯官：解讀軍事口譯培訓

如前所述，報名參加外事局譯員考試並不需要具備口譯的經驗，但所有通過考試的考生在正式分派工作前都將參加由外事局主辦的4-6

周的譯員培訓班(簡稱譯訓班)。幫助已具備一定英語能力的學員在較短的時間內掌握相關的軍事詞彙和常識當然是舉辦譯員培訓班的目的之一。但是對這些不同背景的學員進行一定的政治紀律培訓,以便之後的管理也是譯訓班的一個主要目的。從某種意義上來說與現代的口譯職業培訓有類似之處,也就是說,除了必要的語言知識和口譯技能,培訓的主要目的之一就是向學員說明什麼可以做,應該做,什麼不可以做,做了會有什麼後果。當然至於什麼是應該做的,什麼是不應該做的原則則是以國民黨政府的利益導向的。而對於這批外事局公開考選的大多數學員來說,譯訓班的培訓過程實際上也是他們接觸和理解翻譯軍事口譯這一職業的第一步,因而對於增進他們對譯員這一職業的理解和樹立他們的職業信念是至關重要的。當然這些最初在培訓中被灌輸或產生的印象和想法會因個人的背景不同而不同,也會因為個人將來不同的境遇和經歷而有所改變。而這一後繼過程儘管仍有國民黨政府的干預和控制,卻因為其它因素的參與而變得更加不確定和複雜起來。

國民黨外事局曾在1941年11月起草了一份譯員培訓大綱。^[18]這份大綱不但設定了明確的培訓目標、學員要求、培訓時限,還擬訂了一份為期四周的培訓課程表,其中包括培訓方法、科目(內容和時數)以及相關的課程外活動(討論,演講等)。考慮到這份提綱制定時是譯訓班剛剛開始籌辦,這些設定的一些細節在之後具體的施行中還有改動,比如說培訓的期限,但是顯然其制定者對培訓的總方向和要求非常明瞭。在這份大綱中,譯員的工作被定位為“軍事譯述與聯絡”,由此將這些譯員與其他文職類政府工作人員區分開來。但是從培訓的內容來看,外事局對這些軍事譯員的期待似乎不僅僅是譯述而已。這一點在其附後的課程表上也可以看的出來。^[19]其中語言類的課程占了47%(英語對話

(36小時)，英語寫作(16)，軍語譯述(16))。另外11%的培訓時間用在了背景知識培訓——各國軍情(4)、太平洋軍事地理(4)、敵情研究(8)。而另一部分則是所謂的“精神訓練”和軍事職責，包括聯絡和情報工作。前者主要是通過學習總理遺教(4小時)、領袖言行(4)、國內政治(4)，以及精神講話(8)。所有這些總共占去了14%的培訓時間。而剩下的17%的時間則分別是針對武官業務(4)、外交禮儀(4)、國際政治(4)、國際情報(4)，以及情報學(8)。

從上述課程安排來看，國民黨政府似乎要保證譯員的“正確”政治立場和對政府的忠誠。除了學習三民主義—國民黨的政治綱領，譯員還要學習所謂的政治領袖言行，即蔣介石的演講和文章。換句話說，雖然名為培養軍事譯員的外語訓練班，但其課程訓練的設定表明至少在當時口譯或譯述技能並不是培養軍事譯員的唯一目標。相反，灌輸一定的政治觀念，培養一定的軍事情報採集意識和技能也被認為是培訓的重點之一，這是考慮到被選入的學員已經具備一定的英語能力，或者說就語言層次而言是比較容易考核和把關的。換句話說，除了強化與具體工作相關的語言背景知識，軍事譯員培訓計畫的重心應是塑造軍事譯員的職業道德(政治信念)和業務技能(相關的軍事情報採集技能)。

在譯訓班的教材《*Forty English Lessons for Interpreting Officers*》中，序言“Foreword to Teachers and Students”就對譯員的行為進行了一定的說明和要求，^[20]既包括具體的口譯品質和標準(迅速、準確、清楚以及易於口頭交流的口譯風格(rapid, accurate, clear, and in good conversational style)，也包括個人修養和品質方面，如愛國熱忱、國際協作精神、禮貌、工作勤勉、嚴守紀律，堅韌不拔(citizenship, true patriotism, discipline, courtesy)。這些原則被列入教科書中，是為了強調教師和學員在教學和學習中貫徹和執行，同時也是對軍事譯員這一職業的具體定位。根據以上的標準，

通過教與學的過程，學員將會對軍事譯述的標準和要求逐漸內化，並在其最初的工作實踐中體現出來。因此，整個培訓過程是譯員職業化的重要一步，對於譯員職業道德和職業技能的養成都有關鍵作用。當然，這也是國民黨政府投入人力物力，希望向譯員灌輸對政府有利的價值觀的一個重要原因。至於在具體執行中，是否這些課程和原則都按照計畫落實了，學員的反應如何，我們不得全知，畢竟戰時情況下，時間緊迫，培養能工作的譯員是首當其衝的任務。但是以上種種都說明譯員這一職業在不同背景下所可能包含的複雜關係，以及培訓在導向譯員職業道德，形成職業操作規範的重要作用。

然而，培訓畢竟是一個比較短暫且干擾較少的過程。接下來在譯員職業化過程的一個重要因素則是國民黨外事局對譯員的管理，特別在獎懲、升遷制度上。因為這些直接與譯員的利益掛鉤，對其行為有直接影響。但是管理這部分並不是與之前的培訓脫節的，反而是對其的延伸和具體化。軍事譯員不同於其他譯員的一個重要特點就是其顯著的軍事性和毫不掩飾的政治立場。比如說國民黨外事局在譯員管理方面就提出了一系列的規範鼓勵和約束譯員的行為。從其內容和形式上來看，也可以說是具備當今職業譯員行為規範的雛形了。比如說，外事局在管理規則中明確提出了會得到褒獎的六類行為：

外事局譯員管理規則，民國三十二年七月二十七日^[21]

...

乙 譯員著有左列之功績或優行者分別獎勵之

- 1) 服務成績特別優良者；
- 2) 辦理困難或危急事件甚切機宜者；
- 3) 破獲國際陰謀擾亂機關證據確鑿者；
- 4) 冒險達到命令中之任務者；
- 5) 帶病或負傷仍勉力服務者；
- 6) 工作時能留心考察當地情形，擬具報告供改善參考之資料者。

很明顯，上述這六種提倡的譯員行為都是直接服務於其統治權力機關，並且沿襲了之前譯員培訓的價值觀和精神。除了翻譯工作本身，譯員臨危不亂、自主解決問題的能力、情報收集以及反間諜能力，以及自我犧牲的精神都在這裡重新得到了體現。除了這些可得到特殊褒獎的行為，外事局還聯合美方直接對其服務的譯員進行綜合評價。評價包括六個方面：譯述服務品質、責任心、繼續學習、軍容整潔、言行得體性格(Quality of service rendered, Attention to duty, Efforts to improve his usefulness, Neat appearance and dignity of demeanor, Character)。^[22]各項按百分比評價後進行評分，達到75%為合格，80%良好，85%為優秀，90%非常優秀，95%傑出。這種僱主聯合顧客對譯員的服務進行直接評估的做法無疑對規範譯員的行為上更進了一步。事實上，美方也常常主動對譯員的服務提出回饋意見，或是要求替換不合格的譯員，或是請求對表現突出的譯員進行褒獎。外事局在這一方面也一般根據相關的管理規定進行調整和獎懲。^[23]比如說，美軍總部就曾致信國民黨外事局，表示譯員 Cheng Ching Tung^[24]（譯員編號No. 241）應加以升職褒獎，因為其無論環境和工作如何，都盡忠職守，任勞任怨（willingness and readiness to work in any capacity for this service, no matter what it may be），又提及具有傑出譯述表現和無可指摘的禮儀風度（exceptional ability in interpreting; perfect courtesy）的同事譯員Wang Han Ping（譯員編號No. 272）。^[25]而一些有問題的譯員也受到了彈劾。比如說在另一封來自美方的信函中就點名提到譯員Lin Tsu Chang（譯員編號 No. 218）屢次以身體不適為名逃避派往前線的工作（avoid field duty），而兩次經軍醫檢查都無問題；因此請撤換並懲處譯員Lin Tsu Chang，另派其他能夠忍受艱苦戰地生活的譯員（who did not mind the rigor of field duty）。^[26]而根據外事局的

檔案，譯員 Cheng Ching Tung 及 Wang Han Ping 都被記功，而裝病的 Lin Tsu Chang 則被撤換並受到書面警告。除了上述所涉及的譯員，外事局的這些獎懲決定無疑也是為了影響其他譯員，因勢利導強化之前通過培訓灌輸的價值觀。如此，從培訓到實踐，軍事譯員逐漸形成在軍事權力機關中一個特定的群體，與其他機構發生聯繫，並擁有明確和具體的職業規範和行為模式。

3. 歷史意義與對現代口譯職業的反思

對以上這段國民政府時期的軍事譯員招募和培訓歷史的回顧，對於豐富和書寫中國口譯史來說無疑是具有重大意義的。鑒於口譯稍縱即逝的特色，口譯史方面資料往往比較匱乏。同時，因為大規模口譯活動往往涉及國際政治、軍事事件，如果不是年代久遠沒有記錄，就是存在檔保密問題，要對口譯活動的進行全面地瞭解仍然比較困難。因此，儘管我們無法再現當時軍事口譯活動的具體場景，對外事局主持的招募和培訓這段歷史的整理和分析仍然是非常重要的，它不僅有利於我們對口譯活動在國際政治、軍事事件中扮演的重要作用有所瞭解，並且展示了職業軍事口譯這一特別口譯類別的內容和特點。

特別是，如果把這段歷史放在世界口譯史，在口譯職業發展這一方面也有特殊的意義。眾所周知，二戰後的審判國際戰犯的軍事法庭口譯往往被視為是現代口譯職業的開始，並且在之後的半個世紀內其即時口譯的模式對現代社會對口譯職業的認知和口譯研究的方法和內容也有重要影響。儘管就如前文所述，史學界對美軍培養的日本軍事譯員有零散記載，翻譯界對現代軍事衝突中的譯員也有所討論，但是還沒有出現對大規模軍事譯員培訓與管理的系統研究。而40年代初在二戰中國戰場出現的大規模軍事口譯培訓的這一段歷史不僅將現代口

譯職業發展史推前了數年，並且對於重新思考譯員在現代社會的職業定位和規範化具有重大意義。因為透過這段歷史，我們可以清楚地看到：首先，現代職業口譯從誕生一開始就是與國際政治、軍事關係緊密關聯。盧森堡軍事法庭上的口譯形式是職業口譯活動的模式之一，但是它是在衝突之後權力利益關係趨於穩定且在一定法律框架保障下進行的。而中國國民政府主持的這段軍事口譯活動是發生在衝突當中，不僅是涉及到軍事、政治陣營之間利益爭奪，也將譯員個人人身安全和利益直接暴露於衝突中。從一定程度上來說，這段歷史生動體現了口譯這一職業在現代社會生活中顯性和隱性的權力關係，也凸顯了譯員個人動機以及所可能承受的壓力和風險。這為當前口譯界對譯員身份的界定以及與翻譯社會學相關的研究提供了一個好的素材。換句話說，口譯活動並不總是一定在“中立”的關係下發生，譯員不可能也不是一定要保持完全“中立”；相反，譯員往往要有明確的政治立場並且服務於一定政治權力關係。正如我們之前所看到的，國民黨政府無論是在招募、培養，還是在之後管理當中，都強調譯員的忠誠以及在正常口譯職責之外有益於己方的各種活動。認識到這一點對於以歷史的眼光看待和理解口譯這一職業的內涵有重要的意義。

其次，儘管在現代社會口譯在很多情況下已經成為一種自由職業，譯員可以自由選擇和決定是否接受一項口譯任務。但是這種自由是相對的，無論形式如何，口譯作為社會活動的一部分，往往歸屬於某種政治體制和權力機關。軍事譯員顯然是屬於國家軍事機關內部的一個職能部分，有其特定的組織結構和國家利益關係，因此是口譯員的一個特別類別。但由此可以進一步反思的是，在現代社會一般口譯活動中口譯員的職業是不是獨立的，社會定位在哪裡？應該說，所謂自由僱傭關係的前提仍然是承認並且遵循一定的權力關係和行業規範。那麼，職業規

範到底是依據什麼來制定的，又是如何制約譯員的行為的呢？這些問題同樣可以在上文回顧的這段歷史中找到一些線索。透過國民黨外事局對譯員的培訓和行為模式的規範，我們可以清楚的看到譯員規範並不是憑空產生而是與譯員所處的權力利益關係有關，是為了維護當局利益而制定和存在的。由此可見，在解讀現代譯員職業規範和職業道德時，也要能看到其隱含的權力關係，無論是出於某一國家利益考慮或者民主制度下平衡社會關係的需要，而不能機械套用或者模式化。

當然，強調譯員在權力機關的從屬和被制約的關係，並不是說譯員個人就是任人擺佈的機器，毫無鑒別地接受被灌輸的價值觀。相反，正如 Moira Inghilleri 強調的，由於個人社會背景和生活經歷的不同，每位譯員對其工作的認識和反應都會有所不同（2005a: 72-73）。但是，從整體來說，一種職業形成和社會化的過程中一定有個人對該職業價值和意識形態的認同和參與，這是個人構建社會關係並佔取一定社會地位的必然途徑。因而，也可以說正是一些掌握某些特殊知識和技能的個人認可並遵循某些價值和原則，並由此掌握了在該社會體制下被認可的社會資本，區別與其他群體。這也是培訓在譯員職業化過程中的重要作用之一。正如歷史所展現的，職業軍事譯員形成的重要環節之一就是接受有關權力機關組織的職業培訓。這一方面是為了統一意識形態、加強管理、提高服務品質；另一方面也是使這些譯員獲得資格認證區別於其他社會職能人員的過程。這對於現代社會規範口譯員這一職業和口譯市場也是有借鑒作用的。

結論

綜上所述，口譯譯員在現代國際政治軍事關係中發揮了重要作

用，並且在二戰軍事法庭出現同聲口譯譯員之前，系統的軍事譯員培訓就已經略具規模，並且有明確的職業規範和管理組織機構。從中國抗戰時期國民黨培訓和管理軍事譯員的這段歷史就可以看出，口譯活動絕不是單純的口頭語言轉換工作，而是與活動所涉及各方有密切聯繫。協助中美雙方在軍事合作中的交流固然是這些軍事譯員的工作重點，但無論是在培訓還是在管理上，譯員工作內容都指向的是維護維護國民黨政府統治地位和利益。以此反思現代社會口譯職業的發展以及口譯員在實踐中常常面臨的種種問題，可以說，口譯活動的中心就是權力關係以及譯員在其中所處的位置。毋庸置疑，職業規範和培訓在確定譯員職責、提高翻譯品質、規範譯員行為上意義重大，但要對其本質應該有更深刻的理解和認識。在這一方面，軍事口譯可能表現得更加尖銳和明顯，但不代表在和平時期其他口譯活動中就完全沒有利益衝突。相反，所謂的“職業化”往往掩蓋某些權力利益關係，而譯員則成為了問題的替罪羊。本文希望能由這段歷史引出更多相關的討論，深入研究中國和世界口譯發展史以及口譯職業在現代社會的內涵和發展。

附錄一：

軍事委員會外事局考選高級譯員簡章^[27]

- 一、考選宗旨：本局為適應同盟國間軍事聯絡只需要特分期分區考選高級譯員分派國內外擔任翻譯工作。
- 二、錄取名額：視程度而定。
- 三、投考資格：凡曾在國內外大學或專科學校畢業或具有同等學歷英文程度優良富有愛國熱忱思想純正體格強健無不良嗜好年齡在二十歲至四十歲男性皆可報名。
- 四、考選地區：視實際需要隨時規定
- 五、報名：
 1. 手續 填具投考保名單及繳最近二寸半身照二張。
 2. 日期及地點 依各期各區情形而定

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六、考試：

1. 科目A筆試(英漢漢英對譯需自備筆墨); B口試(會話測驗); C 黨義測驗
2. 日期及地點 依各期各區情形而定

七、揭曉: 依各期各區情形定期榜示或分別書面通知。

八、報導手續: 凡經錄取之譯員應于揭曉或接得通知後依本局規定日期內來局辦理如下報到手續。

1. 體格檢查 向本局領取請檢證赴指定之軍醫機關受檢。
2. 填繳保證書 由取錄者自覓殷實保證人擔保其保證人以在本地文武機關之X^[28]任或少校以上人員或經本局認可之商店為限。

九、任用待遇: 辦理報到手續後除遇盟方緊急需要立即從考試成績特優人員中以三級譯員起用派赴印緬或滇桂蓉工作外一律送往昆明或重慶按照成績分別核派工作詳細待遇另見附表

十、備註

1. 本簡章自核准之日施行如有未盡事宜得隨時呈請修正之
2. 投考人員如尚有詢問事項可經到本局議員考選委員會接洽。

注釋

- [1] 根據Young的調查, 從1941到1946年, 美國對華援助總額大概在US\$15.46億元到US\$16,02億元。
- [2] *China Defensive*, John W. Mountcastle, 美國陸軍軍事歷史研究中心, 10頁, <http://www.history.army.mil/brochures/72-38/72-38.htm>.
- [3] 另見 *the Executive Agreements Series No. 251 or 56 Stat. 1944*, 20。
- [4] 見注2, 10, 15。
- [5] 見注2。
- [6] 中央秘書處案准貴處本年九月六日特字第七六五號密函, 9月7日, 1943, NHA 736-349-45。
- [7] 軍委會所屬外事局關於開辦外語訓練班的報告, 12月28日, 1941, 中國國家第二歷史檔案館NHA763-456。
- [8] 照片為重慶中美合作所訓練班通過譯員接受美軍教官指導的場景, 照片來源於Miles, E. Milton (1967) *A Different Kind of War: The Little-known Story of the Combined Guerrilla Forces Created in China by the U.S. Navy and the Chinese During the WWII*, Garden City, NY: Doubleday, 367頁。

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- [14] 同上文。
- [15] 見 Appendix。
- [16] 徵調各機關學校公教人員、學生充任譯員錄取名單，NHA 763-27。
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- [24] 原文為英文，並採取了Wade-Giles注音系統。為了準確起見，這裡的譯員名字保留了原注音。
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- [28] X代表檔中因年代久遠或書寫過於潦草而無法辨認的文字。

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The Holistic Approach in the Analysis of Translated Novels: A Study of *The Highest Tide* in Indonesian Translation

Masduki

Abstract

Novel translation as a process of transferring messages involves not only two different linguistic codes but also two different socio-cultural contexts. The process of translating the novel needs to be analysed holistically. One concept that has been used in translation studies is the holistic criticism approach, which proposes that a translation can be examined from the perspective of “genetic”, “objective”, and “affective” factors. The focus of this approach is the idea that there is an interplay between translators as mediating agents, processes of translation, products of translation, and the opinion of readers about these products. This article presents the findings of an analytical study of equivalence of meaning and style found in an Indonesian translation of an English novel, using the holistic criticism approach. The research investigated the background and competence of the translator, equivalence of meaning and style between source and target texts, and the opinion of readers toward the translation product. The research data were collected using document analysis, questionnaire distribution, and in-depth interview. The article aims to demonstrate that in novel translation, genetic, objective, and affective factors are crucially interrelated.

Introduction

The process of translating a novel requires a knowledge of literary and linguistic esthetics.^[1] The translator has to be able to identify the literary elements (theme, character, plot, point of view, setting), as well as understand the cultural background, purpose and value of the novel being translated, including the emotions and mindset of the author. The translator should not translate a novel word by word or sentence by sentence, but rather must consider the overall work, since any novel is constructed as an integral whole.^[2] He or she should translate idiom into idiom, and intention (emotion and feeling) or purpose into intention or purpose, and should be careful to avoid lexical or structural “false friends”.

Literary translation as a process of transferring messages involves not only two different language codes (those of the source and target languages), but also socio-cultural considerations, since texts in translation are linked to both source and target socio-cultural contexts. That is why the translation of literature cannot be seen merely as an effort to replace texts from one language to another. Discursive competence is required in order to produce a translation that is not only syntactically correct and accurate in meaning and style, but also socially accepted in its cultural context (Gunarwan, 2005). If what the translator does is to re-express messages of the source language in the target language, then the target text should be equivalent and adequate with the source text. In this case, the meaning and style of the source and target texts can be understood equally by both source and target language readers.

An accurate literary translation cannot fulfill its practical purposes as a means of communication between the author of the source text and the readers of the target text if it is difficult to understand. Likewise, a translated text which is easy to understand is not a good translation if its message deviates from that of the source text^[3]. Consequently, the literary translator needs a thorough knowledge of the source text’s socio-cultural

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background, a sense of literary esthetics, and a holistic understanding of the literary work in question.

Further, in translating literary works, the translator needs to understand basic concepts of literary analysis (Suryawinata 1982:85) in order to appreciate the work's communicative function. A literary work may be seen as a discourse, that is, as a unity containing information, message, expression of the author, and fictional elements. All of these are generated from the author's own experience of the world, and then ordered and composed with his imagination, so finding expression in the form of a story, drama, or novel using simple, fresh, accurate, and lively language. All of those elements are interrelated in texts holistically. In translation, this holistic understanding is essential if the translated work is not to become boring, and can help reveal more clearly the purpose of the author, recreating the desired effect of the original. So, what is needed by the literary translator is an approach that tends towards more practical literary analysis, with a view to achieving comprehensive understanding.

As mentioned above, the translation of literary works such as novels should not be conducted word by word. Such translations may at first sight seem to read well, but in fact holistically they do not convey the messages as commissioned by the source text. Sentences in a novel are not simply utterances of their own, but function as a guide for further ideas. If the translator only translates the words and bases his translation on the meaning in each sentence, then the translation will be superficial and lose the author's overall meaning.

In translating a novel, it is possible that the translator may encounter difficulties relating to three broad areas: culture (e.g., when dealing with the lack of equivalents for culturally specific terms), literature (e.g., difficulty in translating main characteristics), and linguistics (e.g., difficulty in translating complex sentence structures).

If the translation of novels is a holistic process that must negotiate

these various complexities, then, it follows that the analysis of this process demands an approach that is similarly holistic. One concept that has been used in translation studies to address this analytical demand is “holistic criticism”,^[4] a term which denotes the examination of translation in terms of three factors: the genetic factor (the translator of the novel), the objective factor (the novel and its translation), and the affective factor (the opinion of the readers). The focus of the holistic criticism approach is the idea that there is an interplay between translators as mediating agents, processes of translation, products of translation, and the opinion of readers in regard to these products. These factors are closely related in the sense that when translators are engaged in translation, they are obviously producing products. Their competence in the translation process is determined, to a certain degree, by their background and knowledge about translation. Similarly, the quality of the products, to a large extent, is dependent on how well they can apply their knowledge of translation processes in practice. Their linguistic competence in the source and target languages, and their understanding of the subject matter, of the target readers and of issues regarding translation quality, also play a significant role in the performance of translation tasks.

The present study applies this holistic criticism approach to examine more closely the translation of the English novel *The Highest Tide*, by Jim Lynch, into its Indonesian version by Arif Subiyanto, *Pasang Laut*. In the analysis that forms the main part of this article, data relating to each of the above three factors will be analysed in turn. Before beginning a more in-depth analysis, however, it may be helpful to examine a few preliminary examples that give a sense of the Source Text and the ways in which the Target Text renders particular word choices.

Source text: “The G-spot, Squid Boy.” Phelps popped out a Kent, clutched it between the least dirty of his fingers and lit it. “It’s the button inside women

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that drives them wild. “He mumbled around his cigarette like a gangster. “Once we find out where it’s at, we’re in.” (p. 30)

Target text: *“G-spot, Dasar anak sotong!” Phelps menarik sebatang Kent, menjepitnya dengan jari-jarinya yang masih kering, lalu menyulutnya. “Semacam tombol di dalam tubuh perempuan yang akan membuat mereka menjadi binal.” Dia bergumam sambil mengulum rokoknya, mereka gangster. “Sekali kaemukan titiknya, mereka pasti kecantol padamu.”(halaman 45)*

Here, it can be seen that when translating “Squid Boy”, the translator applied term equivalence related to habit and socio-cultural understanding in the story, by rendering the phrase as “dasar anak sotong”. The equivalence of meaning here is accurate and acceptable, but structurally, there is a shift from a phrase to an elliptical sentence in the target text. This shift was probably made to achieve greater naturalness, even though it would be possible, albeit awkward, to translate literally on the basis of the grammatical structure.

Source text: Angie sang in a band called “L.O.C.O.” You couldn’t call it “Loco” for some reason. I’d seen her perform just once, at an outdoor concert in Sylvester Park. She wore a horizontally striped red and pink dress that fell to the middle of the thighs, and she sang-whispered and screamed, some song about charming devils and two-faced angels. It went on and on as if she were afraid to stop. It was just her and this drummer with too much hair and thick, crablike forearms. She played bass and howled, bobbing her head just enough to swing her hair while her frantic drummer truned into a sweat sprinkle. (p. 18)

Target text: *Angie pernah menjadi vokalis untuk band bernama “L.O.C.O.” Entah kenapa bukan “Loco” saja. Aku pernah melihatnya manggung sekali saja, pada sebuah konser terbuka di Sylvester Park. Dia memakai rok pendek bergaris horizontal merah-*

merah jambu yang melambai-lambai di sela pabanya, dan saat itu dia menyanyi, berbisik, dan menjerit, tentang iblis-iblis yang memesona dan malaikat-malaikat berwajah dua. Dia terus saja menyanyi, seakan takut berhenti. Di panggung banya ada Angie dan pemain drum dengan lengan mirip capit kepiting dipenuhi bulu. Angie membetot bas gitar sembari melolong kalap, kepala diputar-putar dan rambutnya tersibak, terurai liar, sementara drummer itu lebih mirip slang penyemprot keringat. (halaman 31)

In this example, the translator translated the specific words of the source text (i.e. *Loco*) to obtain equivalence of meaning and style (*Loco*) in the target culture.

Source text: Part of the fuss had to be my appearance. I was a pink-skinned, four-foot-eight, seventy-eight-pound soprano. I came off as an innocent nine-year-old even though I was an increasingly horny, speed-reading thirteen-year-old insomniac. Blame Rachel Carson for the insomnia. She was long dead by the time I couldn't resist reading her books over and over. I even read *The Sea Around Us* aloud to make it stick. (p. 2)

Target text: Kebebohan itu sebagian dipicu oleh penampilanku. Aku hanyalah bocah lelaki dengan kulit kemeraban, tinggi satu meter empat puluh enam, berat tiga puluh sembilan kilo, dan suaraku melengking. Penampilanku mirip bocah sembilan tahun yang masih polos, padahal sebenarnya aku sudah remaja, penderita insomnia tiga belas tahun yang mulai berahi dan kutu buku yang keranjingan membaca. Soal penyakit susah tidurku, gara-gara Rachel Carson. Penulis itu sudah lama mati saat aku lahir, tetapi aku selalu ketagihan melahap semua buku yang ditulisnya. Buku *The Sea Around Us* bahkan kubaca keras-keras agar isinya melekat di benakku. (halaman 9)

In this third example, the translation of the main character chooses a more target-oriented approach that seeks to domesticate: the description of the character as “pink-skinned” is translated as “kulit kemeraban”. As a colour category, “pink” has a different meaning from “kemeraban”. The color pink

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is formed from the mixture of red and white, while kemerahan refers to an object showing a tendency to redness or becoming red. A more acceptable equivalence would be if the word pink were translated into “merah muda”. Moreover, the sentence “I was a pink-skinned...” also has a different effect from the target text sentence “aku hanyalah bocah lelaki dengan kulit kemerahan”. The word “was” in the source sentence has a different meaning from the word “hanyalah” in the target sentence. The translator’s rendering of “four-foot-eight” as “satu meter empat puluh enam”, and “seventy-eight-pound” as “tiga puluh sembilan kilo” is an accurate and acceptable effort to find an equivalent meaning and style.

Clearly, then, the equivalence of terms related to issues of habit and socio-cultural understanding in the story, the specific words of the source text, and the style, as seen in the examples above, and in the overall text of the novel need to be analyzed holistically, taking into account not only the translation product itself, but also the translator’s background and competence, and the response of the translation’s readers. Such an analysis can help to illuminate the extent of meaning equivalence and style equivalence between the source and target texts, and to determine whether equivalence at these levels is pursued as a means to fulfill the demands of naturalness or is intentionally forced by the translator due to a lack of understanding of both source and target languages. The objectives of this study are: to understand the background and competence of the translator; to examine the extent to which these influence the process of transferring messages and the quality of translation; to look at how equivalence of meaning and style are realized; to measure the quality of the translation; and to identify the opinion of readers toward the product of the translation. The study aims to review theoretical issues in novel translation and to show comprehensively the relation between the background and competence level of the translator, the process of translation, and the quality of the translation. It aims, in addition, to provide suggestions to translators on how to transfer messages in a novel holistically.

Methodology

The present research takes the form of an “embedded case study” dealing with a single case, in which the problems to be focused on were already determined. It applies a qualitative approach to the analysis of data from three sources that correspond to the three factors of holistic analysis outlined above: the translator of the novel (genetic factor), the text itself (objective factor), and the readers (affective factor). Firstly, with regard to the genetic factor, an in-depth interview with the translator of *The Highest Tide* was carried out to gather data on how the translator translated the novel and on the considerations and decision-making processes involved. Secondly, to study the objective factor, contrastive analysis was carried out of source text sentences containing specific terms and usages of a literary nature (such as cultural terms, figures of speech, etc.), and their translations. Relevant sentences were identified through a detailed reading of the full text of the novel. If there were two or more similar words or phrases, only one word or phrase was used as data. In total, 122 sentences were identified as suitable data. An expert in the field of language and literature was then asked to verify that the data were valid. The valid data set was consequently reduced to 115 sentences. Thirdly, the affective factor (reader responses) was studied by a questionnaire survey, whose respondents were university students, and an expert in translation was also consulted. The expert was a prolific translator of novels whose works had been published and who had a thorough command of both source and target languages. The main purpose of selecting this experienced expert was to glean information regarding the problems being researched. The questionnaire was employed to measure the quality of translation in terms of readability and to identify the opinion of readers toward the translation product.

To increase the validity of the data, the study employed data triangulation by cross-comparing the findings regarding the content of the translation

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(objective factor) with the data gathered from the translation experts (affective factor), and with that gathered from the translator (genetic factor). The technique of data analysis used in the research was the interactive analysis model. After the initial gathering of data in the form of information about the translator, process of translating, and opinion of the readers toward the product of translation, the data were then selected based on stated problems (data reduction). Further, the data were served in the form of information. Based on this information, the conclusion of this research was formulated, and then verified. This process was conducted in a continuous cycle.

Research Findings

The findings of the research were categorized based on the three factors mentioned above, as follows:

A. Genetic Factor

(1) Academic background, professional experience, and works of translation influenced the translation of *The Highest Tide*.

(2) In general, the translation process involved three main steps: preparation, translating, and editing,^[5] with the following characteristics. Professional, technical and instrumental skills were applied; the style of translation was taken deeply into consideration throughout; and the process involved consideration not only of linguistic aspects but also of the communicational act between sender and receiver.

B. Objective Factor

(1) The types of meaning realized in translating the novel included all the various categories outlined by Sumarno (1999:3-9): lexical, grammatical, situational or contextual, textual, socio-cultural, and implicit meaning. The

types of style realized were choices of words in the target text, use of idiomatic expressions relevant to the source text, use of the same figure of speech in the target text to replace a figure of speech in the source text, use of suitable words, structure, and other expressions in the target text relevant to the text type, and use of punctuation marks which modified those found in the source text. One item of data consisted of not only one category of meaning or style; it also realized other meanings or styles of translation. Categories of meaning and style frequently found in the translation were socio-cultural meaning (68.70%) and lexical meaning (14.78%), with choices of words in target text (60.87%).

(2) Quality of translation: based on translation quality assessment, the target text was categorized as “good translation”^[6] (terjemahan baik) with a score of 61-75 (see detailed discussion in next section). Meanwhile, since there is no perfect translation and since no scoring of equivalence^[7] of meaning and style can be completely objective, the scoring was necessarily based on relative criteria.

(3) Aspects relating to the translation of specific terms found in the novel included: culture of materials, ecological terms, socio-culture, and figures of speech (metaphors, idioms, slogans, and advertisements).^[8]

C. Affective Factor

(1) According to the translation expert, in general the translation of the novel was very good, and something that made the translation interesting was how the translator reduced and added meaning in the target text to make it more lively; however, consistency and accuracy needed greater consideration.

(2) Results of a questionnaire from a sample of readers showed that the language used in the translation was good to read, the text was easy to understand, and the words selected could convey appropriate information.

Discussion

A. Genetic Factor

As stated above, the translator's academic background, professional experience, and works of translation influenced the translation of *The Highest Tide*. The translator graduated from a translation department in Indonesia and a postgraduate applied linguistics program in Australia. He had taught courses in linguistics, literature, and translation, and had fifteen years of translation experience. Further, he had also published many of his translations in the form of books, novels, and articles.

From this background, it can be said that the translator is an expert in translation, meaning that he has special skills in applying elements of linguistics to translating, is able to manage interference and the time he takes to comprehend and create information, and has the tendency to consider the translation at the text level. His extensive experience over a long time clearly qualifies him as a professional translator.^[8] According to Nababan (2004:31), a professional translator is one who can produce translations professionally and who considers the activity of translating as a profession. The proven professionalism of the translator can be seen from the works of translation he has produced. In the course of his professional trajectory, the translator has translated many works, both literary and non-literary.

The process of translation, as seen in the above findings, involved three main steps: preparation, translating, and editing. The first stage, preparation, could be divided into two steps, general and specific. The general steps were: (1) reading the overall text of the novel before translating, in order to get a holistic sense of its content and to gauge what might be a suitable style for the target text. To do this, professional skill was needed. This step involved consideration not only of linguistic characteristics but also of certain other factors, including the time of completion, plotting and expression; (2) searching or browsing the internet before translating; and (3) finding suitable dictionaries. The specific

steps conducted were: familiarizing himself with terms in indexes, reading past and recent novels related to specific terms of the novel *The Highest Tide*, and considering the style. What the translator meant by style here refers to the length of sentences or paragraphs, width or size of pages, font types and lines distance, size of paper, type of column, and contextual relation between the novel and the readers. This step is in accordance with that proposed by Sumarno (1997:13; 2003:16) and Nababan (2003:24-25), who state that in general, what the translator does first, before any further analysis, is to read and understand the content of the source text, a task which requires an understanding both of its linguistic aspects and of extralinguistic aspects.

The next step conducted by the translator was production of the translation. This step involves a range of inter-related tasks, including checking words or phrases; finding difficult meanings in dictionaries; understanding meaning based on contexts; accessing references on the internet; using other expressions; deciding whether to use loan words, naturalisation, synonyms, footnotes, or to create new words; consulting other translators or experts; and writing translation drafts. These actions and decisions were conducted repeatedly as needed.

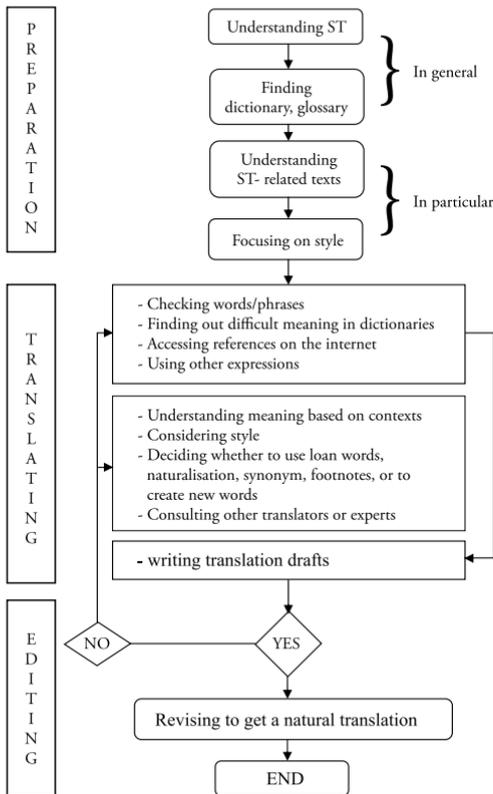
In this step, the translator had to seek equivalence for all words, phrases, clauses and sentences. To do this, he needed to consider that certain words had certain characteristics or traits, and that some words could not be translated literally merely by copying from dictionaries or glossaries. Such words may easily create problems in translation. These problems, as noted by Baker (1992), may include: culturally specific concepts, semantic complexity of the source text, source and target texts realising particular meanings differently, target language lacking superordinates or hyponyms, different concepts of source language and target language, difference in expressing meaning and style, difference in frequency and purpose of using specific forms, and use of loan words in the source text. Meanwhile, problems in the translation of specific terms include source text terms which are not available or equivalent

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in the target text, cultural terms, and figures of speech.

The final step was editing the translation. The focus of revision was the linguistic quality and naturalness of the translated text. After some improvement, the final revision was done to get a natural version.

The overall process of translation can be illustrated below:



B. Objective Factor

1. Types of meaning

The types of meaning identified above in our findings show the following percentage distribution. (Note that each of the 115 data items may

belong to more than one category). Lexical meaning, 17 items (14.78%); grammatical meaning, 3 items (2.61%); situational or contextual meaning, 4 items (3.48%); textual meaning, 3 items (2.61%); socio-cultural meaning, 79 (68.70%); implicit meaning, 6 items (5.22%); and lexical and socio-cultural meaning, 3 items (2.61%).

2. Types of Style

The types of style identified in the findings show the following percentage distribution. (Again, note that each item in the data set may be categorised more than once). Choice of words in the target text, 70 items (60.87%); use of idiomatic expression in target text relevant to source text, 20 items (17.39%); use of the same figure of speech in the target text to replace a figure of speech in the source text, 5 items (4.25%); use of suitable words, structure, and other expressions in the target text relevant to the text type, 10 items (8.70%); use of punctuation marks in the target text which could be modified after comparison with those in the source text, 1 item (0.87%); use of idiomatic expression in the target text relevant to the source text with the use of punctuation marks in the target text which could be modified after comparison with those in the source text, 2 items (1.74%); and usage of words and punctuation marks in target text which could be modified after comparison with those in the source text, 6 items (5.22%). The categories of meaning and style most frequently found in the translation were socio-cultural meaning (68.70%) and lexical meaning (14.78%), with choice of words in the target text (60.87%).

3. Translation Quality

The quality of the translation was judged according to the following scale of assessment scores: almost perfect translation 86-90, very good translation 76-85, good translation 61-75, sufficient translation 46-60, and

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fair translation 20-45. The quality of the translation of *The Highest Tide* can be seen in the following table:

| Translation Criteria | Rater I | | Rater II | | Rater III | |
|----------------------------------|---------|--------|----------|--------|-----------|--------|
| | Items | % | Items | % | Items | % |
| Almost Perfect Translation (THS) | 59 | 51.30 | 34 | 29.57 | 53 | 46.09 |
| Very Good Translation (TSB) | 31 | 26.96 | 37 | 32.17 | 37 | 32.17 |
| Good Translation (TB) | 15 | 13.04 | 29 | 25.22 | 19 | 16.52 |
| Sufficient Translation (TC) | 9 | 7.83 | 11 | 9.57 | 5 | 4.35 |
| Fair Translation (TK) | 1 | 0.87 | 4 | 3.48 | 1 | 0.87 |
| Total | 115 | 100.00 | 115 | 100.00 | 115 | 100.00 |

If the results of the table above are quantified according to the lowest rank score for each category of translation criteria, then the results are as follows:

Rater I

| Category | Lowest Rank Score (S) | Frequency of data (F) | F x S |
|---------------------------------|-----------------------|-----------------------|-------|
| Almost Perfect Translation(THS) | 86 | 59 | 5074 |
| Very Good Translation (TSB) | 76 | 31 | 2356 |
| Good Translation (TB) | 61 | 15 | 915 |
| Sufficient Translation (TC) | 46 | 9 | 414 |
| Fair Translation (TK) | 20 | 1 | 20 |
| Total | | 115 | 8779 |

$$\text{Mean score} = \frac{8779}{115} = 76.34$$

Rater II

| Category | Lowest Rank Score (S) | Frequency of data (F) | F x S |
|---------------------------------|-----------------------|-----------------------|-------|
| Almost Perfect Translation(THS) | 86 | 34 | 2924 |
| Very Good Translation (TSB) | 76 | 37 | 2812 |
| Good Translation (TB) | 61 | 29 | 1769 |
| Sufficient Translation (TC) | 46 | 11 | 506 |
| Fair Translation (TK) | 20 | 4 | 80 |
| Total | | 115 | 8091 |

$$\text{Mean score} = \frac{8091}{115} = 70.36$$

Rater III

| Category | Lowest Rank Score (S) | Frequency of data (F) | F x S |
|----------------------------------|-----------------------|-----------------------|-------|
| Almost Perfect Translation (THS) | 86 | 53 | 4558 |
| Very Good Translation (TSB) | 76 | 37 | 2812 |
| Good Translation (TB) | 61 | 19 | 1159 |
| Sufficient Translation (TC) | 46 | 5 | 230 |
| Fair Translation (TK) | 20 | 1 | 20 |
| Total | | 115 | 8779 |

$$\text{Mean score} = \frac{8779}{115} = 76.34$$

These three mean scores give an overall final score of 74.35, indicating that the translation falls within the category of “*terjemahan baik*” (good translation, 61-75) and just below the category of very good translation. Scoring was necessarily relative and based on approximate criteria because objective evaluation of the equivalence of meaning and style was difficult to attain and the score then was not absolute.

Categories of specific terms found in the novel showed the following percentages of occurrence: culture of materials (8.7%), ecological terms (11.3%), socio-culture (46.1%), and figures of speech (33.9%). The following examples provide an illustration of each category:

a) Culture of materials

Source text: The weatherman, who'd mastered the ability to simultaneously smile and speak, promised his forecast was next, then stranded me with a commercial that left me with the confusing impression that waterskiing was somehow safer and more fun with **Tampax**. I waited for the phone to bark, the door to collapse, the house to be surrounded by hecklers. But nothing happened.

Target text: *Penyiar prakiraan cuaca yang pintar berbicara sambil tersenyum berjanji akan menyampaikan ramalannya setelah segmen iklan yang selalu membuatku bingung, karena mereka bilang **pembalut Tampax** bisa membuat main ski air lebih aman dan*

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mengasyikkan. Aku menunggu-nunggu telepon berdering, pintu depan roboh, atau rumahku diserbu oleh para reporter tolok itu. Tapi ternyata itu tidak terjadi.

b) Ecological terms

Source text: I bagged that sea slug—it weighed nothing—and set it in my backpack next to the **Jesus star**. Then I gave the crabs a wide berth, found the moon snail, poked him in the belly until he contracted, bagged him and paddled south toward home beneath the almost full moon.

Target text: *Kumasukkan siput laut yang sangat ringan itu ke dalam kantong plastik, dan kuletakkan di samping **si bintang laut salib**. Aku terus melangkah sambil menghindari kepiting-kepiting ganas itu, kutemukan kembali kerang kalung tadi, kusodok-sodok perutnya sampai dia masuk ke dalam cangkangnya, kusimpan di dalam kantong plastik, dan mulai kudayung kayakku ke arah selatan, pulang di bawah siraman cahaya bulan yang hampir bulat sempurna.*

c) Socio-culture

Source text: Phelps was a classic-rock freak, and considered himself an aficionado of lead guitarists during “the age of guitar”, as his brother called it. We all deferred to Phelps on music and forgot he didn’t know how to actually play anything. He didn’t sully his musical reputation by struggling to play “**Yankee Doodle**.” He pursued his calling by acting like a rock star, by sleeping in, smoking in public and scowling at adults. It was easy to forget he wasn’t already a bandleader.

Target text: *Phelps sangat gila musik rock klasik dan membanggakan dirinya sebagai penggemar jawara-jawara gitar dari “zaman keemasan gitar”-seperti kata kakaknya. Kami anggap Phelps orang yang serba tabu soal musik, meskipun kenyataannya dia tak bisa memainkan instrumen apa pun. Dia sangat menjaga reputasinya sebagai maestro musik, dan jangan harap dia sudi mengiringi “**Yankee Doodle**” dengan gitar ajaibnya. Agar lebih meyakinkan, dia sengaja bertingkah seperti bintang musik cadas, bangun tidur kesiangan, merokok di muka umum, dan menatap garang kepada orang-orang dewasa.*

Orang pasti lupa kalau dia bahkan tak punya kelompok band.

c) Figures of speech

Source text: Mr. Skugstad was one of those solemn, old live-alone Scandinavians with the deep cheek lines of a man who's been large once but deflated with age. He looked so old I considered running to the next cabin, but after he calmed me enough to fill him in he phoned the sheriff's office, and we jogged toward the mud with a coil of rope and an inflatable raft he dragged behind us. He stopped repeatedly to bend over like a man about to hit a pool ball. **His face was as red as spawning sockeye, and his breath squealed like wind that's trying to rip branches loose.** It occurred to me that I might kill two people that night. Once we burst onto the beach, everything was easier to see, which made me worry I'd lost track of time.

Target text: *Mr. Skugstad yang kalem itu adalah tipikal sekian banyak warga senior keturunan Skandinavia yang hidup menyendiri di sekitar teluk. Kerut-merut di pipinya seolah menunjukkan pada masa mudanya dia pernah menjadi lelaki tinggi besar, namun usi atelah mengikis habis sisa-sisa kegagabannya. Dia kelihatan terlalu tua untuk dimintai tolong, dan sempat aku terpikir untuk lari ke pondok berikutnya, tapi dia berhasil menenangkannu, meminta penjelasanku, dan menelepon kantor Sheriff, lalu berlari bersamaku ke pantai berlumpur sambil membawa gulungan tambang dan menghela perahu karet. Berkali-kali dia berhenti untuk mengambil napas, tapi sikap tubuhnya lebih mirip pemain snooker yang sedang membidik bola. **Wajahnya memerah seperti ikan sockeye yang baru menetas, dan suara napasnya seperti deru angin topan yang bendak mematabkan ranting-ranting pobon.** Malam itu dua orang hampir mati karenaku. Sesampai di tepi pantai, hari sudah mulai terang, dan aku sempat cemas jangan-jangan kami terlambat datang.*

C. Affective Factor

As stated ealier in the findings, data from a sample of readers showed that the language used in the translation was good to read, the text was

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very clear, and the words chosen were relevant in conveying appropriate information. According to the translation expert, the translation was generally very good, and the translator's strategic use of reduction and addition in the target text helped increase its liveliness, as in the following examples:

a) Reduced meaning

Source text: We started out studying the little chimney holes in the mud through which clams siphoned and spat seawater, hunting for the telltale signs of the geoduck. Most of those huge clams—**pronounced gooey-duck for some reason**—lived farther out in the bay, but there were still plenty of exposed burrows if the tide fell low enough and you knew where to look.

Target text: *Kami mulai dengan mengamati gundukan-gundukan kecil mirip cerobong asap di lumpur, yang digunakan tiram untuk menyedot dan menyembrotkan air laut, sambil mengamati tanda-tanda keberadaan mereka. Sebagian besar tiram raksasa itu suka menggali sarang di bagian teluk yang dalam, namun kalau air pasang tidak terlalu tinggi, dengan mudah kalian dapat melihat pintu masuk liang mereka, sehingga tidak sulit mencarinya.*

b) Added meaning

Source text: Overhead lights had crashed onto dozens of desks, but Mrs. Guthrie's portable classroom actually fell off its blocks and split in two, as if struck by a huge axe. **The Ice Queen didn't smile once during the 181 days of my fourth grade.** So why was her classroom singled out? Or what about the stretch of crumbled chimneys the quake left behind on just one side of Jefferson Avenue? And why did the brand-new fake fountain at the entrance to Sunset states crack all the way through?

Target text: *Ruangan-ruangan kelas lainnya tak seberapa rusak, kecuali bola-bola lampu yang jatuh menimpa lusinan bangku, tapi ruang kelas Ibu Guthrie jatuh anjlok dari beton penyangganya dan terbelah menjadi dua seperti dihantam kapak raksasa. Ratu Es yang judes itu belum pernah sekali pun tersenyum selama 181 hari*

mengajar kami di kelas empat. Jadi, kenapa hanya ruang kelasnya yang dipilih oleh petaka itu? Atau, mengapa di Jalan Jefferson bangunan-bangunan yang rata dengan tanah hanya di satu sisi saja? Dan mengapa air mancur buatan di gerbang kompleks Sunset estates yang baru selesai itu harus hancur berkeping-keping?

Other important aspects to be considered by the translator, according to the translation expert, are consistency and accuracy in translating the novel, as in the following examples:

(a) Source text:

B.J. never asked to see records. I'd told his answering machines that I had a nudibranch for ten dollars, a sunflower star for fifteen and an unusual mottled star for five. I told him the prices were final.

"The sunflower's too big for anyone to want that thing," he insisted. "It's a monster."

"So do you want the nudibranch or the blue star?" I tried to sound disinterested.

"Can't you see I'm thinking? What's the rush, **Squirt?**"

"Going fishing with my father," I lied. "He's inside, getting ready."

B.J. snorted. "I'll do you a favor here. I'll take all three of them off your hands."

Target text:

B.J tak pernah peduli dengan catatan basil tangkapanku. Kutinggalkan pesan di mesin penjawabnya bahwa aku punya nudibranch seharga sepuluh dolar, juga bintang bunga matahari dan bintang laut biru yang masing-masing kuhargai lima belas dan lima dolar. Dan sudah kategaskan harganya tak bisa ditawar.

"Bunga matahari itu kelewat besar," katanya ketus. "Dia seperti seekor monster."

"Jadi, kau mau yang mana? Nudibranch atau bintang laut biru itu?" Aku berusaha tetap bersikap dingin.

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“Biar kupikir dulu. Kenapa buru-buru, Tuan Kate?”

“Aku mau memancing dengan ayahku,” sabutku berbohong. “Dia lagi berkemas di dalam.”

B.J. mendengus kesal. “Baik, aku mau menolongmu. Biar kubeli ketiganya.”

(b) Source text:

“That slug’s fading,” he interrupted, “and you know it. If it dies right away in some asshole’s tank I gotta give him his bills back. And I don’t know who the hell will want that blue star anyway. And, like I said, the sunflower’s too big for my customers so I’ll probably get stuck with that monster if the aquariums don’t need him. Twenty is plenty. That’s a shitload of bubble gum, **Little Man.**”

Target text:

“Siput itu sudah sekarat,” potongnya, “kau sendiri tahu. Kalau nanti dia langsung mati di akuarium orang, aku yang harus membayar ganti ruginya. Lagi pula siapa yang tertarik dengan bintang laut biru seperti itu? Tadi juga sudah kubilang bunga matahari itu kelevat besar buat langgananku, jadi terpaksa aku harus merugi kalau tak ada akuarium yang mau membelinya. Dua puluh dolar itu banyak. Bisa kau pakai memborong permen karet, Tuan Kate.”

Conclusion

Based on the above research findings and discussion, it is concluded that various factors influence the quality of the Indonesian translation of *The Highest Tide*. These include: academic background and professional experience of the translator; the process of translating with professional, technical and instrumental skills; and translation strategies. The translation was shown in the results of the evaluation to belong to the category of good translation (terjemahan baik). This was supported by the statement from

the expert of translation that in general the translation was very good, and by the reactions of the readers. Equally, the difficulty of bridging the gap between English and Bahasa Indonesia is sometimes evident, particularly in the inconsistency of the translator in translating specific terms. The findings suggest that if the professional novel translator has a qualified academic background and experience in the field, then this has a positive impact on translation quality. They suggest further that the capability of the translator in transferring English culture into Bahasa Indonesia has a positive impact and can be modeled after by other translators in producing quality translations.

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Notes

- [1] Suryawinata (1982:68-82) states that literary works are considered to be more the self-expression of an author in generating an impression on the readers.
- [2] A good translator has to be able to analyze discourse to get an accurate message... . Meaning in translation cannot be traced from word to word

- individually but it must be seen from an interrelated series of words wrapped in prosody or in a situation where the words are used. See Soemarno (1999:1-2).
- [3] There is the possibility that a translation can be understood easily but the content deviates from the source text. Equally, a translation may be difficult to understand even though the message is similar to the message of the source text. See Nababan (2003:121).
- [5] See Nida (1975:80), Suryawinata (1989:80), Sumarno (1997:13) and Nababan (2003:24-25). In general the process of translation is divided into three steps: analysis, transfer, and restructuring.
- [6] Translation quality assessment is based on the criterion that the content of the source sentence is accurately conveyed.
- [7] For the concept of equivalence, see Catford 1974; House 1977:49; Nida and Taber 1982: 200-201; Bell 1991:6; Baker 1992:11-12; Vinay and Darbelnet, 1995:342; Munday 2000; Jakobson 2000:233
- [8] The translation of “foreign” cultural words in the narrow sense includes: ecology; material culture; social culture; organizations, customs, activities, procedures, concepts, and gestures and habits (Newmark, 1981:95); and figures of speech. (See Wellek and Warren 1989:246; Ratna, 2009:3-5; Larson 1984: 246).
- [9] Based on the process of understanding and producing texts, a translator is classified as a novice translator and an expert translator. Based on the status of the profession, a translator is classified as an amateur translator, a semi-professional translator, and a professional translator. See Nababan (2004: 33).

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Translation and Copyright Legislation in Late Qing China (1900-1910)

Li Bo

Abstract

The last decade of the Qing dynasty (1900-1910) in China witnessed the interwoven relationship between translation practice and copyright legislation. The late Qing government had to face criticism concerning translation copyright since a large amount of translations was undertaken and there was unbalanced development of copyright laws in China and abroad. This contributed to the first copyright legislation in 1910. This paper aims to elaborate on the correlation between translation practice and the adoption of the first copyright law in China, namely the Law on Authors' Rights in the Great Qing Empire (1910).

1. Introductory Remarks

In September 1992, the roundtable conference on “Literary Translation and Copyright” was held in Dobřis, Czech Republic, and the proceedings of this FIT-UNESCO conference organized by the Commission for Literary Translation were published in *Translatio*, the journal of FIT (Fédération Internationale des Traducteurs). The special issue covers a large variety of topics related to translation and copyright, such as “legal position of the translator with special reference to

copyright” (Dittrich 1993), “the historical development of the regulation by international treaties of rights related to translation” (Boytha 1993), “copyright and translations in the English speaking world” (Bently 1993), “publishing contracts and foreseeable trends” (Rosen 1993), etc. Of all the articles in the issue, I find the one by Bently most enlightening, as he tries to answer the following questions closely related to the relationship between translation and copyright:

Firstly, did translating a work infringe copyright in the work translated (the source work)? Secondly, was a translation itself to be protected by copyright law? Thirdly, if copyright could exist in both the underlying work and the translation, what was the interrelationship between rights? (Bently 1993:495)

Lawrence Venuti also touches upon the issue of translation and copyright in his *The Scandals of Translation: Towards an Ethics of Difference* (1998), in which he takes a whack at copyright law and disputes vigorously the relationship between translation and authorship, which is entangled with the issue of copyright. He contends that:

Whereas authorship is generally defined as originality, self-expression in a unique text, translation is derivative, neither self-expression nor unique: it imitates another text. (Venuti 1998:31)

In many of the articles in the special issue of *Translatio* and in Venuti’s work, the interdisciplinary approach can be easily discerned, and it contributes significantly to Translation Studies by offering a unique perspective. While Bently concludes that “today the emphasis has swung back towards the author of the underlying work” (Bently 1993:533-534), Venuti encourages practical translators to “take immediate action and help improve the status

of the translator who is usually seen as secondary to author”.^[1] Both Bently and Venuti focus on the English-speaking world and European or American practice. However, the relationship between translation and copyright legislation has less often been studied in China. Tentatively, this paper tries to elaborate on an interesting phenomenon, namely the interaction between translation practice and the early legislation on copyright in the late Qing dynasty (1900-1910). “Translation”, argues Lin Kenan (2002:160), serves “as a catalyst for social change in China”, and the interaction between translation practice and copyright legislation serves as a good example for Lin’s contention.

2. The Translation Boom in the Late Qing Dynasty

The late Qing government suffered from defeat in the two opium wars and was forced to sign a series of unfair treaties that resulted in the division of China into treaty ports and spheres of influence by foreign powers. The Chinese people realized that it was time to learn from others; hence the recognition of the role played by translation in the learning process. In an article entitled “On the Four Major Periods in Chinese Translation History” published in *Zhongwai Ribao* (China and the World Daily) in 1902, the anonymous author pointed out:

Born into a nation, one has to read so as to gain knowledge. When two nations meet, it is necessary to translate so as to exchange knowledge. Of the two nations, when A is superior to B, A does not have to translate from B hurriedly, while B should translate from A as quickly as possible. Nowadays ... China is slightly inferior to her European and American counterparts, and it is of great necessity for China to translate from them.

人生於一群之中，欲自開其智識，則必讀書。兩群相遇，欲互換其智識，則必譯書。兩群之中，甲群稍高，乙群稍次，則甲群譯乙群之書，尚可暫緩；而乙群譯甲群之書，則在所宜急。夫今日者…支那者又稍次於歐美者也，更不可不譯書。(Zhang 1957: 60)

This “inferiority” can be explained by China’s military defeats by the European powers in 1842 and 1860 and by Japan in 1895. Political reforms followed to strengthen the nation, but all ended up in failure. Some government officials, like Wei Yuan, proposed to “learn from the foreign barbarians to compete against them”. The most efficient way to acquire western culture and civilization is to translate; therefore the late Qing witnessed the establishment of translation bureaus and a spate of translations of works from both Japan and the rest of the world, especially Europe and the U.S.A. The late Qing (1644-1911) is considered to be one of the major waves in Chinese translation history for the translation of Western humanities and social sciences (Lin 2002:161). Eva Hung and David Pollard, when discussing the crucial role of translation in China’s cultural and social development, spare no words on “the end of empire”, namely the late Qing dynasty (Hung and Pollard 1998:369-372).

The translations at that time covered a wide spectrum of topics and categories in history, natural science, medicine, geography, social science, laws, literary works, etc. Take literary translation as an example. When discussing the “Repressed Modernity of Late Qing Fiction (1849-1911)”, David Der-wei Wang points out that “this was also the period in which western fiction was introduced to China in various forms of translation. Based on the catalogue of late Qing fiction compiled by A Ying, one of the pioneers of late Qing fiction studies, recent research has identified 479 original works and 628 translations” (Wang 1997:3). Though it is open to further debate and investigation whether the quantity of translated works is larger than that of original ones, Wang reveals that translations, in terms of

literary works, account for a large portion of the total production.

However, China did not adhere to any international copyright convention at that time, and therefore the translation boom went hand in hand with open rebuke by foreign countries. The copyright disputes involved not only western major powers but also our neighboring countries, especially Japan. To a certain extent, the pressure from these foreign countries concerning copyright infringement contributed to the legislation on copyright in the late Qing dynasty.

3. The Open Discussion Concerning Copyright in Translation

In effect, continuous complaints about piracy in the book market could be heard from the local publishers and book bureaus in late Qing China. In ancient China, according to Zheng and Pendleton (1991:13), the characters ban “板” (plate) and ban “版” (edition) were interchangeable in many situations. The notion of reprinting was expressed in *Shulin Qinghua* (Quiet Talks Among the Bookstacks) sometimes as “翻版” (*fan ban*), and at other times as “翻板” (*fan ban*), which may perhaps serve as collateral evidence for the link between “copyright” and “printing” from engraved plates. Therefore, the word “piracy” here means reprinting from the engraved plates without the permission of the publishers or the book owners.

The word *ban quan* “版權” (copyright) did not appear in China for the first time until the Qing government signed the Renewed Sino-American Treaty of Trade and Navigation with the United States of America in 1903. Before and even after that, the Emperors were empowered to grant protection to the exclusive rights of printers, publishers and authors in the form of imperial edicts. Thus, the origin of copyright in China, as argued by Zheng and Pendleton (1991:16), “should in general only go back to the

Song Dynasty, while a nation-wide copyright protection system can only go as far back as the last days of the Qing dynasty.”

Due to the worsening situation of reprinting for quick money in the book market and, more importantly, to the unbalanced development in terms of copyright awareness between home and abroad, the issue of copyright in China began to gain more and more attention. Translation played a crucial role in pushing forward Qing legislation on copyright law in many different ways, which I will cover in the following parts. I will first elaborate on the foreign pressure the Qing government faced, for it was closely related to the issue of translation rights and the protection and circulation of translations of Western and Japanese works.

3.1. Pressure from the United States of America

Missionary translation accounted for a large part of late Qing translation activity, and missionaries in China were naturally dissatisfied with the illegal reprinting of their translations. With copyright law well implemented back in their home countries, they were disappointed at the absence of copyright protection in China and felt particularly angry about illegal reprinting. Young John Allen, on behalf of the Christian Literature Society for China, urged the Qing government to issue a royal notice to prohibit the reprinting of his translations. In a notice by *A Review of the Times*,^[2] the publisher introduced the western practice of copyright protection, stating that “whoever reprints illegally from the books written by others so as to make quick money will be defined as committing a crime no less than robbery or theft and must be punished severely” (Zhou & Li 1999:17). Young John Allen himself also introduced the copyright practice of European and American magazines into China so as to arouse the awareness of Chinese readers. He even suggested that China should adhere to the international copyright convention (ibid: 77).

Young John Allen was an American and his point of view was echoed

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by his country fellows in the trade negotiation for the Renewed Sino-American Treaty of Trade and Navigation in 1902.^[3] One of the key issues during the negotiation was related to the protection of American copyright in China. Central to the negotiation was whether or not to grant copyright to the Americans. The Chinese side was apprehensive that the copyright rule would make books more expensive and common people could not afford to buy them, while the American side emphasized that the article in question would protect America's interests against illegal reprinting and that the protection would encourage more Americans to write and translate for Chinese readers. In the negotiation minutes (see No. 6), the dispute was settled by the stipulation that the protection only extended to those books exclusively designated for Chinese readers instead of all books, while the translation of American books into Chinese would not be prohibited. Thus, the Renewed Treaty urged the Chinese government to protect American copyright in China, but did not impose the international copyright convention upon China.^[4]

3.2. Pressure from Japan

Dissatisfied with the social situation and the Qing government's domestic and foreign policy, K'ang Yu-wei (1858 -1927) led the intellectual movement that began to shake the world of Chinese official literati like a "volcanic eruption and hurricane storm" in the 1890s (Chang 1987:21). However, the movement ended in failure. The Japanese side gave some suggestions to advance their interests. In an article entitled "On Introducing the Copyright System into China",^[5] it was pointed out that for China to achieve reformation, it must accept new knowledge (including geography, history, physics, chemistry, etc.) from Japan and the West and, at the same time, the reception of new knowledge depended heavily on translation. Therefore, it was suggested the late Qing government should set up as soon as possible a copyright system. We can easily infer that the suggestion

was made to serve the interests of Japanese publishers and authors, for the copyright system could effectively prevent the illegal reprinting of Japanese works or the illegal translation of Japanese works. Such a suggestion was consistent with the Chinese pursuit of a copyright system.

On the other hand, the pressure from the Japanese side was inseparable from the issue of translation right. A voice could be heard from the Japanese side, urging the Qing government to adhere to the international copyright convention so as to protect Japanese publishers' and authors' rights and to prevent the Chinese side from translating Japanese books as well. However, the author of the article entitled "On the Copyright Convention",^[6] in reviewing the history of Sino-Japanese cultural exchange, pointed out that the Japanese side should not ignore the contribution of the Japanese translations of Chinese works to the formation and development of Japanese culture. At that time, some Japanese even naively believed that Japan could introduce her language back into China by preventing the Chinese translation of Japanese works. The author of this article rebutted by citing the case of German in Poland and English in India. He maintained that the best way was to urge the Qing government to work on copyright protection so Chinese translations of Japanese books could be protected against illegal reprinting.

From the abovementioned two articles, we can observe that the Japanese side, drawing on its own experience, did not support China's adherence to any international copyright convention, while at the same time it did urge the Qing government to legislate on copyright so as to protect both the Chinese and the Japanese authors' and publishers.

Of course, the examples given here about the pressure from outside China show only the tip of the iceberg. The challenges and rebukes, either in the form of protection of foreigners' rights in China or in terms of translation rights, exerted great pressure on the late Qing government, exhorting it to reflect on the issue of copyright legislation. However, it is

worth pointing out that in the Chinese context the external forces alone could not have led to the final adoption of copyright laws. The home initiatives cannot be neglected.

4. Internal Forces

It is particularly worth noting that the internal forces must be taken into account, for they contributed to the dissemination of knowledge on copyright and to the enhancement of copyright awareness among translators and authors alike, which in turn aroused the government's attention. In this part, I will highlight the role that translation played in inducing such home initiatives—in terms of translators' copyright practice and the translation of foreign works on copyright.

4.1. Enhancing Translator's Awareness of Copyright

The late Qing period is considered to be one of the major translation eras in Chinese translation history, and the translators during this period were from different sectors in the community, consisting of foreign missionaries, government officials, scholars, etc. For missionaries from abroad, they not only translated foreign books into Chinese, but also took part in the social reformation effort by introducing advanced social and political practice from foreign countries. Making use of their copyright practice back home, they tried to press the Qing government to follow international practice. At the same time, they all lived in China and engaged in translation work there. Their translations would be disseminated and read in their guest country, so surely they wanted copyright protection for their translations. These generated the internal forces based on the missionaries' double identities.

Young John Allen was both a foreign translator and a "local" publisher. In 1904, he wrote an article on the importance of copyright practice, which

was published in *A Review of the Times* (Zhou & Li 1999:81). In this article, he not only emphasized foreign copyright practice and its importance to social development, but also criticized illegal reprinting in China, citing his own experience. He concluded that it was the general public's responsibility to reform the country, while it was the government's responsibility to protect its citizens' rights (including copyright). Therefore, Young John Allen identified himself as a local person and suggested the Qing government should legislate on copyright so as to protect his own right.

If his claim is open to debate, Yan Fu's views on copyright can serve as a more convincing example. As one of the most famous late Qing translators, Yan Fu is not only known for his successful translations but also for his three-character translation "principles" which were very influential among translators and translation scholars. His principles of *xin, da, ya* (faithfulness, expressiveness and elegance) have always been considered to be golden rules and standards, earning support from his peers and from most of his successors. However, his interest in copyright has rarely been recognized within translation studies circles. The reason for this is that the crucial role of translation in copyright legislation in the late Qing is often understated.

Yan Fu went to England in 1877 and graduated two years later from the Royal Naval College at Greenwich. This overseas experience enabled him to become acquainted with foreign copyright practice. However, in his early years as a translator, he never talked about copyright. In the last decade of the Qing dynasty, Yan Fu, as a famous and successful translator, found that it was time to obtain copyright for his translations in order to get the royalties he deserved.

In 1900, he wrote two letters to Zhang Yuanji, the chief editor of The Commercial Press, discussing the issue of royalties with regard to his latest translation of Adam Smith's *Wealth of Nations*. In his first long letter, Yan Fu detailed the difficulties he had encountered in the translation process and

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the hard effort made to solve many translation problems. When writing this letter, Yan Fu was about to finish the translation. However, much waited to be done, including the translation itself, the preface, table of contents, translator's notes, and introduction to the translator, etc. Furthermore, the translation had to be proofread for consistency. He also highlighted the abstruseness of the original work and the complaints from his family about him spending so much time and effort on the translation. Why did Yan Fu write in such detail about the difficulties of translation? In concluding his letter, Yan Fu came up with suggestions on the royalties for his translation. Surely, the idea of royalties derived from his knowledge of copyright practice in England. Yan Fu's suggestion revealed his understanding of the issue of copyright, though financial benefit was one of his greatest concerns.

In his second letter, Yan Fu listed the reasons behind his request for royalty payments, namely his five-year hard work on the translation and the previous practice of such payments when the former chief editor was in charge. He clearly stated that a 20% royalty should be paid. His overseas experience must have helped him a lot, because he even proposed to draw up a written contract so as to avoid further disputes. He did not directly propose copyright legislation, but he cited foreign copyright protection practice—in terms of duration. He proposed that the translator could obtain royalties for his translation for a period of twenty years. As for the specific amount, he put forward a “reduction” mechanism; that is to say, the translator could enjoy a 20% royalty on his translation in the first decade and 10% in the second decade.

Apart from the two letters, Yan Fu also discussed the issue of copyright in his letter to the Ministry of Education (Zhou & Li 1999:46-48). He elaborated on the importance of copyright legislation in China from the point of view of a translator, and he also put writing and translating under the same category so as to highlight the translator's creativity and hard effort. He pointed out that writing and translating were both difficult

and exhausting, and without the protection by government copyright laws, fewer and fewer people would write and translate books.

As a translator, Yan Fu tried to introduce foreign sociological thought and concepts to China so as to give the Chinese people the advanced knowledge necessary for social reform and progress. Meanwhile, through his own copyright practice, he tried to seek maximum benefit for his hard work as a translator, thinking it would imperceptibly influence public awareness. In Oct 1903, when his translation of Edward Jenks's *History of Politics* came out, Yan Fu signed the first copyright contract with The Commercial Press, and in his 1904 translation, the words "All Rights Reserved" appeared on the copyright page for the first time in Chinese translation history.

4.2. Translating Foreign Copyright Texts

It is worth pointing out that many foreign laws were translated into China in the late Qing dynasty: *Wheaton's International Law* translated by W.A.P. Martin, Code of Napoleon translated by M.A. Billequin, *Panal Code of Strait Settlements* translated by Wang Fengzao, *Woolsey's International Law* translated by Wang Fengzao and Feng Yi, to name but a few (Ma 1998:339-340). The introduction of these international laws had a positive impact on Chinese society and to a large extent enhanced public awareness. Besides the abovementioned translators' pursuit of copyright, the translation of foreign books and materials related to copyright can be seen as another home initiative. The two Japanese articles mentioned in a previous section were both translated into Chinese. "On Introducing the Copyright System into China" was translated and published in Yokohama in 1901, while "On Copyright Convention" appeared in an Osaka newspaper and was translated and published by the Qing government. These translations surely served the skopos of the translation initiators, and in this context, it is not difficult to infer their relevance to the copyright laws to be introduced in the Great Empire.

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Here, Zhou Yijun's translation is particularly worth mentioning. In 1903, the Commercial Press found out that the Qing government would set up a Business and Trade Department, and the issue of copyright was expected to be one of the concerns of the department. Therefore, the Press assigned Zhou Yijun to translate the entry on copyright in *The Encyclopedia of Great Britain*. The translation was released as an offprint and it was the first text exclusively dealing with the issue of copyright in China. The preface to the translation reveals the patron's initiative, and this point was further reiterated by the translator in his translator's note (Zhou & Li 1999:50-51). In fact, Zhou's translation served as a good reference for the Qing government when it started drafting its first copyright law.^[7] The translation itself is worthy of further research, but that is beyond the scope of this paper.

5. Law on Authors' Rights in the Great Qing Empire (1910)

Under pressure from home and abroad, the Qing government adopted its first copyright law, entitled *Law on Authors' Rights in the Great Qing Empire* in 1910,^[8] one year before the Qing dynasty was overthrown. "This law contained substantive clauses similar to those found in the copyright laws of the other countries at that time", according to Zheng & Pendleton (1991:17). With reference to our previous discussion, it is not difficult to conclude that the introduction of the western copyright system through translation played a crucial role in the creation of the late Qing copyright law.

Furthermore, since translators exerted such a big influence on the protection of copyright in China, did the late Qing law take translators into special consideration? To put it in another way, did translators benefit from the legislation? The answer is positive. Article 28 of the late Qing law states it thus:

For translations from foreign countries into Chinese, the copyright is reserved for the translator. However, others are not prohibited from translating the same original into Chinese, unless the new translation does not differ much from the existing translation.

第二十八條 從外國著作譯出華文者，其著作權歸譯者有之。惟不得禁止他人就原著作另譯華文，其譯文無甚異同者，不在此限。

(Law on Authors' in the Great Qing Empire, Zhou & Li 1999:92)

Since China did not adopt any international copyright convention at that time, there was no restriction on translations coming from foreign countries. As for translation copyright, it was naturally reserved for the translator, thus there was recognition of the translator's creative work. Qin Ruijie observed in his interpretation of the late Qing law:

Though translation cannot be viewed as original writing, it is different from reprinting and it involves hard effort. Therefore, translators should be rewarded and treated as writers.

蓋翻譯雖不得視為著作，究與翻刻不同，須費幾許日力而後成，故應獎勵之，與著作者同視。(ibid: 115)

Qin also explained copyright practice in other countries with special reference to translation rights and pointed out that Chinese translators did not obtain permission from original writers. As a result, the copyright of a translation was exclusively reserved for the translator. Venuti would have been very pleased with this and envious of early Chinese translators.

In terms of translation rights, the late Qing law as well as Qin's interpretation are still inconclusive. In making a comparison with the Japanese copyright practice, Qin (ibid:116) explained that the author's rights, as defined in the late Qing law, extended to the translation and the translation rights could last as long as the author's rights. Therefore, the

translation rights were reserved for the author, and translators must first obtain permission from authors. Throughout Chinese history, the officially acknowledged interpretations of the government's laws were legally binding, and it was the same with Qin's interpretation of the late Qing law. Therefore, theoretically speaking, when one (foreigner or Chinese) wanted to translate a Chinese text, which was under the protection of the late Qing law, one must first acquire permission from the author. However, we have to understand that this interpretation only worked theoretically and did not apply to actual practice. After all, the law came into existence only one year before the Qing government was overthrown in 1911.

6. Conclusion

Though the *Law on Authors' Rights in the Great Qing Empire* was in existence for less than one year, the influence it had on the later versions of the law and on authors' rights is significant. Prior to the founding of the People's Republic of China in 1949, two more copyright laws were adopted, namely the *Law on Author's Rights* (1915) of the government of the Northern Warlords of China and the *Law on Authors' Rights* (1928) of the Kuomintang government. Both of them followed closely the 1910 law, especially in the article governing translators and translations.

The last decade of the late Qing dynasty witnessed the interwoven relationship between translation practice and copyright legislation. The interaction between the two as discussed above pinpoints the crucial, though not the decisive, role played by translators and translations. Late Qing translations got entangled in the copyright dispute because a large quantity of translations was done and when there was unbalanced development of copyright legislation in China and elsewhere. The role of translation as a catalyst for social reform can be clearly seen in the copyright legislation of

the late Qing.

This tentative study only sketches out the early legislation on copyright in late Qing China with reference to pressures from foreign countries and to Chinese initiatives. More needs to be discussed if we make reference to Dittrich (1993) (on legal position of translators) and Rosen (1993) (on publishing contracts). Moreover, Bently's three questions mentioned at the beginning of this paper have not been fully answered. The copyright dispute after 1910 and the copyright problems after the founding of New China merit further research. The *Copyright Law of the People's Republic of China* was adopted on September 7, 1990 and made effective as of June 1, 1991. Therefore, the one-century span from 1910 to 2010 is worth further investigation from the perspective of copyright infringement and legal status of translators as seen in publishing contracts.

Notes

- [1] For an online review: http://www.amazon.com/exec/obidos/ASIN/0415169291/lingnanuniver-target=_blank.
- [2] Alternatively named *The Global Magazine*, it was started by Young John Allen in 1868 and was originally called *Church News*.
- [3] For more information about the negotiations, refer to Zhou & Li (1999:78).
- [4] In 1913 and 1920, the United States, the United Kingdom and France invited China to adopt the Berne Convention as well as to conclude certain bilateral copyright treaties with them. The Chinese government refused on the ground that a negative influence on the Chinese economy and its education system might arise from adherence to such treaties (see Zheng & Pendleton 1991:17)
- [5] Interestingly, this article was published in a Japanese newspaper and was translated into Chinese. It is collected in *Selective Translation of Foreign Editorials on China* published in Yokohama. For more information about the article, refer to Zhou & Li (1999:21).

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- [6] The article was also published in a newspaper in Osaka and then translated into Chinese. For more information about this article, refer to Zhou and Li (1999:40). Both this article and the one mentioned above are good examples showing the positive role played by translation in promoting copyright laws in China, since the translation of the two articles, to some extent, exerted great influence on China at that time in terms of copyright practice.
- [7] My point here is similar to that of Tian and Li (2007).
- [8] Alternatively entitled the Copyright Law of the Great Qing Empire (Zheng & Pendleton 1991:16). As for the difference between copyright and author's right, refer to Wu Handong (1998:11). The word "copyright" originally referred to the protection of printer's and publisher's rights with regard to the reprinting of books. However, the Statute of Anna, the first copyright law in the United Kingdom of Great Britain (1709), marked the shift of emphasis to the author. In the Chinese context, the word *zhuququan* (literally, author's right) has been adopted through Chinese copyright history.

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