

## ADJUSTING CURRICULUM TO THE STUDENTS' NEEDS

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### Abstract

Educational programme is a product that has to be competitive and attractive on the world-wide market of education. Set up of a number of curricula in a certain sphere of studies it shapes future lives, welfare and careers of their audience. Curriculum of a discipline is only of some value if it fits into the whole puzzle where each of the subjects complements the others and joins in the flow of knowledge within the general direction.

Curriculum, being the essential part of the study programme, is a many-faceted document giving answers to many questions. It sets out the framework of the course, defines requirements to the candidates, and outlines the main objectives, content, and outcomes. Playing the role of a constitution with a scope of *what to do* and *how to do*, this document is far from being rigid and universal for all times and purposes.

This research looks at curriculum of Legal Documents Translation as part of linguistic programme of Legal Translation and Interpreting at Peoples Friendship University of Russia (RUDN University). It is devoted to the theoretical and empirical analysis of curriculum development in terms of the best satisfaction of students' needs. The scopes of expected competences to get the desired qualification in this field reflect varied knowledge and skills. Curriculum development and comprehensive teaching of legal documents translation is to be furthered in a way it fulfills all the needs and challenges the translator might experience in translation process. The translator-to-be has to acquire a good command of English in its specific form, be aware of two legal systems, master translation strategies and procedures, develop translation skills and be loyal to ethics.

The focus of this work is reflection on vital questions in teaching: what material to choose, how to organize the studying process, which teaching methods to employ for better progress and many others.

The findings and outcome of this work may be interesting for those involved in university courses of legal translation studies, the specialty, which is gaining popularity due to its social needs.

**Keywords:** curriculum, legal documents translation, skills and competences, educational materials, teaching methodology

### INTRODUCTION

Due to globalization, the world becomes smaller and people from different cultures and countries communicate with each other on a daily basis. Tighter economic, cultural, political, educational and other kinds of ties worldwide put forward the necessity of their legal accompaniment in the way accepted and acknowledged internationally. The need for quality translations has increased dramatically as a result of language polyphony where English is recognized as the language of international communication. With this in view, a translator plays an important role as a bilingual or multi-lingual cross-cultural mediator between cultures by attempting to interpret concepts and sense in a variety of texts as faithfully and accurately as

possible.

The Translation Studies was academically recognized and officially included into the list of academic disciplines only after the 1970s. Before it existed in the form of theories, views and suggestions of individual teachers, scholars, and various translators' associations. Just about the same time there started to appear new approaches to the translation of special-purpose texts, requiring sound conceptual understanding of the material in order to produce accurate and context-bound translations. In the field of special-purpose texts, legal documents translations undeniably occupy a special place.

Most often translation is understood as a transfer process from a foreign language (or a source text) to the mother tongue (or a target text). However, market increasingly demands the other way translations, i.e. from the mother tongue to a foreign language, which is much harder. Unprofessionally performed translation can result in poor output damaging the reputation of the company, firm or translator him/herself. It is especially sensitive with legal documents where a poor translation may cause not just minor confusion, but bring to court or arbitration trial with huge damages or awards.

That is why training translators imply not only a good command of at least two languages, acquaintance with translation theory and procedures, but also studying the areas of specific knowledge.

Curriculum development and comprehensive teaching of legal translation needs to be furthered in a way it fulfills all the needs and challenges the translator might experience during the translation process. Besides translation methodology, translator has to be aware of the field of translation, in our case it is legal systems of different types - Anglo-Saxon with developed common law traditions and Russian codified laws.

Thus, language, vital in all of its forms (grammar, style, syntax, phraseology, etc.), two radically different legal systems, translation studies and peculiarities of arranging legal documents in both cultures roughly outline the scope of knowledge to be gained to be qualified in legal translation. These should also be topped up with the skills equally difficult to master to successfully join the profession.

## **RESEARCH OBJECTIVES AND METHODOLOGY**

The focus of this article is revising the existing educational course of legal documents translation to raise its competitiveness and relativity. For this end, the analysis of similar educational courses, both domestic and foreign, has been carried out and best practices have been considered and introduced. Theoretical part, evolving essential elements of curriculum, such as the aims of the course, competences to be formed, content and knowledge assessment, has to be logically connected with the practical part, where teaching methods and educational results are of prime importance. The choice of practical material also determines the success of the course in general. Another matter of certain concern is the arrangement of the course, its logical development in terms of language difficulties, legal concepts, skills to be mastered, and competences to be gained. All those together shape the curriculum and estimate its value on the market of educational services where the most successful will gain considerable advantage.

In search for broader ideas, the author turns to international experience in this field. A survey of a number of educational institutions has been carried out with the aim to compare the courses of legal documents translation in terms of length, focus, targets and skills. Comparative analysis of those experiences with the experience of the RUDN University proves to be effective in further modifying the curriculum.

To check certain hypotheses the author resorts to questionnaire as one of the efficient techniques in research. It is especially unbeatable when it is necessary to identify the students' needs concerning the material for studies in order to stir motivation for the course.

## **RESULTS AND DISCUSSION**

The curriculum is the key reference point for a study course. It links the macro (officially selected educational goals, policy, culture and content) with the micro (learning objectives, study materials, class teaching methods, assessments, etc.) [Alexander], and is best seen as 'a sophisticated blend of educational strategies, course content, learning outcomes, experiences, assessment, environment and individual learning styles [Ljuca, et al].

The curriculum is never universal for all times and purposes. It undergoes through multiple transformations as instructors, students and other interested parties interpret, modify and add to the meaning and contents of this formal document.

The curriculum modifications are of social character; they reflect changes in ideology, needs, ambitions and expectations of the society and individuals and are indicators of constant evolution of education towards the

desired outcome.

When the RUDN University (Moscow) launched the master's programme of Legal Translation and Interpreting in the Law Institute five years ago, we were pioneers in this field in Russia. The course of Legal Documents Translation was given a core priority due to the social needs in the context of greater international interaction of Russia on the global arena. It was decided that the course would last for three consecutive terms and embrace the documents of different genres and styles. Was it different from the international practice? It certainly was. A little survey of programme details available on-line confirms that. It must be mentioned, however, that most of the courses under review are undergraduate degree in translation.

We did not hope to find the full-text educational curricula, syllabi and/or study guides on Legal translation on the sites of leading universities but all kinds of promotional materials outlining general information of the course can also give an idea about the scope and length of the programme, main topics under study, competences and skills the students gain on completion, market opportunities for professionals in this field in different countries, etc. Among the surveyed institutions are: New York University. School of continuing and professional studies; London school of Arts and Social Sciences; Université de Genève; Hang Seng Management College (Hong Kong); and Babel University: Singapore University of Social Sciences.

Below is the brief outcome of this research in comparison with the master's programme of Legal Translation and Interpreting in the Law Institute of the RUDN University.

1 The course of translation in legal (legal and financial, legal and economic) setting seems to be popular in many universities around the globe. Determined by the market demand for professionals in translation, this course (mainly within bachelor's training) is offered as full-time, or part-time including on-line. RUDN master's course of legal translation is full-time, but classes are held in the evening on week-days and on Saturday to allow the students combine work and studies. On-line education within this speciality may signal the next stage in its development.

2 The master's course is most often designed for those with fluent language, native or near native speakers in English as the target language into which they translate. Among the source languages are French, Spanish, Italian and some others. RUDN master's course of legal translation involves the following pairs of languages: English-Russian, French-Russian, German-Russian, and Spanish-Russian. Other combinations are also possible. Thus, in case with the Iranian student who did not speak Russian the working pair of languages was English-German. However, there is a steady demand for English-Russian pair of languages for obvious reasons. We focus on translations from and into the above-mentioned foreign languages, which suggests more extensive skills and knowledge.

4 The programme consists of a number of courses, some electives, and a thesis. There are at least three groups of material: translation theory course, subject-matter courses allowing to specialize in a certain field and translation courses. In our case there are no electives, the subjects are divided between law and linguistics and comprise theoretical and practical approaches to translation.

5 Compulsory courses include Theory and Practice of Translation and Theory and Practice of Terminology. It means that the students familiarize themselves with two relative legal systems and terminology. Basically, this is also true for our master's programme of Legal Translation and Interpreting. There is a theoretical course of Legal Translation Studies and a number of courses such as Legal Documents Translation, Public Service Interpreting and Translation and Translation Studies, which combine theory and practice in a specific domain.

6 Most often Legal Documents Translation is not a separate course, but part of the programme that supports the material of the module, ex., Terminology and Translation of Property Documents, Terminology and Translation of Contracts, etc. The RUDN course of Legal Documents Translation is a separate course with a number of most common types of documents under study. Theoretical part of the course contains the legal background and definitions and outlines the structure and elements of a certain instrument along with the analysis of its distinguishing linguistic features. Most of this material is connected with the English legal system so that the students acquire general knowledge about the document under study. Selection of texts based on genres helps to raise students' awareness of translation problems and genre-specific characteristics of such texts.

7 The most extensive courses include such modules as Translation of Litigation Documents, Legal Correspondence and Translation of Personal Documents, which are fully included into the RUDN course of Legal Documents Translation.

8 While most of the courses focus on technical terminology, very few look at the grammar of legal documents like at the Babel University in Japan. They teach to analyze grammar for better understanding of the sentence patterns, finding the balance between nouns and verbs in translation and selecting the appropriate modal verbs of obligation, permission, prediction, etc. Evidently, it is linked with the specifics of Japanese. At our seminars, we give certain attention to language peculiarities of a particular genre of the document including grammar.

Another sphere of our interest is the teaching methodology and best practices of other universities around the globe where similar courses are being taught. Some academic advancements are quite unique. According to Don Kiraly, a learner-centred advocate of education, translator competence can be better developed through collaboration coupled with authentic assignments, which suggests a transfer of roles. As a result, an instructor is to become a facilitator, while a student is expected to build up independence and gain competences related to his/her future profession. The instructor should aim to create a type of scaffolding (basis) for students' learning, thus enabling them to take on more responsibilities [Kiraly]. Such approach to teaching attaches to students a greater role than just acquiring skills and knowledge. It means that students actively participate in the learning process and are contributing with their expertise (around 50 per cent of the students in my class are qualified lawyers); they are involved in selecting materials for training according to their professional interests and needs.

The recent survey in the form of a questionnaire carried out in the groups of the first and second year master students made us revise the list of documents that has been originally envisaged in the course curriculum. The matter is that most of the current students are involved in international economic activities at their work place. This explains their core interest to materials connected with company formation, agreement, power of attorney, arbitration/mediation and legal correspondence. Students with language backgrounds who are planning to work as legal translators after they are qualified would rather be focused on translating personal documents, international treaties, international court of justice judgements, etc. Lawyers involved in litigation and/or arbitration prefer studying court decisions and arbitration awards. They are also interested in court proceedings in common law. To our great disappointment none of respondents showed any interest to covenants, deed polls and last wills and testaments ranking them last in the questionnaire. For me as a designer of the course the latter seemed to be most attractive in terms of specific terminology, conventions, old-fashioned phraseology and style. Preparing these materials for class work turned out to be a waste of time and efforts.

Satisfying all those needs and interests is very challenging no matter how long the course is. It is practically impossible to analyze all the genres in one translation programme. Therefore, the best solution is to identify the most needed educational material for a particular group. Though not very popular, the opening topic of the course is to be introduction to legal language. This will acquaint students with varied specific features of Legal English/French/German, etc.

Actually, we have never been able to cover more than two to three types of instruments during a term. The most time consuming are articles of association, agreement, court decision and arbitration award. Some of them are the texts of about fifteen pages or longer. Our policy is to study authentic documents, so abridged versions are not accepted. This also involves the issue of teaching methods. What assignments can be offered to effectively study the material and master the key terminology? How can translation skills be formed and developed for a brief period of time?

A quick look through academic literature concerning teaching methodology of documents translation confirmed my concerns. Developed for undergraduates with limited number of topics under study and measured difficulties of legal, linguistic and cultural character, the suggested sets of tasks for joint practice in class aim at building up basic skills of interpreting [Gerding-Salas, Alakawi and others]. For example, comprehension and message interpretation of texts (identifying the source, text type, register, style, target reader), language analysis (underlining words, identifying translation difficulties), studying parallel texts, scan and skim reading, back translation of selected paragraphs, oral and then written translation of the same text, etc.

Engaged in those activities students learn to identify translation problems, exchange their ideas concerning the wording and choice of terminology. When reading parallel texts they pick up useful terminology, learn collocations, fixed expressions, doublets and triplets, which are a specific feature of legal English. They also compare source and target styles and registers. All these greatly contribute to generating translation skills.

However, those time-consuming tasks are often sacrificed in favour of more pointed and goal-oriented activities. Students of master's course usually have certain experience in translation, so we focus on

individual work with afterward discussion of best practices. The issues of prime importance are: contextualizing lexical items, selecting the best translation strategies, addressing legal, cultural or functional inconsistencies in terminology, dealing with ambiguity through compensation, adaptation, paraphrasing, foreignization/domestication, explanatory notes and other translation tools. The most desired competence is developing the translator's intuition, in other words, the ability to find the best interpretation of semantic gaps between legal and language systems derived from context and understandable for the target audience.

Working with lengthy legal texts, we had to work out the system of tasks aimed at adopting terminology and fixed expressions, typical for a particular genre, modal verbs conventionally used in legal domain, grammar patterns and appropriate style tools. For this end, the text is divided into smaller bits and depending on the language material it entails we set up the assignment. It can be: *fill in the gaps with missing words* (prepositions, terms of art, determiners or a mixture of those); *identify and correct errors* (effective exercise to practice the choice of synonyms, ex. duty – obligation, people – persons, sides – parties, etc.); *select the right term* (this task is also focused on synonyms or interference from Russian, ex.: this/given/respective, hereof/thereto/hereafter, get/receive/acquire, etc.); *give English equivalents to Russian phrases to restore the text* and some others. Obviously, the translation activities from/into English prevail. Very often, they are combined with one of the mentioned tasks.

Each part of a lengthy document is supported with the terms/phrases with their context-bound translation into Russian. This is done for two purposes. First, to bind English term/phrase with its relative Russian equivalent and, second, to build up the glossary of necessary chunks and phrases for learning and further use. Key terms and expressions from the text are included in the closing task of particular part of the document (ex., *Give English equivalents to*) thus helping to assess the progress.

Though varied enough the above-mentioned set of assignments is far from being exhaust. Constant search for interesting and effective activities is an attempt to raise motivation, offer a new challenge and improve students' personal skills in translation. Focus on individual approach of training rather than team or class activities is also a deliberate strategy.

## CONCLUSION

The process of globalization, integration of economies, closer production and trading ties have generated numerous mixed partnerships, joint ventures and companies where key documentation is organized in the native and English languages. Those and other reasons shaped up an urgent need for specialists in a cross-discipline sphere, legal translation, where knowledge and skills in linguistics and law are of equal importance.

The central role in education is given to a curriculum, which sets forth both strategy and tactics in delivering a course. It defines its objectives, scope, length, outcome and other important academic matters. A curriculum is developed in strong conformity with the national, international, economic, cultural, educational and social demands and is aimed at further development and improvement of educational system.

The balance between aims and outcome, theory and practice, core and supporting materials, topics under study, assignments and assessment, professional competences and university qualification is not so easy to reach, that is why the curriculum development is ever going. Adding up the teaching methodology, elaborate development of educational packs and classroom rules finishes shaping up a curriculum as a comprehensive plan of academic study.

Changing contexts in higher school call for constant revision of teaching strategy, materials for studies and class methodology. That is why we turned to the experience of foreign universities involved in legal translation studies. The survey of several universities representing most of the continents, allows to argue that courses varied in scope, educational forms, languages involved, sets of required and elective disciplines, balance between translation theory, subject-matter and translation practice - all aim at reaching the needs of prospective employers in terms of knowledge and professional skills. Their comparison with the master's programme of Legal Translation and Interpreting of the Peoples Friendship University of Russia (RUDN University) confirmed the general trend of developing and prospects for the future.

Examining the teaching methods of some foreign schools gives valuable material for consideration and possible utilization in class. However, the specifics of master's course in Legal Documents Translation suggest the focus on individual results rather than collective forms of engagement. Forming and developing individual translation competences call for varied system of language assignments focused on polysemy, synonymy, idiomatics, etc. Translation challenges connected with linguistic, legal or cultural untranslatability force to seek adequate teaching methods to identify and address them. We are of the opinion that collective

experience in this field will inevitably contribute to the desired outcome, thus bridging academic training and diverse international activities.

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