

Law and Regulation

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PENDAHULUAN

This module consists of two learning activities. Both have the same format in which you will find four parts. The first part contains original texts written in English as the source language (SL). The first two paragraphs of each text, translated into Bahasa Indonesia, are intended as model translations along with a brief explanation. The second part provides you with a number of translation exercises with alternative translation versions. However, it is advisable that you do each of the exercises by yourself or in groups first before checking them with the keys. The third part has a summary of those translation aspects highlighted in the learning activity concerned. The last part gives you a formative test as freer practice. Alternative translation versions together with some comments are available in the key to the formative test section at the end of this module.

After learning this module, you are expected to be able to: translate various texts on Forestry from English into Bahasa Indonesia accurately and naturally.

Before you move on to Learning Activity 1, it is necessary for you to look at things you have to bear in mind while you are translating. You should have learned these things in the Theory of Translation course (BING3315).

1. Meanings transferred into the target language are not restricted by the source language patterns. In other words, it should not read as translation.
2. Meaning in the source language should be conveyed accurately in the target language. There should be no misinterpretation or misleading language.
3. Be aware of the notion register (i.e. vocabulary selection, style and grammatical features) used in a particular context.
4. Make sure you do not lose certainty of meaning in the source texts.

5. There is no such thing as “free translation”. Your translation should only be based on meanings in the source language.
6. Do not use 'everyday' language.

All the above criteria will be addressed in the section of key to exercises. They will then be summarized in the Summary section.

LEARNING ACTIVITY 1

English - Bahasa Indonesia
Translation

Read the following text very carefully to get a general impression of it, analyze it and then do the exercises that follow.

**Japan's Labor Laws:
Back to the 19th Century**

In a March 17 editorial, *The Daily Yomiuri* waxed poetic about the changes in the Equal Employment Opportunity Law, which will make it more difficult for firms to discriminate against women.

Surely there is something to say in favor of the changes in the EEOL. But what the editorial failed to mention is that these amendments, which will take effect on April 1, are part of a larger program intended to revolutionize Japan's labor market, in effect sending it back toward the "deregulated" atmosphere of the 19th century.

For women specifically, the changes in the EEOL were accompanied by a set of revisions to the Labor Standards Law, the main law protecting the rights of workers, which will indeed put women on an equal footing with men -- in terms of working late hours and unlimited overtime.

The blueprint for the changes can be found in a 1995 report compiled by Nikkeiren (the Japanese Employers' Federation), a powerful body which represents the interests of management. The report, appropriately entitled *Japanese Management for a New Age*, concluded that in order to thrive in the coming age of "megacompetition," the Japanese labor force would have to be divided into three classes: a core of elite workers (presumably the management representatives in Nikkeiren would fit in here), a group of specialists who could be hired on a project-by-project basis, and a third, fluid group who would be easily hired and fired to fit economic circumstances. What the report was calling for, in effect, was a "just-in-time" system of labor.

Although Nikkeiren's plan has not come to full fruition, it is clear that things are moving in the direction they desire. According to the Management and Coordination Agency, the share of regular workers in the workforce fell

from 72.4% in 1992 to 70.1% in 1997. For women the drop was even sharper from an already low 58.3% to 53.8%.

What has happened, of course, is that the moves to prevent discrimination against women have been coupled with this plan; they are not an integral part of this grandiose vision, but rather a concession made to pacify the more progressive mainstream elements, like the Social Democratic Party and the giant labor federation Rengo, and to motivate them to accept the vision of a more "deregulated" Japan.

So what lies in store for workers in Japan? Though the changes in the LSL may not be drastic, they are problematic. In addition to abolishing the restrictions on late-night work by women, the maximum length of contracts will be extended from one year to five years, making it more desirable for firms to employ workers on a project basis, retaining the option of deciding whether or not to renew the contract, rather than offering "lifetime employment." Though the 40-hour workweek will remain symbolically, a system of "discretionary labor" will make it permissible for workers to put in longer hours as long as they agree to it -- ensuring that the 40-hour workweek will remain elusive for most workers.

Through this, according to Sakai Kazuko, writing in *AMPO*, the "amended LSL has essentially changed from a law to safeguard workers' rights to a law that assures management the ability to dispose of workers freely."

More dangerous than the changes to the LSL is the set of amendments to the Dispatched Labor Law, which will open up more job categories in which managements can use temporary workers. All in all, these changes will make it easier for managements to hire workers on an ad hoc basis, without the protection of labor laws and social security, and to get rid of them when the need arises.

How Far Can You Bend?

Flexibility is the key to the whole scheme -- meaning flexibility for management. According to Ukai Yoshiaki, the changes in the labor laws amount to a "push by management to cut costs and increase efficiency by exposing workers to the full force of the market, and returning to a 19th century style of labor." Or in other words, putting workers into a race with each other, a "race to the bottom."

Needless to say, there is resistance to the changes. Zenroren, the Japan Communist Party-affiliated union confederation, has taken a strong stand against the changes, and JCP members have consistently voted against the changes in the Diet. The smaller Zenrokyo has also opposed the changes, but Rengo (Japanese Trade Union Confederation), the largest trade union center, with nearly 8 million workers, has sent representatives to the various committees that have debated the changes, and because of its involvement in the dealing over the particular pieces of legislation, has essentially adopted a stance of "constructive engagement" toward Nikkeiren's ideas, not taking any strong stand against the changes to the LSL, for example.

What is clear is that if changes continue to follow this path, there will be drastic effects on Japan's labor market. The task facing trade unions will then be, how to adapt to this new reality, and how to protect workers in an environment where the laws will no longer be on their side.

Source: *The New Observer* is a Kanto-based English language journal of news and views not usually available in mainstream media in Japan. It is intended to serve as a notice board and discussion forum for the political, economic, and cultural concerns of foreign residents and workers. It is published with the generous assistance of the National Union of General Workers (NUGW).

■ Task 1

Now, learn the model answer below.

MODEL

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|--|
| Source Language |
| Paragraph 1 |
| <p>Japan's Labor Laws: Back to the 19th Century</p> <p>In a March 17 editorial, <i>The Daily Yomiuri</i> waxed poetic about the changes in the Equal Employment Opportunity Law, which will make it more difficult for firms to discriminate against women.</p> |

Model Translation**UU Tenaga Kerja Jepang:
Kembali ke Abad 19**

Dalam editorialsnya tanggal 17 Maret, *The Daily Yomiuri* menuliskan puisi tentang perubahan dalam UU Kesempatan Kerja yang Setara (*Equal Employment Opportunity Law*) yang akan menjadikannya lebih sulit bagi perusahaan untuk melakukan diskriminasi terhadap perempuan.

**EXERCISES**■ **Task 2**

Translate the following extract into Bahasa Indonesia.

Source Language

Paragraph 2

Surely there is something to say in favor of the changes in the EEOL. But what the editorial failed to mention is that these amendments, which will take effect on April 1, are part of a larger program intended to revolutionize Japan's labor market, in effect sending it back toward the "deregulated" atmosphere of the 19th century.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 3**

Translate the following extract into Bahasa Indonesia.

| Source Language |
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| <p>Paragraph 3</p> <p>For women specifically, the changes in the EEOL were accompanied by a set of revisions to the Labor Standards Law, the main law protecting the rights of workers, which will indeed put women on an equal footing with men -- in terms of working late hours and unlimited overtime</p> |
| <p>Write your translation here.</p> |
| <p>Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.</p> |

■ **Task 4**

Translate the following extract into Bahasa Indonesia.

| Source Language |
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| <p>Paragraph 4</p> <p>The blueprint for the changes can be found in a 1995 report compiled by Nikkeiren (the Japanese Employers' Federation), a powerful body which represents the interests of management. The report, appropriately entitled <i>Japanese Management for a New Age</i>, concluded that in order to thrive in the coming age of "megacompetition," the Japanese labor force would have to be divided into three classes: a core of elite workers (presumably the management representatives in Nikkeiren would fit in here), a group of specialists who could be hired on a project-by-project basis, and a third, fluid group who would be easily hired and fired to fit economic circumstances. What the report was calling for, in effect, was a "just-in-time" system of labor.</p> |
| <p>Write your translation here.</p> |

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 5**

Translate the following extract into Bahasa Indonesia.

Source Language

Paragraph 5

Although Nikkeiren's plan has not come to full fruition, it is clear that things are moving in the direction they desire. According to the Management and Coordination Agency, the share of regular workers in the workforce fell from 72.4% in 1992 to 70.1% in 1997. For women the drop was even sharper -- from an already low 58.3% to 53.8%.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 6**

Translate the following extract into Bahasa Indonesia.

| Source Language |
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| <p>Paragraph 6</p> <p>What has happened, of course, is that the moves to prevent discrimination against women have been coupled with this plan; they are not an integral part of this grandiose vision, but rather a concession made to pacify the more progressive mainstream elements, like the Social Democratic Party and the giant labor federation Rengo, and to motivate them to accept the vision of a more "deregulated" Japan.</p> |
| <p>Write your translation here.</p> |
| <p>Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.</p> |

■ Task 7

Translate the following extract into Bahasa Indonesia.

Source Language**Paragraph 7**

So what lies in store for workers in Japan? Though the changes in the LSL may not be drastic, they are problematic. In addition to abolishing the restrictions on late-night work by women, the maximum length of contracts will be extended from one year to five years, making it more desirable for firms to employ workers on a project basis, retaining the option of deciding whether or not to renew the contract, rather than offering "lifetime employment." Though the 40-hour workweek will remain symbolically, a system of "discretionary labor" will make it permissible for workers to put in longer hours as long as they agree to it -- ensuring that the 40-hour workweek will remain elusive for most workers.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 8**

Translate the following extract into Bahasa Indonesia.

| Source Language |
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| <p>Paragraph 8</p> <p>Through this, according to Sakai Kazuko, writing in <i>AMPO</i>, the "amended LSL has essentially changed from a law to safeguard workers' rights to a law that assures management the ability to dispose of workers freely."</p> |
| <p>Write your translation here.</p> |
| <p>Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.</p> |

■ **Task 9**

Translate the following extract into Bahasa Indonesia.

| Source Language |
|---|
| <p>Paragraph 9</p> <p>More dangerous than the changes to the LSL is the set of amendments to the Dispatched Labor Law, which will open up more job categories in which managements can use temporary workers. All in all, these changes will make it easier for managements to hire workers on an ad hoc basis, without the protection of labor laws and social security, and to get rid of them when the need arises.</p> |
| <p>Write your translation here.</p> |
| <p>Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.</p> |

■ Task 10

Translate the following extract into Bahasa Indonesia.

Source Language**Paragraph 10****How Far Can You Bend?**

Flexibility is the key to the whole scheme meaning flexibility for management. According to Ukai Yoshiaki, the changes in the labor laws amount to a "push by management to cut costs and increase efficiency by exposing workers to the full force of the market, and returning to a 19th century style of labor." Or in other words, putting workers into a race with each other, a "race to the bottom."

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

Answer Keys■ **Task 2**

| Source Language |
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| <p>Paragraph 2</p> <p>Surely there is something to say in favor of the changes in the EEOL. But what the editorial failed to mention is that these amendments, which will take effect on April 1, are part of a larger program intended to revolutionize Japan's labor market, in effect sending it back toward the "deregulated" atmosphere of the 19th century.</p> |
| <p>Model Translation</p> <p>Pasti ada sesuatu yang dikatakan yang berpihak pada perubahan dalam EEOL. Namun, apa yang gagal disebutkan dalam editorial adalah bahwa amandemen ini yang akan mulai berlaku pada tanggal 1 April, adalah bagian dari program yang lebih besar yang merupakan bagian dari program yang dimaksudkan untuk membuat perubahan besar pasar tenaga kerja Jepang yang secara kuat mendorongnya kembali ke suasana deregulasi abad ke 19.</p> |

■ **Task 3**

| Source Language |
|--|
| <p>Paragraph 3</p> <p>For women specifically, the changes in the EEOL were accompanied by a set of revisions to the Labor Standards Law, the main law protecting the rights of workers, which will indeed put women on an equal footing with men -- in terms of working late hours and unlimited overtime</p> |
| <p>Model Translation</p> <p>Bagi perempuan khususnya, perubahan-perubahan dalam EEOL disertai seperangkat revisi UU Standar Tenaga Kerja, UU utama yang melindungi hak-hak pekerja, yang akan benar-benar menempatkan perempuan dalam pijakan yang setara dengan laki-laki dalam hal bekerja sampai larut dan lembur yang tak terbatas.</p> |

■ Task 4

Source Language

Paragraph 4

The blueprint for the changes can be found in a 1995 report compiled by Nikkeiren (the Japanese Employers' Federation), a powerful body which represents the interests of management. The report, appropriately entitled *Japanese Management for a New Age*, concluded that in order to thrive in the coming age of "megacompetition," the Japanese labor force would have to be divided into three classes: a core of elite workers (presumably the management representatives in Nikkeiren would fit in here), a group of specialists who could be hired on a project-by-project basis, and a third, fluid group who would be easily hired and fired to fit economic circumstances. What the report was calling for, in effect, was a "just-in-time" system of labor.

Model Translation

Cetak biru perubahan dapat ditemukan dalam laporan 1995 yang dikompilasikan oleh Nikkeiren (Federasi Tenaga Kerja Jepang), sebuah badan yang kuat yang merepresentasikan kepentingan manajemen. Laporan itu, yang cocoknya diberi judul Manajemen Era Baru Jepang (*Japanese Management for a New Age*), menyimpulkan bahwa untuk berhasil dalam era "kompetisi mega" tenaga kerja Jepang hendaknya dibagi menjadi tiga kelas: inti pekerja elit (barangkali perwakilan manajemen di Nikkeiren akan cocok di sini), sekelompok spesialis yang dapat dipekerjakan secara per proyek, dan yang ketiga, kelompok cair yang dapat dengan mudah dipekerjakan dan dipecat sesuai dengan keadaan ekonomi. Apa yang diperlukan oleh laporan itu, pada kenyataannya adalah sistem perburuhan yang "just in time".

■ Task 5

| Source Language |
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| <p>Paragraph 5</p> <p>Although Nikkeiren's plan has not come to full fruition, it is clear that things are moving in the direction they desire. According to the Management and Coordination Agency, the share of regular workers in the workforce fell from 72.4% in 1992 to 70.1% in 1997. For women the drop was even sharper -- from an already low 58.3% to 53.8%.</p> |
| <p>Model Translation</p> <p>Walaupun rencana Nikkeiren belum selesai sepenuhnya, sungguh jelas bahwa segala sesuatunya bergerak ke arah yang mereka inginkan. Menurut Badan Organisasi dan Manajemen, porsi pekerja reguler di angkatan kerja turun tajam dari 72.4% pada tahun 1992 menjadi 70.1% pada tahun 1997. Untuk pekerja perempuan, penurunan itu bahkan lebih tajam dari angka yang sudah rendah, yakni 58.3% menjadi 53.8%.</p> |

■ Task 6

| Source Language |
|---|
| <p>Paragraph 6</p> <p>What has happened, of course, is that the moves to prevent discrimination against women have been coupled with this plan; they are not an integral part of this grandiose vision, but rather a concession made to pacify the more progressive mainstream elements, like the Social Democratic Party and the giant labor federation Rengo, and to motivate them to accept the vision of a more "deregulated" Japan.</p> |
| <p>Model Translation</p> <p>Apa yang sudah terjadi, tentunya adalah bahwa gerakan mencegah diskriminasi terhadap perempuan telah disatukan dengan rencana ini; gerakan bukan merupakan bagian integral dari visi besar ini, namun cenderung berupa konsesi yang dibuat untuk menenangkan elemen arus utama yang lebih progresif, seperti Partai Sosial Demokrat dan federasi buruh yang sangat besar Rengo, dan untuk memotivasi mereka menerima visi sebuah Jepang lebih terderegulasi.</p> |

■ Task 7

Source Language

Paragraph 7

So what lies in store for workers in Japan? Though the changes in the LSL may not be drastic, they are problematic. In addition to abolishing the restrictions on late-night work by women, the maximum length of contracts will be extended from one year to five years, making it more desirable for firms to employ workers on a project basis, retaining the option of deciding whether or not to renew the contract, rather than offering "lifetime employment." Though the 40-hour workweek will remain symbolically, a system of "discretionary labor" will make it permissible for workers to put in longer hours as long as they agree to it -- ensuring that the 40-hour workweek will remain elusive for most workers.

Model Translation

Jadi, jadi apa yang tersisa bagi pekerja di Jepang? Walaupun perubahan dalam LSL mungkin tidak *drastic*, perubahan itu *problematic*. Selain penghapusan pembatasan kerja larut malam bagi perempuan, lama kontrak maksimum akan diperpanjang dari satu tahun menjadi lima tahun, yang memungkinkan hal tersebut menjadi lebih menarik bagi perusahaan-perusahaan untuk mempekerjakan karyawan berdasarkan proyek, dengan mempertahankan pilihan untuk menentukan apakah memperbaharui kontrak atau tidak, bukan menawarkan "pekerjaan seumur hidup". Walaupun kerja 40 jam per minggu secara simbolis tetap, sebuah sistem "perburuhan terbuka" akan memperbolehkan pekerja untuk ditempatkan dalam jam yang lebih lama sepanjang mereka menyetujuinya guna memastikan bahwa 40 jam kerja per minggu akan tetap sulit dipahami oleh sebagian besar pekerja.

■ Task 8

| Source Language |
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| <p>Paragraph 8</p> <p>Through this, according to Sakai Kazuko, writing in <i>AMPO</i>, the "amended LSL has essentially changed from a law to safeguard workers' rights to a law that assures management the ability to dispose of workers freely."</p> |
| <p>Model Translation</p> <p>Melalui ini, menurut Sakai Kazuko, melalui tulisannya di <i>AMPO</i>, LSL yang diamandemen telah secara signifikan mengubah dari UU yang melindungi hak-hak pekerja menjadi suatu UU yang memberi jaminan bagi manajemen kemampuan untuk "membuang" pekerja dengan bebas.</p> |

■ Task 9

| Source Language |
|---|
| <p>Paragraph 9</p> <p>More dangerous than the changes to the LSL is the set of amendments to the Dispatched Labor Law, which will open up more job categories in which managements can use temporary workers. All in all, these changes will make it easier for managements to hire workers on an ad hoc basis, without the protection of labor laws and social security, and to get rid of them when the need arises.</p> |
| <p>Model Translation</p> <p>Lebih berbahaya dari perubahan-perubahan LSL adalah seperangkat amandemen terhadap <i>Dispatched Labor Law</i>, yang akan membuka lebih banyak kategori pekerjaan, di mana manajemen dapat menggunakan pekerja sementara. Singkatnya, perubahan-perubahan ini akan memudahkan manajemen untuk mempekerjakan pegawai berbasis sementara, tanpa perlindungan UU perburuhan dan jaminan <i>social</i>, dan menghindari mereka ketika kebutuhan meningkat.</p> |

■ Task 10

Source Language

Paragraph 10

How Far Can You Bend?

Flexibility is the key to the whole scheme meaning flexibility for management. According to Ukai Yoshiaki, the changes in the labor laws amount to a "push by management to cut costs and increase efficiency by exposing workers to the full force of the market, and returning to a 19th century style of labor." Or in other words, putting workers into a race with each other, a "race to the bottom."

Model Translation

How Far Can You Bend?

Keluweasan nampaknya menjadi kunci skema secara keseluruhan, artinya keluwesan bagi pihak manajemen. Menurut Ukai Yoshiaki, perubahan dalam UU ketenagakerjaan menambah 'tekanan oleh manajemen untuk memotong biaya dan meningkatkan efisiensi dengan mengekspos pekerja ke kekuatan pasar secara penuh dan kembali ke gaya perburuhan abad ke-19. "Atau dengan kata lain, menempatkan tenaga kerja atau buruh dalam keadaan saling berpacu, sebuah pacuan menuju dasar".



SUMMARY

Dari kegiatan belajar ini ada beberapa hal yang bisa ditarik sebagai kesimpulan:

1. sebelum mulai menerjemahkan, pastikan bahwa Anda telah memahami seluruh paragraf (analisis teksnya) dengan membacanya berulang-ulang, dan kemudian baru kalimat demi kalimat;
2. hati-hati dengan istilah yang tidak ada padanannya dalam bahasa sasaran. Bila perlu, Anda diperkenankan membuat catatan kaki;
3. jangan pernah mencoba menerjemahkan kata per kata;
4. jangan terpaku dengan pola bahasa sumber (*restricted by forms*). Ubahlah susunan kalimat bila dirasa perlu dengan selalu memperhatikan ketersampaian makna secara akurat;
5. '*meaning*' di alihkan secara tepat ke dalam bahasa sumber dengan memperhatikan pilihan kata (*vocabulary*), bentuk kalimat (*grammatical forms*) dan laras bahasa (*register*).

**FORMATIVE TEST 1** _____

Read the extract below and translate it into bahasa Indonesia.

Part 1***Source Language***

Needless to say, there is resistance to the changes. Zenroren, the Japan Communist Party-affiliated union confederation, has taken a strong stand against the changes, and JCP members have consistently voted against the changes in the Diet. The smaller Zenrokyo has also opposed the changes, but Rengo (Japanese Trade Union Confederation), the largest trade union center, with nearly 8 million workers, has sent representatives to the various committees that have debated the changes, and because of its involvement in the dealing over the particular pieces of legislation, has essentially adopted a stance of "constructive engagement" toward Nikkeiren's ideas, not taking any strong stand against the changes to the LSL, for example.

Write your translation here.

Part 2

Source Language

What is clear is that if changes continue to follow this path, there will be drastic effects on Japan's labor market. The task facing trade unions will then be, how to adapt to this new reality, and how to protect workers in an environment where the laws will no longer be on their side.

Write your translation here.

Cocokkanlah jawaban Anda dengan Kunci Jawaban Tes Formatif 1 yang terdapat di bagian akhir modul ini. Hitunglah jawaban yang benar. Kemudian, gunakan rumus berikut untuk mengetahui tingkat penguasaan Anda terhadap materi Kegiatan Belajar 1.

$$\text{Tingkat penguasaan} = \frac{\text{Jumlah Jawaban yang Benar}}{\text{Jumlah Soal}} \times 100\%$$

Arti tingkat penguasaan: 90 - 100% = baik sekali
 80 - 89% = baik
 70 - 79% = cukup
 < 70% = kurang

Apabila mencapai tingkat penguasaan 80% atau lebih, Anda dapat meneruskan dengan Kegiatan Belajar 2. **Bagus!** Jika masih di bawah 80%, Anda harus mengulangi materi Kegiatan Belajar 1, terutama bagian yang belum dikuasai.

LEARNING ACTIVITY 2

English - Bahasa Indonesia
Translation

Read the following text very carefully to get a general impression of it, analyze it and then do the exercises that follow.

Prostitution Law Before High Court

By Sarah Liebowitz
Monitor staff

A former Franklin District Court security officer convicted of prostitution has taken his case to the state Supreme Court. His appeal rests on a matter of legal interpretation: Is the state's prostitution law overly broad, possibly jeopardize some legal activities, such as the creation of pornographic films?

An attorney for the former officer argued yesterday that the law is too expansive and thus fails to provide enough protection to constitutionally protected activities.

State prosecutors say that the law doesn't subject filmmakers to prosecution, and they urged the Supreme Court to uphold the conviction. The law doesn't "sweep within its reach a substantial amount" of First Amendment-protected activity, Thomas Bocian, an attorney for the state Department of Justice, wrote to the court.

Robert Theriault's conviction came after he offered a couple money to have sex while he watched.

In October 2005, Theriault approached the couple at Franklin District Court, where the boyfriend had to settle an outstanding speeding ticket. At the time, the couple were unemployed and living in a motel, subsisting off the girlfriend's disability benefits, according to court documents. Theriault expressed concern about the couple's financial hardship, the girlfriend said, and told them he had work that would pay them \$20 an hour. The couple arranged for Theriault to visit the motel.

When Theriault came to the motel, according to the couple, he said he was an investigator for a company that was testing condoms and sheets and promised them \$20 per hour if they would have sex while he watched. The

company was supposedly testing condoms for reliability, and sheets for their ability to increase sperm count, the couple said.

The couple eventually had sex while Theriault was in the room. Theriault, according to court documents, repeatedly attempted to lift the blankets to watch. Theriault said he would return the next morning with the couple's money. When he returned, however, the couple were no longer interested and sent Theriault away.

Theriault, of West Ossipee, denied that he ever discussed sex with the couple, according to court documents. He intended to help the girlfriend find work as a waitress, he said

Although no money changed hands between Theriault and the couple, he was prosecuted under the state's prostitution law. In New Hampshire, it is illegal to offer to pay someone to have sex or sexual contact. A solicitor can face charges if he doesn't engage in sex.

In March 2007, a Merrimack County Superior Court jury convicted Theriault, who lost his job as a security officer at Franklin District Court after his arrest. Theriault, 50, was given 150 hours of community service, probation and orders to complete a psycho-sexual evaluation.

The success of Theriault's Supreme Court appeal is rooted in the breadth of the state's prostitution law.

According to Judge Carol Ann Conboy of Merrimack County Superior Court, where Theriault's case was tried, the prostitution law only applies when the motivation is sexual arousal or gratification. In other words, the statute is relevant only when someone pays (or offers or agrees to pay) someone else to engage in sexual contact or penetration and when someone does so for his own arousal or gratification. If the sexual contact occurred for another purpose - such as the creation of a film - the prostitution law wouldn't apply.

But Theriault and his attorney argue that the law remains too broad and could be applied to activities that are, in fact, constitutionally protected.

If a movie director derives sexual gratification from the filming or viewing of his film, "he is no different from Theriault, who allegedly derived 'sexual gratification' " from watching the couple have sex, defense attorney David Rothstein argued in a court filing.

In an internet age, "it is hardly hypothetical that one person may employ others to engage in sexual contact or penetration for recording and distribution to others," Rothstein wrote.

■ **Task 1**

Now, learn the model answer below.

Model

| Source Language |
|---|
| <p>Paragraph 1, 2</p> <p>A former Franklin District Court security officer convicted of prostitution has taken his case to the state Supreme Court. His appeal rests on a matter of legal interpretation: Is the state's prostitution law overly broad, possibly jeopardize some legal activities, such as the creation of pornographic films?</p> <p>An attorney for the former officer argued yesterday that the law is too expansive and thus fails to provide enough protection to constitutionally protected activities.</p> |
| <p>Model Translation</p> <p style="text-align: center;">UU Pelacuran di Hadapan Pengadilan Tinggi Oleh Sarah Liebowitz</p> <p style="text-align: center;">Staf Monitor</p> <p>Mantan petugas keamanan Pengadilan Distrik Franklin yang terbukti bersalah melakukan prostitusi telah membawa kasus ini ke Mahkamah Agung Negara. Pengajuan bandingnya berdasar pada masalah penafsiran hukum: apakah UU pelacuran negara itu terlalu luas, mungkin membahayakan beberapa kegiatan sah seperti pembuatan film porno.</p> <p>Seorang pembela mantan petugas berargumen kemarin bahwa UU itu terlalu ekspansif dan oleh karena itu, gagal memberikan perlindungan yang cukup terhadap kegiatan-kegiatan yang dilindungi konstitusi.</p> |


EXERCISES

■ Task 2

Translate the following extract into Bahasa Indonesia.

| |
|------------------------|
| Source Language |
|------------------------|

Paragraph 3

State prosecutors say that the law doesn't subject filmmakers to prosecution, and they urged the Supreme Court to uphold the conviction. The law doesn't "sweep within its reach a substantial amount" of First Amendment-protected activity, Thomas Bocian, an attorney for the state Department of Justice, wrote to the court.

Robert Theriault's conviction came after he offered a couple money to have sex while he watched.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ Task 3

Translate the following extract into Bahasa Indonesia.

| |
|------------------------|
| Source Language |
|------------------------|

In October 2005, Theriault approached the couple at Franklin District Court, where the boyfriend had to settle an outstanding speeding ticket. At the time, the couple were unemployed and living in a motel, subsisting off the girlfriend's disability benefits, according to court documents. Theriault expressed concern about the couple's financial hardship, the girlfriend said, and told them he had work that would pay them \$20 an hour. The couple

arranged for Theriault to visit the motel.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 4**

Translate the following extract into Bahasa Indonesia.

Source Language

When Theriault came to the motel, according to the couple, he said he was an investigator for a company that was testing condoms and sheets and promised them \$20 per hour if they would have sex while he watched. The company was supposedly testing condoms for reliability, and sheets for their ability to increase sperm count, the couple said.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 5**

Translate the following extract into Bahasa Indonesia.

Source Language

The couple eventually had sex while Theriault was in the room. Theriault, according to court documents, repeatedly attempted to lift the blankets to watch. Theriault said he would return the next morning with the couple's money. When he returned, however, the couple were no longer interested and sent Theriault away. Theriault, of West Ossipee, denied that he ever discussed sex with the couple, according to court documents. He intended to help the girlfriend find work as a waitress, he said.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 6**

Translate the following extract into Bahasa Indonesia.

Source Language

Although no money changed hands between Theriault and the couple, he was prosecuted under the state's prostitution law. In New Hampshire, it is illegal to offer to pay someone to have sex or sexual contact. A solicitor can face charges if he doesn't engage in sex.

In March 2007, a Merrimack County Superior Court jury convicted Theriault, who lost his job as a security officer at Franklin District Court after his arrest. Theriault, 50, was given 150 hours of community service, probation and orders to complete a psycho-sexual evaluation. The success of Theriault's Supreme Court appeal is rooted in the breadth of the state's prostitution law.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

■ **Task 7**

Translate the following extract into Bahasa Indonesia.

Source Language

According to Judge Carol Ann Conboy of Merrimack County Superior Court, where Theriault's case was tried, the prostitution law only applies when the motivation is sexual arousal or gratification. In other words, the statute is relevant only when someone pays (or offers or agrees to pay) someone else to engage in sexual contact or penetration and when someone does so for his own arousal or gratification. If the sexual contact occurred for another purpose - such as the creation of a film - the prostitution law wouldn't apply.

But Theriault and his attorney argue that the law remains too broad and could be applied to activities that are, in fact, constitutionally protected.

Write your translation here.

Before moving onto the next task, check your translation with the model translation in the key section. This applies to the rest of the tasks.

Answer keys

■ **Task 2**

Source Language

Paragraph 3

State prosecutors say that the law doesn't subject filmmakers to prosecution, and they urged the Supreme Court to uphold the conviction. The law doesn't "sweep within its reach a substantial amount" of First Amendment-protected activity, Thomas Bocian, an attorney for the state Department of Justice, wrote to the court.

Robert Theriault's conviction came after he offered a couple money to have sex while he watched.

Model Translation

Jaksa penuntut mengatakan bahwa UU itu tidak dapat menuntut pembuat film dan mereka mendesak Mahkamah Agung untuk menguatkan hukuman. UU tidak "cukup menjangkau" kegiatan-kegiatan yang dilindungi Amandemen Pertama, tulis Thomas Bocian, pembela di Departemen Kehakiman, ke pengadilan. Hukuman Robert Theriault dijatuhkan setelah ia menawarkan kepada satu pasangan untuk berhubungan seks sementara ia menonton.

■ Task 3

Source Language

In October 2005, Theriault approached the couple at Franklin District Court, where the boyfriend had to settle an outstanding speeding ticket. At the time, the couple were unemployed and living in a motel, subsisting off the girlfriend's disability benefits, according to court documents. Theriault expressed concern about the couple's financial hardship, the girlfriend said, and told them he had work that would pay them \$20 an hour. The couple arranged for Theriault to visit the motel.

Model Translation

Pada bulan Oktober 2005, Theriault mendekati pasangan tersebut di Pengadilan Distrik Franklin, di mana kawan laki-lakinya membayar denda untuk menebut. Pada saat itu, pasangan itu menganggur dan tinggal di motel, dengan bergantung pada *benefit* (tunjangan) pengangguran sang pacar, demikian menurut dokumen pengadilan. Theriault menyatakan keprihatinan atas kesulitan keuangan pasangan itu, kata sang pacar, dan mengatakan pada mereka bahwa ia harus bekerja yang akan memberi penghasilan \$ 20 per jam pada mereka. Pasangan itu menyiapkan kunjungan Theriault ke motel mereka.

■ Task 4

Source Language

When Theriault came to the motel, according to the couple, he said he was an investigator for a company that was testing condoms and sheets and promised them \$20 per hour if they would have sex while he watched. The company was supposedly testing condoms for reliability, and sheets for their ability to increase sperm count, the couple said.

Model Translation

Ketika Theriault sampai di hotel, menurut pasangan itu, ia mengatakan bahwa dirinya adalah seorang peneliti di sebuah perusahaan yang tengah menguji kondom dan seprei dan menjanjikan upah \$ 20 per jam jika mereka mau berhubungan seks sementara ia menyaksikan. Perusahaan diduga menguji kondom untuk mengukur *reliabilitas* dan seprei untuk kemampuannya meningkatkan jumlah sperma, kata pasangan itu.

■ Task 5

Source Language

The couple eventually had sex while Theriault was in the room. Theriault, according to court documents, repeatedly attempted to lift the blankets to watch. Theriault said he would return the next morning with the couple's money. When he returned, however, the couple were no longer interested and sent Theriault away. Theriault, of West Ossipee, denied that he ever discussed sex with the couple, according to court documents. He intended to help the girlfriend find work as a waitress, he said.

Model Translation

Pasangan itu akhirnya berhubungan seksual sementara Theriault berada di dalam kamar. Menurut dokumen pengadilan, Theriault berkali-kali mencoba

mengangkat selimut untuk menyaksikan. Theriault mengatakan bahwa ia akan kembali keesokan harinya dengan membawa uang untuk pasangan itu. Meskipun demikian, ketika ia kembali, pasangan itu tidak tertarik lagi dan mengusir Theriault. Theriault yang berasal dari West Ossipee, menolak bahwa dia pernah mendiskusikan masalah seks dengan pasangan itu, demikian menurut dokumen pengadilan. Ia bermaksud membantu sang pacar dari pasangan itu untuk mendapatkan pekerjaan sebagai pelayan restoran, katanya.

■ Task 6

Source Language

Although no money changed hands between Theriault and the couple, he was prosecuted under the state's prostitution law. In New Hampshire, it is illegal to offer to pay someone to have sex or sexual contact. A solicitor can face charges if he doesn't engage in sex.

In March 2007, a Merrimack County Superior Court jury convicted Theriault, who lost his job as a security officer at Franklin District Court after his arrest. Theriault, 50, was given 150 hours of community service, probation and orders to complete a psycho-sexual evaluation. The success of Theriault's Supreme Court appeal is rooted in the breadth of the state's prostitution law.

Model Translation

Walaupun tidak ada uang yang berpindah tangan antara Theriault dan pasangannya tersebut, dia dituntut menurut UU pelacuran negara itu. Di New Hampshire, penawaran untuk membayar seseorang melakukan hubungan seksual adalah tindakan melanggar hukum. Seorang pelaku pelanggaran dapat menghadapi tuntutan hukuman bila dia tidak terlibat dalam seks.

Pada Maret 2007, juri Pengadilan Tinggi Kota Madya Merrimack menyatakan Theriault, yang kehilangan pekerjaannya sebagai petugas keamanan di Pengadilan Distrik Franklin setelah penahanannya, terbukti bersalah. Theriault, berusia 50 tahun, dijatuhi hukuman kerja sosial selama 150 jam, masa percobaan dan perintah untuk menempuh evaluasi psikoseksual. Keberhasilan banding Theriault ke Mahkamah Agung berakar pada terlalu luasnya UU Pelacuran negara itu.

■ Task 7

Source Language

According to Judge Carol Ann Conboy of Merrimack County Superior Court, where Theriault's case was tried, the prostitution law only applies when the motivation is sexual arousal or gratification. In other words, the statute is relevant only when someone pays (or offers or agrees to pay) someone else to engage in sexual contact or penetration and when someone does so for his own arousal or gratification. If the sexual contact occurred for another purpose - such as the creation of a film - the prostitution law wouldn't apply.

But Theriault and his attorney argue that the law remains too broad and could be applied to activities that are, in fact, constitutionally protected.

Model Translation

Menurut hakim Carol Ann Conboy dari Pengadilan Tinggi Kota Merrimack, di mana kasus Theriault disidangkan, UU penuntutan hanya berlaku ketika motivasinya adalah gairah atau kepuasan seksual. Dengan kata lain, UU itu hanya seseorang membayar (atau sepakat atau menawarkan pembayaran) orang lain untuk melakukan hubungan atau penetrasi seksual dan ketika seseorang melakukan hal tersebut untuk kepuasannya sendiri. Bila hubungan seksual terjadi untuk tujuan lain seperti pembuatan film - UU Pelacuran tidak akan berlaku.

Namun, Theriault dan pembelanya menyanggah bahwa UU itu tetap terlalu melebar dan dapat diberlakukan terhadap kegiatan-kegiatan yang pada kenyataannya, dilindungi oleh konstitusi



SUMMARY

Dari kegiatan belajar ini, ada beberapa hal yang bisa ditarik sebagai kesimpulan berikut ini.

1. Sebelum mulai menerjemahkan, pastikan bahwa Anda telah memahami seluruh paragraf (analisis teksnya) dengan membacanya berulang-ulang, dan kemudian baru kalimat demi kalimat.
2. Hati-hati dengan istilah yang tidak ada padanannya dalam bahasa sasaran. Bila perlu, Anda diperkenankan membuat catatan kaki.
3. Jangan pernah mencoba menerjemahkan kata per kata.

4. Jangan terpaku dengan pola bahasa sumber (*restricted by forms*). Ubahlah susunan kalimat bila dirasa perlu dengan selalu memperhatikan ketersampaian makna secara akurat.
5. '*Meaning*' dialihkan secara tepat ke dalam bahasa sumber dengan memperhatikan pilihan kata (*vocabulary*), bentuk kalimat (*grammatical forms*) dan laras bahasa (register).



FORMATIVE TEST 2 _____

Read the extract below and translate it into Bahasa Indonesia.

| Source Language |
|--|
| <p>If a movie director derives sexual gratification from the filming or viewing of his film, "he is no different from Theriault, who allegedly derived 'sexual gratification' " from watching the couple have sex, defense attorney David Rothstein argued in a court filing.</p> <p>In an internet age, "it is hardly hypothetical that one person may employ others to engage in sexual contact or penetration for recording and distribution to others," Rothstein wrote.</p> |
| <p>Write your translation here!</p> |

Cocokkanlah jawaban Anda dengan Kunci Jawaban Tes Formatif 2 yang terdapat di bagian akhir modul ini. Hitunglah jawaban yang benar. Kemudian, gunakan rumus berikut untuk mengetahui tingkat penguasaan Anda terhadap materi Kegiatan Belajar 2.

$$\text{Tingkat penguasaan} = \frac{\text{Jumlah Jawaban yang Benar}}{\text{Jumlah Soal}} \times 100\%$$

Arti tingkat penguasaan: 90 - 100% = baik sekali
80 - 89% = baik
70 - 79% = cukup
< 70% = kurang

Apabila mencapai tingkat penguasaan 80% atau lebih, Anda dapat meneruskan dengan modul berikutnya. **Bagus!** Jika masih di bawah 80%, Anda harus mengulangi materi Kegiatan Belajar 2, terutama bagian yang belum dikuasai.

Key to Formative Test

Formative Test 1

Part 1

Source Language

Needless to say, there is resistance to the changes. Zenroren, the Japan Communist Party-affiliated union confederation, has taken a strong stand against the changes, and JCP members have consistently voted against the changes in the Diet. The smaller Zenrokyo has also opposed the changes, but Rengo (Japanese Trade Union Confederation), the largest trade union center, with nearly 8 million workers, has sent representatives to the various committees that have debated the changes, and because of its involvement in the dealing over the particular pieces of legislation, has essentially adopted a stance of "constructive engagement" toward Nikkeiren's ideas, not taking any strong stand against the changes to the LSL, for example.

Model Translation

Tak perlu berpanjang kata, tidak ada resistensi terhadap perubahan. Zenroren, konfederasi buruh yang berafiliasi ke Partai Komunis Jepang telah mengambil sikap menentang perubahan di Parlemen Jepang (Diet). Zenrokyo juga telah menentang perubahan itu. Namun, Rengo (Konfederasi Serikat Buruh Jepang), pusat serikat buruh terbesar dengan beranggotakan hampir delapan juta pekerja, telah mengirimkan perwakilannya ke berbagai komisi yang telah memperdebatkan perubahan-perubahan itu dan arena keterlibatannya dalam penanganan bagian legislasi tertentu secara esensial telah mengadopsi pendirian "keterlibatan yang konstruktif terhadap bahasan Nikkeiren, tidak mengambil posisi menentang perubahan LSL dengan tegas, misalnya.

Part 2***Source Language***

What is clear is that if changes continue to follow this path, there will be drastic effects on Japan's labor market. The task facing trade unions will then be, how to adapt to this new reality, and how to protect workers in an environment where the laws will no longer be on their side.

Apa yang jelas adalah bahwa bila perubahan berlanjut mengikuti alur ini, akan ada efek yang drastis pada pasar tenaga kerja Jepang. Maka, tugas yang dihadapi serikat pekerja adalah bagaimana menyesuaikan diri dengan kenyataan baru ini, dan bagaimana melindungi pekerja dalam suatu lingkungan di mana UU dan hukum tidak lagi berpihak pada mereka.

*Formative Test 2***Source Language**

If a movie director derives sexual gratification from the filming or viewing of his film, "he is no different from Theriault, who allegedly derived 'sexual gratification' " from watching the couple have sex, defense attorney David Rothstein argued in a court filing.

In an internet age, "it is hardly hypothetical that one person may employ others to engage in sexual contact or penetration for recording and distribution to others," Rothstein wrote.

Bila seorang sutradara film mendapatkan kepuasan seksual dari memfilmkan atau menonton filmnya, “ia tidak berbeda dengan Theriault yang dituduh mendapatkan ‘kepuasan seksual’ dari menyaksikan pasangan itu berhubungan seksual, sanggah pengacara terdakwa David Rothstein dalam pengajuan ke pengadilan.

Di zaman internet, hampir dapat dipastikan bahwa seseorang mungkin mempekerjakan orang lain untuk terlibat dalam kontak atau penetrasi seksual untuk rekaman dan didistribusikan ke orang lain, tulis Rothstein.

References

Monitor, 29 May 1977.

The New Observer (a Kanto-based English language journal of news and views not usually available in mainstream media in Japan. It is intended to serve as a notice board and discussion forum for the political, economic, and cultural concerns of foreign residents and workers. It is published with the generous assistance of the National Union of General Workers (NUGW).