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TRANSLATION IN TIMES OF OPEN SOURCES: NEED FOR NEW DEFINITIONS AND APPROACHES?

The recent sweeping changes in communication technologies suggest a new understanding of some related concepts, including authorship and copyright. The present paper points out some manifestations and consequences of these changes in the field of translation.

New understanding of authorship

The community of internet users tends to pay less attention to individual authorship than our cultural and economic traditions require. This change already has its institutional manifestation in numerous legal tools and organisational concepts, such as Open Source, General Public License, Wiki, etc., developed to facilitate co-operation on large-scale projects. This paper does not examine legal details of the numerous types of these novel concepts; rather, it concentrates on what they have in common: they enable authors to make their products available to the community of readers/users, or even create the works anonymously, while still legally protecting them against misuse or expropriation.

The fact that the authors give up their economic profit does not necessarily mean that the quality of their products is low. Software programmers were the first to come up with the “open source” idea¹, and they proved that it can give life to highly sophisticated, large-scale products such as TeX, Linux, OpenOffice, or Moodle that successfully compete with large commercial products.

Today, the same loose concept of authorship is frequently applied to *texts*, originals as well as translations. Here the situation is more complex, as documented by the two following examples. One is an instance of spontaneous cooperation, the other was created as part of an organized team effort.

Example 1: A humorous text spread on the internet

Last winter, a humorous text in Czech circulated on the internet. It was a fictitious diary whose assumed author first moves to a colder region hoping that

winters will be more poetical there, but later decides to move back. Its humour is based on the contrast between the poetic tone of the opening part of the text and an increasingly disgusted description of winter later on. The text was originally written and spread in English. It displays typical features of folk tradition, namely anonymity, textual variations, and adaptations of the text to the individual narrators' whereabouts. By the time this paper was written, 11 English-language versions of this text were found on the internet. They differed mainly in the locations the "author" moved from and to (Massachusetts – North Carolina, Maine – Georgia, Montana – Arizona, Pennsylvania – Florida, etc.). Let me quote at least a short extract from one of the versions:

AUG. 1 Moved to our new home in Massachusetts. It is so beautiful here. The city is so picturesque. Can hardly wait to see it covered with snow. I LOVE IT HERE [...]

DEC. 2 It snowed last night. Woke up to find everything blanketed in white. It looked like a postcard. Went outside and cleaned snow off the steps and shoveled the driveway. We had a snowball fight today (I won). When the snowplow came by we had to shovel the driveway again. What a beautiful place. Mother Nature in perfect harmony. I LOVE IT HERE. [...]

DEC. 22 More of that white shit fell last night. I've got blisters on my hands from shoveling. I think the snowplow hides around the corner and waits until I'm done shoveling. That Asshole! [...]

MAY 10 Moved to North Carolina today. I can't imagine why anyone in their right fucking mind would want to live in the God forsaken State of Massachusetts.

There were 13 different Czech translations available on the internet. When characterized by the pairs of place names involved, they were: Massachusetts – Georgia (5 different versions, with evident influences between them, but each version slightly modified), Šumava mountains – Prague, Doubice village – Prague, the Beskydy mountains (village Čeladná) – Frýdek-Místek, the Krkonoše mountains – Ostrava (two significantly different versions), the Krkonoše mountains – Chrudim, the Krkonoše mountains – Liberec, and the Vysočina highlands – Brno. The following are quotes from the Krkonoše – Liberec version, roughly corresponding to the English version quoted above (although not necessarily translated directly from this particular version):

12. října – Přestěhoval jsem se do našeho nového domu v Krkonoších. Bože, jak je zde krásně! Už se nemohu dočkat, až majestátné horské vrcholy pokryje sníh! [...]

2. prosince – Minulou noc krásně sněžilo. Probudil jsem se a vše bylo pod jiskřivou sněžnou pokrývkou. Krása, jak na vánočním pohledu. Proházel jsem příjezdovou cestu a uspořádali jsme rodinnou koulovačku. Potom projel kolem sněžný pluh a musel jsem znovu proházet příjezdovou cestu.

Prostě to tady miluji. [...]

22. prosince – Včera napadlo ještě víc těch bílejch sraček. Mám na rukou puchýře od lopaty. Jsem přesvědčenej, že sněžnej pluh čeká někde za rohem, dokud neproházím cestu. Hajzl jeden. [...]

12. dubna – Odstěhovali jsme se zpátky do Liberce. Ted' teprve vidím, jak je to nádherné místo. Nechápu, jak někdo může žít v takové prdeli, jako jsou Krkonoše.

In Slovak, 5 versions could be found, none of them fully localized to Slovakia: Massachusetts – Georgia (3 different versions), the Krkonoše mountains – Ostrava (with two Czech toponyms clearly a translation from Czech) and Hřiňová – Georgia (a surprising “half-localized” version).

This is only one of the thousands of similar – although not necessarily humorous – texts spread on the internet. Many of them originated in English and have been translated into other languages. The limited space does not allow for a detailed analysis of all the existing versions of the diary, establishing their succession, etc. Even without such an analysis it can be said that the individual Czech and Slovak versions are largely influenced by each other, although never completely identical. Besides using different locations, the individual versions differ mainly in the degree of vulgarity (a result of different tolerance thresholds among the individual authors) and in the approach to the conversion of American measurement and currency units. Stylistic changes, changes in word order etc. are less common.

The most striking feature common to all of these texts, English as well as Czech and Slovak, is their reluctance to mention their source or model. Of all the Czech and Slovak versions of the diary posted on the internet, not a single one mentions the English origin of the text. Only three of them include any notes on their origin whatsoever. Two of the Slovak versions include notes saying “Adopted from the internet; prepared by [name]” (in Slovak: “Prevzaté z internetu. Pripravil...”), and “author: pět'ula”, respectively – the latter of which, however, only stresses the anonymity of the text (*peť'ula* is a domestic form of Peter). One of the Czech versions includes the following commentary (my translation from Czech):²

Vysočina Diary

24 February 2006 Author: [name of author]

It has been several years now since I came across a text called “Krkonoše Diary”. I don't even know who sent it to me, so author unknown. Reading it, I realised it fitted Vysočina perfectly, too. So we joined forces here at home and slightly modified the text, creating a new version which I'm presenting here. My apologies for some gutsy words, but you will certainly acknowledge they belong here.

Although this note describes the text as derived from another text, it lacks any specific information about the preceding version. The fact that the preceding ver-

sion was itself a translation from English is not mentioned at all. Furthermore, the formulation, “I don’t even know who sent it to me, so author unknown”, is good evidence of how loosely authorship is understood in the internet environment: the person sending or posting the text is identified with its author.

This category of “internet folk literature” partly overlaps with commercial and official production. On the one hand, the community of internet users does not feel particularly restrained from adopting authorial texts and circulating them as anonymous, especially when it comes to translations, which very often state the name of the author of the original text but not that of the translator.³ On the other hand, an anonymous text may be adopted for an officially published product.⁴

Example 2: The Wikipedia project

The basic idea of the internet-based encyclopaedia is well known. The term *wiki* refers to a system of content management by a whole community of users: the contents of a *wiki* project can be directly created or edited by every user. Although Wikipedia is a subject of lively disputes and is rejected by many academics (see below), it is probably the most extensive and most extraordinary project in collective – or even *community* – writing in a natural language. It is especially interesting from the point of view of translation studies. There exist numerous language mutations of the encyclopaedia, with the number of non-English entries growing faster than that of English entries.⁵

The project explicitly encourages translation of already existing articles or their parts into other languages. However, the fact that a particular article is a result of translation (or adaptation, which is very frequently the case) is not obvious in the article itself (although it should be – and often is – noted in the commentary to the article). Although we have no precise data on the proportion of translated entries, it is possible to determine whether a particular entry is a translation by looking up its equivalents in other languages, with English being obviously the most frequent source-language. The following extract from the article “Elephant” aptly documents the whole process.

English version, 10 May 2005:

Diet. Elephants are herbivores, spending 16 hours a day collecting plant food. Their diet is at least 50% grasses, supplemented with leaves, twigs, bark, roots, and small amounts of fruits, seeds and flowers. Because elephants only use 40% of what they eat they have to make up for their digestive system’s lack of efficiency in volume. An adult elephant can consume 300 to 600 pounds (140 to 270 kg) of food a day. 60% of that food leaves the elephant’s body undigested.

Since this entry had already undergone significant development (the first version of the article “Elephant” was created on 10 October 2001), its modifications after 10

May 2005 were negligible. Today's version of the passage has only been updated in these details: "...supplemented with leaves, *bamboo*, twigs..."; "...digest 40%" instead of "use 40%"; "herbivores" is now hyperlinked to the respective entry.

The corresponding passage of the Czech version of the entry was clearly translated from the English version, and then gradually improved. In the earliest one, created on 11 May 2005, the passage read as follows:

Potrava. *Slony jsou býložravci, ztráví 16 hodin denně jezením rostliné potravy. 50% potravy tvoří trávy, doplňovány listím, kořínky, ovocem, semínky či květinami. Trávící ústrojí slona je schopno zpracovat pouze 40% celkového množství zkonsumané potravy. Dospělý slon dokáže sníst 140 až 270 kg potravy. 60% této potravy pak projde slonem neztráveno.*

The text includes numerous typos and grammatical errors (first sentence alone: *slony* instead of *sloni*, *ztráví* instead of *stráví*, *rostliné* instead of *rostlinné*), not to mention style (e.g. "projde slonem"). On 18 May 2006, after a year of partial emendations by a number of users, the passage read as follows:

Potrava. *Sloni jsou býložravci a tráví denně až 16 hodin konzumací rostlinné potravy. 50 % potravy tvoří trávy. Zbytek je listí, kořínky, ovoce, semínka či květiny. Dospělý slon dokáže sežrat 140 až 270 kg potravy za den. Trávící ústrojí slona je schopno zpracovat pouze 40 % celkového zkonsumovaného množství, zbytek projde nestráven zažívacím traktem.*

Even this later version is not perfect in maintaining the encyclopaedic style (see for example the conjunction *a* in the first sentence or the influence of English in *dokáže sežrat* instead of the simple *sežere*). However, the high concentration of major grammatical errors and typos has been removed.

Problems still remain in passages exerting greater demands on the translator:

The propagation of the absent-tusk gene has resulted in the birth of large numbers of tuskless elephants, now approaching 30% in some populations (compare with a rate of about 1% in 1930). Tusklessness, once a very rare genetic abnormality, has become a widespread hereditary trait. (10 May 2005)

Díky propagaci genu, který vytváří kly se objevují v některých populacích sloni, kteří mají až o 30% menší kly. Sloni bez klů, kdysi velmi ojedinělá genetická anomálie se nyní velmi rozšiřuje. (11 May 2005)

Literal back-translation:

Thanks to the propagation of the gene that creates tusks, elephants appear in some populations that have up to 30% smaller tusks. Elephants without tusks, once a very rare genetic anomaly is now spreading strongly.

Díky potlačování genu, který vytváří kly, se objevují v některých populacích sloni, kteří mají až o 30 % menší kly. Sloni bez klů, kdysi velmi ojedinělá genetická anomálie, se nyní velmi rozšiřují. (18 May 2006)

Literal back-translation:

Thanks to the suppression of the gene that creates tusks, elephants appear in some populations that have up to 30% smaller tusks. Elephants without tusks, once a very rare genetic anomaly, are now spreading strongly.

Here many formal errors have been gradually corrected (except for the typo ‘v ... populací’ instead of ‘v ... populaci’), but factual errors remain: the 30 % figure is still related to the tusk size instead of the number of elephants; an important piece of information is missing in the translation (“compare with a rate of about 1% in 1930”); and a significant factual error, caused by the translator’s misunderstanding of the expression *absent-tusk gene*, has been corrected in a very unsatisfactory way, by users who evidently never consulted the original English text. (That, however, is a logical pitfall of the whole project: the user making these emendations may have been completely unaware that they were editing a translation.) The passage sounds logical after the correction, but the concept of the “absent-tusk gene” has been replaced by the incorrect notion of a “gene that creates tusks”.

As already indicated above, the credibility and reliability of Wikipedia is often questioned. Although this paper is not attempting to resolve the dispute over Wikipedia, it should be noted here that the above examples may support the arguments of both the project’s fans and its critics: the Czech text is still imperfect, but at the same time the project shows significant capability of shaking off errors. In evaluating Wikipedia, the particular language version also has to be considered. The English version of Wikipedia is no longer regarded as amateurish (see for example Giles, 2005). The contents as well as style of the English-language articles have become comparable with professional publications, and the corrections are extremely fast, thanks to the high number of users. In the case of fundamental errors (or intentionally imported disinformation), the corrections are carried out within minutes. A more relevant question thus seems to be that of *the sustainability of the project in the environment of a small culture/language*. Although Wikipedia exists in dozens of language mutations, analyses or qualified estimates can hardly be found on what is the smallest language community (or rather the smallest number of users) needed to create a viable Wikipedia; for example, Stýblo (2007) only expresses his scepticism concerning the Czech version of Wikipedia in one sentence without argumentation, while Pužmanová (2007) does not mention this aspect at all; others (Herting 2005) only deal with the English version of Wikipedia in their analyses.⁶

Whatever the future of Wikipedia might be, it represents a *valuable terrain for the study and teaching of translation*. As for *research in translation*, Andrew

Chesterman proposed at the February 2006 SLT Congress in Gent that researchers compile corpora of learners' translations, i.e. translations by non-professionals, students, etc. Chesterman expressed hope that such data could deepen our understanding of the translation process. Even though Wikipedia is not a real corpus, it already represents a source of such parallel texts in multiple languages. There is the problem of identifying the translated passages as they are not usually marked as translations (only some of the translators state this in the commentary to their products), and they very often do not copy the source article in its entirety; however, in languages with a high percentage of translated entries it is relatively easy to detect which entries have been translated or adapted and track down the originals. The value of this material is enhanced by the fact that in the "history" of each article, all its successive versions are available, documenting step by step the development of the article .

As for *teaching* translation, Wikipedia offers an ideal space for project work at all school levels. (In fact, its applicability is not limited to translation only.) According to constructivist pedagogy, students find practical exercises much more attractive if their outcome is going to be used in real life. Besides that, Wikipedia (as well as any other project using the *wiki* environment) represents a solution to several technical challenges: it keeps a record of all successive versions of the texts, which can be traced back, corrected, classified, etc. It also offers tools for communication between its authors. In a translation course, students might be asked to create or translate, for example, a series of entries related to a certain topic, and thus fulfil the "learning by doing" ideal.

Both examples discussed above – an organised open-source project, and the spontaneous circulation of a humorous literary text – represent only two of the many forms of internet-based text sharing. Other examples might include: the "wild" and anonymous Czech translation of the fifth volume of *Harry Potter*, published on the internet before the official translation by Vladimír Medek was published in print; dozens of films furnished with home-made Czech subtitles and circulating among groups of fans; various blogs; literary and other discussion groups (which sometimes publish complete translations of literary works, although their translators do not seek publication in print); multiple language mutations of a web site (although only some parts of a web site are often translated into another language); overcoming language barriers with the help of automated translation tools⁷, etc. Some of these examples are beyond the limits of the law – an aspect that has so far been left aside – but all of them document that the functioning exchange of texts is more important to the internet community than meeting all formal requirements (bibliographical, legal, and even grammatical). The products of these projects seem to have the following features in common:

- a very loose understanding of authorship in original texts, and even looser in translations

- a frequent failure to mention the original source of translated texts, or even the fact that they are translations (this is not always regarded as undesirable: as mentioned above, Wikipedia counts on this attitude as a legitimate method)
- various degrees of collective and community authorship
- blurring of the border between private and public texts (a blog is in fact a personal diary made available to anyone; the scale ranges from clearly literary diaries of the kind which existed even before the emergence of the internet, to drunkards' impressions from parties.⁸)
- significant levelling of registers, often caused by the authors' limited competence. (Unlike in informal e-mail communication, the authors are aware of the stylistic norm for a given text and aim at meeting the norm, but lack the necessary education and skills)⁹

New understanding of authorship and copyright?

Lawrence Venuti points out that “[c]opyright law has failed to acknowledge the manifold relations that determine any translation because it has been dominated by individualistic concepts of authorship” (2004: 62). He proposes that a translated work be regarded as a product of “collective authorship” of the author and the translator. But Venuti at the same time points out that existing laws do not support such a view because their definition of collective authorship assumes the co-authors have consciously created a collective work and that their contributions to the work are inseparable. Venuti proposes radical changes to the copyright law, which include limiting the author's as well as the translator's rights to the translation to five years under certain conditions (2004: 65–66).

Venuti's proposals are intended for literary texts. However, for non-literary texts, especially those on the internet, such changes to the copyright law would be even more welcome. Unfortunately, neither fiction nor non-fiction have a realistic chance of enjoying such legal changes. On the contrary, copyright law is becoming ever stricter and the number of restrictions on the free exchange of texts is growing. As a result, there exists a significant discrepancy between the relaxed attitudes to authorship common among internet users, and the actual legal obligations. This discrepancy is present in all but the most official discourses, such as academic writing or prestigious commercial production. Texts posted on the internet often fail to strictly follow the laws protecting their original authors, and they hardly ever credit their translators.

According to Venuti, this phenomenon can be partly explained by an analogy with a more ancient understanding of copyright law. Authors' rights were protected even before the emergence of the romantic concept of authorship. But the protection then extended to a specific wording of a text, to its particular implementation in the material of a certain language, rather than to the ideas contained in the text. As a result, a translation was regarded equal to the original text. This

understanding was clearly manifested in the 19th century lawsuit against an unauthorised German translation of Harriet Beecher-Stowe's *Uncle Tom's Cabin*. The judge recognized the author's right in the original English text but did not allow her to exert control over its translations as that would have restrained the dissemination of her ideas which became public property at the moment of their publication (Venuti 2004: 57–58).

Quoting other similar verdicts, Venuti demonstrates that what was seen as deserving copyright protection in the past were not the abstract ideas but rather the effort and time invested by the author. Today internet users have to some extent adopted a similar attitude: “If I invest the effort” of furnishing a foreign-language film with Czech subtitles, based on my own translation, “who can stop me” from sending the film to my friends via the internet? (The situation is obviously different when someone tries to sell such an unauthorised translation for profit. In such cases, the translator/producer is usually well aware of the illegal nature of the activity.)

Since such loose attitudes towards copyright laws had prevailed for decades in the past and a similar stance has been spontaneously adopted by a number of internet users today, it seems that the much stricter concept of copyright present in today's legislation is not the only understanding possible, as copyright lawyers would have us believe. This does not mean we could return to the original understanding of copyright: the shift from the original form-oriented legal definition of a literary work to today's contents-oriented approach is definitely testimony to a deeper understanding of intellectual property and of communication in general. Despite that, however, copyright lawyers as well as authors themselves might find it worth while to look for a solution which would protect the authors' rights to some necessary degree, but at the same time not hamper the exploitation of modern technologies.

Conclusion

Let us return briefly to the question posed in the first part of the paper's title: do we need new definitions? Hausenblas (1984: 27–33) demonstrated the development of the term *text* in Czech scholarly discourse, and the resulting multiplicity of meanings. Like *text*, most other terms describing the translation process are so vague that completely new definitions are not necessary.

Some concepts, however, may require minor shifts in how they are perceived. The concept of *collective authorship* should not be restricted to corporate authorship (in which the copyright is taken over by an institution), but should be modified to include forms of more open, community authorship, and even instances in which the community cannot be clearly delimited. As for copyright legislation, arguments have already been mentioned in favour of a substantial revision. But these arguments are likely to remain in the realm of theoretical speculation and wishful thinking, rather than lead to real changes in legal definition.

It would be equally difficult to arrive at the intuitive meanings of these terms, shared by communities of users (as opposed to rigid legal definitions). Here some changes will likely take place or are already under way, but the process is spontaneous and difficult to monitor. The most prominent shift in the understanding of these central concepts is obvious from the examples quoted above: it consists in the blurring of the once relatively clear boundary between publishing authors and passive readers. In the internet environment, production of all sorts of texts, including translations, is undertaken by a wide community. What repercussions will this shift bring about?

We have witnessed frequent discussions on what kind of education and skills are more useful for translators: philological education supplemented with basic knowledge of a given field, or specialised education in a given field supplemented with basic translation training? As is obvious from the above examples, in real life many of the translations available on the internet are produced by non-professionals who lack *any* training or specialised education. And the number of such translations is likely to increase in the future. Because of their frequency as well as accessibility (unrestricted by copyright law), these texts will increasingly modify the public notion of language standards, stylistic norms, and translation quality.

If, therefore, new approaches are needed – to address the other part of the question in the title – they should aim at increasing the public’s awareness of translation and influencing the quality of texts available on the internet. The following are a few options such efforts could include:

- offering courses on the basics of translation theory and practice to the general public
- publishing a maximum possible number of professional texts from all fields on the internet, where they could compete with second-rate production
- promoting a general awareness of the nature of translation – for example, when teaching foreign languages, a field which has so far degraded translation to a mere testing tool and promoted a false assumption of direct linguistic equivalences between different languages and of a “single correct translation equivalent”. The challenges of translation should also be mentioned while teaching native language and literature
- promoting a general awareness of “translatedness” and the authorial role of translators, namely by strictly quoting the translators’ names, comparing different translations, publishing dual-language books etc.
- supporting popularising, bibliographical, pedagogical and other translation projects and initiatives, sometimes dismissed as “not theoretical enough”

Last but not least, professionals should be prepared for any further development in unexpected directions. (Note that Wikipedia, whose synergic behaviour may

completely change our attitudes towards professional and amateurish production, was only launched in January 2001, and the Czech version did not exist until 2005.)

Such a “sensibilisation” of the public towards the problems of translation is certainly a long-term goal with an uncertain outcome. It would be possible to disregard the whole community of users of free internet-based sources as amateurish (which it literally is). But then, with a little exaggeration, the authors and readers of “professional texts” might turn into an esoteric community which would no longer be able to influence in any way the quality of the majority production. This danger has been around for a long time – but it would be most ironical if this development was to be supported by a medium with such a huge democratising potential as the internet.

Notes

- 1 The idea is ideally suited to their field: programming is least restricted by language barriers, and a relatively small community of programmers is needed to create a computer program.
- 2 <<http://www.zdarskevrchy.cz/view.php?cisloclanku=2006022401>>
- 3 As of 15 July 2005, nine different websites had published the full text of Vítězslav Nezval’s translation of E. A. Poe’s *The Raven*. Only in two cases the name of the translator was credited, whereas the original author was mentioned in all of the postings. The two sites that credited Nezval properly included also another translation, that by Jaroslav Vrchlický, with his name quoted properly, too. Of more than 20 published Czech translations of *The Raven*, these were the only two present on the internet. Besides that, two more translations, never published in print, had been posted on the internet under pseudonyms.
- 4 The “snow diary” presented above, for example, has probably indirectly inspired the song *Ladovská zima* by the popular Czech folk singer Jaromír Nohavica.
- 5 In mid-2006, the English Wikipedia contained 924,618 articles; the four other most represented languages (German, French, Japanese, and Polish) had 924,881 entries altogether, approximately the same number as English. The share of **all** languages other than English on the total number of Wikipedia articles was 71 percent. (Source: <http://en.wikipedia.org/wiki/Wikipedia:Multilingual_coordination#Statistics>, 1 May 2006)
- 6 Conclusions based on collective software development projects are not relevant: although these projects also involve transformation to local languages, a significant part of the program code can be transferred without changes. An encyclopaedia, on the other hand, has to be created anew in each language, although translation may be involved in the process.
- 7 It is significant that, while the translations produced by the existing fully automated translation programs and www services are merely a source of occasional amusement for professionals, for many young internet users they represent a matter-of-course tool through which they perceive the world.
- 8 The best-known blog in the Czech Republic is *Deník Ostravaka* (<http://ostravak.bloguje.cz/>), recently also published in several printed volumes.
- 9 Many of these features existed before the emergence of the internet. Even today individual authorship is often suppressed in many non-literary printed texts and group authorship is declared instead. Another example: even with texts of essentially literary nature, namely song lyrics, the name(s) of the author(s) often disappeared when people copied them in writing; often they were substituted with the name of the singer.
- 10 A number of authors have already made their works available on the internet or authorised their internet publication. Academic institutions might take the initiative in publishing ex-

tensive and comprehensive bodies of texts and other materials on the internet. Needless to say, making academic texts accessible in this way would not require any relaxing of citation rules.

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