

Universidade Federal de Santa Catarina

**Investigating Norms in the Brazilian Official Translation of
Semiotic Items, Culture-Bound Items, and Translator's
Paratextual Interventions**

**Lúcia de Almeida e Silva Nascimento
2006**

Universidade Federal de Santa Catarina

Pós-Graduação em Letras/Inglês e Literatura Correspondente

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Semiotic Items, Culture-Bound Items, and Translator's
Paratextual Interventions**

**Tese submetida à Universidade Federal de Santa Catarina em cumprimento
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To my father and my mother (*in memoriam*), who deeply appreciated the importance of learning, and not only provided me the means but also the encouragement to study.

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ABSTRACT

Investigating Norms in the Brazilian Official Translation of Semiotic Items, Culture-Bound Items, and Translator's Paratextual Interventions

LÚCIA DE ALMEIDA E SILVA NASCIMENTO

UNIVERSIDADE FEDERAL DE SANTA CATARINA

2006

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A descriptive approach is used in this study to investigate the norms that are responsible for the constraints limiting the translator's choices when dealing with three specific aspects of official translation in Brazil: the translation of semiotic items; the translation of culture-bound items, and the insertion of paratextual interventions. An analysis was conducted of translations of the following documents: academic transcripts, birth or marriage certificates, driver's licenses, police record certificates and diplomas. By using these textual sources, and also extratextual sources, this study sought to answer the following questions: What are the strategies most frequently employed by the 42 official translators participating in this study when translating coats of arms, stamps and signatures? How are school names, units of measurement and some specific phraseologisms commonly found in official documents translated? What kinds of translator's comments and notes do official translators usually add to their translated texts? The strategies used were analyzed, and possible reasons for the translator's behavior were suggested. In addition, categorizations were proposed for the strategies employed in the translation of semiotic items and for the types of translator's interventions appearing in official translations done in Brazil with the Portuguese-English language pair.

Number of pages: 216

Key words: Official Translation, Norms, Semiotic Items, Culture-bound Items, Translator's Interventions.

RESUMO

Investigating Norms in the Brazilian Official Translation of Semiotic Items, Culture-Bound Items, and Translator's Paratextual Interventions

LÚCIA DE ALMEIDA E SILVA NASCIMENTO
UNIVERSIDADE FEDERAL DE SANTA CATARINA

2006

Orientador: Prof. Dr. Francis Henrik Aubert

Este estudo utiliza uma abordagem descritiva para investigar as normas que impõem restrições às opções do tradutor ao lidar com três aspectos específicos da tradução juramentada no Brasil: a tradução de itens semióticos; a tradução de marcadores culturais e a inclusão de intervenções paratextuais. Traduções dos seguintes documentos foram analisadas: históricos escolares, certidões de nascimento ou casamento, carteiras de habilitação, atestados de antecedentes e diplomas. Utilizando essas fontes textuais bem como fontes extra-textuais, este estudo objetivou responder às seguintes perguntas: Quais as estratégias mais frequentemente utilizadas pelos 42 Tradutores Juramentados que participaram deste estudo ao traduzir brasões, carimbos e assinaturas? Como são traduzidos os nomes de escolas, as unidades de medidas e alguns fraseologismos específicos normalmente encontrados nos documentos oficiais traduzidos? Que tipos de comentários e notas os tradutores juramentados normalmente inserem em suas traduções? As estratégias utilizadas foram analisadas e foram sugeridas as possíveis razões para o comportamento tradutório. Além disso, foram propostas categorizações para as estratégias utilizadas na tradução de itens semióticos e para os tipos de intervenções do tradutor encontradas nas traduções juramentadas feitas no Brasil com o par lingüístico português-inglês.

Número de páginas: 216

Palavras-chave: Tradução Juramentada, Normas, Itens Semióticos, Marcadores Culturais, Intervenções do Tradutor.

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Notation

- * Quotations are used to show direct quotes of speech or writing.
- * Italics are used to highlight the item, or to indicate an unusual sense of a word. In the Concluding Remarks they are used to indicate criticism that can be leveled at this study.
- * Square brackets ([]) are used to enclose explanatory material, or sometimes as parentheses within parentheses.
- * Braces ({ }) are used to indicate a translation done by the researcher.

Abbreviations

US – United States of America

SL – Source Language

TL – Target Language

SC – Source Culture

TC – Target Culture

ST – Source Text

TT – Target Text

INTRODUCTORY REMARKS

“Learning from books or lectures is relatively easy, at least for those with an academic bent, but learning from experience is difficult for everyone.” (Checkland, 1999, p. A 11)

Initial Remarks

This study investigates the translational behavior prevailing in a number of Official Translations¹ done in Brazil in reference to the translation of semiotic items and culture-bound items², as well as how Official Translators intervene in the TTs³. It was developed within the following theoretical boundaries:

- (a) This is an empirical research in the sense that it is based on the observation of data and the search for evidence in such data to prove or disprove the proposed hypotheses (Williams and Chesterman, 2002, p. 58). To this end, the study attempts to discern patterns and regularities, describe and explain them, and consider to what extent they support or disprove the initial hypotheses;
- (b) Within the empirical research approach, this is a naturalistic study which investigates a phenomenon “as it takes place in real life in its natural setting” (ibid., p. 62). The data provided consisted of TTs effectively given to and paid for by clients, their features were described and a questionnaire was used to gather material to help explain the translators’ choices;

¹ For a definition of the terms ‘Official Translations’ and ‘Official Translators’ see item Defining Official Translations and Official Translators below. Due to their relevance to this study, these terms will be capitalized throughout this dissertation.

² For a definition of both terms see Chapter I, item 1.7.

³ For a definition of this abbreviation and the other used in this study, see list of abbreviations in the introductory pages of this study.

- (c) This is a qualitative study in the sense that it is interested in providing a picture of the possibilities available to the translator when confronted with some specific translation problems. The possibilities were derived from common strategies adopted by the translators participating in this study in addition to possible interventions translators can make in the TTs. Although it is believed that some degree of generalization could be reached, that is, the findings reached could be extended beyond the sample collected, this study is not interested in making any claims about the universality of the research findings. Therefore, whenever results concerning the behavior of Official Translators were demonstrated, the terms *translators* or *Official Translators* are to be understood as referring to the Official Translators participating in this study. Likewise, graphs and tables were used simply as a means of displaying the data in an efficient and concise manner.
- (d) As an empirical research this study involves case studies that “focus on limited situations in a natural (not experimental) context” (ibid., p. 65). A descriptive approach was adopted in the sense that this study described the nature of the phenomena under investigation, which seemed to represent typical cases, allowing for a theoretical claim to be tested (ibid., p. 66).
- (e) Finally, this study was conceived within the boundaries of Descriptive Translation Studies, as defined by Toury (1980, 1985, 1995, 1999), Chesterman (1993, 1997, 2002), and Hermans (1991, 1996, 1999a and b, 2000). This means that it seeks to investigate recurrent textual features which are recognized as legitimate within a certain community at a given period of time, and which impose behavioral constraints on translators. The researcher's job from a descriptive perspective is to describe these features as

opposed to prescribing rules as used to be the tendency in much of the literature in both translation and interpretation (Wadensjö, 1998, p. 15). It also means that a conscious effort was made to avoid any evaluative judgment as regards the quality of the choices made by translators. Hence, it is not the purpose of this study to provide “guidelines” for the production of Official Translations, but to render the strategies⁴ used by Official Translators more transparent. Once the strategies used are brought to the surface, it should be possible to identify and explain the patterns of translational behavior emerging from the strategies constantly opted for by Official Translators. To this end, it draws on the concept of norm as put forward within the paradigm set by Descriptive Translation Studies (see, for example, Toury 1995, Chesterman 1993 and Hermans 1999), as explained in Chapter I.

These introductory remarks focus on:

- (i) providing information about the context of investigation of this study and its relevance;
- (ii) defining Official Translations and Official Translators in Brazil and abroad;
- (iii) describing research into Official Translation in Brazil; and
- (iv) describing the purpose of this study, and its research questions.

Finally, these introductory remarks end with a description of how this study is organized.

⁴ See Chapter I (item 1.8) for a definition of “strategies”.

Context of Investigation and Relevance of this Research

a) Context of Investigation

It is a well-known fact among Official Translators in Brazil that recently-qualified Official Translators have many questions concerning how to “officially” translate a document no matter how experienced they might be in doing non-official translations. When they look for literature about Official Translations they usually feel very disappointed and unassisted because very little has been written about the topic both in Brazil and abroad.

Some translators then count on the good will of colleagues to help them with their first translations, or learn by imitation (i.e., as beginners they rely on translations done by experienced, supposedly "good" translators to "learn" how to do an Official Translation). Sometimes they have model translations done by “experienced translators” that help them. A shortcoming of this method is that models are usually very limited when confronted with the enormous array of translation problems they face in daily practice. Even worse, sometimes they simply learn on the basis of trial and error.

Most of the doubts translators are confronted with are of a practical nature, such as: should I translate the content of a stamp or inform the reader about its existence and summarize its content? Should signatures be identified as either legible or illegible? Can I translate only parts of a document if a client so requests? Some other doubts are more theoretical. For instance: how literal should I be? How far may I interfere in the text by adding “Translator’s Notes”?

Given the scarcity of literature dealing with the topic, anyone who starts translating for official purposes probably feels the same “lack of theoretical ground”

reported by Wadensjö (1998, p. 4) on explaining what prompted the motivation behind writing a book on interpreting.

Against this backdrop, the present study aims to provide a systematic, comparative investigation into Official Translations done in Brazil. This topic was chosen because I have been an Official Translator in the state of Santa Catarina since 1989 and have experienced the difficulties described above. This study investigated TTs done with the Brazilian Portuguese and English language pair, in both directions⁵. This language pair was chosen because of my own linguistic competence, but it is believed that translators working with different language pairs may also benefit from the findings in this study.

b) Relevance of this Research

Relevance of this research can be claimed at two levels:

(i) Theoretical Level: The contribution this research may give to the Translation Studies community in general derives from the fact that although the study of norms started some decades ago, this concept has not, to my present knowledge, been explored in the context of Official Translations. This study will offer an application of that concept to a non-literary area that may benefit from the results.

In addition, this research is expected to provide information about an area of Translations Studies that has, with the exception of some small-scale pioneering work, largely remained unexplored, that of Official Translation. To my present knowledge, only one book has been published that is entirely devoted to Official Translations⁶.

⁵ In order to reach a wider audience, an English version of all examples in Portuguese will be provided.

⁶ See Asensio 2003 in the Bibliographic Reference.

(ii) Practical Level: a) Pedagogical Insights: Although it is not the purpose of this study to teach Official Translators how to translate better, it is believed that many pedagogical insights can be derived from it, assisting in the training of future Official Translators. Translators can also benefit from the practical examples provided throughout this study to illustrate the theoretical considerations presented, especially from the analytical chapter;

b) Production of training material: A by-product of the investigation may be the writing of a handbook in Portuguese, aiming at both the recipients of Official Translations and the Official Translators community in general. The recipients of Official Translations would be aware of what features are expected in this type of translation, and novice Official Translators would have a yardstick against which to measure the quality of their translations. They would have access to written material that would set some standards required of a translation that is to be used by public officers and to be accepted as a document that ensures that the original takes on legal effect within the target community.

Another use for such a handbook would be in training courses for newly-appointed Official Translators run by translator associations or by the Commercial Registries throughout Brazil. It is believed that the findings of this study would provide robust, well-structured training material that could be used for such courses.

Defining Official Translations and Official Translators

As pointed out by both Aubert (1996, p. 107) and Asensio (2003, p. 4), any text has the potential to be the object of an Official Translation. This means that any text about any subject can be translated for the purpose of being submitted to official authorities such as judges, government agencies, public officers, notary publics, or

any other person who is vested with governmental, civil, administrative, or judicial authority. In this sense, it is a well-defined activity in Brazil, contrarily to what is stated by Asensio (2003, p. 1), who claims otherwise about Official Translation in general.

It is true that Official Translation sometimes overlaps with other types of translation activity such as legal translation and court interpreting (*ibid.*, 2003, p. 1), but it cannot be equated with any of these types of translation. One example should suffice to understand the difference between them: when a contract is translated for the owner of a company just because s/he wants to know its content before signing the contract, a legal translation is required, i.e., the translation of a legal document. That contract can be the object of either a free translation or an Official Translation. However, if the same contract needs to be translated so that it can be registered in the appropriate Register of Documents or with the Central Bank (e.g. for the purpose of conducting foreign exchange transactions), it should be the object of Official Translation and should be done by an Official Translator. This is a translation that would be both a legal and an Official Translation.

Although any type of writing can be the object of an Official Translation, some texts – because of their official destination – can be more easily found in any experienced Official Translator’s file⁷, such as:

- (i) Personal documents (e.g. birth and marriage certificates, driver’s licenses, academic transcripts, academic certificates, and letters of recommendation);
- (ii) Legal documents (e.g. articles of incorporation, deeds, affidavits, invoices, credit instruments, powers of attorney, and contracts);

⁷ All Brazilian Official Translators must retain all original translations done by them in register books. The translated document given to clients is in fact a transcript of its original translation. For a more encompassing list of documents see Aubert & Tagnin, 2004, p. 171.

- (iii) Technical documents (e.g. medical certificates and reports, product specifications, and certificates of analysis of products).

Official Translation in the International Context

Professional practice around the world varies substantially regarding its regulation and translation directions. Asensio (2003, p. 4) presented some of the existing standards: countries such as Argentina strictly regulate both the activity and its professional practice; some other countries such as Spain regulate entry to the profession but not its practice; in still others neither entry nor practice is regulated, for example in Cuba and Russia; some countries regulate the performance of court interpreting services, such as Italy, and so do some American states, such as Massachusetts. Official Translators roughly as known in Brazil exist in some Latin American and European countries.

Professional practice also varies with regard to the direction translators are allowed to translate. As reported by Asensio, "[i]n some countries, translating into a non-mother tongue is considered improper practice (United Kingdom); in others (Spain, Italy), working in both directions is accepted..." (2003, p. 4). In Brazil, an Official Translator is required to work in both directions.

An Official Translator "is a person who complies with the requirements established by local legislation" (Asensio, 2003, p. 4) for translating documents for official purposes. Simply put, this means that countries set their own standards regarding this profession.

Asensio (ibid) also suggests that official translators "should be competent in the fields of economic and legal translation" (p. 4)⁸, and "must consciously assume

⁸ Although this is not a requirement for a translator to become an Official Translator in Brazil, my own professional practice confirms that business and legal translations account for a large amount of

responsibility for all the consequences and liabilities of their function as public authenticators“ (p. 4). This is especially the case of Brazilian translators who are civilly and criminally liable for their translations (See extract from Decree 13609 below)⁹.

The United States, and some other countries, do not have Official Translations in the sense that they exist in Brazil. In the United States, for instance, virtually any person is entitled to translate documents for official purposes, and therefore make an Official Translation. The written translation of documents for official purposes is not regulated in the United States as it is in Brazil. As pointed out by Asensio (2003, p. 6), “only interpreting for the courts is regulated” in the United States.

According to Bierman (1994), in some places any translator or translation service company can do an official translation by swearing under oath that the translation done was a true, accurate and correct rendering of a text from one language into another (p. 161). In some American states, a Certificate of Accuracy signed before a Notary Public or Commissioner of Deeds would be attached to the translated text for that purpose. A sample of one such Certificate of Accuracy is displayed below:

all translations done. Some other fields of translation such as medical and information technology-related translations comparatively account for a much smaller number of the translation work done.

⁹ {Article 22 § 3 - If after examining the translation the only conclusion reached is that the translation is not exact as a scientific product, the translator shall not be subject to any penalty; however, if the conclusion is that there was a gross mistake, or a minor error that results in damage or benefits to the parties, or damage to public service, the translator shall be subject to the administrative fines set forth in this Regulation, irrespective of the damage being repaired, and to the criminal penalties established by criminal laws}. Art 22 - § 3º Se do exame só se concluir pela falta de exação da tradução como objeto científico a nenhuma pena fica sujeito o tradutor; mas se dele se concluir pela existência de erro grosseiro, ou simples erro de que resulte dano ou benefício às partes, ou prejuízo para o serviço público, ficará o tradutor sujeito às penas administrativas previstas neste Regulamento, independente da reparação do dano e das penas criminais previstas na legislação penal}.

| |
|--|
| <p>STATE OF FLORIDA COUNTY OF _____</p> <p>Before me this day personally appeared <u>(name of translator)</u>, who, being duly sworn, deposes and says:</p> <p>I am fluent in both <u>(language)</u> and <u>(language)</u>.</p> <p>I certify that I have accurately translated the attached document, <u>(name or description of document)</u>, from <u>(language)</u> into <u>(language)</u>.</p> <p style="text-align: center;"><i>Signature of Translator</i> (Address) _____</p> <p>Sworn to and subscribed before me this _____ day of _____, 19____, by <u>(name of translator)</u>.</p> <p style="text-align: center;">Personally known _____ or Produced identification _____ Type of identification _____</p> <p>(SEAL)</p> <p style="text-align: center;"><i>Notary Public</i> (TYPE, PRINT, OR STAMP NAME OF NOTARY PUBLIC)</p> |
|--|

Figure 1.1 - Sample of a Certificate of Accuracy to be attached to Official Translations in the state of Florida, United States.

As determined by the Notary Education Program of the Florida Department of State (reached at <http://notaries.dos.state.fl.us/education/fqa/index.html> on May 21, 2005), a person who “is fluent in both languages required for the translation of a document” can do the translation and attach a signed affidavit. The notary public’s job is to notarize the translator’s signature, not to certify the accuracy of the translation. The translator him/herself will certify and swear to the accuracy of his/her own translation.

Translators accredited by the American Translators Association (ATA) are more likely to be hired to do Official Translations given that there is an assumption of their competence after their passing ATA exams. This accreditation is gained after sitting written exams in the applicant’s native language and/or into the foreign

language chosen. This differs from the practice in Brazil where official translators must translate and interpret into/from the foreign language of their choice. To become an ATA accredited translator into and from a foreign language of your choice you have to sit two specific ATA exams: one from the language of your choice into your mother tongue, and another from your mother tongue into the language of your choice. There is no swearing-in ceremony as there is in Brazil, and to my present knowledge no specific association for translators working for official purposes exists in the US.

Official Translation in the Brazilian Context

Official translations in the Brazilian context are those done by translators who have been vested with the legal power to attest to the authenticity of their translations and to the faithfulness of their translations to the original text.

Official Translations are regulated in Brazil by a number of legal statutes. As far back as 1781, the *Ordenações Pombalinas* regulated official translations (Aubert 1998a, p. 1). In 1850 the *Código Comercial* (Commercial Code), which is still in force today, made references to official translations in Article 16. This article states that commercial books should be written in Portuguese if they are to be accepted in Court; if they are written in a foreign language they should be translated by a “sworn interpreter” to be selected by the parties “in case there is no public interpreter” (Brazilian Commercial Code)¹⁰.

The *Código de Processo Civil Brasileiro* (Brazilian Code of Civil Procedure), dated 1973, regulates the matter in Article 156, which states that "the use of the vernacular language is mandatory for all acts and terms in legal proceedings". Article

¹⁰ All translations of articles in legal statutes are mine.

157 states that “a document written in a foreign language can only be attached to court records when it is accompanied by its version in the vernacular language done by a sworn translator”.

The *Código Civil Brasileiro* (Brazilian Civil Code - Law no. 10406 of January 10, 2002) states in Article 224 that "documents implying obligations which are written in a foreign language should be translated into Portuguese so that they can take on legal effect in Brazil".

Decree no. 13609 of October 21, 1943 deals entirely with Official Translators. It defines the rules for the qualification exam, the registration of translators, and the inspection and control of their professional practice. A more recent act, *Instrução Normativa* no. 84 of February 29, 2000 issued by the Departamento Nacional do Registro do Comércio – DNR [National Department of Trade Registration], ratifies most of the content of Decree no. 13609, and provides information about the assignment of Official Translators, their registration and dismissal, and, among other provisions, the fees that they are allowed to charge.

The following terms have been traditionally used in Portuguese to describe the type of translation investigated in this research: *tradução pública*, *tradução juramentada*, and *tradução pública juramentada*. In the English language, similar terms are used such as *official translation*, *sworn translation*, or *certified translation*. As regards the professional doing official translations, *official translator* is commonly used. The term *sworn translator* can also be found (Mikkelson, 2000, p. 6), as well as *certified translator*¹¹.

In Brazil specific names are used to refer to Official Translators. They are officially called *Tradutor Público e Intérprete Comercial* {Public Translator and

¹¹ For interpreters, Bierman also suggests the terms court-certified interpreter and Federally-certified

Commercial Interpreter}. However, other designations can also be found in statutes, such as *tradutor público* {public translator}, *tradutor juramentado* {sworn translator}, and *tradutor público juramentado* {sworn public translator}. For the sake of consistency, the terms *Official Translation* and *Official Translator* will be used throughout this study when referring to this kind of translation activity and to the professional who performs it.

To become an Official Translator in Brazil, a candidate must pass both oral and written exams conducted by the *Junta Comercial* (Commercial Registry) of each respective state. The exams are designed to test the translator's proficiency in the specific languages for which they will be appointed to work, and include written translations and interpretation.

After passing the exams, a swearing-in ceremony takes place and after providing proof of payment of certain statutory fees, the translator is authorized to start working. Once they are sworn-in, Brazilian Official Translators are required to translate in both directions (i.e. into mother tongue and into non-mother tongue). They cannot refuse to do any translation or interpreting assignment on the grounds of not feeling competent to perform it. This means that they must be prepared to translate virtually any type of text, and to learn to deal with the stress resulting from this requirement.

Official Translators in Brazil are self-employed professionals, yet they must comply with the rules set by the Commercial Registry of the state in which they work, which regulates the profession, determines the fees translators are allowed to charge for their services, and inspects their professional practice. They are also commissioned for life. They hold the exclusive right to translate documents for

official purposes and to act as interpreters before public authorities. The work performed by Official Translators in Brazil has jurisdiction at the national level, which means that a translation done by an Official Translator has to be accepted in the entire country and anywhere else considered part of the Brazilian territory, such as Brazilian embassies and consulates abroad. However, Official Translators cannot work outside the state where they have been appointed and have to apply to the Commercial Registry that has appointed them for a transfer should they decide to live and work in another Brazilian state.

A few Brazilian states have their own Official Translators' association, the first being founded in São Paulo in 1959 (Helbig, 1999). The purposes of such associations are to assist members in matters related to the upgrading of their professional competence, represent translators before public authorities in general, and to ensure that their members observe the ethics of the translating and interpreting profession. The State of Santa Catarina, where this study is being written, has its own association – the *Associação Catarinense de Tradutores Públicos*, which currently has six members. That Association was founded in 1990, and can be reached at www.ac-tp.com.

Special Features of Official Translations

Although no set of rules has been established by Commercial Registries in Brazil concerning how an Official Translation should be done, Brazilian Official Translations are usually identifiable by a set of distinctive features that clearly mark them as an Official Translation as opposed to a non-official translation. For instance, it is a regular feature of Official Translations done in Brazil that a sentence attesting to the accuracy of the translation be included. This fact is in tune with Asensio's

(2003) statement that “[s]ince official translations must include a statement that certifies fidelity to the source text, the translator becomes a *public authenticator* of the contents of the translation“ (p. 3). Official Translators thus must include the following sentence (or some similar sentence bearing the same effect) at the end of their translations: *Do que dou fé* (usually translated into English as *to which I attest, in witness thereof, or witness my hand and seal of office.*)

In addition, judging from the practice of Official Translations in Brazil, it can be said that they have traditionally consisted not only of a linguistic transfer, but also of a description of the document to be translated. Any distinctive feature found in the source text is supposed to be described by the translator. Hence, a large number of paraphrases and metatranslations are expected to be found in Official Translations, since these are "inherent features of official translation" (Aubert, 1998a, p. 17¹²). As Aubert reminds us (1998a), this trend is realized by means of descriptive parentheses, such as: [Bottom left corner of page 1: golden seal of the Notary Office], by means of notes or brief comments, such as: [illegible signature], or by means of Translator's Notes (1998a, p. 17).

In the absence of rules outlining standard practice for an Official Translation, and in an attempt to develop such a standard in the state of Santa Catarina, the *Associação Catarinense de Tradutores Públicos* {Santa Catarina State Association of Official Translators} has produced a document called *Normas para a Elaboração de Traduções Públicas* {Rules for Doing Official Translations}. In fact, Official Translators who are members of the Association in that state are required to abide by such rules. The Association's by-laws explicitly states that it is within its members duties "to comply with the rules for doing translations approved by the Annual

¹² All Translations of texts originally written in Portuguese are mine.

Meeting" (Estatuto da Associação Catarinense dos Tradutores Públicos, Title II, Article 20, X).

The rules prescribed by the aforementioned document include:

- the translator's identification;
- identification of the document to be translated (whether it is an original, a certified copy, a non-certified copy, a fax etc.);
- reference to the entirety of the translation (whether the text is translated in whole or in part);
- graphic layout of the translation (number of lines, blank spaces etc.);
- reference to peculiar aspects in the ST (erasures, uncommon style, gross mistakes in spelling etc.);
- page numbering and cross-referencing;
- translator's notes;
- description of public officers' names and positions, description of seals and coats of arms, numbers and dates, abbreviations;
- the translation's ending and authentication.

Although these rules are valid only for the State of Santa Catarina¹³, all these and some other formalities are usually understood by Official Translators as essential in Official Translations, given that such translations are to be "legally recognized as a faithful reproduction of the original" (Aubert, 1998a, p. 14), and are expected to take on the same legal effect in the target community that they have taken in the source community. My own experience in participating in the Forum-Jur translators' discussion group¹⁴ indicates that Official Translators long for translation rules that would facilitate their work because they would know exactly how to behave in the enormous array of situations involving doubts about their *how to officially translate*

¹³ These Rules have reached a wider audience, however, when published by the *Ipsis Litteris* Newsletter in its 2001/2002 Summer issue.

¹⁴ For a definition see Chapter I, item 1.6.2.

routine. It seems that although the rules (here meaning norms expressed in laws, in codes of ethics, and the like) may be absent, analysis of Official Translations may show a behavior that is not a mere statistic norm in the sense that most Official Translators behave in a specific manner, but they in fact share a common 'code of behavior' that is handed down from more experienced to less experienced translators. This can only be proven through research into Official Translation.

Research into Official Translation

Although Official Translations certainly account for a large portion of the translations done in the Brazilian context, literature on the topic is still very scarce, as pointed out by Aubert in 1998a (p. 1). Few Brazilian translation scholars mention Official Translations in their work and typically only provide a cursory mention. For instance, Alves (2000, p. 19) devotes 9 lines of his 159-page book on translation strategies to Official Translations.

To my present knowledge only four texts deal exclusively with the topic in the Brazilian context, focusing on different aspects. Silveira's (1996) study aims at "investigating the professional training of Official Translators and the legal statutes relating to the Official Translator and official translating" (p. II). Coelho (1998) presents a more practical study, investigating the procedures used in three Official Translations, based on Vinay and Darbelnet's (1958) well-known classification of translational procedures.

Another practical study is the manual prepared by Aubert (1998a). This manual is based on the author's own (and vast) experience as an Official Translator, "as well as on interactions and debates with colleague translators (whether Official Translators or not)" (p.1). Another text written by an Official Translator (Campbell,

1983) gives a brief description of some procedures to be followed by Official Translators.

A very helpful book entirely dedicated to the topic was written by Asensio (2003). Although the author himself concedes that portraying only the practice of Official Translations and not making theoretical considerations “has proved an impossible task” (p. 1), the book has a strong practical component. However, it is not based on a corpus of translations done by different translators, but on the author’s work only. In addition, it is primarily directed to the Spanish context.

Important as these studies may be, none of them is based on an analysis of evidence provided by a reasonable number of Official Translations, which would show the norms informing such a practice in Brazil or abroad.

Purposes of this Study

This study aims at:

- (i) investigating the translation strategies employed in the translation of some specific semiotic items, and describing regular patterns of translational behavior used by Official Translators.

The hypothesis behind this purpose: The hypothesis is that describing the item in detail would be the strategy most frequently employed by translators because they would share the view of an Official Translation as a ‘mirror image’ of the ST.

- (ii) identifying the strategies employed by Official Translators as regards the translation of the culture-bound items under investigation.

The hypothesis behind this purpose: It is believed that two opposing types of ‘performance instructions’¹⁵ might be influencing their work: one that tells Official

¹⁵ As used by Toury (1999). See also Chapter I, item 1.3.1.

Translators that they should make a TT that is closely linked, in both linguistic and semantic forms, to ST and SC, and another that tells Official Translators that their TTs should be TC-oriented, and, as described by one of the Official Translators participating in this study, should not be “a reason for laughter”.

(iii) investigating the translators' voice in Official Translations through the use of paratextual translator's comments and notes¹⁶. It is the purpose of this research to propose a categorization for the types of translator's interventions found in the TTs under analysis in this study.

The hypothesis behind this purpose: It is hypothesized that Official Translators' interventions in the target text would occur so frequently that the use of the expression “Translator's Note” or any expression to that effect would be avoided. For the sake of economy, most interventions would appear in brackets or parentheses. It is also hypothesized that, contrarily to what might be expected, most notes are not made to explain any cultural aspect of the SC, but to inform the reader about the existence of a semiotic item in the ST and to guide him/her through the ST with comments such as *stamp on the bottom left corner, golden seal on top* etc.

Research questions

The main research questions this study will seek to answer are:

RQ 1 What patterns of behavior regarding the translation of some specific semiotic items and culture-bound items emerge from the TTs under investigation?

RQ 2 How is the translator's voice made evident in Official Translations?

RQ 3 To what extent do the patterns of behavior found regarding the translation of semiotic items and culture-bound items, and those referring to the translators'

¹⁶ For a definition of both, see Chapter I, item 1.7.3.

interventions in TTs, match the translators' statements about how they should proceed when translating such items and intervening in TTs?

RQ 4. What 'common code of translational behavior' seems to emerge from both the actual translation strategies employed and the statements made about translational behavior?

Organization Structure

Following this Introduction, Chapter I (Review of the Literature) explores the theoretical basis for this study. The concept of norm is explored, as proposed by three main scholars dealing with norms (Toury, Chesterman, and Hermans). How norms can be reconstructed from textual and extratextual sources (i.e. the contributions provided by translators' associations and a translation group on the Internet) is also explored. Next, the concepts of semiotic items and culture-bound items are discussed, and the strategies used in the translation of such items and terms as suggested by some scholars are presented. In addition, the concept of translator's intervention is investigated. Some final remarks are made on adopting a norm-based approach to investigate Official Translations.

Chapter II (Methodology) discusses the data source and analytical procedures used in conducting this study. After some initial comments, the chapter explores a pilot study conducted in the United States and which investigated official translations done in the American context. Some considerations are made on how the pilot study helped in the design of this study. The chapter then discusses how Brazilian Official Translators were selected for being contacted and were invited to participate in this study, the type of data asked for, the geographical area covered, and how the data received were organized. Finally, a detailed account of the methods used for analysis

is provided, in which the analysis of both textual and extratextual sources is explained.

Chapter III (Data Analysis and Interpretation) focuses on the description and analysis of the research data. A discussion of findings follows, and the strategies most frequently employed in the translation of semiotic items and culture-bound items are presented. The translators' interventions in the TTs are explored, and a categorization for such interventions is proposed. A tentative explanation of what the results might mean is put forward after analysis of both textual and extratextual sources found in the data source, and a suggestion about the existence of some norms informing the behavior of Official Translators participating in this study is offered.

The Concluding Remarks review the research questions and make a correlation between them and the results achieved in the analysis of data source. Next, the limitations of this study are acknowledged, and some suggestions are made for further avenues of research regarding Official Translations in Brazil.

Some texts that are referred to throughout the research have been appended (Appendices A to H). Such appendices include the questionnaire filled in by translators, the Rules for Doing Official Translations issued by the *Associação Catarinense de Tradutores Públicos*, the documents sent to each translator explaining the research and how they could participate in it, as well as the analysis tables used to develop the analysis conducted in this study.

CHAPTER I

REVIEW OF THE LITERATURE

Translation is a communicative act, more generally a social act, and therefore involves shared ways of behaviour motivated by shared ways of thinking. A translator's behaviour is not entirely idiosyncratic; other actors involved in translation such as editors, publishers and readers participate too in shared notions about translational behaviour (Brownlie, 1999, p. 7).

1.1. Initial Remarks

This chapter begins with some introductory remarks on the concept of norms, and why the study of norms is important for achieving an understanding of how Official Translators' behavior is motivated. It moves on to review Toury's (1980, 1985, 1995, 1999), Chesterman's (1993, 1997, 2002), and Hermans' (1991, 1996, 1999, 2000) views on translation norms, and provides the concept of norm that will be informing this study. Next, it explores the issue of how translation norms can be reconstructed from translators' regular patterns of behavior, and reviews the binding nature of norms. Some contributions provided by translators' associations and a translation group on the Internet are also explored. Finally, it seeks to explain the three focuses of analysis in this study (semiotic items, culture-bound items, and the translator's interventions in the TT), and the strategies employed by translators for dealing with them. Some concluding remarks follow.

1.2 The Concept of Norm

1.2.1 Introductory Remarks

Official Translation is often thought of as the one type of translation in which very little room is left for any idiosyncratic behavior on the translator's part. Although very little guidance instructions on how to do an Official Translation can be found in regulations or elsewhere, anyone who becomes an Official Translator soon finds out that they are entering the realm of a strictly controlled activity, and that translational behavior is somehow constrained by many consciously or unconsciously agreed upon expectations to be met.

As pointed out by Asensio (2003), "(o)fficial translation is often considered an activity subject to numerous strict norms, or as an extremely constrained form of translation", but in fact "the number of compulsory norms in our field is usually extremely low" (p. 1).

Although many constraints prevail in this kind of translation, very seldom can one see them clearly formulated in the form of do's and don'ts for doing an Official Translation. This does not mean, however, that they are not there, constraining the translator's behavior, but just that they often take on a more subtle form. And it is precisely the translators' "norm-governed instances of behavior" (Toury 1995, p. 65) that will allow the researcher to formulate the norms translators usually abide by.

One can wonder how this happens in practical terms. My own professional practice indicates that novice translators usually look for translations done by other Official Translators, or contact experienced translators and ask for advice on how to translate. Many become members of translators associations, or join groups on the

Internet such as the Forum-Jur group¹. As a result, they start internalizing the norms that govern the production of an Official Translation. Judging from experienced translators' participation in that Internet group, even they seem to be concerned about internalizing translation norms.

At this point, it seems paramount to attempt to define the term “norm”. Many definitions for “norm” have been proposed, such as the following:

The *American Heritage Dictionary* (1991) describes norm as “a standard, model, or pattern regarded as typical for a specific group” (p. 848). The *Collins Cobuild English Language Dictionary* (1990) describes norm as “1.1 a way of behaving that is considered normal and usual and that people expect from you ...” and “1.2 an official standard or level of achievement that you are expected to reach.” (p. 977).

Both definitions include the idea of common behavior shared by a group of people, but the second definition is more encompassing in the sense that it also includes the idea of expected behavior.

The *Dictionary of Translation Studies* (1997) distinguishes between two different approaches to the study of translation norms: a prescriptive approach, which describes norms as “guidelines or even rules, which a translator needs to follow in order to produce an acceptable translation”, and a descriptive approach in which “norms are understood in more neutral terms as reflections of the translation practice which typifies the translations produced by a certain translator, school of translators or entire culture” (p. 113).

¹ Forum-Jur is a discussion group hosted by Yahoo Groups for discussion and information exchange among Brazilian Official Translators. Only Official Translators can participate in that group. See Section 1.6.2 in this Chapter for further details.

Hence, some current approaches to Translation Studies prefer to investigate regularly repeated features which are recognized as legitimate within a certain community at a certain period of time, and which impose behavioral constraints on translators. The consequence of this approach is that translators' choices are not totally free choices, but are socially motivated. From a descriptive perspective, one of the researcher's tasks is to describe these norms, not to establish or prescribe them.

As will be stated later on in this Chapter², in this study the word "norm" is *not* used in its prescriptive connotation, that is, to indicate rules or guidelines, but to refer to "regularities of translation behaviour within a specific sociocultural situation" (Baker, 1998, p. 163). A similar approach is provided by Schäffner (1995):

Translational behaviour is contextualised as social behaviour, and translational norms are understood as internalised behavioural constraints which embody the values shared by a community. All decisions in the translation process are thus primarily governed by such norms, and not (dominantly or exclusively) by the two language systems involved (p. 5).

This notion of translation as behavior that is constrained by a social, cultural and historical situation changed the traditional view on translation as being a purely linguistic phenomenon, and to my view brought translation theory into closer contact with translation practice.

1.2.2 Importance of Norms to the Investigation of Official Translations

Considering norms as derived from "regularities of translational behavior" (Baker, 1998, p. 163) brings some consequences to the investigation of Official Translations. A direct consequence, and one that can leave an open window for criticism, refers to

² See item 1.4.

the use of all instances of translational behavior from which to derive translation norms, irrespective of whether the behavior comes from an experienced or a novice translator.

Chesterman (1993) has addressed this issue, and concluded that a theory of translation behavior “must include both a descriptive and an evaluative element” (p. 4). He also expresses his opinion that a purely descriptive approach “necessarily overlooks the motivation for studying translation behaviour in the first place and inevitably leads to a rather one-legged theory” (pp. 3-4).

True enough. However, given that the motivation for this study was not to create a theory of translation behavior, but to describe and try to explain regularly repeated patterns of translational behavior, no concern about the degree of proficiency of the translator informed the decision on whether a translation would be accepted as part of the data source analyzed in this study. It is believed that “good translations and bad translations are nevertheless both *translations*” (Chesterman, 1993, p. 3, emphasis original), and all texts submitted by Official Translators for analysis were included without any consideration for their quality. These texts were once commissioned by a client, paid for, and most probably submitted to public officers for meeting their specific purpose. Thus, all translations included in this study fulfilled their intended purpose in the real world of translation practice. In addition, it was assumed that a minimum quality requirement was met by all texts, given that all translations were done by translators who had once sat translation exams that are in general difficult to pass. This study will thus take a descriptive-explanatory, non-evaluative orientation.

Another consequence of considering norms as derived from behavioral regularities is related to the representativeness of the regularities found. As

previously stated³, this study is not interested in making any statistical claims about the universality of its findings, or the predictability of translational behavior. The sociocultural and historical context in which this study is set is clearly defined, as well as the data source used⁴. Thus, any claim made refers to such specific context and data source. The decision to use a small-scale collection of texts was more a decision of necessity rather than the researcher's choice, given that, due to the confidential nature of the work performed by Official Translators, it is understandable that many of my colleagues were unwilling to participate.

To my view, this does not mean, however, that norms of translational behavior cannot be derived from the data source analyzed. Such norms would represent the behavior of such specific subset of Official Translators, and could be used by any Official Translator to guide his/her own professional practice.

1.3 Studies on Translation Norms

1.3.1 Toury's Norms

The concept of 'norm' that informs this study is based on Gideon Toury's work (1980, 1985, 1995, 1999) on the topic. Toury, one of the main proponents of the approach called Descriptive Translation Studies (DTS), directed Even-Zohar's (1978) findings on literary systems towards Translation Studies. As conceded by Toury (1999, p.10), the association of the terms 'translation' and 'norms' was already implicitly present in the works of Ji í Levý (1969 [1963]) and James S. Holmes (1988). Although Toury (1999) has waived any credit for having been the first author to describe translation as a norm-governed behavior, he acknowledged

³ See the Introductory Remarks, section Initial Remarks, item (c).

⁴ See Chapter II, items 2.3.5 and 2.3.6, respectively.

the fact that he was “probably the one person who would have to take the responsibility – the blame, some will no doubt insist – for having injected the heaviest dose of norms into the veins of Translation Studies...” (p. 11). That notwithstanding, literature on Translation Studies shows that it was Toury who consolidated the use of the notion of norms in the field.

When in 1985 Toury argued that translations were “*facts of one system only: the target system*” (p. 19, emphasis original), he brought about an enormous change in the way translation was understood. Although that statement acquired a milder tone in his later writings⁵, a change to a more target-oriented perspective was inevitable. Prior to Toury, Translation Studies was subject either to objective constraints imposed by the notion of equivalence or to subjective idiosyncrasies. The notion of norm changed this situation when shifting the focus away from the ST and from whimsical individual choices, and placing the target text (and culture) in the spotlight.

As applied to translation, Toury (1995) understands norms as “intersubjective factors” that occupy the vast middle-ground that exists between “*rules* on the one hand, and pure *idiosyncrasies* on the other” (p.54, emphasis original). For Toury, norms are “a category for descriptive analysis of translation phenomena” (1980, p. 57), or more specifically,

[n]orms have long been regarded as the translation of general values or ideas shared by a group – as to what is conventionally right or wrong, adequate or inadequate – into performance instructions appropriate for and applicable to particular situations, specifying what is prescribed and forbidden, as well as what is tolerated and permitted in a certain behavioural dimension (1999, p. 14).

⁵ “Translations are facts of target cultures” (Toury, 1995, p. 29).

These values or ideas would then impose constraints on the behavior of all translators, who would not translate freely but would always seek to comply with those ‘performance instructions’, thus creating regularities of behavior observable in the translated texts submitted to analysis. Such regularities would give rise to norms of translation that translators usually seek to conform to, as exemplified by Gaddis Rose (1996):

When sci-tech and non-literary translators generally try to make their texts sound the way something is usually said (in the target culture), they are responding to their own internalization of norms, an internalization that training can help. When literary translators (including translators of any material with literary pretensions) want their texts to sound as good as possible or as authentic as possible, they are responding to norms, including the norms of acceptable deviation (p. 51).

Another example is provided by Schäffner (1995):

In the case of translating text types that are highly conventionalised, the conventions of the target culture have to be taken into account, because in these cases the target addressees expect to read a text in a recognisable, familiar form. A case in point would be instruction manuals, for which domestication would be the only effective strategy (unless the purpose, the skopos of the target text, is to show what the source text looks like). Technical or legal texts too, often respond in a relatively predictable way to a series of conventional norms. (p. 4)

As can be understood from these quotes, different text types would point towards different ways of translating, and translators would try to conform to the norms prevailing for the translation of each text type. Both quotes emphasize the translator’s awareness of and desire to conform with the target addressees’

expectations.

It should be acknowledged, however, that in some cases as it happens with Official Translations, the ST can weigh as heavily as the TT. We can then find ‘interlingua’ solutions that are usually accepted, such as translating ‘socio-quotista’ as ‘quotaholder’, a translation that can certainly be disputed from a ‘free-translation’ point of view. These ‘interlingua’ solutions can even be the norm in some cases, as this study has confirmed⁶.

1.3.1.1 Toury’s Preliminary vs. Operational Norms

Toury (1995) distinguishes between two large groups of norms: preliminary norms and operational norms. Preliminary norms are those related to translation policy or directness of translation. Translation policy is concerned with the choice of text-types or individual texts that are “imported through translation into a particular culture/language at a particular point in time” (p. 58). Directness of translation is concerned with the tolerance for indirect translation, that is, translating from a mediating language, instead of from the source language.

Decisions concerning operational norms occur during the act of translation itself. Operational norms are divided into matricial norms and textual linguistic norms. Matricial norms refer to the degree of fullness of translation, the actual distribution of linguistic material in the text and textual segmentation. In practical terms, matricial norms are those that determine omissions, additions, changes of location and manipulations of segmentation in translated texts.

Textual-linguistic norms refer to the selection of textual and linguistic material that is used to replace the ST. They may be general norms or particular

⁶ See the use of the word “attributions” in Chapter III, item 3.2.2.3, B, (c).

norms, in which case “they would pertain to a particular text-type and/or mode of translation only” (p. 59).

All these types of norms were expected to be found in the Official Translations investigated in this study. For instance, preliminary norms can be very influential for novice translators because sometimes Official Translators have to translate from a mediating language and they are frequently in doubt about how to proceed.

1.3.2 Chesterman’s Norms

Chesterman (1993) suggests that translation behavior is governed by norms that have been established by two sources: a behavioral subset and a textlinguistic subset (p. 8). The former is composed by those he calls *competent professional translators* (p. 7), and the latter, by texts that are “accepted to represent a “model” of the desired quality” (p. 8). Both professionals and texts are chosen to be in each corresponding subset on the basis of acceptance, that is, there is a *consensus of opinion* (p. 8) among society members in placing each professional or texts in his/her or its relevant subset. The norms resulting from the behavioral subset are called *professional norms* and those resulting from the textlinguistic subset are called *expectancy norms* (ibid.).

Chesterman defines professional norms as “the norms constituted by competent professional behaviour” (p. 8). They can be divided into three main groups:

i) accountability norms: Chesterman draws on the concept of loyalty as formulated by Nord (1991) and on the *true interpreter* norm suggested by Harris (1990) to explain his accountability norm. When translating, translators should be loyal to the original writer, the translation commissioner, and the prospective reader, thus

accepting responsibility for their translation.

ii) communication norms: Chesterman draws on Bartsch's idea (1987, p. 194) that the overall goal of communication is understanding to establish his communication norm as a compromise on the translator's part to "optimize communication between the original writer and/or commissioner and prospective readership" (Chesterman, 1993, p. 8).

iii) the relation norm: this norm deals with the type and degree of equivalence that translators should maintain between source and translated texts. According to Chesterman, it is up to the translator to determine the nature of such relation of equivalence based on the translator's "understanding of the intentions of the original writer and/or commissioner, the type and skopos of the text, and the nature of the prospective readership" (p. 9).

Chesterman further explains that professional norms are at least in part validated by norm authorities such as translation teachers, critics, and professionals who check the drafts of other professionals. According to him, professional norms also constitute the guidelines that competent professional translators tend to follow.

The second subset of Chesterman's norms is formed by expectancy norms, that is "the expectations of (among others) the target language readership" (p. 10). The translation tradition of a certain society will establish the expectations that the receivers of a certain translation will have with regard to it. To explain this further, Chesterman draws on the concepts of covert and overt translations, as formulated by House (1981). According to her, an overt translation is one that is clearly a translation of a ST, whereas a covert translation is a text that enjoys the status of an original text in the target culture. Covert translations are required whenever a ST has a similar potential pragmatic value for both source and target language addressees as

if both were “equally directly addressees” (p. 194).

Hence, producers of a covert translation would translate with a view to matching parallel texts in the target culture, while producers of an overt translation could, for instance, leave culturally and historically linked elements intact and present them via explanatory notes. Translators would then seek to conform to the expectancy norms pertaining to each type of text, with regard to the text’s syntactic, semantic and pragmatic aspects.

Chesterman then steps into what in my view is dangerous ground when restricting his expectancy norms to “readers’ expectations pertaining to *good* native texts, not just any native texts or even most native texts” (p. 10, his emphasis). He then presents “the only reasonable operational definition” (ibid.) for *good native texts* as “texts that are accepted (with probability p by $n\%$ of native speakers) as being good”. In spite of his effort to put forward a definition, one is left with the impression of not having clearly understood what he meant by ‘good native texts’. One has then to stick to his statement that what counts is pragmatic appropriateness (p. 10).

Chesterman further links expectancy norms to professional norms by emphasizing that it is by “seeking to meet the *expectancy* norms as adequately as possible that the translator *de facto* conforms to the *professional* norms” (p. 10).

1.3.3 Hermans’ Norms

Hermans (1991, 1999) differentiates between conventions and norms. Both act as constraints on behavior, and restrict the number of options available in recurrent problematic situations of a given type. Conventions are understood as courses of action that are regularly adopted by individuals in a given type of situation.

Conventions are “purely probabilistic expectations, there are no sanctions” (1999, p. 46). They presuppose common knowledge and acceptance by the individuals involved, and can develop into norms when they grow beyond a mere preference and acquire a binding character. As stated by Hermans (1991), “norms, then, are similar to conventions, but they are stronger, more binding”. They have a more normative form, or in Herman’s terms, “a modal ‘ought’-character” (p. 161). As Hermans (1991) explains:

... norms allow the translator who is faced with a contingent, unpredictable and potentially destabilizing input – the Source Text – to reduce the number of potential solutions for this array of translational problems by adopting only those solutions suggested by the norm as being likely to result in a Target Text that accords with a given model, and thus with a certain notion of correctness, and hence with the values and attitudes that lie behind these models and correctness notions (pp. 164-65).

Hermans goes on to say that every choice made by translators in their constant process of decision-making is, in principle, motivated by a norm. Norms, then, help translators decide in favor of one solution rather than another (p. 165).

Hermans (1999) places emphasis on “asking questions not only about what is there on the page but also about what might have been there but, for one reason or another, is not “ (p. 57). He suggests that it is by “assessing the exclusions” that we can “appreciate the significance of the inclusions” (p. 57). The researcher should then consider the alternatives that the translator had at hand in order to understand why a certain course of action was preferred. It is at this moment that the idea of norms as expected behavior may come into play. It is possible - and in some cases most probable - that when opting for one type of solution to a translation problem,

the translator is in fact meeting an expectation and adopting a solution “regarded as correct for a given communicative situation, as a result of which it is accepted as correct” (Hermans 1991, p. 166).

This assertion seems to make special sense when one considers the translational behavior adopted by Official Translators when faced with semiotic items in the ST. Official Translators have many possible options that can range from omitting the item to reproducing it exactly the way it is in the ST. If most translations investigated opted for describing the item, this may certainly suggest that the other options available were considered inadequate, non-expected behavior.

1.4 The Concept of Norm Informing this Study

Taking into account the different definitions for the concept of norm presented above, it seems paramount to put forward a concept that will adequately inform this study. But first, another definition should also be mentioned. According to Asensio (2003), norms of Official Translations are “the ways in which the statistical majority of translators work” (p. 52). This definition equates norms of Official Translations with translational behavior that is statistically relevant.

For the purposes of this study, a translation norm would then be defined as

a ‘performance instruction’ informing a regular translational behavior adopted by the statistical majority of Official Translators participating in this study when confronted with a potentially problematic situation involving semiotic items, culture-bound items, and the need for translator’s interventions, which behavior is, in principle, informed by the expectations Official Translators have as to how they should perform Official Translation assignments.

This definition can be narrowed down as follows:

- i) performance instruction informing a regular translational behavior – this expression acquires the meaning attributed to it by Toury (1999)⁷, that is, a performance instruction derives from “general values or ideas shared by a group” and applies to particular situations, “specifying what is prescribed and forbidden, as well as what is tolerated and permitted in a certain behavioural dimension” (p. 14).
- ii) statistical majority of Official Translators participating in this study – this means that the behavior identified as the ‘statistical majority’ in the work of one single translator (given that different TTs have been submitted by each translator and even one single translator can use different strategies when confronted with a single, recurrent problematic situation) will be counted towards identifying the “statistical majority” in the work of all participating translators taken together with reference to the strategies employed for dealing with the items under investigation.
- iii) potentially problematic situation – this expression encompasses the “unpredictable and potentially destabilizing input” referred to above (Hermans, 1991, p. 164). Sometimes the natural flow of a translator’s work is interrupted by an input the translation to which does not come immediately to mind. The translator is then confronted with a number of potential solutions to that specific translational problem, from which one has to be chosen.

Two examples should suffice to understand the kind of practical problem that can occur: 1. when a stamp appears in a source text the translator can: ignore it, because s/he considers it irrelevant; translate its content without reference to the fact that that text is included in a stamp; mention that there is a stamp and translate its

⁷ See item 1.3.1 in this Chapter.

content; describe the stamp and summarize its content; or reproduce the stamp by means of a scanning process and translate its content; 2. when confronted with the use of a unit of measurement that is not commonly used in Brazil, as often occurs with the description of one's height in American driver's licenses, the translator can choose to reproduce the unit as it appears in the source text because that was, in fact, the way by which the person was measured; provide the measures in the Brazilian measurement system; use the Brazilian measurement system but keep the American system in brackets; or keep the American measurement and provide the conversion unit so that the reader can make the appropriate equivalence, via a translator's note.

Following Hermans' suggestion that it is by "assessing the exclusions" that we can "appreciate the significance of the inclusions" (1999, p. 57), this study will attempt at considering the alternatives that the translator had at hand in order to understand why a certain course of action was preferred.

iv) semiotic items, culture-bound items, and translator's interventions – for a definition of these terms, see item 1.7 below.

v) expectations Official Translators have as to how they should perform Official Translation assignments – such expectations could be found in the statements made by translators themselves about how they should translate for official purposes. Translators participating in this study had the chance to voice their opinion about how semiotic items and culture-bound items should be translated, as well as about when translators should intervene in the TT, when answering a questionnaire provided to them⁸. It is expected that the translational behavior that they say they should adopt will be the same that they actually show when translating.

⁸ For further explanation, see Chapter II, item 2.4.2.1.

1.5 Reconstructing Norms

Toury identifies two main sources for the reconstruction of norms (1995), namely textual sources and extratextual sources. Textual sources refer to the translated texts themselves, whereas extratextual sources include statements made by translators or other agents involved in translation, critical appraisals of individual translators, or the activity of a translator or school of translators (p. 65).

As pointed out by Brownlie (1999, p. 19), Toury (1995) gives this second source *an inferior status* and considers normative pronouncements to be “partial and biased” (Toury, 1995, p. 65). As Toury (*ibid.*) has pointed out there may be gaps and even contradictions in those pronouncements between explicit arguments and actual behavior. And yet, Toury (*ibid.*) advocates that critical formulations be used as legitimate sources for the study of norms. Toury goes on to suggest that “normative pronouncements should never be accepted at face value”, but should be compared to one another as well as repeatedly confronted with the “patterns revealed by [the results of] actual behavior and the norms reconstructed from them” (p. 66).

These sources are also adopted by Brownlie (1999). Taking them into account, she distinguishes between the *normal* and the *normative*. The *normal* would be the observation of behavior in the sense of “noting what normally occurs” (p. 17). The *normative* would be the collection of verbal statements about the translation in order to “find out about norms in the sense of people’s notions of approved behaviour” (p. 17). Brownlie also has some restrictions on using verbal statements as sources of norm but considers such use as necessary, given the definition of norm as approved behavior. She suggests that the influence of the researcher can be reduced in questionnaires and interviews with translators by asking them what they “consider to be appropriate behaviour for certain aspects of their translation work”, instead of

”making detailed suggestions or presenting norm hypotheses” (p. 19).

Brownlie’s statement about how to reconstruct translation norms is illuminating:

Since translation researchers’ definitions of norms and conventions combine the notions of regular behaviour and behaviour approved by the group, methods of investigation of norms should capture both the regular and the approved. Studying regularities alone is insufficient to adduce norms... In the face of the problems in both observation of behaviour and verbal statements, the two types of data can be mutually corrective.” (p. 19)

Hence, according to the quote above, norms should be captured from an observation of regular behavior and from verbal statements approving of translational behavior. The contribution provided by the latter is investigated in section 1.6 below. Also considered as extratextual sources were the verbal statements made by Official Translators in the questionnaire that they have filled in as to how they thought semiotic items and culture-bound items should be translated, as well as about when the translator should intervene and make his/her voice heard in the TT. These statements were the object of analysis, as demonstrated in Chapter II⁹.

1.6 Reconstructing Norms using Extratextual Sources: Contribution Given by Translators’ Associations and by an Internet Translators’ Group

1.6.1 Contribution Given by Translators’ Associations

Two attempts have been found to standardize Official Translation practices by stating what is to be considered approved translational behavior. Two Brazilian Official Translators’ associations have used different means to achieve that purpose: the *Associação Profissional dos Tradutores Públicos e Intérpretes Comerciais do*

⁹ See item 2.4.2

Estado de São Paulo {Professional Association of Official Translators and Commercial Interpreters in the State of São Paulo} by issuing articles about Official Translation practice and the *Associação Catarinense de Tradutores Públicos* {Santa Catarina State Association of Official Translators} by issuing a document called *Normas para a Elaboração de Traduções Públicas* {Rules for Doing Official Translations}¹⁰. Both extratextual sources for the investigation of norms in Official Translations are described below.

1.6.1.1 Contribution given by a Translators' Association - The *Ipsis Litteris* Newsletter

In May 1999 the *ATPIESP – Associação Profissional dos Tradutores Públicos e Intérpretes Comerciais do Estado de São Paulo* started issuing a newsletter called *Ipsis Litteris* in lieu of its former newsletter which had no name. *Ipsis Litteris* was issued in printed version only until May 2001 when its on-line version (which received number 24) was launched, and started to be distributed on a monthly basis only on the Internet. It can still be found at www.atpiesp.org.br (prior issues included date as far back as November 2001).

Until March 2004 that on line newsletter had a section entitled *Saiba mais sobre o Ofício* {Learn more about our Job}, in which all sorts of doubts about the profession were discussed. Some topics raised concerned the following issues:

- TECHNICAL PROCEDURES RELATED TO THE JOB:
 - how to issue duplicates of translations previously done (March 2004);
 - suggestion for the opening and closing statements to be included in the receipt book (February 2004);

¹⁰ For further details, see item Special Features of Official Translations in the Introductory Remarks.

- requirement for the use of the translator's stamp in originals that are going to be registered with the Notary of Documents and Deeds (April 2003);
- how to deal with errors in the original document (April 2002);
- PROPOSALS FOR STANDARDIZING THE TRANSLATION OF CERTAIN ITEMS AND FOR STANDARDIZING CERTAIN PROCEDURES:
 - Creation of a glossary of Brazilian terms and their translation such as *FGTS* {Government Severance Indemnity Fund for Employees} and *auxílio doença* {sick pay} (March 2004);
 - how to charge per page (November 2002);
 - standardized use of terms referring to extra copies given to clients, that is, the so-called certified copies {cópias autenticadas} given simultaneously with the original translation or the transcripts {traslados}, given at a later moment (February 2002);
- GRAMMAR ISSUES:
 - use of an adjective in lieu of an adverb (November 2003);
 - use of neologisms such as *customizar*, *lincar* (July 2003);
 - use of gerund form (June 2003);
- ISSUES OF GENERAL INTEREST:
 - how to deal with problematic clients (May 2002);
 - how to get in contact with Consulates (December 2002);
 - how to request vacation leave (January 2002).

Since 2001 a quarterly printed newsletter of *Ipsis Litteris* especially directed to Official Translators is being published. Its special section entitled *Dúvidas e Controvérsias* {Doubts and Controversies} aims at discussing and providing suggestions to translation problems. For instance, that section has discussed the following topics, among others:

- leaving blank spaces for signatures in the translation of contract drafts (Year 1 – Number 3 – 2001/2002);
- how to proceed when there are errors in the original text (Year 2 – Number 6 – 2002)
- how to proceed when the original text is a bilingual text (Year 3 – Number 8 – 2003)

All the topics presented above are relevant to Official Translators in that they present solutions to problems that most translators must face in their daily practice. They also point towards the translators' desire to have some of their translation practices standardized, in an attempt to reduce the options available to them when translating and making it easier for them to conform to what is expected of them.

1.6.1.2 Contribution given by a Translators' Association - Rules for Translation

Soon after the first group of Official Translators took office in the Brazilian state of Santa Catarina in December 1989, they started to contact each other in order to search for help with reference to some translation strategies to be adopted. So many were the doubts, and so difficult was it to keep contact with translators living far apart at a time when the Internet was not available, that the members of the *Associação Catarinense de Tradutores Públicos* decided to issue a document called *Normas para a Elaboração de Traduções Públicas* {Rules for Doing Official Translations}¹¹. That document is a collection of rules on how to translate for official purposes. Among its 18 articles, some refer to the items under investigation in this study. They are¹²:

¹¹ Refer to Appendix B for the original text.

¹² My translation.

9. Explanatory Notes:

Translator's explanatory notes must appear in parentheses or in brackets. They should be preceded by the expression *Translator's Note*.

11. Coats of Arms, Stamps and Signatures:

11.1 Crests, coats of arms, seals, tax-seals, wax seals, cachets, rubber stamps, logos and the like must be mentioned and, if necessary, they should be either translated or described in detail.

11.2 Stamps must be mentioned, their position must be indicated and they must be translated. If one stamp appears more than once, this fact must be mentioned and it must be stated that they have the same content. The same applies to initials.

11.3 Signatures must be mentioned. If they are illegible, this fact should be reported. If they are legible, name of signor must be transcribed.

17. Proper Names and Toponyms:

17.1. Proper Names and toponyms, as well as titles of nobility are not to be translated but transcribed in their original form with all diacritical markers (= letters and accents).

Another article in that document (number 7) states that any peculiarity in the ST (e.g. an erasure, a handwritten correction, or words that are blacked out) should be mentioned in an explanatory note.

All these rules have standardized the translation strategies used by members of the *Associação Catarinense de Tradutores Públicos*. Hence, the options those translators have at hand have been limited by a common agreement on what is expected behavior in the translation of those items.

1.6.2 Contribution given by an Internet Translators' Group - The Forum-Jur Discussion Group

The Yahoo!® Groups¹³ has created a discussion group on the Internet (Forum-Jur) in which Brazilian Official Translators can exchange ideas and solve doubts about their translation practice. Access to the group is contingent upon proof of one's registration as an Official Translator with any of the Brazilian Commercial Registries.

Many topics are discussed in this group. For instance, in the month of October 2004 many messages were exchanged among translators referring to whether translators should do partial translations of documents. One of the translators argued that there was no valid excuse for reducing the original document. He added that an Official Translator's most important obligation was to be faithful to the ST. Many other translators disagreed, and voiced their opinion that omitting parts of a ST in the TT was perfectly possible, provided that the translator included a brief description of what had been omitted and why. Translators even provided some examples of statements that they used for that effect, which included the following phrases:

- [item about xxx is not applicable to this document];
- [articles xx to xx were not included in this translation at request of the concerned party];
- [the reverse side includes xxx].

From the comments that frequently appear in this discussion group it is easy to notice that some of its members enjoy a *norm-setting* status, in that the other members clearly mention that the solutions to translation problems provided by these

¹³ This group can be reached by Official Translators at <http://groups.yahoo.com>.

experienced translators are good, and are going to be adopted. Their behavior thus becomes a standard of desired behavior. Likewise, some translators have mentioned that they have glossaries that have been specifically created for posting the solutions to translation problems that appear in that discussion group's messages.

Given that the Forum-Jur is a *closed* discussion group, it was considered improper to quote examples of translators' comments in this study without their approval. One instance of such respect by peers must, however, be quoted here to demonstrate how some members enjoy a *norm-setting* status¹⁴:

“You really hit the bull's eye! Nothing can be better than the opinion of an experienced and competent professional! Thank you! I am very glad to be able to count on colleagues who have such high spirit of cooperation!”

This express recognition by one's peers makes it possible to consider the suggestions appearing in the Forum-Jur discussion group as extratextual sources (Toury, 1995, p. 65) for the reconstruction of translation norms regarding the topics that are at focus in this study.

1.7 The Concepts of Semiotic Items, Culture-Bound Items, and Translator's Interventions - As Defined in the Literature and as Used in this Study

Given that Official Translations done in Brazil are expected to have the same legal effects in the target community that they had in the source community, the recipient of such translations should be provided with information that s/he needs to know in order to be convinced of the authenticity of the original document.

¹⁴ Reproduced here under permission. Original text: “realmente, vc matou em cima! Nada como a opinião de um profissional experiente e gabaritado! Obrigada! Me sinto muito feliz por poder contar com colegas com esse nível de espírito de cooperação!”

Therefore, a stamp or the name of the agency issuing a particular document is not expected to be omitted from an Official Translation the way they sometimes are in non-official translations.

In light of the above, the strategies employed by Official Translators when translating the semiotic items and culture-bound items found in STs will be the object of analysis in this study. These items were chosen because they constitute by far the most common problematic items that any Official Translator has to deal with when they start their career¹⁵. It has been noticed that these items are treated in very specific manners in Official Translations, so specific indeed that they end up constituting distinctive features of Official Translations. Another item that seems to puzzle Official Translators and deserves being investigated is when and how to intervene in the TT by means of a paratextual comment or note.

1.7.1 Semiotic Items

Intersemiotic translation has been described by Jakobson (1959) as “an interpretation of verbal signs by means of signs of nonverbal sign systems” (p. 232). According to Augustine (apud Deely, 1982), “a sign is a thing which, over and above the impression it makes on the senses, causes something else to come into thought as a consequence”, or - in Deely's own words, “anything that makes present in awareness something besides itself” (p. 18).

Expanding on both definitions, for the purposes of this study intersemiotic translation includes not only the conversion of a verbal into a nonverbal sign, but also the translation of any visual sign such as a stamp or illustration, whether it includes verbal signs or not, into a verbal sign. It is believed that the non-verbal

¹⁵ My own professional experience and the large number of questions about these topics directed to colleagues in the Forum-Jur Discussion Group informed this assertion.

signs found in STs reveal other important features, such as their legitimacy as official documents, which are signaled by the imprinting of the sign thereon. These signs found in the original document are thus defined as follows:

Semiotic items are non-verbal signs found in STs, which are expected to be translated into verbal signs in TTs.

Official documents, that is, documents issued by official authorities, represent the bulk of the documents submitted for Official Translation. It is thus common to find at least one or two semiotic items in such documents. Under this rubric, several items could be the object of investigation in this study: coats of arms, seals, stamps, signatures, logos, illustrations, symbols, photographs, fingerprints etc. Three items were chosen to be investigated given the frequency with which they usually appear in official documents: coats of arms, stamps, and signatures. For the purposes of this study these items are defined as follows:

1. COATS OF ARMS: a coat of arms can be described as “a design in the form of a shield with special patterns on it that is used as an emblem by a town, noble family, or other organization” (*Collins Cobuild English Language Dictionary*, 1990, p. 260). Coats of arms are commonly found in governmental statements, University diplomas, and certificates issued by Notary Publics. They sometimes display formats other than that of a shield.
2. STAMPS: a stamp herein means “a small block of wood or metal which has a pattern or a group of letters on one side. You press it onto a pad of ink, and then onto a piece of paper in order to produce a mark on the paper” (*Collins Cobuild English Language Dictionary*, 1990, p. 1419). Stamps are commonly found in personal documents issued by official institutions such as birth certificates and

school documents. They are usually used to inform about an officer's authorization to issue a document and to give his/her official registration number, or to verify the authenticity of a document.

3. SIGNATURES: a signature is “(t)he name of a person as written by himself” (The *American Heritage Dictionary*, 1991, p. 1139). Only signatures will be investigated under this rubric, initials being excluded. Initials are defined as “(t)he first letter or letters of a person's name or names, used as a shortened signature or for identification” (The *American Heritage Dictionary*, 1991, p. 662). Signatures may appear in the form of an original imprinting made by its owner, or may be stamped on a page.

1.7.2 Culture-bound Items

As already stated by Medeiros (2003, p. 12) defining culture-bound terms is no simple task. Some authors have attempted at providing their own definitions. Newmark (1988), for instance, points out that culture-bound terms refer to “the way of life and its manifestations that are peculiar to a community that uses a particular language as its means of expression” (p. 94). The same view is expressed by Nida and Taber (2003) when asserting that “each language is [relatively] rich in vocabulary for its areas of cultural focus, the specialities of its people” (p. 4).

Herrero (2000, pp. 307-316, cited in Sierra, 2004, p.165) is concerned about the translation of culture-bound terms, which are described as “cultural elements that are so specific that no equivalent in another language can be found therefor without some loss of cultural identity”¹⁶ (my translation).

Taking into account all the definitions mentioned above, and the specificity of

¹⁶ Original text: Elementos culturales tan específicos que no resulta posible encontrar un equivalente en otra lengua sin que se produzca una pérdida de identidad cultural.

this study which includes phraseologisms as a culture-bound item, culture-bound items will be understood in this study as:

Source culture-specific terms or phraseologisms that cannot be understood by someone who does not have a reasonable¹⁷ grasp of the source culture.

An example of what I had in mind when proposing the definition above should suffice: the symbol ♥ is used in driver's licenses from some American states to mean that the card holder is an organ donor. As the use of this symbol for that purpose is entirely alien to our culture in the context of driver's licenses, unless the translator knows this culture-specific use for the symbol he or she will probably use an inadequate translation strategy for conveying a similar message in the TL.

One consequence results from adopting the definition above: it allows for the focus of investigation to be placed on target-culture blanks. Wylie (2005) describes target-culture blanks as “where in a given domain a language lacks more or less completely both the underlying concepts and the lexis to express them” (p. 4). Hence, emphasis will not be placed on source culture-bound items that have an easily recognizable counterpart in the target culture. Again the example of the symbol used in the driver's licenses of certain American states should suffice for now.

Several culture-bound items that pose problems to Official Translators would be worth investigating in this study, and they include toponyms, corporate names, addresses, names of public or private institutions or agencies, units of distance or length, time, and weight, school grading systems and academic degrees, occupational titles or positions, and phraseologisms. However, such all-encompassing analysis

¹⁷ The word “reasonable” is used in its legal sense, that is, as an “inherently uncertain” word (Downes, 1987, p. 26), as I believe that going into detail on the extent to which the translator knows the cultures with which he works is far beyond the purposes of this study. *Reasonable* here then means “quite good, but not very good” (Collins, 1990, p. 1198)

would be unmanageable. Three of such culture-bound items were then chosen for analysis: school names, units of measurement, and phraseologisms. These terms can be defined, for the purposes of this study, as follows:

1. SCHOOL NAMES: this item includes names of schools of whatever educational level, that is, elementary, secondary or university education. It also refers to both private and public institutions.

School names were included because they always pose a problem to translators: should they be translated? Maybe the obvious answer would be *no*, after all they are proper names and these are not usually translated. However, some translators feel that a school name should be translated so that the TT reader can know what kind of degree the ST owner is likely to have been awarded, that is, an elementary or high school degree, an undergraduate degree or a graduate degree. It was thus expected that translators would not opt for employing a single strategy.

2. UNITS OF MEASUREMENT: they include units of height (feet and inches), weight (pounds), distance (miles), and length (inches).

This category was included because some translators are often unsure whether they should convert the units found, which are usually in feet and inches or pounds, into the Brazilian system, that is, meters and centimeters or kilos. Some translators argue that units of measurement should be maintained in their original form because that was the form in which the original measurement was made; others argue that there is no sense in keeping a measurement that does not mean anything to the TT's reader. Other translators believe that the original should be maintained but an adaptation into the TL or the conversion unit should also be provided so that the TT's reader can make the conversion if that is deemed necessary.

3. PHRASEOLOGISMS: they refer to language-specific formulaic expressions. By formulaic expressions it is understood a “way of saying something that has been used many times before in similar situations” (*Collins Cobuild English Language Dictionary*, 1990, p. 571). They include expressions that represent units of translation, and that are commonly used in specific situations by a certain community, such as the well known English phraseologism *in witness whereof*.

As pointed out by Newmark (1988) “when a particular speech community focuses its attention on a particular topic, it spawns a plethora of words to designate its special language or terminology” (p. 94). A logical conclusion derives from this statement: if a particular topic is given a culture-specific designation and is expressed by specific words, difficulties in translating such words are likely to occur. The *how should I translate it?* question then starts to haunt the translator. Which culture should be at focus of his/her translational decision: the source or the target culture? In other words, should s/he use a translation strategy that results in a textual segment that in its form and meaning bears resemblance to the textual segment found in the ST, or should the translator offer TT’s readers a textual segment that performs an equivalent communicative function in the TC? Is there any option that could privilege in part each one of the options above? To make his/her decision, the translator will need to know the options available.

The English and Portuguese speaking communities have chosen some specific ways to designate the performance of the following acts: confirming the authenticity of an act performed by a notary public, granting an academic degree, and confirming an officer’s authority to perform a certain act. The phraseologisms usually used to perform those acts in the Brazilian context, and the ones that are investigated in this study are the following:

a) Phraseologism used to confirm the authenticity of an act performed by a notary public:

“O referido é verdade e dou fé” {The foregoing is true, and I so certify};

b) Phraseologism used when granting an academic degree/diploma:

“e outorga-lhe o presente Diploma, a fim de que possa gozar de todos os direitos e prerrogativas legais” {and grants him/her this diploma so that s/he may enjoy all the legal rights and privileges pertaining thereto}”;

c) Phraseologism used to confirm an officer’s authority to perform a certain act:

“no uso de suas atribuições” {pursuant to the authority vested in him/her}.

The English counterpart for the first phraseologism mentioned above has been the object of analysis by Aubert (2003/2004). In his studies, Official Translators have been asked through the *Ipsis Litteris* Newsletter¹⁸ to provide translations for a number of phraseologisms usually found in STs submitted for Official Translation, including the first one above. Aubert (2003/2004) maintained that the phraseologism *In witness whereof* had the same communicative function, when used at the end of a notarial act, as *O referido é verdade e dou fé* (p. 3). It was however expected by Aubert (2004b, p. 7) that such phraseologism would be translated as *em testemunho do que*, so that a semantic invariance to original was maintained. Given that one basic requirement of an Official Translation is the *fé pública* [certification of being entitled to full faith and credit] attached to it, it was also expected in this study that an Official Translation would seek to “achieve a semantic invariance in relation to the original document” Aubert (2004b, p. 7).

¹⁸ See item 1.6.1.1 above.

Another phraseologism investigated by Aubert (2005) was *no uso de suas atribuições*, when used in diplomas issued by Brazilian universities. As a parameter for comparison, the equivalent American English phraseologism *by virtue of the powers vested in me* was used. His analysis indicated that each of the 13 instances analyzed presented a different translation for this phraseologism, and only one of them adapted the text to a target-oriented mode, so that possessive adjective *suas* could be translated into prepositional phrase *in me*, commonly used in the American English phraseologism.

The ultimate question here seems to be: whenever a phraseologism existing in the ST has a commonly used corresponding phraseologism in the TL, which translation solution do translators privilege: a TL-oriented translation solution that would privilege the communicative intent of the ST and at the same time provide a phraseologism that could be easily accepted by a TT reader, or would translators prefer to maintain the communicative intent but at the same time privilege a “strict, formal parallelism, which would be reflected on the choice of words and even on the morphosyntax of the translated text“ (Aubert, 2004b, p. 7)? In the former case, the discursive, functional level would be privileged; in the latter, the linguistic level.

The results obtained by Aubert (2004a,b,c, 2005) suggested the existence of conflicting solutions when translating phraseologisms: a search for idiomatic solutions that privilege TT’s readability, and a search for solutions that maintain the cultural and linguistic specificities of ST. This conflict can be seen in the use of the following translation solutions, among others: high use of literal translation and several uses of *interlingua* as a translation choice that can only be admitted because it is used in the context of a translation mode that solidly binds TT to ST as Official Translation does.

As stated by Aubert (2003/2004, p. 3), the purpose of his investigation was not to determine which translation solutions were more or less acceptable but to describe them. Such description might provide a parameter that could eventually help translators make their translational decisions. The same orientation was taken in this study.

1.7.3 Translator's Interventions

An example of how solidly the TT is bound to the ST in Official Translation is given by the constant (and, I would venture to say, expected) translator's intervention in the TT. The translator's presence – or, as Hermans (1996) would rather call it, the *translator's voice* – in the TT is probably the *one* feature of an Official Translation that distinguishes it the most from other translation modes. Starting with a (usually) somewhat long letterhead that includes several elements that identify both the translator and his/her official position, the translator's presence can be easily spotted in any Official Translation. Although letterheads vary, they all include similar information: the translator's name and address, his/her registration number with the Commercial Registry, and his/her certification to have received a document for translation, which s/he does to the best of his/her knowledge. A sample is provided below:

XXX

Matrícula JUCEXX N^oXXX



República Federativa do Brasil

Fone: XXX – Fax: XX

TRADUTORA PÚBLICA E INTÉRPRETE COMERCIAL
DO IDIOMA INGLÊS

CERTIFIED TRANSLATOR, ENGLISH

(TRADUÇÃO No. ____

Livro ____

Fls. _____)

Data:

CERTIFICO E DOU FÉ, para os devidos fins, que me foi apresentado um documento em vernáculo, a que atribuí o nome de “DIPLOMA DE XXX”, o qual passo a traduzir para o idioma inglês, no seguinte teor:

(TRANSLATION no. _____ Book ____ Pages _____) Date: XXX

I CERTIFY AND ATTEST, for all due purposes, that a “DIPLOMA OF XXX” written in the Portuguese language was handed to me, which I hereby translate into English, word for word, to the best of my knowledge and ability, as follows:

If such letterhead were taken out from an Official Translation, that translation would still show features that would make it easily recognizable as an official one. For instance, it would show the translation fee that should appear at the end of the translation; the phraseologism *do que dou fé* [an indispensable means to verify the fact that that document is certified as a true and official translation], and the translator’s signature and stamp and/or seal. But apart from these appendages to the TT, other interventions can be clearly identified as the translator’s presence in the TT: the translator’s paratextual comments and notes.

Translator’s comments appear in Official Translations for several purposes, such as: to highlight the existence of a semiotic item (e.g. [school logo]; [illegible signature]); to provide information as to where some specific textual material appears in the ST (e.g. [back of the document]; [Reverse side of page 01]), or to explain some cultural item (e.g. CNPJ [Corporate Taxpayer Registration]). They are usually used for brief comments, and usually appear in TTs in square brackets, ([]), braces ({ }), or parentheses.

Translator’s notes also serve several purposes in Official Translations, and they are usually used in the following situations: to explain school grading systems (e.g. [Translator’s note: Brazilian grading system ranges from 0 to 10, the latter being the highest grade possible. Minimum passing grade is 5.0.]); to provide

information about the validity of an Official Translation (e.g. *Translator's Note: An official translation is valid only when accompanied by the original document (or certified copy of it) bearing the translator's stamp and initials*); or to explain units of measurement (e.g. N.T. Pé (foot) = 30,48cm – Polegada (inch) = 2,54cm– Libra (pound) = 453,59 g). For the purposes of this study, a translator's note is understood as any note added to a TT to explain any particular aspect of that translation, and which is introduced by the expression *Translator's Note*.

1.8 Translation Strategies Employed in the Translation of Semiotic Items and Culture-Bound Items.

Official Translators usually have to face a number of practical difficulties regarding the strategies that they should employ to deal with the semiotic items found in the ST and the lexical gaps in the TL. They usually ask themselves a number of questions, such as: Should I *just translate* the item and add an explanation in a footnote? Should I keep the item in its original form and add a footnote? Should I paraphrase the item? Should I just describe it?

Up to now the term “strategies” has been used in this study in a loosely, pragmatic way, but I believe it is time now to apply a narrower interpretation to it. However, a word of warning is necessary: it is not the purpose of this study to clear up the considerable fuzziness that surrounds the concept, but only to provide a working definition that can fit the purposes of this study.

The concept has been given different names: the term “shifts” has been used by some authors (Catford, 1965, pp. 73-82; Nida & Taber, 1992, p.107, Bassnett-McGuire, 1980, p. 115); Vinay & Darbelnet (1995, pp. 30-40) use the term “methods”, which are divided into “procedures”; the term “techniques” is employed

by Newmark (1988b, p. 145); some authors refer to translation “strategies” (Chesterman, 1997, pp. 87-116), (Emma Wagner in Chesterman, 2002, pp. 58-59). Some Brazilian authors have opted for “procedures” (Barbosa, 1990, pp. 79-111); others for “modalities” (Aubert, 1998b, pp. 129-157), and other for “strategies” (Alves, 2000, pp. 113-128).

The term “strategy” is used here as defined by Lörscher (1991, p. 76, apud Chesterman, 1993, p. 13):

“a translation strategy is a potentially conscious procedure for the solution of a problem which an individual is faced with when translating a text segment from one language into another.”

A number of translation strategies have been identified by various scholars. For instance, Newmark (1988) has identified a number of strategies used by translators (p. 103). They are:

1. Transference:

Original SL item used as loan in TL. (e.g. *coup d'état*).

2. Cultural Equivalence

Swapping the culture-bound item for an equivalent item in the TL culture. (e.g. *Baccalauréat* = A Level).

3. Neutralisation

Providing a functional or descriptive equivalent using a more general, culture-free item. (e.g. *Baccalauréat* = *French school leavers' exam*).

4. Literal Translation

Self-explanatory, literal translation but not necessarily adhering to grammar structures like word-for-word or one-to-one translations. (e.g. *Treasury* translated as

finance ministry).

5. Label

Provisional translation, of a new institutional term, usually done through literal translation and may be left in inverted commas. (e.g. *heritage language = langue d'héritage*).

6. Naturalisation

An extension of transference, adapts the loan word to sound like a TL word. (e.g. *thatchérisme*).

7. Componential Analysis

Splitting up the lexical unit into sense components, the translation will then often comprise several words. (e.g. *gîtes= rural lodgings in France let to tourists*).

8. Deletion

That strategy means the omission of a term.

9. Doublet

A combination of two (or more) procedures, most frequently in the form of transference followed by explanation but can be Label or Naturalisation followed by explanation.

10. Accepted standard translation

The accepted Official Translation, often of an institutional term. (e.g. *Bundesrat = Council of Constituent States*).

11. Paraphrase, gloss, notes, etc

Provides additional cultural information on the assumption that the reader will not have heard of the word.

12. Classifier

A word added, often a generic noun, to classify a cultural item. (e.g. *Basque skirt*).

Chesterman's (1997) all encompassing and largely used translation strategies have added a number of strategies to the ones mentioned above. Such strategies have been classified into the following:

A. SYNTACTIC STRATEGIES:

These are strategies that manipulate form. They involve syntactic changes of one kind or another (p. 94). They are:

1. Literal translation: it occurs when the translation rendered is “maximally close to the SL form, but nevertheless grammatical” (p. 94).
2. Loan or calque: this strategy includes “the borrowing of individual items or the borrowing of syntagma” (p. 94).
3. Transposition: transposition is said to occur when there is “any change of word-class, e.g. from noun to verb, adjective to adverb.” (p 95).
4. Unit shift: this strategy is employed when a ST unit [morpheme, word, phrase, clause, sentence, paragraph] is translated into a different unit in the TT (p. 95).
5. Phrase structure change: this strategy corresponds to an internal change in the unit, which “comprises a number of changes at the level of the phrase, including number, definiteness and modification in the noun phrase, and person, tense and mood in the verb phrase.” (p. 96).
6. Clause structure change: this strategy refers to “changes that have to do with the structure of the clause in terms of its constituent phrases” (p. 96).
7. Sentence structure change: this strategy refers to the structure of the sentence-unit and includes “changes between main-clause and sub-clause status, changes of sub-clause types etc” (p 97).
8. Cohesion change: this is a change that “affects intra-textual reference, ellipsis, substitution, pronominalization and repetition, or the use of connectors of various

kinds” (p. 98).

9. Level shift: in this case “the mode of expression of a particular item is shifted from one level to another”. The levels mentioned include phonology, morphology, syntax, and lexis (p. 99).

10. Scheme change: this strategy refers to “changes that translators incorporate in the translation of rhetorical schemes such as parallelism, repetitions, alliteration, metrical rhythm etc” (pp. 99-100). Four subdivisions can be distinguished: i) ST scheme X is translated into TT scheme X; ii) ST scheme X is translated into TT scheme Y; iii) ST scheme X is translated into TT scheme; iv) ST scheme ϕ is translated into TT scheme X (pp. 100-101).

B. SEMANTIC STRATEGIES:

These are strategies that manipulate meaning (101). They are:

1. Synonymy: according to this strategy a synonym or near-synonym is used, not the “obvious” equivalent, in order, for instance, to avoid repetition (p. 102).
2. Antonymy: in this case an antonym is used and combined with a negation element (p. 102).
3. Hyponymy: three possible shifts occur: i) ST superordinate is changed into a TT hyponym; ii) ST hyponym is changed into a TT superordinate; iii) ST hyponym X is changed into a TT hyponym Y (p. 102)
4. Converses: these are “pairs of (usually) verbal structures which express the same state of affairs from opposing viewpoints” (e.g. Buy and sell (p. 103)).
5. Abstraction change: in this case there is a “move from abstract to more concrete or from concrete to more abstract” (p. 103).

6 Distribution change: by using this strategy, the “same” semantic components are distributed over “more items (expansion) or fewer items (compression)” (p. 104).

7. Emphasis change: the emphasis or thematic focus is added to, reduced or altered for whatever reason (p.104).

8. Paraphrase: in this case the pragmatic sense is given priority and TT “can be described as loose, free, in some contexts even undertranslated”, such as what occurs with the translation of idioms (p. 104).

9. Trope change: strategy applied to the translation of rhetorical tropes, or figurative expressions. Four main subclasses can be distinguished: i) ST trope X is translated into TT trope X; ii) ST trope X is translated into TT trope Y; iii) ST trope X is translated into TT trope ϕ ; iv) ST trope ϕ is translated into TT trope X (pp. 105-106).

10. Other semantic changes: several other kinds of modulations would be included here such as “a change of (physical) sense or of deictic direction” such as, respectively, from oral to visual sense or instead of calling attention from “here” to “there”, TT privileges from “there” to “here” (p. 107).

C. PRAGMATIC STRATEGIES:

These are strategies that manipulate the message itself. They incorporate syntactic and/or semantic changes, and “are often the result of a translator’s global decisions concerning the appropriate way to translate the text as a whole (p. 107).

1. Cultural filtering: this strategy is also known as naturalization, domestication or adaptation, that is, the translation of SL items into “TL cultural or functional equivalents, so that they conform to TL norms” (p. 108).

2. Explicitness change: this change occurs through the addition of components to TT that are implicit in the ST (explicitation), or by making implicit (implication) some ST elements that readers “can be reasonably expected to infer” (pp. 108-109).
3. Information change: in this case, new (non-inferable) information deemed to be relevant to the TT readership is added, or ST information deemed to be irrelevant is omitted (p. 109).
4. Interpersonal change: this strategy refers to “a change in the relationship between text/author and reader” such as a change in formality level, degree of emotiveness and involvement, or the level of technical lexis (p. 110).
5. Illocutionary change: this change refers to changes of speech act, such as a change in the mood of the verb from indicative to imperative, or the use of rhetorical questions (pp. 110-111)
6. Coherence change: this strategy covers “the logical arrangement of information in the text, at the ideational level” (p. 111).
7. Partial translation: examples of partial translations are summary translation and transcription (p.111).
8. Visibility change: this strategy aims at changing the status of the authorial presence and foregrounding the translator’s presence by the use of, for instance, translator’s footnotes, bracketed comments, or glosses (p. 112).
9. Transediting; this strategy is used when the translator has to perform a radical re-ordering or rewriting of badly written originals (p. 112).
10. Other pragmatic changes: examples of these changes are: changes in layout and choice of a specific dialect when the ST is not readership-specific (p. 112).

Some Brazilian authors have also proposed their own translation strategies (see, for instance, Barbosa 1990, Aubert 1998b, Alves, 2000). Because of their pertinence to Official Translations, Aubert's (ibid.) strategies - which by the way he calls modalities - are further described as follows:

1. Omission: there is omission when “a given text segment of the Source Text **and** the information it contained cannot be traced in the Target Text” (p. 135, emphasis his). This means that the information omitted is not recovered in any other part of the TT. Some reasons are provided for the omission of ST elements: censorship, physical limitation of space, and irrelevance of the text segment (p. 135).

2. Transcription: this strategy is employed in three situations: i) when the segment is common heritage of SL and TL, such as numbers, algebraic formulae etc; ii) when the segment does not pertain to either SL or TL, but to a third language, such as Latin phrases and aphorisms); iii) when the ST contains a word borrowed from TL (pp. 135-136).

3. Loan: this refers to the reproduction of a text segment originally written in the SL in the TT, with or without markers that identify it as a loan, such as inverted commas, italic etc). Yet a word of caution is in order here. As pointed out by Aubert (ibid.), the simple fact of being written in the SL does not make a text segment automatically a loan. Some English words have become part of the Brazilian Portuguese lexicon and acquired a distinctive meaning, such as ‘outdoor’, and cannot be considered loans.

4. Calque: similarly to a loan, a calque means a text segment that has been borrowed from the SL. However, it differs from a loan in that: (i) it had “undergone certain graphical and/or morphological adaptations to the conventions of the target language; (ii) it is not “recorded in recent major dictionaries of the target language” (p136)..

5. Literal Translation: this refers to word-for-word translation. A comparison between ST segment and TT segment will reveal: i) “the same number of words, in (ii) the same syntactical order, employing (iii) the ‘same’ word classes and (iv) the lexical choices can be contextually described as interlinguistic synonyms” (e.g. Her name is Mary → translated into → Seu nome é Maria (pp. 136-137)).
6. Transposition: the use of this strategy results in the morphosyntactic rearrangement of the ST segment, that is, at least one of the first three criteria for literal translation is not met. This can occur when (i) two or more words are collapsed into one, (ii) a single word is expanded into several words; (iii) the word order is altered; (iv) there is a change in word class, (v) any combination of these is found (p. 137).
7. Explicitation/Implicitation: they occur when information that is implicit in the ST is made explicit in the TT, or information that is explicit in the ST is converted into implicit reference (p. 137).
8. Modulation: it occurs when there is a change in the semantic surface structure of the segment, but the overall meaning effect is the same (p. 138).
9. Adaptation: this is described as a “cultural assimilative procedure” in that there is a “partial equivalence of sense, deemed sufficient for the purposes of the translational act” (p. 138)
10. Intersemiotic Translation: this strategy is employed when items such as figures, logos, seals and the like are rendered as textual material (p. 138).
11. Error: this category includes only “obvious muddles”, but not “translational solutions perceived as ‘inadequate’, as stylistically inconsistent, etc.” (p.139).
12. Correction: the use of this strategy results in a TT version that is ‘upgraded’ in comparison with the ST in that it corrects factual and/or linguistic errors,

inadequacies or blunders found in the ST (p.139).

13. Addition: this strategy refers to “any textual segment included in the Target Text by the translator on his/her own account, not motivated by any explicit or implicit content of the original text.” For instance, an explanation can be added to a TT when a fact occurred after the production of the ST, which elucidation the translator deems justified (p. 139).

Aubert (1998b) emphasizes that these strategies can appear in isolation, or they can co-occur. In the latter case, they can be accounted for under a ‘*mixed categories*’ heading (p. 140). Mixed categories were expected to be found in the analysis of the data source of this study.

Although the strategies proposed by Vinay e Darbelnet (1995) have served as the basis for most of the strategies described above, they are not enough to cover all the strategies employed by translators (Barbosa, 1990, p. 90)¹⁹. As each scholar proposes different strategies that can be found in the work done by translators, this study will not follow only one scholar’s classification but will present all the strategies found in the analysis. Hence, the analysis of the occurrences found in my pilot study revealed the recurrent use of the following translation strategies, as described by Newmark (1998), Chesterman (1997), and Aubert (1998b):

Newmark’s strategies: Doublet, Accepted Standard Translation, and Classifier.

Chesterman’s strategies: Loan, Literal Translation, Cultural Filtering, Information Change, Partial Translation, and Visibility Change.

Aubert’s strategies: Intersemiotic Translation and Correction.

¹⁹ “Parece estar claro que a descrição de Vinay e Darbelnet (1977) não é suficiente para cobrir todos os procedimentos técnicos encontrados nas traduções” (Barbosa, 1990, p. 90)

The strategies employed by the translators participating in this study will be presented in Chapter III, which deals with the analysis of the data source of this study.

1.9 The Binding Nature of Norms

Though norms in the context of DTS are investigated in a purely descriptive manner, their binding nature cannot be denied. Norms are thus thought to put pressure on the practicing translator and affect the production of any TT. As pointed out by Hermans:

Norms imply that there is, among the range of options that present themselves, a particular course of action which is generally accepted as 'proper' or 'correct' or 'appropriate'. That course of action, it is agreed, *should* therefore be adopted by all who find themselves in that type of situation. Each time a norm is observed, its validity is confirmed and reinforced (2000, p. 11, his emphasis).

The consequence of this approach is that "learning to translate means learning to operate with and within the norms of translation" (Hermans, 2000, p. 12), and "the notion of what constitutes 'correct' behaviour, 'correct' linguistic usage or 'correct' translation is therefore a social and cultural construct" (p. 13).

Within the context of production of an Official Translation, which has to be learned almost overnight, that is, as soon as one passes the exam to become an Official Translator, it seems important that the norms of Official Translation be investigated and described. Such description should then be based on the strategies repeatedly used by professional translators, and on the translator's notion of correct behavior in Official Translation.

Hence, a sound entry point for the study of norms in Official Translation in the sense this word acquire in DTS might be an investigation of Official Translations in order to identify the translator's strategies that end up being the source of all Official Translators' normative behavior. In addition to examining translated texts, that is, what is effectively done by translators, it is paramount to investigate what translators state that should be done because it is this 'notion of correctness' that exerts pressure on the translator's behavior. For achieving this second objective, the contributions given by translators' associations and the discussions provided by translators' groups on the Internet may be very enlightening. An awareness of all such information will probably make Official Translators more confident when deciding to abide by or to breach the translational norms governing Official Translations done in Brazil, as exemplified by the translations done by the Official Translators participating in this study.

1.10 Final Remarks: Adopting a Norm-Based Approach to Investigate Official Translations.

This study adopts a norm-based approach to investigate Official Translations. Some consequences derive from this choice:

- i) the object of this study are the regularities derived from actual translational behavior and the statements made by translators approving of a certain translational behavior, irrespective of the greater or lesser degree of competence the translator might have;
- ii) the historical and situational context in which it is developed is clearly described in the next chapter, and the norms that may derive from it are valid for that context only;

iii) the evaluative comments made, if any, will be based on the norms reconstructed from the aforementioned translated texts and verbal statements.

As pointed out by Schäffner (1999), a number of issues are raised when describing translation as a norm-governed behavior. Some of these issues are: “how do we reconstruct norms from textual features? What is the relationship between regular patterns in texts and norms? How do translators acquire norms, do they behave according to norms, and are they conscious of their norm-governed behaviour?” (p. 7). In order to attempt to answer these questions the focus of this study was the actual behaviorally-confirmed translation strategies employed by Official Translators. In addition, the context of this study was extended beyond the investigation of translated texts to the investigation of what translators thought that they should do when going about doing their job. How this reconstruction of norms was done is the content of the next chapter which deals with the methodological framework of this study.

CHAPTER II

METHODOLOGY

Needless to say, whatever regularities are observed, they themselves are not the norms. They are only external evidence of the latter's activity, from which the norms themselves (that is, the 'instructions' which yielded those regularities) are still to be extracted (Toury, 1999, p. 15).

2.1 Initial Remarks

As described in the Introductory Remarks, the purpose of this study is two-fold: first, a description of the strategies used in the Official Translation of some specific semiotic items and culture-bound items¹ within the context of Brazilian Official Translations; second, an investigation of the types of translator's interventions in TTs. In order to reconstruct the norms that act as constraints to the behavior of Official Translators, two sources of norms were investigated: textual sources, that is, the strategies effectively used by translators, and extratextual sources. These sources refer to the statements made by translators about what they consider to be appropriate behavior in the Official Translation of such items, and also the contributions of two translators associations and by members of the Forum-Jur Internet discussion group. The main purpose is to investigate whether what is done in practice and what is said should be done can lead to the recognition of a norm being into operation for the translation of such items, and behind the interventions made by translators in TTs. Taking into account that "(a) researcher's method for investigating norms should correspond to his or her definition of what a norm is" (Brownie, 1999 p. 7), I have

¹ See Chapter I, item 1.7 for definitions of both terms.

devised a method to collect translated texts and analyze them. Another method was proposed to investigate paratextual interventions. Both methods are described below.

This Chapter begins with the description of a pilot study conducted about translations done for official purposes in the United States, and which served as the basis for the investigation of Official Translations to be conducted in Brazil. Next, it sets out to describe the methodology used to collect and analyze the Brazilian data.

2.2 Pilot Study

This study was initially conceived as a comparison between Official Translations as done in the American and Brazilian contexts. The hypothesis was that translators working in the American context are subject to fewer constraints than those working in the Brazilian context. The reason for this is that in Brazil the profession of Official Translator is regulated and subject to clearly (and some not so clearly) stated constraints. However, that comparison proved to be unfeasible due to the differences between the two systems. There were too many variables to be controlled. For instance, not all translators working in the US could be contacted, and thus not all of them answered the questionnaire, while those in Brazil did.

However, the data collected in the United States was authentic and too valuable to be discarded. Those data pointed towards some avenues of research that I had not envisaged, and made me re-evaluate my whole project design. Hence, I decided to use those data and the results from that investigation to help improve the design of my research project. I considered the results as a model for the experiment I would conduct with Brazilian translators.

The data collected in the United States was approached in a very *descriptive-like* manner, that is, I set out to analyze the data I had in my hands with the

expectation that the regularities of translational behavior found in the TTs would somehow *stand out* from the texts and point towards certain norms being into operation. Therefore, instead of approaching the texts under analysis looking for predetermined specific features, I approached the texts looking for any special features that my own experience as an Official Translator² would deem worth investigating. The result of such an open minded, all encompassing analysis was the long list of translational decisions made by translators that can be found in the table below:

| 1 – PRELIMINARY DECISIONS | | | |
|--|---------------------------------------|---|--|
| 1,1 Initial decisions concerning format: | As close to original as possible | Reasonably close to original | Bears little resemblance to original |
| 1.1.1 General layout | | | |
| 1.1.2 Type of font | | | |
| 1.2.3 Line endings | | | |
| 2. Degree of fullness of Translation | The entire text is translated | Very little is left untranslated (less than 5% of the ST) | Large chunks are left untranslated (more than 30% of the text) |
| 2 – MACRO-LEVEL DECISIONS | | | |
| 2.1. Textual segmentation | Similar to ST's | Slightly different from ST's | Very different from ST's |
| 2.2 Culture-bound items | Use of borrowing /literal translation | Equivalent in TC | Omission |
| 2.3 Differences in expressive meaning | Use of TL equivalent expressive form | Use of TL neutral equivalent + modifier | Omission |
| 2.4 Marked collocations | Use of a marked collocation in TT | Use of an unmarked collocation in TT | Omission |
| 2.5 Additions | At paragraph level | At sentence level | At word level |
| 2.6 Omissions | At paragraph level | At sentence level | At word level |
| 3 – MICRO-LEVEL DECISIONS | | | |
| 3.1 Semiotic Translation | Translated/ Described | Mentioned/Reproduced | Omitted |
| 3.1.1 Coat of arms | | | |
| 3.1.2 Seals | | | |
| 3.1.3 Stamps | | | |
| 3.1.4 Signatures | | | |
| 3.1.5 Company logos | | | |
| 3.1.6 Illustrations | | | |
| 3.2 Addresses | Untranslated | Literal Translation | Adaptation to TC |
| 3.3 Degrees and Titles | Literal Translation | Adaptation to TC | Omission |

² I have been an Official Translator in the state of Santa Catarina, Brazil, for the past 16 years, and did 13,069 Official Translations until July 31, 2006.

| | | | |
|--|-------------------|--------------------------------|----------------------------------|
| 3.4 Use of proper names | Untranslated | Literal Translation | Adaptation to TC |
| 3.4.1 Places | | | |
| 3.4.2 Institutions | | | |
| 3.4.3 Companies | | | |
| 3.5 Treatment given to terms blacked out | Reproduced | Ignored | Translator's note |
| 3.6 Treatment given to obvious errors | Reproduced | Ignored | Translator's note |
| 3.7 Abbreviations | Reproduced | Translated | Reproduced /Translated |
| 3.7 Diacritical marks | Always Used | Sometimes used | Not used |
| 4- CONTEXTUAL DECISIONS | | | |
| 4.1 Overall orientation | Extremely literal | SL-text oriented (Adequate TT) | TL-text oriented (Acceptable TT) |
| | | | |

Table 1 - Translational decisions made by translators participating in the Pilot Study.

I soon realized that an all-encompassing analysis such as the one proposed above would be far beyond the limits imposed by a doctoral dissertation project, given that each one of the four large areas would in itself allow for (and require) an in-depth analysis. But when analyzing the material collected in the US, one item stood out: how signs were (not) translated into words. I then set out to investigate how intersemiotic translation was carried out by the 15 translators working in the US and participating in the study. The data comprised 154 official translations made available by the Translation Center at the University of Massachusetts and by members of the Portuguese Division of the American Translators Association – ATA.

As previously explained, I decided to use the data collected in the United States as a pilot study for the data collection and analysis to be conducted with Brazilian Official Translations. How the pilot study was conducted and its results are described below.

2.2.1 Data source collected in the United States

The data used in the pilot study was collected in the United States, and came from two different sources:

1) Approximately 90% of the texts collected in the US were taken from the files of the Translation Center at the University of Massachusetts Amherst, USA. The Translation Center offers professional translation and interpretation services in over 80 languages, in various fields, including legal, medical, business and technological.

The Translation Center was chosen due to the high concentration of Brazilian immigrants living in the state of Massachusetts, and the consequent demand for official translation services. The translations collected at the Translation Center were done by 12 translators contracted to the Center on a free lance basis and one fulltime staff member. These translators did not operate under any strict rules set by the Translation Center. All of them worked into their mother tongue.

2) Some other texts collected were provided by two translators invited to participate in this study. Translators working in the US were invited to participate by an invitation issued by me and sponsored by the Administrator of the Portuguese Language Division of the American Translators Association (ATA) in the May 2002 edition of the PLData, the newsletter issued by that Division of the ATA. The ATA was chosen because it is a national translators' accreditation agency, and it would seem reasonable to presume that its members were representative of the practicing American translators. The reasoning behind this was that if you take the trouble to join a professional association with all that this entails – paying annual fees, attending meetings and conferences etc. –, it is because you most probably are a practicing translator. Some translations were generously submitted by one translator

from Texas and another from Florida. A total number of 154 translations provided by the Translation Center and by ATA members were analyzed.

Two procedures were followed when collecting the data. As reported above, the translated texts collected from the Translation Center at UMASS included all of the translations found in the Center's files with the English-Brazilian Portuguese language pair. Similar texts were collected, that is, more than one sample of each text type done by one single translator, such as more than one academic transcript, more than one diploma etc. This was done because, although there was an initial concern that the data could be falsifiable, a preliminary analysis of the data revealed some inconsistencies in the strategies used within the corpus of individual translators. As the time span for data collection at the Translation Center was fairly extensive (5 years), this opened up the possibility of a change in the strategies used by any one translator. In light of these circumstances, it was decided to include all of the translations done by each participating translator that could be collected.

As for the translated texts to be sent by translators from other states, each translator was asked to contribute only one text of each type (e.g. only one birth certificate), but as many text types as s/he wanted (e.g. one birth certificate, one contract etc.). As participation was expected to be low, this procedure would avoid a situation in which one translator would send a large number of similar translations of the same text type, done within a limited time span.

All translations collected in the US were known to be designed for use for official purposes, that is, to be submitted to governmental agencies, educational institutions, courts of law, or the like. They came from the states of Massachusetts,

Florida and Texas, and the time span in which they were done extended from 1998 to 2002.

Except for the translators working for the UMASS Translation Center, with whom I did not have a personal contact, the translators participating in the pilot study have been guaranteed anonymity. The Director of the Translation Center was also assured that none of its translators' identities would be revealed. Moreover, all items that could lead to the identification of the original document's owner were blacked out or deleted.

For the purposes of the pilot study, each translator was identified by a number. Likewise, all original texts and their corresponding translations were identified by a sequence of letters and numbers. The letters identified the type of document and whether it was translated into either English or Portuguese, and the number was included for reference purposes only, and did not imply any chronological ordering. Hence, BCERTTE1 meant Birth Certificate Translated into English – Translation no. 1, CERTTE2 meant Certificate Translated into English – Translation no. 2, and so on.

All original texts were presented in hard copy, and their translations were presented either in hard copy or electronic format. The translations collected varied in length from one to seven pages.

The table below shows the number of types of texts analyzed and the number of texts provided by each translator:

| | T1 | T2 | T3 | T4 | T5 | T6 | T7 | T8 | T9 | T10 | T11 | T12 | T13 | T14 | T15 | TOTAL |
|--------------------------------------|-----------|----------|----------|-----------|----------|-----------|----------|----------|----------|----------|----------|-----------|----------|----------|----------|------------|
| <i>Birth Cert.</i> | 7 | 1 | 1 | | 1 | | | | 1 | | | | | 1 | | 12 |
| <i>Marriage Cert.</i> | 3 | | | | | | | | | | | 1 | 1 | | | 5 |
| <i>Driver's License</i> | 1 | | | | | | | | | | | | | | | 1 |
| <i>Diploma</i> | 3 | | | 5 | | 12 | 1 | 1 | | | | 1 | | | 1 | 24 |
| <i>Acad. Transcript</i> | 7 | | | 2 | 1 | 2 | | 1 | | 3 | | | | 1 | | 17 |
| <i>Certificate</i> | 7 | 4 | 1 | | | | | | | 1 | | | | | 1 | 14 |
| <i>Declaration</i> | 2 | 1 | | 1 | | 3 | | | 1 | 1 | | | | 2 | | 11 |
| <i>Lab Exam</i> | | | | 4 | | 5 | | 4 | | | | | | | | 13 |
| <i>Medical Report</i> | | | | 6 | | 4 | 3 | 1 | | | | 3 | | | | 17 |
| <i>Police Record</i> | | | | 6 | | 8 | 1 | 1 | | | | 5 | | 2 | | 23 |
| <i>Form</i> | | | | | | 1 | 1 | | | | | | | | | 2 |
| <i>Diploma with Acad. Transcript</i> | 5 | | | | | | | | | | | | | | | 5 |
| <i>Letter</i> | 1 | | | 1 | 1 | | | | 3 | | 1 | | | | | 7 |
| <i>Account Summary</i> | 1 | | | | | | | | | | | | | | | 1 |
| <i>Judicial Order</i> | | | | | | | | | | | | | | 1 | | 1 |
| <i>Abstract</i> | | | | | | | | | | | | | | 1 | | 1 |
| TOTAL | 37 | 6 | 2 | 25 | 3 | 35 | 6 | 8 | 5 | 5 | 1 | 10 | 1 | 8 | 2 | 154 |

Table 2 – Text types provided by each translator

2.2.2 Data analysis and interpretation

The results of the pilot study conducted in the US were published in the May 2003 issue of the ATA Chronicle, a publication of the American Translators Association.

The analysis revealed the recurrent use of the following strategies in the translation of the semiotic items found in the source text:

Strategy 1 - the sign is reproduced exactly as it is in the source text:

One illustration of this strategy is found in the reproduction of symbols such as [] and &, exactly as used in the source text.

Strategy 2 - the sign is translated into words:

This strategy can be exemplified by the use of conjunction “and” in place of “&” and the use of “jovem” (young lady, in the specific case investigated) as a substitution for the internationally used female sign (♀).

Strategy 3 - the sign is translated and described:

For instance, a note is used such as [Trans note: The following stamp appears twice, once near the top and once near the bottom of the page.], and there follows a translation of the stamp's content. Another example runs as follows: [round stamp in every page] Centro Universitário de Jaraguá do Sul – UNERJ – Director of Academic Records.

Strategy 4 - the sign is translated and mentioned:

In this case, the sign is simply mentioned, such as [Seal], and there follows a translation of its content, such as FEDERAL REPUBLIC OF BRAZIL. Another example is the following: [Stamp: Office of the Civil Registry, Titles and Documents, Antonio de Araujo, Officer, Assis Chateaubriand District, Paraná].

Strategy 5 - the sign is described, but not translated:

An illustration of the use of this strategy is the following description of a stamp in which much more information was provided, but not translated: [Stamp of Prof. Moacyr Campos High School]. Other examples of description include: [illustration of car]; [Mercedes-Benz symbol].

Strategy 6 - the sign is mentioned:

This strategy can be illustrated as follows: [official stamp]; [signature].

Strategy 7 - the sign is mentioned and reproduced:

In this case, the sign is reproduced as similarly as possible to the sign in the original and its nature as a sign is mentioned, as in the following case:

[logo]: ***ISENAT***

Strategy 8 - the sign is omitted altogether.

Strategies 1 and 8 have been included given the high number of occurrences found.

The treatment given to semiotic items can be summarized in the following table:

| Occurrence | Reproduced | Translated | Translated / Described | Translated / Mentioned | Described | Mentioned | Mentioned / Reproduced | Omitted | Total |
|--------------|------------|------------|---------------------------|---------------------------|-----------|-----------|---------------------------|---------|-------|
| Coat of arms | | 1 | | | 12 | 6 | | 27 | 46 |
| Seals | | | | 6 | 8 | 7 | | 17 | 38 |
| Stamps | 1 | 27 | 4 | 24 | 11 | 4 | | 6 | 77 |
| Signatures | 6 | | | | 5 | 76 | | 42 | 129 |
| Logos | 6 | 3 | | | 1 | 6 | 2 | 21 | 38 |
| Illustration | 1 | 2 | | | 1 | | | 9 | 13 |
| Symbols | 4 | 9 | | | | | | 2 | 15 |
| Photo | | | | | | 1 | | | 1 |
| Fingerprint | | | | | | 1 | | | 1 |
| TOTAL | 18 | 42 | 4 | 30 | 38 | 101 | 2 | 124 | 358 |

Table 3: Strategies identified in the translation of semiotic items.

The table above shows that omitting the sign was a very frequently used strategy (124 occurrences). Since the signs mentioned help identify the ST as an official document, this result can be considered highly unexpected.

Overall, evidence reveals that keeping the semiotic item was the most frequent translational behavior in the TTs investigated. In other words, in 191 of 358 occurrences of semiotic items in the ST, the translator opted for signaling the existence of the sign, as against 167 instances in which the sign was simply translated into words and its existence as a sign was omitted. That is to say that although omitting the item was the most frequent strategy used, when the strategies that signal the existence of a semiotic item are taken together [strategies 1 and from 3 to 7], a noticeable tendency to inform the receptor about the existence of the semiotic item is revealed, regardless of its content being fully revealed or not.

Another noteworthy outcome of the analysis conducted was that there was inconsistency in the treatment given by translators to semiotic items. Table 4 below shows that sometimes the same semiotic item was given different treatments in the same translation. The numbers in each column refer to the number given to each specific TT.

| <i>Occurrence</i> | <i>Reproduced</i> | <i>Translated</i> | <i>Translated / Described</i> | <i>Translated / Mentioned</i> | <i>Described</i> | <i>Mentioned</i> | <i>Mentioned / Reproduced</i> | <i>Omitted</i> |
|-------------------|-------------------|--|-----------------------------------|-----------------------------------|------------------|------------------|-----------------------------------|-----------------------|
| <i>Seals</i> | | | | | | 68 | | 68 |
| <i>Stamps</i> | | 1 2 4 40 55 61 63 65 67 68 80 111 139 152 | 62 64 | 1 2 4 55 63 65 67 139 152 | 29 40 64 | 61 68 69 | | 29 62 69 80 111 |
| <i>Signatures</i> | | | | | 24 125 | 18 65 125 | | 18 24 65 |
| <i>Logos</i> | | | | | | 5 | | 5 |
| <i>Symbols</i> | | 132 | | | | | | 132 |

Table 4: Inconsistent translational behavior in the treatment given to semiotic items.

Some conclusions can be drawn from Table 4:

1. Inconsistency was found in the translation of seals. For instance, in translation number 68, seals were sometimes mentioned, sometimes omitted. The same can be said about the translation of stamps, which were omitted or translated and described in translation number 62, omitted or translated in 80 and mentioned or omitted in 69. The inconsistency in behavior within one single translation becomes more evident in the treatment given to signatures (and initials) found in STs: sometimes the translator mentioned the signature, sometimes s/he omitted it (see, for instance translations number 65, 18), at other times the translator described or omitted signatures (see 24), and described or mentioned signatures (see 125);
2. Stamps were by far the signs receiving the most varying treatments from different translators. In most translations their content was translated without any mention to the fact that that text was included in a stamp. In many translations their content was translated after their nature as stamps was mentioned. In comparison to the treatment given to other signs, few translations omitted the stamps found in the ST.

That was a most unexpected outcome in my opinion. What does it suggest? That translators do not know what they are doing and omit or mention the sign as they please? That the different situations in which a sign appears require different translation strategies? I became curious as to whether Official Translators in Brazil would have the same behavior, and what reasons might exist for such inconsistencies.

2.3 Data Collection in Brazil - Methodology

The results achieved with the pilot study encouraged me to investigate the treatment Brazilian translators give to the semiotic items found in STs. The expectation was that less inconsistency would be found given that even beginner Official Translators in Brazil know that an Official Translation is expected to *not* omit the existence of the semiotic items found in STs.

The data found in the pilot study also aroused my curiosity about two other issues: first, how Brazilian Official Translators would deal with culture-bound items (see item 2.2 above). A superficial analysis of the translation strategies employed by translators in the US revealed that many such items also received a random translation treatment that should be worth investigating. Second, how translators intervened in the TTs. The investigation, to be carried out using samples of the translations done in Brazil by Official Translators, should then seek to investigate the treatment given to both semiotic items and culture-bound items, and how translators intervened in the TTs.

2.3.1 Selecting Brazilian Official Translators

The selection of translators that would be invited to participate in this study started with a visit to the sites of all Commercial Registries (*Juntas Comerciais*) in Brazil in order to look for the names and references of Official Translators appointed for each Brazilian state.

Some Registries (Roraima, Amapá, Alagoas, and Tocantins) did not have an entry for Official Translators in their sites; some others did have an entry, but it referred to ‘ad hoc’ translators (Maranhão, Minas Gerais, and Rondônia). They were contacted by either e-mail or telephone in order to obtain confirmation that there was no Official Translator appointed for those states.

A decision was then made to check the existence of Official Translators’ associations in the Brazilian states where there were Official Translators. The reason for this was because in 2000 the state of São Paulo conducted a public exam for appointing new Official Translators. No limit of vacancies was established, and everyone who passed the exam was appointed. This numbered a few thousand people. As there are not millions of Official Translations to be done by thousands Official Translators, the result was that many people have been appointed who do not (and never did) work as Official Translators. Hence, the idea behind inviting only translators who were members of Official Translators’ associations was that I would be inviting translators who are active in the field, given that it seems reasonable to assume that only practicing translators would join such associations.

The results of this search were compiled, producing a list of names and references. As some associations do not yet have a site, one or two translators in each state were contacted and asked about the existence of an association in their state. The following associations were found to exist:

- Associação Cearense de Tradutores Públicos – ACETESP (www.acetesp.org.br);
- Associação dos Tradutores Públicos e Intérpretes Comerciais do Distrito Federal;
- Associação dos Tradutores Públicos Juramentados de Minas Gerais – ASTRAJUR;
- Associação dos Tradutores Públicos do Paraná – ATPP (atpp@swi.com.br);
- Associação Profissional de Tradutores Públicos e Intérpretes Comerciais, Juramentados, do Estado do Rio de Janeiro - ATPRIO (www.atprio.com.br);
- Associação Catarinense de Tradutores Públicos – ACTP (www.ac-tp.com);
- Associação Profissional dos Tradutores Públicos e Intérpretes Comerciais do Estado de São Paulo – ATPIESP (www.atpiesp.org.br).

The final list of translators to be contacted included:

- all Portuguese↔English Official Translators who were members of the associations mentioned above;
- all translators whose names appeared in the sites of Commercial Registries for the states where there was no association;
- Portuguese↔English Official Translators who were members of the Forum-Jur Internet translation group³, and whose e-mail addresses I had been collecting for a number of months prior to contacting them.

As a rule, *ad hoc* translators, that is, those who have not sat a public exam to become an Official Translator but who are sometimes appointed by Commercial Registries to do some specific translations that are validated by such Registries, were not included in that list. An exception was made in the case of the State of Minas Gerais. The only three Official Translators that the state had are not working anymore (one died, another retired, and another resigned). Hence, the *Associação dos Tradutores Públicos Juramentados de Minas Gerais – ASTRAJUR* decided to accept

³ For an explanation about the Forum-Jur translation group, see Chapter I, item 1.6.2.

three *ad hoc* translators who had long worked as translators and whose competence was recognized by that association. These translators were included in the list of participants because their names are included in that state's association.

2.3.2 Contacting translators

Once the list was made, I began contacting all translators. In order to minimize the stylistic idiosyncrasies usually associated with one specific translator (Atkins et al, 1992, p. 5), I attempted to have participation of all the translators included in the list, and an exhaustive effort was made to contact them. I started contacting those whose e-mail addresses were included in the references obtained from the sites mentioned above. Next, I sent regular mail to all the translators whose e-mail addresses I did not have, or whose e-mail messages had returned. In total, I sent 345 e-mails and 65 letters.

All 410 translators were sent the following documents:

- an e-mail message sent to Brazilian translators (Appendix C) or a letter sent to Brazilian translators (Appendix D);
- a research description (Appendix E);
- a questionnaire (Appendix A);
- a Confidentiality Agreement (Appendix F).

These documents explained in detail how translators could participate (e.g. types of translations requested, deadline for their submission etc.), how they would benefit from participating, and how the researcher and her supervisor accepted full responsibility for the use of the documents sent. All the translators participating in this study have been guaranteed anonymity. Moreover, they were assured that all items that could lead to the identification of the original document's owner and the

translator would be blacked out by the researcher, in case they had not been blacked out by the translator him/herself.

The table below shows the existing associations, the total number of translators existing in each state, the number of translators who were reported not to be working as Official Translators, and the number of translators who agreed to participate in this study.

| STATE | MEMBERS OF ASSOCIATION | TOTAL NUMBER OF TRANSLATORS | NOT ACTING TRANSLATORS (*1) | TRANSLATORS PARTICIPATING |
|---------------------|------------------------|-----------------------------|-----------------------------|---------------------------|
| ACRE | NONE | NONE | NONE | NONE |
| ALAGOAS | NONE | NONE | NONE | NONE |
| AMAPÁ | NONE | NONE | NONE | NONE |
| AMAZONAS | NONE | 6 | - | NONE |
| BAHIA | NONE | 7 | 2 | 1 |
| CEARÁ | 6 | 7 | 1 | 1 |
| DISTRITO FEDERAL | 4 | 6 | 1 | 1 |
| ESPIRITO SANTO | NONE | 12 | - | 1 |
| GOIÁS | NONE | 4 | - | 2 |
| MARANHÃO | NONE | (only ad hoc) | NONE | NONE |
| MATO GROSSO | NONE | 4 | - | NONE |
| MATO GROSSO DO SUL | NONE | 3 | - | NONE |
| MINAS GERAIS | 3 | (only ad hoc) (*2) | - | 1 |
| PARÁ | NONE | 3 | - | NONE |
| PARAÍBA | NONE | 2 | - | NONE |
| PARANÁ | 14 | 17 | - | 3 |
| PERNAMBUCO | - | 3 | - | NONE |
| PIAUI | - | 1 | - | NONE |
| RIO DE JANEIRO | 29 | UNKNOWN (*3) | - | 2 |
| RIO GRANDE DO NORTE | NONE | 2 | - | NONE |
| RIOGRANDE DO SUL | - | 9 | 1 | 1 |
| RONDONIA | NONE | (only ad hoc) | NONE | NONE |
| RORAIMA | NONE | NONE | NONE | NONE |
| SANTA CATARINA | 2 (*4) | 3 | - | 1 |
| SÃO PAULO | 259 (*5) | 778 | - | 28 |
| SERGIPE | NONE | 1 | - | NONE |
| TOCANTINS | NONE | NONE | NONE | NONE |

Table 5: Existing associations, translators by state, translators not working, and participating translators

(*1) This column was filled in on the basis of information provided by translators through personal communication. Where such information was not available the column was filled in with a dash.

(*2) As reported above Minas Gerais represents a special case because it has no Official Translator for the English language at the moment. The members of the

Association are *ad hoc* translators who were admitted in recognition of their long-term work as *ad hoc* translators.

(*3) It was not possible to know how many Official Translators for the English language are registered with the Commercial Registry of Rio de Janeiro because the information they provide about translators is not separated by languages.

(*4) The researcher is a member of the association in the state of Santa Catarina but is not participating in this study.

(*5) The researcher's supervisor is a member of the association in the state of São Paulo but is not participating in this study.

As regards the translators' participation in this study it is believed, based on the supportive e-mail messages received, that many translators did intend to participate but for some reason did not have the chance to do so. Some other translators contacted the researcher and said that they did not want to participate because they could not afford the time to look for the material requested. The following table shows the translators' responses:

| STATE | Number of translators contacted by e-mail or by letter - Number of translators who expressed an interest in participating | Number of translators who did not want to participate | Number of translators who sent the questionnaire only | Number of translators who sent material |
|------------------|---|---|---|---|
| AMAZONAS | 6 - | - | - | - |
| BAHIA | 4 (5) (*1) 2 | - | - | 1 |
| CEARÁ | 6 1 | 2 | - | 1 |
| DISTRITO FEDERAL | 3 (4) - | - | - | 1 |
| ESPIRITO SANTO | 11 (12) 3 | 1 | - | 1 |

| <i>STATE</i> | <i>Number of translators contacted by e-mail or by letter – Number of translators who expressed an interest in participating</i> | <i>Number of translators who did not want to participate</i> | <i>Number of translators who sent the questionnaire only</i> | <i>Number of translators who sent material</i> |
|-------------------------------|--|--|--|--|
| <i>GOIÁS</i> | 4 2 | - | - | 2 |
| <i>MATO GROSSO</i> | 3 (4) 1 | | | 1 |
| <i>MATO G. DO SUL</i> | 3 | | | - |
| <i>MINAS GERAIS</i> | 3 2 | - | - | 1 |
| <i>PARÁ</i> | 3 | - | - | - |
| <i>PARAÍBA</i> | 2 1 | - | - | - |
| <i>PARANÁ</i> | 14 | 1 | - | 4 |
| <i>PERNAMBUCO</i> | 3 | | | |
| <i>PIAUI</i> | 1 | | | |
| <i>RIO DE JANEIRO</i> | 29 5 | 7 | - | 2 |
| <i>RIO GRANDE DO NORTE</i> | 2 - | - | - | - |
| <i>RIO GRANDE DO SUL</i> | 8 | - | 1 | 2 |
| <i>SÃO PAULO</i> | | | 1 | |
| <i>SANTA CATARINA</i> | 1 1 | - | - | 1 |
| <i>SÃO PAULO</i> | 252 (261) 45 | 23 | 1 | 29 |
| <i>SERGIPE</i> | 1 - | - | - | - |
| <i>Forum-Jur members (*2)</i> | 17 2 | 2 | | 1 (BA) |

(*1) In the column “Number of translators contacted by e-mail or by letter “, the first number indicates the number of translators who were considered as effectively contacted, that is, the e-mail message or letter sent to them did not return. The number in parentheses indicates the total number of translators to whom e-mail messages or letters were sent.

(*2) The item Forum-Jur members refers to those translators who participate in the Forum-Jur Internet discussion group, and were contacted but were not included in any state because they are not members of their local translators' associations.

2.3.3 Authentic data source collected

Authentic originals (whenever provided) and their corresponding translations were used to identify the strategies used by translators when translating semiotic items and culture-bound items, as well as the interventions made. The reason for not using model translations was that I wanted to describe the translational practices employed in the naturally occurring environment (Baker, 1995, p. 231), and thus only translations that were considered to have been effectively delivered to clients were used in this study.

Official Translators were asked to provide translations done prior to June 15, 2006, the date on which I started contacting translators. Some translators informed that they did not have all translation types requested, but that they could translate their own driver's license, for instance, so that they could send all the text types requested. That offer was politely refused by the researcher. As can be seen from the table above, 46 Official Translators sent material that was received and initially included in this study. Among those 46 translators, four sent from one to three texts only, and were excluded from this study as further explained in Chapter III, item 3.1.1.

2.3.4 Type of data collected

The translations requested from Brazilian Official Translators to constitute the data source of this study were:

- 1 academic transcript;
- 1 birth or marriage certificate;
- 1 police record certificate;
- 1 diploma;
- 1 driver's license.

These documents were chosen because they are widely representative of the kind of documents Official Translators deal with in their daily practice, and according to my own professional experience they should be easily found in any Official Translator's file. Another reason for choosing these text types was that, differently from other text types the content of which can somewhat reveal or at least suggest who their owners might be – as it occurs with contracts, for example – they are documents of a *form-type* nature. This means that once the personal data referring to their holders has been deleted, it is almost impossible to find out who they once belonged to. Hence, I believed that it would be easier to get my colleagues' participation in this study if I requested the documents mentioned above, given that the confidentiality constraint that is imposed upon Brazilian Official Translators would not be at stake.

Initially, translators were requested to send their translations together with a photocopy of the corresponding originals. I soon realized that most Official Translators do not keep a copy of originals in their files. I then realized that I would not be able to do my research with a number of participating translators that I considered minimally representative of the universe of Official Translators in Brazil. Thus, I had to waive that requirement and accept that translators sent me only their translated texts in the event that they did not keep copies of STs. Initially I thought that this would cause me much trouble in the analytical stage of this study, but as

translated texts started to arrive I noticed that most of the texts that translators were sending me were translations of STs that I had in my own extensive file, such as a Florida driver's license or a Canadian police record certificate. In addition, whenever I was in doubt about a specific item in a ST, I contacted a professional colleague by e-mail and asked my colleague to check for that document in his/her file and try to solve my doubt.

2.3.5 Geographical area covered

In order to avoid having a translational behavior that was characteristic of one geographic area only, TTs were requested from various Brazilian states. The data collected in Brazil came from the states of Ceará, Bahia, Goiás, Distrito Federal, Minas Gerais, Espírito Santo, Rio de Janeiro, São Paulo, Paraná, Santa Catarina, and Rio Grande do Sul.

Given that the number of Official Translators in São Paulo is much larger than in any other Brazilian state, there was a special concern that this study would not portray the reality in the state of São Paulo only. Thus, when a second message to remind translators about the deadline was sent to all those who had expressed an interest in participating, a special invitation for participation was made to translators from states other than São Paulo (see Appendix G). But as expected, most contributions came from the state of São Paulo anyway.

2.3.6 Translation period, medium and length of texts

Given the "basic instability" (Toury, 1995, p. 62) of norms, I tried to restrict the time span in which the translations included in this study were done. Hence, it was

requested from translators that they sent translations done from January 1, 2000 to June 15, 2006 only. The bulk of material sent was done between 2004-2006.

All translated texts were presented in either hard copy, electronic format, or both. The translations collected varied in length from one to nine pages. As explained in item 2.3.7 below, only whole TTs were included in the data source.

2.3.7 Sampling bias

In order to avoid sampling bias, participating translators were clearly informed that the only concern that they should have when selecting the texts was that the texts had been the object of an Official Translation and had been delivered to clients. Participating translators should not be concerned about translation quality when selecting and sending the texts, as this study is of a descriptive, non-evaluative nature.

In addition, translators were informed not to be concerned about original text length, or its origin. The only requirement made to translators, in addition to texts being translated for official purposes, was that whole texts were used, and not text fragments. This would prevent translators from selecting passages that they considered to have translated better.

2.3.8 Organizing the data source received

As TTs and questionnaires started to arrive, the following procedures were adopted:

- 1) the sender was given an identification number such as BR1, BR2 etc.
- 2) his/her questionnaire was numbered as BR1QUEST, BR2QUEST etc.
- 3) his/her translations were numbered as follows:
 - Academic Transcript: BR1ATE (translation into English) or BR1ATP (translation into Portuguese);

- Certificate of birth or certificate of marriage: BR1CBE or BR1CBP;
BR1CME or BR1CMP;
- Driver's License: BR1DLE or BR1DLP;
- Police Record Certificate: BR1PRE or BR1PRP;
- Diploma: BR1DE or BR1DP.

4) All personal references referring to the translator were replaced by "XXX", as well as the clients' references that by chance had not been blacked out by translators themselves.

5) All translations and questionnaires were then printed to facilitate analysis and comparison.

The following table includes all TTs received from each participating translator:

| <i>Translator Number:</i> | <i>Academic Transcript</i> | <i>Certificate of Birth or Marriage</i> | <i>Driver's License</i> | <i>Police Record</i> | <i>Diploma</i> | <i>TOTAL</i> | <i>SOURCE TEXT</i> |
|---------------------------|----------------------------|---|-------------------------|----------------------|----------------|--------------|--------------------|
| BR1 | x | x | x | x | | 4 | OK |
| BR2 | x | x | x | x | x | 5 | YES |
| BR3 | x | x | x | x | x | 5 | YES |
| BR4 | x | x | x | x | x | 5 | NO |
| BR5 | x | x | x | x | x | 5 | NO |
| BR6 | x | x | x | x | x | 5 | YES (-PR) |
| BR7 | x | x | | x | x | 4 | NO |
| BR8 | | x | x | x | x | 4 | NO |
| BR9 | x | x | x | x | x | 5 | NO |
| BR10 | x | x | x | x | x | 5 | NO |
| BR11 | x | | | | | 1 | NO |
| BR12 | x | x | x | x | x | 5 | NO |
| BR13 | x | x | x | | x | 4 | NO |
| BR14 | x | x | x | x | x | 5 | NO |
| BR15 | x | x | x | | x | 4 | YES (-AT) |
| BR16 | x | x | x | x | x | 5 | NO |
| BR17 | x | x | x | x | x | 5 | NO |
| BR18 | x | x | x | x | x | 5 | NO |
| BR19 | x | x | x | x | x | 5 | YES |
| BR20 | x | x | x | x | | 4 | YES |
| BR21 | x | x | x | | x | 4 | NO |
| BR22 | x | x | x | x | x | 5 | NO |
| BR23 | x | x | x | x | x | 5 | NO |
| BR24 | x | x | | x | x | 4 | YES (-AT, DL) |
| BR25 | x | x | x | x | x | 5 | YES (-DL) |
| BR26 | x | x | x | x | x | 5 | YES |
| BR27 | x | x | x | x | x | 5 | YES |
| BR28 | x | x | | x | x | 4 | YES (-D) |
| BR29 | x | x | | | x | 3 | NO |
| BR30 | x | x | x | x | x | 5 | YES |
| BR31 | | x | | x | | 2 | NO |
| BR32 | x | x | x | x | x | 5 | NO |

| <i>Translator Number:</i> | <i>Academic Transcript</i> | <i>Certificate of Birth or Marriage</i> | <i>Driver's License</i> | <i>Police Record</i> | <i>Diploma</i> | <i>TOTAL</i> | <i>SOURCE TEXT</i> |
|---------------------------|----------------------------|---|-------------------------|----------------------|----------------|--------------|--------------------|
| BR33 | x | x | x | x | x | 5 | NO |
| BR34 | x | x | x | | x | 4 | YES (- CM, DL) |
| BR35 | x | x | x | | x | 4 | NO |
| BR36 | x | x | x | | x | 4 | NO |
| BR37 | x | x | x | x | x | 5 | NO |
| BR38 | x | x | x | x | x | 5 | YES |
| BR39 | x | x | x | x | x | 5 | NO |
| BR40 | x | x | x | x | x | 5 | NO |
| BR41 | x | x | x | x | x | 5 | NO |
| BR42 | x | x | x | x | x | 5 | YES |
| BR43 | x | x | x | x | x | 5 | YES |
| BR44 | x | x | x | x | x | 5 | NO |
| BR45 | x | x | x | x | x | 5 | NO |
| BR46 | x | | | | | 1 | NO |
| <i>TOTAL</i> | 44 | 44 | 39 | 37 | 41 | 205 | |

Table 6: Material provided by each participating Official Translator.

2.4 Detailed Account of Analysis

Based on Toury's statement that "norms are not directly observable" (1995, p. 65) but have to be reconstructed from textual and extratextual sources, the methodology used for attempting to reconstruct the norms for the strategies employed by Brazilian Official Translators in the translation of semiotic items and culture-bound items, as well in their interventions in TTs, included:

- the analysis of TTs themselves;
- the analysis of "semi-theoretical or critical formulations", "statements made by translators", and "the activity of a translator or 'school' of translators" (Toury, 1995, p. 65).

Following a similar line of investigation, Brownlie (1999) distinguished between two methods for investigating norms, as described below:

Observation of behaviour as outlined above consists of noting what normally occurs (we shall call this "the normal"). On the other hand, in collecting verbal statements the aim is to find out about norms in the sense of people's notions of approved behaviour (we shall call this "the normative") (p. 17).

A clear option was made in this study for investigating not only the *normal*, but also the *normative*. This view is similar to that provided by Brownlie (ibid.). Commenting on the low status accorded to normative pronouncements by Toury (1995, p. 65), Brownlie suggests that taking into account normative statements is necessary given the definition of norm adopted, that is, one that combines the notions of regular behavior and behavior approved by the group, which approved behavior can only be made known through the verbal statements issued by translators themselves. She goes on to affirm that “(i)n the face of the problems in both observation of behaviour and verbal statements, the two types of data can be mutually corrective” (p. 19).

With these words in mind, I decided to accept as participants only the translators who had contributed both the questionnaire and at least four out of the five different text types requested. I believed that by having a higher number of TTs my analysis could more faithfully portray the reality behind each translator’s practice⁴. Keeping this in mind, I included in this study the statements made by translators in the questionnaire, and the contributions from translators’ associations and the Forum-Jur Internet discussion group.

Given the two-fold purpose of this study, different procedures were used to investigate the authentic data described in item 2.3.3 above. Some procedures were used for identifying the strategies used by translators when confronted with the semiotic items and culture-bound items found in the originals to be translated, and for identifying the translator’s interventions made. Other procedures were used for collecting the statements made by translators about what they considered to be

⁴ For further explanation see Chapter III, item 3.1.1.

appropriate behavior in the Official Translation of those items and in the addition of translator's interventions, and collecting the contribution from the two other extratextual sources. Such procedures were expected to lead to the identification of the norms governing the decisions on how to translate semiotic items and culture-bound items, and on how to intervene in TTs. Next follows a description of all procedures taken.

2.4.1 Investigating the *normal* – Procedures for the analysis of TTs

As suggested by Baker (1998) "one identifies norms of translational behaviour by studying a corpus of authentic translations and identifying regular patterns of translation, including types of strategies that are typically used by the translators represented in that corpus" (p. 164). In this study, translational behavior was identified by investigating the authentic data described in section 2.3.3 above. The regular patterns of behavior investigated concern the strategies most frequently employed by translators to deal with semiotic items and culture-bound items found in the STs, as well as the interventions made in the TTs.

As stated earlier in this Chapter, the semiotic items investigated in my pilot study included coats of arms, seals, stamps, signatures, logos, illustrations, symbols, and photographs. The same items were initially included in the plan for this study when I noticed that it would be unfeasible to conduct such an extensive analysis. An option was made to investigate coats of arms (which are representative of other types of similar signs, such as seals, logos, and symbols), stamps, and signatures (given the importance of the last two items to the validation of official documents).

The same occurred with the investigation of culture bound-items, which initially included addresses, names of public or private institutions, companies, or agencies,

units of measurement (distance, time, length, and weight), academic degrees, and phraseologisms. Some of these items were set aside for the same reasons explained above. It was determined that three items; school names, units of measurement and phraseologisms would be included as they were frequently the source of doubt on the Forum-Jur Internet discussion group. Also investigated were all translator's interventions made in TTs.

The methodology for the investigation of the items above was conceived to take the following steps:

- (i) Reading each ST, whenever provided by the translator, in order to identify instances of semiotic items and culture-bound items, and possible situations in which a translator's intervention would be likely to be added;
- (ii) Tracing each instance into the TT to investigate the treatment given to it;
- (iii) Copying each instance to a file;
- (iv) Doing the procedures above for all the TTs provided by each translator seeking to identify common representative behaviors, or discrepancies in the treatment given to each instance by each translator. Such discrepancies could result from different strategies being employed for different text types;
- (v) Providing a visual display of this information in tables containing the strategies used by each translator for all semiotic items and culture-bound items, as well as translator's interventions (Appendix H);
- (vi) Describing and analyzing the findings in terms of regularities of translational behavior;
- (vii) Providing a visual display of this information in graphs (Chapter III) and in tables (Appendix H), containing the strategies most frequently employed by all translators, and the types of interventions made.

After all these steps were completed, there followed the analysis of the extratextual sources for the investigation of norms.

2.4.2 Investigating the *normative* – Analysis of extratextual sources

As explained in Chapter I⁵, the *normative* would be investigated through an analysis of the contribution given by two types of extratextual sources: the personal statements made by Official Translators in the questionnaire that they were asked to complete, and the contribution given by two Translators' Associations and by an Internet Translators' Group. The manner in which both extratextual sources were investigated is explained below.

2.4.2.1 Investigating the *normative* – Analysis of extratextual sources: questionnaire

After investigating the strategies employed in the translation of semiotic items and culture-bound items, as well as the translator's intervention in the TT, an analysis of the personal statements made by translators with regard to their own translational practice was conducted.

In order to get information on the Official Translators' notions on how they should proceed with the translation of semiotic items and culture-bound items, their interventions in TTs and to try to find explanations for the translators' behavior observed in the analysis of the TTs, a questionnaire⁶ was prepared and sent to all translators participating in the study. A table⁷ with the strategies most frequently employed by each translator was drawn up to facilitate comparison.

⁵ See item 1.6.

⁶ See Appendix A.

⁷ See Appendix H.

In order to minimize the researcher's influence on translators when answering the questionnaire, questions tried to be as open-ended as possible (Brownlie 1999). In the cases in which explanations of an item were required for the translator to understand what the specific item meant, such explanations were always presented as examples, not as limitations. The suggestion of *norm hypotheses* (ibid., p. 19) was strongly avoided.

The questionnaire had two distinctive parts:

PART I - INVENTORY FORM ON TRANSLATORS' PROFILE: The purpose of this part was to acquire the translator's personal details such as age, genre, educational background, training courses taken, place and number of years of professional practice and translation experience (not only in terms of number of translations done, but also translation 'volume', as measured by the average number of translations done per month).

PART II - STATEMENTS ABOUT TRANSLATIONAL BEHAVIOR: The focus in this part was on the translator's view of what s/he considered to be appropriate translational behavior with reference to the translation of semiotic items and culture-bound items. Emphasis was placed on the overall orientation of the translation (i.e. the translation should represent the source text from which it derived or should be integrated into the target culture to the greatest possible extent), on omissions/additions, and on their use of translator's interventions.

The methodology for the investigation of the translators' statements in the questionnaire followed these steps:

- (i) Reading each questionnaire and filling in a table for the first part of the questionnaire, dealing with the translator's personal and professional

profiles. The table was designed to summarize each translator's profile and give a statistical account of their profiles;

- (ii) Reading each questionnaire and filling in a table for the second part of the questionnaire. The table was designed to summarize each translator's statements and give a statistical account of all translators' statements;
- (iii) Providing a visual display of the statements made by each translator in tables containing the strategies that each translator mentioned using for semiotic items and culture-bound items as well as the types of translator's interventions that they make;
- (iv) Describing and analyzing the statements, as compared to the findings in terms of regularities of translational behavior;
- (v) Providing a visual display of the information provided in the statements in graphs that included the behavior of all translators about the strategies and types of interventions appearing in the tables (see Chapter III).

After the statements were analyzed and tables and graphs were completed, there followed an analysis of the two other extratextual sources for the investigation of norms.

2.4.2.2 Investigating the *normative* – Analysis of extratextual sources: Contributions from translators' associations and from the Forum-Jur Internet discussion group.

In addition to the translators' statements made in the questionnaire, two other extratextual sources were considered as representative of what Toury (1995) calls "semi-theoretical or critical formulations" put forward by a 'school' of translators

(p. 65): the contribution from Translators' Associations and the contribution from the Forum-Jur Internet discussion group.

Regarding the first extratextual source, the following method of investigation was used:

1) All issues available of the *Ipsis Litteris* Newsletter⁸, a contribution to translators provided by the *ATPIESP – Associação Profissional dos Tradutores Públicos e Intérpretes Comerciais do Estado de São Paulo* {Professional Association of Official Translators and Commercial Interpreters in the State of São Paulo} were searched in order to find information on the strategies used in the translation of semiotic items and culture-bound items, as well as on the translator's interventions. The suggestions are made by well-known, experienced translators, and are presented in two special sections entitled *Saiba mais sobre o Ofício* {Learn more about our Job} and *Dúvidas e Controvérsias* {Doubts and Controversies}.

2) The Document called "*Normas para a Elaboração de Traduções Públicas*" {Rules for Doing Official Translations}⁹ was searched for information on how to translate semiotic items and culture-bound items, and when to intervene in the TT by adding a comment or note to it.

In terms of the second extratextual source for the investigation of norms, the contribution from the Forum-Jur Internet discussion group was investigated. This discussion group allows access to all the messages exchanged by translators. Four members who clearly enjoy a *norm-setting* status were contacted, and asked for permission to have their messages searched for information about the topics included in this study. This status could be inferred from the comments made by other

⁸ For further information see Chapter I, item 1.6.1.1.

⁹ For further information see Chapter I, item 1.6.1.2.

translators about these members and about the solutions that they provide. Their solutions are said to be good, and to be adopted by translators as reported in the “Thank You” message that usually follows the solution of a translational problem. In addition, I contacted an Official Translator with whom I have had a long-term acquaintance to confirm the names included in my list. Three out of the four translators contacted allowed me to use their opinions in this study. It is believed that their behavior establishes a standard of desired behavior, and that less experienced translators seek to abide by these standards.

When looking for those translators’ messages on the Forum-Jur’s site, I realized that it would not be possible to conduct the search the way I had envisaged. The reason for that is the fact that there are over 26,000 messages on that site. I tried the *search* engine for three items which are included in the objects of this study, and an enormous array of messages came out. I then decided to contact translators again, and ask them to provide the information that they usually give when a translator asks for help in that discussion group. They were clearly told that what was needed from them was not to inform how they deal with the objects of this study, but how they advise translators to do it.

A discussion followed of the attempts made by the *Associação Catarinense de Tradutores Públicos* and the Forum-Jur Internet discussion group to standardize some translation practices. The aim of such investigation and discussion was to find out the translators’ notions of what constituted approved behavior in the translation of the items under investigation in this study.

It may be argued that different criteria were used when selecting the textual and extratextual sources in this study. The textual sources included all instances of translational behavior, irrespective of whether the behavior came from an

experienced or a novice translator. The reason for that was that those texts were once ordered by a client to be later submitted to public or private officers or institutions. Those translations then fulfilled their intended purpose in the real world of translation practice, irrespective of the experience enjoyed by the translator¹⁰.

In the selection of extratextual sources, attention was paid to comments made by members who clearly enjoy a *norm-setting* status. The reason for this apparent inconsistency was that extratextual sources seek to investigate *approved behavior* and not *any behavior*, or in Brownie's terms the *normative*, not the *normal* (1999, p. 17). Therefore, it seems that there is no inconsistency in using different procedures in this particular case.

2.4.3 Comparison of results from the investigation of the 'normal' and the 'normative'.

The investigation of the 'normal' and the 'normative' was carried out for every translator participating in this study. But before that investigation was conducted, each TT provided by each translator was analyzed to look for a common translational behavior by each Official Translator. The example below includes the analysis of all TTs submitted by Translator no. 1: an Academic Transcript, a Certificate of Birth, a Driver's License, and a Police Record Certificate. For each TT the following notes were taken: 1. the strategies employed for dealing with semiotic items and culture-bound items; 2. all the interventions were copied from TT. Whenever deemed relevant, other cultural aspects were also taken from TT.

BR1ATP¹¹

Semiotic items:

Signature: mentions and describes

¹⁰ For further information on this issue, see Chapter I, item 1.2.2.

¹¹ For an explanation of this and the other similar codes, see item 2.3.8 above.

Culture-bound items:

Name: loan + lit translation – Georgia Institute of Technology [Instituto de Tecnologia da Geórgia] – translation is used throughout
Mede 81/2 x 11

Interventions: 11 - no TN – interventions appear in small letters

[em branco]

[informações que aparecem nas margens do documento, em sentido horário]

[assinado/ilegível]

[chancela]

[verso]

[somente as notas pertinentes]

[somente a situação pertinente]

[Demais tópicos referentes a ... – não pertinentes]

[documento original em duas folhas]

[Média de Pontos]

Appearing as a footnote – 1- Não consta no histórico escolar explicação para as abreviaturas nesta coluna

BR1CBP

Semiotic items:

Stamp – translates and mentions

Coat of arms - mentions

Signature - omits

Culture-bound items:

Interventions: 5- 0 TN – they appear in small letters

[brasão]

[cancelado]

[em branco]

[carimbo]

[Verso – Carimbo]

BR1DLP

Semiotic items:

Signature: mentions and copies the name

Culture-bound items:

Altura: 507 [± 1,55m]

Omits information about Endorsement Codes

Interventions: 4 no TN - appear in small letters

[em branco]

[Verso]

[somente a informação pertinente]
Foto do portador

BR1PRP

Semiotic items:

Signature: mentions and describes

The same semiotic item is described as coat of arms [brasão de armas] and official seal [Chancela Oficial do Tribunal Superior do Condado de xx] without brackets

Culture-bound items:

Interventions: 5 - 1TN – They appear in small letters

[brasão de armas]

[cancelado]

[assinatura ilegível]

[Verso]

Appearing as a footnote - N.T.: Demais itens não assinalados – without brackets

TTs were read, and the analysis conducted on a TT-by-TT basis as reported above for Translator no. 1. After all the strategies used for each TT were identified and summarized as portrayed above, it was easy to identify the translational behavior adopted for each semiotic item and culture-bound item under analysis, as well as the types of translator's interventions made. To exemplify, when analyzing the treatment given to semiotic items, the strategies used for the translation of coat of arms, stamps and signatures were searched in the summarized description presented above. If a common strategy was employed in the translation of each of those items, that strategy was adopted as the translator's strategy for the translation of that item. However, when the translator adopted different strategies for the translation of coat of arms for instance (that is, the translator sometimes just mentioned the existence of one, sometimes s/he described the coat of arms), that translator was reported as using *alternate strategies*¹².

¹² For further explanation about this term, see Chapter III, item 3.1.2.

All TTs done by each translator were analyzed together, in order to try to identify a particular, idiosyncratic translational behavior that could be compared to the statements about translational behavior provided by that specific translator¹³. The result of such analysis was then held against the analysis of the statements provided by each translator as regards his/her translational behavior. This procedure was followed for each translator, and was divided into the sections presented below.

The section called “INVESTIGATING THE NORMAL: Reporting what translators actually do“ reported the general description of translational behavior as resulting from the analysis of each TT reported above. Next, the statements provided by each translator in the questionnaire s/he was asked to complete were summarized in the section called “INVESTIGATING THE NORMATIVE: Reporting what translators say they do“. Finally, a comparison was made between the normal and the normative in the section called COMPARING THE NORMAL TO THE NORMATIVE. The purpose of such division was to clearly report what translators effectively did in their translations, what they perceived as expected behavior, and to what extent what they did and what they stated that they did actually matched.

These procedures were adopted for each and every translator, as can be exemplified with the work done by Translator no. 1, as reported below:

TRANSLATOR NO. 1

1. INVESTIGATING THE NORMAL: Reporting what translators actually do.

A – SEMIOTIC ITEMS:

- Coats of arms: Mentioned. E.g. [coat of arms]. Strategy employed: Mention.
- Stamps: Mentioned and their content is translated. (e.g. Cartório do Oficial Superintendente de Registro - “8/11 Lombard St. East – Dublin 2” {Superintendent

¹³ See Part II of Questionnaire in Appendix A.

Registrars Office – 8/11 Lombard St. East – Dublin 2}). Strategy employed: Mention + translation.

- Signatures: Mentioned and described. (e.g. [assinado/ilegível] {signed / illegible}).

Strategies employed: Description.

B – CULTURE-BOUND ITEMS:

- School Names: In the one instance of a name of institution found, a dual strategy was used the first time the name appeared: Georgia Institute of Technology [Instituto de Tecnologia da Geórgia]. Only the translated name was used thereafter. Strategy employed: Loan + Literal Translation.

- Units of Measurement: Two different strategies were found:

1) where the measurement referred to the paper on which an Academic Transcript was printed: Mede 81/2 x 11 {Measurement: 81/2 x 11}; Strategy employed: loan.

2) Where the measurement referred to the height of the driver's license's holder: Altura {height}: 507 [± 1,55m]. Strategy employed: Loan + adaptation.

- Phraseologism: None was found.

C – TRANSLATOR'S INTERVENTIONS:

Translator's interventions stand out in the text because they appear in all TTs, in smaller letters than those used in the other parts of the translated text. An average of 6.25 interventions (minimum of 4 and maximum of 11) per document was found in the TTs provided. With the exception of two interventions, in which case one appeared as part of the text (Foto do portador – {Holder's photograph}) and the other appeared as a footnote: 1- Não consta no histórico escolar explicação para as abreviaturas nesta coluna – {There is no explanation in the academic transcript for

the abbreviations found in this column)), and for the text appearing in a Translator's Note, all other interventions appeared in brackets.

Some examples of situations in which the translator's voice was present in the text include: [somente as notas pertinentes] – {relevant situations only}; [informações que aparecem nas margens do documento, em sentido horário] – {information appearing clockwise in the document margins}; [brasão] – {coat of arms}; and [assinatura ilegível] – {illegible signature}.

There was only one instance in which the translator's voice was made evident by the used of a Translator's Note: N.T.: Demais itens não assinalados – {No other item was checked}.

2 INVESTIGATING THE NORMATIVE: Reporting what translators say they do.

The following was stated by Translator no. 1 in the questionnaire, as regards her translational behavior:

A – SEMIOTIC ITEMS: They are described to inform about content. Strategy: description.

B – CULTURE-BOUND ITEMS: An equivalent term is used, or the ST term + explanation. Strategy: adaptation or loan + explanation.

C – TRANSLATOR'S INTERVENTIONS: Translator's Notes can be used to indicate the original was handwritten, partially legible, errors in the ST, non-identified abbreviations, and erasures.

3 COMPARING THE NORMAL TO THE NORMATIVE:

A – SEMIOTIC ITEMS: Readers are informed about the content of items, which are most frequently not only mentioned, but also described or translated.

B – CULTURE-BOUND ITEMS: No priority was given to using an equivalent term in the TT. Loan + adaptation was frequent, not loan + visibility change.

C – TRANSLATOR’S INTERVENTIONS: The translator’s interventions went beyond informing about special features found in the ST, such as erasures and errors.

They can be classified as follows:

(i) Interventions that aim at informing the reader about the existence of a semiotic item, such as [chancela] – {seal}, [carimbo] {stamp}; Foto do portador {Holder’s photograph}; [assinatura ilegível] – {illegible signature}.

(ii) Interventions that aim at informing the reader that a partial translation was carried out: [somente as notas pertinentes] {relevant grades only}; N.T.: Demais itens não assinalados {No other item was checked}.

(iii) Interventions that aim at informing the reader about some difficulty found by the translator: 1- Não consta no histórico escolar explicação para as abreviaturas nesta coluna {There is no explanation in the academic transcript for the abbreviations found in this column}.

(iv) Interventions that aim at guiding the reader when comparing ST to TT: [verso] {reverse side}; [informações que aparecem nas margens do documento, em sentido horário] {information appearing clockwise in the document margins}; [em branco] {blank}.

(v) Interventions that aim at providing a translation or explanation to a cultural item: GPA [Média de Pontos] {Grade point average}.

After this detailed analysis was conducted for each and every translator, the strategies used by each with regard to each item under analysis were tabulated and analyzed statistically so that a general picture of the strategies used by all translators could be drawn. After collecting all translators’ TTs and statements, as well as comparing both, summarized in the way detailed above, it was relatively easy to identify a common behavioral pattern among all 42 participating translators

concerning the strategies used in the translation of semiotic items and culture-bound items, as well as the translators' interventions in the TTs, and generate a statistical report of the work done (see graphs in Chapter III).

It should be highlighted, however, that statistics were used here as a means to avoid manual computation of data only, and graphs were used solely to help readers have a fast, general picture of strategies. As stated in the outset of the Introductory Remarks this is a qualitative study. It does not belong in the "corpus study" mode, and therefore I did not want to venture deeply into such a specialized area as inferential statistics. That was not the purpose of using statistics in this study.

2.5 Final Remarks

The methodology used for analysis of the data in this study was not reproduced from any guideline or any other similar research project. Given that much new ground is being covered in this research project, I could not find any existing methods that I could turn to when devising a methodology for analyzing the topics under investigation here. At this point I cannot affirm whether this was the most efficient or the best way to achieve the results. The results of the analysis will tell.

It should also be highlighted that by using this two-fold approach - analyzing the strategies employed and the statements made by translators as well as by translators' associations and groups, it was expected that the norms informing the translator's behavior could be brought to light and explained. This will be the focus of my next chapter.

CHAPTER III

DATA ANALYSIS AND INTERPRETATION

Needless to say, whatever regularities are observed, they themselves are not the norms. They are only external evidence of the latter's activity, from which the norms themselves (that is, the 'instructions' which yielded those regularities) are still to be extracted (Toury, 1999, p. 15).

This chapter reports on the results of data analysis and hypotheses testing. After some initial remarks, it first reports on the profiles of the 42 Official Translators participating in this study; then it explores the translation strategies employed for the translation of semiotic items (3.2.1) and culture-bound items (3.2.2), and how the translator's voice is made evident in Official Translations (3.2.3). Two types of paratextual translator's interventions are presented (interventions with the use of comments and Translator's Notes), and a categorization for translators' interventions is proposed. Also investigated in this chapter are the translators' statements about how semiotic items and culture-bound items should be translated, and their suggestions for the use of translator's interventions (3.3). The same topics are investigated in the contributions provided by two translators' associations and by the Forum-Jur Internet discussion group (3.4). A comparison is then made between the strategies effectively used and the suggested strategies (3.5). Finally, an attempt is made to suggest the presence of some translation norms that govern the behavior of the translators participating in this study (3.6). Some final remarks follow (3.7).

3.1 Initial Remarks

Before presenting the analysis and discussing the results, it is paramount that some aspects related to the analysis be explained. These refer to the profiles of the participating translators, some general (and practical) data analysis information, and the objects of investigation.

3.1.1 Translators' Profile

All Official Translators participating in this study are referred to as a number. However, they are all people not numbers, and regardless of what translational behavior they have, they all seem fully aware of the responsibility involved in being an Official Translator and committed to doing their job to the best of their abilities. This assertion can be easily verified by the requests for help made by some participating translators in the Forum-Jur Internet discussion group¹. Hence, before analyzing their TTs I would like to present some information that gives some greater substance to each *number* (i.e. who these translators are: their age, sex, education and experience).

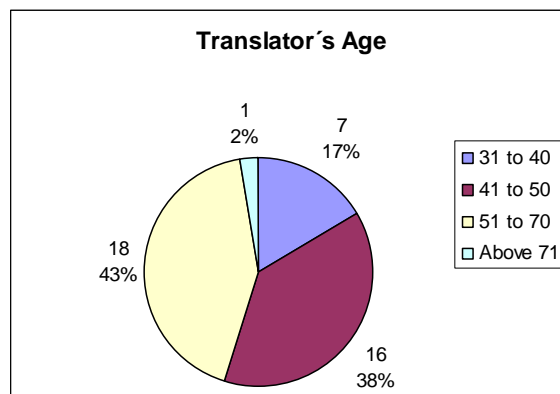
Before presenting the translators' profiles, an explanation about the number of participating translators is necessary: originally 46 translators sent material for this study. All the material submitted was accepted. However, when analyzing the TTs sent the need was felt to retain only the translators who sent either four or five out of the five texts requested so that comparison could be done fairly. Four translators were then excluded from this study: Translators no. 11, 29, 31 and 46. As their material had already been numbered, the original numbers were maintained. All the information about these translators, as well as the TTs submitted by them were taken

¹ For a description, see Chapter I, item 1.5.2

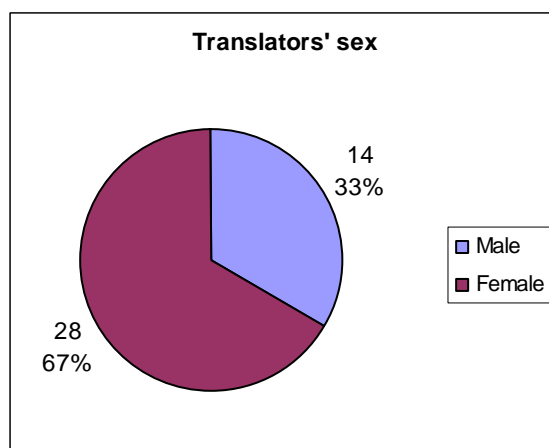
out of this study, but the original translators' numbers remained in the tables used to help the analysis described in this chapter². Altering all the numbers would only result in a lot of extra, in my view, unnecessary work.

The general profile of translators whose work is analyzed below can be described as follows:

AGE: The majority of the translators are in the 41 to 50 (38%) and the 51 to 70 (43%) age brackets. Only a small number of translators (17%) are in the 31 to 40 range. One translator (2%) is above 71 years old.

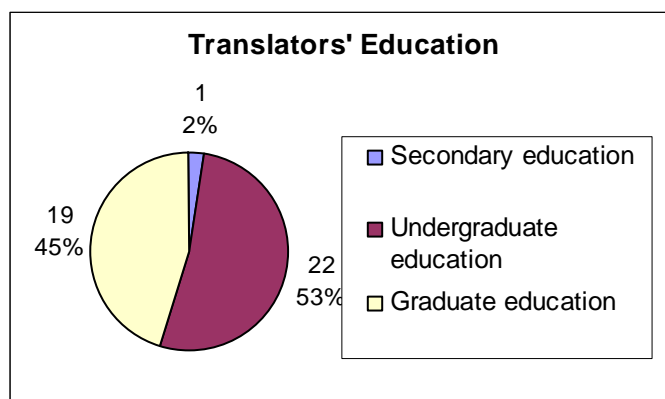


SEX: Out of 42 translators, only 14 (33%) are male.



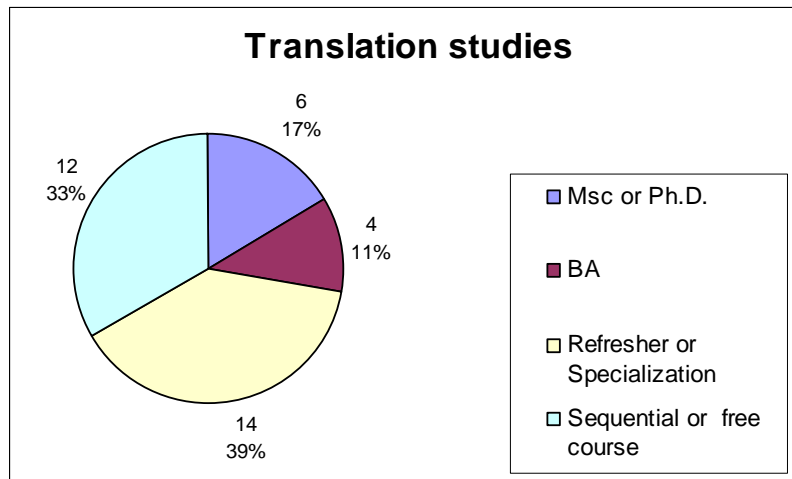
² See tables in Appendix H.

EDUCATION: Just above half the candidates (53%) have undergraduate education. A little under half (45%) have graduate education. One translator (2%) has a secondary school degree.

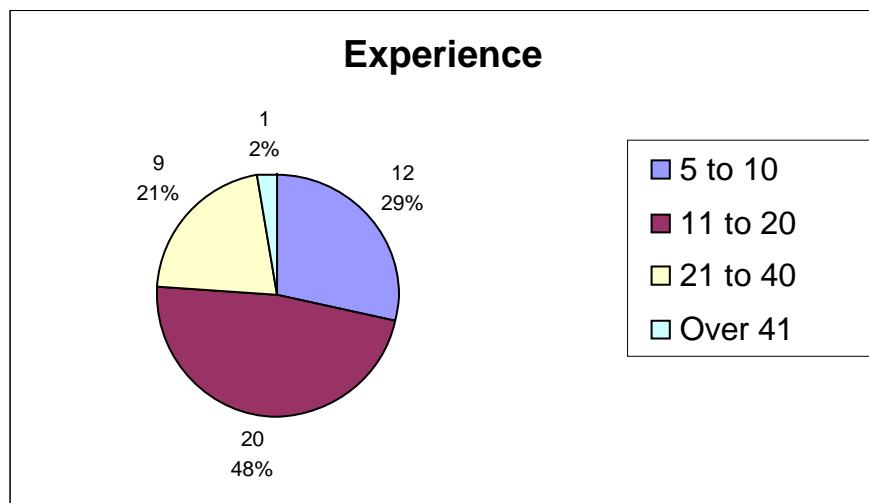


NATIONALITY: The vast majority is Brazilian-born (98%), while only one (2%) is a naturalized Brazilian.

TRAINING IN TS: The number of translators who have an MsC/PhD or a BA degree in Translation Studies is still small (17% and 11%, respectively). Notable is that most translators (26 = 72%) report having completed training courses in Translation Studies: one third, that is 14 translators (39%) have completed a Refresher or Specialization Course, and 12 translators (33%) have taken Sequential or Free Courses.

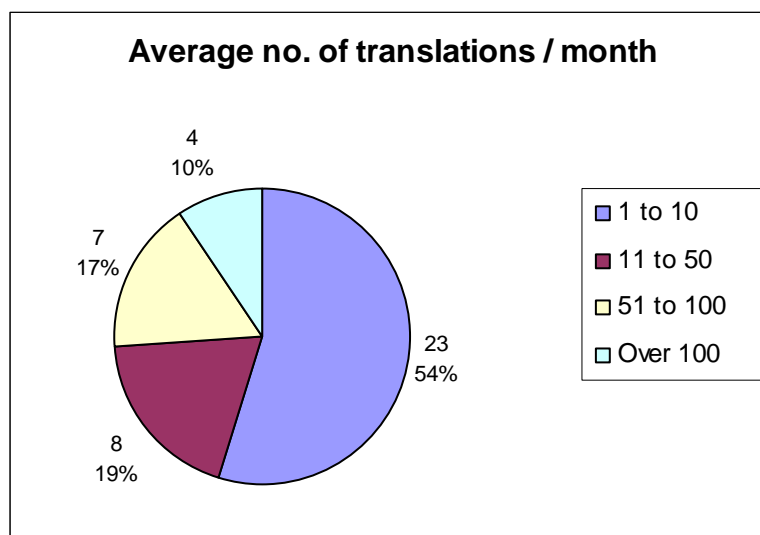


YEARS OF EXPERIENCE: Just below half of the translators (48%) claimed to have from 11 to 20 years of experience and twelve (29%) reported having from 5 to 10 years. Nine translators (21%) ranged from 21 to 40 years of experience, while only one (2%) stated to have over 41 years of work.



EXPERIENCE AS MEASURED BY NUMBER OF TRANSLATIONS PER MONTH: Considering that a translator may be working for many years, but with only a light work load, experience was also measured in terms of the average number of translations done per month. Most translators (54%) reported doing from 1 to 10 translations per month. The second largest group (19%) does from 11 to 50

translations per month, while the third (17%) does from 51 to 100 translations. The smallest percentage of translators (10%) stated doing over 100 translations on a monthly basis.



EXPERIENCE IN THE TRANSLATION OF THE TEXTS REQUESTED: In order to possibly explain some translation choices, it was necessary to know each translator's experience in the text types requested for this study. Some translators reported translating mostly in a specific technical area, and not being used to translating personal documents. This could provide some clue about specific difficulties they might have had in translating some specific item. However, it is believed that this table must be interpreted with caution because the data may not be entirely reliable. It is possible that translators did not search through their files to answer this question about translation frequency, but simply provided their own estimate.

The table below shows the frequency for translation of each text type by each translator. The numbers appearing below the names of each text type were provided to translators on the basis of the following scale of frequency:

- (1) Highly frequent (over 10 per month) (2) Frequent (from 3 to 9 per month)
 (3) Rarely (below 2 per month) (4) Never

| TRANSLATOR | Academic Transcript | Certificate of Birth or Marriage | Driver's License | Police Record Certificate | Diploma |
|------------|---------------------|----------------------------------|------------------|---------------------------|---------|
| 1 | 2 | 2 | 2 | 3 | 2 |
| 2 | 2 | 1 | 2 | 1 | 2 |
| 3 | 3 | 3 | 3 | 3 | 3 |
| 4 | 2 | 2 | 3 | 3 | 2 |
| 5 | 2 | 2 | 3 | 3 | 2 |
| 6 | 3 | 3 | 3 | 3 | 3 |
| 7 | 3 | 3 | 4 | 3 | 3 |
| 8 | 1 | 1 | 1 | 1 | 1 |
| 9 | 2 | 2 | 3 | 2 | 3 |
| 10 | 2 | 2 | 3 | 3 | 2 |
| 11 | | | | | |
| 12 | 1 | 1 | 1 | 1 | 1 |
| 13 | 3 | 3 | 3 | 4 | 3 |
| 14 | 2 | 2 | 3 | 3 | 2 |
| 15 | 3 | 3 | 3 | 4 | 2 |
| 16 | 3 | 3 | 3 | 3 | 3 |
| 17 | 1 | 2 | 3 | 3 | 2 |
| 18 | 3 | 3 | 3 | 2 | 3 |
| 19 | 1 | 2 | 1 | 2 | 1 |
| 20 | 3 | 3 | 3 | 3 | 4 |
| 21 | 3 | 3 | 3 | 3 | 4 |
| 22 | 2 | 3 | 3 | 3 | 2 |
| 23 | 2 | 2 | 3 | 3 | 2 |
| 24 | 3 | 3 | 4 | 3 | 3 |
| 25 | 3 | 3 | 3 | 3 | 2 |
| 26 | 2 | 3 | 3 | 3 | 2 |
| 27 | 2 | 2 | 3 | 3 | 2 |
| 28 | 3 | 3 | 4 | 3 | 3 |
| 29 | | | | | |
| 30 | 3 | 3 | 3 | 3 | 3 |
| 31 | | | | | |
| 32 | 2 | 2 | 2 | 2 | 1 |
| 33 | 3 | 3 | 4 | 3 | 3 |
| 34 | 2 | 2 | 3 | 3 | 2 |
| 35 | 2 | 2 | 3 | 3 | 3 |
| 36 | 3 | 3 | 3 | 4 | 3 |
| 37 | 2 | 3 | 3 | 3 | 2 |
| 38 | 2 | 3 | 2 | 5 (sic) | 6 (sic) |
| 39 | 3 | 3 | 4 | 3 | 3 |
| 40 | 2 | 3 | 3 | 3 | 2 |
| 41 | 3 | 3 | 3 | 3 | 3 |
| 42 | 1 | 2 | 2 | 2 | 1 |
| 43 | 3 | 3 | 3 | 3 | 3 |
| 44 | 1 | 1 | 2 | 2 | 1 |
| 45 | 3 | 3 | 3 | 3 | 3 |
| 46 | | | | | |

Table 1 – Each text type translation frequency by Official Translator.

All these aspects of the participating translators' profiles have been taken into account when proposing explanations for the use of some specific translation strategies. They will be referred to later on in this chapter.

3.1.2 General Data Analysis Information

Most TTs had at least one type of semiotic item and/or culture-bound item, and many had several. Such items were considered as a whole, without regard to the number of occurrences of each item. In other words, the strategy employed for the translation of stamps, for instance, was reported regardless of the number of stamps found in the translated text. However, when different strategies were employed for translating stamps this was reported in the *alternate use* category. This name was given because in many cases it was not possible to identify a clear reason why a stamp, for example, was sometimes translated and sometimes described.

Although the omission of some semiotic items in TTs was clearly noticed – either because I am used to translating a particular type of document and know that some items were omitted, or because the TT was checked against the ST provided by the translator – this fact was not taken into consideration in the analysis presented below. Given that most translators did not send the STs, the omission of semiotic items in the TTs provided could not be the object of analysis as a translation strategy. Therefore, only the strategies clearly employed by translators were included. It should be highlighted, however, that omissions noticed were not just a few here and there, but the somewhat high number of omission suggests that omissions in Official Translation would be a topic for research in its own right. Two hypothesis could be raised for the omission of items in the TT: items are omitted because they are considered irrelevant for the purpose the translation is expected to serve; or they are

omitted because the translator is not fully aware of the fact that certain features included in the ST to convey its legitimacy as an official document are expected to be somehow reproduced in the TT.

Two practical issues should be mentioned: 1. The strategies employed by each translator can be found in tables included as Appendices to this study. Graphs presenting the strategies used by all translators for each semiotic item, culture-bound item and translator's intervention are included in this chapter (items 3.2.1, 3.2.2, and 3.2.3); 2. Whenever an example provided in this chapter was originally written in Portuguese, a back translation was included in braces ({ }) immediately after the example. This translation is not to be considered as a model translation, but is provided with the purpose of facilitating comprehension of the example given for those who do not read Portuguese.

3.1.3 Object of Analysis

The following items were the object of analysis in this study:

3.3.1 SEMIOTIC ITEMS³:

A – Coats of arms;

B – Stamps;

C – Signatures.

3.3.2 CULTURE-BOUND ITEMS⁴:

A – School Names;

B – Units of Measurement;

C – Phraseologisms.

³ See definitions in Chapter I, item 1.7.1.

⁴ See definitions in Chapter I, item 1.7.2.

3.3.3 TRANSLATOR'S INTERVENTIONS IN THE TT⁵:

A - Translator's Comments;

B - Translator's Notes.

3.2 Data Analysis: Investigating the Normal

3.2.1 Translation of Semiotic Items

The semiotic items under analysis in this study are: coats of arms, stamps, and signatures⁶. The analysis revealed that translators usually use several strategies to do an intersemiotic translation of such items. Some combined strategies, that is, two strategies that combined give rise to a new strategy, are also employed. When talking about intersemiotic translations, Jakobson (1959) and Aubert (1998b) provide definitions⁷ for this kind of translation, but no categories of intersemiotic translation are provided.

Based on the analysis conducted in this study, the following categorization for the translation strategies employed in the translation of semiotic items is proposed:

Strategy 1 – MENTION: the sign is simply mentioned.

(e.g. [coat of arms]; [stamp]; [signature]).

Strategy 2 – DESCRIPTION: the sign is mentioned and described.

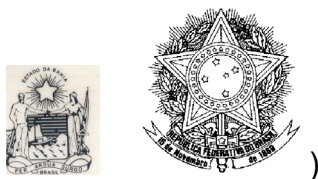
(e.g. [Brazilian coat of arms]; [Rubber Stamp of the 2nd Notary Office]; [card holder's illegible signature]).

Strategy 3 – REPRODUCTION: the sign is scanned from the ST and pasted onto the TT. (e.g.

⁵ See definitions in Chapter I, item 1.7.3.

⁶ For a definition of each, see Chapter I, item 1.7.1.

⁷ See Chapter I, items 1.7.1 e 1.8, respectively.



Strategy 4 – MENTION AND TRANSLATION: the sign is mentioned, and a translation of its content is provided.

(e.g. (*Stamp*) Tersiane Muniz Carvalho
Academic Director's Office
Enrollment no. 28470-4)

Strategy 5 – DESCRIPTION AND TRANSLATION: the sign is described, and a translation of its content is provided.

(e.g. [There are two stamps in blue ink, the first of which reads:]
Francisca Simone Amado – Secretary – ID 14.551.572)

Strategy 6 – ALTERNATE USE: the translator uses different strategies when coming across the same semiotic item. Sometimes different strategies are used even in one single TT. As will be explained below, the alternate use of strategies does not necessarily mean an erratic choice of strategies.

Different graphic markers are used to mention the existence of a semiotic item in a TT: sometimes it is mentioned in square brackets, sometimes in parentheses, and some other times no marker is used at all.

It should be highlighted that in some cases semiotic items were omitted from the TTs analyzed. Although omission is recognized as a legitimate translation strategy, instances of the use of this strategy were not reported in the analysis of semiotic items for the reasons previously mentioned⁸.

⁸ See item 3.1.2. in this chapter.

3.2.1.1 Coats of Arms

A – General Information

As described in Chapter I, a coat of arms is “a design in the form of a shield with special patterns on it that is used as an emblem by a town, noble family, or other organization” (Collins Cobuild English Language Dictionary, 1990, p. 260)⁹. The items analyzed under this rubric were those identified by translators as a “coat of arms” or simply “arms”. In a few exceptional cases to which I had access to STs, other words were used to describe what is meant here by coat of arms. These words were ignored, and not counted as an instance of a coat of arms. For instance, one translator used the term “Brazilian emblem”, which could as well refer to the Brazilian coat of arms or to the Brazilian seal.

In another situation, the translator used the word “seal” in two instances in which a coat of arms appeared in ST. The strategy employed was reported as if the translator had used “coat of arms” because it was evident that the text was in fact referring to a coat of arms. Where the word “crest” – a synonym for coat of arms - is used, the instance also counted as if the translator had used “coat of arms” because there was no doubt that the translator meant to describe that specific symbol, as both words are used to describe it.

B – Strategies Employed

The following strategies were employed when translating coats of arms:

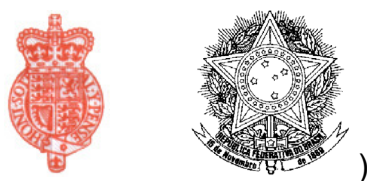
MENTION; DESCRIPTION; REPRODUCTION; ALTERNATE USE.

MENTION – The existence of a coat of arms is mentioned. (e.g. [coat of arms]).

⁹ For further information see Chapter I, item 1.7.1

DESCRIPTION – The coat of arms is mentioned, as well as who it belongs to. (e.g. [Brazilian coat of arms]; [coat of arms of the State of São Paulo]; [Fundo: Brasão do Estado de Nova York] – {In the background: Coat of arms of the state of New York}; and [Arms of the State of São Paulo]).

REPRODUCTION – The coat of arms is scanned from the ST and pasted onto the TT. (e.g.

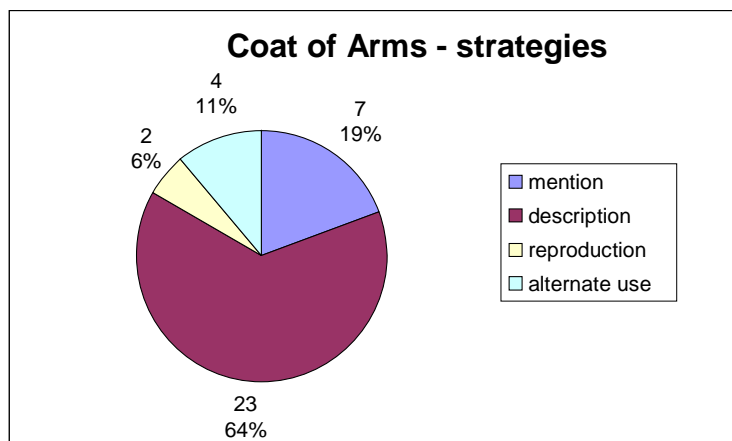


ALTERNATE USE – The coat of arms is sometimes described, sometimes just mentioned. (e.g. TRANSLATOR NO. 24 – (brasão) {coat of arms} - (crest of Brazil); TRANSLATOR NO. 45 – [*No alto da página, no centro, brasão; e, à esquerda:*] (On top of the page, on a central position, coat of arms; and to the left:); [*bem como brasão do Estado de New Jersey e:*] {as well as the coat of arms of the state of New Jersey and:}).

C – Result of Analysis

The analysis of the coats of arms found in the TTs provided revealed the following¹⁰:

¹⁰ A table including the strategy employed by each translator for each semiotic item can be found in Appendix H.



As indicated above, most translators describe the coats of arms found in STs (64%). Another reasonable number of translators (19%) prefer to mention them. However, a word of caution is necessary here: when a coat of arms is described here as *mentioned*, it is because there is no description about who it belongs to, that is, the translator just states: [coat of arms]. It was observed, however, that in many cases the inscription that came immediately after the mention of a [coat of arms] in fact indicated who the coat of arms belonged to. An example should suffice: [printed stationery - coat of arms] GOVERNMENT OF THE STATE OF SÃO PAULO. Although the translator did not state “coat of arms of the state of São Paulo”, the translator may have assumed that it would be obvious for the reader that the coat of arms appearing in the ST would be that of the state of São Paulo. This assumption would act as a constraint on his/her describing that particular coat of arms, which would be considered unnecessary.

A somewhat small percentage of translators (11%) seemed not to have opted for the use of a single strategy and alternate between mentioning a coat of arms in one document and describing it in another.

A very small percentage of translators (6%) reproduce the coats of arms found in STs. A possible explanation for such low figure is the fact that although scanning techniques are much user-friendly today, most translators participating in this study are in the 51+ age bracket group¹¹ and may not be so familiar with using the developments brought by information technology. Another possible explanation for such low use of that strategy is the fact that scanning the semiotic item and pasting it onto TT may be a strategy that has never occurred to some translators. Yet another possibility is time constraint given that scanning items and pasting them onto TT would take some extra time from the translator.

Coats of arms were not found in any of the TTs provided by some translators (6). This could well be an indication that these translators may have opted for omitting the existence of coats of arms in their TTs, given that some of the documents requested for this study usually have a coat of arms, especially birth and marriage certificates issued by Civil Registries, a type of entity that usually uses coats of arms. As a matter of fact, coats of arms can be easily found in birth certificates issued in Brazil and in England, as exemplified in item 3.2.1.1 (B) above.

3.2.1.2 Stamps

A – General Information

All items identified by translators as a *stamp* were included in the analysis reported under this rubric. In a few cases in which I had access to the translators' STs, the content of a stamp was translated without any information that such text appeared in a stamp. These cases were not included in the statistical analysis. Also excluded were

¹¹ See graph in 3.1.1 above.

the cases in which the translator used other words to describe a stamp, such as *selo* {seal} and *chancela* {official seal}.

It was noticed that translators sometimes omitted one special type of stamp usually appearing in birth/marriage certificates and police record certificates: a stamp in the format of a hand pointing towards a signature, which is used to indicate that that signature has been notarized. One possible explanation for not translating that stamp is the fact that a large Notary Office stamp is usually printed near that stamp and bears a full description of the notarization made, which includes the name of the document signor whose signature has been notarized.

B – Strategies Employed

The following strategies were employed when translating stamps:

MENTION; DESCRIPTION; MENTION AND TRANSLATION; DESCRIPTION AND TRANSLATION; ALTERNATE USE.

MENTION – A stamp is only mentioned. (e.g.[stamp]).

DESCRIPTION – A stamp is not only mentioned but also described. (e.g. (Rubber Stamp of the 2nd Notary Public’s office certifying the copy ...); duly initialed stamp of the Academic Administration Office; Stamp specifying fees; holographic stamp; [*Rubber stamp certifying that the document is a true copy of the original, issued by XXX*]).

MENTION AND TRANSLATION – A stamp is mentioned and its content is translated. (e.g. [First stamp]: The Ministry of Education; [Consta carimbo com os seguintes dizeres:] Certifico que a aluna X {[Stamp which reads as follows:] This is to certify that student X}).

DESCRIPTION AND TRANSLATION – A stamp is mentioned, described, and its content is translated. (e.g. [Translator’s Notes: Beneath signature of Authorized Clerk, a rubber stamp: Civil Registry Office of Taboão da Serra, State of São Paulo, VANESSA APARECIDA ROUGE, Authorized Clerk.]; [There are two stamps in blue ink, the first of which reads:] Francisca Simone Amado – Secretary – ID 14.551.572 [The second stamp reads:] CASSIA KIELMANOWICZ – ID 7.526.033 – Principal.

ALTERNATE USE – A stamp is sometimes described, sometimes just mentioned, sometimes described and translated. (e.g.: TRANSLATOR NO. 6: Strategy 4. Description and Translation: [ALL PAGES HAVE RUBBER STAMP AND SIGNATURE AS FOLLOWS: [signature] PRISCILA VALERIO DOS SANTOS [STAMP] - Registration Clerk - General Secretariat] – Strategy 2. Description: [... Oval rubber stamp with details of Civil Registry Office, Taboão da Serra...]

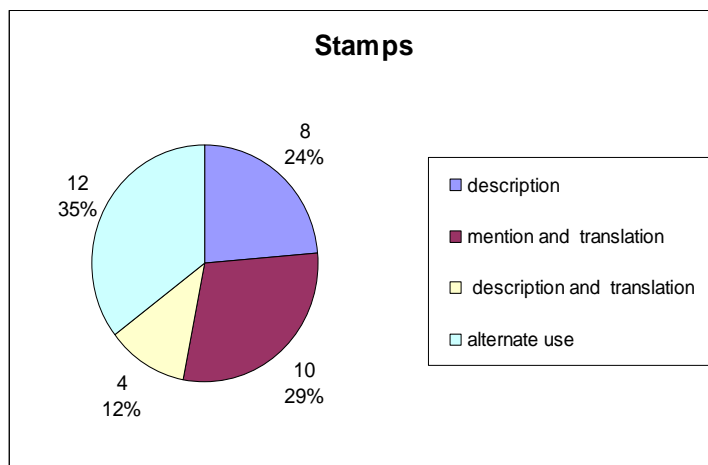
TRANSLATOR NO. 9: Strategy 2. Description: [*carimbo do Departamento de Polícia da África do Sul datado de 19 de outubro de 2005*] {stamp of the South Africa Police Department dated October 19, 2005}; Strategy 3. Mention and Translation:

[*carimbo*]
C.Kotzé
Superintendente {[Stamp]. C.Kotzé – Superintendent}.

TRANSLATOR NO. 25: Strategy 3. Mention and Translation: [stamp] CIVIL REGISTRY AND SPECIAL REGISTERS – PAULO RENATO REMEDI MACHADO, Official Assistant, Judicial District of XXX; Strategy 4. Description and Translation: [authenticity stamp] I certify that this copy is a true reproduction of the corresponding original – April 10th, 2006 - Antonio Gilberto da Cunha – Clerk – Cademartori Notary Public’s Office).

C – Result of Analysis

The analysis of the stamps found in the TTs provided revealed the following:



As indicated above, a somewhat large number of translators (35%) use different strategies when coming across stamps in the ST, without having any apparent reason therefor. That can be noticed even within the same TT, that is, in one TT a stamp is described while another stamp is described and translated. This can be seen in the way translator no. 9 above deals with stamps appearing in the police record certificate submitted to analysis (see example above).

The second largest group of translators (29%) seems to attach great importance to the content of stamps and prefers to mention and translate them. For a reasonable number of translators (24%) describing the stamp is perfectly sufficient.

Finally, a smaller number of translators believe that stamps should not only be translated but also described (12%).

Surprisingly enough, eight translators did not mention the existence of any stamp in their TTs. This result might be read as indicating that they may have used another word when referring to stamps, and not that they have simply omitted the

existence of a stamp and its entire content. Another possibility, one that was confirmed when checking TTs against STs was that the translator did not omit the content of a stamp, which was translated, but simply that s/he did not mention the word *stamp* before translating its content.

3.2.1.3 Signatures

A – General Information

Under investigation in this item is a person's signature¹². Initials, or the representation of someone's name by the use of the first letter of each name together, were not included in the analysis of signatures.

This analysis also excluded the consideration whether the signature was in fact legible or illegible. For instance, in a few cases in which I had access to STs, it was observed that some signatures that could well be read were reported as illegible. As a matter of fact, some translators stated in the questionnaire that they always describe signatures as illegible. A possible explanation for such behavior is the belief that, by reporting a signature as legible, the translator could be assuming responsibility for a signature that could have been generated by someone other than its reported signor. There seems to be no consensus as to what should be done: whether clearly legible signatures are to be described as legible, and illegible signatures are to be described as illegible, or signatures are to be just mentioned. In the absence of clear instructions on how to proceed individual perception prevails, in all its fragility.

¹² For further information see Chapter I, item 1.7.1

B – Strategies Employed

The following strategies were employed when translating signatures:

MENTION; DESCRIPTION; ALTERNATE USE.

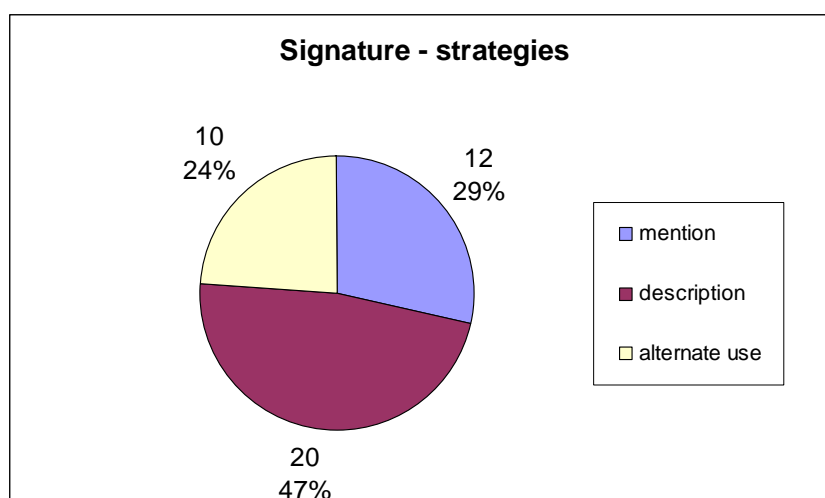
MENTION – The signature is only mentioned (e.g. [signature]; Signature-signed.

DESCRIPTION – The signature is described as illegible; the document signor is mentioned; the signor is mentioned as well as whether the signature is legible or illegible; the type of signature is mentioned (e.g. Illegible signature; Driver’s signature; Applicant’s illegible signature; *Director’s electronic signature*.
[Assinatura reconhecida como: xxx] – {Signature recognized as that of xxx}; There is an illegible signature in blue ink).

ALTERNATE USE – The signature is sometimes just mentioned, and sometimes described (e.g. TRANSLATOR NO. 25: Signatures are mentioned when legible and mentioned and described when illegible: [signature]; [illegible signature]. Strategies employed: Mention or Mention and Description.

C – Result of Analysis

The analysis of TTs as regards the item *signatures* revealed the following:



As indicated above, description of signatures was the strategy most frequently employed. Just below half the translators participating in this study (47%) usually describe signatures appearing on STs, while 29% prefer to mention signatures and 24% either mention or describe signatures. Again, the cases in which the existence of a signature is not mentioned were not included in the analysis.

Taking into account that in most cases in which signatures are described they are described as illegible, this result might indicate that translators want to make sure that the reader understands that the translator does not want to assume any responsibility for stating that a signature belongs to some specific person. Two examples clearly indicate that fact: [Assinatura reconhecida como: XXX] {Signature recognized as: XXX}; [assinatura que aparenta ser de XXX] {signature that seems to belong to XXX}. In this latter case, signatures appearing in the other documents translated by the same translator (Translator no. 21) were described as illegible.

Few translators described signatures using other than their legibility as the criterion for description. The other criteria used were: color and form. As regards color, the following descriptions were found: There is an illegible signature in blue ink – Translator no. 7; [Original, illegible signature in blue ink] – Translator no. 19; (TN6): *All signatures were found in black ink* – Translator no. 27. The form in which the signature is presented is described as follows: *Director's electronic signature* – Translator no. 28; (Rubber stamp of signature) – Translator no. 22; (assinatura fac-similar) {facsimilar signature}, and (assinatura ilegível em carimbo) {illegible stamped signature} – Translator no. 5.

It could be a false inference to assume that translators who sometimes described and sometimes mentioned signatures were displaying an inconsistent behavior. For instance, translators no. 20 and 25 were described as using strategies in

an alternate way, because they in fact were. However, when checking their TTs against the STs provided, it became clear that signatures were only mentioned when they could be at least reasonably assumed to have been placed by the person whose name appeared as signing the document. Whenever signatures were made of scrawls that could not be checked against the name presented, they were reported as illegible.

3.2.2 Translation of Culture-Bound Items

The following culture-bound items were investigated in this study: school names, units of measurement, and three phraseologisms. They were translated with the help of the following strategies: loan, literal translation, adaptation, visibility change, and alternate use. While *alternate use* takes on the meaning described in item 3.1.2 above, the other strategies are used here with the meanings given to them by Chesterman (1997) (literal translation and visibility change) and Aubert (1998b) (loan and adaptation)¹³.

3.2.2.1 School Names

A – General Information

This item includes the analysis of all school names found in the TTs provided. It was observed that translators who opted for keeping the school's original name and providing a translation in parentheses or square brackets, sometimes employed this strategy throughout the TT, no matter how many times the name appeared. Other translators used the name in both the SL and the TL only in the first time the name appeared, and only the SL name when it appeared later on in the

¹³ See Chapter I, item 1.8.

document. Some other translators used the name in both languages in the first time it appeared, but used only the TL name whenever the original name appeared again. These different strategies were not taken into consideration in this analysis, which aimed only at checking whether or not the name was translated.

B – Strategies Employed

The following strategies were employed when translating school names:

LOAN; LOAN + LITERAL TRANSLATION; LITERAL TRANSLATION; ALTERNATE USE.

LOAN – The school name is used in the TT as it appears in the ST. (e.g. TRANSLATOR NO. 6: Pontifícia Universidade de São Paulo; Faculdade de Ciências Econômicas de São Paulo – FACESP; Fundação “Escola de Comércio Álvares Penteado”; TRANSLATOR NO. 37: Wetumpka High School; Fundação Armando Alvares Penteado; Universidade de São Paulo).

LOAN + LITERAL TRANSLATION – The school name is used as in the ST, but a translation for that name is provided in square brackets or parentheses, or without any graphic marker. (e.g. TRANSLATOR NO. 7: Faculdade de Ciências e Letras Teresa Martin (Teresa Martin Sciences and Letters College); Faculdade de Biblioteconomia Teresa Martin (Teresa Martin Biblioteconomy College); UNICAMP (Universidade Estadual de Campinas – State University of Campinas); TRANSLATOR NO. 14: COLÉGIO INTEGRAL/Integral School; Escola Superior de Educação Física de Jundiaí/Physical Education College of Jundiaí).

LITERAL TRANSLATION – The original school name is omitted from the TT; only a literal translation for the name is included. (e.g. TRANSLATOR NO. 4: Faculdade Estadual do Norte do Estado de Kentucky, “ANTENSINA SANTANA” STATE

SCHOOL; Universidade do Norte do Estado de Kentucky; POSITIVO UNIVERSITY CENTER; POSITIVO HIGHER EDUCATION CENTER; Federal University of Paraná; "Sagrada Família" Elementary and Secondary State School).

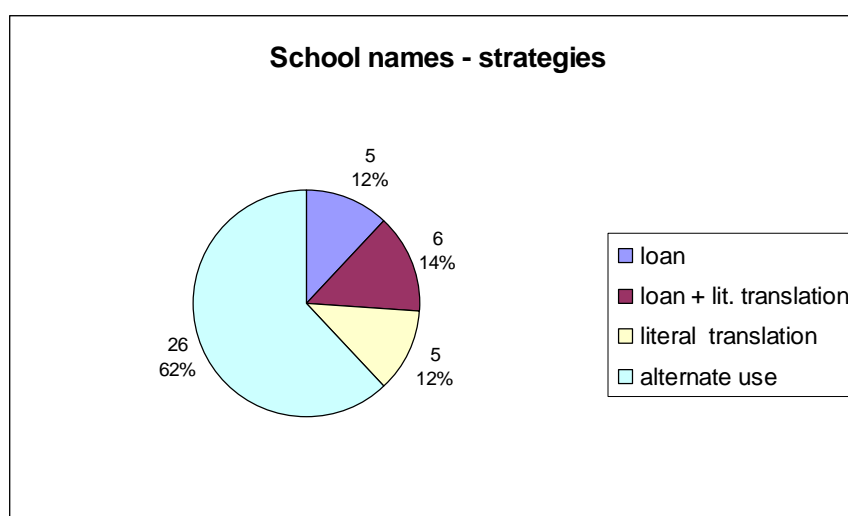
ALTERNATE USE – In some TTs the school name is translated; in some others the original name is used. Even the use of three different strategies was found in the TTs analyzed. In a few cases the alternate use of different strategies occurs even within a single TT (e.g. TRANSLATOR NO. 16: Pontificious Catholic University of São Paulo; Universidade de São Paulo; Universidade Paulista – (Paulista University).

TRANSLATOR NO. 24: UNIVERSIDADE ESTADUAL PAULISTA “JÚLIO DE MESQUITA FILHO”; COLEGIO DE APLICAÇÃO DE RESENDE; Universidade Candido Mendes (Candido Mendes University); Instituto Universitário de Pesquisas do Rio de Janeiro (Rio de Janeiro University Research Institute).

TRANSLATOR NO. 28: “ARMANDO ÁLVARES PENTEADO FOUNDATION”; “Colégio Pedroso e Oliveira”).

C – Result of Analysis

The graph below shows the strategies employed by translators:



As expected, the (non-)translation of school names seems to be a problem to translators. Most translators (62%) employ alternate strategies when translating school names. But this figure does not necessarily mean that in all instances analyzed the translator's behavior was erratic, though in most instances this seemed to be the case. Further analyzed, the instances in which this strategy was employed showed that there were two other patterns in the translators' behavior:

1. Translators used a loan whenever they could not tell for sure whether the school was an elementary, middle, or high school, and used a loan + literal translation or only a literal translation whenever they knew the level of education. (e.g. TRANSLATOR NO. 13: *COLÉGIO ADVENTISTA DE VILA YARA*; Escola Adventista da Lapa; *Universidade Federal de São Paulo* [FEDERAL UNIVERSITY OF SÃO PAULO]; *Escola Paulista de Medicina* [MEDICINE SCHOOL OF SÃO PAULO];

TRANSLATOR NO. 32: Colégio Oficina; Colégio Persona; FEDERAL UNIVERSITY OF BAHIA;

TRANSLATOR NO. 43: Colegio Tristao de Athaide; Colegio Interação de Marilia; College of Medicine of Marilia).

2. Translators used a loan whenever the school name would be difficult to translate, and a loan + literal translation or only a literal translation whenever there was a direct equivalence between names. (e.g. TRANSLATOR NO. 15: The Samuel Scheck Hillel Community Day School e {and} The Ben Lipson Hillel Community High School; ESCOLA ESTADUAL MOUNTAIN CRREK (sic) – {Mountain Creek State School};

TRANSLATOR NO. 26: EEPSPG Epitácio Pessoa; Universidade Estadual de Campinas (State University of Campinas); *Faculdade de Engenharia Civil* (Civil Engineering College);.

TRANSLATOR NO. 45: Cornwall Collegiate and Vocational School; University of São Paulo).

Except for those who use an alternate strategy, the other strategies were preferred by a somewhat similar number of translators: Loan (12%); Literal Translation (12%); Loan + Literal Translation (14%). This result might indicate that some translators believed one single strategy could be employed whenever a school name appeared, irrespectively of any peculiarity the name might present. It would probably be worth investigating if the translators' behavior, as resulting from any training which they might have had, has helped them behave on a consistent basis.

3.2.2.2 Units of Measurement

A – General Information

The units of measurement initially included in this study were those referring to height and weight only. As two other units were also found (speed and length), they were included. Units of height and weight can be frequently found in American driver's licenses. They usually refer to the driver or, in the case of weight, they may refer to the weight of vehicles.

Different graphic markers are used in the translation of units of measurement: sometimes the translation appears in square brackets, sometimes in parentheses.

Among the TTs requested, only driver's licenses included the units mentioned above (as a matter of fact, in one single instance the concerned party's

height and weight were found in a police record certificate). In addition, not all driver's licenses include these items: neither Brazilian nor British driver's licenses include that information. It was thus expected that the number of instances analyzed would be low.

B – Strategies Employed

The following strategies were employed when translating units of measurement:

LOAN; ADAPTATION; LOAN + ADAPTATION; LOAN + VISIBILITY CHANGE; ALTERNATE USE.

LOAN – The unit appears in the TT exactly as it is in the ST (e.g.: Altura {Height}: 5-05; Peso {Weight}: 132; 8 ½” x 11”, or the unit remains the same but its meaning is translated. (e.g. ST: Weight: 120 – TT: Peso: 120 libras {pounds}; ST: Height: 5-07 – TT: Altura: 5 pés e 7 polegadas {5 feet and 7 inches}).

ADAPTATION – The unit is adapted to the system used in the TC, that is, feet and inches are converted into meters and centimeters, and pounds are converted into kilos, or vice-versa (e.g.: Altura {Height}: 162 cm; Peso – {weight}: 58,5 kg; Altura: 1,82; Peso: 74,84; 4.000 quilos – {4,000 kilos}).

LOAN + ADAPTATION – The unit remains the same and an explanation of what it means is added, and is adapted to the system used in the TC. (e.g. Altura {Height}: 6-02 (pés) (= 1,85 m) - Peso {weight}: 180 (libras) (= 81,540 kg); Altura: 5-08 (1,72 cm)).

LOAN + VISIBILITY CHANGE – The unit remains the same and a translator's note is added to explain the equivalence between SC and TC units. (e.g. Altura {Height}: 5'9"; Peso {weight}: 210 libras. N.T. Pé (foot) = 30,48cm – Polegada (inch) = 2,54cm– Libra (pound) = 453,59g);

ALTERNATE USE. – The alternate use of the following strategies was observed:
loan or loan + adaptation; loan or visibility change; and loan + adaptation or loan.

(e.g. TRANSLATOR NO. 1 – Loan: Mede 81/2 x 11 {measurement: 81/2 x 11};

Loan + adaptation: Altura {Height}: 507 [\pm 1,55m];

TRANSLATOR NO. 2 – Adaptation: Altura {Height}: 1.79 – Peso {weight}: 88 kg;

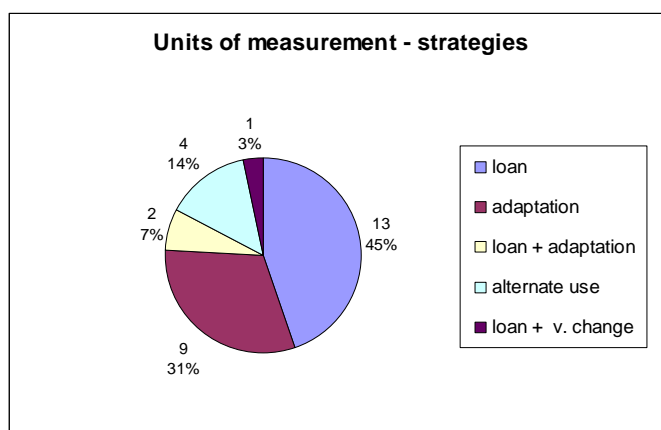
Loan + Visibility change: 16.000 (I libra {pound} = 453,59).

TRANSLATOR NO. 32 – Loan + adaptation: Altura {Height}: 5'04 [1,61 mt]; Peso 165 libras {pounds} [75 kg]; Loan: 26.001 libras; 10.001 libras.

TRANSLATOR NO. 35 – Loan + adaptation: ALTURA 507 ft. (1.69 m); PESO 120 lbs (54.5 kg.); 45 milhas/hora (72.4 km/hora); Loan: peso bruto de 26.001 {gross weight}).

C – Result of Analysis

The following graph shows the strategies used for units of measurement:



Loan was the strategy employed the most by translators (45%). This result is certainly open to all kinds of interpretation. The original unit of measurement may be maintained because the translator believes that, since the measurement was made in a specific, culture-bound metric unit of weight or height, there is no sense in presenting another unit in translation as if the measurement had occurred in that unit. Maybe the

translator does not convert units because s/he believes that doing so is not part of his/her job as a translator. Maybe the translator feels that making the conversion is useless for the purpose the translation is supposed to serve, and therefore a waste of time.

A large number of translators (31%), on the other hand, believe that units of measurement should be adapted to the TC. Translators possibly believe that like any other culture-bound item, units of measurement should make sense to the TT reader. It is even possible that translators think that by converting the units of measurement into a system that makes sense to a policeman checking a driver's license, for example, they may be helping that policeman confirm a possible fraudulent use of such license, given that someone's height is a form of his/her preliminary identification.

Somewhat surprising was the result for those using a loan plus adaptation (7%) or a loan plus visibility change (3%), which can be considered low. It seems to be warranted to assert that most translators do not see any need to use both the SC and TC systems, or to use the SC system and intervene in the text to provide the means for the reader to make the conversion, because they think this is irrelevant information, so much so that neither British nor Brazilian driver's licenses have such information. Hence, they can either use only the SC unit or the TC unit, it does not really matter.

Fourteen per cent of the translators who provided TTs in which there were units of measurement employed different strategies for translating such units. But once again, their choices sometimes did not seem to be erratic as can be seen in the examples below:

TRANSLATOR NO. 1: where the measurement referred to the paper in which an Academic Transcript was printed, the ST unit was maintained. Mede 8 1/2 x 11 {measurement: 8 1/2 x 11}. Where the measurement referred to a driver's height, the following strategy was used: Altura {height}: 507 [\pm 1,55m]. Strategies employed: Loan or Loan + adaptation.

TRANSLATOR NO. 35 – ALTURA {height} 507 ft. (1.69 m); PESO {weight} 120 lbs (54.5 kg.); peso bruto de (gross weight) 26.001; 45 milhas/hora (72.4 *km/hora*).
Loan + adaptation or Loan.

A possible interpretation for those uses of different strategies is that the translator did not consider the information in which a loan was used to be relevant for the purposes the translation was supposed to serve. In the first instance, the size in which the academic document was printed would not change the acceptability of that transcript as a valid school document; in the second case, the driver was authorized to drive a car only, and the description of other classes existing in that state, though translated, did not really matter.

3.2.2.3 Phraseologisms

A – General Information

Phraseologisms are also thought to cause trouble to translators. They constitute formulaic phrases that represent a very particular way in which a specific culture expresses some specific idea. Because they are usually deeply culture-bound, most attempts at providing a translation that is more source-culture oriented, as is characteristic of Official Translations, end up creating a phrase that is perceived as awkward by a TC reader.

Phraseologisms were included in this study because of their importance for Official Translators, who frequently have to deal with official documents. Analysis of the array of solutions found by the Official Translators participating in this study was expected to reveal a wide range of options – both source and target-culture oriented - that Official Translators could choose from when translating phraseologisms.

As explained in Chapter I¹⁴, the original question was: whenever a phraseologism in ST has a corresponding phraseologism that is commonly used in the TL, which translation solution do translators most frequently opt for: a solution that privileges the discursive, functional level or one that privileges the linguistic, semantic level? Analysis of the phraseologisms found in the TTs provided for this study revealed that not two, but three translation solutions were found by translators: they provided a literal translation, an adaptation, and a hybrid (literal translation/adaptation) solution.

As mentioned before, the strategies *literal translation* and *adaptation* are used here with the meanings given to them by Chesterman (1997) and Aubert (1998b)¹⁵, respectively. *Alternate Use* is employed as explained in item 3.1.2 in this chapter.

All phraseologisms found in the TTs under analysis are presented below, except for those that are rigorously similar, in which case only one instance is provided.

B – Strategies Employed

Below are the strategies found in the translation of all phraseologisms under study:

¹⁴ See item 1.7.2, sub item 3.

¹⁵ See Chapter I, item 1.8.

LITERAL TRANSLATION; ADAPTATION; LITERAL TRANSLATION / ADAPTATION; ALTERNATE USE.

The strategies used for each phraseologism are investigated separately below:

a) A PHRASEOLOGISM USED TO CONFIRM THE AUTHENTICITY OF AN ACT PERFORMED BY A NOTARY PUBLIC:

PHRASEOLOGISM NO. 1: “O referido é verdade e dou fé” {The foregoing is true, and I so certify}.

As stated in Chapter I, this phraseologism would have a functional equivalent in English commonly used by Notary Publics, that is “In witness whereof” (Aubert, 2003/2004, p. 3). A possible literal translation into English would be “The foregoing is true, and I so certify”. These two translation solutions were used as the parameters for determining whether the translator has used a literal translation or an adaptation. Solutions that seek to use both parameters were considered as hybrid solutions.

LITERAL TRANSLATION:

In all instances, the proposition included in the first part of the phraseologism, i.e. the one that makes express reference to the truthfulness of the text presented before the phraseologism (“O referido é verdade”), is maintained as it is in the ST. Except for one case in which “truthfulness” is used, the word “true” appears in all the examples provided below, and it is sometimes emphasized by the addition of “and correct”. It is thus the second part of the phraseologism – *do que dou fé* – that seems to cause more difficulty to translators.

The instances in which a literal translation was provided for the phraseologism under analysis show that different aspects were highlighted in the translation solutions suggested for the second part of that phraseologism:

a) only the idea of “giving a certification” is given priority:

“The information registered above is true, and I hereby testify to it.”

“The above is true, to which I attest.”

“The information above is true and so I attest.”

“The above mentioned is true and I certify it.”

“I declare that the information above is true and correct.”

“The above-mentioned is true and I certify it.”

“The aforementioned is true, to which I ATTEST.”

“I attest to the truthfulness of the above stated.”

b) both ideas of “attesting to the authenticity of the act performed” and “giving a certification” included in the SC phraseologism are maintained, as highlighted below:

“The aforesaid is true and I certify on faith.”

“The above stated is true and I exertify on faith” (sic).

“The above is true and I give faith.”

“The aforesaid is true and I certify it on faith.”

ADAPTATION: As stated above, the phraseologism *In witness whereof* was used as a parameter to establish the cases in which an adaptative strategy was used, given its functional parallelism with the Brazilian phraseologism *O referido é verdade e dou fé*. However, it should be highlighted that although there is a functional parallelism, there is not an effective semantic parallelism between the two phraseologisms. In a semantic, dictionary-type definition, “in witness whereof” would probably be defined as “I testify that an act has occurred”. According to Brazilian Notarial Law, *Dou fé* means *I declare that an act has occurred and that it was authentic*. Hence, the phraseologism *Dou fé* implies the authenticity of the act performed, and can only be used by those who have been empowered by the State with the authority to attest to

it, a feature that is not present in *In witness whereof*. This means that when opting for using *In witness whereof* translator is opting for a functional parallelism, not a semantic one.

The following examples were found in the TTs analyzed:

“In witness whereof, I set my hand and seal.”

“In witness of the truth, (+ (signed))”

“In witness whereof, hand and seal.”

“In witness whereof.”

“Further naught. In witness of the truth.”

“In witness whereof, I set my hand in (+ place and date on which the document was issued).”

“In witness whereof, I set my hand and seal in (+ place and date on which the document was issued).”

Two other aspects can be highlighted from the samples provided above:

- 1) In some instances the phrase *I set my hand and seal*, or simply *I set my hand*, is added to the phraseologism. This information is not provided by the Brazilian phraseologism. However, in our notarial certificates that phraseologism is most frequently followed by the date and the Notary’s signature and stamp, and this may have been the reason why translators decided to use that phrase, as is usual in original American certificates.
- 2) Two translators opted for using the variant *In witness of the truth*, which seems to be closer to attesting to the authenticity of the act performed, as done by the Brazilian phraseologism.
- 3) It seems that one translator was not comfortable with expressing only the idea conveyed in the second part of the phraseologism (*Do que dou fé*) and decided to include an expression that would also make a reference to the first

part of the phraseologism (*O referido é verdade*). By using another phraseologism (*Further naught*) which indicates that nothing further is included, the translator probably wanted to make sure the reader understood that the expression *In witness of the truth* referred to the text that had come before, that is, to the previously recorded information only.

LITERAL TRANSLATION/ADAPTATION: Some translators seemed to have opted for a hybrid translational solution: one that privileged both semantic and functional parallelism. The following instances were found:

“The above-mentioned is true and I give notorial (sic) evidence thereof.”

“I certify that the preceding is true and I set my hand and sign.”

“The aforementioned is true and I (sic) witness my hand and seal.”

“The above-mentioned is true and to which I bear witness.”

In one instance in which the original sentence was *O referido é verdade e dou fé. Nada mais havendo, firma a presente*, the translator dislocated the second part of the phraseologism to the second phraseologism existing in the text: *The information above is true and correct. In witness whereof, I undersign this instrument*. In this case, although a literal translation was employed, the second part of the first sentence (*dou fé*) was dislocated to the second sentence and received an adaptation to TL (*In witness whereof*).

b) A PHRASEOLOGISM USED WHEN GRANTING AN ACADEMIC DEGREE/DIPLOMA:

PHRASEOLOGISM NO. 2: “outorga(o)-lhe o presente Diploma, a fim de que possa gozar de todos os direitos e prerrogativas legais (a ele inerentes)” {grants him/her

this diploma so that s/he may enjoy all the legal rights and privileges pertaining thereto}.

After investigating the diplomas existing in my own Official Translation file, the only functional equivalent phraseologisms that were found in the diplomas originally written in English were the following: “I award you the degree of XXX, with all the rights, honors, and privileges thereto appertaining”; and “has been awarded this diploma with all the rights and honors thereto appertaining”. They were used as the parameter when judging whether a literal translation or an adaptation was the strategy used.

LITERAL TRANSLATION:

“grants him this Diploma, for him to enjoy all the legal rights and prerogatives.”

“confers upon him the present Diploma thus he can benefit from every legal rights and prerogatives” (sic).

“bestows her the present Diploma, so that she may benefit from all legal rights and prerogatives.”

“grants him this diploma, in order for him to enjoy all the legal rights and prerogatives (sic).”

“grants the present Diploma, for the purpose of enjoying all the legal rights and prerogatives.”

“grants him this Diploma so that he may enjoy all the legal rights and prerogatives.”

“award her this Diploma so that she may enjoy all legal rights and prerogatives.”

“grants her the Diploma herein, in order that she may enjoy all legal rights and prerogatives”

“granting her this Diploma for her to enjoy all legal rights and prerogatives.”

“awards her this present Diploma, that she may avail herself of all legal rights and prerogatives.”

As can be seen in the examples above, there was little variation as regards the translation of the key words in the phraseologism under analysis. For instance, *outorga-lhe* is translated as *grants, awards, bestows, and confers*. These are all words that share a common semantic reference, that of *giving something to someone who deserves it*. The expression *a fim de que possa gozar* also received translations that shared a common semantic basis, such as *so that he can enjoy, thus he can benefit from, for the purpose of enjoying, and she may avail herself of*. In one single instance the idea of enjoying or benefiting from the diploma awarded is not present: *for all legal effects and purposes*. Some of these variations, and other variations such as *the present diploma*, are probably related to incorrect or unidiomatic use of the TL, an issue that I deliberately would not like to tackle here.

ADAPTATION

“grants him the present diploma, so that he may enjoy all the legal rights and privileges pertaining thereto.”

“awards this Diploma so that he may enjoy all rights and legal privileges pertaining thereto.”

“awards her the present Diploma, so that she may enjoy all the rights and privileges thereof.”

The samples above illustrate the translators’ effort to use solutions that would sound idiomatic to a TC reader. This can be seen in the use of *privileges, pertaining thereto* and *thereof*.

In one adaptative solution proposed, the translator ended up using an entirely different phraseologism, but one that would sound idiomatic to a native speaker: “grants the present Diploma, *for all legal effects and purposes*” (my emphasis).

In another instance, the translator chose to change the verb tense from the present into the present perfect tense, a verb tense commonly used in diplomas originally written in the English language. This solution might indicate an extra effort on the translator's part to approximate his/her translation to the phraseologism used in the TC: "has awarded him the present Diploma with all the legal rights and privileges thereto pertaining."

LITERAL TRANSLATION/ ADAPTATION

"grants him the present diploma so that he may enjoy all legal rights and prerogatives thereto pertaining".

"grants him this Diploma, so that he may enjoy all legal rights and prerogatives thereof."

"grants her the present Diploma in order that she may enjoy all the legal rights and privileges belonging thereto."

The examples presented above seem to show the tension suggested by Aubert (2005): an "intense search for cultural-linguistic equivalences used in the target language/culture, while the communicative purpose of the translational act would seek to privilege imitative solutions using formal and semantic calques" (p. 3, my translation). This can be seen in the use of the adaptative expression *thereto pertaining*, not included in the ST phraseologism, while opting for the more literal-sounding word *prerogatives*, instead of *privileges*. A somewhat deeper tension can be found in the *belonging thereto* solution, with *belonging* sounding less formal to a TC audience, in the specific case of a diploma.

c) A PHRASEOLOGISM USED TO CONFIRM AN OFFICER’S AUTHORITY TO PERFORM A CERTAIN ACT:

PHRASEOLOGISM NO. 3: “no uso de suas (minhas) atribuições (legais)”.

This phraseologism, with the small variations in parentheses, was found in most diplomas and in several police record certificates. It is commonly used in Brazilian official documents to indicate that the person performing an act had full and legal authority to perform it. My own experience in translating official documents coming from English-speaking countries indicates that the use of this phraseologism is not as common in those countries as it is in Brazil. Hence, this phraseologism can cause some trouble to novice translators, given the lack of access to its original form in the English language.

The model found in my own files, and the one also proposed by Aubert (2005) is the following: “by virtue of the authority vested in me”. It therefore served as the parameter for accessing the translations submitted for analysis. The use of this phraseologism in the English language can also be confirmed in the following official document issued by the president of an English-speaking country:

“Proclamation 7463 of September 14, 2001¹⁶ - Declaration of National Emergency by Reason of Certain Terrorist Attacks.

By the President of the United States of America

A Proclamation

(...)

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me as President by the Constitution and the laws of the United States...”

¹⁶ This document can be found at <http://www.fas.org/irp/news/2001/09/fr091801.html>

The translations found for this phraseologism were the following:

LITERAL TRANSLATION:

- “in the use of his attributions”
- “*making use of his attributions*”
- “By virtue of his attributions“
- “by using his attributions”
- “exercising her official attributions”
- “in the exercise of his legal attributions”
- “*in the use of the attributions of his status*”
- “in the exercise of my functions”
- “in accordance with the powers granted to him“
- “in use of his power”
- “by means of his full power”
- “in the hold of its legal powers”
- “in the discharge of my duties”
- “in the exercise of his legal duties”
- “by his prerogatives”
- “in use of his prerogatives”
- “in practice of his lawful prerogatives”

The high number of translators who have opted for a literal translation that in some cases amounted to a word-for-word translation did come as a surprise to me. I would not like to go into any wider discussion about the unidiomatic nature of some translations presented above (especially the use of the word ‘attributions’) because, as I believe it has been fully explained, this kind of discussion would be totally beyond the scope of this study. However, it seems warranted to affirm that the use of such nonidiomatic constructions points towards an *interlingua*¹⁷ solution being

¹⁷ The term *interlingua* is used here in the sense of *translationese*, that is “TL usage which because of its obvious reliance on features of SL is perceived as unnatural, impenetrable or even comical” (Shuttleworth, 1997, p. 187).

accepted by those translators, as Aubert (2005) has noticed in his data and will be explained further in the section *Result of Analysis* below.

ADAPTATION:

“by virtue of the legal authority vested in me.”

“by the authority vested in him”

“by virtue of his legal authority”

These examples, in which the words *authority*, *virtue* and *vested* are used, show the translators’ effort to conform to TC uses and practices.

LITERAL TRANSLATION/ADAPTATION

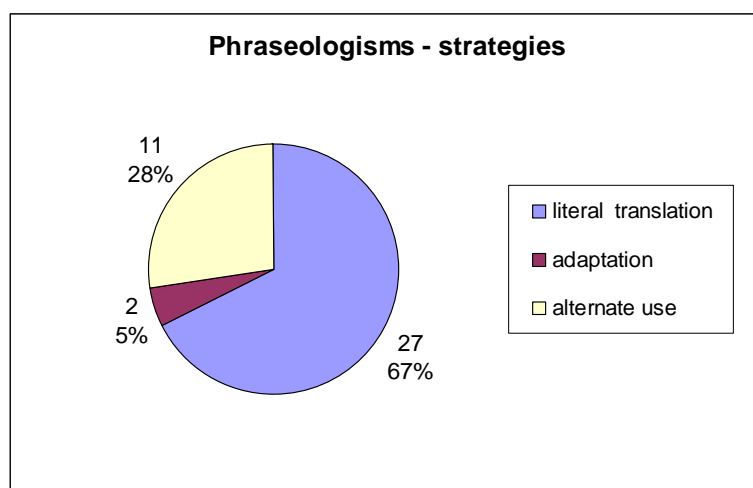
”using the powers vested in him”

“through the powers vested to him”

The examples above propose a hybrid solution in which a literal translation and an adaptative formula are used, as respectively highlighted: *powers* and *vested*; *through the powers* and *vested*.

C – Result of Analysis

The graph below shows the strategies most frequently employed by translators:



Before analyzing the graph above, the following explanation seems to be necessary: this graph is the result of a preliminary analysis in which a somewhat constant behavior was found for the translation of the three phraseologisms: translators always provided a literal translation, an adaptation, or provided a literal translation for one or two phraseologisms and an adaptation for the other(s). However, a deeper analysis revealed the existence of the hybrid solutions portrayed above. These solutions were not enough to characterize each translator's profile as much as the categories that appear in the graph. For this reason, hybrid solutions were not computed for statistical purposes, nor do they appear in the graph. Though hybrid solutions could not be computed, they were considered very important and were presented in this study because they represent a form of translation behavior effectively observed in the data analyzed.

As the graph shows, the number of translators who opted for using a literal translation in the translation of phraseologisms is indeed high (67%). This result is open to all kinds of interpretation, such as: translators opt for a literal translation because they do not know the corresponding phraseologism in the TL, and pressed for time, they choose the easiest way out of a problematic translational situation; or they privilege a semantic parallelism instead of a functional one because they believe that they should preserve the semantic invariance implied in the *fé pública* that they attest to in their TTs (this understanding would confirm Aubert's (2004b, p. 7) hypothesis that an Official Translation would seek to reach a semantic invariance in relation to the original in a more strict and systematic way than other translation types). Other interpretations can follow, and one of a more practical nature would be:

they believe that the choice made may not be the best choice but it is *understandable enough*, and the TT will serve its purpose.

Whatever the actual reason is for the widespread use of literal translation as *the* strategy (in comparison to the low number of translators who use adaptation alone [5%]), this use was expected. This expectation is in tune with Aubert's (2005) argument: given that an Official Translation does not substitute the ST but only complements it by giving validity to it in another culture, it is expected that "a translation which had that purpose would more markedly tend to literalism: formal (morphosyntactic) and/or of its content (semantic)" (ibid. p. 2).

The examples given above for the three phraseologisms under analysis provide the following figures: 39 instances of literal translation; 14 instances of adaptation and 9 instances of a literal translation/adaptation hybrid solution. The result for hybrid solutions certainly deserves a special comment. This result seems to be in total agreement with Aubert's (2005) findings: "the relevance of *interlingua* as a space in which translation difficulties are reconciled" (p. 1, his emphasis).

It seems that what is behind this translational behavior, that is, using hybrid solutions, is the idea entertained by translators that, because it is an Official Translation, not a free translation, an *interlingua* solution might be fully acceptable. However, such an assertion can only be confirmed after a comparison is made between these solutions and those presented when Official Translators translate for non-official purposes. It is possible that such a study would demonstrate that they behave differently, that is, no *interlingua* solution would be adopted.

Before the analysis of how the translation of culture-bound items was conducted, it was hypothesized that there were two opposing types of 'performance

instructions'¹⁸ influencing the translator's work: one that would tell Official Translators that they should produce a TT that was closely linked to the ST and the SC in both linguistic and semantic forms, and another that would tell Official Translators that their TTs should be TC-oriented. The analysis of translations of culture-bound items presented above confirmed that hypothesis in that, by making a somewhat frequent use of unclear criteria to decide on how to translate such items, translators seemed to show to be in doubt as to whether and when they should privilege a SC- or a TC-oriented text.

3.2.3 Translator's Interventions

3.2.3.1 Translator's Comments

A – General Information

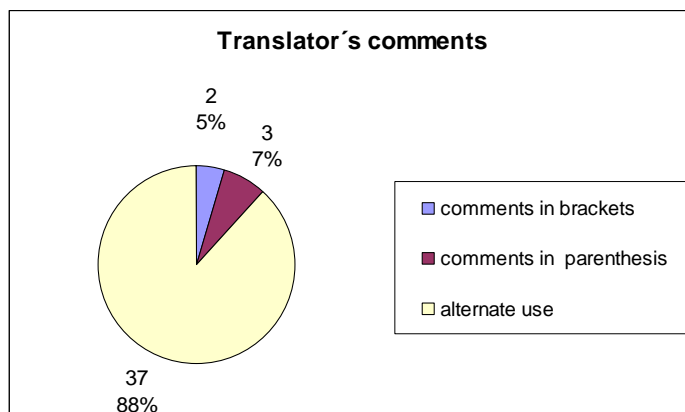
Analysis of the interventions made by translators in the TTs by means of a translator's comment focused on two topics: how translators signaled that intervention and for what purposes they occurred. The former is displayed in the graph below, while the latter appear in the instances of intervention listed below. Translators intervened in TTs for so many different purposes that it proved unfeasible to portray all those purposes in a graph.

B – Result of Analysis

The analysis of TTs as regards the translator's comments added revealed the following:

1. How comments are signaled:

¹⁸ As used by Toury (1999).



The graph shows the graphic markers used by translators to signal the existence of a translator's comment in the TT. Only five out of the 42 translators used a marker on a consistent basis: two translators always used comments in brackets, while three of them used comments in parentheses. The vast majority (88%) alternated between using comments sometimes in brackets, sometimes in parentheses, and sometimes using no marker at all. No translator made a consistent use of no markers, and therefore this category does not appear in the graph above.

2. Purposes of comments:

Translator's comments are by far introduced to translate a semiotic item included in the ST into words or to guide the reader of the TT if s/he wishes to compare the TT s/he has commissioned to the ST s/he had originally at hand. Without regard to any strict statistical consideration, the truthfulness of this assertion can probably be confirmed by the interventions made by both the translators who, on average, intervened the least and the most. Three translators presented the lowest average of interventions, that is, 2.8 interventions per translated text, regardless of size and topic – translators no. 32, 38 and 44. Only one translator presented the highest average of interventions, that is, 12 interventions per translated text:

translator no. 3. Included here were only the translators who provided the five texts required.

TRANSLATOR NO. 32 showed an average of 2.8 interventions. The text in which she intervened the most was the Diploma. Her five interventions in that TT were:

CREA-Bahia (Regional Council of Engineering, Architecture and Agronomy).
Signed by the Director signature)
D.O.U Official Daily Gazette
Signature-signed
Overleaf

Three out of the five interventions above aimed at translating a semiotic item included in the ST into words or guiding the reader of the TT in his/her comparison with the ST.

TRANSLATOR NO. 38 showed an average of 2.8 interventions. The text in which he intervened the most was the Driver's License. His interventions in that TT were:

Estados Unidos da América
Nome do Motorista
(veículos não comerciais)
Domicílio
N.T. Pé (foot) = 30,48cm – Polegada (inch) = 2,54cm– Libra (pound) = 453,59 g.

This was a most unexpected result: none out of translator's five interventions aimed at translating a semiotic item or guiding the TT reader. This was even more unexpected when taking into account that the document in question was a driver's license, a document that usually shows a number of semiotic items. When investigating the TT and the ST provided, a few facts could be noticed that might explain such result:

- 1) The whole TT has 7 lines of text, which means that that translation was certainly an abridged translation. This fact was confirmed in the translator's closing statement: "Nada mais se continha de importante no referido

documento ...” (sic) {Nothing else *important* was included in the document [my emphasis]};

- 2) When checking the ST, it was noticed that the driver’s license translated did in fact have the following semiotic items, which for some reason or another were not mentioned by the translator: driver’s photograph and signature; state seal in the background; magnetic strip; and bar code. Failure to mention or describe these items seems to indicate a very idiosyncratic behavior of this translator.

TRANSLATOR NO. 44 showed an average of 2.8 interventions. The text in which she intervened the most was the Police Record Certificate. Her interventions in that TT were all to introduce a semiotic item included in the ST into words or to guide the TT reader in his/her comparison with the ST:

(Signature)
 (Stamped:)
 (REVERSE SIDE:)
 (BLANK PAGE)

TRANSLATOR NO. 3 showed an average of 12 interventions. The text in which she intervened the most was the Academic Transcript. Her interventions in that TT were:

[histórico impresso sobre fundo amarelo, com o nome da Universidade impresso ao fundo, em brasão]
 [nome da universidade impresso em forma seqüencial, em branco sobre fundo negro, nas bordas laterais da folha]
 [espaço para informações na margem lateral direita da primeira folha do histórico]
 PUAD [administração pública]
 PhD [doutorado]
 [Ph.D.]
 [assinatura e carimbo em ambas as folhas do histórico, com marca em relevo]
 [parágrafo final da segunda folha do histórico]
 IN [incompleto]
 [sigla ilegível]
 Graduate School - [Instituto de Pós-Graduação]
 [PUAD – Public Administration - Administração Pública]

[informações conforme descrição no verso sobre ...]
 Over - [continua na próxima folha]
 [continuação na segunda folha do histórico, em formulário idêntico, com o mesmo cabeçalho informativo]
 [constam do rodapé da primeira folha do histórico informações gerais sobre ...]
 [informação no verso]
 aparecerá a palavra “void” [cancelado]
 Razoável [fair]
 [Freshman] [Sophomore] Junior] [Senior]
 O nome da universidade é impresso ...[nota do tradutor: fundo do papel com selo da Universidade e nome da Universidade nas bordas laterais: “University of Southern California]
 Fotocópias não são consideradas documentos oficiais. [nota do tradutor: documento apresentado em formato original]
 O selo do Secretário Acadêmico e a assinatura constam na primeira página. [nota do tradutor: selo e assinatura incluídos, conforme abaixo citado]
 [Conselho de Ensino ..]
 [Nota do Tradutor: não aplicável ao presente histórico]

It can be noticed that from the 25 interventions above 13 aimed at translating into words a semiotic item included in the ST or guiding the TT reader in his/her comparison with the ST.

3.2.3.2 Translator’s Notes

A – General Information

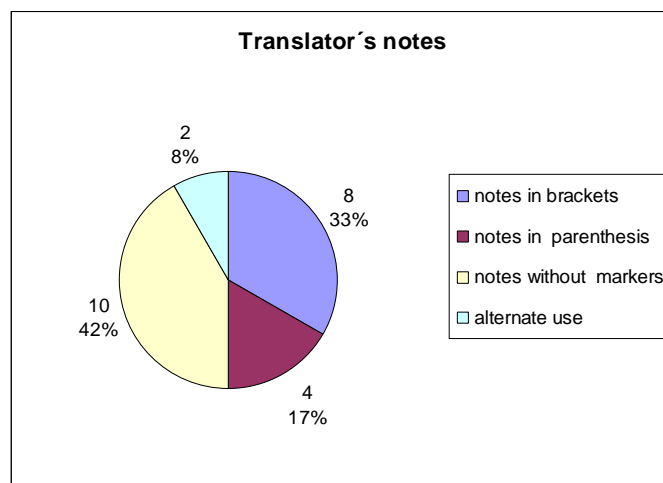
It can be affirmed that translator’s notes clearly identified as such were surprisingly rare in the TTs analyzed: 18 translators did not insert any translator’s note in the TTs analyzed. Among the translator’s who did insert notes, the number of insertions was very low: 1 or 2 in each TT.

Two notes were identified as *NB* and *Obs.*, and were counted as translator’s comments, not translator’s note. The same applied to notes that appeared as footnotes showing only a sequenced number. Some notes were subdivided into a few notes, commenting on different aspects of the ST.

B – Result of Analysis

The analysis of TTs as regards the translator's notes added revealed the following:

1. How notes are signaled:



Most translators who did insert a note (42%, that is, 10 out of 24) used no marker to signal that that text referred to a translator's note. Notes appeared in brackets in the TTs of eight translators (33%), and in parentheses in those made by 4 translators (17%). Two translators alternated between using brackets and parentheses (Translator no. 4), and brackets and no marker (Translator no.19).

2. Purposes of notes:

Translator's notes were much less frequently used in the TTs investigated than translator's comments. They were mostly used to indicate the existence of a semiotic item in the ST; to explain school systems; to indicate the existence of special physical features in STs, such as blank lines; and to explain that certain parts of the ST were not translated.

Notable was the low number of notes included in order to specifically help public officers who would have to make the ST take on legal effect through its TT.

Two examples can be mentioned:

1. A note that informs Brazilian officers and employees at our Traffic Departments (DETRANs) about the meaning of classes in American driver's licenses, whenever such information is not provided in the license¹⁹. In some TTs analyzed, that information is not provided either by the license or by the translator, and officers and employees at our DETRANs must have a hard time when deciding what kind of Brazilian license to award the driver. Worse still, they probably simply deny a Brazilian license to the driver.

2. In one of the TTs investigated, the original birth certificate did not mention the name of the country where the child was born. The only information provided about the place of birth was the Registration District: Solihull. Odd enough, the name of the country does not appear, but the name of the maternity hospital does appear. In order to help the officer who would have to deal with that TT, the translator could have added a note with that precious piece of information.

It can be certainly argued that such a category of Translator's Note should not exist because providing the kind of information above is beyond a translator's duties. It can be counter-argued that a 21st century translator should not only be responsible for the linguistic transfer that is peculiar to his/her job, but should also act as a *cultural mediator*, especially taking into account the resources that the Internet has made easily available to translators.

Result of Analysis of all Interventions and Categorization Proposed

As hypothesized in the Introductory Remarks²⁰, Official Translators' interventions in the TT occur very frequently. It can be somewhat farfetched to affirm that the use of the expression "Translator's Note", or any expression to that

¹⁹ For more information on this issue, see Intervention no. 10 below.

²⁰ See section *Purposes of this Study*.

effect is avoided, and that for the sake of economy, most comments appear in brackets or parentheses only. However, some notes are not a brief intervention in the TT, but are so extensive that it would probably be more appropriate to signal them as a “Translator’s Note”. Two examples should suffice to understand the point made:

1. (As duas páginas do histórico escolar em questão foram impressas em papel timbrado da Universidade do Norte do Estado de Kentucky. O símbolo da universidade aparece no fundo do papel e o nome da instituição de ensino superior se repete por todo o documento); {Both pages of the academic transcript in question were printed in letterhead paper of the Northern Kentucky University. The University’s symbol appears in the background and the name of that institution of higher education is printed all over the document};
2. [The front side of the document shows a frame, inside of which, on the top left corner, we find the coat of arms of the State of São Paulo, to the right of which we find the coat of arms of the Federative Republic of Brazil. On the top left corner, we find the logo of UNICAMP (Universidade Estadual de Campinas –State University of Campinas) {no closing brackets}.

As also hypothesized, the results above show that most interventions are not made to explain any cultural aspect of the SC but to inform the reader about the existence of a semiotic item in the ST and to guide him/her through the ST with comments.

Based on all the translator’s interventions found in the TTs submitted for analysis in this study, ten categories of translator’s interventions are proposed below. As no clear criteria could be perceived with reference to when to use a translator’s comment or a note, the categorization includes both types of interventions.

1- INTERVENTIONS THAT AIM AT INFORMING THE READER ABOUT THE EXISTENCE OF A SEMIOTIC ITEM IN THE ST. This is probably the most common intervention translators make in the TT because semiotic items are usually related to the document's authenticity in the SC. Therefore, by mentioning the existence of the stamps, seals and signatures found in the ST, the translator is in some way helping identify that document as an authentic document in the SC, which authenticity should be recognized in the TC. An example should suffice: the translation and/or description of a stamp printed by a Notary Public which verifies the authenticity of a signature found in the ST. Some examples of such intervention can be easily found in Official Translations, such as:

- [Duas assinaturas] {two signatures};
- [agency's stamp with initials];
- [foto colorida da portadora] {Holder's color photograph};
- (Código de barras para identificação eletrônica) {bar code for electronic identification};
- school logo; and
- [golden seal].

2- INTERVENTIONS THAT AIM AT INFORMING THE READER THAT A PARTIAL TRANSLATION WAS CARRIED OUT:

Partial translations of a document are allowed in Official Translation. Partial translations usually occur when the original document includes more information than needed for the purposes the client is commissioning the translation job. Thus, a document is usually partially translated at the request of the concerned party, and this fact is usually mentioned in the TT. Some examples found in the texts under analysis are:

- [constam ainda no documento:] {the following also appear in the document:};

- [constam do rodapé da primeira folha do histórico informações gerais sobre ...]
{at the bottom of the first page also appear general information about ...};
- [Nota do Tradutor: não aplicável ao presente histórico] {[Translator's Note: Not applicable to this academic transcript]}.

Though these notes do not clearly state that a partial translation has been carried out, they imply that there was some information in the ST that was not fully translated in the TT. A note that can sometimes be found in Official Translations to indicate that a partial translation was done usually reads as follows: [Translator's note: At request of the concerned party, the XXX appearing in the original text will not be included in this translation.]

3- INTERVENTIONS THAT AIM AT INFORMING THE READER ABOUT SOME DIFFICULTY FOUND BY THE TRANSLATOR:

Sometimes translators intervene in the TT to inform the reader about some difficulty they had when translating the document. Sometimes parts of a document are illegible, sometimes the document is torn, contains erasures or evidence of attempt at fraud etc. In these cases Official Translators are expected to provide information about such events. A few of such interventions were found in the TTs analyzed:

- [sigla ilegível] {illegible abbreviation};
- Chief Officer (illegible name);
- 1- Não consta no histórico escolar explicação para as abreviaturas nesta coluna.
{There is no explanation in the academic transcript for the abbreviations found in this column}.

4. INTERVENTIONS THAT AIM AT GUIDING THE READER WHEN COMPARING THE TT TO THE ST:

This kind of intervention is very much in tune with the expected *mirror-image* TT usually associated with Official Translation. As pointed out by Aubert (1998a), an Official Translation “will act as a type of ‘transparency’ over the original text, a ‘reader’s guide’, more than as an independent text” (p. 16). The kind of intervention proposed in this category is one that aims at guiding the reader, usually a public officer who wants to be sure that s/he can understand all the information included in the original document at hand, when comparing the TT to the ST. With this kind of intervention, the translator indicates, for instance, that a certain translation stretch can be found in the upper margin or at the bottom of a page in the ST. Some examples found were:

- [overleaf];
- [Red stamp across front page];
- [margem superior] {upper margin};
- [conforme lista no verso] {see list on reverse side};
- [coluna com desenhos – descrição aqui incluída conforme respectivas descrições de categorias contidas no verso do documento] {columns with drawings – description included here in accordance with relevant class descriptions included on the reverse side of document};
- [parte interna: identificação numérica nas margens superior e inferior da página] {internal part – numeric identification on the page upper and lower margins};
- [Rodapé] {bottom of the page};
- [Número de identificação, em vermelho] {identification number in red};
- [nome da universidade impresso em forma seqüencial, em branco sobre fundo negro, nas bordas laterais da folha] {University name printed in white, in sequence, on a black background in both lateral margins of the page};
- [Footnote Ref. on right margin]; and

- [continuação na segunda folha do histórico, em formulário idêntico, com o mesmo cabeçalho informativo] {continued in a similar form on second page of the academic transcript, which bears the same heading}.

5- INTERVENTIONS THAT AIM AT INFORMING THE READER ABOUT THE EXISTENCE OF A SPECIAL FEATURE IN THE ST:

This kind of intervention is designed to provide the translator with a chance to inform the reader about any special feature that s/he has found in the ST. Sometimes the ST has a small page issued by a Brazilian consulate abroad or by a notary public attached to it, and the translator wants to make sure that the reader understands that some specific information that is translated is included in that appended document; some other times the translator wants to describe the stationery the ST is printed on. The translator may also want to indicate that the information translated appears in a small laminated card. In all these cases, a very specific type of intervention is inserted in TTs, as the ones listed below:

- [Segue-se transcrição de documento consular, apenso por lacre na cor dourada, e exarado em vernáculo] {There follows the transcription of a consular document attached by a golden wax seal and issued in the vernacular language};
- [Stationery with centered, light-blue-ink Seal];
- [Notarial Seal and Adhesive Authenticity Stamp];
- (Holographic certification seal AJ nº xxx);
- (Documento original impresso em cartão plástico contendo imagem colorida de fundo e hologramas contendo o nome de cidades e do estado de Utah) {Original document printed in a plastic card with a color image in the background and holograms with the names of cities and the name of the state of Utah};
- (Código de barras para identificação eletrônica) {bar code for electronic identification};
- (Golden Seal in relief of the University).

- [reverse side: non applicable and blank – only applicable to persons holding identity cards of other states of the Brazilian Federation or foreigners];
- [Top right side - Holographic Identification Seal of the São Paulo Association of Registrars of Natural Persons].

6- INTERVENTIONS THAT AIM AT PROVIDING A TRANSLATION OR EXPLANATION TO A CULTURAL ITEM, OR TO ITS ORIGINAL DESIGNATION:

With this type of intervention, the translator seeks to explain a cultural item that would otherwise be incomprehensible to the TT reader. It includes explanations about abbreviations, acronyms, school systems etc. Also in this category are included those interventions that aim at providing the original form of an item that is translated into the TL, so that the reader can refer back to that item in the SC. A common example was found with names of legal statutes. When coming across the terms “portaria” and “parecer” in Portuguese, the translator translated them as “directive” and “opinion”, respectively, but the original terms were included in a paratextual comment. The following examples of this category were found:

- [PUAD – Public Administration - Administração Pública];
- PhD [doutorado];
- [DVLA – Driver and Vehicle Licensing Agency – Órgão de Licenciamento de Veículos e Habilitação de Motoristas];
- SSN (INSS);
- ID (RG);
- MJ (Ministry of Justice);
- SR/SP (Regional Superintendency/São Paulo);
- C.P.P. (Code of Criminal Procedure);
- DETRAN – SP (Traffic Department of the state of São Paulo);
- Ministerial Directive (Portaria);

- [* Translator's Note: High School in Brazil is completed in three years];
- Ministry of Education and Culture (MEC);
- Minas Gerais, [Brazil];
- [state of];
- ME (Maine).

7- INTERVENTION THAT PROVIDES A GENERAL EXPLANATION ABOUT THE DOCUMENT BEFORE TRANSLATION PROPER BEGINS:

Some translators consider that a general explanation about the document handed in for translation has to be included in the TT, before beginning the actual translation of the information appearing in the ST. These interventions usually contain information about the paper the ST text is printed on, its letterhead, and the type of ST submitted to translation, that is, a photocopy, an original etc. Some of these interventions can be long and take more than four lines of descriptive text. Examples from the TTs submitted for analysis are:

- (Document printed on Bristol paper with ornamented borders);
- (Certificate printed on 75gsm sulfite paper);
- An original document bearing the Brazilian coat of arms, issued as follows:
- (O documento em questão foi impresso em papel oficial na cor rosa clara e está plastificado. No fundo, a frase *Carteira de Habilitação Motora* está escrita repetidas vezes e em várias línguas distintas. A sigla *DVLA* (Agência de Licenciamento de Motoristas e Veículos) também aparece repetidas vezes por todo o documento em letras douradas.) {The original document was printed in official light pink laminated paper. The phrase *Driver License* is repeated in various different languages in the background. The abbreviation *DVLA* (Driver and Vehicle Licensing Agency) is also repeated all over the document in golden letters};
- (As duas páginas do histórico escolar em questão foram impressas em papel timbrado da Universidade do Norte do Estado de Kentucky. O símbolo da

universidade aparece no fundo do papel e o nome da instituição de ensino superior se repete por todo o documento) {Both pages of the academic transcript in question were printed in letterhead paper of the Northern Kentucky University. The University's symbol appears in the background and the name of that institution of higher education is printed all over the document};

- On the top right corner, we find the coat of arms of the state of São Paulo; There is a frame in shades of green around the front of the document and a water mark also in shades of green. On the top left corner we have the Brazilian coat of arms. On the top right corner there is a holographic seal which reads ARPEN-SP. The document starts with a heading which reads;
- [THE DOCUMENT WAS A CERTIFIED COPY OF A DIPLOMA IN ONE PAGE, CONTAINING STAMPS ON THE BACK, AS FOLLOWS]; and [O DOCUMENTO ERA O ORIGINAL DE CARTEIRA DE HABILITAÇÃO EMITIDA NO ESTADO DO KANSAS, ESTADOS UNIDOS DA AMÉRICA] – {The document was the original of a Driver's License issued in the state of Kansas, United States of América};
- (The document shows the symbol of the Federative Republic of Brazil in the middle of its upper border, as well as the official symbol of the institution in its center as a water mark; it also shows the annotations “DEPARTAMENTO DE POLÍCIA FEDERAL” [which means “FEDERAL POLICE DEPARTMENT” and is equivalent to the Federal Bureau of Investigation] throughout the whole of it and “VÁLIDA POR 90 DIAS” [which in English means “VALID FOR 90 DAYS”] written in red in the oblique direction to the right, again in the center of the document).

The last quote above provides an interesting example of the importance translators may give to this type of intervention: an intervention is added to explain some item appearing within another intervention.

8- INTERVENTIONS THAT AIM AT VERIFYING THE EXISTENCE OF A SAFETY FEATURE IN THE ST PRESENTED FOR TRANSLATION:

Some STs, especially academic transcripts and some police record certificates, contain a text that makes express reference to the features that a document should display if it is to be considered as an official document. These features usually refer to physical aspects of the ST, such as color of paper or signature, engraved borders, or raised seals. Some translators feel that it is their duty to inform the TT reader whether those security features were really present in the ST. Some other translators believe that providing such information is not part of their duty, but it is up to the TT recipient to check if those features are present. The former group of translators translates the text included in the ST about safety features and uses a paratextual comment or note to inform the reader about their presence in the ST; the latter group of translators just translates the information included in the ST. The examples provided below show the kind of intervention translators usually make:

- {written in ST} Documento oficial se contiver timbre {Official document if letterhead is printed} – (Timbre em relevo da escola) {School letterhead in relief};
- Fotocópias não são consideradas documentos oficiais. [nota do tradutor: documento apresentado em formato original] {Photocopies are not to be considered official documents – [translator’s note: document presented in original format]};
- Qualquer alteração ou rasura torna nula a presente Certidão. [nota do tradutor: o documento não contém alterações nem rasuras] {Any alteration or erasure voids this certificate. [translator’s note: document does not bear any amendment or erasure]};
- ‘Este instrumento somente terá validade quando realizado em papel com margens ornadas, contendo selo e assinatura do Oficial de Registro [nota do tradutor: documento atende tais exigências] {This copy is not valid unless prepared on

paper with engraved border displaying seal and signature of Registrar [translator's note: document meets these requirements]]];

- O selo do Secretário Acadêmico e a assinatura constam na primeira página. [nota do tradutor: selo e assinatura incluídos, conforme abaixo citado] – {The Registrar's seal and signature appear on the first page – [translator's note: seal and signature appear as mentioned below]}; and
- {ST:} os ícones translúcidos em forma de globo devem ser visíveis quando o papel é colocado contra a luz. {Translucent globe icons must be visible when held toward a light source} – (*Nota da Tradutora: os ícones supracitados são visíveis.) – {Translator's Note: the above-mentioned icons are visible.};

9- INTERVENTIONS THAT AIM AT MAKING MEANING CLEAR:

Under this rubric are those interventions that aim specifically at making clear the meaning of what comes next in the TT. For instance, some translators believe that since addresses are to remain as they appear in the ST, the word *address* should be placed before an address so that the TT reader can understand that what comes next in the TT is an address. In the examples below, the translators intervened in the text by adding a word that was not originally used in the ST (word underlined below) in order to make the text clearer:

- Data da emissão {Date issued};
- Data da expiração {Date valid};
- Nome da portadora {holder's name};
- [Endereço eletrônico] {e-mail};
- Full Name;
- {in ST: data are held for} informações são mantidas (em sigilo) devido a – {data are held (confidencial) for}.

In the last example presented above the translator felt the need to use the word *confidential* in parentheses in order to make clear that the word was not included in the ST but was added by translator for comprehension purposes.

10- INTERVENTIONS THAT AIM AT INFORMING ABOUT FACTS THAT ARE INDIRECTLY RELATED TO THE ST OR THE TT:

This category encompasses those cases in which the translator feels the need to provide some information, at request of the concerned party or not, which the translator believes that the TT reader should know and that is only indirectly related to the ST or the TT. For instance, driver's licenses from many American States mention the class of vehicle that the driver is allowed to drive, but provide no explanation about the kind of vehicle that specific class refers to. Thus, if the translator translates the class the way it appears in the driver's license, that is, *Class: E* translated as *Categoria: E*, anyone who reads that translation in Brazil will have no idea of what kind of vehicle the driver can drive. In my professional practice, I have been asked by an officer at the Brazilian Traffic Department (Detran) in Florianópolis, Santa Catarina, to provide information about license classes. Thus, whenever the license does not provide such information, I check the site of the Department of Motor Vehicle for the relevant American state and include that information in the TT via a translator's note. Judging from the first example included below, I am not alone in doing that. Two other examples were found that can illustrate this category:

- [*] N.T.: Conforme consta do endereço eletrônico do órgão expedidor (DVLA) os códigos acima representam as seguintes categorias: {TN: As included in the issuing Agency's (DVLA) electronic address (sic), the codes above refer to the following classes:}

- “Nota do Tradutor: Conforme Carteira de Identidade nº xx expedida em xxx o nome correto do Titular é xxx” {Translator’s note: In accordance with identification card no. xxx issued on xxx, the correct name of holder is xxx};
- “Translator’s note: I have made all reasonable effort to assure an accurate translation of the information contained herein, but assume no responsibility whatsoever or vouch for the authenticity, veracity, completeness, or correctness of this document or any information therein contained, nor do I emit any opinion regarding the information provided herewith.” In one of the translations provided the equivalent in Portuguese for this note appears without any indication of its being a translator’s note: A presente tradução não significa julgamento sobre a forma, autenticidade e/ou conteúdo deste documento.

3.3 Data Analysis: Investigating the Normative – Translators’ Statements

The strategies employed by Official Translators in the translation of the semiotic items and culture-bound items under investigation in this study were described and analyzed above. Such description and analysis also included how translators intervened in the TTs investigated. When analyzing what translators effectively do in their translation practice, I have tackled the first source for the reconstruction of norms as described by Toury (1995), the textual source, or in Brownlie’s (1999) terms, *the normal*. Now is the time to advance to the other source in the investigation of norms: extratextual sources (Toury, 1995) or *the normative* (Brownlie, 1999).

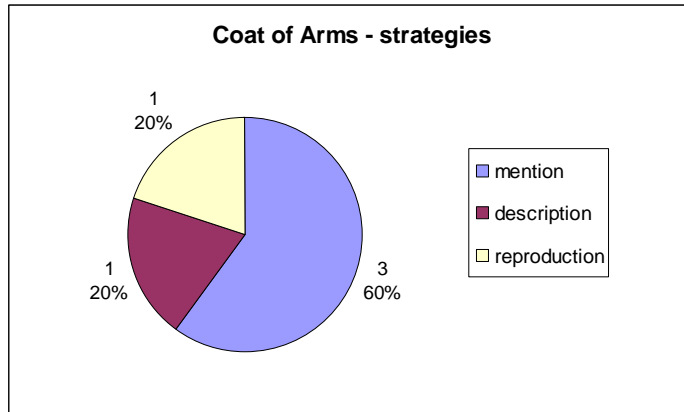
As Toury (1995) has pointed out, there can be some gaps and even contradictions between actual behavior and the explicit arguments made in those statements.

3.3.1 Statements about Semiotic Items

When informing how they would translate semiotic items, most translators were unspecific about each one of the three items investigated in this study. Among those

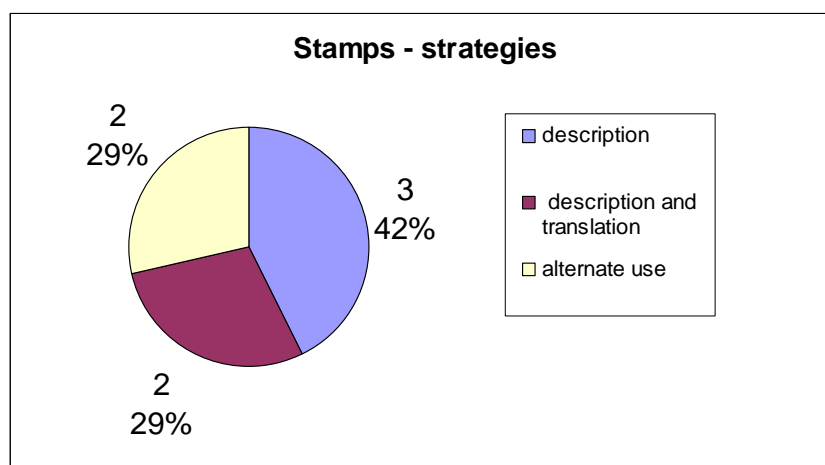
who specifically mentioned each item, the results were the following:

COATS OF ARMS – five translators mentioned the strategies they would employ in the translation of coats of arms. The graph below shows their options:



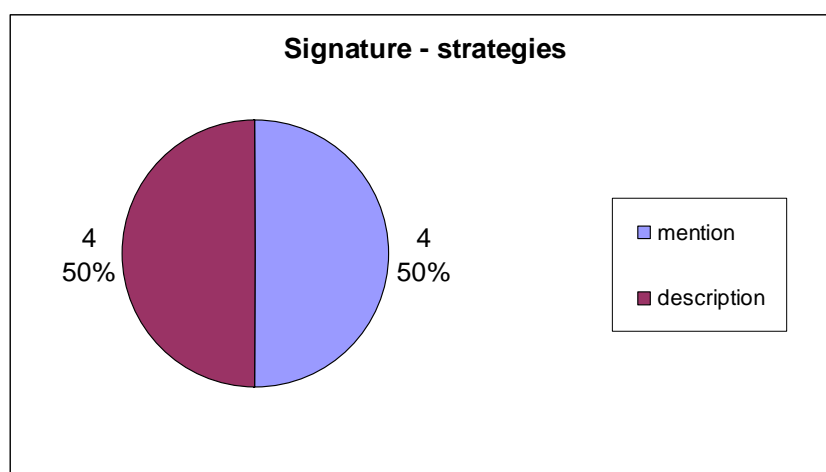
Although the number of translators who voiced their opinions is very small to allow comparison to the results found in the work done by all participating translators, a clear preference (60%) was shown towards only mentioning the existence of a coat of arms.

STAMPS – seven translators specified the strategies they would employ. The graph below shows these strategies:



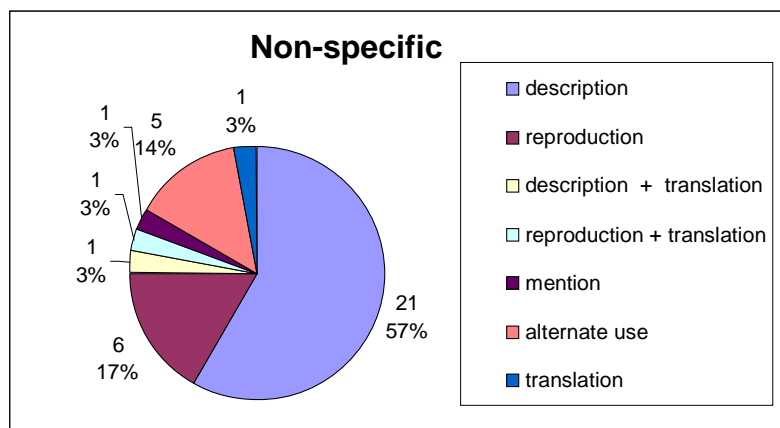
Most translators (42%) stated that stamps are to be described. Two other similar groups (29%) prefer to either describe and translate stamps, or to use alternate strategies. The two translators who mentioned the use of different strategies presented the following reasons for that: TRANSLATOR NO. 16: stamps are mentioned, unless they contain relevant information, in which case they are mentioned and their entire content is translated. TRANSLATOR NO. 41: stamps are either literally translated or only mentioned, it depends on their relevance.

SIGNATURES – eight translators made a statement about the strategies they would employ. These strategies are:



As portrayed in the graph, half the translators who described the strategy used in the translation of signatures claimed only mentioning that there was a signature in the ST; the other half preferred to describe the signature.

NON-SPECIFIC ANSWERS: Most translators spoke of the strategies that they would employ in the translation of semiotic items without singling out any one item. Among these translators, the following strategies were preferred:



As can be seen in the graph above most translators (57%, that is, 21 out of 36) stated that they prefer to describe semiotic items. The second largest number of translators (17%) prefers to reproduce the item. A word of caution is necessary here: it was not clear from translators' answers what they exactly meant by *reproducing the item*. For instance, translators 8 and 9 stated that they usually reproduced the item, but no special translational feature that would suggest that the item was reproduced was found in the translation of those items, except for the fact that they appeared in the TT approximately in the same position in which they appeared in the ST.

Judging from the low number of translators who actually reproduce semiotic items - in the sense of scanning them and pasting them onto TT -, the word *reproduce* may have, in the translators' statements, acquired the meaning of *making an accurate visual representation* of the item. This representation would include mentioning the item in the same position where it appears in the ST, and in some cases, even reproducing the item's layout, as shown below:



(Rubber stamp of the 1st
Notary Public's office in
XXX-SP)

Other strategies claimed to be employed by translators are: description + translation (3%), reproduction + translation (3%), mention (3%), translation (3%), alternate use (14%). Examples of alternate use are: reproduction or mention (translator no. 44); mention and description or mention and translation (translator no. 39).

Two translators were not included in the statistics above because either the translator did not answer the question (translator no. 38), or provided an answer that did not state the strategy used (translator no. 35)²¹.

If all the percentages for all the strategies are taken together, they still are inferior to the percentage of translators who claim to describe the semiotic item only, which makes description a clear preferential strategy.

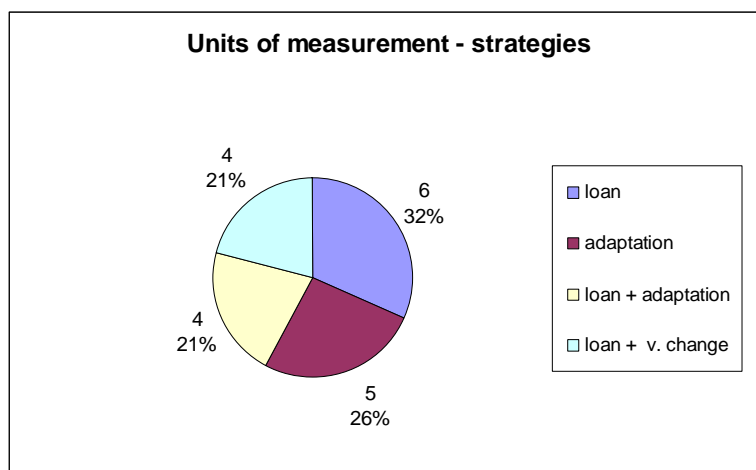
It seems important to point out that no translator claimed omission as a valid translation strategy in the translation of semiotic items, which indicates that the translation of these items is perceived as an important feature of Official Translation.

3.3.2 Statements about Culture-Bound Items

As regards the strategies employed when translating culture-bound items, no translator specifically mentioned how they would translate school names, 19 translators were specific about the translation of units of measurement, and 9 translator mentioned the strategies used in the translation of phraseologisms.

UNITS OF MEASUREMENT: The graph below shows the strategies that would be used in the translation of units of measurement.

²¹ Original answer: “I include all symbols, signatures and stamps by using brackets, italics etc.” (my translation).

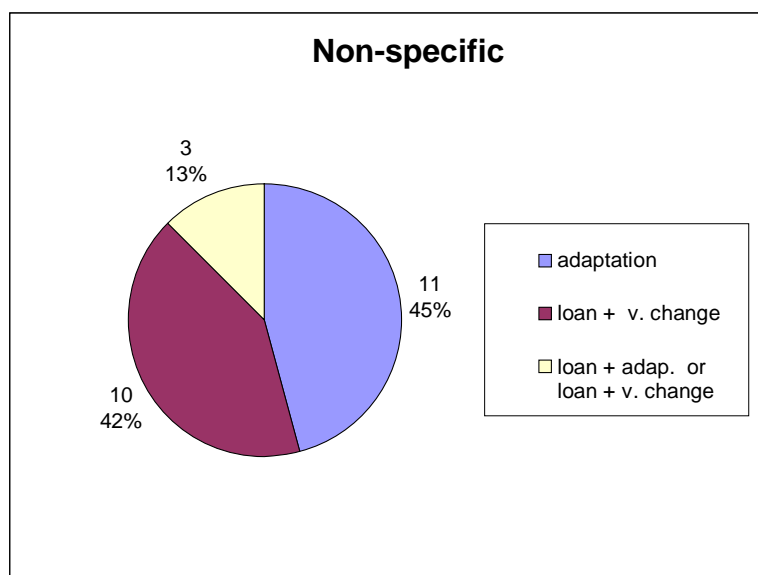


Most translators (32% out of 19) stated that units of measurement should be used in the TT as they appear in the ST, that is, without being converted into the TC system. A slightly smaller percentage of translators (26%) claim that units of measurement should be adapted to the TC system. When taken together, the number of translators who would employ a dual strategy [loan + adaptation or loan + visibility change] accounts for the majority of translators (8), in comparison to those who would use either a loan (6) or an adaptation (5). This figure may indicate a concern with making the text understandable in the TC, while maintaining the original unit for any verification that might later be necessary²².

PHRASEOLOGISMS: Eight translators mentioned using the same strategy when translating phraseologisms: adaptation. Most translators mentioned searching for an equivalent phraseologism in the TC. Three translators mentioned using an equivalent phraseologism whenever it is known to them; otherwise, the ST phraseologism is explained.

²² See item 3.2.2.2 (C) in this chapter.

NON-SPECIFIC ANSWERS: Among those translators who spoke of culture-bound items in general without specifying whether they were talking about the translation of school names, units of measurement, or phraseologisms (26), two of them did not clearly specify the strategy that they thought should be used. The other 24 translators claimed that the following strategies were employed in their translations:



As shown in the graph above, most translators (45% out of 24 translators) claimed adaptation to be their strategy of choice. This result may come as a surprise when considering the usual belief that a ST-oriented translation is preferred in Official Translations. It may, however, indicate the translators' will to privilege a more TC-oriented TT, not the way in which they in fact translate.

As expected, and shown in the graph, still a large number of translators (42%) prefer to use the ST item and explain it through some type of translator's intervention. A smaller number of translators (13%) claimed using loan + adaptation or loan + visibility change indistinctly.

Two translators (numbers 3 and 20) neither answered by singling out the items and their corresponding strategies, nor by talking about culture-bound items in

general. Their answers were not included in any of the statistics above. Translator no. 3 did not clearly indicate any particular strategy as her preferred choice. Her answer was: “These items are analyzed in accordance with the purpose of the TT and the text recipient” (my translation, see original below²³). In the same paragraph, however, the translator mentioned that the purpose of a translation is to be understood, which seems to indicate that an adaptative strategy would probably have been mentioned had translator spoken in more specific terms.

Translator number 20 did mention a strategy: loan + visibility change. She also gave examples of how she would translate the items. However, the only two examples given referred to abbreviations, and this made me wonder whether she was talking about the translation of abbreviations only.

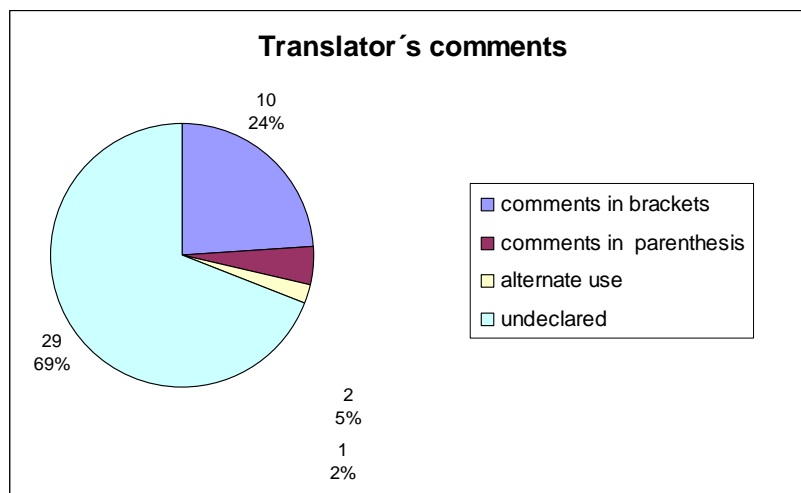
3.3.3 Statements about Translator’s Interventions

All translators stated intervening in the TTs. The graphic markers used to highlight their interventions, and the reasons for such interventions, are analyzed below.

TRANSLATOR’S COMMENTS:

a) Graphic marker used: The graph below shows how Official Translators believe that translator’s comments should appear in the TT: in parentheses, in braces, or in either of them. It also shows the number of translators who did not mention what graphic markers should be used.

²³ “Esses itens são analisados de acordo com o objetivo da tradução e o destinatário do texto”.



Most translators (69% of 42, that is, 29 translators) did not mention the use of any specific graphic marker when intervening in the TT by means of a comment. Among the translators who did mention using a marker (13), most of them (10) stated making their comments in brackets. Two translators reported using parentheses, and one mentioned using either parentheses or brackets. It is interesting to notice that no translator specifically mentioned not using any marker, as was commonly observed in the TTs analyzed, and computed in the alternate use category.

b) Reasons for using translator's comments: So many were the reasons listed for adding a comment to TTs that a graph would not be a convenient means to show them. They are listed below:

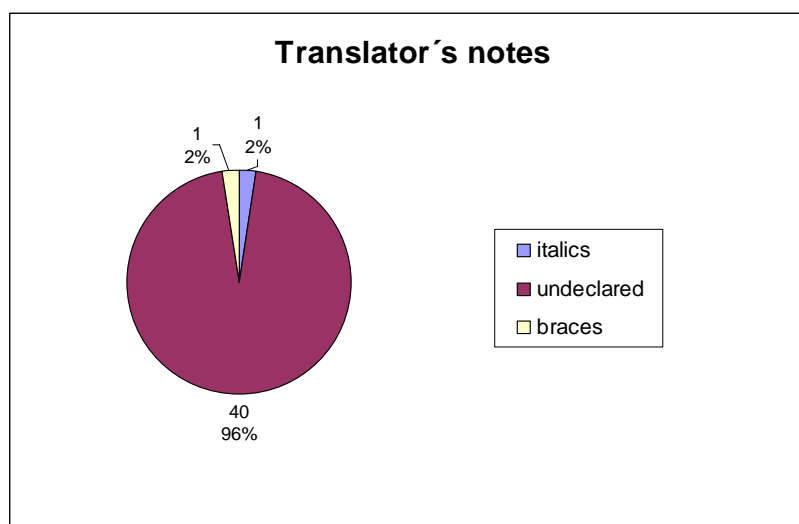
- to facilitate comprehension of the TT;
- to describe the position of one element, such as a stamp, in the ST;
- to describe signatures, seals, symbols, logos, or engraved printings;
- to describe items that are maintained in the SL, such as names of institutions;
- to mention that parts of a text were not included in the TT;
- to mention that parts of a ST were illegible;
- to indicate that the TT is to be continued on the next page and that the TT is continued from the previous page;

- to explain some item that is considered untranslatable;
- to explain culture-bound terms;
- to explain abbreviations; and
- to translate notes made in the margins of STs.

Among the reasons for adding a comment to TTs, two were more commonly mentioned: to indicate the existence of a stamp or translate its content, and to explain the meaning of an abbreviation. One translator summed up the issue by stating that translator's comments should be made to add any item that "does not represent the translation of anything included in the ST."

TRANSLATOR'S NOTES:

a) Graphic marker used: The graph below shows the kinds of markers translators believe that should be used when adding a translator's note to TTs.



As indicated in the graph above, the vast majority of translators (96%) did not mention whether a specific graphic marker is to be used to identify translator's notes. Although they were not directly asked about the type of marker used, it was expected

that signaling the existence of a translator's note would be an important issue that would be mentioned. However, it seems that that expectation was not reasonable: just one translator mentioned using notes in braces, and another declared using notes in italics.

b) Reasons for using translator's notes: Notes were claimed to be used by translators in the following situations:

- to facilitate comprehension of the TT;
- to mention errors in the ST;
- to explain abbreviations;
- to indicate that the reverse side of the ST is blank;
- to explain a concept that is alien to the TC;
- to indicate that pages in the ST were initialed;
- to explain a specific culture-bound reference;
- to mention that that TT is a partial translation;
- to indicate that the ST was written in letterhead paper;
- to mention that parts of a text were illegible;
- to indicate the presence of an eyelet, or any other means to bind pages together;
- to make it clear that the translator is not responsible for the form, authenticity, or content of the ST as translated in the TT;
- to translate the content of stamps; and
- to indicate that the authenticity of a document has been verified in the ST.

Three of the items above were mentioned the most, and by an equal number of translators: notes are to be inserted to explain abbreviations, to explain a concept that is alien to the TC, and to mention that that TT is a partial translation.

TRANSLATOR'S INTERVENTIONS IN GENERAL:

In addition to these specific cases in which translators mentioned that either a translator's comment or a translator's note has to be added to the TT, the translators who did not specify which type of intervention should be added also indicated the following situations in which the translator should intervene in the TT:

- to inform the reader that the ST was handwritten;
- to indicate erasures, errors, blank spaces, unidentified abbreviations, or damages to the ST;
- to provide cultural explanations as regards educational systems, foreign exchange rates, relevant cultural differences, classes in driver's licenses, and names of institutions;
- to correct errors in the ST, such as a misspelled name; and
- to indicate words that are totally unknown to translator or untranslatable.

Among the situations above in which the translator should intervene in the TT, two were very commonly referred to by translators: to facilitate comprehension of the TT, and to provide explanations about culture-bound items.

3.4 Data Analysis: Investigating the Normative – Translators Associations and the Forum-Jur Internet Discussion Group.

3.4.1 Translators Associations

1. Behavior prescribed by the document "*Normas para a Elaboração de Traduções Públicas*" {Rules for Doing Official Translations}²⁴:

a) As regards semiotic items:

²⁴ For further information see Chapter I, item 16.1.2.

Coats of arms: They must be mentioned and, if necessary, they should be either translated or described in detail.

Stamps: They must be mentioned, their position must be indicated, and they must be translated.

Signatures: They must be mentioned. If they are illegible, this fact should be reported. If they are legible, name of signor must be transcribed.

b) As regards culture-bound items:

Proper names: Basically, they should not be translated but transcribed in their original form.

c) As regards translators' interventions:

Translators' explanatory notes must appear in parentheses or in brackets. They should be preceded by the expression *Translator's Note*.

Any peculiarity in the ST (e.g. an erasure, a handwritten correction, or words that are crossed out) must be mentioned in an explanatory note. Blank spaces must be identified as such by the words *not filled in*, *blank*, or a similar expression.

2. Behavior prescribed by the *Ipsis Litteris* Newsletter:

No prescriptive advice on translational behavior regarding semiotic items, culture-bound items, or translator's interventions could be found in the printed issues of the *Ipsis Litteris* Newsletter. One issue discusses whether it would be appropriate to scan stamps and signatures and past them onto the TT (August 2001). Four experienced translators were consulted, and voiced their opinion that given that the original should be presented together with the translation, there was no need to scan stamps and signatures. In addition, an original signature is valid in the original document only, and thus reproducing it would be a waste of time. No other advice was given.

The same applies to all online issues available at the site of the *Associação Profissional dos Tradutores Públicos e Intérpretes Comerciais do Estado de São Paulo – ATPIESP*²⁵.

Although no prescriptive advice on translational behavior is provided, some printed issues of that Newsletter bring some information about the translation of phraseologisms, and about the tension between employing literal or adaptative solutions, as reported above²⁶.

3.4.2 Forum-Jur Internet Discussion Group

As previously stated²⁷, the investigation on what prescriptive advice is given in the Forum-Jur Internet discussion group with reference to the translation of semiotic items, culture-bound items, or translator's interventions seeks to include "approved behavior" and not "any behavior" (Brownie, 1999, p. 17). The following advice is given by three members of that discussion group who clearly enjoy a *norm-setting* status:

3.4.2.1. Semiotic Items:

Translator A: Coats of arms should be mentioned; stamps should be mentioned, or translated whenever essential; signatures are usually illegible, and should be described as such.

Translator B: Coats of arms should be described; as a rule, the content of stamps should be translated in brackets or within a square that resembles the shape of the original stamp (if it is too extensive and serves a specific purpose, the stamp should

²⁵ See www.atpiesp.org.br.

²⁶ See item 3.2.2.3 in this chapter, and Aubert (2003/2004, 2004a, 2004b, 2004c, and 2005).

²⁷ See Chapter II, item 2.4.2.2.

be described in brackets and essential information should be translated); signatures should be mentioned (if they are notarized, they should be described as such).

Translator C: Coats of arms should be mentioned; stamps should be mentioned, or translated whenever relevant; signatures should be mentioned.

3.4.2.2. Culture-Bound Items:

Translator A: School names are to be maintained in their original form. They can occasionally be translated in brackets to provide reader with some reference; units of measurement should be maintained in their original form; phraseologisms should be translated literally or adapted to the TC, it depends on the case. It is important that meaning be preserved.

Translator B: School names are to be maintained in their original form, and a literal translation to be added in brackets; units of measurement should be maintained in their original form, no conversion should be made; phraseologisms should be adapted to the TC.

Translator C: School names are to be maintained in their original form, and an explanation should be added if possible; units of measurement should be maintained in their original form; phraseologisms should be translated literally or adapted to the TC, both approaches are valid.

3.4.2.3. Translator's Interventions:

Translator A: Comments are to be inserted in brackets (never in parentheses) to make it clear that they are not part of the ST; Notes are to be used for extensive explanations that would impair the natural flow of reading of the TT.

Translator B: All translators' interventions should be placed in brackets so that they stand out in the TT.

Translator C: All translators' interventions should be placed in brackets, so that they can be separated from the TT.

3.5 Data Analysis: Comparison between the Normal and the Normative

After analyzing both the textual and the extratextual sources of possible translation norms regarding the issues under investigation in this study, emphasis was placed on observing whether the translators' rationale involving the way in which they believed that they should translate matched the translation strategies opted for in real-life translation situations. That comparison revealed the following results:

3.5.1 With reference to semiotic items:

COATS OF ARMS:

The strategy of first choice in the TTs investigated was describing coats of arms (64%). The second most commonly used strategy was mentioning the item (19%). In the questionnaire these strategies were also reported to be more frequently used, but their order of preference was the opposite: mention (60%) and description (20%).

The *Normas para a Elaboração de Traduções Públicas* {Rules for Doing Official Translations} determine that coats of arms be mentioned and, if necessary, translated or described in detail.

The Members of the Forum-Jur group suggest the following:

Translator A: Coats of arms should be mentioned.

Translator B: Coats of arms should be described.

Translator C: Coats of arms should be mentioned.

STAMPS:

In the TTs investigated most translators (35%) opted for using alternate strategies for the translation of stamps. They sometimes describe the stamp, sometimes mention it, and some other times describe and translate it. The second most commonly used strategy was mentioning and translating the stamp contents (29%). In the questionnaire, a clear option is made for describing the stamp only (42%). Two other similar numbers of translators (29%) opt for the following strategies: describing and translating the stamp, or using alternate strategies.

The *Normas para a Elaboração de Traduções Públicas* determine that stamps be mentioned, their position in the ST be described, and their content be translated.

The Members of the Forum-Jur group suggest the following:

Translator A: Stamps should be mentioned, or translated whenever essential.

Translator B: Stamps should be translated, or described/translated whenever necessary.

Translator C: Stamps should be mentioned, or translated whenever relevant.

SIGNATURES:

Signatures are described in most TTs investigated (47% of translators). Another group of translators (29%) only mention the existence of a signature found in the ST. In the questionnaire these strategies receive an equal number of supporters (50%).

The *Normas para a Elaboração de Traduções Públicas* determine that signatures be mentioned and, if they are illegible, they are to be described by mentioning the fact that they cannot be read.

The Members of the Forum-Jur group suggest the following:

Translator A: Signatures are usually illegible, and should be described as such.

Translator B: Signatures should be mentioned, or described, if notarized.

Translator C: Signatures should be mentioned only.

No strategy was suggested by the *Ipsis Litteris* Newsletter as regards the translation of semiotic items.

3.5.2 With reference to culture-bound items:

SCHOOL NAMES:

In a large majority of the TTs investigated (62%), alternate strategies are used for the translation of school names: they are translated, they remain as they appear in the ST, or they appear as in the ST and a translation is provided. In their statements, translators did not make any claim as to whether school names should be translated.

The *Normas para a Elaboração de Traduções Públicas* do not have any specific guidance on the topic, but determine that, in general, proper names are not to be translated.

The Members of the Forum-Jur group suggest the following:

Translator A: School names are to be maintained in their original form. They can occasionally be translated in brackets to provide reader with some reference.

Translator B: School names should be maintained in their original form, and a literal translation should be provided.

Translator C: School names are to be maintained in their original form (Should be explained, if possible).

UNITS OF MEASUREMENT:

The preferred strategy for the translation of the units of measurement found in the TTs analyzed was loan (45% of translators). An also high number of translators (31%) would rather adapt the unit to the TC. Loan and adaptation are also

mentioned in the questionnaires as the strategies to be used in this case (32 and 26%, respectively).

The *Normas para a Elaboração de Traduções Públicas* do not have any specific prescription for the translation of units of measurement.

The Members of the Forum-Jur group suggest the following:

Translator A: Units of measurement are to be maintained in their original form.

Translator B: Units of measurement are to be maintained in their original form.

Translator C: Units of measurement are to be maintained in their original form.

PHRASEOLOGISMS:

A literal translation for phraseologisms is preferred by most translators (67%).

Adapting the phraseologism to the TC was preferred by 5% of translators only.

In questionnaires, however, all the translators who voiced their opinion on how a phraseologism should be translated, mentioned adaptation as the strategy to be used. This result should be taken with caution because only nine translators were specific about phraseologisms in their comments. But when the strategy effectively used by these nine translators was checked, it was observed that seven translators used literal translations for phraseologisms. Only two of them did not use a literal translation: translator no. 9 used alternate strategies: adaptation in one instance of a phraseologism and literal translation in two instances. No phraseologism was found in the TTs provided by translator no. 33.

The *Normas para a Elaboração de Traduções Públicas* do not have any specific prescription for the translation of phraseologisms.

The Members of the Forum-Jur group suggest the following:

Translator A: Phraseologisms should be translated literally or adapted to the TC, it depends on the case. It is important that meaning be preserved.

Translator B: Phraseologisms should be adapted to the TC.

Translator C: Phraseologisms can be adapted to the TC or translated literally, both approaches are valid.

No strategy was suggested by the *Ipsis Litteris* Newsletter with reference to the translation of culture-bound items. Only phraseologisms have received much attention from that Newsletter²⁸, but no prescriptive advice is provided.

3.5.3 With reference to translator's interventions:

TRANSLATOR'S COMMENTS:

The analysis of all TTs revealed two main features of translator's comments:

1. A large majority of translators (88% out of 42 translators) make alternate use of markers; only 5% use parentheses or brackets when making their comments. In their statements, most translators did not declare the graphic marker used.
2. Comments are mainly used for informing the TT reader about the existence of a semiotic item in the ST, and to guide the TT reader in his/her comparison between TT and ST. In their statements, most translators declared that comments should be used to indicate the existence of a stamp or translate its content, and to explain the meaning of an abbreviation.

The Members of the Forum-Jur group suggest the following:

Translator A: Comments are to be inserted in brackets (never in parentheses) to make it clear that they are not part of the ST.

²⁸ See item 3.2.2.3 above.

Translator B: Comments are to be inserted in brackets so that they stand out in the TT.

Translator C: Comments are to be inserted in brackets so that they can be separated from the TT.

TRANSLATOR'S NOTES:

Two distinctive features were found in the use of translator's notes:

1. Most translators (42% out of 24 translators) do not use any graphic markers in their notes; other 33% prefer to use brackets in all their notes. In their statements, most translators did not declare the graphic marker used.
2. Notes are mainly used to explain that a partial translation has been done, to inform the TT reader about school systems, and to indicate the existence of special physical features in the ST, or the existence of a semiotic item. In their statements, most translators declared that notes should be inserted to explain abbreviations, to explain a concept that is alien to the TC, and to mention that that TT is a partial translation.

The Members of the Forum-Jur group suggest the following:

Translator A: Notes are to be used for extensive explanations that would impair the natural flow of reading of the TT.

Translator B: Notes are to be inserted in brackets so that they stand out in the TT.

Translator C: Notes are to be inserted in brackets so that they can be separated from the TT.

TRANSLATOR'S INTERVENTIONS IN GENERAL:

1. The vast majority (96%) did not state that a specific marker had to be used.

2. Most translators who were not specific about the use of a comment or a note stated that the translator should intervene in the TT to facilitate comprehension of the TT, and to provide explanations about culture-bound items.

The *Normas para a Elaboração de Traduções Públicas* have specific advice on when to use a translator's note: to indicate any peculiarity in the ST, such as erasures, handwritten correction of terms, and words that are blacked out. Translators are also advised to use notes in brackets or parentheses. They are also instructed to signal the existence of blank spaces through a translator's comment.

No advice is given by the *Ipsis Litteris* Newsletter as regards the translator's intervention in TTs.

The above comparison between *the normal* and *the normative* can be summarized in the table below:

| SOURCES OF NORMS: | Textual Sources | Extratextual Sources | | | | |
|--|---|--|---|--|--|--------------------------|
| | | What Ts do | What Ts state they do | What Ts are advised to do | | |
| OBJECT OF STUDY: | | | <i>Normas para Elab. de T. Públicas</i> | <i>Forum-jur</i> | | |
| | | | | TA | TB | TC |
| Semiotic items Coats of arms | Description | Mention | Mention (Translation or Description) | Mention | Description | Mention |
| Stamps | Alternate strategies | Description | Mention / Translation / Description | Mention (Translation) | Translation (Description/ Translation) | Mention (Translation) |
| Signatures | Description | Description / Mention Non-specific answer: description | Mention / Description | Description | Mention (Description) | Mention |
| Culture-bound items School names | Alternate strategies | ∅ | Loan | Loan (Lit. Trans.) | Loan + Lit. Translation | Loan + Vis. Change |
| Units of measurement | Loan | Loan | ∅ | Loan | Loan | Loan |
| Phraseologisms | Literal Translation | Adaptation Non-specific answer: adaptation | ∅ | Adaptation (Lit. Trans) | Adaptation | Lit. Trans. / Adaptation |
| Translator's interventions Translator's comments | Alternate graphic marker Translate a semiotic item Guide the TT reader through the ST | Undeclared marker Explain abbreviations; Mention / translate a semiotic item | Indicate blank spaces in the ST | Brackets | Brackets | Brackets |
| Translator's notes | Alternate graphic marker Translate a semiotic item Explain culture-bound item Indicate special feature of the ST Indicate partial translation Non-specific answer: Translate a semiotic item Guide the TT reader through the ST | Undeclared marker Explain abbreviations Explain concepts alien to the TC Mention TT is a partial translation Non-specific answer: Facilitate comprehension of TT Explain a culture-bound item | Indicate any peculiarity in the ST | Undeclared marker Provide extensive explanation | Brackets | Brackets |

Table 2 – Summary Table for Comparison between *the Normal* and *the Normative*.

3.6 From Regularities to Norms: General Remarks and Possible Norm-Governed Constraints

Toury (1995) has pointed out that there can be “gaps, even contradictions, between arguments and demands, on the one hand, and actual behavior and its results, on the other” (pp 65-66). After analyzing the textual and the extratextual sources of possible translation norms regarding the issues under investigation in this study, some of such contradictions stood out:

1. Adaptation is mentioned by extratextual sources as the preferred strategy for the translation of phraseologisms, while textual sources indicate a clear option is made for literal translation as the favorite strategy;
2. The extratextual sources state that coats of arms are to be mentioned, but most of them are described by translators in their TTs.

It is believed that the regularities found have been enough to suggest some patterns of translational behavior that allow some assertions to be made. It may be argued that such regularities are partial, and that not always are they representative of the behavior of the 42 Official Translators participating in this study. However, as Toury reminds us, “[i]t is unrealistic to expect absolute regularities anyway, in any behavioural domain” (1995, p. 57), and I did not look for absolute regularities in this study but for statistical majority.

All the patterns of translational behavior found seem to be pointing towards some norms being at operation in Official Translations done at a particular space [Brazil] and time [2000 to 2006]. But before trying to identify such norms it seems important to go back to the concept of norm provided earlier in this study: a performance instruction informing a regular translational behavior adopted by the

statistical majority of Official Translators participating in this study when confronted with a potentially problematic situation involving semiotic items, culture-bound items and translator's interventions, which behavior is, in principle, informed by the expectations Official Translators have as to how they should perform Official Translation assignments.

Semiotic items perform a very important function in official documents: they act as indicators of the document's official origin and authenticity. For instance, a Brazilian academic transcript that bore no signature or stamp would probably be regarded with much suspicion by a Brazilian who received it. The same applies to a birth certificate or diploma, for that matter. Awareness of such fact may well be acting as a constraint upon Official Translators who most probably want their translations to be accepted by the authorities receiving them. It can be then said that the statistical majority of translators would be submitted to these performance instructions:

- a) As regards coats of arms – Diverse instructions: describe them, or mention them (+ translate or describe them, when needed).
- b) As regards stamps – Various instructions: describe them; mention, translate and describe them; mention, or translate them, depending on their relevance; translate them, or describe and translated depending on their length and purpose. The large use of alternate strategies confirms the inexistence of a single performance instruction, but various, competing instructions governing the translator's behavior, depending on factors such as: the importance the stamp has in the ST, its length etc.
- c) As regards signatures – Primary instruction: describe them. Secondary instruction: mention them.

It can also be said that the statistical majority of translators adopt a ST-oriented approach when translating culture-bound items. Adopting this approach does not seem to be a free choice, but a socially motivated one, a choice that results from an internalization of a certain common *code of behavior* that would ideally be shared by all Official Translators and which would fill the gap left by non-existing rules about how to *officially* translate a document. The performance instructions in this case are:

- a) As regards school names – Primary instruction: use ST name; Secondary instruction: Use original name and provide a literal translation of ST name or an explanation of educational level.
- b) As regards units of measurement – Single instruction: use the ST unit.
- c) As regards phraseologisms – Primary instruction: Adapt to the TC; Secondary instruction: Translate literally.

Finally, as regards the translator's interventions in the TT, the performance instruction seems to be:

- a) As regards translator's comments – Main purposes: Explain abbreviations; mention/translate a semiotic item; guide the TT reader through the ST; indicate blank spaces in the ST.
- b) As regards translator's notes – Main purposes: Translate a semiotic item; explain a culture-bound item; indicate any special feature of the ST; indicate partial translation; provide extensive explanation.
- c) As regards translator's interventions in general (that is, when it is not specified whether a comment or a note should be added) – Main purposes:

Translate a semiotic item; guide the TT reader through the ST; facilitate comprehension of TT, and explain culture-bound items.

As can be noticed above, Official Translators seem to be subject to conflicting performance instructions, and one cannot find an agreement on what the best practices are expected to be in certain cases.

3.7 Final Remarks

In the analysis conducted above, an effort was made not to make assertions that were unable to be confirmed by the results. After all, one thing is to make an assertion, no matter how evident it can be, and an entirely different thing is to demonstrate it in terms of evidence. In summary, what the figures seem to show is that the Official Translators participating in this study are torn between translating in a source-text oriented mode, which seems to be in tune with the ‘mirror-image’ of ST usually associated with and expected of Official Translation, and adapting the ST to the TC. This assertion can be confirmed by two facts: 1. the number of instances in which a loan or a literal translation is used;

2. the fact that, although interventions are not primarily used to explain culture-bound items in order to facilitate the TT’s reader comprehension, interventions that aim at achieving that are quite frequent, and the fact most translators have stated to either adopt a clear SC-orientation or “represent the ST as close as possible but make TT flow”²⁹.

It seems that this is an appropriate time to quote Hermans: “What comes after norms?” (1999, p. 91). According to him, two paths can be taken: one that leads to

²⁹ When answering the question about their general orientation, 18 translators claimed to adopt a ST orientation, 13 claimed translating as if the ST had been written for the TC, and 11 claimed translating as close to the ST as possible, provided that the TT read well in the TC.

establishing universal laws of translation or one that leads to “asking questions about translation and cultural identity, why we think about translation the way we do” (ibid.). Although it is not possible to venture into any wider discussion of either path in this study, allow me to offer some food for thought on those issues in my concluding remarks.

CONCLUDING REMARKS

How can you know when to stop writing a study like this one? Surely when you think you have pushed the frontier of knowledge a little farther. This is what I expect to have done.

First, these concluding remarks seek to compare what I have set out to do with what I believe to have effectively achieved. Next, some limitations of this study are discussed. Finally, some topics for future research are suggested.

Purposes this Study Served

This study can only be thought to have been completed if it has met the purposes set out for it. In order to ascertain if this is the case, I would like to return to the research questions that resulted from my academic disquiet, and that this study has sought to answer:

RQ 1: What patterns of behavior regarding the translation of some specific semiotic items and culture-bound items emerge from the TTs under investigation?

As demonstrated in Chapter III, some patterns of translational behavior have emerged from the analysis of both textual and extratextual sources. As regards the translation of semiotic items, the results confirmed the first hypothesis, that is, that translators would describe the item so that the reader could see in the TT a ‘mirror image’ of the ST.

In reference to the translation of culture-bound items, the data supports the hypothesis that two opposing *performance instructions* are at operation. How this occurs is further explained below (see answer to RQ 4).

RQ 2 How is the translator's voice made evident in Official Translations?

The translator's voice is made evident in TTs through two different types of intervention: translator's comments and translator's notes. As evidenced, translator's comments abound in Official Translations done in the Brazilian context. On the other hand, translator's notes identified as such are relatively scarce. Contrary to what was expected, although most comments appeared in brackets or parentheses, a very large number of comments appeared in the text without any graphic marks that would indicate the translator's voice in the TT. These comments intrude on the text and may occasionally be mistaken for something belonging to the ST, not a translator's intervention.

As hypothesized, the analysis of all translator's interventions showed that most interventions were made by means of comments, not notes. This result might suggest an attempt at invisibility by the translator, an attempt to not call attention to his presence by not inserting a clear indicator thereof, such as the phrase Translator's Note. It is also possible that no concern about visibility occurred to the translator, but a more practical issue would be considered: given that an Official Translation usually requires a lot of intervention by the translator, adding a phrase clearly identifying the intervention all the time one was needed would impair a fluent reading of the text.

In reference to the purposes for translators' comments, the results also indicated that most interventions by means of comments aimed at informing the reader about the existence of a semiotic item in the ST, and guiding him/her when trying to compare the TT to the ST.

RQ 3 To what extent do the patterns of behavior found regarding the translation of semiotic items and culture-bound items, and those referring to the translators'

interventions in TTs match the translators' statements about how they should proceed when translating such items and intervening in TTs?

The above-mentioned patterns of translational behavior sometimes coincided with the statements made by translators, but not always¹. In very broad terms, semiotic items are usually described while culture-bound items are literally translated. The translators' statements, as well as most of the advice on how to deal with those items, however, point towards the use of other strategies: mention and adaptation, respectively.

The patterns of behavior found in the TTs and the statements made showed an apparent internal conflict that most Official Translators have to cope with on a daily basis: doing what is expected of them, that is writing a more ST-based translation, or, as many have reported in their questionnaires, doing what they feel that they should do, that is, creating a TT that is integrated into the TC. The constraints imposed on Brazilian Official Translators are veiled but powerful constraints. It is possible that, burdened by the force of such constraints, Official Translators end up using them both to their advantage (for instance, when they are unsure about what path to take, they can always resort to doing what is expected of them), and to their disadvantage (they end up making some translation choices with which they may not entirely agree, and which would not be made in a non-official translational context).

RQ 4. What 'common code of translational behavior' seems to emerge from both the actual translation strategies employed and the statements made about translational behavior?

¹ See Table 2 in Chapter III, item 3.5.

Overall, the results privileging literal translation of culture-bound items as *the* preferred translation strategy seem to indicate the existence of a *common code of translational behavior* that gives translators the following performance instruction: do what is expected of you and translate literally whenever possible. However, as the examples in the translation of phraseologisms show, some translators probably struggle against this *code of behavior*. Their hybrid solutions seem to indicate that two *performance instructions* are influencing their work: use a literal translation if the TT ends up being *readable* in the TC, but opt for an adaptation whenever a literal translation would produce a text that would sound unidiomatic to a TC audience. This translational behavior makes us dispute the belief that Official Translators may want such a code to prevail. It is possible that doing a literal translation is simply an old habit that is handed on in Official Translations and as it is fully known, old habits die hard. This point of view can be confirmed by the statement made by one of the translators participating in this study, which deserves to be quoted at length here:

My general orientation as a translator has always been guided towards a translated text that is target oriented. However, my contact with the legal discourse in general, especially the discourse of legal professionals in general and that of the commercial registry of my state, which is permeated by a bureaucratic, aristocratic, and traditionalist narrative, ended up guiding me towards a more conservative treatment of translation. In addition, the formal education that I received (courses taught by other public translators) pointed towards the same traditional discourse. Anyway, as my general personal orientation is not based on tradition, I sometimes surprise myself when being “less literal” than I “should”. Not rarely do I become pleased with my “subversive” attitude, as a form of rupture, as a

form of reaction against traditionalism”. (Translator no. 27, my translation)

This topic is certainly open to much investigation.

Final Purpose this Study Expects to Reach

This study expects to serve the following purpose in the real world of Official Translation practice: to be a small, but unequivocal reference to assist Official Translators to become fully conscious of the constraints imposed by the above-mentioned ‘common code of translational behavior’, and consciously choose to abide by or breach that code. I understand that Official Translation has a specific purpose that is not shared by non-official translations, and that such purpose may demand that some features be present in Official Translations. However, what is advocated here is that the traditional view of how an Official Translation is to be done should be challenged, so that changes can be implemented. In other words, this study expects to encourage the *risk-taking* translators described by Campbell (1998, p. 107).

My main purpose for this study was not that proposed by Hermans (1991), which needs to be quoted here:

to reduce the number of potential solutions for this array of translational problems by adopting only those solutions suggested by the norm as being likely to result in a Target Text that accords with a given model, and thus with a certain notion of correctness (pp. 164-65).

Quite the contrary, my purpose was to show what Official Translators effectively do in order to expand the number of potential solutions for the translation problems investigated. By having an expanded view of the options available, it is

possible that translators opt for changing the current “notion of correctness” applied to Official Translations in Brazil. In this case, learning to translate would not be “learning to operate with and within the norms of translation” (Hermans, 2000, p. 12), but learning the norms to consciously decide whether to perpetuate or alter them (Medeiros, 1999, p. 149).

Limitations of this Study

By necessity, this study has some practical limitations. Three of these need to be taken into account.

1. *The number of semiotic items investigated was very limited in relation to the number of items Official Translators usually have to deal with, and the same occurred with the number of culture-bound items chosen for investigation.* One might argue that this study should have concentrated on investigating norms in the Official Translation of semiotic items only, and thus other semiotic items could have been investigated. That is true. However, as the intended audience was not only researchers within Translation Studies but translation practitioners, the need was felt to cover more ground. The number of avenues of investigation left out of this study, as described in Chapter I, item 1.7 and also shown in the pilot study described in Chapter II, item 2.2, demonstrates that I have made a strong effort to limit the object of analysis to a minimum acceptable level, no matter how tempting it was to behave otherwise. I have consciously avoided covering more ground than expected of a manageable research project.

2. *The translators’ statements about their professional practice were obtained through a questionnaire, not an interview: had the researcher interviewed the*

translators, it would have been easier to get better information about the strategies employed. Again this is true, but given the wide disparity of locations where the translators participating in this study live, that research method was not feasible. The only realistic option available was to send the questionnaire and hope for long, all-encompassing answers. It turns out Official Translators seem to be very busy and maybe did not have the time to offer long answers, or it is possible that they are not used to theorizing about their practice, and hence most answers were short and/or incomplete. Although there has been some caution when interpreting the data resulting from the answers provided in the questionnaires, I believe that taken together with the other extratextual sources of norms presented in this study the questionnaires served their required purpose.

3. This study deals with one language pair only, and results could be different with other language pairs. Once again another piece of criticism that makes sense. As explained in the Introductory Chapter, this choice was not a free choice, but was conditioned by my limited knowledge of other languages. However, to my view this limitation does not invalidate this study, given that it makes no claim of universality, and brings one more fruitful suggestion for future research. An interesting piece of research would be one that investigated one of the different topics of this study in translations with different language pairs.

Suggestions for Further Research

Some topics left unexplored by this study offer themselves as possible, complementary research projects. They can take either a practical or a theoretical approach:

A – Practical research projects:

1. As mentioned in Chapter III, the same semiotic item has received different translations. For instance, when using the term *chancela da escola*, the translator most probably meant to say *school stamp* and the term *carimbo da escola* should probably have been used. A research project that investigated all the different names used to describe stamps and other types of semiotic items, and certainly their corresponding translations into English, would be very useful to newly-appointed Official Translators possibly not familiar with these terms in their own language, let alone in the foreign language they translate into.

2. In the specific case of the translation of semiotic items, it is believed that the existence of norms [in the sense of *rules*] regarding how to translate them would help standardize procedures that apparently have no reason not to be standardized. Therefore, taking into account the strategies employed by the translators participating in this study, and in other similar studies in the future, any researcher who is interested in the applied branches of Translation Studies could develop a research project that would prescribe *laws of translation* (as suggested by Toury, 1995, p. 259) for dealing with very specific items, such as semiotic items. It seems logical to think that if coherent, well-structured laws about how to translate semiotic items were prescribed by the Commercial Registries much time and space would be left in the Forum-Jur group discussion group for the discussion of other [to my view] more relevant topics related to the Official Translation activity.

B – Theoretical research projects:

1. Schaffner (1995), drawing on Hermans, states that “norms and conventions are intimately tied up with values” and that “(d)ominant values in a society reflect the power relations in that society” (p. 6) . The forces behind the norm that established

literal translation as a priority in the Official Translation investigated in this study deserve to be investigated. A research project with that purpose could, for instance, investigate that norm as “a socially shared notion of what is correct” (Hermans, 1991, p. 163). Why has our society established literal translation as *the* correct mode of translating for official purposes? This is a question worth investigating.

2. I deliberately chose not to venture into the area of translation criticism in this study. I have been at odds with this field of translation research since I wrote my Master’s thesis in that area. However, I believe that this study could provide interesting and rich material for any researcher who wished to pursue this field. Although the TTs provided by translators cannot be made available due to the confidentiality issues explained in Chapter II (2.3.4), the *interlingua* solutions proposed by some translators and found in Chapter III seem to deserve careful analysis.

3. The initial design of this study included a comparison between the strategies employed by Official Translators in Brazil and those used by American translators when translating for official purposes, as explained in Chapter II, item 2.2. The following hypothesis was suggested: Official Translations in Brazil tend to be literal because of the strict, unwritten demand for them to be so. In the United States, where the activity is not regulated, no such demand exists, and therefore American translators would seek to privilege a target-culture oriented approach to official translation. A few years and many pages later, this hypothesis was abandoned, as the comparison proved unfeasible. However, the contact that I had with the texts analyzed in my pilot study suggests that this hypothesis would have been proven

false, given the high number of word-for-word translation solutions observed. It is possible that literal translation would also prove to be the norm in the US. This is a topic that still seems to be worth investigating.

Finally, it should be mentioned that a study investigating any of the topics included in the table appearing in the pilot study² concerning the preliminary, the macro-level, the micro-level, and the contextual decisions translators have to make would be of great help to Brazilian Official Translators.

Final words

Where and when do we use a final period to end a dissertation text? Certainly when we think that we have accomplished what we set out to do. This does not mean, however, that there is nothing else that we could [and should] have said. But it certainly means that we think someone else can pick up from where we have left off, and make what we have done be worth our while.

² See Chapter II, item 2.2, Table 1.

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APPENDICES

APPENDIX A

BRAZILIAN TRANSLATORS QUESTIONNAIRE

QUESTIONÁRIO

PARTE I – INVENTÁRIO SOBRE O PERFIL DOS TRADUTORES:

Número do Tradutor: () [A ser preenchido pela Pesquisadora]

1. Idade

() Abaixo de 20 () 20 a 30 () 31 a 40 () 41 a 50 () 51 a 70 () Acima de 71

2. Sexo:

() Masculino () Feminino

3. Escolaridade:

() Ensino Médio () Nível Superior () Pós-Graduação

4. Nacionalidade:

() Brasileiro nato () Brasileiro naturalizado () Estrangeiro

Nos dois últimos casos, morou no país de origem até que idade?

5. Concluiu ou está fazendo um ou mais dos seguintes cursos?

() Mestrado / Doutorado em Tradução (Tradutor-Intérprete)

() Bacharelado em Tradução (Tradutor-Intérprete)

() Curso de Atualização ou Especialização em Tradução

() Curso Seqüencial ou Livre em Tradução

Nos três últimos casos, dar duração aproximada:

6. Anos de experiência como tradutor:

() Inferior a 5 () 5 a 10 () 11 a 20 () 21 a 40 () Acima de 41

7. Número médio de traduções por mês:

() 1 a 10 () 11 a 50 () 51 a 100 () Acima de 100

8. Indique a frequência com que traduziu os tipos de texto abaixo, de acordo com a seguinte classificação:

(1) Muito frequentemente (acima de 10 por mês) (2) Frequentemente (de 3 a 9 por mês)

(3) Raramente (abaixo de 2 por mês) (4) Nunca

histórico escolar de qualquer nível de escolaridade

certidão de casamento ou nascimento

carteira de motorista

certidão de antecedentes criminais

diploma de qualquer nível de escolaridade

PARTE II - DECLARAÇÕES SOBRE SEU COMPORTAMENTO TRADUTÓRIO

1. QUAL VOCÊ ACREDITA SER A ESTRATÉGIA TRADUTÓRIA ADEQUADA COM RELAÇÃO AOS SEGUINTE ITENS:

1. Símbolos, assinaturas, carimbos, etc. encontrados no texto original (e.g. descrevê-los, reproduzi-los tanto quanto possível, etc.);
2. Itens culturais encontrados no original, tais como expressões idiomáticas, conceitos culturalmente específicos tais como siglas (ex. CNPJ, Ph.D.) ou unidades de medida, peso etc. (ex. utilizá-los como apresentados no original, utilizar um termo equivalente na cultura de chegada, utilizar o termo e explicá-lo, etc.);
3. A orientação geral da tradução (ex.deve ser tão literal, ou seja, lingüisticamente próxima, quanto possível; deve representar ao máximo o texto fonte do qual deriva; deve integrar ao máximo o texto traduzido à cultura alvo como se o texto tivesse sido originalmente escrito na língua alvo, etc.).

2. VOCÊ ACREDITA QUE O TRADUTOR PODE OMITIR QUALQUER ITEM ENCONTRADO NO TEXTO FONTE OU ACRESCENTAR QUALQUER ITEM AO TEXTO TRADUZIDO? SE ACREDITA, QUANDO ISSO PODE ACONTECER E EM QUE NÍVEL (PARÁGRAFO, FRASE OU PALAVRA)?

Omissões:

Acréscimos:

3. EM QUE CASOS VOCÊ INSERIRIA UMA NOTA DO TRADUTOR OU COMENTÁRIO ENTRE CHAVES OU COLCHETES?

APPENDIX B

NORMAS PARA A ELABORAÇÃO DE TRADUÇÕES PÚBLICAS DA ASSOCIAÇÃO CATARINENSE DE TRADUTORES PÚBLICOS

1. ÁREA DE APLICAÇÃO:

Estas normas terão que ser observadas, tanto em traduções como em versões.

2. IDENTIFICAÇÃO DO TRADUTOR:

Nas suas traduções, o tradutor deve fazer constar de alguma maneira, o número de matrícula ou portaria que o nomeou, seu CPF, o idioma para o qual está habilitado, a sede do escritório, o órgão ao qual está vinculado e seu endereço.

3. TÍTULO:

A tradução terá que apresentar uma identificação que a defina como “tradução pública” (ou juramentada) da língua para a língua ou, se for o caso: “tradução pública (ou juramentada) de um extrato do documento em língua para a língua”

4. ORIGINAL/FOTOCÓPIA:

O documento apresentado terá que ser identificado como:

- 4.1. ORIGINAL, quando apresentar assinatura, carimbo, chancela ou outro elemento que o caracterize, indiscutivelmente, como tal;
- 4.2. FOTOCÓPIA AUTENTICADA, quando houver autenticação oriunda de repartição ou pessoa que possua o direito legal para tanto, no país de emissão.
- 4.3. FOTOCÓPIA (simples), quando não apresentar autenticação.
- 4.4. FAX com transcrição dos respectivos dados do remetente.
- 4.5. E-MAIL com transcrição dos respectivos dados do remetente.
- 4.6. TEXTO IMPRESSO DA INTERNET com identificação da fonte.

5. INTEGRIDADE E EXATIDÃO:

- 5.1. Todos os textos terão que ser traduzidos na íntegra. Em geral, menções editoriais e de técnica de impressão não são traduzidas.
- 5.2. Se o cliente pedir uma tradução parcial (extrato) de um documento ou texto, terão que ser mencionadas claramente as partes não traduzidas. Documentos encadernados ou integrantes de processos devem ser identificados como tal, descrevendo-os de forma sucinta. (Ex. número de páginas, número do processo, Vara em que tramita, páginas não traduzidas, etc.).
- 5.3. A tradução deverá ser o mais equivalente possível ao texto original, tanto em seu conteúdo, como em sua forma. O sentido declaratório original terá que ser conservado. Em caso de duplo sentido de textos, terá que ser feita uma anotação (observação), esclarecendo as diversas possibilidades de interpretação.

6. APRESENTAÇÃO GRÁFICA:

- 6.1. Uma lauda de tradução corresponde a 25 linhas de 50 toques cada uma, ou seja, 1.250 caracteres com espaço.

6.2. A apresentação gráfica da tradução deve, tanto quanto possível, ser semelhante à do texto original.

6.3. Caso necessário, alguns elementos do texto terão que ser citados em forma de notas explicativas, por exemplo: à direita em cima, na margem inferior à esquerda, em sentido vertical, etc.

6.4. Campos ou espaços não preenchidos terão que ser assinalados com as palavras: “nada preenchido”, “em branco” ou expressão equivalente.

6.5. Caso a linha não seja preenchida completamente, deve o seu final ser assinalado através de sinais (./., -.-, .-) ou ainda ser preenchida com pontos, asteriscos ou outra forma semelhante.

7. SINGULARIDADES:

7.1. Se o texto original apresentar singularidades (como p.ex. rasuras, correções manuscritas, riscos que anulem palavras, estilo fora do comum, erros graves de ortografia, inscrições em outro idioma, etc.), terá que ser chamada a atenção sobre o fato por meio de uma nota explicativa (observação).

7.2. Partes riscadas, porém legíveis, também terão que ser traduzidas, sendo citado na tradução “palavra/frase riscada”. Se palavras (ou frases) riscadas não forem legíveis, terá que ser feita uma observação a respeito (palavra/frase riscada e ilegível).

Igualmente terá que ser mencionado se eventuais palavras riscadas não forem traduzidas.

8. A UNIÃO DAS PÁGINAS:

Se a tradução contiver diversas páginas, estas deverão ser numeradas e unidas de forma tal que a união não possa ser desfeita sem deixar marcas visíveis. Além disso, todas as páginas devem ser rubricadas e carimbadas.

9. NOTAS EXPLICATIVAS:

Notas explicativas do tradutor devem constar entre parênteses ou colchetes, precedidas de expressão “Nota do Tradutor”.

10. DESIGNAÇÕES/NOMES DE AUTORIDADES PÚBLICAS:

As designações/nomes de autoridades públicas terão que ser citadas em sua forma original quando não houver equivalente traduzível e deverão ser explicadas em observação.

11. ARMAS, CARIMBOS E ASSINATURAS:

11.1. Armas, brasões, selos, selos-taxa, lacres, sinetes, chancelas, logotipos e similares, devem ser mencionados e, caso necessário, traduzidos ou detalhadamente descritos.

11.2. Carimbos devem ser mencionados, localizados e traduzidos. Caso o mesmo carimbo apareça mais de uma vez, o fato deve ser mencionado, acrescentando que são do mesmo teor. O mesmo se aplica a rubricas.

11.3. Assinaturas devem ser mencionadas, assinalando se forem ilegíveis. Caso sejam legíveis, deve-se transcrever o nome.

12. INDICAÇÕES DE ENDEREÇOS:

Endereços não precisam ser traduzidos, sendo somente transliterados ou transcritos. Fazer anotação que é endereço.

13. NÚMEROS E DATAS:

13.1. Números são repetidos sem alteração (p.ex., algarismos romanos ou arábicos).

13.2. A seqüência dos dados numéricos de datas é a das prescrições da língua para a qual se está traduzindo. (P.ex., do inglês para o português: dias, mês, ano – do português para o inglês: mês, dia, ano). Recomenda-se usar o nome do mês por extenso para evitar equívocos.

13.3. Dados numéricos citados por extenso, também terão que ser repetidos por extenso na tradução.

13.4. Se a data for citada em outro sistema de datas, a conversão pode ser mencionada em observação.

14. ABREVIACÕES:

As abreviações terão que ser decodificadas e traduzidas, sempre que possível.

Entretanto, sua forma original deve constar na tradução. Ex. (CGC/MF, CEF, etc.).

15. ERROS DE ORTOGRAFIA:

Erros no texto original podem ser ignorados, porém deve-se chamar a atenção em uma observação quanto a erros grosseiros, ou assinalá-los com {sic}.

16. BOLETINS E DIPLOMAS:

16.1. Boletins e diplomas terão que ser traduzidos com a máxima fidelidade ao original: tipo de escola, notas e denominação profissional ou grau acadêmico, devendo-se fazer uma nota explicativa relacionada à denominação nacional/estrangeira.

16.2. A equivalência de títulos, diplomas e tipos de escolas é atribuição das autoridades competentes e não do tradutor.

17. NOMES PRÓPRIOS E DE LUGARES:

17.1. Nomes próprios e de lugares, assim como títulos de nobreza basicamente não devem ser traduzidos, e sim repetidos na escrita original com todos os sinais diacríticos (= letras e acentos). Os nomes de cidades, Estados ou países só devem ser traduzidos se houver um correspondente comumente usado. (Ex. Londres, Berlim, Moscou, etc.). Se algum nome de lugar ou denominação geográfica tiver sofrido alguma modificação, e isto for do conhecimento do tradutor, o fato terá que ser citado em forma de observação, com o adendo “antigamente”, “agora”, “de ... até”.

17.2. Se a língua estrangeira usar um alfabeto diferente do latino, os nomes próprios terão que ser transliterados (isto é, copiados fielmente letra por letra). Se a língua estrangeira não permitir uma transliteração (como p. ex. o árabe) o nome terá que ser transferido conforme as regras fonéticas da língua para a qual se está traduzindo.

18. ENCERRAMENTO E AUTENTICAÇÃO:

18.1. A autenticação deve ser feita no fim da tradução, sugerindo-se as seguintes formas:

- “A tradução supra do idioma ... para o idioma ... foi feita por mim, na qualidade de tradutor público e intérprete comercial, na cidade de ... Estado de ..., República Federativa do Brasil, conforme o original/cópia/outro meio de reprodução, de forma autenticada/não autenticada. Certifico a fidelidade da tradução com os dizeres do original/da cópia/outros meios de reprodução em idioma ..., em (data)”.

- “Esta tradução é uma reprodução fiel do conteúdo do documento a mim apresentado em seu original/cópia autenticada/cópia simples, do que dou fé. Cidade, Estado, Brasil, em (data)”.

18.2. Deverá constar ainda das traduções/versões a seguinte frase ou texto de teor semelhante: A presente tradução não implica na aceitação do teor do documento.

18.3 Ao final, deve ser colocado o carimbo pessoal e a assinatura do tradutor.

O tradutor deve empenhar-se ao máximo para que a tradução seja clara, objetiva, de fácil compreensão, não dando margem a interpretações dúbias, bem como utilizar materiais e formas que dificultem ao máximo a possibilidade de fraudes.

APPENDIX C

E-MAIL MESSAGE SENT TO BRAZILIAN TRANSLATORS

Prezado colega [translator's name]

Peço desculpas por entrar em sua caixa de e-mail sem convite, porém foi a forma mais econômica e rápida que achei para contatá-lo. Sou Lúcia de Almeida e Silva Nascimento, tradutora juramentada no estado de Santa Catarina desde 1979. Realizo atualmente pesquisa de doutorado junto à UFSC e preciso de sua ajuda para atingir os objetivos esperados, pois estou enfocando a tradução juramentada na referida pesquisa.

Quando iniciei no cargo, jamais tinha visto uma tradução juramentada. Em tempos sem Internet, pode-se imaginar todo tipo de dificuldade pela qual passei. Muitos anos se passaram e vejo na lista Forum-Jur (ver referências abaixo) que muitos colegas passam hoje pelas mesmas dificuldades, talvez pelo fato de que pouco se tem escrito sobre a tradução juramentada no Brasil. Essa foi a motivação principal para a tese.

Tenho certeza de que o colega, não importa quão experiente já seja, se beneficiará com o resultado dessa pesquisa, conforme explicado posteriormente. Por isso, peço seu auxílio. No que ele consiste? Na remessa de algumas traduções para análise e no preenchimento de um questionário bastante simples.

Como o colega verá nos documentos em anexo, essa pesquisa segue a linha dos Estudos Descritivos em Tradução. Isso significa que, em nenhum momento, se fará afirmações sobre a qualidade de determinada tradução. Além disso, o nome do colega não aparecerá em momento algum da tese, nem qualquer dado que possa identificar seu cliente, conforme o Termo de Compromisso em anexo.

Como somos poucos em Santa Catarina, estou sempre extremamente ocupada com meu trabalho. Assim, compreendo bem a natureza do pedido que faço e sei que o colega também deve ter inúmeros afazeres. Se optar por não participar, gostaria que me informasse, para evitar que eu envie esse e-mail novamente. Porém, gostaria realmente que o colega participasse da pesquisa, pois é com estudos como esse que nossa atividade pode ser melhor conhecida e valorizada.

Melhores esclarecimentos se encontram nos seguintes documentos em anexo:

- descrição da participação na pesquisa
- questionário
- termo de compromisso da pesquisadora

Agradeço muito sua atenção e fico à disposição para outros esclarecimentos

Lúcia A. S. Nascimento, Florianópolis, SC

PS: Aproveito para lhe dar uma ótima dica. Não sei se já conhece a lista de discussão Forum-jur. Pode-se participar dando opiniões, pedindo ajuda ou como "moiteiro", ou seja, só lendo as mensagens, sem se manifestar. A exigência para participar é que seja tradutor juramentado.

O link da **Forum-Jur** é:

<http://br.groups.yahoo.com/group/forum-jur/> e basta acessar a opção "**Entrar neste Grupo**".

Há tradutores muito experientes na lista e todos os dias aprendemos algo.

APPENDIX D

LETTER SENT TO BRAZILIAN TRANSLATORS

Prezado colega [translator's name]

Obtive sua referência no site da junta comercial de seu estado e entro em contato por uma razão bastante importante. Sou Lúcia de Almeida e Silva Nascimento, tradutora juramentada no estado de Santa Catarina desde 1979. Realizo atualmente pesquisa de doutorado junto à UFSC e preciso de sua ajuda para atingir os objetivos esperados, pois estou enfocando a tradução juramentada na referida pesquisa.

Quando iniciei no cargo, jamais tinha visto uma tradução juramentada. Em tempos sem Internet, pode-se imaginar todo tipo de dificuldade pela qual passei. Muitos anos se passaram e vejo na lista Forum-Jur (ver referências abaixo) que muitos colegas passam hoje pelas mesmas dificuldades, talvez pelo fato de que pouco se tem escrito sobre a tradução juramentada no Brasil. Essa foi a motivação principal para a tese.

Tenho certeza de que o colega, não importa quão experiente já seja, se beneficiará com o resultado dessa pesquisa, conforme explicado posteriormente. Por isso, peço seu auxílio. No que ele consiste? Na remessa de algumas traduções para análise e no preenchimento de um questionário bastante simples.

Como o colega verá nos documentos em anexo, essa pesquisa segue a linha dos Estudos Descritivos em Tradução. Isso significa que, em nenhum momento, se fará afirmações sobre a qualidade de determinada tradução. Além disso, o nome do colega não aparecerá em momento algum da tese, nem qualquer dado que possa identificar seu cliente, conforme o Termo de Compromisso em anexo.

Como somos poucos em Santa Catarina, estou sempre extremamente ocupada com meu trabalho. Assim, compreendo bem a natureza do pedido que faço e sei que o colega também deve ter inúmeros afazeres. Se optar por não participar, gostaria que me informasse, para evitar que eu envie essa correspondência novamente. Tal informação poderá ser enviada pelo e-mail luciaasn@yahoo.com.br ou pelo fone 48228-2332 (9:00 às 18:00) . Porém, gostaria realmente que o colega participasse da pesquisa, pois é com estudos como esse que nossa atividade pode ser melhor conhecida e valorizada.

Melhores esclarecimentos se encontram nos seguintes documentos em anexo:

- descrição da participação na pesquisa
- questionário
- termo de compromisso da pesquisadora

Agradeço muito sua atenção e fico à disposição para outros esclarecimentos

Lúcia A. S. Nascimento, Florianópolis, SC

PS: Aproveito para lhe dar uma ótima dica. Não sei se já conhece a lista de discussão Forum-jur. Pode-se participar dando opiniões, pedindo ajuda ou como "moiteiro", ou seja, só lendo as mensagens, sem se manifestar. A exigência para participar é que seja tradutor juramentado.

O link da **Forum-Jur** é:

<http://br.groups.yahoo.com/group/forum-jur/> e basta acessar a opção "**Entrar neste Grupo**".

Há tradutores muito experientes na lista e todos os dias aprendemos algo.

APPENDIX E

RESEARCH DESCRIPTION SENT TO BRAZILIAN TRANSLATORS

Caro(a) colega,

Agradeço seu interesse em minha pesquisa. Realmente necessito da contribuição dos colegas para realizar minha tese, que tem como um de seus objetivos ajudar os tradutores juramentados na sua tomada de decisões ao traduzir. Essa pesquisa está sendo orientada pelo Prof. Francis Aubert, nosso colega juramentado e pesquisador da USP.

A pesquisa é realizada de acordo com a abordagem teórica aos Estudos da Tradução conhecida como Estudos Descritivos da Tradução (*Descriptive Translation Studies*, ou DTS), conforme proposta por Toury (1980, 1995), Chesterman (1993), e Hermans (1999), dentre outros. Essa abordagem investiga características regularmente repetidas que são reconhecidas como legítimas em uma determinada comunidade, em um período de tempo específico. O trabalho do pesquisador é o de descrever as práticas tradutórias e propor explicações para as soluções encontradas, não o de julgar a qualidade do texto traduzido.

O tipo de pergunta que farei ao analisar os textos recebidos dos tradutores participantes é: **“Que tipos de opções de tradução são mais regularmente encontradas? "O que leva o tradutor a fazer determinadas opções ao invés de outras e não apenas o fazer uma ou duas vezes, mas regularmente?"** (Hermans, 1999:74, minha tradução).

Estarei trabalhando com o par lingüístico Inglês-Português do Brasil, o que significa que poderei apenas incluir traduções do Português para o Inglês ou do Inglês para o Português.

Uma vez que o objetivo dos Estudos Descritivos é não apenas descrever, mas também propor uma explicação para preferência de determinadas estratégias tradutórias sobre outras estratégias disponíveis, também solicitarei que preencha um questionário. Para tal fim, você receberá um número, o qual será utilizado como seu número de identificação no questionário e ao qual somente a pesquisadora terá acesso. Sua identidade não será revelada a ninguém (ver Termo de Compromisso).

Como você poderá se beneficiar por participar dessa pesquisa

No final da pesquisa, vou lhe enviar um relatório sobre os resultados obtidos, no que se refere às estratégias utilizadas pelos tradutores participantes. Tais informações poderão ser do seu interesse, na medida em que você terá acesso ao amplo leque de estratégias tradutórias utilizadas pelos colegas e que poderão ser adotadas em sua prática profissional. No momento em que lhe escrevo, tenho 150 documentos coletados fora do Brasil em projeto piloto que realizei para essa pesquisa e cujos resultados já foram publicados no Boletim da ATA [American Translators Association] de maio de 2002.

Documentos a serem enviados

- 1 tradução juramentada para o português ou versão para o inglês, por e-mail
- fotocópia (se tiver) do texto original (via correio) ou escaneada (por e-mail) -
de cada um dos seguintes documentos:

- 1 histórico escolar de qualquer nível de escolaridade
- 1 certidão de casamento ou nascimento
- 1 carteira de motorista
- 1 certidão de antecedentes criminais
- 1 diploma de qualquer nível de escolaridade

Serão então enviados 10 documentos, sendo 5 traduções/versões e seus respectivos originais.

Data das traduções: Serão aceitas traduções feitas no período de **1/1/2000 até 15/6/2006**

Prazo para recebimento do material: Até 31 de julho de 2006

Comprometo-me expressamente a apagar todos os elementos identificadores dos clientes, caso você não tenha tempo para fazê-lo. Poderei, também, ressarcir-lo das despesas que tiver com fotocópias e correio. Para tal, apenas indique uma conta corrente para depósito.

Uma vez mais, obrigada.

Lúcia de Almeida e Silva Nascimento
Tradutora Juramentada – Florianópolis, SC

Obs: Ver questionário em anexo

APPENDIX F

CONFIDENTIALITY AGREEMENT SENT TO BRAZILIAN TRANSLATORS

TERMO DE COMPROMISSO DE NÃO-DIVULGAÇÃO

Os abaixo assinados

Lúcia de Almeida e Silva Nascimento, tradutora juramentada em exercício no Ofício Florianópolis, Estado de Santa Catarina, portadora do RG nº 3600521-6/IFP-RJ, inscrita no CPF/MF sob nº 552.645.497-53, estabelecida à Rua São Vicente de Paula, 240, Florianópolis, SC – 88025-330, aluna do Curso de Doutorado do Programa de Pós-Graduação em Letras/Inglês da Universidade Federal de Santa Catarina, doravante denominada PESQUISADORA, e

Francis Henrik Aubert, tradutor juramentado em exercício no Ofício São Paulo, Estado de São Paulo, portador do RG nº 3.343.973. inscrito no CPF/MF sob nº 469.008.968-04 estabelecido à Rua João Gomes Xavier, 58, São Paulo, SP – 05005-020, docente do Programa de Pós-Graduação em Semiótica e Linguística Geral, Faculdade de Filosofia, Letras e Ciências Humanas, Universidade de São Paulo orientador da PESQUISADORA acima mencionada, doravante denominado PESQUISADOR, ambos em conjunto denominados PESQUISADORES,

pelo presente se comprometem com o tradutor juramentado cujos documentos forem encaminhados à PESQUISADORA para compor o conjunto de textos incluídos na tese de doutorado com título provisório de “Investigating Norms in the Official Translation of Semiotic Items and Culture-Bound Terms in Brazil”, doravante denominado TRADUTOR, conforme abaixo:

COMPROMISSOS

1. O material enviado pelo TRADUTOR será utilizado estritamente para fins da pesquisa linguística cujo título provisório consta acima, a ser apresentada à UFSC, com possíveis publicações de seus resultados;

2. Tendo em vista a obrigação de sigilo que decorre da atuação do tradutor juramentado, os PESQUISADORES se comprometem a não divulgar dados identificadores do TRADUTOR e de seus clientes. Tais dados incluem nomes completos, endereços completos, números de CPF/CNPJ, de carteiras de habilitação ou de títulos de eleitor, bem como quaisquer outros dados que possam levar à identificação do TRADUTOR ou de seu cliente. Para tal, a PESQUISADORA assume o compromisso de cancelar tais dados através da aposição do sinal XXXX na tradução e no documento original enviado. Serão cancelados ainda:

- nome e dados identificadores do(a) tradutor(a), tais como endereço, número de registro na respectiva Junta Comercial ou qualquer outro elemento que possa levar à identificação do profissional;
- dados identificadores da tradução tais como número da tradução e do livro de registro em que se encontra;

- nome/razão social, número de identidade ou registro e endereço de pessoas físicas e/ou jurídicas que constem nos textos traduzidos, bem como outros elementos identificadores de tais pessoas;

3. O material enviado pelo TRADUTOR não será disponibilizado para outros pesquisadores, salvo com consentimento expresso por escrito do TRADUTOR;

RESPONSABILIDADE:

A PESQUISADORA assume total responsabilidade pelo uso do material recebido e isentará TRADUTOR de quaisquer responsabilidades decorrentes de seu uso.

SUSPENSÃO DA UTILIZAÇÃO DOS TEXTOS

O TRADUTOR estará autorizado a exigir a suspensão imediata do uso das traduções cedidas caso tome conhecimento de qualquer infração aos compromissos assumidos pelos PESQUISADORES.

RECIPROCIDADE

A PESQUISADORA assegura ao TRADUTOR reciprocidade na entrega de traduções constante em seus próprios arquivos, para futuras pesquisas acadêmicas que o TRADUTOR possa vir a realizar, nos mesmos termos deste Termo de Compromisso.

VALIDADE

Este Termo de Compromisso será válido por prazo indeterminado.

Florianópolis, 13 de junho de 2006.

Lúcia de Almeida e Silva Nascimento

Tradutora Juramentada em Florianópolis – Santa Catarina

Doutoranda no Programa de Pós-Graduação em Letras/Inglês da UFSC (1)

Francis Henrik Aubert

Tradutor Juramentado em São Paulo - São Paulo

Programa de Pós-Graduação em Semiótica e Linguística Geral, Faculdade de Filosofia, Letras e Ciências Humanas, Universidade de São Paulo.

OBS 1: As afiliações acima poderão ser confirmadas no site da Junta Comercial do Estado de Santa Catarina (<http://www.jucesc.sc.gov.br/>) e através de contato com o Programa de Pós-Graduação em Letras/Inglês da Universidade Federal de Santa Catarina (pqi@cce.ufsc.br).

OBS 2: Caso o TRADUTOR assim o deseje, uma cópia deste documento assinada de próprio punho e com firma reconhecida lhe poderá ser enviada por correio. Tal cópia terá o mesmo valor legal que o documento apresentado acima e que é enviado ao TRADUTOR via e-mail.

APPENDIX G

E-MAIL MESSAGE SENT TO BRAZILIAN TRANSLATORS WHO DEMONSTRATED AN INTEREST IN PARTICIPATING IN THE RESEARCH

1) MESSAGE TO TRANSLATORS FROM SÃO PAULO

PREZADO(A) COLEGA,

Muitos colegas já enviaram o material que solicitei para minha tese de doutorado. Muitos colegas manifestaram seu desejo de participar, mas ainda não enviaram o material. Assim, esclareço as seguintes dúvidas:

- 1 - Caso não tenha cópias dos documentos originais, pode enviar apenas suas traduções ou versões;
- 2 - Caso não tenha feito tradução ou versão dos cinco documentos solicitados, pode enviar aqueles que tiver feito até 15/6/2006. Os documentos solicitados são: atestado de antecedentes, certidão de casamento OU nascimento, diploma, histórico escolar e carteira de habilitação. Solicito não enviar outros tipos de documentos. Não esqueça de enviar o questionário respondido.
- 3 - Você tem ainda 10 dias para enviar o material. Poderei recebê-lo até 31/7.

Caro(a) colega, fique à vontade para participar ou não. Saberei entender sua decisão. Porém, faço minhas as palavras de uma nossa colega:

"Dá trabalho participar, dá.. Mas, nada importante se consegue sem esforço. Também quero aprimorar meu trabalho e acho que uma pesquisa como a que você está fazendo, tem muito a nos ajudar."

Um abraço, Lúcia Nascimento

2) MESSAGE TO TRANSLATORS FROM OTHER STATES

PREZADO(A) COLEGA,

Muitos colegas já enviaram o material que solicitei para minha tese de doutorado. Muitos colegas manifestaram seu desejo de participar, mas ainda não enviaram o material. Assim, esclareço as seguintes dúvidas:

- 1 - Caso não tenha cópias dos documentos originais, pode enviar apenas suas traduções ou versões;
- 2 - Caso não tenha feito tradução ou versão dos cinco documentos solicitados, pode enviar aqueles que tiver feito até 15/6/2006. Os documentos solicitados são: atestado de antecedentes, certidão de casamento OU nascimento, diploma, histórico escolar e carteira de habilitação. Solicito não enviar outros tipos de documentos. Não esqueça de enviar o questionário respondido.
- 3 - Como a grande maioria dos tradutores se encontra em São Paulo, gostaria muito que você, que não reside em SP, participasse, para que a tese possa ter uma representatividade nacional.
4. Você tem ainda 10 dias para enviar o material. Poderei recebê-lo até 31/7.

Caro(a) colega, fique à vontade para participar ou não. Saberei entender sua decisão. Porém, faço minhas as palavras de uma nossa colega:

"Dá trabalho participar, dá.. Mas, nada importante se consegue sem esforço. Também quero aprimorar meu trabalho e acho que uma pesquisa como a que você está fazendo, tem muito a nos ajudar."

Um abraço, Lúcia Nascimento

APPENDIX H

TABLES WITH THE STRATEGIES USED FOR THE TRANSLATION OF SEMIOTIC ITEMS AND CULTURE-BOUND ITEMS, AND THE TRANSLATOR'S INTERVENTIONS FOUND IN THE TTs

1. INVESTIGATING THE NORMAL

A- Semiotic items

| STRATEGY TRANSLATOR | Coats of arms | | | | | Stamps | | | | | Signatures | | | | |
|---------------------|---------------|-------------|--------------|---------------|------|---------|-------------|-------------------------|-----------------------------|---------------|------------|---------|-------------|---------------|--|
| | mention | description | reproduction | alternate use | none | mention | description | mention and translation | description and translation | alternate use | none | mention | description | alternate use | |
| 1 | X | | | | | | | X | | | | | X | | |
| 2 | | X | | | | | | X | | | | X | | | |
| 3 | | | | X | | | X | | | | | X | | | |
| 4 | | X | | | | | | | X | | | | X | | |
| 5 | | X | | | | | | | | X | | | | X | |
| 6 | | X | | | | | | | | X | | | | X | |
| 7 | | X | | | | | | | X | | | | X | | |
| 8 | | | | | X | | | | | | X | | X | | |
| 9 | X | | | | | | | | | X | | X | | | |
| 10 | | | X | | | | | | | X | | | X | | |
| 11 | | | | | | | | | | | | | | | |
| 12 | | X | | | | | | | | | X | | X | | |
| 13 | | X | | | | | | | | X | | | X | | |
| 14 | | X | | | | | | X | | | | | | X | |
| 15 | | | | | X | | | | X | | | | X | | |
| 16 | | X | | | | | X | | | | | X | | | |
| 17 | | X | | | | | X | | | | | | | X | |
| 18 | | X | | | | | | | | X | | | | X | |
| 19 | X | | | | | | | | | X | | | X | | |
| 20 | X | | | | | | | X | | | | | | X | |
| 21 | | X | | | | | X | | | | | | X | | |
| 22 | | X | | | | | | | | X | | | | X | |
| 23 | | | | X | | | X | | | | | | X | | |
| 24 | | | | X | | | | X | | | | X | | | |
| 25 | | X | | | | | | | | X | | | | X | |
| 26 | | X | | | | | | X | | | | | X | | |
| 27 | | X | | | | | | | | X | | | X | | |
| 28 | | X | | | | | X | | | | | | X | | |
| 29 | | | | | | | | | | | | | | | |
| 30 | | X | | | | | | | | X | | | X | | |
| 31 | | | | | | | | | | | | | | | |
| 32 | | | X | | | | X | | | | | X | | | |
| 33 | | X | | | | | | X | | | | X | | | |
| 34 | | | | | X | | | | X | | | | X | | |
| 35 | | X | | | | | | | | X | | | X | | |
| 36 | | X | | | | | X | | | | | | X | | |
| 37 | | X | | | | | | | | | X | | X | | |
| 38 | | | | | X | | | | | | X | | X | | |
| 39 | X | | | | | | | | | | X | | X | | |
| 40 | | X | | | | | | X | | | | | X | | |
| 41 | | | | | X | | | | | | X | | | X | |
| 42 | X | | | | | | | | | | X | | X | | |
| 43 | X | | | | | | | X | | | | | | X | |
| 44 | | | | | X | | | X | | | | | X | | |
| 45 | | | | X | | | | | | X | | | X | | |
| 46 | | | | | | | | | | | | | | | |

total 7 23 2 4 6 0 8 10 4 12 8 12 20 10

1. INVESTIGATING THE NORMAL

B- Culture-bound items

| STRATEGY TRANSLATOR | School names | | | | | Units of measurement | | | | | Phraseologisms | | | | |
|---------------------|--------------|-------------------------|---------------------|---------------|--|----------------------|------------|-------------------|---------------|------------------|----------------|---------------------|------------|---------------|------|
| | loan | loan + lit. translation | literal translation | alternate use | | loan | adaptation | loan + adaptation | alternate use | loan + v. change | none | literal translation | adaptation | alternate use | none |
| 1 | | X | | | | | | | X | | | | | | X |
| 2 | | | | X | | | | | X | | | | | X | |
| 3 | | X | | | | X | | | | | | | | X | |
| 4 | | | X | | | | | | | | X | X | | | |
| 5 | | | X | | | X | | | | | | | | X | |
| 6 | X | | | | | | X | | | | | X | | | |
| 7 | | X | | | | | | | | | X | X | | | |
| 8 | | X | | | | X | | | | | | | | X | |
| 9 | | | X | | | | | | | | X | | | X | |
| 10 | | | X | | | | X | | | | | X | | | |
| 11 | | | | | | | | | | | | | | | |
| 12 | X | | | | | | | | | | X | X | | | |
| 13 | | | | X | | | X | | | | | X | | | |
| 14 | | X | | | | X | | | | | | X | | | |
| 15 | | | | X | | X | | | | | | X | | | |
| 16 | | | | X | | | X | | | | | X | | | |
| 17 | | | | X | | | X | | | | | | X | | |
| 18 | | | | X | | | X | | | | | X | | | |
| 19 | | | X | | | | X | | | | | | | X | |
| 20 | X | | | | | | | | | | X | X | | | |
| 21 | | | | X | | X | | | | | | X | | | |
| 22 | X | | | | | | X | | | | | | | X | |
| 23 | | | | X | | | | | | | X | | | X | |
| 24 | | | | X | | | | | | | X | X | | | |
| 25 | | | | X | | X | | | | | | | X | | |
| 26 | | | | X | | | | | | | X | X | | | |
| 27 | | X | | | | | | | | | X | X | | | |
| 28 | | | | X | | | | | | | X | X | | | |
| 29 | | | | | | | | | | | | | | | |
| 30 | | | | X | | | | | X | | | X | | | |
| 31 | | | | | | | | | | | | | | | |
| 32 | | | | X | | X | | | | | | X | | | |
| 33 | | | | X | | | | | | | X | | | | X |
| 34 | | | | X | | X | | | | | | X | | | |
| 35 | | | | X | | | | | X | | | | | X | |
| 36 | | | | X | | X | | | | | | X | | | |
| 37 | X | | | | | X | | | | | | X | | | |
| 38 | | | | X | | | | | | X | X | X | | | |
| 39 | | | | X | | | | | | | X | X | | | |
| 40 | | | | X | | X | | | | | | | | X | |
| 41 | | | | X | | | X | | | | | X | | | |
| 42 | | | | X | | | | X | | | | X | | | |
| 43 | | | | X | | | | | | | X | X | | | |
| 44 | | | | X | | | | X | | | | X | | | |
| 45 | | | | X | | X | | | | | | | | X | |
| 46 | | | | | | | | | | | | | | | |
| TOTAL | 5 | 6 | 5 | 26 | | 13 | 9 | 2 | 4 | 1 | 14 | 27 | 2 | 11 | 2 |

1. INVESTIGATING THE NORMAL

C- Translator's interventions

| STRATEGY | Translator's comments | | | Translator's notes | | | alternate use | none |
|------------|-----------------------|-------------------------|---------------|--------------------|----------------------|-----------------------|---------------|------|
| | comments in brackets | comments in parenthesis | alternate use | notes in brackets | notes in parenthesis | notes without markers | | |
| TRANSLATOR | | | | | | | | |
| 1 | | | X | | | X | | |
| 2 | | | X | | X | | | |
| 3 | | | X | X | | | | |
| 4 | | | X | | | | X | |
| 5 | | | X | | | | | X |
| 6 | | | X | X | | | | |
| 7 | | | X | | | | | X |
| 8 | | | X | | | | | X |
| 9 | | | X | | | | | X |
| 10 | | | X | X | | | | |
| 11 | | | | | | | | |
| 12 | | X | | | | | | X |
| 13 | | | X | | | | | X |
| 14 | | | X | | | | | X |
| 15 | | | X | | | | | X |
| 16 | | | X | | | X | | |
| 17 | X | | | | | | | X |
| 18 | | | X | | X | | | |
| 19 | | | X | | | | X | |
| 20 | | | X | | | | | X |
| 21 | | | X | | | | | X |
| 22 | | | X | | X | | | |
| 23 | | | X | X | | | | |
| 24 | | X | | | X | | | |
| 25 | | | X | | | X | | |
| 26 | | | X | | | X | | |
| 27 | | | X | X | | | | |
| 28 | | | X | | | | | X |
| 29 | | | | | | | | |
| 30 | | | X | | | | | X |
| 31 | | | | | | | | |
| 32 | | | X | | | X | | |
| 33 | | | X | | | | | X |
| 34 | | | X | | | X | | |
| 35 | | | X | | | | | X |
| 36 | | | X | | | X | | |
| 37 | | | X | | | | | X |
| 38 | | | X | | | X | | |
| 39 | | | X | X | | | | |
| 40 | | | X | X | | | | |
| 41 | | | X | | | X | | |
| 42 | | | X | | | X | | |
| 43 | | | X | | | | | X |
| 44 | | X | | | | | | X |
| 45 | X | | | X | | | | |
| 46 | | | | | | | | |
| TOTAL | 2 | 3 | 37 | 8 | 4 | 10 | 2 | 18 |

INVESTIGATING THE NORMATIVE

A- Semiotic items

| STRATEGY TRANSLATOR | Coats of arms | | | | Stamps | | | Signatures | | | | Non-specific | | | |
|---------------------|---------------|-------------|--------------|-------------|-----------------------------|---------------|---------|-------------|-------------|--------------|-------------------------|--------------------------|---------|---------------|--|
| | mention | description | reproduction | description | description and translation | alternate use | mention | description | description | reproduction | description translation | reproduction translation | mention | alternate use | |
| 1 | | | | | | | | | | X | | | | | |
| 2 | | | | | | | | | | X | | | | | |
| 3 | | | | | | | | | | | | | | X | |
| 4 | | | | | | | | | | X | | | | | |
| 5 | | | | | | | | | | X | | | | | |
| 6 | | | | | | | | | | X | | | | | |
| 7 | | | | | | | | | | X | | | | | |
| 8 | | | | | | | | | | | | X | | | |
| 9 | | | | | | | | | | | X | | | | |
| 10 | | | X | | | | X | | | | | | | | |
| 11 | | | | | | | | | | | | | | | |
| 12 | | | | | | | | | | X | | | X | | |
| 13 | | | | X | | | | X | | | | | | | |
| 14 | | | | | X | | | X | | | | | | | |
| 15 | | | | | | | | | | X | | | | | |
| 16 | X | | | | | | X | | | | | | | | |
| 17 | | | | | | | | | | X | | | | | |
| 18 | | | | | | | | | | X | | | | | |
| 19 | | | | X | | | | X | | | | | | | |
| 20 | | | | | | | | | | | X | | | | |
| 21 | | | | | | | | | | | | | | X | |
| 22 | X | | | X | | | | X | | | | | | | |
| 23 | | | | | | | | | | | | | | X | |
| 24 | | | | | | | | | | X | X | | | | |
| 25 | | | | | | | | | | X | | | | | |
| 26 | | X | | | X | | | X | X | | | | | | |
| 27 | | | | | | | | | | X | | | | | |
| 28 | | | | | | | | | | | | | | | |
| 29 | | | | | | | | | | | | | | | |
| 30 | | | | | | | | | | | X | | | | |
| 31 | | | | | | | | | | | | | | | |
| 32 | | | | | | | | | | | X | | | | |
| 33 | | | | | | | | | | X | | | | | |
| 34 | | | | | | | | | | X | | | | | |
| 35 | | | | | | | | | | | | | | | |
| 36 | | | | | | | | | | X | X | | | | |
| 37 | | | | | | | | | | X | | | | | |
| 38 | | | | | | | | | | | | | | | |
| 39 | | | | | | | | | | | | | | X | |
| 40 | | | | | | | | | | X | | | | | |
| 41 | X | | | | | | X | X | | | | | | | |
| 42 | | | | | | | | | | X | | | | | |
| 43 | | | | | | | | | | X | X | | | | |
| 44 | | | | | | | | | | | | | | X | |
| 45 | | | | | | | | | | X | | | | | |
| 46 | | | | | | | | | | | | | | | |

total 3 1 1 3 2 2 4 4 21 6 1 1 1 5

1. INVESTIGATING THE NORMATIVE

B- Culture-bound items

| STRATEGY TRANSLATOR | Units of measurement | | | | Phraseologism | Non-specific | | | |
|------------------------|----------------------|------------|----------------------|---------------------|---------------|--------------|---------------------|-----------------------------|------------|
| | loan | adaptation | loan + adaptation | loan + v. change | adaptation | adaptation | loan + v. change | loan + adap or v. change | undeclared |
| 1 | | | | | | | | | |
| 2 | | | | | | | | | |
| 3 | | | | | | | | | X |
| 4 | | | | | | | | | |
| 5 | | | | | | | | | |
| 6 | | | | X | | | | | X |
| 7 | | X | | | | | | | X |
| 8 | | | | | X | | | | |
| 9 | | | X | | | | | | |
| 10 | | | X | | | | | | |
| 11 | | | | | | | | | |
| 12 | | | X | | | | | | X |
| 13 | | | | | X | | | | X |
| 14 | | X | | | | | | | X |
| 15 | | | | | | | | | X |
| 16 | | | | | X | | | | |
| 17 | | | | | | | | | X |
| 18 | | | X | | | | | | |
| 19 | | | | | | | | X | |
| 20 | | | | | | | | | X |
| 21 | | | | | | | | | X |
| 22 | | | | | | | X | | |
| 23 | | | | | | | | X | |
| 24 | | | | | | | X | | |
| 25 | | | | | | | X | | |
| 26 | | | | | | | | | X |
| 27 | | | | | | | | | X |
| 28 | | | | | | | | | X |
| 29 | | | | | | | | | |
| 30 | | | | | | | | | X |
| 31 | | | | | | | | | |
| 32 | | | | | | | X | | |
| 33 | | | | | X | | | | X |
| 34 | | | | X | | | | | |
| 35 | | | | X | | | | | |
| 36 | | X | | | | | | | |
| 37 | | X | | | | | | | |
| 38 | | | | | | | X | | |
| 39 | | X | | | | | | | X |
| 40 | | | | | | | | | X |
| 41 | | | X | | | | | | |
| 42 | | | | X | | | | | X |
| 43 | | | | | | | X | X | |
| 44 | | | | | | | | X | |
| 45 | | X | | | | | | | X |
| 46 | | | | | | | | | |
| TOTAL | 6 | 5 | 4 | 4 | 8 | 11 | 10 | 3 | 2 |

INVESTIGATING THE NORMATIVE

C- Translator's interventions

| STRATEGY | Translator's interventions | | Translator's comments | | Translator's notes | | |
|------------|----------------------------|-------------------------|-----------------------|------------|--------------------|------------|--------|
| | comments in brackets | comments in parenthesis | alternate use | undeclared | italics | undeclared | braces |
| TRANSLATOR | | | | | | | |
| 1 | | | | | X | | |
| 2 | | | | | X | | |
| 3 | | | | | X | | |
| 4 | | | | | X | | |
| 5 | | | | | X | | |
| 6 | | X | | | | X | |
| 7 | | X | | | | X | |
| 8 | | | | | X | | |
| 9 | | | | | X | | |
| 10 | | | | | X | | |
| 11 | | | | | | | |
| 12 | | | | | X | | |
| 13 | | | | | X | | |
| 14 | | | | | X | | |
| 15 | | | | | X | | |
| 16 | | X | | | | X | |
| 17 | | X | | | | X | |
| 18 | | | | | X | | |
| 19 | | | | | X | | |
| 20 | | X | | | | X | |
| 21 | | | | | X | | |
| 22 | | | X | | | X | |
| 23 | | | | | X | | |
| 24 | | | | | X | | |
| 25 | | | | | X | | |
| 26 | | | X | | | X | |
| 27 | | | | | X | | |
| 28 | | X | | | | X | |
| 29 | | | | | | | |
| 30 | | X | | | | X | |
| 31 | | | | | | | |
| 32 | | | | | X | | |
| 33 | | X | | | | X | |
| 34 | | | | | X | | |
| 35 | | | | | X | | X |
| 36 | | | | X | | X | |
| 37 | | | | | X | | |
| 38 | | | | | X | | |
| 39 | | | | | X | | |
| 40 | | | | | X | | |
| 41 | | X | | | | X | |
| 42 | | | | | X | | |
| 43 | | | | | X | | |
| 44 | | X | | | | X | |
| 45 | | | | | X | | |
| 46 | | | | | | | |
| TOTAL | 10 | 2 | 1 | 29 | 1 | 40 | 1 |