

CATHERINE WAY
Università di Granada

Translating for the authorities: the role of the translator

Translators are increasingly seen as expert intercultural communicators (Obenaus, 1995), the question is how can we improve the perception of the role of the translator in order to achieve a balance which is acceptable to all of the agents intervening in social processes that require the translation of administrative documents. Translating has been seen as a secondary service, the translator as a subordinate, perhaps in the 21st century we should try to improve the perception of the role of the translator, intervening more actively in social processes involving two or more cultures and languages. If the translator is to eliminate barriers and obstacles in intercultural communication, then, we should revise some of the translation practices currently in use, vestiges of the past which have little relevance in the world we inhabit today.

Administrative documents

The growing demand for the translation of administrative documents to be presented to the Authorities at different levels is, in part, due to the increase in population mobility in the 21st century (Hofstede 1991: 222). The authorities process citizens on the basis of the information that they receive in these documents. The decisions taken on this basis will affect citizens' personal and professional lives.

Administrative documents are based on procedures which commence with the petition for and collection of information. This information is then processed in different ways depending on the authorities involved, labelling citizens as clients/students/applicants and the information as a case to be solved. Information is processed on the basis of pre-existing administrative categories which support and influence the decisions taken in each case. The author is an authority whose perception of the translation will depend on the information being processed.

Traditionally in Translation Studies, administrative documents have been forgotten or included nominally in the classification of legal texts. Generally considered to be the documentary evidence of an administrative act, they are the documents which are issued or received by the authorities, intervening in our

daily lives to describe and define our social identity. The structure of these documents is a reflection of the institutional role they play (Charrow 1982).

Administrative language

According to Iedema (1997, 1998), most studies of administrative language focus mainly on its negative aspects (di Pietro, 1982; Charrow, 1982; Hodge and Kress, 1993; Iedema 1997, 1998, 1999; Iedema and Wodak, 1999), rarely describing the positive elements that this type of discourse can offer in the organization of society.

The lack of fluent communication between the authorities and citizens has often been criticised, but has become more acutely obvious with the growth of State intervention in citizens lives. The fact that bureaucrats are in a position of power has meant that little attention has been paid to criticism of these documents (at least until relatively recently), forcing citizens to participate in an exchange with the authorities on an unequal footing within a discourse that is unknown territory for them or at least is not a familiar discourse for them. Charrow (1982) and Iedema (1998), however, have proposed the need to lighten the load of administrative documents, simplifying them in order to improve their comprehension and, as a consequence, the cooperation between citizens and the authorities.

The study of administrative documents and Critical Discourse Analysis

The authorities are seen by Charrow (1982) and Iedema (1998) as maintaining a social order by the use of administrative discourse, disguising their authority behind passive agency when the decisions, including the translation decisions to be taken in these documents may also have important repercussions on the outcome of administrative processes. The perceptions of the roles of each of the social agents involved, including the translator, is important in these processes. The question is: how is the translator's role perceived and whether we should be doing anything to change that perception?

Research into the translation of administrative documents

The daily work of translators and interpreters with the authorities is, undoubtedly, an area which has received little attention in Translation Studies Research until recently. This is reflected in the low number of studies performed

to date with professional translators as their subjects¹ in order to understand the role that they play in the social processes in which they intervene and their relation with the other social agents who participate in these processes (client, authorities).

Research into the translation of administrative documents has often been included under the heading of legal translation. Numerous authors deal with these documents more specifically, such as Elena (2001), Feria (1999), Franzoni (1994), Mayoral (1995, 1996, 1999), Siles (2002) and Way (1997, 1998, 2002, 2003).

Underlining the role of the translator as an intercultural mediator, we propose a more active role for the translator of administrative documents, which requires real mediation between the participants, leaving aside the more traditional servile role of the passive translator, to adopt the position of an active agent who really tries to solve the problems of mediation in communication between cultures. If the translator is to facilitate intercultural mediation, eliminating barriers and obstacles, we propose a review of current translation practices through studies of real translations in real situations in order to analyse what is being done at the moment, in order to highlight best practices and develop alternatives from the perspective of translation as social practice.

Translation as social practice

Translation has long been considered a linguistic activity. It was not generally considered to be a social activity until the appearance of the polysystem theories (the seventies), of the *skopos* theories (the eighties) and of postcolonialism (end of the eighties and the nineties). The agents involved in translation did not occupy an important role in the translation process. Their participation remained outside the debates on equivalence which, linked to the concept of faithfulness (generally understood as linguistic faithfulness), ignored the needs of the agents involved in social processes. Any form of translation (adaptation, summary) which did not imply the faithful reproduction of linguistic equivalents was often not even considered to be “true” translation. Despite the fact that translation theory codifies and proposes strategies to be followed, the final decision in any translation depends on the translator, who is a human being capable of taking decisions, guided by his/her experience and expertise.

In 1972 James Holmes underlined the high degree of social contextualization of translation and suggested the need to research in this vein, which would lead to the creation of a field which could be called Sociology of Translation or

¹ See Way 2003: 36.

Socio-translational Studies. Even in the nineties with the turn of Translation studies towards cultural approaches with Bassnett and Lefevere (1990: 11) and Even-Zohar (1990), who studied the producer and receiver of translations, Gentzler (1993: 123) criticised the approach for not entering into the social interaction between these agents and for focusing on hypothetical models and abstract generalizations, whilst other authors such as Zlateva (1993) and Kiraly (1995: 52) propose the social implication of the translator.

The studies which do contemplate the role that translation as social practice can play are usually limited to literary translation (Bassnett, 1992; Venuti, 1992) and Wolf states “*so far there has been little systematic research into the social implications of translation*”(2002). Nevertheless, Tymoczko believes that translators throughout history have intervened to change power structures and *benefit humanity or impact positively upon the receptor culture in ways that are broadly ideological* (2000: 26).

Translators are central figures who work in a social context, increasing or decreasing their importance according to their relations with the other agents involved (author, initiator/client, receiver). Therefore, if we intervene and participate on an equal footing with the other agents we will assume a more active and more visible role in society. This type of visible activity increases the translator’s social capital in the social practice in question. The translator is obviously preoccupied by his/her field of action, but also depends on the relations with the other social agents. In order to achieve legitimacy for translators as social agents it is important not only to translate (and translate well), but to achieve the implication of the other agents in the rules which govern the social process, in this case, concerning the translation of the administrative documents in question.

The role of the translator

In order to analyse the role of the translator, we proposed a research model² which arises from the need to verify for ourselves the reality of professional practice and daily working of official sworn translators³ in Spain and, particularly, of what occurs in the translation of degree certificates between Spain and the United Kingdom. It also arises from the need to verify whether what we propound to be current practices to out translator trainees (future

² This research model was recently presented in the Fourth EST Congress held in Lisbon, September 2004.

³ The translation graduates specialising in Economic and Legal Translation at our Faculty are automatically named as official translators by the Spanish Ministry of Foreign Affairs.

official sworn translators), based on our own personal experience or on the shared experience of colleagues, truly reflects the common practices in the whole profession. The impetus for the study also arose from a need to discover and analyse the role that official sworn translators play in the social process surrounding the translation of these documents and the effects that their translation decisions may have on the outcome of the process in which they participate. The choice of degree certificates is due to their growing importance for mobility and free movement of workers in the European Union.

Bearing in mind the above and the criticisms of Wolf (2002)⁴, we decided to perform a descriptive-empirical study, designing a research model based on a theoretical framework from the perspectives of Comparative Education, Comparative Law, Comparative Textology, Sociology, Critical Discourse Analysis and Translation Studies.

From the perspective of Critical Discourse Analysis (CDA), we proposed the study of the problems posed in a social practice which requires the intervention of a sworn translator. As a basis we have taken the tridimensional model suggested by Fairclough (1992), who suggests the description of a text, the interpretation of the discursive practice (production, distribution, and reception of the text) and the explanation of how the discursive practice is related to the social process, besides how the three elements relate to each other. We have added to this model the element of translation and the translator as an agent participating in the process by extending the study to texts which must move between two languages and cultures. From this perspective we proposed a study of the social context and of the translation context surrounding a discursive act in its entirety, thereby forcing us to go beyond the borders of several disciplines involved in the social process in question. In order to move from the text to the social context and to the translation context, we have designed a research model which allows us to analyse the discursive act from the perspective of the agents involved, particularly that of the sworn translator.

Relations between the agents involved

In our study we were able to detect a certain degree of mistrust on the part of the Spanish Education Authorities towards the citizen and the translator, highlighted in the words of the person in charge of handling applications for

⁴ Wolf (2002) regrets the absence of a coherent model to analyse translation, the social process and the agents involved in it. Wolf proposes the study of: translation in relation to power (the authorities); translation itself i.e. governing rules, etc. (theory, translators, professional associations), the agents' habitii (knowledge of the documents acquired by agents in the social context).

recognition of degrees⁵, who stated that he paid little or no attention to the translations of these documents because, in his opinion, he understood sufficient English to read the original documents and, besides, “the translators lie”, by changing the details in academic documents in order to favour their clients.

The client

Having heard this comment, we decided to analyse the degree of confidence that sworn translators had in their clients as information sources when translating academic documents by dedicating part of the questionnaire sent to 300 translators to this matter. Our aim was to discover whether translators asked their clients questions about their documents and whether this information was accepted blindly or not.

Our results do not support the opinion given above, insinuating a degree of collusion between the translator and the client: 41 of the 53 subjects who replied to the questionnaire use their clients as information sources about the contents of their degree certificates. Only one sworn translator admitted trusting this information completely, whilst the remainder trust the information partially, using other methods to verify the information. None of them admitted to making deliberate information changes at the client’s request.

The Receiver

Perhaps the agent who has received least attention to date is the receiver. The translator plays a double role, as receiver of the Original Text (OT) and as producer of the Target Text (TT) who constructs an image of the receiver of the translation.

According to Fairclough (1989: 136), agents’ expectations in social processes are an important factor for the interpretation of the situation or text. Each element may be interpreted according to these expectations and according to what we expect to find rather than what we actually find. We create a typology of social situations, interpreting each of them according to our own personal classification. The challenge, for our research, is to discover the interpretative procedures that the agents intervening in the communicative act apply and, above all, to discover if all the participants use a shared interpretation. Text producers imagine receivers with certain interpretative procedures, in the same way that the receivers have presuppositions about the text producers. These presuppositions may be reciprocal in similarity, but they

⁵ Ismael Fernández, interviewed in the Spanish Education Ministry, February 1998.

need not necessarily be so. We cannot forget that certain textual elements may have different value for the different participants.

Wolf (2002) suggests that the complex figure of the receiver can be studied by using sociological studies. The question is how much do we need to know about the context to be able to interpret the text and what do our receivers know. Jänis and Priiki (1994) and Nobs (2003) have already shown discrepancies that exist between what the author foresees as the reaction to a text and the reaction actually produced in the receiver. There is, however, a great deal of work still to be done if we hope to discover how much translators know about the receivers of our translations.

Mayoral (1999: 24) mentions the authorities specifically as receivers, stating that sworn translators act on intuition regarding their readers rather than on facts. He attributes the translator's receiver knowledge to accumulated experience rather than to clear guidelines concerning how to act for different audiences. He highlights the lack of communication between translators and the authorities which underlies many of our doubts as to whether or not we should explain a marking system or an institutional name in a document, doubts which would disappear if the authorities were to establish clear guidelines (preferably hand-in-hand with translators) for certain recurring elements in administrative documents. There is a lack of awareness concerning translators and their translations within the authorities which has persisted for centuries and will continue to do so unless we do something to improve the situation

In our study, we analysed the relations between the translators and the authorities (both producers of the OT and receivers of the TT) when translating degree certificates in Spain and the United Kingdom: the Spanish Education Ministry and British universities.

We found very little contact between them: only seven subjects had contacted the Spanish Education Authorities or the British universities to resolve queries. This contact was seen to have been useful in 57% of the cases of translators who contacted the Spanish authorities and in 100% of the cases concerning British universities.

Conclusions

Administrative texts form a part of our daily lives, but are not a trivial matter as they reflect and construct our attitudes towards the worlds which surround us and to others. The consequences derived from these documents, besides, are complex and may be far from trivial (Stillar 1998). We believe that CDA, when applied to administrative documents and to their translations, will allow us to discover new perspectives of the everyday texts that we exchange on a daily basis. Whenever we discover a new approach to a text we create new ways of

participating in it – as readers, writers, critics, and why not? As translators. This involves approaches which take a closer look at the production and reception of these texts.

The superficial similarity of administrative documents disguises completely different ways of conceiving society, different degrees of importance given to the information contained in them, masking different social realities and different receiver expectations when reading them.

If, as CDA has shown (Sarangi & Slembrouck), there are often imbalances between the administrative construct of the citizen and the reality of the citizens' situation, we can imagine the difficulties which arise when we cross linguistic and cultural frontiers in the translation of these documents. We cannot forget that the cultural specificity of administrative documents, closely tied to administrative structures and produced for receivers of the same culture, creates multiple translation problems.

Our research has highlighted a degree of mistrust concerning the translator's role. This can only be changed by projecting the profession positively in society. Although we are still analysing the data received and designing the reception study of the translations performed by the sworn translators in our study, the first indications are that some of the current translation practices for this type of administrative document may be hindering communication in this social process rather than helping. Authorities rarely give us more than an absolute minimum of information, hindering the translator's job. The anonymity of our text producer hinders the flow of information on the texts to be translated. Requests for further information are often met by suspicion and refusal to cooperate from the authorities. The relation with the author of the text is virtually non-existent in this case. Our research, comparing similar or parallel documents in two cultures produced by similar authorities have shown that there are differences in the information requested from or given to the citizens involved, highlighting the fact that different Authorities assign different values to the information which each of them considers to be essential to the process. The reader of the OT perceives this and, as a result, creates expectations of the OT which may differ considerably from those created by the receiver of the TT.

The translator is in a privileged position to express an opinion about the efficiency of these documents when intervening as an intercultural mediator, witnessing the difficulties that members of other cultures and administrative structures encounter in them, thereby assuming a more active role as an agent truly participating in the social practice.

References

- Bassnett-McGuire S. (1992) *Translation Studies*, London, Routledge.
- Bassnett S., Lefevere A. (eds.) (1990) *Translation, History and Culture*. London/New York, Pinter Publishers.
- Charrow V.R. (1982) "Language in the Bureaucracy" in *Linguistics and the Professions: Proceedings of the Second Annual Delaware Symposium on Language Studies*. Ed. by R. di Pietro, Norwood, NJ, Ablex, pp. 173-188.
- di Pietro R.J. (1982) *Linguistics and the Professions*, Norwood, N.J., Ablex.
- Elena P. (2001) *La traducción de documentos alemanes*, Granada, Comares.
- Even-Zohar I. (1990) "Polysystem Studies", *Poetics Today*, 11.1.
- Fairclough N. (1989) *Language and Power*, London, Longman.
- Fairclough N. (1992/1996) *Discourse and Social Change*, Cambridge, Polity Press.
- Feria García M. (ed.) (1999) *Traducir para la Justicia*, Granada, Comares.
- Franzoni de Moldavsky A. (1994) "El traductor público frente a los textos no jurídicos", *Voces* 3, pp. 28-31.
- Gentzler E. (1993) *Contemporary Translation Theories*, London, Routledge.
- Hodge R., Kress G. (1979/1993) *Language as Ideology*, London, Routledge.
- Hofstede G. (1991) *Culture and Organizations. Software of the Mind. Intercultural Cooperation and Its Importance for Survival*, New York, McGraw-Hill.
- Iedema R. (1997) "The Language of Administration: Organising Human Activity in Formal Institutions" in *Genres and Institutions: Social Processes in the Workplace and School*. Ed. by F. Christie, J.R. Martin, London, Cassell, pp. 73-100.
- Iedema R. (1998) "Institutional Responsibility and Hidden Meanings", *Discourse and Society*, 9 (4), pp. 481-500.
- Iedema R. (1999) "Formalizing Organizational Meaning", *Discourse and Society*, 10 (1), pp. 49-65.
- Iedema R., Wodak R. (1999) "Introduction: Organizational Discourses and Practices", *Discourse and Society*, 10. (1), pp. 5-19.
- Jänis M., Priiki T. (1994) "User Satisfaction with Translated Tourist Brochures: the Response of Tourists from the Soviet Union to Russian Translations of Finnish Tourist Brochures" in *Translation and the Reproduction of Culture. Selected Papers of the CERA Research Seminars in Translation Studies 1989-1991*. Ed. by C. Robyns, Leuven, CERA, pp. 49-56.
- Kiraly D. (1995) *Pathways to Translation. Pedagogy and Process*, Kent, Ohio, Kent State University Press.

- Mayoral Asensio R. (1995) "Las fidelidades del traductor jurado: una batalla indecisa" en *Traducir para la Justicia*. Al cuidado de M. Feria, Granada, Comares, pp. 17-58.
- Mayoral Asensio R. (1996) "La traducción como transmisión de información: problemas y estrategias comunicativos en la traducción de un texto administrativo", *V Curso Superior De Traducción Inglés/Español*.
- Mayoral Asensio R. (1999) "La traducción jurada del inglés al español de documentos paquistaníes: un caso de traducción reintercultural", *Sendeban*, 6, pp. 115-146.
- Nobs M.L. (2003) "Expectativas y evaluación en la traducción de folletos turísticos: estudio empírico con usuarios reales", Doctoral thesis, Universidad de Granada.
- Obenaus G. (1995) "The Legal Translator as Information Broker" in *Translation and the Law*. Ed. by M. Morris, ATA Vol. VIII. Amsterdam/Philadelphia, John Benjamins, pp. 247-59.
- Sarangi S., Slembrouck S. (1996) *Language Bureaucracy & Social Control*, London, Longman.
- Siles Molleja L. (2002) "Problemas y soluciones en la traducción al inglés de las situaciones administrativas del profesorado de enseñanza no universitaria en España", *Puentes*, 2, pp. 103-111.
- Stillar G. (1998) *Analyzing Everyday Texts. Discourse, Rhetoric and Social Perspectives*, California, Sage.
- Tymoczko M. (2000) "Translation and Political Engagement: Activism, Social Change and the Role of Translation in Geopolitical Shifts" *The Translator*, 6.1, pp. 23-47.
- Venuti L. (ed.) (1992) *Rethinking Translation: Discourse, Subjectivity, Ideology*, London, Routledge.
- Way C. (1997) "The Translation of Spanish Academic Transcripts: Implications for Recognition" in *Translating Sensitive Texts: Linguistic Aspects*. Ed. by K. Simms, Amsterdam, Rodopi, pp. 177-185.
- Way C. (1998) "Translating in a Vacuum: The Mundane World of Administrative Documents", *II Congreso EST*, Granada.
- Way C. (2002) *Puentes*, Vol. 2. Granada, Comares.
- Way C. (2003) *La traducción como acción social: El caso de los documentos académicos (español-inglés)*, Doctoral thesis, Universidad de Granada.
- Wolf M. (2002) "Translation Activity Between Culture, Society and the Individual: Towards a Sociology of Translation", in *CTIS Occasional Papers*, 2. Ed. by K. Harvey, Manchester, UMIST, pp. 33-43.
- Zlateva P. (ed.) (1993) *Translation As Social Action*, London, Routledge.