

Towards an Accurate Simultaneous Court Interpreting:  
A Communicative, Pragmatic and Semiotic Approach  
to English/Arabic Renditions

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**Abstract**

This paper aims to investigate and evaluate the intricacies of accuracy in simultaneous court interpreting and challenges the view that accuracy is unattainable. It hypothesizes that there is an overlapping and vague understanding of the 'accuracy' of court interpreting; and by applying a multidisciplinary model, accuracy becomes attainable. The theoretical framework derives its concepts principally from models of error analysis in court interpreting and from a communicative, pragmatic and semiotic model. It applies a qualitative methodology to data collected from an open sessions of the Special Tribunal for Lebanon where a witness is cross-examined, and their simultaneous interpretation from/into English/Arabic. It concludes that there is vagueness in understanding what an 'accurate' court interpreting is and that accuracy is possible, but it is attainable neither through the interpreter's impartiality by sticking blindly to the code of ethics, nor through his blatant mediation.

**Keywords:** court interpreting, simultaneous interpreting, pragmatics, speech acts

نحو ترجمة فورية دقيقة داخل المحاكم: تطبيق منهج تواصلية وتداولية وسيميائية على الترجمة  
من وإلى الإنجليزية والعربية

## **Towards an Accurate Simultaneous Court Interpreting: A Communicative, Pragmatic and Semiotic Approach to English/Arabic Renditions**

### **1.Introduction**

Mr. Sidhu did not get a fair trial because the interpreter who was provided was not competent... (a) woman, a Chatino-speaking migrant from the highlands in Southern Mexico, had not been able to defend herself (losing her child). The picture about court interpreting in many countries is bleak Morris (2010:72-3)

More often than not there is an ambivalence among court interpreting researchers, participants (such as defendants, jurors, prosecutors, attorneys, witnesses), and even interpreters themselves about the role of court interpreter. Should he mediate to, for instance, clarify any cultural differences, explicate implicit meanings, make the witness' or defendant's answers more polite and the threatening tone of a judge less powerful, explain terms, correct grammatical mistakes, etc.? Or to maintain impartiality, he should interpret literally and abide by the code of ethics? The common knowledge about what the term 'accuracy' of court interpreting seems confusing at best and contradictory at worst. The term needs reinvestigation. Any code of legal interpreting ethics stresses the necessity of the interpreter's impartiality and his sticking to verbatim translation. For example the National commissioner of the Danish Police laid down guidelines for interpreting: accuracy and completeness, impartiality, confidentiality, and conflict of interest. In this case, Jacobsen (2002:1) says, the interpreter is perceived as 'a kind of machine, simply transferring language products from one language into another'. Wadensjö (1992;1995;1997;1998) opposes this kind of translation explaining that meaning is something constantly negotiated between interactants and that verbatim translations can lead to misunderstandings. Australian's AUSIT code, to further complicate the interpreter's role, asks 'interpreters (to) be polite and courteous at all times..(and) unobtrusive, but firm and dignified' (cited in Mikkelson 2000:54). The question is how to achieve this rather impossible mission. Here arises the dilemma of the interpreter.

Therefore, this study aims to This paper aims to investigate and evaluate the intricacies of accuracy in simultaneous court interpreting and challenges the view that accuracy is unattainable in the profession. It hypothesizes that there is an overlapping and vague understanding of the 'accuracy' of court interpreting and that by applying a multidisciplinary model, accuracy becomes attainable. Hence comes its modest contribution investigating one of the most important norms in the field, 'accuracy', through a descriptive, qualitative analysis of actual professional simultaneous court interpreting in an attempt to answer four questions. First, what is the actual performance of simultaneous court interpreters? Second, to what extent their mediation serves conveying messages faithfully and accurately? Third, to what extent they interpret literally and how does this convey the message and accord with the code of ethics? Finally, what is an accurate court interpreting?

### **1.1 The Importance of the Study**

A study on Spanish-English court interpreting concludes that the interpreter should be 'faithful' and convey both content and style of the original (Hale2004). She (2006:217) argues that 'This is a significant study that should be replicated in other language combinations and using larger samples. Further refinements to the methodology could also improve the reliability of the findings'. This elaborates the importance of the present study at the topic level. It is also a descriptive study looking into actual renditions of professional simultaneous court interpreters and the possible impacts of such renditions on end receivers. Furthermore, it analyses both inaccurate and accurate renditions, unlike most of the studies which investigate only inaccuracies and errors. Theoretically, it attempts a three-dimension approach which it postulates to help attain an accurate interpretation.

### **1.2 The Objectives**

The objectives of this research are to review the literature on 'accuracy' in court interpreting to identify the gap in the knowledge of such a concept and attempt to fill it in; design an appropriate theoretical framework to address the aim of the paper and answer its questions; to compare target renditions to their corresponding originals and show any possible shifts between the real practices of interpreters and what is

considered an accurate court interpretation; and to determine whether an accurate interpretation is possible or not.

In addition to this brief introduction, the study is divided into a review of literature, a theoretical framework, a method of procedure, the analysis and discussion of data, and a conclusion.

## **2. Review of Literature**

Apparently, it may seem logical to assume that interpreting inside courts is as old as the practice of justice in contexts where one of the participants does not speak the court language or understand the proceedings (Morris 2001:113). Oddly this is not the case. Some legal provisions were enacted for court interpreting in Spain in the sixteenth century. In 1916 England introduced it through Lee Kun's trial. In 1970, a judge from USA commented that Negron deserved a fair trial through the right to have an accurate interpretation 'not only for the sake of effective cross-examination. but as a matter of simple humanness' and then he explained how that was an inappropriate deed 'in this nation where many languages are spoken is a callousness to the crippling language handicap of a newcomer to its shores, whose life and freedom the state by its criminal processes chooses to put in jeopardy' (Negron v. the State of New York at 390(1970)434F.2d386). In many jurisdictions, court interpreting includes tasks like the authentic translation of documents and interpreting in quasi-judicial and administrative hearings (Pöchhacker2004:14). Legal or judicial interpreting is a term broader than court interpreting and should be distinguished from the latter's specific setting.

Community interpreting generally and court interpreting particularly is relatively an emerging field. Though the practice of community interpreting can be traced back to the sixteenth and seventeenth centuries, most scholars consider the 1990s, when the first Critical Link was held 1995, the starting point. In her review of studies on court interpreting, Hale (2006) identifies four main areas of research: research into the language of the courtroom questions, the interpretation of style and register in witness testimony, pragmatics in court interpreting, and the expectations of the role of the court interpreter. For

the purposes of the present review of literature, this study utilizes her preliminary categorization. It is further inspired by Vargas-Urpi's (2012) and Williams and Chesterman's (2002) map of research.

### **2.1 Research into the Language of Courtroom Questions**

Studying the written language of the courtroom attracted the attention of researchers before the 1970s, while research on the monolingual oral one emerged in the 1970s. The mid-1990s saw a new interest in the language of courtrooms and interpreting. In 'The Impact of Court Interpreting on the Coerciveness of Leading Questions' (1999) and 'The Bilingual Courtroom' (2002), Berk-Seligson analyses Spanish-English interpreting from a pragmatic perspective. She concludes that the interpreter affects the questions of judges and attorneys to the extent that sometimes examiners cannot direct their questions where they want; they seem unaware of the effect of their intervention by, for instance, explaining, elaborating, or modifying the questions asked to the witness. Another study, by Rigney (1999), investigates the pragmatic alterations in Spanish court interpreters' renditions and explains that over 40% of these interpretations deviates pragmatically or content-wise from the original utterance. Hale (2001) compares a sample of 1957 Spanish/English questions in Australian courts and she found out that a pragmatic rendition does not necessarily need to follow the surface structure of the original to be correct. The large use of data sets together with qualitative and quantitative methods of research in these studies make results more generalisable; yet more research on indigenous languages and cultures is required (Hale 2006:212).

### **2.2 Interpretation of Style and Register in Witness Testimony**

Some scholars carried out research on the effect of the way witnesses answer questions, or what is 'vaguely' referred to as register, speech style or form. O'Barr (1982) suggests that the presence of speech features, like hedges, fillers, hesitations, discourse markers like 'you see', backtrackings and overuse of polite markers, makes the interpreters' renditions of witnesses less powerful, meanwhile their absence makes them sound more powerful. Also, Berk-Seligson (1990) discusses, in her analysis of Spanish-English data collected from six interpreters, how the

use of these features and explanatory material has an impact on the evaluation of witnesses.

Hale (2004) analyses the less powerful speech features collectively in 1379 answers and evaluates their effect on interpreters' renditions, arguing they have a significant impact only if taken altogether, not individually. Results reflect the addition of some of these features and the omission of others, whereas interpreters introduced fewer hedges, hesitations, discourse markers, repetitions, i.e. interpreters are unaware of the impact of their renditions, use such features inconsistently.

### **2.3 Pragmatics in Court Interpreting**

Wadensjö (1998) deems 'interpreting as interaction'. She provides an account of interpreter-

mediated communication and discusses the interpreter's role and responsibilities, his understanding of such a role, as well as the expectations of the other participants about this role. She (p.286) claims that 'exploration of authentic, transcribed interpreter-mediated interaction is a way to provide insights into the task of interpreting, knowledge which to my mind is necessary in order to accomplish professionalism in the field'. The analysis of her data shows that the interpreter's prescribed role as a 'non-participant', or a 'non-person', does not always hold true (pp.61-8). Interpreters should be aware of pragmatics at the discourse level instead of the word and sentence levels, argue some researchers like Berk-Seligson (2002), Hale (1996;2004), Krouglov (1999), Rigney (1999) and Mason and Stewart (2001). Three British sign-language interpreters in Scottish courtrooms were the focus of Brennan's (1999) discussion, elaborating that interpreters paraphrase, simplify and change casual utterances into formal ones. Mason and Stewart (2001) investigate face interaction and shifts in court interpretation due to interpreters' tendency to increase or decrease the threatening force in an utterance.

### **2.4 Expectations of the Court Interpreter Role and Ethics**

Morris (2010) argues that court interpreting is an undervalued and misunderstood profession in many jurisdictions like USA. In a survey of 17 judges, 15 prosecutors, 21 defense attorneys and 3 legislators from Massachusetts, Kelly (2000, cited in Hale 2006:222) explores their

expectations of the interpreter intervention to clear out cultural differences and she proves that 53% of judges and 47% of prosecutors responded negatively, while 48% of defense lawyers and 67% of legislators said 'perhaps', i.e. almost half of court officials do not expect the interpreter intervention to interpret cultural differences, and the other half do not, which exemplifies the vagueness in defining, or even reaching an agreement about, the term 'accuracy' of court interpreting.

The ethics of interpreting is a recurrent idea in many papers. Hale (2007) argues that the accuracy of interpreting is not dependent on verbatim translation; contrarily it allows interpreters to adapt their renditions so that they can convey both the speaker's meaning and tone. This means the interpreter can be a mediator, advocate, broker, medical assistant, or case coordinator. Meanwhile, he should abide by the impartiality model and be neutral according to her view. Yet, the fine line between mediation and neutrality is still vague in her analyses. She admits that more research on the role of the interpreter in different contexts is necessary.

Rudvin (2007), on the other hand, assures that the interpreter should be aware of the *skopos* (purpose) of his interpreting assignment and that the ethical code should not overwrite the various interpreting situations with their specific cultural and ideological references. Scholars like Angelilli (2004) and Valero-Gracés (2007) talk about ethics too. Both Martin and Abril-Marti (cited in Vargas-Urpi 2012:21) investigate how community interpreters perceive their roles and consider interpreting as an interaction, in which they can move without much constraints, adapt messages, and add explanations, and so on. Vargas-Urpi suggests that this approach to community interpreting would further enhance the field if more research is conducted to test the validity the results of Martin and Abril-Marti's model. Pochhäcker (2001:413-4) addresses the issue of quality in interpreting, demonstrating that the interpreter has a dual role towards speakers and receivers and he should give an accurate, adequate interpretation equivalent to the original and guarantee successful communication too. Through role-play experimental methodology, Townsley (2007) asks his sample participants to express their opinions and expectations if they were playing the role of a judge, a defendant, an

interpreter, etc. But, Vargas-Upri (2012:6) comments, there is a difficulty in assessing community interpreting through interviews and surveys objectively. Furthermore, some studies address the history of community interpreting and interpreters' roles at certain moments in history (cf. Baigorri and Alonso-Araguás (2004), and Giambruno (2008)). Such contributions will further benefit community interpreting, Vargas-Upri (2012:14) says, if the evolution of the profession is investigated till the present time.

As such, this review of literature concurs with Hale's (2006:206) conclusion that most research has been action-oriented based on interviews and questionnaires. On the one hand, it has relied heavily on collecting interpreting data. On the other, it has gathered and categorized the opinions of participants, by means of interviews, focus groups, or questionnaires, regarding certain features in the performance of interpreters, 'methodologies deriving mostly from discourse and conversation analysis and ethnography'. She (pp.206-7) notices that descriptive research in the field 'is crucial in obtaining an understanding of the practice and in building a body of empirical evidence to complement existing anecdotal evidence'. It also seems from the review that while some studies on court interpreting justify the interpreter mediation, others argue in favour of deontological codes, verbatim renditions, without any consideration to the very nature of language as an 'interaction'. There are some studies which go as far as even urging interpreters to play their roles as mediators in order to achieve 'successful communication'. Hale (p.225) admits that 'Broader issues regarding the meaning of accurate interpreting and how it is achieved also need to be empirically tested'. Drawing our attention to the uncertainties in the field, Mikkelsen (2000:64) ends chapter five of his book 'Introduction to Court Interpreting' with 'a question, a reflection of the uncertainties that still prevail in the theory and practice of court interpreting'. Despite the increasing number of research on court interpreting lately, their impact on the practice itself is still insufficient. That is why a fresh vision about the accuracy of court interpreting is required to solve some theoretical problematic issues in the field, improve the interpreters' performance, and

provide court interpreting training courses with valuable principles on how to interpret professionally.

Another gap in the literature, to the best of the researcher's knowledge, can be discerned from the researchers' total dependence on investigating only inaccurate interpretations rather than explaining why 'accurate' interpreting is assessed as such, which has led many scholars to conclude that accuracy of interpreting is unattainable. Therefore, this study has attempted to evade using isolated examples of inaccuracies or shifts in interpretation and used accurate in addition to inaccurate interpretation.

Thus, from the previous review of literature, the researcher was able to state the research problem statement and the hypotheses and to choose a suitable theoretical framework to analyse sample data and answers the research questions.

### **3. Theoretical Framework**

Interpreting is a 'form of translation in which a first and final rendition in another language is produced on the basis of a one-time presentation of an utterance in a source language' (Pöchhacker2004:11). The theoretical framework of this study derives its concepts principally from models of error analysis in court interpreting (Jacobsen (2002), Shlesinger (1991), Berk-Seligson (2002), González, Vásquez, and Mikkelson, (2012) and Professional Standards and Ethics for California Court Interpreters (2013)) and from a three-dimension model suggested by Hatim and Mason (1993) for both translation and interpretation.

Researchers have attempted to categorize errors in court interpreting. For instance, the González, Vásquez, and Mikkelson (2012) list the following errors: literal translation, inadequate language proficiency (grammatical and lexical errors), errors in register conservation, distortion, omission, added information, protocol, procedure and ethics, and non-conservation of paralinguistic elements, hedges and fillers. Professional Standards and Ethics for California Court Interpreters (2013) also discusses a list of errors and standards: additions, omissions, changes in meaning, register, idiomatic expressions, fragmentary statements, voice tone and overtones, non-verbal communication,

ambiguities, double negatives, errors (misspeak), clarification of terms, culturally-bound terms and repetitions of English used by some participants. This study explores three of these categories only: additions, omissions and distortions.

### **3.1 Error Analysis in Court Interpreting**

The first category of errors in court interpreting is additions. An addition is simply defined as 'an item in a court interpreter's target text which has no precedent on the surface of the original utterance' (Jacobsen 2002:152). Morris (1989; cited in Jacobsen 2002-22-4) identifies some additions based on consecutive interpreters' motives: additions completing fragmented originals, additions explaining culture-bound references or technical terms, additions providing renditions with larger degree of explicitness i.e. conveying certain implicit messages associated with originals, and additions consisting of a tag, and politeness markers. Shlesinger (1991) analyses two types of additions in consecutive court interpreting, additions explaining or clarifying culture-bound referents and additions completing unfinished sentences, which supports Morris' findings. Berk-Seligson (1990) refers to the adding of hedges, adding of linguistic material perceived underlying in the original, use of non-contracted forms when contraction is the norm, rephrasing and repetition of interpreters' renditions, adding of polite forms, adding of particles and hesitation forms.

O'Barr (1982) argues that hedges, hesitations, over-use of politeness, fillers, discourse markers like 'you see' 'well', and backtracking make the witnesses' answers less powerful, while their absence makes them more powerful; a high percentage of the powerless speech features were rated by mock jurors as less credible, convincing, trustworthy, competent and intelligent than those testimonies free of these features.

The second category of errors is omissions. Court interpreters, Berk-Seligson (1990:119) explains, exert additional influence on participants through various kinds of pragmatic alterations, from grammar manipulation to shifts in speech styles. Professional Standards and Ethics for California Court Interpreters (2013:5) demonstrates that interpreters, who have the sworn duty to interpret everything said in the courtroom, are

not allowed on any circumstances to omit any piece of information in their renditions of the original as it 'is not within the discretion of the interpreter to decide which portions of the testimony and proceedings will and will not be rendered into the target language'. That means interpreters are not free to omit portions of the original utterance in their renditions. Hatim and Mason (1993:62) assure that court interpreters should be aware of the various impacts of participants' messages to interpret successfully: 'interpreters are under the pressure to ensure that their performance accomplishes the appropriate speech acts; the consequences of transferring, say, a request into what is perceived as a command may be serious'. Also, completing unfinished sentences is inaccurate. Shlesinger (1991:150, cited in Jacobsen 2002:26) say that some interpreters were 'loath to produce ungrammatical utterances and 'almost invariably grammaticized them'. Ignoring segments is inaccurate as well. Interpreters should 'render a version as fragmentary as the original' (Professional Standards 2013:9).

Finally, the third category of errors in court interpreting is distortions. Jacobsen (2002:31) notices that consecutive court interpreters intervene to convey what they think the intended message of the original for 'the primary concern of the court interpreters was the achievement of successful interaction, and this concern overrode the expectations of the court in question that renditions be verbatim'. But when intervention distorts the original message, here it becomes inaccurate at best and dangerous at worst. The court interpreter's rendition should replicate the original message, in meaning and form. His role is to construct 'a model of the intended meaning of ST and. (form) judgments about the probable impact of ST on intended receivers' especially because 'the translator operates in a different socio-cultural environment, seeking to reproduce his or her interpretation of 'speaker meaning' in such a way as to achieve the intended effects on TT readers' (Hatim and Mason1993:92). Berk-Seligson (1990) argues that one may speculate that jurors may rate the interpreter's rather than the witness' competence and intelligence. Certainly, mistakes are unacceptable in court interpreting, but when they happen, the interpreter must draw the attention of the Judge to them either during the proceedings or after.

One of the California Rules of Court (rule 20890(b); cited in Professional Standards 2013:3) shows that the interpreter 'must use his or her best skills and judgment to interpret accurately without embellishing, omitting, or editing'. Jacobsen (2002:31-3) claims that interpreters are more concerned to understand the pragmatic meaning of speakers rather than merely interpreting literally, regardless of how close their renditions are to the original illocutionary force or perlocutionary effect. This manifests in their simplifications, modifications, explications, rephrasing and repetitions. On the other hand, court interpreting, Cambridge (2004:4) maintains, should be accurate, complete and faithful to the speaker's message because in such a context, even face-to-face expressions would be paramount to the interpretation of original messages; she goes as far as interpreting everything even insults.

### **3.2 The Three Dimensions of Context**

This study is based on Hatim and Mason's (1993) model of the three dimensions of context: the communicative, the pragmatic and the semiotic. First, they argue that 'identifying the register membership in a text is an essential part of discourse processing', involving the receiver in reconstructing the context through an analysis of field (topic), tenor (who communicates with whom) and mode (medium used, written or spoken, human or machine) (p.55). Intentionality lies at the heart of register analysis. Realizing equivalence at register level is vital for translators and interpreters alike. Gregory (1980:466) indicates that 'the establishment of register equivalence can be seen then as the major factor in the process of translation'. They explain that the problem of register analysis is offering insufficient insights into context. So they move one step further and add the other dimensions, which enable 'translators to transfer the entirety of the message into their TL (Target Language) version' (p.59).

The pragmatic dimension adapts Austin's (1962) theory of speech acts and the later refinements made by Searle (1969; 1976) and others. It is not the purpose of this study to review the details of each scholar here; it will focus on some ideas necessary for data analysis instead. Austin differentiates between three kinds of actions produced when language is used: a) Locutionary act, the action produced by uttering a well-formed, meaningful sentence; b) Illocutionary act, the communicative force

accompanying the utterance (e.g. to warn, promise); and Perlocutionary act, the effect of the utterance on the receiver. Some scholars criticize the speech act theory for: a) lacking any empirical substantiation because it does not use actual texts; b) the tendency of neglecting the listener role; and c) considering sentences in isolation from any meaningful context, e.g. speakers motives and beliefs. The three points are overcome in Hatim and Mason's model. Being sincere in language communication is a social obligation on which the Gricean maxims (co-operation, quantity, quality, relation and manner) rest. Yet, the maxims can be flouted and implicature is an example. Here comes the role of inference, argues de Beaugrande and Dressler (1981:123), for the participants will 'infer unexpected content' rather than assuming that the utterance is co-operative, informative, coherent, and relevant. Pragmatic values accrue from the speaker's intention in a given culture; and interpreters decide the accurate interpretation, to the extent that, for instance, a consecutive court interpreter's neutrality may be affected by his seating position near the defendant or jurisdiction (Harris1981, cited in Hatim and Mason1993:92).

Court interpreters should be aware of the various conditions governing utterances and all the participants in the judicial contexts; 'participants' roles in courtroom interaction would seem to predetermine the range of speech acts which they can successfully utter' (Hatim and Mason1993:62). Moreover, pragmatics is identified as 'a general cognitive, social and cultural perspective on linguistic phenomenon in relation to their usage in forms of behavior' (Verschueren1999:7). Hatim and Mason (p.100) see the text as an evolving entity, whereby speakers and hearers co-operate and communicate 'by making assumptions about a shared cognitive environment'. Yet, Pöchhaker (2008:97) criticizes a cognitive-pragmatic approach as an 'incomprehensive translational model' focusing mainly on the two processes of understanding and transfer, and does not extend to consider other processes like production. Again, this study, by analysing actual interpretations, would hopefully overcome this limitation.

Third, the semiotic dimension (semiotics is the science of signs) includes categories like genre, discourse and text. Factors like intentionality and rhetorical mode are at work. The sign system is not

universal. Different cultures allow different combinations of signs with different meanings and references. It regulates the interaction between discursal elements as signs, within texts and between speakers and hearers; it deals with the processing of information within and across cultural boundaries (Hatim and Mason1993:101,105). The three dimensions are interrelated and work within a given culture and ideology. Intertextuality, i.e. reference inside the text to other parts of the same text or of another, should be decided too. Intentionality lies behind communicative, pragmatic and semiotic choices. Linguistic and extra linguistic factors are vital in determining choices and meanings.

In this context, the researcher proposes that the three dimensions should be perceived in an environment of the speaker's intentionality as well as the hearer's acceptability (of the former's intentionality) and the effect or impact of each dimension on the hearer, instead of considering intentionality only a part of pragmatics. Henceforth, she assumes that if a multi-disciplinary approach is used to account for accuracy/inaccuracy of court interpreting, then much can be contributed to a theory of simultaneous court interpreting. To this end, she designed the following methodology.

#### **4. Method of Procedure**

From the very beginning, the study made it clear that it aims to investigate and evaluate the intricacies of accuracy in simultaneous court interpreting and challenges the view that accuracy is unattainable in the profession. It set two hypotheses: a) there is an overlapping and vague understanding of the 'accuracy' of court interpreting and b) by applying a multidisciplinary model, accuracy becomes attainable. To test the authenticity or inauthenticity of the hypotheses, it is designed to answer four questions:

- 1- What is the actual performance of simultaneous court interpreters?
- 2- To what extent their mediation serves conveying messages faithfully and accurately?
- 3- To what extent they interpret literally and how does this convey the message and accord with the code of ethics?
- 4- What is an accurate court interpreting?

Therefore, it chose to follow some steps or objectives to this end: to review the literature on 'accuracy' in court interpreting in order to identify the gap in the knowledge of such a concept and attempt to fill it in; design an appropriate theoretical framework to address the aim of the paper and answer its questions; to compare target renditions to their corresponding originals and show any possible shifts between the real practices of interpreters and what is considered an accurate court interpretation; and to determine whether an accurate interpretation is possible or not.

This is a theoretical research that applies a model for error analysis in courtroom interpreting and a three-dimension approach to context. It employs a qualitative methodology and uses content analysis to compare between English speeches and their Arabic simultaneous interpretations and vice versa in actual conferences held in courtrooms. Data selection was based on the researcher's interest in politics and international relations generally and personal interest in court interpreting in the case of the assassination of ex-Lebanese prime minister, Rafiq Al-Hariri, particularly. First, Hariri was a prominent, open-minded icon in business and politics, whose reconstruction model is really admirable. Second, his assassination shocked the whole world and symbolically it came on the Valentine's. Third, I have followed the development of the case since 2005. Fourth, the establishment of an international court to sue individuals is unprecedented in history and deserves meticulous consideration. The topic and the collected data represent a possible fertile soil for the investigation of the Arab (Lebanese) simultaneous interpreters inside courts.

The sample data is collected from a hearing in the Trial chamber, one of the open sessions of the Special Tribunal for Lebanon (STL) in the case of *The Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi, and Sabra* (STL-11-01), Presiding Judge David Re, Judge Janet Nosworthy, Judge Micheline Braidy, Judge Walid Akoum, and Judge Nicola Lettieri, Monday, 4 May 2015. I have chosen this session in particular because Walid Jumblatt, a shrewd Lebanese politician and a friend of Hariri, is cross-examined. The session is available as an official transcript of the STL and as a video from the YouTube.

The researcher chose samples from English into Arabic and vice versa, transcribing the original utterance first then the target interpretation and underlining and comparing certain features in both as necessary. A back translation is provided to make it easier for the reader to grasp the shifts in the interpretation. The analysis of shifts falls into three categories as inspired and adapted from González, Vásquez, and Mikkelsen, (2012) and Professional Standards and Ethics for California Court Interpreters' (2013) categorization of the errors in court interpreting. These are additions, omissions and distortion of the message. Of course, these categories are not clear-cut ones because the boundaries between them are hazy, fuzzy and overlapping but they are used for simplification and arrangement of samples analysis and discussion. The paper, also, excluded the analysis of non-verbal communication such as gestures and body language since simultaneous interpreting allows the participants to follow up the speaker face-to-face, i.e. communicating, through the voice of the interpreter, almost at the same time as the speaker talks with a time lapse of a couple of seconds, a matter which is difficult to realize through consecutive interpreting where participants may run the risk of evaluating the performance of the interpreter rather than that of the defendant or witness, etc.

### **5. Data Analysis and Discussion**

In the beginning, let examine the communicative dimension of context here. Rafiq Al-Hariri (1944-2005) was a business tycoon and a former prime minister of Lebanon for five terms (1992-1998 and 2000-2005). Reconstructing Beirut, he overwhelmed the political and economic scene after the 15-year-civil war, which destroyed the capital and ended in 1990. On 14 February 2005, he was assassinated along with 21 others, including the minister of economy Bassem Fleha, in a massive explosion in Beirut. Immediately the UN Security Council adopted Resolution 1595, whereby an international investigative committee, headed by German Judge Detlev Mehlis, had to look into the assassination. Mehlis presented his initial report to the Council on 20 October 2005 and referred to the involvement of some top Lebanese and Syrian officials. Reports had continued until 2006 when the United Nations and the Lebanese government proposed to establish a Special Tribunal for Lebanon (STL),

an issue opposed certainly by many people. According to the principles of the UN Charter, no one is allowed to intervene in matters which are essentially within the domestic jurisdiction of countries. In 2009 the court opened in Leidschendam, a suburb of the Hague, Netherlands. The prosecution is brought against five Lebanese figures from Hezbollah. So this is the field of the context in the collected data. In the samples, Judge Cameron, Prosecutor, cross-examines the witness, Mr. Walid Jumblatt, on 4 May 2015. Jumblatt is a prominent Lebanese politician and Leader of the Progressive Socialist Party. Therefore, the tenor generally refers to Jumblatt as a main speaker and those who cross-examine him. The mode of communication is spoken discourse and its simultaneous interpretation.

The samples were analysed and compared and the following table tackles some examples for interpretation shifts and as well as accuracies. The study as mentioned before categorized shifts into three sections: additions, omissions and distortions.

Example	Original Utterance	Rendition	Back Translation	Shift Feature
[1]	-	أيضاً	also	Addition
[2]	-	ولكن	but	Addition
[3]	-	my father	والدي	Addition
[4]	-	his second son	بابنه الثاني	Addition
[5]	-	(الطائفة الدرزية) الكريمة	the Reverend (Druz Community	Addition
[6]	-	various rounds..civil strife	جولات عديدة.. النضال المدني	Addition
[7]	-	as you know	كما تعلم	Addition
[8]	-	You cannot induce too much	لا يمكنك إحداث تغيير كبير	Addition
[9]	Your Honour.. Thank you	-	-	Omission
[10]	force.. many	-	-	Omission
[11]	متعدد، متعدد ومتنوع	-	-	Omission
[12]	يعني ظروف الطائفية في لبنان	-	-	Omission
[13]	(مرحلة) معينة.. أحد كبارنا كبار أمراء	-	-	Omission
[14]	أو لا أستطيع أن	-	-	Omission

	أحصر نفسي			
[15]	مع الأسف	-	-	Omission
[16]	Prior..sorry, go ahead	-	-	Omission
[17]	I'll take appearances starting with the prosecution	سوف نستمع إلى الفرقاء في التعريف عن أنفسهم	we will listen to participants to introduce themselves	Distortion
[18]	the Prosecution. And the Defence bar, and perhaps the Court also, might be interested in confirmation that, indeed, there are no proofing notes.	بشأن ملاحظات الشاهد مع المقابلة أن يهمننا نحن وبالتالي هذه أن نتأكد الملاحظات ملاحظات الشاهد تحضير موجودة	Consequently we are interested in confirmation that the proofing notes of witness are present.	Distortion
[19]	quite shortly after, about six weeks	حصل بعد أسابيع	weeks after	Distortion
[20]	المسلمين من رفاق مع يعني لكن والمسيحيين، أصبحنا وأين كنا أين	a few members from the Christians and Muslims. But there is a big difference between the emergence and the creation of the party and what had happened now	عدد قليل من المسيحيين والمسلمين لكن هناك فرق كبير بين ظهور ونشأة الحزب وبين ما حدث الآن	Distortion
[21]	القاعدة توسعت الشعبية	, I can say that my power base, my popular support -- my supporters grew bigger and more numerous.	أستطيع أن أقول أن قاعدة نفوذي-- تأيدي الشعبيي .. توسعت الشعبية القاعدة	distortion
[22]	منذ .. استقر	In .. was signed	في.. تم توقيع الطائف	distortion
[23]	وفي فلسطين وفي إسرائيل	in Palestine or Israel	وفي فلسطين أو إسرائيل	Distortion

[24]	Damascus	Lebanon	لبنان	Distortion
[25]	The Bristol Group	بقاء البريستول		Accuracy
[26]	وكان النظام السوري--	The Syrian regime--		Accuracy

### 5.1 Additions

As mentioned before, an addition in a court interpreter's performance is an item which has no corresponding utterance in the source. In example [1], Mr Aoun, an attorney, is introducing himself officially in a well-formed English statement (locutionary and illocutionary acts) at the beginning of the session with a perlocutionary act to show his position as an attorney, in collaboration with Thomas Hannis, for one of the five defendants, Ayyash. The Arabic rendition adds 'too' to the message leaving the listener wonder: who else represents this defendant?

[1] MR. AOUN: For today Thomas Hannis and Emile Aoun **and** we represent the interests of Mr. Salim Ayyash.

السيد عون [ترجمة فورية]: أنا وتوماس هانيس، أنا إميل عون **أيضا** نمثل  
مصالح السيد سليم عياش. شكراً.

Back Translation: *Me and Thomas Hannis, I am Emile Aoun **also** we represent the interests of Mr. Salim Ayyash*

In fact this addition is unnecessary and rather vague; the interpretation also misses a piece of information, 'today', omitted also unnecessarily (omission comes as a separate section later). The interpreter should have been more accurate and interpret completely with no additions. Also the addition of some conjunctions, which are not present in the original speech, can imply some meaning not intended by the speaker. The addition of 'but' in the Arabic simultaneous interpretation in [2] gives the impression that the Prosecutor has said something contradictory to the present sentence, which is not the case.

[2] MR. CAMERON: In this case I can advise you that Mr. Jumblatt is not operating at a hundred per cent capacity in terms of health.

السيد كامرون [ترجمة فورية]: **ولكن** في هذه الحال أستطيع أن أقول لكم أن  
السيد جنبلاط يعاني من بعض المشاكل

Back Translation: ***But** in this case I can advise you that Mr. Jumblatt is having some health problems.*

The tenor now changes for Mr. Cameron is talking to the Jury with the intention to explain few important issues related to Jumblatt's health before starting. If we keep in mind that the attorney, prosecutors and judges, among others, are analyzing every single word uttered to build on their case, then we can understand the importance of an accurate translation so that the speaker rather than the interpreter is judged.

Sometimes when the interpreter has enough background about the speaker, he may be tempted to substitute a message with another that refers to the same person or idea. For instance the witness, Jumblatt (Answer), refers in [3] to his father twice, once as 'my father', and second as 'Kamal Jumblatt'. The repetition of the sentence is significant and psycholinguistics can reveal a lot about possible intentions of speakers; it may imply assertion or hesitation. Jumblatt is asserting the idea of the assassination (wrongly interpreted as 'death' in the first part of the sentence) and that the assassinated was a famous figure in Lebanon history, whom he is very proud of.

الجواب: يعني انتخبت رئيسا للحزب بعد مقتل والدي عام 1977 ، بعد مقتل كمال جنبلاط عام 1977. [3]

A. [Interpreting] I was elected as the leader of that party after the death of my father in 1977. After the murder of my father in 1977..

يعني انتخبت رئيسا لذلك الحزب بعد موت والدي عام 1977 ، بعد مقتل والدي عام 1977  
Back Translation: 1977

In other words, the interpretation shift the perlocutionary act from assertion of murder and pride to death (and murder) and assertion of 'father'. Example [4], too, offers a new information to the receivers in the target rendition, unprecedented in the surface structure of the original, 'his second son' as the present Syrian President is a second son of the ex-president.

الجواب: وعندما قتل باسل الأسد عام 1994 في حادث سيارة أوتي بالرئيس الحالي للنظام السوري بشار الأسد. [4]

A. [Interpreting] But when Bassel Assad died in a car accident in 1994, **his second son** Bashar Assad, the current Syrian president.

وعندما قتل باسل الأسد عام 1994 في حادث سيارة أوتي **بابنه الثاني** بشار الأسد،  
الرئيس الحالي للنظام السوري Back Translation:

In this example, A. (Jumblatt) answers a question inquiring about some circumstances during the 1990s. The interpretation does not change the illocutionary act, but the perlocutionary act might give a different effect on the listeners when the interpreter adds the information that Bashar is the second son of the ex-president Assad. It can even divert the attention to why the second son, not the first, or what happened to the first son, unnecessary questions that might be raised in the minds of judges and listeners. These examples are inaccurate and the interpreter's intervention is unjustified. Interpreters feel that they have the obligation to intervene to make communication successful. In a question whether the interpreter should intervene to clear out cultural differences, Kelly (2000, cited in Hale 2006:222) assures that approximately half of the respondents in her study answered negatively, which may imply shifting to a role of cultural broker, which in turn would undermine their impartiality. Interpreting, says Kelly, cultural differences in courts should not clash with the ethical code; but she does not state how.

Example [5] presents an interpreter's intervention in describing the Druz Community by being 'reverend' according to the Lebanese culture.

[5] Question: ..is it fair to describe the Progressive Socialist Party as a socialist party which.. enjoys wide support from **the members of the Druze community**?

السؤال [ترجمة فورية]: هل نستطيع أن نقول إن الحزب التقدمي الاشتراكي هو حزب اشتراكي.. ويحظى بدعم كبير من **الطائفة الدرزية الكريمة**؟

Back Translation: ..can we describe the Progressive Socialist Party as a socialist party which .. enjoys wide support from **the Reverend Druze community**?

The examiner, Mr. Cameron, questions Jumblatt about the Druz Community. He is, of course, unaware of using this politeness term in the Arab culture. The target Arabic text thus is amended to correspond to the

target culture taste as perceived by the interpreter to be 'culturally acceptable form in the target language' (Morris 1989:73). Such addition does not violate the original intended meaning; however, had it not been for using the term 'reverend', the message would have been more accurate.

Addition is generally unjustifiable because it has no correspondence in the source utterance. Even if it agrees with the field of context, it is an extra piece of information the witness did not utter. In example [6], Jumblatt elaborates the idea of civil wars in Lebanon:

الجواب: ولأننا دخلنا منذ 77 أو منذ 78 إلى 91 بجولات وجولات من الحروب أيضا الأهلية في لبنان. [6]

A. [Interpreting] Since 1977 or 1978 up till 1991 we were engaged in various rounds of civil war and civil strife in Lebanon.

ولأننا دخلنا منذ 77 أو منذ 78 إلى 91 بجولات عديدة من الحرب الأهلية والنضال المدني في لبنان.  
Back Translation:

The interpreter in [6] adds 'civil strife' to the message while the witness talks just about the civil wars (note the omission of repetition in 'rounds and rounds' and substituting it with 'various' and the singular use of a 'war' and a 'stife'). Again this inaccurate addition can take our attention to the details of the scene and how people strived to survive, whereas the witness mentions the civil wars to show the effect of this period (1977-91) on the activity of the Socialist Party.

Discourse markers or fillers, like 'as you know' in [7], represent another feature that is repeated quite often during the cross-examination of the witness, in the interpreter's performance. Actually, they run the risk of making the witness sound less confident. Jumblatt (A.) continues his answer to Mr Cameron's inquiry about the prominent events in Lebanon which changed the political scene at that time:

الجواب: ثم دخلنا عام 75 في الحرب اللبنانية، الحرب الأهلية. [7]

A. [Interpreting]: In 1975 the war in Lebanon broke out and it was a civil war, as you know.

في عام 75 بدأت الحرب اللبنانية، وكانت حربا أهلية، كما تعلم

Translation:: Back

As mentioned in the theoretical part, hedges, hesitations, over-use of politeness, fillers, discourse markers like 'you see' 'well', and backtracking make the witness answers less powerful, while their absence makes them more powerful. In this example, the addition is unnecessary and can give the impression of the witness' hesitation. The problem of the probability of judging the interpreter's performance instead of the witness' or speaker's remains challenging for the interpreter.

Court interpreters should convey the pragmatic meaning of speakers instead of translating literally or inaccurately. Their renditions must relate to the original illocutionary force and perlocutionary effect. Hatim and Mason (1993:63) propose that deciding speech acts and conversational implicature depends on the oral mode of discourse involving a speaker, a hearer and a situation of utterance. So, target messages should have an effect on end-receivers, similar to the effect of the source on its receivers. The addition of 'you cannot induce too change' to the text [8] is for explication because the interpreter tries to explain the dilemma the witness talks about.

الجواب: لكن طبعا عندما يكون المرء تابع لأقلية فهذا هو المأزق في بلادنا وفي المحيط العربي والإسلامي

[8] A.: [Interpreting] when you are part of a minority you are in a kind of a trap. **You cannot induce too much change.** This is what you are facing in our country and in the Arab and the Islamic world.

عندما تكون تابعا لأقلية فهذا هو المأزق. **لا يمكنك أحداث تغيير كبير في بلادنا وفي المحيط العربي والإسلامي**

Back Translation:

While Jumblatt stresses powerfully his idea that being a member in a minority group like the Duruz Community is a dilemma. While the witness uses the conjunction 'but' and 'of course', the interpreter fails to get this impact on the rendition receivers and explicates the issue instead from a previous sentence said by the former. The explication appears here as a repetition of an idea and a sentence mentioned before in the preceding utterance of the witness ('You cannot induce too much change'). Although the addition does not change meaning, it can affect, however, the participants in the legal proceedings.

The court interpreter's rendition is affected by extra-linguistic factors like speaker speed, intonation, body language, sex, age and education, all of which serve to modify the impact of his rendition on hearers. Morris (1989:25; cited in Jacobsen2002:33) suggests that the purpose of such modifications is to ensure effective communication to the extent that she assures, according to her data analysis, that interpreters are far from being neutral, but instead they are mediators helping the different parties communicate effectively (p.293). She advises courts to be willing to allow interpreters some latitude to act as intercultural and interlingual mediators. But the point is, the present paper proposes, any modification made should be discarded if the intended meaning and effect of the interpretation deviates from the original's. And the 'latitude' given to the interpreter should be precautionous.

## 5.2 Omissions

It strikes the listener the moment he hears the interpretation of the sample STL open session that the issue of court ethics and procedures needs more awareness on the part of the interpreter. For instance, addressing the presiding judge requires very formal language like 'your honour', etc. Berk-Seligson (1990:136) thinks that interpreters add polite forms to their renditions of a defendant to make him appear more deferential and polite before an examining judge. Omission of a polite expression from a n utterance would consequently imply less politeness and make the message sound rather informal. Notice the omission of both 'Your Honour' and 'Thank you' in [9]:

[9] MS. ABDELSATER-ABUSAMRA: Good morning, **Your Honour**. Nada Abdelsater-Abusamra for the Legal Representative for the Victims assisted by Kiat Wei Ng. **Thank you**.

السيدة أبو سمرة [ترجمة فورية]: صباح الخير، أنا ندى عبد الساتر أبو سمرة عن  
الممثلين القانونيين للمتضررين ويساعدني السيد كيات وي.

Back Translation: *Good morning. I am Nada Abdelsater-Abusamra for the Legal Representative for the Victims assisted by Kiat Wei Ng.*

The tenor here is Nada Abdelsater Abusamra, the Legal Representative for the victims assisted by Kiat Wei Ng. She introduces herself to the Judge at the beginning of the proceedings. Her statement is a well-formed sentence with this effect in her mind, the formal introduction of herself. That is why she uses polite forms addressing the Judge. The court interpreter's situation is very sensitive, since every word and gesture of the speaker count. If the interpretation is not accurate, then the participants in the legal proceedings may judge the interpreter's rather than the speaker's performance. Thus, the omission is a grave mistake.

In court interpreting, the effect of omission can range from a mild mistake to an absolutely dangerous one. It depends on the speaker, receiver and the situation of the utterance. And the interpreter should avoid omission anyway according to the court code of ethics. In [10] 'considerable significance' is not as same as 'force', the Prosecutor intended to refer to Jumblatt's moral and physical influence.

[10] MR. CAMERON: Thank you. Mr. Walid Jumblatt has been a figure of considerable significance and **force** in Lebanese politics for many decades.

السيد كامرون [ترجمة فورية]: شكرا. السيد وليد جنبلاط هو شخصية ذات نفوذ في لبنان وفي السياسة اللبنانية لعقود.

Back Translation: *Thank you. Mr. Walid Jumblatt has been a figure of considerable significance in Lebanon and Lebanese politics for decades.*

The examiner Mr. Cameron takes the floor from the Judge and speaks about the witness. He talks about Jumblatt's position in Lebanese politics as a man of 'considerable significance and force'. The interpreter interprets one of the two terms (significance) and drops the other (force) together with the adjective 'considerable'; the same applies to omitting 'many' before 'decades' (note also the difference or addition shift in interpretation between 'Lebanon politics' in the source utterance and 'in Lebanon and Lebanese politics' in the Arabic rendition). The interpreter should not have a great power in deciding what parts to interpret and what not. Hence, the researcher disagrees with Berk-Seligson (1990:119) who

assures that interpreters play a far more active verbal role than is allowed in the legal system.

In many cases in the sample data, the interpreter tends to overlook repetition, where repetition can mean assertiveness, or vice versa less assertion, in the original and so can omission as in [11] and [12]:

لكن ضيقة مساحة إلى تقلص مع الأسف الحزب اليوم يعني الجواب: لذلك [11] اللبنانية المناطق كل في ومتنوع متعدد متعدد، الحزب كان

A. [Interpreting] That is why today, unfortunately, the scope of our party has been reduced, limited, but let me remind you that it was covering all of the Lebanese territory.

الجواب: لذلك يعني اليوم الحزب مع الأسف تقلص إلى مساحة ضيقة لكن دعني

أذكرك، كان في كل المناطق اللبنانية

Back Translation:

[12] الجواب: وكان الحزب ممتد على أوسع الساحة اللبنانية يضم مسيحيين ومسلمين. ثم الظروف لاحقاً، يعني ظروف الطائفية في لبنان.

A. [Interpreting]: The party was popular all over Lebanon. It comprised Christian and Muslim members. However, the situation and the circumstances.

وكان الحزب ممتد على كل الساحة اللبنانية ويضم مسيحيين ومسلمين. مع ذلك

Back translation

الوضع والظروف..

Though the witness emphasizes the idea of variety almost three times ('many, many, various') for assertion in [11] and in the phrase ('i.e. the sectarian circumstances in Lebanon') for explication in [12], the interpreter does not. If Berk-Seligson (1999) says there are differences associated with interpreting coerciveness and features other than the surface semantic and syntactic equivalence are to be considered, it follows that the omission of any such feature would miss a part of the speaker's intention.

When Jumblatt proudly informs the court about the history of the Duruz Community, he mentions the 'role' (not necessarily 'a very important role') it played 'in a certain important period' and refers to Fakherddine, as one of 'our' senior princes (emirs), the top princes of Mount Lebanon [13].

[13] الجواب: ولعبنا دور في مرحلة معينة مهمة وكان أحد كبارنا كبار أمراء جبل لبنان فخر الدين حكم لبنان.

A. [Interpreting] we had a very important role in the history of Lebanon. One of the emirs of Mount Lebanon, Fakhreddine, was the emir ruling Lebanon.

ولعبنا دورا هاما جدا في تاريخ لبنان وكان أحد أمراء جبل لبنان الأمير فخر الدين حكم لبنان.

Back Translation:

The interpretation seems to miss the perlocutionary effect of choosing these rhetoric words in the original. The same applies to [14] where the English rendition excludes the witness totally from limiting himself to the Community.

[14] الجواب: لا نستطيع أن نحصر أنفسنا أو لا أستطيع أن أحصر نفسي فقط بالدروز.

A. [Interpreting] I cannot say that my supporters are limited to the Druze community.

Back Translation: لا أستطيع أن أقول أن المؤيدين لي ينحصرون في الطائفة الدرزية.

The court interpreter, omitting a part of the original utterance, is indeed unaware of the various impacts of participants' messages. To interpret successfully, he must convey every part of the message. One may wonder how the interpreter decides to overlook the strong feeling of regression, expressed by the witness in 'unfortunately' [15]. Certainly simultaneous interpreting poses many challenges for the interpreter; working under the pressure of time may be the least of them. Then, he might have had to omit it for this reason. Yet, since our aim is to make court interpreting accurate, such points should be made clear.

[15] الجواب: لكن الظروف المحيطة أو البيئة المحيطة لم تسمح لي بالاستمرار بحلم كمال جنبلاط مع الأسف.

A. [Interpreting] however, the environment, the general atmosphere, did not allow me to carry on the dream of Kamal Jumblatt.

لكن الظروف المحيطة أو الجو العام لم يسمح لي بالاستمرار في حلم كمال جنبلاط.

Back Translation:

Omission can reduce the pragmatic force of a question or a statement, making it less coercive at times. It seems that interpreters tend

to omit segments if they are unable to complete them. For instance, Mr. Cameron's sentence, [16], starting with 'Prior--' is interrupted by the witness, so he apologizes 'sorry, go ahead' and leaves the floor to the latter.

[16] Q. And you are presently the leader of the Progressive Socialist Party. **Prio -- sorry, go ahead**

السؤال [ترجمة فورية]: وأنت حالياً رئيس الحزب التقدمي الاشتراكي

Back Translation: *And you are presently the leader of the Progressive Socialist Party.*

Completing unfinished sentences is inaccurate. Interpreters should render a version as fragmentary as the original utterance. The participants should judge the speaker's performance, not the interpreter's. Although this example is given for the examiner, yet it applies to all speakers, not only the witness. It is an example for just interruption here, but the norm is to interpret accurately what is said. If the witness does not know the speaker's language (English in this case), how can he realize that he can go on?

### 5.3 Distortion of the Message

Sometimes court interpreters intervene to guarantee successful communication, but if their intervention leads to a deviation in meaning, a distortion in the original message, then it becomes unacceptable. If we take example [17] as a slight deviation in the message, we find that the Judge asks participants to introduce themselves but according to the legal protocol in courts, i.e. the prosecution 'starts' first; the register field is introducing participants, the tenor is the presiding Judge Re talking to prosecution and participants and the mode is oral speech and simultaneous interpreting.

[17] PRESIDING JUDGE RE: Before we call the witness into court, **I'll take appearances starting with the prosecution.**

القاضي ري [ترجمة فورية]: قبل أن نستدعي الشاهد إلى المحكمة سوف نستمع إلى الفرقاء في التعريف عن أنفسهم.

Back Translation: *Before we call the witness into court, we will listen to participants to introduce themselves.*

In this well-formed request, the Judge wants to follow court procedures and let participants introduce themselves but prosecution starts. The perlocutionary act changes slightly when the interpreter fails to tell participants the idea that the prosecution should start, and thus the perlocutionary act deviates. Of course they know the procedures, yet we evaluate the interpretation as inaccurate and unacceptable. Court interpreters do not have such a free space to move through; accuracy and time pressures make their mission challengeable.

Mr. Edwards is a lawyer representing one of the defendants. He brings it to the court attention that he has not received any notes for the meeting with the witness held lately:

[18] MR. EDWARDS: we haven't received any proofing notes **from the Prosecution. And the Defence bar, and perhaps the Court also, might be interested in confirmation that, indeed, there are no proofing notes.**

السيد إدوردز [ترجمة فورية]: إننا لم ننتلق أي مذكرة أو ملاحظات بشأن المقابلة مع الشاهد وبالتالي نحن يهمننا أن نتأكد أن هذه الملاحظات ملاحظات تحضير الشاهد موجودة.

Back Translation: *we haven't received any proofing notes regarding the meeting with the witness. **Consequently we are interested in confirmation that the proofing notes of witness are present.***

The attorney, according to the interpretation, explicates in the two sentences that the proofing

notes are related to the meeting with the witness, a matter not mentioned at all in his two original consecutive sentences. He just talks about notes 'from the Prosecution'. And the stress in the rendition is on the presence of notes, rather than their non-presence. Meanwhile the distortion in [19] lies in contracting the Prosecution's whole idea of 'quite shortly after' and 'about six weeks' into simply 'weeks after'. Definitely the Arabic rendition does not provide Jumblatt with the necessary information mentioned in the target text.

[19] Q. And I understand that that was **quite shortly after, about six weeks, so** you have been the leader of the Progressive Socialist Party since the 1st of May 1977.

السؤال [ترجمة فورية]: وأنا أفهم أن ذلك حصل بعد أسابيع، أي أنك رئيس الحزب التقدمي الاشتراكي منذ الأول من أيار/مايو 1977

Back Translation: *And I understand that that was after weeks, this means you have been the leader of the Progressive Socialist Party since the 1st of May 1977.*

Once meaning has been encoded, Hatim and Mason (1993:65) argue, it passes through a dynamic process of negotiation between a speaker and a hearer. Any change in the interpretation breaks successful interaction. In an unnecessary reverse of order\_ an issue that needs further research\_ the interpreter uses 'Christians and Muslims' instead of 'Muslims and Christians in [20]; again a vivid topic for psychoanalysis.

[20] الجواب:..مع طبعاً مع رفاق من المسلمين والمسيحيين، لكن يعني أين كنا وأين أصبحنا.

A. [Interpreting]: in addition to a few members from the Christians and Muslims. But there is a big difference between the emergence and the creation of the party and what had happened now.

الجواب: مع عدد قليل من المسيحيين و المسلمين، لكن هناك فرق كبير بين ظهور ونشأة الحزب وبين ما حدث الان

Back Translation:

Also using 'a few members' instead of just 'companions' further complicates the distortion in the interpretation. Jumblatt talks about the Party and how there is a difference between the circumstances in the past and now; the interpreter explains the original sentence ('but where we were and where we are!') into a paraphrased one 'But there is a big difference between the emergence and the creation of the party and what had happened now'. Still, Jumblatt does not refer specifically to the emergence and establishment of the Party as the target rendition shows, he means the circumstance instead. The target expression 'what has happened now' is a rare incidence of grammatical incompetence.

Interpreters can stutter as in [21]. Notice that the addition of the filler 'I can say' makes the statement less powerful:

[21] الجواب: ثم بعد مقتل الشهيد رفيق الحريري 2005 توسعت القاعدة الشعبية.

A.[Interpreting] after the assassination of martyr Rafik Hariri in 2005, **I can say that my power base, my popular support-- my supporters grew bigger and more numerous.**

ثم بعد مقتل الشهيد رفيق الحريري 2005 أستطيع أن أقول أن قاعدة نفوذي--

**تأيدي الشعبي--توسعت** **Back Translation:**

**القاعدة الشعبية.**

Generally speaking, speakers' stutters should not be interpreted, but here the interpreter's can sometimes occur.

Interpretation is a complicated process, where the interpreter should understand the speaker's intention in order to communicate successfully. In court interpreting, any vague messages must be left so; in other words, the interpreter should not clarify meaning more than the original does. In [22] he tries to interpret one of the possible intentions of 'the Taif Agreement settled' into 'signing'; settlement can refer to signing, ratification, application, acceptance, etc.

[22] الجواب: منذ 91 استقر الطائف.

A. [Interpreting] **In** 1991 the Taif Agreement **was signed.**

Back Translation:

في 91 تم توقيع الطائف.

The translation of 'in' as 'since' also distorts the meaning of the original utterance because there is a difference between 'since 1991' and 'in 1991'. This kind of obtrusiveness differs from the ideological intervention in [23] where the interpretation of 'Palestine and Israel' becomes 'Palestine or Israel'. The mere alteration of the conjunction reflects a possible image of either this country or that in the interpreter's unconscious mind, with Israel as the usurper, the occupier and the aggressor. In translating, one does not aim at matching speech act for speech act but rather at achieving equivalence of illocutionary:

[23] الجواب: الدروز موجودون في لبنان، وهناك شريحة من العرب الدروز في

سورية، قسماً صغيراً في الأردن، وفي فلسطين في إسرائيل

A. [Interpretation] The Druze community lives in Lebanon and another part of the Druze community live in Syria and a small minority also in Jordan and **in Palestine or Israel.**

الدروز موجودون في لبنان، وهناك شريحة من الطائفة الدرزية في سورية، قسما صغيرا أيضا في الأردن، وفي فلسطين أو إسرائيل هناك دروز.  
Back Translation:

Certainly mistakes are unacceptable in court interpreting, but when they happen, the interpreter must draw the attention of the Judge to them either during the proceedings by saying 'Your Honour,' as in the case of consecutive interpreting, or immediately after the session. The interpretation of 'Damascus' into 'Lebanon' [24] was noticed later:

[24] الجواب: كان لا بد من الذهاب إلى دمشق وعقد صفقة تسوية سياسية مع الذين اغتالوا كمال جنبلاط

A. [Interpreting] I had no choice but to go to Lebanon [as interpreted] and to seal a deal, a political settlement, with those who assassinated Kamal Jumblatt.

كان لا بد من الذهاب إلى لبنان وعقد صفقة تسوية سياسية مع الذين اغتالوا كمال جنبلاط  
Back Translation:

Though the mistake was registered in the official transcript of the court, the note 'as interpreted' was written beside it for official records.

The issue of the interpreter's intervention, or mediation or even obtrusiveness, as some scholar, call it, is very sensitive and requires maximum attention because the norm is to keep both the meaning and the effect of the original in the rendition. The same holds good at intervention for cultural reasons. But, more research is needed to identify the types of cross-cultural issues which may cause miscommunication, and the instances when cross-cultural differences can be adequately transferred accurately. Cultural differences would allow the interpreter to mediate and interpret accurately 'Bristol Group' [25] to its equivalence in the Arab culture, rather than literally so it does not sound strange to the Arab ears:

[25] MR. CAMERON: Mr. Jumblatt will also be able to describe the development of the various alliances which coalesced into what became known as the Bristol Group.

السيد كامرون [ترجمة فورية]: وسوف يتمكن السيد جنبلاط من شرح الائتلافات المختلفة التي أدت إلى تأسيس ما عرف لاحقا بـ بلقاء البريستول .

It becomes necessary to intervene in the proceedings to ensure successful communication and an accurate record of testimonies. The accuracy of

the interpretation would urge him to interpret everything uttered by the speaker, even segments as in [26]:

[26] الجواب: ووفق معلوماتي من أصل أصدقائي في دمشق ومن لبنان ..كانت صحة الرئيس الأسد تتراجع إلى حد ما. وكان النظام السوري - -

A. [Interpreting]. Based on some information I have from some friends in Damascus and also in Lebanon, the health of President Hafez Al-Assad was deteriorating. **The Syrian regime --**

That is to say, an accurate interpretation is possible if all the communicative, pragmatic and semiotic features of the original are interpreted and if successful communication is guaranteed. Interestingly, it finds out that the accurate interpretations are the ones which mimicked the originals in meaning, style and effect as closely as possible. The discussion reveals that accuracy and completeness are inseparable.

### **Conclusion**

The researcher made it clear from the beginning that this study aimed to investigate and evaluate the intricacies of accuracy in simultaneous court interpreting and challenges the view that accuracy is unattainable in the profession. She designed a theoretical framework deriving its concepts mainly from models of error analysis in court interpreting and from a three-dimension model of communicative context. The two hypotheses were proved authentic: that there is an overlapping and vague understanding of the 'accuracy' of court interpreting and that applying a multidisciplinary model helps attain an accurate interpretation. The four questions of the study are answered. The actual performance of simultaneous court interpreters indicates that they mediate and that their intervention and obtrusiveness can lead to inaccuracies in interpretation sometimes. Also the literal translation which breaks the target language grammatical rules, syntax and style would seem absurd. Maybe most ethical codes require the interpreter to produce a verbatim translation, this is acceptable since it does not break successful interaction. Translation is not a machine activity.

As a principal tenet of this paper, simultaneous court interpreting should be complete and accurate. Accuracy is neither the intervention of court interpreters as presented in their actual performance of interpreters,

nor the literal, verbatim, almost 'machine' translation, stated in many codes of ethics. It means the interpreter must retain every and each piece of information mentioned in the original message, in as close to a verbatim translation as natural English or Arabic style, grammar, syntax and impact on end receivers will allow. We should keep in mind that defendants, judges, prosecutors, attorneys, witnesses and all parties to the legal proceeding await a complete and accurate interpretation to help them develop the case and reach a fair trial and judgment. Stated as that, this new perspective would hopefully help guide us to design our teaching and training courses. The researcher recommends that further research is carried out on the impact of court interpretation on legal judgments. The profession needs more studies on designing teaching and training courses.

Finally, the study was well-aware of the limitations of the research. One of them is the size of data. It does not assume to make generalizations about universal interpreting practices particularly because we still lack detailed information about the background of the interpreters, their language combination and competence, how their minds process and produce the interpretation, etc. Overlooking other features of simultaneous court interpreting, like non-verbal communication, for reasons explained in the methodology, represented another limitation. Indeed, more quantitative or corpus research can offer valuable insights into the field theoretically and practically.

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