

COURT INTERPRETING IN THE SULTANATE OF OMAN

A THESIS IN TRANSLATION AND INTERPRETING (ARABIC/ENGLISH)

Presented to the Faculty of the American University of Sharjah  
College of Arts and Sciences  
In partial fulfillment of  
the requirement of the degree

MASTERS OF ARTS

by  
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B.A. 2004

Sharjah, UAE  
June 2007

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## COURT INTERPRETING IN THE SULTANATE OF OMAN

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### ABSTRACT

In this dissertation, the situation of court interpreting in Oman is discussed and the challenges that face court interpreters are further investigated. This thesis touches upon significant issues about court interpreting emphasizing the challenging nature embedded in the court interpreter's task. In Oman, court interpreting is still a young profession for which a code of ethics and established regulative laws don not even exist. In this thesis, the situation of the court interpreting profession and that of court interpreters in Oman are set under focus. In chapter one, an overview to the thesis is stated considering the circumstances that surround the profession of court interpreting in Oman. Chapter two touches upon some important translation theories that are relevant to the discussion of the thesis. In chapter three, an overview of the principal interpreting theories is attempted referring to some of the recent studies conducted by interpreting researchers. Chapter four focuses on interpreting theories that are oriented to explain the central issues that revolve around the court interpreting profession. In chapter five, a study on the situation of court interpreters in Oman is presented, based on structured questionnaires distributed to six court interpreters working in different courts of law. In the last chapter, the thesis concludes that court interpreters in Oman face certain challenges that have the liability to obstruct their interpretation assignments in courtrooms. Based on the established theoretical considerations and the findings inferred from the study displayed in chapter five, the thesis suggests some useful strategies court interpreters can adopt to overcome the challenges of their tasks.

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## AKNOWLEDGMENTS

I would like to express my deep thanks to those who supported me throughout my research. My sincere thanks go to Dr. Said Faiq, and Dr. Basil Hatim who bestowed upon me the fruits of their knowledge in translation and interpreting.

I would like to thank my family members for their valuable emotional support.

Finally, my deep thanks and gratitude go to my dear mother for all her love, and support and for her supplications. The completion of this thesis would not have been possible without my mother's encouragement.

## Chapter One

### Introduction

Interpreters and translators have played a crucial role in facilitating communication between people who belong to different language systems. Due to the rapid advances in many fields such as technology, trade, and travel, there has been frequent contact between people of various linguistic and cultural backgrounds. Therefore, the need for maintaining such multilingual and multicultural interplay will only be satisfied by the availability of translators and interpreters.

In Oman, the recent development of the local economy and the increase of foreign investment projects have led to the increase of expatriates in most of the private sectors. As a result of this economical upturn, interpreting and translation services have become necessary. The demand for English-speaking interpreters in legal settings has become evident due to the increase of legal cases that involve English speaking nationalities. This has induced the Ministry of Justice in Oman to employ a new generation of qualified citizens to work as court interpreters in various courts of law in Oman.

These newly employed court interpreters have been exposed to a new field of practice in which they have no knowledge or experience. Moreover, they didn't find any code of ethics that regulates the practices of their profession. They even didn't have a clear view of their rights or responsibilities as court interpreters. The absence of a regulative law concerned with the profession of court interpreting has presented a serious challenge to court interpreters. Court interpreters in Oman have faced the challenge of an undefined job and have also been confronted with some unexpected challenges arising from their working environment.

The first chapter of this thesis provides a comprehensive view of the significance of the subject. Chapter two discusses some relevant translation theories with emphasizing the contribution of such theories in explaining the intricacies of the interpreting process. It begins by setting a comparison between translation and interpreting in terms of different linguistic aspects involved in them. Concepts such as

"functional equivalence" and "communicative equivalence" are used to explain the difference between the process of translation and interpreting. This chapter refers to some important theoretical models proposed by Bell (1991). Bell's theoretical perspectives on translation are explained with reference to interpreting. Further, the chapter alludes to the theory of the communication process in order to offer deep insights on translation and interpreting. It also studies the process of translation and interpreting using a purely pragmatic approach. Speech act theory, the cooperative principle, and Halliday's model of discourse analysis are used to provide a further investigation on translation and Interpreting.

Chapter three deals with central issues about the interpreting process. It begins by presenting an overview of the history of interpreting which dates back to the time of the Spanish Conquest. It gives an account of the different types of interpreting with reference to the various settings in which these types are used. It illustrates the role played by interpreters and the kind of etiquette they are to maintain in different contexts. The chapter also points out the qualities that interpreters should possess. It stresses the need for special skills in order for interpreters to perform their tasks successfully e.g. linguistic, interpersonal, communicative, and cross-cultural skills. It also emphasizes the need for specialized interpreting training programmes to promote the interpreter's competence. The chapter concludes by discussing a cognitive study on the interpreting process to reveal some hidden facts about the interpreting task.

Chapter four discusses the most central issues in court interpreting. De Jongh's theory of "cultural awareness" is used to assert the belief that court interpreters have to be bicultural as well as bilingual. De Jongh's (1991) theory has been analyzed to explain the role of the court interpreter in the courtroom. This chapter affirms that court interpreters have to be certified in order for the court interpreting profession to become professional. The chapter provides further elaboration on the function of interpreters in the legal setting. It also examines the code of ethics set by different legal organizations stressing the importance of such codes to regulate the practice of court interpreting.

Chapter five presents an investigation that is mainly concerned with the situation of court interpreting in Oman. This study is based on analyzing questionnaires filled out by six court interpreters working in different courts in Oman.



The study investigates the challenges that face court interpreters in Oman. The chapter puts forward some useful practical guidelines that may help court interpreters overcome the challenges of their task.

The last chapter reasserts the challenging nature of the court interpreting profession that requires adopting theoretically based strategies to cope with the challenges of the court interpreter's task.

To sum up, this thesis attempts to set a theoretical framework for the profession of court interpreting to help court interpreters in Oman attain a better understanding of their role.

## Chapter Two

### Relevant Translation Theories

#### Translation Versus Interpreting

This chapter presents a theoretical overview of translation theories that are relevant to interpreting. It begins with defining the concept of translation as opposed to interpreting and discusses the significance of a number of translation theories for translators and interpreters. It specifies the kind of competencies required for translators and interpreters and analyzes the importance of the pragmatic dimension to the study of translation and interpreting.

The term translation has several meanings .It can be used to refer to the general subject field, the product (the translation text), or the process of translating. Munday (2001) defines translation as the process of translation between two different languages in which the translator attempts to change an original written text (the source text or ST) in the original language into a written text (the target text or TT) in a different language. This process is known as "inter lingual translation" because it involves translation between two different languages. Jacobson 1958, cited in Munday, 2001), refers to three main categories of translation:

1. Intralingual translation or "rewording": "an interpretation of verbal signs by means of other signs of the same language";
2. Interlingual translation or "translation proper" : "an interpretation of verbal signs by means of some other language";
3. Intersemiotic translation, or "transmutation": "an interpretation of verbal signs by means of signs of non-verbal sign system."

It is clear from Jacobson's model that all the three types of translation share the aspects of interpretation, but the fulfillment of interpretation is carried out differently in each type of translation. Intralingual translation, for example, takes place when participants of a given language rephrase an expression or a text in the same language to clarify something that needs to be explained.

The interpretation act in intersemiotic translation requires shifting the verbal signs of language into non-verbal signs of a different system. Such intersemiotic translation occurs if a text is translated into music or film. Our discussion throughout this chapter revolves around the interlingual translation which has been the focus of translation studies.

Bell (1991) offers a rather more specific definition for translation that raises issues that deserve discussion:

Translation is the expression in another language (or target language) of what has been expressed in another, source language, preserving semantic and stylistic equivalences. (p.5)

This definition agrees with the previous definition discussed by Munday, but it necessitates the importance of preserving semantic and stylistic effects in translation. According to this definition, it is necessary to preserve text-oriented considerations such as semantics and stylistic effects in translation. Although this mission of preserving these textual features of the text isn't an easy one for the translator to achieve, it becomes even impossible for the interpreter. This is because interpreters, unlike translators, don't have enough time to embark on searching for the best semantic equivalences and stylistic effects. Their job is mainly centered on rendering the SL message into a target language message that is functionally communicative in the target language. Besides, interpreters sometimes are even required to give the "gist" of the SL message in the target language to save time and effort. So, Bell's definition can be most useful in translation but not useful in interpreting. His definition becomes of even extreme importance when dealing with the translation of literary works and persuasive texts when the notion of preserving the semantic equivalences and the stylistic effects becomes a responsibility of the translator. Bell extends his discussion of translation by stating four principal points that the translator has to take into consideration in translation.

- When? Concerned with the time of communication realized in the text. The translator has to recognize the historical context of the text he is translating.

- How? Can refer to:

(A) Manner of delivery: The tenors of the discourse, whether it is serious, or ironic, or flippant, etc.

(B) Medium of communication: The mode or the channel of discourse; the characteristics of the discourse as verbal/non-verbal, speech/writing.

- Where? The place of the communication or the physical location of the text.

- Who? Refers to the participants involved in the communication including both the sender (the original writer of the ST) and receivers (the audience of the ST). In addition to recognizing the identity of the sender and receiver of the original text, the translator should capture the attitudes of the sender to discover the motives he or she is trying to transmit to his or her audience through the text.

The previous points have proved to be significant in translation as well as interpreting because they represent fundamental guidelines that help both translators and interpreters deal with the text or the speech event as a whole process.

Bell (1991) alludes to the idea that translators deal with language as a code which is comprised of various features: phonological, syntactic, lexical, and semantic. To create meaningful texts that can serve as communication vehicles, translators have to make selections from among the various features of language. If we agree that the translator deals with language as a system, interpreters on the other hand use language as a medium or a channel of communication. However, according to Bell, the role of the translator and the interpreter resembles that of the normal communicator. The translator is like the interpreter, "a bilingual mediating agent between monolingual communication participants in two different language communities" (Bell, 1991, p. 15). So, translation and interpreting can be defined as communicative processes that are aiming at the exchange of information by means of language.

## Competence in Translation

Translators must have a good command of source and target language in order to produce meaningful and correct translation. Although it is generally believed that bilinguals who possess good knowledge and proficiency in both languages can do the translators' job, this isn't true. In fact, bilingualism isn't the only thing translators need to translate a SL text because the kind of problems that they may face aren't confined to the linguistic aspect but they can be cultural, ideological, political, and social, depending on the type of text they are dealing with. So, they have to be aided with a special kind of competence in order to fulfill their job successfully.

Bell (1991), defines the translator's competence as the stock of knowledge the translator has. The translator's stock of knowledge, according to Bell, should consist of target language (TL) knowledge, text type knowledge, source language (SL) knowledge, and subject area knowledge or knowledge of the real world, as well as contrastive knowledge.

Although Bell has introduced different kinds of knowledge in a way that makes them seem distinct, there is a type of knowledge that embraces all of them which is the linguistic knowledge of the translator. Bell's structured theorizing doesn't only delineate the nature of the competence required by the translator, but his analysis clearly represents the kind of competence interpreters need to possess too. The linguistic knowledge, as Bell sees it, must include semantic knowledge, the meaning that the translator or the interpreter can grasp from the context of situation, syntactic knowledge, the patterns of language the translator or the interpreter uses to embody the semantic knowledge, and pragmatic knowledge, which is the most important knowledge. The latter enables the translator or the interpreter to analyze the purpose of the message he/she receives.

To expand on explaining pragmatic knowledge, it is important to differentiate between the manner in which translators and the interpreters utilize that pragmatic competence or knowledge to carry out their act of translation or interpreting accurately. On the one hand, to infer the pragmatic knowledge from the text, the translator has to construct a complete and a clear vision of the background of the text he/she is translating. That background realization must include the translator's awareness of important elements, some of which have been discussed earlier in this

chapter. These important elements include the translator's awareness of the original writer of the text, the place and time of communication realized in the text, and the original writer's attitude and motives that he/she attempts to achieve through his/her text. The translator's knowledge of the overall background of the original text can be described as the pre-translation aspects because there are many other textual and contextual elements the translator has to bear in mind when translating a ST into the TL. These textual and contextual elements vary depending on the extent to which the translator embraces and absorbs the original text.

On the other hand, the pragmatic competence is the most important tool interpreters must be supplied with. If the interpreter can understand the purpose of the utterances in a given situation, he/she will be able to attain easily the pragmatics of the context and accordingly formulate the basis to maintain the semantic and syntactic knowledge. Interpreters have to maintain a skill by which they can grasp the pragmatic knowledge by focusing on the use of the speech acts theory. By understanding the role played by every participant in the communication process, interpreters can attain the pragmatic knowledge which is associated with that situation. It is significant to indicate this point, that the interpreter's capacity to maintain pragmatic knowledge from the utterance depends significantly on understanding his/her role in the communicative event. Whereas the translator's full understanding of the ST syntactic and semantic knowledge can lead him/her to attain effortlessly the pragmatic knowledge, interpreters can use their attainable pragmatic knowledge to comprehend the syntactic and the semantic knowledge of the speech utterances.

We have stated that the translator is required to have a particular competence that comprises syntactic knowledge, semantic knowledge, and pragmatic knowledge. These kinds of knowledge are integrated in the overall linguistic competence of the translator. It is important to highlight that the loss of any of these will, no doubt, yield a non-functional translation. Each one of these kinds of knowledge can influence the translation of any text. They have to be present in order to preserve the actual communicative function of any text. Bell (1991) believes that even though the existence of the syntactic and semantic knowledge will preserve the formal cohesion of the text, the lack of pragmatic knowledge will result in a translated text that is not communicative and functionally incoherent.

This kind of competence that covers syntactic, semantic, and pragmatic knowledge isn't only important for translators but for interpreters as well. Referring to the pragmatic knowledge which is considered a key element in the translator's and the interpreter's competence, interpreters, unlike translators, tend to be more likely to attain pragmatic knowledge. This is basically due to the nature of the interpreter's job which enables him/her to make use of the participants' facial expressions and gestures, the context of the verbal communication, and his/her knowledge of the role of each participant in that interaction. By contrast, translators deal with a written text that is derived from the element of actual interaction which makes the translator put even more effort into an attempt to grasp the pragmatic knowledge embedded in the text.

In his discussion of the translator's competence, Bell (1991) presents a more comprehensive model for the specification of competence required by the translator. This model is referred to as "communicative competence," and it consists mainly of four areas of knowledge and skills:

1. Grammatical competence: This is knowledge of the rules of language including vocabulary use and word-formation, pronunciation/spelling, and sentence structure. This knowledge is required to enable translators to understand and transfer the literal meaning of the text.
2. Sociolinguistic competence: This is the knowledge that the translator needs to produce and comprehend utterances appropriately in context.
3. Discourse competence: This competence refers to the translator's ability to combine form and meaning in any text in an attempt to achieve correspondent written text in different genres. This correspondence between form and meaning is reached through formal cohesion (the way in which utterances are linked structurally to facilitate the understanding of text) and functional coherence (the relationship among various meanings in the text such as literal meaning, communicative meaning or social meaning).
4. Strategic competence: This competence depends on the translator's mastery of communication strategies that are crucial to improve the communication process or to compensate for communication breakdowns (caused by limiting factors in actual communication or to insufficient

competence in one or more of the other elements of communication competence).

The four components of "communication competence" as presented by Bell aren't only of great importance for interpreters but for translators too. Interpreters and translators alike have to acquire "communicative competence" in order to produce true and successful renditions of the SL utterances. But the strategic competence tends to be more useful for interpreters than translators since the interpreting task requires more communication skills to fulfill their mission. Translators as well as interpreters are required to possess linguistic competence in both languages and communicative competence in both cultures.

### The Communication Process

Bell (1991) believes that the translator is by definition a communicator who is engaged in a process of written communication. To clearly define this communication process, Bell derives a model from work in information theory. In fact, though the original model is limited to the explanation of monolingual communication, Bell uses this model to provide an explanation of the translation process.

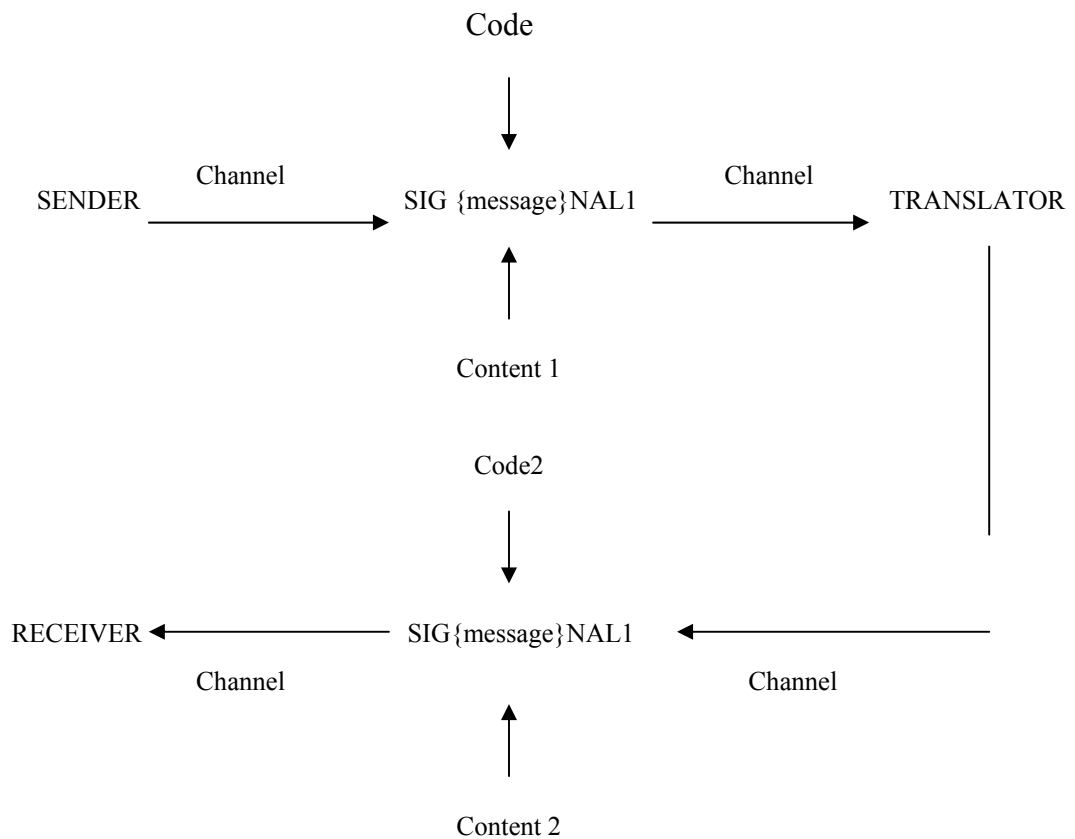




Figure 1-1. Translating

- (1) The translator receives signal 1 containing message.
- (2) recognizes code 1
- (3) decodes signal 1
- (4) retrieves message.
- (5) comprehends message.
- (6) selects code 2
- (7) encodes message by means of code 2
- (8) selects channel.
- (9) transmits signal 2 containing message.

As the above figure illustrates, in bilingual communication, the translator deals with two language systems that are distinct in code and signals. The translator first receives signal (1) which refers to the SL signal and recognizes the signal of the SL and grasps the message out of that signal before he/she encapsulates that signal in a TL code. Based on the presented model, the bilingual communication process in translation can be analyzed as follows:

1. Reception of SL signal
2. Decoding of SL signal
3. Retrieving a message to match the SL signal
4. Comprehension of the message and choosing a TL code to encode the message
5. Transmitting the TL signal containing the SL intended message.

We take it as axiomatic that both translators and interpreters are involved in this bilingual communication process through which they move from one language to another. The only difference we can infer between the translator and the interpreter regarding the communication process is that in translation the encoding of the SL

message into a TL code is transmitted as a written message, while in interpreting the TL code is transmitted as a verbal message into the target language.

It is significant to allude to this point that the job of translators and interpreters is more difficult than that of the "normal" monolingual communicator since they are exposed to different sets of content in which they are likely to face the problem of "the impossibility of 100 percent equivalence" (Bell, 1991, p. 19).

### The Theory of Speech Acts

It is believed that translators and interpreters are obliged to express in the target language the meaning which is intended by the SL writer or speaker. To fulfill their job, translators and interpreters have to figure out the exact meaning that the SL speaker or writer intends to create through the use of the utterance. Searle (1972, cited in Bell, 1991), emphasizes the value of the speech acts theory in showing the relationship between communicative events (or speech utterances or discourse) and speech acts (which are meaning realized through utterances). The term "speech acts," which is derived from work on philosophy, is very important in the study of translation. This is because of its importance in showing "the relationship between the utterance and the behavior of speaker (S) and hearer (H) and the acts (A) and events (E) experienced by them in the course of "interpersonal communication" (Bell, 1991, p. 173).

The speech act consists mainly of two parts:

- Locutionary act/meaning: this refers to what the act is about, the literal meaning or the semantic sense the reader understands.
- Illocutionary force: this is the communicative meaning which the speaker intends in the act or the function it is intended to preserve. According to Bell (1991), the illocutionary meaning is "the intentionality of the text" (p.174).

To illustrate the idea of speech acts, it is important to refer to some indicating devices that are used in English to indicate the function of the speech act or its illocutionary force. The indicating devices can be stated as follows:

- 1) Word and sentence stress
- 2) Intonation
- 3) Word order
- 4) Mood in verbs
- 5) "Performative" verbs: apologize, assert, deny, etc.
- 6) The context itself, the norms for the interaction.

The challenge that faces both translators and interpreters in this case lies in the difficulty of finding equivalent devices in the target language to preserve the illocutionary force of the SL expression or speech act. Since the first two indicating devices stated above can only apply to spoken English, interpreters can make use of them to configure the illocutionary force intended by the participants in a given situation. They can also focus their attention on the context itself and the norms of interaction to help them catch the intentionality of the participants' utterances in the communicative event. However, the problem that is presented for both translators as well as interpreters is the search for convenient semantic representation to encapsulate the illocutionary force of the SL utterance.

### The Cooperative Principle

The Gricean theory of the cooperative principle emphasizes the contribution it is believed to achieve in the translation process. The cooperative principle is based on a number of specific maxims, Grice (1957, cited in Bell, 1991):

#### Quantity

1. Make your contribution as informative as is required.
2. Do not make your contribution more informative than is required.

## Quality

1. Do not say what you believe to be false.
2. Do not say that for which you lack adequate evidence.

## Relation

Be relevant.

## Manner

1. Avoid obscurity of expression.
2. Avoid ambiguity.
3. Be brief.
4. Be orderly.

It is crucial for translators and interpreters to abide by these maxims to ensure successful communication. But in actual translation and interpreting, the situation is more complicated than what it seems to be. Sometimes, translators, for example, might confront a situation where they come across a SL meaning that is not stated clearly by the original author. So, they find it challenging to decide whether they should keep that meaning ambiguous in the translation or explicate that ambiguity in the target text. This situation poses a challenge for translators, especially when translating a literary text, because any wrong decision concerning the translation of meaning will result in a great loss that would affect the literary value. In order to avoid this loss, translators should be very sensitive to such issues in translating any text. Sensitivity to the source text can make the translator alert as to when exactly to adhere to the Gricean maxims and when to violate them. In the case of ambiguity, translators should realize that if the ambiguity is not intended by the SL writer, they should clarify it. Likewise, if they realize that the ambiguity is intended by the SL writer, they should keep it as it is. Preserving "intended ambiguity" in translation

requires more involvement on the part of the audience which adds more literary value to the SL text.

With respect to interpreting, it seems possible for the interpreter to translate completely the locutionary act involved in an utterance especially when the locutionary act is related to appropriate words and syntax, whereas they always misrepresent the illocutionary force of the utterance in context. Though the act of interpreting requires speed and consequently puts more pressure on the interpreter, he/she can still manage to overstep this challenge. The interpreter can still capture the illocutionary force of the utterance by making use of the communicative clues of the context and anticipating the intentions of the participants from the context of situation.

#### Halliday's Model of Discourse Analysis

Although we have hinted in our discussion at the cooperative principle which is seen as an element of pragmatics, according to Munday (2001), Halliday's model of discourse revisits the pragmatic dimension with a more focused analysis. Apart from the old linguistically based analysis, discourse analysis invites various interpretations of the text that go beyond the limitations of lexicogrammatical and syntactical meaning. The study of discourse analysis reflects the social, political, ethical, moral and personal implications of the text. Halliday's model of discourse analysis is aimed at the study of language as a communicative process by searching for meaning in the writer's linguistic choices and systematically relating these choices to a wider sociocultural scale. Halliday's model shows that there is a strong interrelation between the linguistic surface level realizations and the sociocultural implications of the text. His model draws our attention to some specific terms that are important in understanding the study of discourse analysis. For example, the term "genre" is defined as "the conventional text type that is associated with a specific communicative function"(Munday, 2001, p. 90). According to Munday (2001), genre includes other elements that formulate the systematic framework of the notion of discourse. The first of these elements is register which consists of three main variable elements:

1. Field: refers to "the social function of the text" (Hatim & Mason, 1991, p.48). It can be defined as a specific language that is used by specific social group such as the language used in religious sermons.

2. Tenor: concerns the relationship between the addresser and the addressee. Tenor also refers to the level of formality that characterizes a given text.

3. Mode: recurrently overlaps with the "tenor" and refers to the nature of the text whether it possesses spoken-like qualities or written- like qualities.

Munday (2001) continues his discussion about these elements of register by relating each one of these variables to a specific aspect of meaning. These aspects of meaning in Munday's terms form the "discourse semantics of a text" (p. 90). He specifies three metafunctions: ideational, interpersonal, and textual. These metafunctions are realized through the use of the "lexicogrammar" that is the linguistic choices of words and syntactic structures. The three metafunctions are represented as follows:

- The field of a text is associated with ideational meaning, which is realized through transitivity patterns of modality (verb type, active, passive structures, and participants in the process, etc.)
- The tenor of a text is associated with interpersonal meaning, which is realized through the patterns of modality (the use of modal verbs and adverbs and evaluative lexis).
- The mode of a text is associated with textual meaning, which is realized through the thematic and information structures (the order and structuring of elements in a clause) and cohesion (the way the text hangs together lexically, including the use of pronouns, ellipsis, collocations, repetition, etc.).

It is important to note that the job of the translator and the interpreter gets more challenging especially when the meaning of the SL writer or the SL speaker goes beyond the limitations of the "lexicogrammar." At that point both translators and

interpreters have to determine the meaning which is intended by the original writer or speaker within the overall sociocultural framework discussed previously.

In translation, translators for example may face difficulty of dealing with some specific literary genres that are existent in the source language but non-existent in the target language. This becomes very challenging for translators because even if they attempt to search for equivalent literary genres in the target language, the loss of the literary value of the SL text is inevitable.

In interpreting, the problem that might face interpreters mainly lies in dealing with tenor and mode. For example, interpreters should know how to transfer for an uneducated audience a formal speech which is full of sophisticated language and characterized by its written-like quality. The question is, should the interpreter reformulate an equivalent TL speech that equals the original in its formality and technicality or should he/she adjust the SL speech to suit the educational level of the target language audience?

It is only by understanding and realizing the role and the value of register elements and considering the wide sociocultural framework in which they fit, that translators and interpreters can reflect faithfully and explicitly the intention of the SL text.

### Summary

In this chapter, a number of translation theories have been discussed, especially those which are most relevant to the field of interpreting. This chapter started with a short comparison to depict the process of translation as opposed to the interpreting process. It reviewed the different linguistic and communication skills required by translators and interpreters. It also referred to some pragmatic theories that have proved to be useful in explaining the processes of translation and interpreting.

## Chapter Three

### Interpreting Theories

This chapter considers in depth the field of interpreting. It discusses some central issues on the interpreting process and the task of interpreters. It also stresses the importance of interpreting education and training programmes in promoting the interpreter's potential. The presented theories are primarily focused on the domain of spoken language interpreting. The chapter concludes with a section dedicated for the discussion of some cognitive theories and their contribution in explicating the interpreting task.

#### Brief Historical Overview of Interpreting

##### Early Forms of Interpreting

The practice of interpreting according, to Angelelli (2004), dates back to the origins of cross-linguistic communication when interpreters played a distinctive role in facilitating communication across different cultures and languages.

Early practices of interpreting were exercised in various ancient civilizations. In Ancient Egypt, Egyptians considered foreign races wretched barbarians, and they thought of the interpreter as the speaker of "strange tongues." The position and the role played by interpreters was recognized also in Ancient Greece where the interpreter wasn't only seen as a linguistic mediator between multilingual civilizations but was believed to be a semi-divine human capable of performing multiple tasks. Interpreting contributed to facilitating communication between Greeks and high status Roman Senate representatives or non-classical peoples such as Egyptians and Celts. The value attributed to interpreting in Ancient Greece was increased by the constant demand on interpreters. The Greek empire was bilingual, and Latin and Greek languages enjoyed the same status in schools. Within that bilingual empire of ancient Greece interpreters held prominent positions.



Interpreters have occupied an important position in the Americas since the Spanish Conquest. Before even beginning his first voyages to the Americas, Columbus realized the value of interpreting in helping him to communicate with native people. So, he decided to take two interpreters with him. The first one had spent time in Guinea while the other was believed to speak Arabic, Hebrew, and Chaldean. When Columbus first set foot in the Americas, he came into contact with 133 tribal families who spoke more than 1,000 different languages distributed over the territory from Argentina to northern Mexico. The interpreters' contribution proved to be essential in facilitating effective communication between the Spanish authorities and the Native Americans.

Interpreting not only received considerable interest from Columbus, but it continued to gain more importance and status through the colonization of the Americas. It is said that between 1529 and 1630, Carlos V, Philip II, and Philip III signed 15 decrees related to interpreting. Interpreters occupied important positions within the social and political hierarchy of that time.

It is worth mentioning that the professionalization of interpreting started in 1563. It was with the establishment of courts that laws regulating the interpreters' working conditions became an issue. More recently, during the Nuremberg trials (1945-1946), interpreters once again played a significant role. After World War II, interpreting began its way to academia due to the sudden demand to train more interpreters. Universities around the world started to offer courses, programmes, and degrees in interpreting, including in Europe (Belgium, Denmark, France, Germany, Italy, Spain, and the UK), Asia (Taiwan, Korea, and Japan), the Americas (Argentina, Canada, Chile, Mexico, Uruguay, the USA), and New Zealand. It is important to refer to the dominance of conference interpreting over other types of interpreting such as community based interpreting. This is because of the high demand which has been centered on conference interpreting to ensure communication between heads of states in international settings. This would explain why many distinguished university programs have only offered courses in conference interpreting. There are only two universities Vancouver City College and the University of Charleston in North Carolina which still offer courses in community interpreting in legal interpreting respectively.

Interpreting has continued to gain more interest and it has once again gained center stage at the end of the twentieth and the beginning of the twenty-first century. The political events which happened recently in the world have highlighted the importance of interpreters such as the crisis of Kosovo, Macedonia, the tragedy of 9/11, and the war in Iraq. These critical events represent the urgent need for professional and qualified interpreters to achieve effective communication between nations and people. These political incidents have raised the awareness of powerful countries such as the USA about the importance of interpreters. The US government has reacted directly to the recent political crisis aiming at creating a team of well-trained translators and interpreters, especially in Persian and Arabic languages.

Practicing interpreting as a profession took place only in 1953 with the establishment of the AIIC, the first World Association of Conference Interpreters, in Paris. The headquarters of the AIIC is currently located in Geneva and it has only 2,617 members in the world. Though interpreting has contributed to facilitating communication in any setting in which two different languages come into contact, conference interpreting has become the centre of attention and the leader in establishing standards for both training programs and professional associations. After the formation of AIIC, its American counterpart, the American Association of Language Specialists (TAALS) came into being in 1957 in Washington, D.C. There are approximately 130 interpreters and translators currently enrolled as members in TAALS based in nine American countries (Argentina, Brazil, Canada, Guatemala, Mexico, Peru, Uruguay, the USA, and Venezuela).

Twenty years after the creation of AIIC and TAALS, the National Association of Judicial Interpreters (NAJIT) was formed in the USA in 1978. Soon after the establishment of NAJIT, many other court and medical associations of interpreters at the state and national level began to emerge. Although there is no certification exam for conference interpreters, there are various certifications for court interpreters, both at the state and federal level.

We can't deny that the practice of interpreting has become more regulated recently considering the continuous tendency of professional organizations to set up their codes of ethics and their own training programs. But there is a crucial aspect of the nature of these training programs which has been completely overlooked. Most

professional organizations tend to prescribe and dictate the role of the interpreter without understanding the multifaceted and complex role played by interpreters. So, understanding the nature and the circumstances of the setting in which interpreters work shouldn't be overlooked by interpreting professional organizations before determining their standards of the kind of training programs that are desired to train interpreters.

Most of the research studies that have been focused on analyzing interpreting have proved an important fact. They have discovered that the last two decades of the twentieth century witnessed a shift in the conceptualization of the interpreter's role, from a language conduit to an essential co-participant in the interpreted communicative event. This alludes to the responsibility attributed to interpreters during interactions and proves the notion of the interpreter's "visibility." However, the conventional concept of a language "conduit" is still prevalent, especially in research on conference and court interpreters.

Phelan (2001) emphasizes the idea that it was at the time of colonization that interest in interpreting was formed. She adds that since the development of interpreting, there has been a visible focus on conference interpreting, especially in international settings, which has been gradually developed to facilitate the growth of international organizations. An important point that draws our attention is that the first conference interpreters, according to Phelan, became interpreters by accident and they had no basic education or training in conference interpreting. After the development of interpreting courses in universities, interpreters started to seek a professional status. Phelan mentions some universities that offer specialized courses in interpreting such as the University of Geneva School of Interpreting which was founded in 1940, the Vienna School of Interpreting in 1943, and Georgetown University Division of Interpreting and Translation in the United States in 1949. The foundation of these universities and schools have been followed by many others established in various countries until interpreter training has become a basic requirement. Another important aspect that we should highlight concerning the historical development of interpreting is that the establishment of special interpreting schools and universities has encouraged academics to do research on interpreting.

With respect to interpreter education at the university level, Phelan (2001) refers to the idea that university qualification, nowadays, has become a prerequisite to a career as an interpreter. It depends usually on the course; students may either study interpreting as part of an undergraduate degree or seek an interpreting qualification in addition to an existing degree. Courses on interpreting cover two foreign languages, and students usually are asked to work in their mother tongue.

No doubt, the need for interpreting and interpreters was found a long time ago and it continued to gain more interest until the present time. Interpreting has developed from early forms of verbal exchanges into a highly professional field that has been established on certain principles and standards.

### Types of Interpreting

We have hinted previously to the distinction between translation and interpreting. Translation is produced as a written text, whereas interpreting takes place when a person translates orally what he or she hears into another language. Interpreting like translation has different types, such as bilateral or liaison, consecutive, and simultaneous. Phelan (2001) discusses different types of interpreting and explains explicitly the use of every type.

#### Conference Interpreting

The term conference interpreting refers to the most popular type of interpreting which requires the use of the consecutive mode or the simultaneous mode at a conference or a meeting. Nowadays, simultaneous interpreting has become very common and is always in demand, especially for international organizations. Conference interpreting is the most prestigious form of interpreting and the most financially rewarding. Degrees in conference interpreting are available in most of the distinguished universities around the world.

#### Simultaneous Interpreting

As we have mentioned earlier, simultaneous interpreting is always required in international conferences and meetings. The simultaneous interpreter is required to give his or her interpretation at the same time the speech is made. The interpreter has

to sit in a booth and is equipped with headphones and a microphone in order to deliver his/her interpretation. The job of the interpreter is based on hearing the speech through the headphones and then simultaneously interpreting it through the microphone. Usually, in the booth the interpreter is provided with all the required equipment that allows him/her to adjust the volume of his/her voice. It becomes essential for the conference interpreter to know exactly how to use the headphones and the microphone in the best way. Through the use of different buttons in the booth, each of which are designed to serve a particular function, the interpreter can cough, for example, without the audience hearing that. The listeners in any conference have to be provided with headphones so that they can switch to the language they require. It is required that two people be allowed to sit in a booth because simultaneous interpreting requires a high level of concentration and mental agility on the part of the interpreter. This allows the simultaneous interpreter to manage any problem in the interpreting because the second interpreter will take his/her position in case of any inconvenience.

Interpreters do not usually interpret for more than thirty minutes because this is the limit of the interpreter's mental capacity. Phelan (2001) states that "interpreters should be careful of distracting noises such as rustling of papers, background talk or laughter, water being poured, as all these sounds can be picked up by the microphones and transmitted to the audience" (p. 7). The job of the conference interpreter is very challenging since he/she has to process incoming information in one language and produce an interpretation in another language. Interpreters in this case are advised to wait for speech "units" of meaning in order to give a correct interpretation. Interpreters should maintain a skill of predication to enable them to predict the next word or phrase. Interpreters who work as simultaneous interpreters in conferences must consider some important points:

- They should avoid unfinished sentences.
- They should be concerned with meaning or the "gist" of what is being said rather than "words.
- They should have a pleasant voice and they shouldn't sound boring or bored.
- They should avoid speaking at a great speed.

- They should be aided with general background knowledge about the world and surrounding events to be able to cope with a variety of topics.
- They should have a clear view of the speaker and of any slides or transparencies or videos that may be displayed at the conference.
- Interpreters must not lie about facts, figures, or numbers and if they do, they have to correct their mistakes as soon as they occur.

It is significant to refer to the idea that usually in conference settings the speech is made available before the meeting which allows interpreters to find out the content of the speech and to prepare terminology. Nowadays, some simultaneous interpreters are allowed to use laptop computers in the conference booth. This allows them to access terminology bases very quickly. Interpreters can use laptop computers to access the specialized dictionaries and that is when asked to interpret a scientific or a highly technical speech.

#### Consecutive Interpreting

In this type of interpreting, the interpreter first listens to a speech while taking notes, and when the speaker has finished, the interpreter stands up and delivers the speech in his or her native language. The time which is recognized as a limit for consecutive interpreting is fifteen minutes, although in the past interpreters could interpret up to thirty minutes. Consecutive interpreting isn't intended to provide a speech summary but it rather aims at producing a complete rendition of the original speech in another language. Since simultaneous interpreting is more widespread and it is always in demand, consecutive interpreting can still be useful in situations where simultaneous equipment isn't available. Consecutive interpreting can be very useful for question and answer sessions as well as press conferences or after dinner speeches. Consecutive interpreting is still required as an important part of interpreting training. In consecutive interpreting, interpreters should have a good memory and should use their concentration and understanding skills along with their skill in public speaking.

Since note taking is considered a significant and a distinctive element of consecutive interpreting, interpreters have to develop their own techniques for note

taking. There are some interpreters who use a great number of symbols while others hardly use any. Though some interpreters tend to write down everything they hear, this process isn't recommended because it is very time consuming. Some other interpreters prefer to take notes in the target language rather than the source language to save time and effort when it is time to give the interpretation. One advantage of consecutive interpreting is that the note taking process doesn't have to follow a certain rule, and every interpreter can use his/her own symbols as long as they help to trigger speedily the content of the original speech.

#### Whispered Interpreting

This type of interpreting is referred to as chuchotage and it is used in a situation where one or two people don't understand the source language. This type occurs when the interpreter listens to the speaker and then simultaneously renders the interpretation to the listener in a low voice. No equipment is used in this type of interpreting, and it is used in situations such as international meetings to facilitate communication between different states' representatives and delegates.

#### Bilateral or Liaison Interpreting

The first type of interpreting was bilateral or liaison interpreting. This type takes place when the interpreter uses two languages to interpret for two or more people in a given situation. This type of interpreting is still used in informal situations such as business meetings and it is also used for community interpreting.

#### Sight Translation

This type of interpreting happens in many different situations when interpreters are asked to translate verbally a document or a written paper. For example, interpreters can be asked to interpret a document in a business meeting or a legal document in a court. In this type of interpreting interpreters can ask for time to go over the document they are asked to interpret.

#### Telephone Interpreting

Telephone interpreting is considered bilateral interpreting that happens over the phone. It is widely used in business contexts, for medical examinations, and even in

some courts in America. This type of interpreting can be very useful for everyone, especially for those who find it necessary in order to finish their jobs. According to Phelan (2001), if a factory manager in the United States needs a component that is manufactured in Japan, he has to contact a telephone interpreting service and ask for an English - Japanese interpreter to do the job. The interpreter interprets everything that is said. This type of interpreting is very useful since it is available from anywhere, round the clock, in a large number of languages. In the future, advances will probably develop a technology of machine interpreting over the phone. This type of interpreting is widely used in the United States and it is highly developed. There are many companies in the United States competing to provide telephone interpreting over the phone. This service isn't only available for companies but it is available for individual consumers too. For example, Language Line Services are available through English from any phone in the world and the payment is made by credit card. It takes around 25 seconds or even less to obtain an interpreter and the cost of the call depends on the language required.

#### Sign Language Interpreting

This type of interpreting is provided for deaf or hearing-impaired people who cannot understand the original speech. Nowadays, sign language is recognized as a language in its own right. This type of interpreting is based on using gestures of the hands and the rest of the body including facial expressions. Within the English speaking world, the American, British and Irish sign language have all evolved separately. Unlike invisible conference interpreters who have to be hidden away in their booths at the back of a conference hall, sign language interpreters must be clearly visible to their audience. However, sign language interpreters are generally advised not to wear bright colors or designs in order not to distract their audience and not to cause visual fatigue among the deaf or hard of hearing listeners.

#### Television Interpreting

Television interpreting is simultaneous interpreting which is provided for television programmes such as interviews that are made with foreign guests who can



range from politicians, to musicians, to sportsmen and sportswomen. This type of interpreting is quite common in Europe. In this type of interpreting, the interpreter sits in a booth where he or she can see the speaker, the set, and other interpreters who are working on the programme. It is important to check all equipment and satellite connections before recording begins.

#### Video Conference Interpreting

Video conference interpreting is a modern technology that has undergone rapid development. The basic equipment for this type of interpreting are a camera, a codec, a monitor, a microphone, and an equipment control pad at each location, as well as Network services that are essential to connect the locations.

#### Wiretapping and Tape Transcription

This type of interpreting is different from the other types of interpreting discussed so far, because it is associated with the legal context. Many law enforcement agencies in the United States and in the Netherlands use wire taps to record conversations in private residences and mobile phone lines for the sake of gathering information about drug-related crimes and criminal gangs. The job of the interpreter becomes significant when the recordings include a foreign language. In this case, the interpreter is required to transcribe and translate the context of the tapes. This isn't an easy job since it is time consuming and depends greatly on the actual quality of the tapes. In this type of interpreting, the interpreter should be accurate in his/her translation and he or she should include everything as it appears on the recording including poor grammar and inconsistencies.

#### Community Interpreting

Community interpreting can be referred to as public service interpreting. This type of interpreting is provided face to face and over the phone, and it is used in different settings and contexts such as health, social services, the law, and education. There is more than one term to describe this type of interpreting. For example, public service interpreting is the term used in the United Kingdom. As for most other countries, they use the term community interpreting. In Australia the term which is mostly preferred is community based interpreting. Adhoc interpreting is the term preferred by commentators. They also use contact interpreting or dialogue interpreting

to refer to this type of interpreting. According to Phelan (2001), community interpreting needs to be developed and governments must set up a system of accreditation for community interpreters. Countries around the world must determine coherent strategies for organizing and providing community interpreting. Australia represents the best example in that community interpreting has government support and interpreters are tested and accredited.

It is important to mention that community interpreters can use different types of interpreting according to the setting in which they are asked to interpret and the interpreting assignment they are required to do. Community interpreters use a combination of whispered simultaneous and consecutive interpreting. Sight translation is also used in this type of interpreting if, for example, they are asked to translate aloud a legal document in a court of law. We need to emphasize that each country has its own policy for providing and organizing community interpreting. There are countries in which community interpreters are provided by nongovernmental profit making organizations, while in some other countries it becomes the governments' responsibility to provide and regulate community interpreting services.

#### Court Interpreting

Interpreting has proved to be very essential in many settings but the significance of interpreting tends to increase in the case of court interpreting. This is because court interpreting depends on what the conflicting parties say in a court room and whether they are perceived to be telling the truth.

#### Medical Interpreting

This type of interpreting is required when a patient, for example, doesn't know the language spoken by the doctor. In this case, the interpreter has to work as a dialogue interpreter, explaining to the patient the doctor's diagnosis of the medical problem and the procedures that will be carried out. Phelan (2001) states that it is unfair to expect family members or friends to do the interpretation in such a situation. The patient has the right to call on the help of professional of interpreting services.

## The Interpreter's Linguistic Dominance

Anderson (2002) discusses the interpreter's role with respect to his/her contribution of the social activity in cross-cultural interaction.

One of the interesting ideas he focuses on in his study is the notion of linguistic dominance. He believes that the interpreter as a bilingual has two languages, his/her mother tongue which is the language he/she learns first in childhood and the second language which he/she acquires later. Even though, the learning of second languages may take place at an early stage in childhood, the linguistic dominance always goes to the interpreter's mother tongue. This linguistic dominance will result in some consequences which, no doubt, have their influence on the interpretation process. The first consequence is that the interpreter, when translating to his/her dominant language, is expected to meet with more success than when he/she is translating from it. The second consequence is that it is more likely for an interpreter to identify with the speakers of his dominant language, rather than with clients of the other language. In this situation, it becomes the interpreter's responsibility to create some kind of balance between his/her mother tongue and his or her second language. This is because the interpreter's linguistic dominance in his mother tongue will make him or her pay more attention and focus on his/her mother tongue clients. This means the interpreter isn't treating his or her clients equally in interpreting and will consequently draw some suspicions concerning interpreting.

Another idea which Anderson (2002) highlights is the interpreter's power. He asserts that the interpreter obtains a great power in the communication process from his/her unique position "in the middle" of two different clients. This power is expected to offer the interpreter control over the structure of the entire situation. Anderson suggests that interpreters should adopt a neutral position in the interpreting process to produce a faithful interpretation.

## The Complexity of the Interpreter's Role

The use of metaphors and metaphorical descriptions have encouraged the understanding and defining of the field of translation and interpreting. Most of the descriptions of interpreting are focused on clarifying and explaining the role of the

interpreter. Roy (2002) emphasizes the contribution of the use of metaphors in defining and explaining the interpreter's role. Roy alludes to the use of some common metaphors which are derived from translation theories such as the "man in the middle" concept and the "channel" or the "bridge" concepts. Although Roy believes these metaphors successfully display the nature of the interpreter's role, they tend to be general. For example, if we take the channel metaphor that compares the interpreter to a channel that functions as a communicative facilitator between two people, the use of this metaphor gives the impression that the job of the interpreter is an easily attainable one. In fact the job and the role of the interpreter are more complex and challenging than that expected of a channel. This is because interpreters are required to reproduce a message from one speaker to another faithfully and accurately without emotional or personal bias. This means that interpreters must simultaneously render the original intent of the speakers in their interpretation while maintaining impartiality and neutrality. Interpreters are not allowed to change topics, ask questions of their own, or interject their own opinions, and they have to respect the confidentiality of the situation. So, according to Roy, using metaphors such as a machine, a bridge, and a telephone line tend to compress and mask the complexity of the interpreter's role.

Roy (2002) adds that the role performed by interpreters is even more complex than what it seems to be because the interpreter consciously or unconsciously is engaged in a number of processing tasks and cognitively based processes that intensify the complexity of his/her role. Roy points out the aspects that explain the complexity of the interpreter's role:

In contrast to these two perspectives, what interpreters actually know and do is complex, not only from the perspective of psycholinguistic process, but also from the perspective of interactive communication systems as a whole. Interpreters are not simply processing information and passively passing it back and forth. Their task requires knowledge of organizational system, grammatical and discourse system, language use system as well as emergent adaptive system to perform their job successfully and consistently. (p. 348)

No doubt, the use of metaphors and metaphorical language has served in explaining the basic role performed by interpreters. Interpreting experts used to derive these metaphorical descriptions from other scientific fields such as linguistics, communications, sociolinguistics, and cognitive science. Although these quoted metaphors have contributed to clarifying the interpreter's role, interpreters can use their own metaphors to explain their roles by learning from their own practical experiences in interpreting. Interpreters' own explanations of their role which are based on real-life situations are seen as reliable and exact representations of the actual role played by interpreters.

Frishberg (1990) believes that though some of the metaphors which have been used to describe and define the interpreter's role provide some actual interpretations about the role of the interpreter, they lack a very essential element. Metaphors that compare the interpreter to a machine, a window, a bridge, and a telephone line ignore the essential fact that the interpreter is a human being who has human qualities.

Frishberg (1990) investigates some of these metaphors to portray the actual role played by the interpreter. She believes that though the interpreter-as-machine metaphor represents the responsibility of the interpreter in reproducing the message of the speaker in the SL to another speaker in the TL faithfully and accurately, there is a weakness in this metaphor. This is because comparing the interpreter to a machine asserts that the interpreter is expected to give consistent and continuous performance for long hours, while in reality the interpreter can't do this. In other words, the human interpreter needs periodic pauses to refresh mental capacity and physical alertness. According to Frishberg, the use of metaphors to define the interpreter's role shouldn't be considered as unchangeable interpretations, but they should rather be regarded as descriptions that allow further analysis and investigation. Analyzing the various metaphors that have been used to explain the interpreter's role, interpreters are required to possess accurate memory, careful observation, and an objective point of view.

## The Interpreter's Ethics

Frishberg continues her discussion about the interpreter's role by emphasizing the concept of "trust" on the part of interpreter. When interpreters are involved in an interpreting activity, they are given trust by the other participants in the situation who expect the interpretation will be a faithful rendering of their speech. Interpreters should never violate the trust placed in them because by doing so, they will not only give a bad impression about themselves but also about the whole of this growing profession. Interpreters should always attempt to enhance the people's view about interpreters and the interpreting profession. Frishberg provides some useful guidelines that stipulate the interpreter's responsibility in any interaction. These guidelines are based on the Code of Ethics drawn up by the Registry of Interpreters for the Deaf, Inc. Abiding by these guidelines and standards of practice will help interpreters maintain professional conduct and professional behavior. The Code of Ethics implemented by the RID is based on some crucial elements that are listed as follows:

### Discreetness:

Interpreters are required to arrive on time and to be dressed appropriately. This will lay the ground work for a comfortable process and will make the clients give their trust easily to the interpreter.

### Confidentiality:

It is obvious that during interpreting encounters, interpreters gain access to much information that is important and dangerous at times. It is an obligation for the interpreter to keep all this information secret and never disclosed to anyone. Frishberg highlights the idea that confidentiality is central to the interpreter's ethical position and that it has to be preserved regardless of the setting of interpreting. For example, interpreters in a medical setting are obliged by confidentiality not to reveal who was examined or what was discussed. An important point that needs to be stated is that the interpreter's responsibility in this situation is confined to the accurate transmission of the message at the time of interpretation. Interpreters are not responsible for the outcomes or the consequences of the communication. The element of confidentiality

is a rule that interpreters have to abide by in every type of setting whether it is legal, medical, educational, or social.

#### Accuracy:

Accuracy requires that the interpreter render a message from the speaker's language into the listener's language, preserving the intention of the speaker. Interpreters must give a complete rendering of the speaker's message without additions or deletions. They are required to interpret pauses, hesitations, and non-verbal signals along with words. We should concentrate on the notion of accuracy in interpreting specialized terms by the use of established specialized terms in the target language. This requires an ability to differentiate between general words that denote general things and specialized terms that refer to specific concepts and designations.

#### Proficiency:

Proficiency means the interpreter has to accept only interpreting assignments which don't go beyond his/her capacity. If it happens that the interpreter can't perform the job, he or she should simply apologize by saying "No." Sometimes the interpreter is offered an interpreting assignment that needs more time than the time available. In such a case, the interpreter has to inform the speakers of this inconvenience and refuse the interpreting assignment. There are other situations where the untrained interpreter is faced with a difficult or specialized topic, for example, which demands being acquainted with specialized and technical terminology. In this situation, the interpreter must inform the speakers or the people who offered the assignment and state his/her inability to perform the interpreting task.

#### Impartiality:

Impartiality implies that the interpreter must refrain from advising or leading either party. Interpreters aren't allowed to express their own opinions regarding the

content of the communication. Interpreters have to make sure that they can stay neutral during interpreting. Even in situations where the interpreter finds himself/herself in the middle of two conflicting opinions, he/she has to stay detached and should never be involved in the content of interpreting. Sometimes, interpreters are asked to interpret a subject that might arouse feelings in them or to which they hold different opinions. In such a situation, interpreters should decline the interpreting assignment unless they can manage to maintain impartiality throughout the interpreting task. One of the ways that is suggested by Frishberg by which interpreters can maintain impartiality is to prevent personal feelings and attitudes from coming out in the interpretation. Violating impartiality can lead to undesirable consequences that impose a complete responsibility on the part of the interpreter for the outcome of the interaction. Impartiality represents a firm policy of non-involvement that can free the interpreter from any responsibility concerning the outcome of the interaction.

### Etiquette of the Interpreter

Interpreters should consider the importance of maintaining certain rules of etiquette according to the various contexts in which they are involved. Frishberg's rules of etiquette are as follows:

#### Interpreting everything:

It is believed that whatever the interpreter hears has to be interpreted into the other language depending on the setting in which interpreting takes place. For example, interpreters in courts of law are required to render faithfully every word that is uttered by the parties. Another example, as provided by Frishberg (1990), is the interpreter in a business setting. In this case, the interpreter interprets everything, including conversations, telephone calls, and public address system. This aspect can work only for specific settings and not for all settings of interpreting. It depends sometimes on the situation itself and on the interpreter's understanding of the situation. To further expand on this area we will consider the setting of conference interpreting. In a conference, the interpreter will only interpret the speeches given to him/her by the conference organizers unless he/she is asked to interpret speech or a



word which is said extemporaneously by one of the speakers in the conference. The position of the conference interpreter in a booth makes him/her isolated from the rest of the audience and restricts him/her to interpreting what is being transmitted to him/her through the technical equipment in that booth. So, he/she will not be able to catch the audience comments or side talk. The conference interpreter will only interpret the main speech of the conference which he/she hears through the use of microphones. On the other hand, in a social gathering or a family meeting, interpreters are required to interpret everything they hear including jokes, personal comments and the like.

#### Introduction:

Interpreters who introduce themselves before the beginning of the assignment have the advantage of a comfortable encounter that will proceed smoothly. Introductions of this sort are very important because the audience of any setting whether in a conference, a classroom, a hospital, or a court of law have the right to know the function that is performed by every participant present in the communication. Interpreters should arrive early enough so that they can introduce themselves before the actual meeting, interview, or other type of communication.

#### First person or third person:

There have been debates from time to time about whether it is better to interpret speakers using the first person or the third person. The currently accepted practice is to use the first person. The use of the first person is justified for two important reasons. First, using the first person casts away many possible understandings. By using the first person, the interpreter is less likely to get confused between the client as "he" and the person referred to as "he" by the client. The second reason that clearly justifies the use of first person is that the parties will feel that they are speaking to each other directly. In this way, speakers will be accustomed to speak to each other without having to address the interpreter.

Maintaining a low profile:

Maintaining a low profile can be achieved through many things. The interpreter's use of the first person to refer to speakers and the use of the third person to refer to himself/herself can be used to maintain a low profile. Maintaining a low profile can be realized by restraining one's emotional reactions such as surprise, sympathy, disgust, or joy. Dressing is also considered an essential aspect to maintain a low profile. Interpreters are required to be dressed "somewhat less formally than the most formally dressed participant, but certainly more formally than the most informal participant "(Frishberg, 1990, p. 71). Maintaining a low profile is achieved differently depending on the gender of the interpreter. For example, female interpreters should use simple make-up, whereas male interpreters should trim facial hair in order to permit easy viewing of lip and lower face movements. Maintaining a low profile is an essential aspect of the etiquette that both male and female interpreters have to consider. This is because any violation in this aspect may result in a poor communicative encounter due the distraction such a violation would create.

Maintaining a low profile is also highly recommended for conference interpreters. This is because their physical position at some distance in a booth helps them to maintain a low profile. The justification for maintaining a low profile by conference interpreters is based on the fact that interpreters are expected not to mix with the assembly in a conference setting.

### The Interpreter's Task

The interpreter's task is based on taking an utterance or a series of utterances and extracting the meaning from them. After getting the meaning out of the original utterance, the interpreter must then immediately reproduce and reformulate that meaning fully in another language paying attention to the original speaker's intent. According to Frishberg (1990), in order for the interpreter to deliver an adequate interpretation, he/she has to consider a number of factors, some of which will be discussed below.

## Settings vs. Texts

To precisely understand this element, we should make a clear-cut distinction between settings and texts. Settings are used to refer to the situations in which interpreting takes place. Situations can be clearly defined by a topic such as "post-secondary education," as referred to by Frishberg (1990, pp.45-46). These situations or settings can even be more specific, as is the case in particular situations, such as a college course lecture, a graduation ceremony, a student's tutorial session, or a students' meeting to discuss a project a group must complete for a course. In such particular settings, the interpreter is required to realize the role played by every participant and consider the importance of the communicative contribution of every participant within that setting. To illustrate this idea further we will display the importance of the role of participants in some of the previous settings. In a graduation ceremony, for example, the interpreter has to concentrate on the speech or utterances delivered by the university president and the invited speakers because they are the ones who represent prominent figures within that particular setting. In a lecture, the interpreter has to pay more attention in his/her interpretation to the textual material provided by the instructor in the lecture.

On the other hand, texts form the substance of what each participant says in a given situation. In viewing this idea, interpreters have to recognize the utterances of every speaker as parts of a text, and they have to retrieve the purposes in every text either clearly stated or embedded within the text. Elements of register (degree of formality) can be seen as an essential aspect that can help in determining the purpose of texts and utterances in any setting. Frishberg emphasizes the point that interpreters should realize the importance of texts as often as important as the specific word meanings in order to produce appropriate interpretations.

## Functions of a Text:

Frishberg indicates that several different schemas have been presented to describe the different functions of texts. Although such initiatives differ from each

other, they are all designed to categorize communication acts according to the function the communication fulfills.

Frishberg refers, at this point, to the Jakobson model which has been established to analyze the different functions of texts besides the poetic function. Jakobson's scheme is based on the notion that each communication act takes place between two participants, an addresser who sends a message and the addressee who receives it, Jakobson (1960, cited in Frishberg, 1991). The whole communication act is located within a context and a shared a code or language system is assumed. These participants, according to this model, can make contact through the use of physical channels and psychological manifestations. Each factor of these is believed to determine a different function. The functions of texts are illustrated as follows:

- **Emotive function:** This function is fulfilled when the utterances of speech are focused on the addresser and they convey either the speaker's genuine or pretended emotions. Jakobson suggests that emotive functioning can be created in the speech by the use of interjections, some of which are not even words. Tongue clicking is a good example of interjections as used by English speakers. These interjections reveal the speaker's emotional state.
- **Conative function:** This function is oriented towards the addressee, whether present or not, and the best linguistic representation for conative utterances is the use of vocative or imperative voice. Speakers use vocative and imperative voice to get the attention of the addressee or to command the addressee to perform an action.
- **Referential function:** Referential utterances are used to direct the attention of the speaker to the context of the situation. This can be used when the messages included within a context are deemed to have a great importance that has to be considered.
- **Phatic function:** The phatic function of utterances is used to allude to the relationship between addresser and addressee. It is essential to state that phatic utterances don't have to be language acts since even the act of clearing the throat is regarded as a phatic communication act that fulfils an important function to get the attention of the hearing addressees. It is believed that phatic

utterances are used to initiate, continue, prolong, or discontinue communication, or check the channel.

- Metalingual function: Metalingual utterances include not only the linguistic element of the speech but also all the verbal, written, or signed elements that surround the situation.
- Poetic function: The poetic function is achieved through the use of poetic utterances in a speech or a text. According to Jakobson, these poetic utterances are not restricted to the textual material of the poetic text or what is called "poetry". All the aspects of language use ranging from rhyme, rhythm, and other literary and poetic devices all contribute to create the functionality of the poetic text.

What we can infer from the analysis of Jakobson's model of functions is that the interpreter has a big responsibility concerning these functions of texts. Thus, the job of the interpreter is to preserve the sense and the intent of the text, and in order to do that, the interpreter is required to convey all the functions of the message.

### The Process of Interpreting

In order to explain the process of interpreting, Frishberg (1990) in her book, *Interpreting: An introduction*, presents an illustrative analysis. This analysis reviews the several different stages of transformation from a form uttered by the addresser in the source language to the form that the addressee can understand in the target language. According to this theory, the process of interpreting can be simply analyzed into three parts to describe the interpreter's task. It is important to know that this analysis of the process of interpreting is mainly based on defining the process of conference interpreting.

According to this analysis, the interpreting process is composed of understanding, conversion, and delivery. The understanding process includes the interpreter's ability to perceive the original message, the interpreter's basic knowledge of the language used, the culture of the speaker, the specific usage within that country,

the interpreter's background in general education, and the specific aspects of the topic. The conversion process to the target language isn't confined to the literal translation of words, but rather includes the essential speech patterns of a good public speaker, as well as the ability to deal with difficulties which may emerge in learned or diplomatic addresses. Some possible challenges that may hinder the conversion process to the target language are proverbs and metaphors, allusion to literary works, jokes or stories, speaker errors, obscure or ambiguous material, and inserted excerpts of readings from documents that the interpreter does not have. To produce the delivery stage successfully, interpreters are required to have a good control of articulatory organs and a proper use of breath and voice, good use of gestures and accent, and good public speaking skills.

Although this analysis is comprised of only three simple stages, it seems to be inclusive of all the essential aspects on which the interpreting process is based.

#### The Adequacy of Interpretation

Interpreters and translators, most often, think of their work in terms of the topics they must deal with and the background preparation that is needed for accepting the translation or interpreting assignments. According to Frishberg (1990), "In order to approach any interpretation assignment, the interpreter must be aware of the alternatives that may arise, and the choices that will have to be made with split-second timing" (p. 49). Frishberg presents a number of questions that the interpreter has to consider before accepting the interpreting task.

What is the topic of the assignment? Who is the speaker? Who are the audience (addressees)? What is the context, setting, and location? How is each person participating in the communication? What is the style used by every participant? What are their moods? Why is this communication event happening? Knowing the answers of these questions will help the interpreter to be more confident about fulfilling his/her interpreting task.

## Interpreting Difficulties

Frishberg moves to explain how to deal with problems arising in the interpreting process. He believes that the use of metaphorical language constitutes a problem for the interpreter, especially if the interpreter can't think of a good equivalent in the target language. He suggests that since metaphors in one language may not work in the other, the interpreter needs to look for equivalent expressions rather than trying to hold tight to the particular image of the SL metaphor. In the case of literary allusion, interpreters should add the citation of an author or work, especially if it isn't well known to speakers of another language.

Another challenge for the interpreter is when the speaker has made a visible error. Interpreters, at this point, are allowed to correct the errors in interpreting. In some situations, the interpreter might come across a vague or an ambiguous message that he/she wants to change into a clear one in the target language. Interpreters shouldn't interfere in such a case. They should rather keep that ambiguity as it is in the target language to match the speaker's intentionality.

## Preparation

Frishberg (1990) moves on to distinguish three types of interpretation, each of which has a great influence on the task of the interpreter. These types of interpretation are, namely, spontaneous, fixed, or prepared.

A spontaneous interpretation is a type of interpreting in which interpreters are asked to interpret on the spot, with no previous preparation or expectation of the speaker's utterances. Some examples of this type would be the doctor's appointment, the job interview, and the orientation to accounting procedures.

A fixed interpretation is much like a written translation. The primary job of the interpreter, in this type of interpreting is to write a translation for a well-known text and then recite it with the same words and same phrases. It has to be similar to the text in all major respects. Though the function of the texts is neither communicative nor instrumental, such texts have their symbolic, religious, and aesthetic functions.

A prepared interpretation can be seen as in the middle between spontaneous and fixed interpretation. In this type of interpretation, the interpreter is familiar with the text material before the assignment actually begins. The preparation may be brief or extensive. For example, conference interpreters will require more preparation. It is necessary for conference interpreters to have a copy of the speech in advance, especially if they are asked to interpret a technical paper. This is because conference interpreters have to be familiar with the subject matter to be covered, the point of view of the presenter, and the technical terminology that might be used. In the situation of conference interpreting, there are a number of elements that the interpreter can't prepare for such as style of delivery, accent, or use of visual aids and demonstration materials (slides, handouts, blackboards, and so forth).

#### Anticipating the Audience

Another significant dimension to consider in interpreting is the number and the communicative activity of the participants. The function that is performed by the interpreter in a one-to-one encounter or a small group differs from that performed within a larger group. In a one-to-one interaction the interpreter has to render the messages of the speaker into the addressees' language. On the other hand, the position of the interpreter in a large group becomes even more difficult because, in addition to conveying messages between the different participants, the interpreter must identify who is talking and attempt to be aware of cultural mismatches in communication. In dealing with larger groups, the interpreter has to consider the multidirectionality of communication in order to perform his/her job successfully.

There are different types of interactions in which interpreters can be engaged. Thus, interpreters have to consider clearly the nature and the functioning of every type of interaction and then provide their interpretation accordingly. There are three possible types of interaction that interpreters should be aware of:

1. One-way communication: According to this type of communication the interpreter is only expected to render messages from one language to the other without performing the interpretation in the opposite way. A good example of one-way encounter is television interpreting.



2. Two-way communication: The interpreter is expected to convey messages between people who don't share a language, and he/she will have to perform interpreting in both languages.

3. Multi-directional communication: The interpreter is expected to interpret for several people, any of whom may be taking a turn in communication at any time. This type of communication can take place in discussion meetings where the interpreter should be alert and ready to instantly interpret for the interactive participants.

## The Interpreter's Competence

### Language Competence

Interpreters need many skills in order to be successful in their jobs such as language, interpersonal, public speaking, cross-cultural communication, and advocacy skills.

Frishberg (1990) states that interpreters need exemplary spoken and written skills in the original language, which is presumably their mother tongue, and in the second language. Interpreters need to have a wide range of specialized vocabulary items. They should also be able to understand and identify regional and foreign accents. In Frishberg's (1990, p. 25) terms, "Their spoken language must not show too marked an accent, and spoken delivery must avoid a monotone, or dull quality."

### Interpersonal Skills

Frishberg (1990) refers to the importance of interpersonal skills in interpreting. According to Frishberg, interpreters have to maintain some interpersonal skills that help them in handling their interpreting task smoothly. These interpersonal skills require using proper turn-taking devices and conversational regulators in order to preserve the function of the communication. These interpersonal skills can help the interpreter to realize, for example, when the speaker is coming to the end of his or her

remarks, how to interrupt, how to know when someone is simply pausing or has finished speaking, and so on. Frishberg believes that using these interpersonal skills to regulate the flow of the communication process is considered a part of the interpreter's role. To clarify this point, Frishberg uses the analogy of "traffic cop" to describe the role of the interpreter. Just as the "traffic cop" is responsible for regulating the traffic, interpreters are required to act as "a communication cop" to facilitate the process of interaction.

### Public Speaking

In order to maintain public speaking, interpreters have to recognize the importance of two central points. The first point is that interpreters need to control several registers. This means that interpreters must realize the level of formality of the situation, which can be incorporated in the participants of the communication, the setting, and the topics under discussion. All of these factors can be used to determine the level of formality the interpreter will adopt in his or her interpretation. After realizing the level of formality of the speech or the communication, interpreters should use their language skills to express the appropriate nuances of the communication setting.

The other central point that has to be considered by interpreters who seek to perform as public speakers is acquiring public speaking skills. Public speaking skills include poise, appropriate breath control, varieties of intonation, volume, and vocal quality.

### Cross-Cultural Communication

Interpreters can be asked to interpret for two different groups or participants who have different sets of beliefs and cultural systems. It becomes the responsibility of the interpreter to consider the beliefs, values, experiences, and behaviors of the different participants involved within a particular communication setting. In addition to the familiarity of the interpreter with these cultural considerations, the interpreter is

expected to be skillful in making the interpretation of ideas and messages cross the boundaries of cultural differences.

### Advocacy

Frishberg suggests that interpreters must be advocates for interpreting. This requires understanding the economic and legal aspects of the interpreting profession in order to systematize and regulate the interpreting profession and enable interpreters to maintain their legal rights whenever appropriate. This will, no doubt, regulate interpreting and organize interpreting services.

### The interpreter's Education

Spoken language interpreter programs are available in many universities around the world. The State University of New York at Binghamton, Georgetown University, and the University of Ottawa are a few of the North American institutions of higher learning where one can study translation and interpretation. In the US, interpreter education is supported by the federal government. According to Frishberg (1990), the first national effort at interpreter education began with establishment of the National Interpreter Training Consortium (NITC) in the early 1970s. This consortium offers programs for basic interpreter instruction in different length programs. It aims at supplementing existing interpreters' skills with workshops or seminars in areas of interest or need. Along with NITC, there are many other colleges, universities, and community agencies that offer instructional programs. Some of these offer degree programs, while others simply provide short term instruction.

### Student Selection and Length of Education

The criteria for interpreter training programs depend on some essential requirements such as above-average literacy, demonstrated interest in social service

work, maturity, flexibility, and active interest in pursuing interpreting as a career. Knowledge of sign language, whether from academic study or family relationship, is deemed not necessary for entry to interpreter instruction. It is important to mention that some programs now require minimum proficiency in American Sign Language and English for students who seek to be enrolled. Other programs will admit students with no previous sign language background for example, Maryville College in Tennessee, the University of New Mexico, and Madonna College in Michigan.

There is a current debate concerning the length of educational programs for interpreters. Some believe that interpreter instruction can occur simultaneously with acquisition of sign language skills, so that at the end of two years of full-time study, students will be ready to interpret in some settings. These students can still benefit from short-term workshops or specialized intensive instruction in the field. There are others who believe that a four-year course is the minimum needed for adequate preparation of students to ensure that both languages are well-mastered. These programs don't require proficiency in sign language.

The case is different when viewing instructional programs for conference interpreters in spoken languages. For conference interpreting it is obligatory that language skills are firmly acquired before interpreter instruction can take place. These courses assume that students have completed an undergraduate degree and possess a breadth of general knowledge. Those who successfully complete two academic years become ready to participate as full professionals in high-level international meetings and negotiations.

### Curricular Components

Spoken language interpreting courses assume that admitted students have at least two and often three languages. In these programs, students are expected to prepare addresses for one another to interpret, join in mock diplomatic proceedings, and traditionally learn translation as well as interpretation. Laboratory practice is incorporated in both simultaneous and consecutive translation, as well as in public speaking. This kind of laboratory practice is very useful because it gives the students many opportunities to use their A, B, and even C languages in an environment as

close to the actual work situation as possible. Many programs prefer sessions of practice with immediate feedback to lecture classes. The content of the course is divided into several aspects, such as the language used, topics of texts, or type of interpreting expected (simultaneous, sight, consecutive, as well as combinations of these types). Some programs include relevant topics from other disciplines such as human relations skills, ability to handle physical and mental stress, cultivation of good judgment, tact and respect for others, and cross-cultural communication.

### Evaluation

The process of evaluating individual interpreters can take place in several ways. For example, evaluation occurs during instructional programs by teaching staff, community members, peers, and interpreters themselves. This kind of evaluation is deemed very important because it helps sensitize interpreters to their own strengths and weaknesses. This evaluation can take a different form depending on the interpreting setting in which the interpreter is required to perform the interpreting assignment. Organizations which hire or contact with large numbers of interpreters require a particular type of evaluation of the interpreters' performance to assure quality to clients. In-job evaluation may consist of spot observation by an interpreter-coordinator.

### Accreditation

Currently, there is no responsible professional organization for accrediting programs for interpreter education. The Conference of Interpreter Trainers has founded a special committee which offers a suggested set of standards for accreditation of programs. The committee considers both institutional requirements and specific expectations of particular programs. The accreditation of programs is limited to academic institutions excluding community or social service agencies. The committee also suggests that the program be supported financially from a firm base and with convenient services to students and faculty.

## Licensing

According to Frishberg (1991), there is no license for interpreters offered anywhere in the US. Licensing systems are often regulated by individual states for practice of professionals such as teachers, psychologists, doctors, physical therapists, and landscape architects. Licensing systems are very necessary to prevent harm to the public from unethical or unqualified practitioners. These licensing systems are used by the state to sanction those who misuse the professional title and those who do not abide by the accepted standards of conduct or the quality of performance. Although the existence of licensing systems is required, it still has a clear disadvantage. The creation of such systems will no doubt require individual practitioners to pay additional fees to the state in order to gain entry to the profession and to maintain their license. In addition, there is no guarantee that licensing would increase the number of professionals available and, in fact, it might limit the number of available professionals. Although these licensing systems can help to select interpreters who possess professional qualifications, this kind of licensing can be integrated within the academic programs in interpreting universities. Accredited universities that offer interpreting courses can formulate their own licensing systems. Students who graduate from these universities and educational institutions can undergo testing, after which they can attain a license that would ensure their professional status and behavior.

## Interpreting training programmes

Kurz (2002) believes that in order to establish high-quality interpreting training programmes, these programmes should be taught by professional interpreters to ensure and enhance their quality. Kurz emphasizes the significance of trainees' critical feedback about existing training programmes in planning for more proficient ones. Trainees' feedback must be taken seriously because they reflect the actual advantages and the disadvantages of training programmes. Another important aspect that has to be considered when establishing training programmes is that the type of training given to interpreters must suit the realities of their working environments. For example, we can consider the type of training programmes offered for legal and court interpreters. Training programmes that are designed to train court interpreters should aim at

minimizing the challenges that might arise in the courtroom. Adopting training programmes to the working environments of trainees will, no doubt, facilitate the utilization that can be attained from these training programmes.

According to Kurz, training programmes should be based on increasing the trainees' awareness of various technical and terminological difficulties. This will help trainees to acquire the ability of coping with even the most challenging technical subjects. This technical and terminological competence should be one of the foundations of interpreting training programmes since interpreters are expected to deal with multiple subjects in which they may come across many terminological and technical difficulties. Kurz adds that there should be systematic coordination and cooperation between interpreting schools and institutions which are responsible for the establishment of such training programmes. Interpreting training programmes have to be practical in order to be useful. These training programmes should include many practical sessions for interpreters in both consecutive and simultaneous interpreting. It is important for interpreters to have their own glossaries.

Kurz provides a distinctive procedure for the kind of training needed by interpreters. This procedure is based on videotaping the performance of interpreters. The tape is played back so that students can see themselves just as the audience sees them, and can easily detect their flaws and weaknesses. This technique will show whether interpreters were showing appropriate facial expressions, looked convincing, or made eye contact with their audience. Discussing the interpreters' performance can help to identify their strength and weaknesses and will consequently encourage them to improve the quality of their performance. Good interpreters should sound natural and shouldn't be monotonous in their delivery. This videotaping technique proves to be useful for both consecutive and simultaneous interpreter training.

It is significant to determine the interpreter's skills and competencies that need more training before even establishing interpreting training programmes. By realizing the particular competences in which interpreters need further training and practice, trainers and professional instructors can decide on the content of these training programmes. In addition, analyzing and considering the critical feedback of trainees who have been enrolled in prior training programmes can be used to choose the content and the teaching materials of interpreting training programmes.

## A Cognitive Approach to Interpreting

Many interpreting researchers attempt to approach the field of interpreting from a cognitive psychological perspective. They tend to use theories derived from the field of cognitive psychology to explain the process of interpreting and uncover the mental mechanisms that seem to be hidden in the mind of the interpreter. Kirchof (2002) approaches the field of interpreting depending on concepts from information theory. Although Kirchof's study seems to be focused on simultaneous interpreting, it can still be used to depict the intricacies of the whole task of interpreting regardless of the type of interpreting being used.

Interpreters perceive a sender's source language (SL) message in segments, and then they process it and render it immediately into the target language (TL) for a receiver. According to Kirchoff, interpreting is a multi-phase process that involves the following operations:

- Decoding of a SL segment
- Recoding
- TL production
- Output monitoring (self-correction if necessary).

Kirchof believes that there are a number of variables which have a great effect on the interpreting task. These variables are:

1. Relation of SL to TL: This is a very important element that has an influence on the interpreting process. The degree of correspondence between the two languages is a significant variable indeed. This is because if the syntactic structures of the two languages are similar, the interpreter doesn't have to replan syntax in the TL and will be able to proceed with his/her performance without a high probability of risk. So, the cognitive load in interpreting between structurally similar languages is lower than the cognitive load of interpreting between two



divergent languages. In the case of experiencing a cognitive load in the processing capacity, information loss is liable to occur.

2. SL texts: The syntactic complexity of the SL can make the text very difficult to comprehend. In such a situation the interpreter should decide on the most convenient processing strategy to handle the problem of SL complexity. Another element that we can consider in this respect is the subjective information value of the text. If the information value is low, the interpreter can reduce the probability risk by keeping a greater distance from the original text without having to strain the processing capacity.
3. Sender performance: The way some speakers deliver their speeches has an impact on the interpreting process. The presentation rate should be always kept at an appropriate level, that is not too fast nor too slow. A high presentation rate creates a challenge for the interpreter, especially when language structures diverge. Low presentation rate also has a negative impact on the interpreting task because it forces the interpreter to carry out complex storage operations. This would make problem-solving even more difficult than at an average presentation rate.
4. Technical equipment: The importance of this particular variable seems to be present in simultaneous interpreting where the interpreter is required to use the technical equipment properly. This would require that interpreters avoid any disruptions or incorrect switching of microphones and headphones.

Kirchhoff continues her discussion about processing strategies which are mainly focused on analyzing simultaneous interpreting. She believes that simultaneous interpreting is a complex cognitive process in which many other operations can take place. The individual steps of problem-solving can be divided into component operations that must occur in a certain sequence and within a particular predetermined time frame. Each component operation can really influence the overall interpreting task. This is because the output of one data-processing stage serves as the input for the next one. Processing operations are handled by using some strategies that indicate the

interpreter's decisions in a given situation to reach a goal within a behavioral plan. These processing strategies are discussed as follows:

Decoding:

Basically decoding is linked to recoding, and it comprises many sub processes or strategies:

1. Segmentation (basic process): Segmentation is an indispensable process that is required in the processing of any text. Texts have to be segmented into function units which are always determined by the SL structure. In simultaneous interpreting, a function unit is defined as the smallest possible decoding unit in the SL for which a one to one relationship can be formulated with a TL segment. Not only is the structure of the SL considered important in determining the function unit, but also the equivalence relation between the two language pair. The function unit in simultaneous interpreting is of a dynamic nature, because it varies according to the equivalence relation that exists between the SL and TL. According to Kirchhof, the interpreter's choice of timing lies between two limits:
  - The lower limit (minimum size of the segment, minimum time lag). This requires grasping the minimum SL unit for which there is a one to one equivalent in the TL, or presupposes strong expectations for continuation.
  - The upper limit (maximum size of the segment, maximum lag). This limit isn't determined by the volume of text but by the total amount of information that must be processed within a maximum time frame of 10 seconds.
2. The ability to anticipate: The anticipation process is based on the construction of expectations depending on linguistic and extra-linguistic elements. The interpreter's ability to anticipate is determined by his/her linguistic competence, knowledge of syntactic and semantic regularities of the SL, and the use of information from previously processed texts. There are some other extra-linguistic determinants of

the interpreter's anticipation skill, such as his/her knowledge of the situation recognizing the role of the sender and his/her typical behavior in that role and situation, as well as the interpreter's prior knowledge of the subject itself. In fact, experienced interpreters are rarely mistaken in their expectations, and even if they notice an error, they can modify their plan or make corrections. But when such correction methods and strategies are deemed impossible, distortions and losses of information are explicitly inevitable.

3. Additional processing strategies: There are some additional strategies that can be formulated in order to manage some interpreting difficulties, such as the limitations of the interpreter's processing capacity, time constraints, structure-related processing difficulties, and the necessity of a TL text that does not differ in spontaneity from a spoken SL text. These additional strategies are stated as follows:
  - Extraction and separate processing of free-position parts of larger semantic structures, together with storage elements to be processed.
  - Flexible sentence planning when the continuation of the utterance is uncertain to allow modifications of the interpreter's output plan.
  - The use of neutral padding expressions.
  - Additions to fill hesitation pauses: Long pauses make a negative impression on the receiver who may suspect that there might be information loss. Such pauses have to be filled as far as possible by using repetition as paraphrase or addition.
  - Information reduction: In the case of unclear continuation of the text, the interpreter has to wait for the disambiguation of long passages up to the limit of his/her own processing capacity. In such a case, excessive lag and cognitive overload can be minimized through omission of irrelevant information, which quickly restores normal processing operations.

### Recoding:

Recoding is linked to decoding because if adequate segmentation of the text is maintained, recoding can also be maintained by relating SL segments to TL segments. The interpreter can perform this recoding phase automatically, especially when conventional patterns, stereotypical phrases, and sequences become familiar to the interpreter. On the other hand, complex structures and rare sequences require more sophisticated, cognitively controlled assignment procedures.

### Reproduction:

In the reproduction stage, the interpreter has to keep the TL output continuous and maintain the optimum communicative effect. Although most interpreted texts have the appearance of spontaneous speeches, the degree of spontaneity in reproduction may decrease under difficult situations. This decrease of spontaneity can be represented in fluctuations of rhythm due to hesitation and deviations from standard and lexical usage. The interpreter's inability to cope with this stage will, no doubt, result in distortions and losses of information.

### Output Monitoring and Self-Correction:

This stage of monitoring depends largely on the interpreter's processing capacity. This stage has to be always present in simultaneous interpreting along with the correction of performance errors on the phonological, syntactic, and lexical levels. Simultaneous interpreting is characterized by ongoing monitoring of output segments to preserve functional equivalence. Interpreters might not be aware of errors of competence. Some interpreters would rather choose not to correct their errors not to "jeopardize the simultaneity of the interpretation" (Kirchhof, 2002, p. 117). It is important to state that corrections can't be possible if the interpreter's processing capacity is exhausted.

## Memory in Simultaneous Interpreting

Most psycholinguistic studies that are concerned with interpreting indicate that in consecutive interpreting, data are stored in long term memory (LTM), whereas in

simultaneous interpreting, they are stored in short-term memory. To understand the concept of "memory" with respect to simultaneous interpreting, Kirchof (2002) describes simultaneous interpreting as a learning process. There is an existing view in this matter that believes that simultaneous interpreting involves latent learning. In other words, in simultaneous interpreting text passages or individual elements remain present after simultaneous processing even without the intention to learn. In the same way, continuous adaptation to the speaker's speaking style, rhythm of speech, use of individual linguistic patterns, etc. occurs unconsciously, and also interpreting strategies are acquired during the process. Though memorization of data in simultaneous interpreting is stored in short-term memory, the intentional learning by the interpreter can permit the memorization of the entire text content in long term memory. In order for the interpreter to do so, he/she will have to maintain a full contextual understanding for processing the text. However, interpreters will not choose to do that if they are doing routine work in order not to tax their capacity.

Kirchof (2002) alludes to the notion of "multiple task performance" in simultaneous interpreting. This means that the interpreter is required to perform more than one task at the same time. In order to do that, the interpreter has to cope with multiple loads that can be only achieved through "full mastery, continuous improvement and automatization of the necessary interpretation strategies" (p. 199).

### Summary

This chapter can be seen as an attempt to approach the interpreting field with deep investigation. It begins with some fundamental historical perspectives about interpreting and continues to discuss various interpreting settings. Then, a discussion of the interpreter's basic competence and role is held. The chapter brings the whole interpreting discussion to an end by alluding to some relevant cognitive theories that proved to be valuable in explaining the multiple mental operations that lie in the interpreting process. The presented cognitive approach attempts at presenting the most essential strategies that can help interpreters perform their interpreting task with minimum processing effort.

## Chapter Four

### Theories of Court Interpreting

This chapter discusses the most central issues in court interpreting. It begins by clarifying the role played by court interpreters concerning the challenges that are likely responsible for hindering the court interpreter's job. It highlights some of the factors that have to be considered by court interpreters and concludes the discussions by providing a set of useful practical guidelines that can help court interpreters perform their task successfully.

#### The Significance of "Cultural Awareness" required by Court Interpreters

De Jongh (1991) in her article, "Foreign Language Interpreters in Courtroom: The Case for Linguistic and Cultural Proficiency," refers to some of the most significant issues in court interpreting. De Jongh believes the need for qualified interpreters has increased recently, especially in the judicial setting. The job of court interpreters, according to De Jongh, is very important in serving non-English speakers who have limited proficiency. Court interpreters are needed to protect the constitutional rights of those individuals. In her article, De Jongh attempts to explore the real role played by court interpreters within the judicial domain. Her discussion of court interpreters' role is based on emphasizing the significance of cultural proficiency which goes beyond the linguistic competence of court interpreters. As stated by De Jongh, bilingualism or fluency in two languages is considered the first step in the professional practice of court interpreting. The main objective that court interpreters are required to achieve is to convey precisely and accurately in the target language the information contained in the source language utterance. Thus, in order to fulfill their task, interpreters should take into consideration a number of factors such as dialect, educational level, register, geographic variation, and specialized or technical terminology, as well as style. All of these factors will, no doubt, influence the interpreter's choice of expression. Moreover, interpreters have to be fully aware of

the legal setting in which they operate and also the legal settings practiced in the countries of the speakers to which he/she is entitled to interpret.

To understand clearly the circumstances under which court interpreting is practiced, De Jongh refers to the practice of court interpreting in federal and state courts in the United States. According to the provisions established in the federal courts of the United States, court interpreting is acknowledged as a highly specialized profession, not simply a function that any bilingual individual might perform. The regulations on court interpreting in the US are based on the principle that linguistic minorities have a constitutional right, as do all others accused of crimes, to understand and confront adverse witnesses and to communicate effectively with their attorney.

There has been an evident initiative made by the Administrative Office of the United States Courts to set a program for the certification of federal court interpreters. With the support of a team of experts, this office has developed professional standards and (written and oral) certification procedures to identify interpreters who are capable of handling complex criminal and civil proceedings in the US District Courts. As clarified by De Jongh, interpreters in the US courts are either freelance or staff interpreters. Freelance interpreters are those who are called to perform interpretation services whenever they are required in court proceedings. Staff interpreters, on the other hand, occupy a permanent position among the court officers. De Jongh confirms the idea that there is an urgent need to provide trained, competent, certified court interpreters in the United States. She has also discovered that Spanish is the language most in demand in both state and federal courts in the US.

As we have stated previously, interpretation is defined as the transfer of meaning from the source language to the target language receptor. Interpretation allows oral communication between two or more people who don't speak the same language. In a US court of law, interpreters make this oral communication possible for non-English defendants and witnesses who need to hear and understand the proceedings in which they are involved as well as for judges, attorneys, court reporters, and other key courtroom personnel to understand the testimony of non-English speakers. De Jongh refers to the use of three basic interpretation modes in federal and state courts in the US, sight translation, consecutive interpretation and simultaneous interpretation. Sight translation is used when the court interpreter is

asked to deliver an oral translation in the target language of written material in a source language such as letters or invoices. Consecutive interpretation requires that the source language speaker pause at regular intervals in order to allow the court interpreter to convey the interpretation of target language utterances. This type of interpretation is used when a non-English speaking person is asked to testify. Simultaneous interpretation requires that the interpreter listen and speak at the same time in which the speaker utters the message.

De Jongh concentrates on the significance of cultural awareness in court interpreting. As De Jongh believes, language and culture are always integrated since culture is contained in the heart of every linguistic element. De Jongh confirms that interpreters have to consider this cultural awareness in interpreting. Along with their respective bilingualism, interpreters should also maintain "biculturalism" as De Jongh would have it. The word culture is used by De Jongh in a general sense referring to the way of life of a people or society, rules of behavior, economic, social, and political systems, languages, religious beliefs, and law. Therefore, interpreters mustn't only be aided with bilingualism in order to fulfill their task accurately, but biculturalism and cultural competence should also be integrated within their basic competencies.

In order to understand the importance of biculturalism with respect to the practice of court interpreting in the judicial setting, De Jongh focuses on the basic function of interpreters in a court of law. In court interpreting, biculturalism is highly important to preserve the rights of non-English speakers in the case of US federal and state courts, or the rights of those individuals who don't speak the language of the court personnel in a more general sense.

In order to be bicultural, court interpreters must convey the exact meaning and intent of the speaker. This doesn't only require the conveyance of linguistic items but also "nuances of culture, the style or register of the speaker, and nonverbal cues such as intonation"(De Jongh, 1991, p. 288). De Jongh suggests that the science of semiotics, which is concerned with the study of sign systems or structures, can contribute much in understanding the interpreting process. This is because signs express the relationship between form and meaning which can keep the court interpreter in control of the interpreting task. There are many factors that contribute in



enriching the court interpreter's competence and experiences. The most important factor is the court interpreter's sensitivity to different aspects of communication such as tone, changes of intonation, and facial cues, as well as the use of gestures. In the judicial setting, non-verbal communication is also involved in the interpreting process along with verbal communication.

De Jongh emphasize that the equivalence sought by court interpreters isn't confined to the linguistic word-for-word rendering, but it includes the transfer of signs and cultural experiences. The ideas that are presented by De Jongh in her article seem to be very useful to interpreters for their practical value. One of her ideas is based on the kind of linguistic proficiency required by court interpreters. The example of "false friends" is used to highlight the significance of linguistic proficiency for court interpreter. Court interpreters have to be very careful with their choice of words, avoiding the confusion that may result from false friends. False friends constitute a linguistic challenge for court interpreters since they look and sound very much alike, but they have quite different meanings. In order to avoid such situations of misunderstanding that are the result of in proficient use of linguistic items, court interpreters must be familiar with all the usage of linguistic items in interpreting.

Another aspect which De Jongh points out is that court interpreters have to be alert to degrees of formality and forms of addresses which may be used differently in the source and target language. This alludes to the court interpreter's responsibility in preserving the speech register, style, and level of language of the speakers in a courtroom. This means that the court interpreters' tendency in cleaning up and editing a witnesses testimony, for instance, will result in an inaccurate verbal portrait of that individual in front of the judicial personnel in the courtroom. On account of that, court interpreters have to maintain the speaker's style and level of language in their interpretation.

De Jongh concludes her discussion by stressing the importance of the court interpreting profession. According to De Jongh, court interpreters play a vital role in the administration of justice. Thus, they are required to demonstrate their linguistic and cultural proficiency in court proceedings and implement the best interpreting techniques to resolve the complexities of their task.

## The Need for Certified Court Interpreters

Benmaman (1991) in her article, "Legal Interpreting: An Emerging Profession," seems to share the same views addressed by De Jongh with respect to court interpreting. Benmaman agrees with De Jongh that court interpreters need considerably more skills and abilities than simply speaking two languages. In addition to discussing the role played by court interpreters and the competencies they are required to possess which have been discussed previously by De Jongh, Benmaman's article is concerned with a deeper investigation of court interpreting. Her article provides a comprehensive overview of the historical and social events that have contributed to the current state of court interpreting.

Benmaman asserts the view that interpretation is highly required in legal settings where any one of the participants in the court doesn't speak or understand the official language of the court proceedings. Benmaman alludes to many of De Jongh's views concerning the skills of court interpreters. She states that in addition to total fluency in two languages, court interpreters need to develop a high level of cross-cultural awareness and sophisticated skills. This would require that interpreters "manipulate dialect and geographic variation, different educational levels and registers, specialized vocabulary, and a wide range of untranslatable words and expressions" (Benmaman, 1992, p. 446).

Moreover, interpreters are required to understand the legal process and the legal language contained in the legal setting. The interpreter must be skillful at interpreting with judges, attorneys, witnesses, and defendants. Benmaman argues that there exists a need for the professionalization of court interpreters since professional court interpreters will ultimately "provide the lay persons with a sense of security and faith in the professional's ability to meet specific needs" (Benmaman, 1992, p. 448). The establishment of professional standards for court interpreting, according to Benmaman, requires setting certification examination for court interpreters. To succeed in this examination, it is required that candidates pass written and oral tests. Based on the federal certification for English/Spanish court interpreters, the written test is designed to assess functional proficiency in both languages. The oral test was developed to assess proficiency of interpreting skills in the courtroom. Currently, this

certification examination is regarded as the only nationally recognized credential in the US.

Benmaman (1991) continues her discussion by stressing the importance of establishing a code of ethics for court interpreters. This code of ethics, Benmaman (1991) believes, prescribes the standards of conduct that should regulate the professional behavior of court interpreters. Benmaman (1991) draws our attention to the significance of "a professional culture" (p. 450). The concept of professional culture includes the value attributed to the profession by the community, the standard interpersonal situation of the profession as well as the circumstances of the work place. Another aspect which is also integrated in what Benmaman calls "a professional culture" is the attitude of the court interpreter concerning his/her duty that has to be performed for personal satisfaction and not for monetary gain.

Frishberg (1990) indicates that interpreters should pay attention not only to the use of legal terms, but they also have to be alert to the structure and the purpose for which legal language is used. In the trials which involve questioning witnesses, court interpreters should understand the rules of direct and cross-examination. In some cases, attorneys often pose questions to witnesses that are awkwardly constructed or intentionally vague. So, interpreters must be able to catch such ambiguities and render interpretations faithfully. Ramifications that may result from incorrect or unfaithful interpretations are very dangerous, and can lead to a mistrial.

### Protocol of Court Interpreting

Protocol of court interpreting is defined by Frishberg (1990) as the body of customs and regulations that is concerned with diplomatic formality and etiquette. Understanding protocol is integral to the contribution of legal interpreters in judicial proceedings. Interpreters must understand how to address issues of importance to the court while maintaining the dignity of court. Frishberg refers to four issues of protocol that have to be considered by court interpreters:

1. Disclosing information that carries the appearance of impropriety. This can happen, for instance, if an interpreter has been engaged in an interpretation for an attorney or a litigant in a current court matter. In this case, it is suggested that court interpreters bring this information to the attention of the court.
2. Challenging the court or attorney if they happen to request a certain behavior of the interpreter which forces the interpreter to violate his/her code of ethics. An example of this is when the interpreter is asked not to interpret certain information.
3. Providing information to the court on the interpretation task, as when the court interpreter feels that the source language is very difficult and goes beyond his/her ability.
4. Making personal requests, such as demanding a short break.

#### Main Issues in Court Interpreting

In her book, *The Discourse of Court Interpreting*, Hale (2004) discusses many important issues of court interpreting. Based on her long experience as a court interpreter, Hale believes that court interpreting is a very challenging job. According to Hale, court interpreters face many problems, including the need to always prove themselves in the midst of constant suspicion of infidelity, high demands placed on them, the complexities of the interpreting process, the inadequacies of the system in which they function, the misunderstanding of their role by lawyers and witnesses or litigants, as well as the poor working conditions of the job. Hale emphasizes that there is an urgent need for most interpreters to improve their performance. She also attributes the disparity of interpreters' quality to the lack of compulsory pre-service training. Interpreters' quality ranges from the very skilled and highly educated who form a minority, to those interpreters who lack even the sufficient bilingual skills. Hale observes through her study, which is mainly concerned with the status of court interpreters in Australia, that the majority of court interpreters in Australia and also the rest of the world rely on their own intuition, rather than theory, to make their daily interpreting choices.

## Accuracy of Interpretation

One of the issues which receives considerable attention by Hale (2004) is the accuracy of interpretation. Hale (2004) points out that there are many contradicting views concerning the meaning of accuracy. There is a group of researchers in the field who believe that accuracy can be maintained by court interpreters through concentrating on propositional context, with liberties to change style and register. The opposing view is based on the belief that in order to achieve an accurate interpretation, court interpreters are required to give a literal verbatim interpretation of the source language message. There are others who take the middle view and argue that interpretation must clearly represent the intention of the speaker and the effect of the SL utterance. Hale seems to regard the previous views as linguistically text oriented. These views are confined to the linguistic elements of the SL message, neglecting the other extra-linguistic aspects that are very significant in providing a more accurate interpretation. Hale (2004) includes the element of pragmatics in the process of interpreting, stating that in order to deliver a complete and accurate rendering of the SL message; interpretation should be "a pragmatic reconstruction" of the SL.

To elaborate more on the concept of pragmatics and the contribution attributed to it in court interpreting, Hale alludes to the use of three levels that can be matched with three different approaches to interpreting: literal (word for word), semantic (sentence by sentence), and pragmatic (discourse). Pragmatic refers to the meaning of words in context and to the appropriate use of language according to the aspects of tongue, culture, and situation. Pragmatic refers to the intended meaning which might not be clearly explicated in an utterance. According to Hale's view, interpreters shouldn't only seek a word-for-word equivalence or a semantic equivalence, but they should rather adopt an extra-linguistic approach that will also encompass a pragmatic equivalence. In the model of co-operative principle presented in chapter two, Grice refers to the notion of illocutionary meaning, which is very necessary to be presented in interpreting. As we have discussed earlier in chapter two, illocutionary meaning is the communicative act intended by an utterance. Hale alludes to the importance of this

illocutionary act in court interpreting by urging court interpreters to pay more attention to it. According to Hale, in the courtroom when court interpreters are engaged in an interpretation of cross-examination proceedings, they have to understand the intended illocutionary meaning embedded in the proceedings. Court interpreters should be able to infer the real intention of the question of cross-examiners, for example, whether they are used to accuse, to confuse, to trick, or to ask for information. Therefore, interpreting at the word or semantic level without involving the pragmatic meaning will inevitably lead to misunderstandings.

### The Role of the Court Interpreter

Hale (2004) tends to represent the disparity between two opposing views regarding the role of the court interpreter. The first view is based on the belief that court interpreters are required to put the non-English speaking witness or defendant on an equal footing with an English speaking witness or defendant. This view states that it isn't the interpreter's role to simplify language or arguments used in the courtroom to make sure that the non-English speaker understands them. According to this view, if the original message is not clear, court interpreters should keep the message unclear in the interpretation.

The second opposing view perceives court interpreters as "helpers," assuming that in order to perform their communicative role, court interpreters should attempt to edit utterances to improve their comprehensibility, coherence, and relevance. The perspective presented by Hale to decide as to which view court interpreters have to adhere relies significantly on court interpreters' understanding of their role. Hale (2004) believes that the interpreter's role should be focused on removing language barriers from interaction leaving the responsibility for effective communication to the primary interlocutors. By adopting this approach Hale believes that court interpreters can achieve an accurate and impartial rendition of the original message.

In her book, *Introduction to Court Interpreting*, Mikkelsen (2000) emphasizes the importance of some aspects with respect to the role of court interpreters. She argues that court interpreters play a significant role in court proceedings, and being familiar with the legal language, referred to by Mikkelsen as "legalese," and also the

procedures of court proceedings in their countries should be viewed as part of their role. Court interpreters are required to understand the context in which they operate and the various stages of the proceedings. This is because the interpretation task may require court interpreters to explain the ongoing legal procedures to participants in a given case in a courtroom due to the difference that exists between legal systems and the different legal procedures they require. So, the procedures of both civil and criminal laws have to be recognized by court interpreters in order to understand the function they are required to fulfill within these laws.

### The Interpreter's Function in the Legal System

Mikkelson (2000) states that the world's legal systems can be categorized according to two main traditions. Some countries adopt the civil law system which is still practiced in Europe, Central and South America, and much of Asia and Africa. The common-law system, also known as unwritten law, is the tradition which is predominant in the United Kingdom, Ireland, the United States, Canada, Australia, and New Zealand, and it has a major influence in the former British colonies of Asia and Africa. Unlike the civil-law system in which a judge or panel of judges decides cases, in common-law countries, it is a jury of ordinary citizens that issues the verdict.

The function of the court interpreter in legal proceedings depends very much on the legal tradition adopted in the country in which he/she operates. In order to function properly within the legal system, court interpreters have to be familiar with workings of the court system in their countries. In some legal systems, court interpreters are expected to provide a consecutive summary interpretation or to translate documentary evidence for the defendant, depending on the laws and the procedures of court proceedings followed in the country. Some courts will allow simultaneous interpretation at the request of one of the parties in the courtroom. In some courts that require a verbatim record of the witness testimony, the court interpreter is expected to provide a simultaneous interpretation of the entire proceedings for the defendant. Although some courts do use simultaneous

interpretation in court proceedings, many other courts require that court interpreters deliver their interpretation using the consecutive mode.

Mikkelson (2000) highlights the challenge imposed on court interpreters in criminal and penal cases where they are asked to provide an accurate interpretation of the witnesses' testimony. She believes that interpreting on the witness stand is particularly stressful, since to convey an accurate testimony, court interpreters should be very careful to preserve the impact of the testimony in their interpretation. It is evident that in the courtroom, "every side wants the witness's words to be interpreted in a way that favors their case and they might object to the interpretation even when it is correct" (Mikkelson, 2000, p. 45). Mikkelson confirms the challenging nature of the court interpreter's job in such a case, which even can be intensified by melodramatic speeches given by counsel which are full of arcane legal jargon, the rapid heated exchanges of cross-examinations, and the technical testimony of expert witnesses.

### Code of Ethics for Court Interpreting

Every profession has a code of ethics to guide its practitioners, including the interpreting profession. Interpreting code of ethics can be seen as standards of practice to which always court interpreters have to uphold. Although every jurisdiction has its own code of ethics, specific practices and ethical obligations to regulate the practice of court interpreting, there are certain universal features that characterize all codes of ethics. These features are discussed as follows:

1. Accuracy:

Interpreters have a moral and professional obligation to convey the complete meaning of the speaker's message. Interpreters have to render accurately and completely everything that is said, including derogatory or vulgar remarks as well as non-verbal clues. Interpreters must not alter, make additions to, or omit anything from their assigned work. An important aspect of accuracy which is highlighted by Mikkelson is that interpreters have to use the first person when interpreting. This is because



using the first person voice in interpretation can help the judge to gain an accurate perception of the speaker's intent. According to this canon of accuracy, interpreters should refrain from simplifying complex or technical language for the benefit of an unsophisticated defendant or witness. Although some court interpreters would regard such editing as necessary to make sure that the listener understands the message, this editing can distort the legal process. It is noted by Mikkelson (2004) that interpreters are obliged to inform the parties of any impediments that would prevent faithful interpretation. Some examples of such impediments are the inability to hear or understand a speaker, lengthy statements that overload the memory capacity, rapid speech, or fatigue caused by long periods of interpreting without a break.

## 2. Confidentiality:

Court interpreters must respect confidentiality at all times and they must not attempt to take advantage of any information disclosed during their work. Mikkelson (2000) stresses the importance of preserving confidentiality:

Interpreters are generally cautioned not to make any public comment about cases they are assigned to interpret. Sometimes, trials become the subject of public controversy, and news reporters may approach the interpreter for "inside information." It is important to resist the temptation to express opinions or even talk about how the trial is going in general terms, because such statements could be construed as showing bias on the interpreter's part and could become grounds for appeals. (p. 51)

### 3. Impartiality:

Regardless of the settings in which interpreters are asked to perform, they are expected to remain impartial. This aspect of impartiality becomes even more significant because the involved parties are by definition in conflict with each other, and they want to make sure the interpreter doesn't distort the language in a way that favors one side over the other. Impartiality requires that court interpreters don't allow their personal attitudes or opinions to influence their performance. Mikkelson alludes to the idea that if the interpreter has close relations such as kinship or a business, for instance, or he/she has a personal or financial interest in the outcome of the case, so the interpreter must be disqualified. Mikkelson refers to another aspect in her discussion of impartiality. Court interpreters must always take into consideration that they "serve justice and the judicial system in general and they owe their loyalty to the interpreting profession"(Mikkelson, 2000, p. 52). Impartiality has to be always maintained by court interpreters whether they are paid by the court, a law enforcement agency, a law office, or an individual litigant.

There are some central guidelines that court interpreters have to consider in order to maintain impartiality. Court interpreters shouldn't be involved in personal conversations with any of the parties because this will give an impression that the court interpreter is interfering in the testimony. They should also refrain from expressing their personal attitudes or emotional reactions in their interpretation.

### 4. Professional Conduct

In order to maintain professional conduct, interpreters shouldn't disrupt the proceedings by interpreting too loudly. Court interpreters should consider carefully the protocol required by the court in which they are working, which requires using the proper forms of address for courtroom personnel. They should also realize when the appropriate time for bowing or standing and sitting is. Punctuality and courtesy of court

interpreters are also involved in maintaining professional conduct. There are other important aspects of professional conduct such as honesty and integrity. Professional conduct requires that interpreters not accept assignments for which they are not qualified. Preparation for interpreting assignments before the day of the trial is considered an indispensable element of professional conduct. This requires that court interpreters prepare adequately by gathering as much information as possible about the nature of the case in which they will be interpreting. Although this element is referred to by Mikkelson (2004) when discussing the aspect of accuracy, she seems to place a great focus on the need for informing the judicial authorities whenever court interpreters have any reservation about their ability to deliver interpretation assignments competently. For instance, if the interpreter is faced with a technical subject for which he/she lacks the required terminology, he/she has to inform the court and request a recess to research the terms. He/she can also request that an interpreter more conversant with the subject matter at hand be assigned to interpret in the case. Professional development, Mikkelson (2004) believes, is another key element of professionalism for court interpreters. This professionalism requires the development of the knowledge and skills of court interpreters through participation in workshops, professional meetings, reading of current literature in the field, and interaction with professional colleagues.

Many interpreting and translation organizations have developed certain standards of practice to function as established codes of conduct. These codes of ethics represent useful practical and ethical guidelines for practitioners and accordingly regulate the practice and the profession of interpreting and translation. In this regard, we will refer to the NRPSI Code of Conduct for Public Service Interpreters since it represents a comprehensive and accurate illustration of the professional standards that public service interpreters such as court interpreters have to uphold. This allusion to the NRPSI Code of Conduct is particularly focused on the elements of competence of public service interpreters, the procedure that interpreters have to adopt, and some relevant ethical professional issues. This Code of Conduct is quoted from Phelan, (2001, P.44-45):

## Competence

Interpreters admitted to the register are expected to:

- (1) Have a written and spoken command of both languages, including any terminology, current idioms and dialects.
- (2) Possess the ability to interpret and translate accurately and fluently between both languages using the correct interpreting techniques.
- (3) Understand the relevant procedures of the particular discipline they are working in.
- (4) Maintain and develop their written and spoken command of English and other language.
- (5) Be familiar with the cultural background of both parties.

## Procedure

Interpreters will:

1. Interpret truly and faithfully what is said, without anything being added, omitted or changed; in exceptional circumstances a summary may be given if requested, and consented to by both parties.
2. Disclose any difficulties encountered with dialects or technical terms, and if those can't be satisfactorily remedied, withdraw from the assignment.
3. Not enter into the discussion, give advice or express opinions or reactions to any of the parties.
4. Intervene only:
  - To ask for clarification.
  - To point out that a party may not have understood something.

- To alert the parties to a possible missed cultural reference.
  - To ask for accommodation for the interpreting process and inform all parties present of the reason for the intervention.
5. Be reliable and punctual at all times.

## Ethical and Professional Issues

Interpreters will:

1. Respect confidentiality at all times and not seek to take advantage of any information disclosed during their work.
2. Act in an impartial and professional manner.
3. Not discriminate against parties, either directly or indirectly, on the grounds of race, color, ethnic origin, age, nationality, religion, gender or disability.
4. Disclose any information, including any criminal record, which may make them unsuitable in any particular case.
5. Disclose immediately if the interviewee or immediate family is known or related.
6. Disclose any business, financial, family or other interest which they might have in the matter being handled.
7. Not accept any form of reward, whether in cash or otherwise, for interpreting work other than payment by the employer.

Summary:

This chapter considers the court interpreting profession and discusses the central issues of court interpreting. This chapter provides court interpreters with valuable theoretical underpinnings about the profession, and it also alludes to various perspectives on some issues of importance such as the need for cultural awareness, the

importance of accuracy of interpretation, and the significance of adopting a code of ethics for court interpreting.

## Chapter Five

### The Study

#### Introduction:

The profession of court interpreting has received considerable attention and interest in western legal systems. This is mainly due to the high demand on interpreters and their significant contribution to the judicial proceedings in courts of law. Believing in the crucial role played by court interpreters in the administration of justice and the preservation of the rights of individuals who have the disadvantages of a limited proficiency in the official language of the courts in which they are summoned, western legal systems have recognized the importance of court interpreters in the judicial setting. The concern that western legal systems have focused on court interpreting has been represented in their serious efforts to clearly define the court interpreter's role and function within their structures. The specialized training programmes established in many western countries to train interpreters and to develop their competences is seen as the best demonstration of the interest placed on the court interpreting profession.

In Oman, court interpreting is still a young profession that has not been investigated yet. This study is concerned with the investigation of the court interpreting profession in Oman by referring to the current situation of court interpreters in Omani courts of law. The study attempts to disclose the challenges that face court interpreters in Omani courts. The purpose of this study is to depict the real situation of court interpreters in Oman and to expose the problems that prevent them from doing their interpretation tasks successfully. By providing court interpreters with explicit insight into the challenges that hinder their performance in courtrooms, this study does not only provide some possible solutions that can prove effective in overcoming the challenges of their task, but also involves court interpreters themselves to speculate on these challenges in order to reach some advantageous solutions and recommendations.

## A Historical Overview of Court Interpreting in Oman

In order to reveal the situation of court interpreting in Oman and to shed light on the circumstances under which they operate, it is significant to refer, in a general sense, to the Omani legal system and the nature of court proceedings in which court interpreters are involved. Alluding to the legal tradition and to the judicial procedures that are prevalent in Omani courts will, no doubt, provide a clear illustration of the job of court interpreters and will also clarify the role that they play in the legal setting in Oman.

Al Abri (2004) has clearly described the legal system in Oman in his doctoral dissertation, tracing the various stages which the legal system in Oman has gone through until it has realized its current status. According to Al Abri, there are two periods that we can observe when approaching the study of the legal system in Oman. The period which preceded the Judicial Authority Act (90/1999) which was passed in 1999 and the period after this law. In the subsequent discussion, we will refer to the situation of the court interpreting profession and the role played by court interpreters with respect to these different periods.

Before the issue of the Judicial Authority Act (90/1999), the legal system was divided into three different courts: civil courts, penal courts, and commercial courts. These courts were divided depending on the types of cases which fell within their field of specialization. In other words, civil courts were specialized in examining civil cases that involved private disputes. Penal courts were responsible for examining cases that demanded punishing defendants who violated the law of the country. Commercial courts were concerned with the examination of commercial cases that resulted from commercial and labour conflicts existing between companies and individuals. Each one of these courts constituted a separate legal authority that came under the general supervision of the Ministry of Justice.

Under the formation of the legal courts in Oman before the enforcement of the Judicial Authority Act, the practice of court interpreting and the role expected of court interpreters were undefined. When foreign litigants were brought in front of the court, it was important to provide an interpreter could able to break the communication



barrier between foreign litigants and the justices. The interpreters who used to perform in the courts in legal, penal, and commercial cases were called by the court to deliver the interpretation assignments. Those interpreters were usually brought from the headquarters of the Ministry of Justice, which was responsible for providing interpreters whenever they were needed. Interpreters who worked as full-time employees were only available in the headquarter of the Ministry of Justice. In cases when it was difficult to provide interpreters from the Ministry of Justice which was located in the capital, Muscat and was actually far from the other courts distributed over the Sultanate, courts used to look for bilingual individuals to perform the interpretation tasks.

We can explicitly recognize the fact that the profession of court interpreting was not fully established but was still in its early stage and devoid of required regulation and systematization. There were some reasons to which we could attribute the undeveloped aspect of court interpreting in Oman before the enforcement of the Judicial Authority Act. The first reason was the lack of competent court interpreters in Omani courts of law. The second reason which seems to be related to the first one was the lack of university training in translation and interpretation in Oman. Although Oman is considered at the top of countries that are concerned with developing and upgrading the scientific and cultural growth of its people, the actual foundation of university education in the field of translation and interpreting has only appeared very recently. Thus, the situation of court interpreting before the issue of the Judicial Authority Act is marked by the lack of necessary regulative laws that govern the practice of court interpreting and the need for more awareness of the role of court interpreters in the legal system in Oman.

In the legal period that preceded the issue of the Judicial Authority Act, the absence of regulative laws or code of ethics were seen as significant features of that period. The only ministerial account that touched upon court interpreting was confined to indicate the primary job responsibilities and duties of court interpreters. That job description of the court interpreter's job stated that they are required to perform written translation for foreign letters and documents that are sent to the court. They were also required to work as interpreters in the courtroom by interpreting the legal proceedings of the case for the different parties. Court interpreters were entitled to translate the medical and technical reports that were presented in front of the courts

as well as translating the documents that are sent to the courts by the various local and international organizations.

If we speculate on this job description that specifies the duties and responsibilities of the court interpreter, there are some significant remarks we can make about the description. This job description seems to be highly focused on translation rather than interpreting. It presents translation in a way that makes it the profession which is under focus. The only reference to the role of the court interpreter in the court is that they were responsible to interpret the court proceedings for foreign litigants and witnesses in a language that they understood. This job description viewed court interpreting as one of the responsibilities placed on the legal translator in a court of law. It clearly neglected the fact that court interpreting should be represented as an independent profession that has its own rules, its own standards, and its own foundations. This description of the job of court interpreter tends to be very general since it does not state the standards of practice which court interpreters have to uphold.

By referring to the stage that succeeded the Judicial Authority Act, a vivid change in the legal system and the formation of courts of law in Oman can be observed. This stage is characterized by the integration of the courts that constituted separate authorities into a unified court system under which all civil, legal, penal, labour, commercial and criminal departments were classified.

Under the modern Judicial Authority Act, the organization of courts of law has changed completely. The modern legal system is based on the existence of three types of courts, primary courts (courts of the first instance), courts of appeal (courts of the second instance), and the Supreme Court (courts of last resort). Primary courts are concerned with examining civil, legal, penal, and labour cases. If the litigants are not satisfied with the sentence issued by the primary court, they have the right of appeal if they feel that there is a procedural or substantive error made by the primary court regarding their cases. Courts of appeals are concerned with the examination of appealed cases, and they are distributed in the various regions of Oman. There are six courts of appeals in Oman that serve the regions in which they are located and the primary courts that fall within their jurisdiction. The highest, or Supreme Court, is located in the capital, Muscat.

There has been increasing economic development due to the expansion of the local economy and openness to the international economy. The period that succeeded the Judicial Authority Act also witnessed foreign investment projects which led to an increase in the number of expatriates. This factor has been reflected in the legal system in Oman due to the increase of the cases presented in courts that involve individuals from various nationalities. All of the above factors have created an urgent need for qualified interpreters to interpret for foreign litigants who are summoned before the court, the legal proceedings in the courtroom.

The Ministry of Justice in Oman has totally realized the need for interpretation services in courts of law. It has managed to employ a new generation of interpreters to perform the interpretation assignments in different courts and to cover the increasing demands in these courts for competent interpretation services. After a thoughtful plan, the Ministry of Justice has decided to employ a group of university graduates with a bachelor's degrees in English to work as court interpreters in the Supreme Court and the various courts of appeal in the Sultanate.

Interpreters who have been appointed to work in the Supreme Court are required to cover the interpretation needs within that court. Court interpreters who have been appointed to work in courts of appeal are obliged to perform interpretation services in these courts and also in the primary courts that are included within their jurisdiction. These interpreters aren't specialized in court interpreting, and they have not gone through any pre-job training in interpreting. Their only weapon to proceed in their challenging job is their competence in both English and Arabic and the fruits of knowledge they acquired from their university education. Court interpreters in Oman have confronted a totally new profession in which they have no training or education. In spite of the unlimited challenges that prevail in the court interpreting profession and its unexpected nature, court interpreters have managed to overcome the difficulties of their task by their sincere cooperative efforts and their continuous passion for knowledge.

## State of the Art of Court Interpreting in Oman

The circumstances under which court interpreters in Oman perform their job present a number of difficulties and challenges. Some of these challenges emerge from the absence of regulative standards of practice, and some of the challenges can be attributed to the lack of the required skills that can help court interpreters solve the problems arising in their working environments. In order to help court interpreters in Oman to have a better understanding of the nature of their jobs and the unexpected challenges that might hinder their performance, they need to realize the kind of challenges that they may confront during their interpretation assignments. Since there is no certain law or code of ethics to help court interpreters identify the actual role played by them in the legal system in Oman, it is highly recommended to further investigate the court interpreter's role in the legal setting. The way through which the court interpreting profession in Oman will reach professionalization will only be possible by the tendency of court interpreters to familiarize themselves with current important issues that are relevant to their job and the establishment of highly specialized training programs for court interpreters.

### Research Tools

For the purpose of this study, six questionnaires were constructed including twelve central questions that are relevant to the intended investigation. These questionnaires were distributed to six court interpreters working in different courts of appeal in Oman. The ages of these interpreters range between (24 to 28) and their experience with court interpreting alternates between (2 to 4) years of practice. Throughout the analysis we will refer to the respondents according to their gender: Male Interpreter (1), Male Interpreter (2), Male Interpreter (3), and Female Interpreter (1), Female Interpreter (2), and Female Interpreter (3). The questions on the questionnaire include Yes/No questions and open-ended questions. Yes/No questions were designed to be short and sharp in order to be indicative of the respondents' view with respect to the subject of court interpreting.

The second section of the questionnaire includes open-ended questions that assume more involvement in the topic on the part of the court interpreters. The open-ended questions were intended to touch upon significant practical matters derived from real-life situations. The incorporation of the practical aspects in the construction of the open-ended questions attempts to elicit the respondents' points of views with more detailed information including suggested solutions for the court interpreting problems as well as some practical guidelines for developing the court interpreting profession in Oman.

### Research Methodology

Two methods were used in analyzing the questionnaires. The Yes/No questions are going to be treated collectively and separately. This collective treatment or analysis helped in inferring generalizations that could be used to formulate precise conclusions about court interpreting in Oman. On the other hand, the other type of questions, which were open-ended nature, were analyzed in a different way. The open-ended questions and their suggested answers of every court interpreter were analyzed individually. The analysis of each set of answers for the open-ended questions is followed by theoretical commentaries based on the researcher's treatment of the questions and the theoretical considerations obtained from the literature review. The analysis of the questionnaires is intended to reveal a clear-cut depiction of the court interpreter's role in different courts of law in Oman. It also attempts to disclose the real challenges that confront the court interpreter in the legal system. The analysis seeks to discover useful mechanisms and techniques that can be adopted by court interpreters in order to overcome the challenges of their task.

### Analysis and Discussion

The analysis of Yes/ no questions:

The questions in this category were the following:

Q1: Do you think that court interpreting is a challenging profession?

Q2: Do you think that Omani court interpreters need training programs?

Q3: Did you undergo a test before being appointed as a court interpreter?

Q4: Have you done pre-job training on court interpreting?

Q5: Do you think that the court interpreting profession in Oman needs more systematization?

Q6: Is there a law in Oman that defines and determines the actual role played by court interpreters?

The letter M is used in the chart to refer to male interpreters while the letter F is used to refer to female interpreters. The answers to these questions are classified and organized in the following chart:

Questions	M (1)	M (2)	M (3)	F (1)	F (2)	F (3)
Q1	Yes	Yes	Yes	Yes	Yes	Yes
Q2	Yes	Yes	Yes	Yes	Yes	Yes
Q3	No	No	No	No	No	Yes
Q4	No	No	No	No	No	No
Q5	Yes	Yes	Yes	Yes	Yes	Yes
Q6	No	No	Yes	No	No	No

By observing the data contained in the previous chart, we can see that all the six respondents, including three male and three female interpreters, answered "Yes" to Q1, Q2, and Q5. It is evident that the six court interpreters share the belief that court interpreting is a challenging profession. They believe in the need for interpreting programs to help Omani court interpreters develop their skills. It seems that these six court interpreters didn't do any pre-job training on court interpreting, which indicates that they have been exposed to a new field in which they have no formal training or education. It can be deduced from studying the chart that these court interpreters believe that the court interpreting profession in Oman needs more regulation and systematization. Concerning the answers provided for Q3 and Q6, disparity among the given answers can barely be observed. Although in Q3 and Q6 two court interpreters answered differently than the rest of the interpreters in these particular

questions, there is a general agreement on the part of most of the interpreters that before being appointed, court interpreters weren't given a test a test to measure their aptitude for the job. Moreover, most of them believe that there is no law in Oman that defines and determines the actual role of court interpreters in the legal setting and there are no standards of practice that court interpreters can adhere to.

Although this category of questions in the questionnaire does not provide elaboration about answers to the questions, they draw our attention to a more comprehensive discussion about the court interpreting profession in Oman. There is a shared belief among court interpreters that their job is very challenging. This indicates that court interpreters face many challenges in their job. It seems that all of the interpreters agree that establishing interpreting training programs can be used as an accountable strategy to help interpreters overcome the challenges of their job. This suggests the significance of pre-job training for court interpreters because such training programs can provide court interpreters with the required interpreting skills that can be useful in delivering successful performance in the courtroom. There is a very important conclusion we can infer from the analysis of this category of questions, which is the lack of systematization in the court interpreting profession. This can't be achieved unless a certain code of ethics for court interpreters is established to regulate the profession of court interpreting in Oman. Although it is believed that the court interpreting profession in Oman still needs more organization and systematization, we shouldn't overlook the serious efforts that have been made by the Ministry of Justice to start the process of systematization. Since the employment of Omani court interpreters in different courts of law, the Ministry of Justice, represented by the Ministry's training department, has realized the urgent need for such systematization. Court interpreters have been provided with a collection of valuable dictionaries in various specialized fields such as medicine, law, commerce, and engineering. The Ministry's training department organized two training programs for court interpreters, believing in the value of such programs in enhancing the court interpreters' competence. The first specialized training program initiated by the Ministry of Justice in 2005 for the sake of training and qualifying court interpreters was named "The Translation of Legal Terminology." The second training program organized by the Ministry in 2006 was titled "Interpreting for Legal Purposes."

Court interpreters have expressed their satisfaction about the training programs organized by the Ministry of Justice. Establishing interpreting training programs can clearly contribute to the promotion and the systematization of the profession of court interpreting in Oman. Another suggestion that has been raised regarding the systematization is coordination between the Ministry of Justice and established universities that offer such interpreting programs as a part of their curriculum. The coordination between academic institutions and the various governmental institutions, particularly in determining the content of such interpreting training programs and the teaching methods that have to be used, will no doubt increase the quality and efficiency of these programs.

Analyzing the answers of court interpreters that were provided for the first category of questions in the questionnaires draws our attention to a very important element. In order to systematize the profession of court interpreting in Oman, serious efforts have to be made for the establishment of a code of ethics for court interpreters. Setting up a specific code of ethics is highly demanded to found a basis for the court interpreting profession. The establishment of a certain code of ethics for court interpreters is considered a central element through which the court interpreting profession in Oman can reach professionalization.

The analysis of open-ended questions:

For the purpose of analyzing the answers provided by court interpreters for the open-ended questions on the questionnaire, we will focus only on Q8, Q9, and Q12. This is because the other questions have been incorporated in discussing the analysis of the first category of questions. The questions are as follows:

Q8: In your opinion, what are the challenges that face Omani court interpreters?

Q9: What are some possible solutions for the problems that confront Omani court interpreters?

Q12: Mention one of the major problems you faced during your performance in the courtroom and explain how you managed to solve it.



To analyze answers that were provided by court interpreters to these questions, the answers provided by each court interpreter will be considered individually followed by the researcher's analytical commentary.

### **Male Interpreter (1)**

Analysis of the answer for Q8:

Male Interpreter (1) referred to two different challenges that are believed to face Omani court interpreters. The first challenge is the lack of specialized books on court interpreting. The second challenge is the low-payments specified for court interpreters.

It is true that there are no specialized books on court interpreting in Oman. Even in book exhibitions that are held annually, specialized books on court interpreting aren't available. The other challenge is also important, but it shouldn't contradict with the ethical obligations of court interpreters to provide faithful and accurate interpretation. However, the lack of specialized books about court interpreting seems to be very significant since it alludes to the lack of theoretical information that teach court interpreters about their field and inform them of important issues relevant to their profession.

Analysis the answer for Q9:

Male Interpreter (1) suggests two important solutions to solve the challenges that face court interpreters in Oman. He believes that pre-service and in-service training are necessary elements in overcoming the difficulties associated with their task. He also referred to the notion of considering the experience of court interpreting in other countries.

The issue of pre-service training and in-service training has been discussed earlier when analyzing the first category of questions. Nevertheless, it is required to confirm the role played by such training programs in developing the court interpreters'

competence and equip them with practical skills that can be used to solve the constant problems of their task. With respect to the other solution suggested by the respondent, it is required that court interpreters be familiar with the experience of practitioners in other countries to derive benefit from their experience and learn about current issues related to their field of practice.

#### Analysis of the answer for Q12:

To make this study more practically useful, a question was included that required more involvement and contribution on the part of the court interpreters. Q12 was designed to stimulate court interpreters to share one of the major problems they faced during their performance in the courtroom, eliciting the ways by which they managed to solve that particular problem.

Male Interpreter (1) points out the problem of dealing with expatriates who are summoned in front of the court either as witnesses or defendants in criminal and penal cases or either as litigants in civil cases. Interpretation services in courts of law are mostly required in civil, penal, and criminal cases, and sometimes interpreters are called to interpret in commercial and labor cases. The problem that Male Interpreter (1) faced is that most English speaking expatriates who don't speak Arabic aren't acquainted with the legal terminology used by court personnel, lawyers, and members of the public prosecution. Male Interpreter (1) solves this problem by using simple language, and sometimes he explains the meaning contained in the legal terminology used in the court proceedings.

Although the strategy used by Male Interpreter (1) to solve the problem proved to be useful to proceed in his task, this technique isn't favorable, particularly in the judicial setting. This is because using simple words to substitute for standard legal terminology will distort the legal jargon (legalese) which is considered the main characteristic of the legal register.

## **Male Interpreter (2)**

Analysis of the answer for Q 8:

Male Interpreter (2) states that there are some central challenges that face court interpreters in Oman. The first challenge as presented by Male Interpreter (2) is the lack of knowledge about legal procedures.

This is a primary challenge since court interpreters will have difficulty performing their job in the courtroom without familiarity with the legal system and the different procedures of court proceedings in all types of cases.

This legal knowledge can be attained by their continuous exposure to legal procedures in the courtroom and also by knowing how legal procedures in other countries operate. Another challenge referred to by Male Interpreter (2) is the sensitivity of the profession. In fact, this challenge is inescapable since the nature of the court interpreter's job is marked by its uncertainty which presents a real challenge for the court interpreter.

Analysis of the answer for Q9:

Male Interpreter (2) indicates the significance of interpreting training programs in helping court interpreters overcome the challenges that arise in their job. He suggests planning long intensive training programs to ensure that court interpreters can benefit from them.

In relation to the solution suggested by Male Interpreter (2), it is required to refer to the training plans that the Ministry of Justice in Oman are currently considering. There is a plan being considered by the Training Department in the Ministry to send court interpreters to India to study Urdu. This is because of the high demand for interpretation services in this language, considering the fact that Urdu-speaking expatriates constitute a large sector of the Omani society.

Analysis of the answer for Q12:

Male Interpreter (2) refers to one of challenges that he faced in the courtroom. He states that in one of the criminal cases in which he was asked to interpret for a group of witnesses and suspects from English into Arabic, the judge was speaking very fast so that he couldn't follow him or even adapt to the judge's speed. He managed to get out of that situation by paying total attention to the questions of the judge.

Concentration is an important mental quality that all court interpreters have to practice, but not to the extent that would create a cognitive load or burden on the court interpreters' mental capacity. Male Interpreter (2) should have asked the judge to slow down rather than straining his mind and exposing himself to unnecessary fati

### **Male Interpreter (3)**

Analysis of the answer for Q8:

Male Interpreter (3) points the challenge of a lack of linguistic competence in Asian languages, especially Urdu. Omani court interpreters are entitled to interpret in the courtroom, in a bilateral type of interpreting the statements provided by the judge or the public prosecution to the defendants or witnesses and in the same way to interpret the defendants' and witnesses' testimony to the public prosecution and the court personnel. Court interpreters in Oman interpret from English to Arabic and from Arabic to English in the same case. They become involved in a dialogue interpreting, requiring a constant shift between Arabic, which is their mother tongue, and English, their second working language.

The challenge which is stated by Male Interpreter (3) becomes apparent when the litigants brought before the court don't speak English but they speak Urdu. In Oman, most of the foreign individuals who are summoned in front of the courts are Indians, which means that an Urdu speaking interpreter is required at the moment. Since court interpreters in Oman have no knowledge of Urdu, courts tend to use layperson available who happens to speak Urdu. Some interpreters don't regard this challenge as serious or important because in such a situation they feel that they are

released from the responsibility of the task. Notwithstanding, this challenge has some undesired consequences. The court's tendency to resort to laypersons in order to do the interpretation assignments in the courtroom will, no doubt, implant a misconception in the people's minds that any bilingual individual can be a court interpreter.

Analysis of the answer for Q9:

Male Interpreter (3) shares the same view with the other court interpreters examined so far. He believes in the value of training programs in overcoming the challenges that may hinder their performance in the courtroom. He also alludes to the idea that training programs shouldn't be confined to the interpretation between Arabic and English and vice versa, but there should rather be special programs through which court interpreters can acquire other foreign languages that seem in demand, such as Urdu.

Analyzing the answer to Q12:

Male Interpreter (3) discloses an experience in which he faced a problem in the courtroom while he was doing his interpretation assignment. In that case, the public prosecutor was reading the accusation statement very fast without being aware that he had to make breaks or intervals to allow the court interpreter to follow him. Male Interpreter (3) felt confused and embarrassed and he points out that it was a very difficult experience. In order to overcome that problem, he asked the public persecutor to repeat the statement.

It seems that Male Interpreter (3) successfully managed to solve the problem. In a courtroom, especially in similar situations, court interpreters should abide by the rules of diplomatic formality that are very important in the legal setting. Court interpreters should know how to raise a question to the judge or the public prosecution when confronted with an unclear voice or a fast speaker.

## **Female Interpreter (1)**

Analysis of the answer for Q8:

Female Interpreter (1) brings to our attention different types of challenges that we can organize according to their importance. She believes that the court interpreters' lack of understanding of their own role represents a great challenge to the interpreter. Another very crucial role stated by Female Interpreter (2) is the cultural issue of register, considering that interpreters deal with different people who may employ different registers. The concept of "cultural awareness" which has been discussed in the literature review is relevant in this case. Another challenge faced by court interpreters is the lack of awareness that prevails within the legal setting of the valuable role played by court interpreters. Pronunciation, which poses a linguistic challenge for the court interpreter, is another challenge that is clearly involved. The unexpected nature of the court interpreter's job is another significant challenge since court interpreters may be called to interpret suddenly without prior notice about the interpretation assignment.

All of these challenges have to be carefully considered by court interpreters in order to seek certain strategies to manage these challenges. Linguistic challenges such as the difficulty of grasping the message because of pronunciation can be managed by continuous exposure to similar situations. For example, Indian litigants who speak English pronounce English differently, which may leave the court interpreter confused unless he/she figures out the meaning from the context of the situation or asks the litigant to repeat what he/she said.

The inability of the court interpreter to realize the mission he/she has to fulfill makes the situation even worse. This challenge seems to be common among court interpreters in Oman because they are confronted with a profession in which they had no formal education or training and for which no regulative law has been established. The challenge that many court interpreters face during their service is the lack of awareness of the role of court interpreters in the courtroom. There is a clear tendency of some lawyers to interfere in the job of the court interpreter. This is really a

dangerous behavior because it not only confuses the court interpreter and hinders his/her performance, but it can also create a disturbance inside the courtroom.

Regarding the challenge which is related to the issue of register and the disparity between the educational levels of individuals with whom court interpreters have to interact, based on the ethics of their profession, court interpreters have to realize the issue of culture which tends to be very relevant to their profession. Cultural proficiency and cultural awareness require court interpreters to be sensitive to the notions of dialect, educational level, register, and specialized or technical terminology. The issue of culture is the most important challenge to which court interpreters have to pay considerable attention.

Moreover, unexpected interpretation assignments present an additional challenge for court interpreters. This challenge may be more evident in criminal and penal cases which require long hours of interpretation. Court interpreters have to be well prepared for the case by reading the case file in advance in order to have a clear picture of the case. They also have to prepare themselves for the unexpected investigation of witnesses and suspects. Court interpreters may have the disadvantage of being asked to interpret on the same day of the trial which means that they have to exert an extraordinary effort to proceed in their task.

#### Analysis of the answer for Q9:

Female Interpreter (1) suggests some useful solutions to solve the challenges of court interpreting. She asserts that in order for court interpreters to avoid unexpected incidents in the courtroom, they should prepare themselves for the task by reading the case file in advance. She also adds that court interpreters in Oman need to have a clear knowledge of the legal procedures in the legal system and be presented with a law that specifies the court interpreter's rights and responsibilities as an employee. In relation to the challenge of unexpected interpretation assignments, there is a practical solution that court interpreters can adopt. Coordination and cooperation between the court interpreter and other court officers can really help solve this problem. Court officers, such as stenographers who are responsible for the preparation of case files, can inform court interpreters of the date of the case in which they are expected to

perform an interpretation assignment in the courtroom. This mechanism can be easily attainable as long as the court officers are willing to help. It is only when the court officers don't know whether cases will require interpretation services that the challenge of unexpected interpretation assignments will still be there.

Analysis of the answer for Q12:

Female Interpreter (1) reveals the biggest challenge she faced when she first began her job as a court interpreter. She mentions that she couldn't find any law that refers to the role of the court interpreter. She refers to the knowledge she obtained by asking some legal consultants in the field and by depending on her own personal efforts to establish a basis for her job.

All of the court interpreters faced this challenge due to the absence of a code of ethics to regulate the practice of the court interpreting profession and the absence of a job description that defines the court interpreter's rights and obligations.

### **Female Interpreter (2)**

Analysis of the answer for Q8:

Female Interpreter (2) states that the interference of lawyers, who sometimes question the court interpreter's performance for the sake of favoring their interests, puts the court interpreter in a very challenging situation.

Analyzing the answer to Q9:

Female Interpreter (2) suggests that court interpreters must be very alert and confident in order to prevent lawyers and attorneys from interfering in their jobs. Even with the tendency of some shrewd attorneys to draw suspicions to their interpretation, court interpreters should manage to proceed smoothly in their interpretation without being influenced. She also suggests that self-development and



training can contribute in minimizing the challenges of the court interpreting profession. To enhance their trust in their capabilities, court interpreters should be prepared at all times. She too favors the strategy of reading the case file in advance to be well-prepared for the interpretation assignment.

Analysis of the answer for Q12:

We can speculate on the possibility that Female Interpreter (2) suffered mental anguish due to her experiences in a courtroom crowded with judges, public prosecution members, police officers and laypersons, etc... She referred to two experiences in the courtroom in which she confronted the challenge caused by unexpected interference by legal personnel and attorneys. In the first experience, she was interpreting in a case when the judge suddenly asked one of the bilingual court officers about the quality of the interpretation. In the other experience, she was also delivering her interpretation when a lawyer interfered and told the judge that he didn't need the court interpreter to interpret for his client because he knew how to speak English.

Female Interpreter (2) must have felt very embarrassed especially, in a courtroom crowded with judges, public prosecution members, police officers, laypersons, etc. It seemed that neither the judge nor the lawyer in both experiences had any knowledge of the valuable and significant role played by court interpreters. Urgent efforts must be taken to inform all of those involved within the legal setting, including the public, about the contribution of court interpreters in Omani courts of law.

### **Female Interpreter (3)**

Analysis of the answer for Q8:

Female Interpreter (3) states that psychological discomfort can be regarded as another challenge facing court interpreters in the courtroom. This psychological discomfort takes the form of stress or fatigue. Court interpreters should know how to control their stress and avoid showing it on their faces. The court interpreter's posture, poise, and psychological situation should always reflect his/her confidence, alertness, and concentration. Court interpreters who manage to keep their psychological situation in balance can be more successful in their interpretation assignments than those who don't.

Analysis of the answer for Q9:

To solve the problems that face the court interpreter in Oman, Female Interpreter (3) suggests increasing the awareness of the role of court interpreters among those who work in the legal domain. She also alludes to the court interpreter's need to have sufficient knowledge about the different legal processes in courts of laws. She alludes to a very important idea that is related to the court interpreter's capabilities. This idea represents another challenge placed on court interpreters in Oman. Some judges and even public prosecutors tend to speak fast and in a continuous manner without breaks. They assume that court interpreters can manage to follow them and give an accurate account of their speech in their interpretation.

This shows that judges and public prosecutors are unaware of many important issues that aren't only related to the court interpreter's role but also to the capacity within which they can perform their interpretation. Legal personnel and public prosecutors have to realize that the capacity of court interpreters is limited because they are human beings, not machines.

Analysis of the answer for Q12:

The recurrent theme of interference is contained in the experience provided by Female Interpreter (3). She states that she faced a very serious challenge in one of the

sessions when she was interpreting for an accused. She had difficulty understanding the uttered words because of the pronunciation used by the accused. She had the disadvantage of misinterpreting his message because of the way that accused uttered some words. The attorney noticed that error unintentionally made by the interpreter and objected to the interpretation. Female Interpreter (3) informed the judge of that misunderstanding and, fortunately, the judge realized that the error resulted by the difficulty of understanding the words pronounced by the accused.

This challenge can be categorized as an unexpected challenge because we really don't know when attorneys will interfere. However, the strategy that would serve the court interpreter in such a case is to ask the accused to repeat unclear words again so that he/she can attain the intended meaning.

## Findings:

### The Role of Court Interpreters under the Legal System in Oman:

Court interpreters are required to use their competence in both Arabic and English to perform the following tasks:

1. Interpreting to defendants in criminal and penal cases the charges that are read by the public prosecution and also the statements made by defendants to the court personnel.
2. Interpreting to different litigants in civil, commercial, and labor cases the statements made by the judge, and in a like manner interpreting for the judge the statements uttered by different litigants in the courtroom.
3. In criminal cases, court interpreters are asked to interpret the statements of the judge to witnesses and also interpret to the judge the testimony delivered by witnesses.
4. In some cases, court interpreters are required to translate verbally written or documentary evidence in the courtroom using sight translation.

5. Court interpreters adopt the consecutive mode in interpretation assignments which requires giving a summary interpretation of the content of the proceedings to save the time of the courtroom.

Possible Challenges for Court Interpreters and some suggested solutions:

1. Linguistic challenges: Linguistic challenges always arise due to the difficulty of understanding the intended message because of unclear pronunciation.

To solve this challenge court interpreters are required to pay more attention to the context of the situation or ask the speaker to repeat his/her utterance.

2. Psychological challenges: These kinds of challenges are usually caused by the discomfort and the stress that accompany the interpretation task in the courtroom. This challenge can be managed by maintaining self-confidence and trust in one's capabilities. Another way to manage psychological stress is by positive thinking. Court interpreters who tend to think positively will manage their interpreting tasks successfully and will be less liable to face this challenge.
3. Professional challenges: There are many professional challenges that face court interpreters in Oman, such as

- lack of formal education and pre-job training in court interpreting. Coordination between different academic interpreting programs and the Ministry of Justice in Oman in order to establish specialized courses and training programs will contribute to solve this challenge. This will, no doubt, help to promote the interpreting skills of court interpreters and make them aware of the nature of their job.

- lack of specialized books on court interpreting. However, this challenge should be considered by the Ministry which should manage to provide court interpreters with some useful specialized books about court interpreting. Governmental institutions can cooperate with existing universities that are concerned with teaching interpreting in order to solve this challenge.
- lack of knowledge of the different legal procedures in the court. This challenge can be managed by court interpreters themselves. Experience and continuous exposure to legal matters involved in the legal domain and court proceedings in the courtroom will enhance the court interpreter's knowledge in the legal field.
- the unexpected nature of the court interpreter's job. This challenge can be overcome by coordination and cooperation between court officers and court interpreters so that court interpreters be well-prepared for their interpretation assignments.
- the absence of a code of ethics to determine the standards of practice for the court interpreting profession and also the need for a regulative law that states the court interpreters' rights and responsibilities. Since this challenge hasn't been resolved yet, court interpreters should abide by international codes of ethics that have been established by distinguished legal organizations.

4. Cultural challenges: There are different cultural challenges faced by court interpreters in Oman, such as

- lack of awareness of the valuable role assigned to court interpreters in the legal setting. To manage this challenge, all those involved in the legal system, including court personnel,

attorneys, members of public prosecution, and different court officers, should be informed of the significant contribution made by court interpreters and their crucial role in the administration of justice.

- the difficulty of understanding the technical terms that are used in the courtroom depending on the types of cases such as legal, medical, commercial, etc. To solve this challenge interpreters should be cognizant of the technical terms that are expected to be used frequently in the courtroom, and they should have a wide range of knowledge about different fields of relevance. A practical solution to this challenge would be to keep a terminology glossary in which court interpreters write down the different technical terms they come across in court proceedings.
- the disparity between educational levels and styles of speaking among litigants in the courtroom. We would suggest that court interpreters in Oman have more reading on court interpreting, especially about cultural issues involved in their task. The Court interpreters' cultural awareness of factors such as dialect, educational level, and register can help them understand the vital cultural role they play in interpreting assignments.

## Chapter Six

### Conclusion

The profession of court interpreting has been considered among the highly specialized and sophisticated jobs. The practice of court interpreting demands high-quality skills and a comprehensive awareness of current fields of relevance. In order for court interpreters to maintain professional conduct, they need to have a clear picture of the role they are assigned to perform within the judicial system in their countries. Furthermore, realization of the frequent challenges and complexities of their task has to be maintained.

This thesis approaches the most central issues that revolve around the practice of court interpreting, drawing more attention to the situation of court interpreting in Oman.

Chapter one introduced the topic of this thesis and provided a brief summary of its content. Chapter two discussed some fundamental translation theories that have proved useful in explaining the ambiguities of the interpreting process. Translation theories that are related to the study of pragmatics were referred to in this chapter to provide interpreters with a pragmatic awareness of their task. Chapter two represented a valuable theoretical framework not only for translators but for interpreters as well. This chapter affirmed that our understanding of translation can enhance our understanding of interpreting since these two fields seem to be closely interrelated.

In chapter three, a comprehensive overview about the interpreting field was presented. This chapter defined the role performed by interpreters according to the setting in which they are involved. It also referred to the important skills interpreters have to develop in order to perform their interpretation tasks successfully. It alluded to some relevant views with respect to the ethics and etiquette of interpreting. It illustrated the various types of competencies required by interpreters. It also discussed a variety of issues related to the understanding of the interpreting process and the role played by interpreters in different interactive situations. It concluded by illustrating a cognitive approach with the aim of providing more psychological insights about the various mental processes that take place during interpreting.

In chapter four, the theoretical discussion of the thesis was shifted towards the field of court interpreting. This chapter alluded to some powerful issues about court interpreting such as the issue of "biculturalism" (De Jongh, 1991) and the issue of "cross-cultural awareness" (Benmaman, 1992). It also referred to different views presented by some experts in the field to explore the actual role of court interpreters in courtrooms and the contribution they are expected to achieve in the judicial setting.

In chapter five, the thesis attempted to examine the situation of court interpreters in Oman and to investigate the challenges that they face in their interpreting task. Through the analysis of a questionnaire distributed to six court interpreters in Oman, the study revealed some important conclusions. This chapter concluded that court interpreters face many challenges that can be classified as linguistic, professional, psychological, and cultural. It also suggested some practical strategies that court interpreters can implement to overcome the various challenges of their task.

This chapter concludes that court interpreting in Oman has to be established on a well-defined code of ethics to regulate the court interpreting practice. Steps and initiatives towards the professionalization of court interpreting in Oman can only be achieved by the establishment of specialized training programs on court interpreting and also by the court interpreters' continuous effort to enhance their knowledge and competence. Such training programs will, no doubt, encourage court interpreters in Oman to base their interpreting choices on a systematic method based on results of research rather than natural inclinations.

Dealing with a new topic that no one has approached before presupposes a challenge in front of the researcher. This is because instead of building her conclusions on previously established theories about the topic in hand, the researcher's contribution in this respect constitutes an initial study in the literature of court interpreting in Oman. Since court interpreting in Oman is a new domain to be discussed in a piece of research, the researcher has the disadvantage of the lack of valid sources about this topic. This what justifies the use of western sources about court interpreting without including any source that sheds the light on the situation of court interpreting in the Arab world.



Moreover, the lack of experienced and professional court interpreters can be viewed as another inescapable challenge for the researcher. Instead of building the study on practical experiences of professional court interpreters who have acquired an extensive knowledge of their profession, the researcher has to limit the survey to her own personal observations as a court interpreter and the methodological conclusions inferred from the conducted study.

Al though the challenge of the absence of a code of ethics presents a great obstacle for court interpreters in Oman, it also poses a challenge for researchers concerned with this filed. The researcher has to study an undefined profession for which there exist no laws or regulations which implies that the researcher has to establish the study on indefinite grounds.

Discussing the court interpreting profession in the Sultanate of Oman in this dissertation shouldn't be seen as the last piece of research to touch upon such a topic. There are many undiscovered aspects of court interpreting in Oman that require further research and investigation. This thesis has referred to one of the cognitive aspects of court interpreting. There are a number of cognitive and psychological aspects that are still very significant to be analyzed in this regard. This research should stimulate further research in order to discover the invisible aspects of court interpreting in Oman.

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الجمهورية الت

**Appendix**  
**Sample Questionnaire**  
**A Job Description**

## Questionnaire

1. Do you think that court interpreting is a challenging profession?
  - Yes
  - No
2. Do you think that Omani court interpreters need training programmes?
  - Yes
  - No
3. Did you undergo a test before being appointed as court interpreters?
  - Yes
  - No
4. Have you done pre-service training on court interpreting?
  - Yes
  - No
5. Do you think that the court interpreting profession in Oman needs more systematization?
  - Yes
  - No
6. Is there a law in Oman that defines and determines the actual role of court interpreters?
  - Yes
  - No
7. What are the challenges that face the court interpreting in Oman?
8. In your opinion, what are the challenges that face Omani court interpreters?
9. What are some possible solutions for the problems that confront Omani court interpreters?
10. What are your suggestions to promote and develop the court interpreting profession in Oman?
11. What kind of training programmes do you think court interpreters need?

12. Mention one of the major problems that you faced during your performance in the courtroom and explain how you managed to solve it.

رقم بطاقة الوصف:	مسمى الوظيفة:
المجموعة النوعية:	مترجم
الدرجة	من الجدول العام
الحلقة	
الفئة	الخاص
من الجدول	

#### الوصف العام:

- تقع هذه الوظيفة : بقسم الترجمة بدائرة المكتب الفني.

- تختص هذه الوظيفة : بالقيام بترجمة رسائل المحكمة الواردة باللغات الأجنبية وأعمال الترجمة الشفهية في المحكمة لأطراف الدعوى.

#### الواجبات والمسئوليات:

1. يخضع شاغل الوظيفة للأشراف المباشر لرئيس قسم الترجمة.
2. يقوم بترجمة الرسائل الواردة الى المحكمة باللغات الأجنبية.
3. يقوم بالترجمة الشفهية الفورية لأطراف الدعوى في المحكمة.
4. يقوم شاغل الوظيفة باتصالات داخلية لشرح أو تفسير معلومات.
5. يترجم التقارير الطبية والفنية المتعلقة بالقضايا المعروضة على المحكمة.
6. يترجم الوثائق والمستندات التي تصل الى المحكمة من المنظمات الإقليمية والدولية.
7. يؤدي ما يسند اليه من أعمال أخرى مماثلة.

## VITA

Mrs. Nadia Suleiman Ali Salim Al Issaei was born on December 1, 1981, in Sohar, Sultanate of Oman. She was educated in the local public schools in Sohar. She finished her higher education in 1999. She received a Bachelor of Arts in English Language and Literature from Sultan Qaboos University in 2004.

Mrs. Al Issaei has been working for the Ministry of Justice since 2005 as a court interpreter. In 2004, she began a master's program of Arts in Translation and Interpreting (Arabic/English/Arabic) at the American University of Sharjah.