



## PRACTICAL CONSIDERATIONS

*“Cada traducción es un acto de aproximación, de leve pérdida o falla para acercarse al centro...”*

George Steiner

### A. PREPARATION

Every translation involves an infinite number of choices, and difficult ones at that. If the translation is good, these choices are not made *arbitrarily* but with reference to a set of conscious priorities. If you have to translate “The ship was anchored a mile from shore,” how will you render “a mile from shore”? Will you write “a 1,852<sup>1</sup> kilómetros de la costa” or “a dos kilómetros de la costa” or “a una milla de la costa”? Each of these might be appropriate in a given context. The solution you choose will depend on your priorities. In a report of a crime at sea, accuracy might be the first priority: “a distance of 1,852 kilómetros”. In a novel such accuracy would be a distraction; expressing the actual distance might be less important than maintaining a smooth narrative flow: “dos kilómetros” might be a good solution. “Una milla” might be appropriate in some contexts, while in others it might sound like a foreign intrusion.

Part of the necessary preparation for translation is making a brief analysis that will assure a sound order of priorities. Here is a series of basic considerations that may help you in your analysis:

1. Begin by identifying in your own mind the prime or intended reader of the translation. Keeping this reader clearly in mind — his level of understanding, his special needs, his national origin, his familiarity with the subject under discussion — will be of enormous help as you decide what level or register of language to use, what lexical difficulties must be explained, what compensations must be made, etc.

2. The next step is to analyze the function of the text you are translating: is it essentially expressive (subjective, creative, like a poem); informational (like a report or a legal document); or communicative (persuasive, emotive, like an advertisement or political harangue)? Again, your analysis of function will help you order priorities and make consistent choices as you translate.

3. Next, spend a few minutes analyzing the way the original text “works”; the more you can observe about the use of language in the original, the closer you can come to giving the same impression as the original in your translation. In the next chapter we shall outline some of the characteristics of legal language as an aid to your making a textual model for translation.

4. Consider what kind of translation is actually needed. Full translation is only one possibility. Sometimes a paraphrase may be more helpful than a translation. (A paraphrase is a free rendition, often in simpler language, of the meaning of a passage, text or work.) If you decide to write a paraphrase, *be sure to indicate that it is a paraphrase and not a full translation*. A précis or abstract may be sufficient in some cases: the translator reads the material and writes a brief summary of the essential points.

<sup>1</sup> A nautical mile represents a longer metrical distance than a terrestrial mile.

(In many busy offices routine correspondence received is rarely translated in full. The translator reads a letter and makes a note at the bottom: "Mr. X needs additional copy of agreement"; "Mrs. Y requests info. on status of case.")

5. By all means *read the whole of the original text before you begin to translate it.* Make sure that your copy is legible from beginning to end, that no pages are missing and that the pages are in the right order. This reading yields important insights about how the text works, how the various parts are related, and what preliminary research has to be done. Never begin the translation of a text until you thoroughly understand what you are reading. *If you do not understand the text in the source language, you should under no circumstances attempt to translate it.* The idea that you can translate material you do not understand is absolute nonsense.

6. Check to see whether your office has in its files a translation of a document similar to the one you are working on. This move might save you hours of unnecessary work!

7. Last, assemble the necessary reference tools (see Appendix for list of titles) and make a list of special words and phrases that will be needed.

8. After you have completed a rough draft of the translation, it is a good idea to read it aloud to yourself before you type the final copy. It should read smoothly and naturally, as if it were originally written in the target language. Your ear should tell you when it is necessary to depart from the word order and grammatical structure of the original. The novice has a difficult time deciding how much leeway — how much freedom — he or she has to depart from the original. There is no hard and fast rule, but Gregory Rabassa, the translator of García Márquez, Cortázar and Vargas Llosa, offers the following good advice:

"I take my text from Johnny Cash: 'I've walked the line.' What the translator must do first off is walk the line. And in keeping with that image, he must always be aware that in a very deep sense he is the prisoner of his author, convicted on a number of counts. But at the same time he must be a model prisoner, a trusty, walking willingly at the mercy of the text he is rendering and of all the turns it might take..."

"Ear is important in translating because it really lies at the base of all good writing. Writing is not truly a substitute for thought, it is a substitute for sound..."

The translator with a tin ear is as deadly as a tone deaf musician."

"The Ear in Translation," in *The World of Translation* P.E.N. American Center, 1971.

## B. NUTS AND BOLTS: A FEW PRACTICAL GUIDELINES

### I. WHAT NOT TO TRANSLATE

Knowing what to leave unchanged is every bit as important as knowing how to find equivalents. In the type of translation you are likely to be doing, remember to

#### LEAVE UNCHANGED:

##### a. NAMES OF INDIVIDUALS

S.L. un niño de sexo masculino a quien se le ha dado el nombre de Ricardo  
T.L. a male child who was given the name Ricardo (Not "Richard"!)

S.L. Guillermo Rodrigo de la Nuez, Notario  
T.L. Guillermo Rodrigo de la Nuez, Notary

Exceptions: Historical figures of great renown (i.e., Aristotle, Aristóteles; Alexander the Great, Alejandro el Magno.)

### LEAVE UNCHANGED

#### b. NAMES OF STREETS, CITIES, TOWNS

S.L. el pueblo de Esperanza

T.L. the town of Esperanza (Not "Hope"!)

S.L. la avenida Arenales

T.L. Arenales Avenue

### LEAVE UNCHANGED

#### c. NAMES OF PARISHES, CHURCHES, HOSPITALS, BANKS, AND OTHER LEGALLY CONSTITUTED ENTITIES.

S.L. En la Parroquia del Niño Jesús de Bogotá

T.L. In the Parish of Niño Jesús, Bogotá

S.L. La Iglesia de Nuestra Señora de la Esperanza,  
Provincia Las Villas, Diócesis de Cienfuegos

T.L. The Church of Nuestra Señora de la Esperanza,  
Las Villas Province, Diocese of Cienfuegos

### LEAVE UNCHANGED

#### d. FOREIGN WORDS AND PHRASES

With few exceptions, these should be left in the original language. Note, however, that you must understand what the phrase means in order to use it properly in a sentence. Most of the foreign phrases you will encounter in your work will be in Latin; a good legal dictionary will help you determine the meaning.

S.L. aquel que alegue que los pagarés e hipotecas son simulados, fraudulentos y nulos, tiene el *onus probandi*\*

T.L. the person alleging that the note and mortgages are simulated, fraudulent and void, has the *onus probandi*\*

S.L. y firmo fecha *UT SUPRA*†

T.L. and I sign on the date *UT SUPRA*†

## 2. DATES

In some documents, dates are written out in words rather than in numbers. This is done to insure clarity and to make it difficult to falsify a document by altering the numbers. In translating, follow the format of the original: if dates are written in words, use words; if in numbers, use numbers.

S.L. el trece de septiembre de mil novecientos cuarenta y dos

T.L. September thirteenth, one thousand nine hundred forty-two

\**onus probandi*: burden of proof.

†*UT SUPRA*: as (indicated) above.

S.L. el 3 abril, 1956

T.L. April 3, 1956

**SLASH-STYLE DATES:** In most countries of Europe and Latin America, the day is usually given *before* the month when dates are expressed slash-style:

2/4/67 might mean April 2, 1967, or it might mean February 4, 1967, the meaning which it would have here in the United States.

Sometimes Roman numerals are used to give the month and Arabic, the day:

VI/8/78 means June 8, 1978.

*Double check dates that are expressed with slashes.*

### 3. ABBREVIATIONS

Remember that abbreviations and acronyms must be translated; since they allude to words in the source language, they make absolutely no sense in the target language.

S.L. 200 TM de azúcar

T.L. 200 MT of sugar

Suppose the translator had carelessly left the Spanish abbreviation "TM" (toneladas métricas) unchanged in the English translation: "200 TM of sugar"; instead of "metric tons" we would have "tons per minute" (TM is a standard English abbreviation for this phrase).

Sometimes no corresponding abbreviation exists in the target language; in this case the word is simply written out:

S.L. fdo. Carlos Castel R.

T.L. signed Carlos Castel R.

S.L. Santo Domingo, R.D.

T.L. Santo Domingo, Dominican Republic

S.L. Bogotá, D.E.

T.L. Bogotá, Special District

In general, however, when dealing with very common abbreviations, follow the lead of the source language in deciding whether to abbreviate or write words in full.

However, when the abbreviation or acronym is non-standard or not likely to be understood by the reader, supply the help necessary to insure understanding:

S.L. los miembros del CGT

T.L. the members of the CGT (Congreso General de Trabajadores;  
General Congress of Workers).<sup>2</sup>

Having given the full meaning of CGT in both Spanish and English, you may now go on to use the Spanish abbreviation in the rest of the article; this makes more sense than creating a new abbreviation in English ("GCW") unlikely to be found anywhere else and certain to cause confusion.

#### NOTE:

When the abbreviation stands *for an international organization or institution*, a different procedure is followed: el último período de sesiones de la O.N.U.; the last session of the U.N.

<sup>2</sup> Some publications omit the foreign words entirely: the members of the CGT (General Congress of Workers).

The United Nations (la Organización de las Naciones Unidas) is well known in both languages, and it is customary to refer to it with an abbreviation. Similarly, the IDB (Inter-American Development Bank) is the BID (Banco Interamericano de Desarrollo) in Spanish.

A good bilingual dictionary such as *Simon and Schuster's International Dictionary Spanish/English, English/Spanish* can be of enormous value in translating abbreviations and acronyms.

The following entry from this dictionary will serve as an example:

"WHO abbreviation for World Health Organization, Organización Mundial de la Salud (OMS)" (p. 865, [1973 edition]).

The list of research tools in the Appendix includes several specialized dictionaries of abbreviation and acronyms.

#### 4. CONVERSION

In deciding whether to convert kilos to pounds or inches to centimeters, the principal consideration must be the needs of the prime reader.

If the conversion does not have to be exact, it may be sufficient to add an explanatory phrase:

S.L. El tipo pesaba tal vez cincuenta kilos.

T.L. The guy weighed maybe fifty kilos (about a hundred pounds).

In general, it would be better to leave the units unchanged rather than risk an inaccurate conversion. If you must do conversions, be sure to check them carefully.

If your work requires you to do a great deal of conversion, you might find a small calculator useful. Some calculators are especially designed to do conversions.

The list of research tools in the Appendix includes several books that contain conversion tables.

#### MONETARY UNITS:

Be especially careful with monetary units. Under no circumstances substitute the word "dollar" for "sol", "quetzal", and the like. "Peso" is often used for "dollar" in the U.S.; however, it may mean *peso*. Be sure you know the speaker's intention when you translate this word.

In translating foreign correspondence, do not assume that the sign \$ necessarily means American dollars; it is used to represent many forms of foreign currency.

Here is a partial listing of currencies and symbols.

Country	Monetary Unit	symbol
Argentina	Peso	m\$n
Bolivia	Peso	B\$
Chile	Peso	\$
Colombia	Peso	Col. \$
Costa Rica	Colón	C ₡
Cuba	Peso	\$
Ecuador	Sucres	S/.
El Salvador	Colón	C.

Spain	Peseta	Ptas.
Puerto Rico	Dólar	US\$
Philippines	Peso	P
Guatemala	Quetzal	Q
Mexico	Peso	\$
Nicaragua	Córdoba	C\$
Panama	Balboa	B/
Paraguay	Guaraní	Gs.
Peru	Sol	S/.
Dominican Republic	Peso	\$
Uruguay	Peso	Ur\$
Venezuela	Bolívar	Bs.

**NOTE:**

The abbreviation MN ("moneda nacional") is sometimes used to indicate "national currency."

**5. NUMBERS**

It is difficult to imagine that numbers could cause problems in translation, but they do. Here are a few points to bear in mind:

a. In some Spanish-speaking countries it is customary to use a period rather than a comma to separate thousands.

S.L. 1.000.890 habitantes  
T.L. 1,000,890 inhabitants

b. In some Spanish-speaking countries a comma is used instead of the decimal point.

S.L. el 1,25 por ciento de los empleados  
T.L. 1.25 per cent of the employees

S.L. 5.825 miles  
T.L. 5,828 millas

In the United States, the word "billion" means 1,000,000,000 (one thousand million). The Spanish equivalent of this number is *mil millones*. "Un billón" in Spanish means 1,000,000,000,000 — *one thousand times an American billion*: Americans call this a "trillion".

The U.S. conception of "billion" is exceptional; in Great Britain, France, Germany as well as most countries of this hemisphere, there is an intermediate step called "milliarde" (one thousand millions) between a million and a billion. Be sure to think of the system *the reader has in mind* in making these translations.

S.L. (U.S. English): a trillion dollars  
T.L. (British English): a billion dollars

**6. UNTRANSLATABLE WORDS**

There are items that defy translation. The word "untranslatable" gives one an uncomfortable feeling; there is probably some equivalent for everything under the sun. But sometimes the resulting phrase is so long or peculiar-sounding or unwieldy as to justify leaving the term in the original language, perhaps with a clarifying note.

A phrase like "common law," for example, has much more meaning than the Spanish "ley común." Notice how the translator handles this difficulty in the following example:

S.L. Common Law. The Common Law has never been in force in Puerto Rico . . .

T.L. Ley Común. El "Common Law" nunca ha regido en Puerto Rico.

The translator makes an explicit reference to the English "Common Law," charging the inadequate "Ley Común" with the necessary associations. This done, he can now go on to use "ley común" or "derecho común," knowing that the reader understands the concept referred to:

"Comete error el tribunal al acudir al derecho común anglosajón para resolver situaciones que . . . están reguladas por el derecho civil . . ."

*Leyes de Puerto Rico*, Supplement to  
Vol. 30, p. 23.

Notice that the adjective "anglosajón" gives additional enrichment to the concept "derecho común."

Variations of this technique must often be used to compensate for loss or gain in meaning:

S.L. Se apoyó contra un mezquite (*Los de abajo*).

T.L. He leaned against a mezquite tree (*The Underdogs*).

Here the translator has deftly kept the flavor of the original while informing the reader that *mezquite* is a tree and not cactus, a mosque or an insect.

## 7. FALSE FRIENDS — FAUX AMIS

False friends or *faux amis* are false cognates, words like "actual" (English) and "actual" (Spanish, meaning "present-day"). Legal materials contain an unusually high percentage of such words. LEARN TO BE EXTREMELY SKEPTICAL OF THE MEANING OF FAMILIAR-LOOKING WORDS. In all probability, they are waiting for the chance to betray you. Take particular care not only to look them up but to see how their meaning *changes* according to context. The dictionary may not help you very much in dealing with these words.

For example, "Presidente" does mean President in certain contexts, but in the context "Presidente de la Audiencia" the translation should be "Presiding Judge."

As a "sensitizing" experience, try to translate the following phrases, then compare your answers to those listed.

### Terms

- a. Convenio de las partes
- b. Alegaciones
- c. Acumulación con acción de nulidad
- d. Sellos de rentas internas
- e. Colegio de abogados
- f. Operaciones de Bolsa
- g. Transacción
- h. Dispongo de capital
- i. Ratificó su declaración

- j. Todos están complicados en el crimen
- k. Mi sincera adhesión a su política.
- l. Esta obligación rinde el cuarto por ciento.
- m. Autor de un crimen.
- n. Delito menor (falta leve)
- o. Esto me compensa de las penalidades sufridas.
- p. Copia expedida
- q. Recursos contra distintas resoluciones de los registradores deben registrarse
- r. Una resolución dictada en un recurso gubernativo
- s. Las pretensiones del recurrente

The above are merely a few examples chosen at random and by no means constitute an exhaustive list of false cognates. It should be apparent, however, that the dangers of relying on the face value of a word are very great. Learn to be wary of cognates, particularly those of Latin derivation; chances are that over the centuries usages have determined a different denotative range for each of the words in the pair.

### 8. CAPITALIZATION AND PUNCTUATION

Always be scrupulously careful to observe *the conventions of the target language with respect to capitalization and punctuation.*

S.L. On Monday, April 5, we met Mr. Gómez and General Blanco on the corner of Fifth Avenue and Forty-fifth Street. Mr. Gómez said, "I have received an important letter."

T.L. El lunes, 5 de abril, encontramos al Sr. Gómez y al general Blanco en la esquina de la Quinta Avenida y la calle Cuarenta y cinco. El señor Gómez dijo,  
— He recibido una carta importante.

### C. EDITING YOUR OWN COPY

The truly critical stage of your translation will be the transition from first or draft version to final copy. It is at this point that the work of rewriting takes place: sentences are joined together or broken apart; all internal relations within the sentence are clarified; words are added or deleted to insure smooth narrative flow.

In short, the translator makes all necessary changes to insure that the final version reads as if it had been written in the target language. The following page has been keyed to indicate some of the adjustments that had to be made as the final draft was developed:

(A fragment of a State of the Union Message given by Antonio Guzmán, President of the Dominican Republic.)



- S.L. Fue firmado un convenio de cooperación técnica con el Banco Interamericano de Desarrollo, BID,<sup>1</sup> mediante el cual<sup>2</sup> se hará un estudio de la Educación de Adultos<sup>3</sup> en la República Dominicana<sup>4</sup> que permita un adecuado reforzamiento de la misma en los programas de educación nacional. Por otra parte,<sup>5</sup> el número de escuelas de capacitación de adultos fue elevado de nuevo a veinte en todo el País con el consecuente número aumento de la matrícula de adultos de 2 mil 90 a 4 mil.<sup>6</sup>
- T.L. Through an agreement signed with the Interamerican Development Bank, IDB, providing for technical assistance, a study will be undertaken of present facilities for adult education in the Dominican Republic; this study will make it possible to strengthen these facilities within the country's educational programs. In this connection, I should also like to point out that the number of adult training schools throughout the country has increased from nine to twenty, raising the number of students enrolled from 2,090 to 4,000.

## NOTES:

1. *Banco Interamericano de Desarrollo*. An international entity such as this will in all probability have a standard translation in all major languages. English translation: Interamerican Development Bank, IDB. (Source: *Simon & Schuster's International Dictionary* under "BID.")
2. *Mediante el cual*. If we follow the lead of the original Spanish, our first draft of this translation might read as follows: "An agreement for technical assistance was signed with the Interamerican Development Bank, IDB, under the provisions of which a study will be made of Adult Education in the Dominican Republic..." Part of the awkwardness of this rendition stems from the use of the relative pronoun "which"; since "which" is uninflected (does not show gender or number) in English, it will always be harder for the reader to comprehend than an inflected form like the Spanish "el cual." If a solution can be found that eliminates such relative constructions, it is generally to be preferred. Simply starting this sentence with "Through" eliminates the need for the awkward "under the provisions of which": "Through an agreement signed with the Interamerican Development Bank, IDB, providing for technical assistance, a study will be undertaken of present facilities for adult education in the Dominican Republic..."
3. *Educación de Adultos*. Render this "adult education," not "education of adults." In English nouns are often used to modify other nouns: "summer vacation"; "paper hat." Remember to turn Spanish adjective phrases like "de Adultos" into simple noun-adjectives whenever possible:

## Examples:

S.L. escuelas de capacitación de adultos  
T.L. adult training schools

The Spanish "de" phrase can often be rendered by an English possessive:

S.L. Los programas de educación del país  
T.L. the country's education programs

4. *en la República Dominicana que...*

The fairly rigid word order of English together with its lack of inflected forms places certain natural limits on the structure of sentences. It is sometimes easier to render a complex Spanish sentence by breaking it into smaller segments. Here the translator has used a semicolon after "Dominican Republic" and restated the subject ("this study") in order to write a more English-sounding sentence.

5. *por otra parte*. This phrase occasionally means "on the other hand," but quite frequently it is a mere linguistic crutch signifying very little. Since many speakers abuse this phrase, be ready to render it in a variety of ways so that its meaningless repetition does not deaden your text: "in this connection"; "similarly"; "additionally"; "I should also like to point out"; "with respect to this matter," "in this context," etc. (In formal legal discourse "por otra parte" may mean "party of the second part.")

6. *de 2 mil 90 a 4 mil*. Follow the English convention in giving these figures: 2,090; 4,000.