

## LOYALTY AND FIDELITY IN SPECIALIZED TRANSLATION

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### *Abstract:*

*The article explores the relationship between functionalism, loyalty and fidelity in specialized translation. In a first step, it discusses the basic principles of functionalism in translation, the first of which (the translation purpose determines the translation method) gives rise to a debate on the ethical aspects of functionalism. To make the functionality concept applicable to translator training and translation practice, the author has introduced the complementary principle of loyalty, which, unlike faithfulness, or fidelity, refers to a trustful and fair relationship between the persons interacting in a translation process. In the process of loyally producing a functional translation, the translator may rely on intertextual relationships between the texts in both the source and the target culture.*

### *Keywords:*

*Functionalism; Loyalty; Fidelity; Ethics; Intertextuality.*

### Resumo:

O artigo aborda a relação entre a funcionalidade, a lealdade e a fidelidade no âmbito da tradução especializada. Numa primeira fase, analisa os princípios básicos do funcionalismo aplicado à tradução e o debate ético que é levantado pelo seu primeiro princípio, segundo o

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qual a finalidade determina o método de tradução. Para que o conceito de funcionalidade seja aplicado à formação e à prática profissional, a autora introduz o princípio complementar da lealdade que, ao contrário da noção de fidelidade, assenta numa relação justa e de confiança entre as pessoas envolvidas no processo de tradução. De modo a produzir, lealmente, uma tradução funcional, o tradutor pode basear-se nas relações intertextuais entre os textos da cultura de partida e da cultura de chegada.

**Palavras-Chave:**

Funcionalismo; Lealdade; Fidelidade; Ética; Intertextualidade.

## 1. GENERAL REMARKS

The following considerations draw on a functional approach of translation (cf. Nord 1997), based on *Skopos* theory (cf. Vermeer 1978, Reiss/Vermeer 1984). *Skopos* is the Greek word for "aim, purpose", and the basic principle of *Skopos* theory is that the (intended) purpose of the target text determines the choice of method and strategy in the translation process. The target-text purpose is defined by the translation commission, or rather: translation brief. In professional settings, the "brief" is often not sufficiently explicit because commissioners are no translation experts and therefore they are not aware of what kind of information the translator needs to produce a text that fulfils the needs and expectations of the client and/or the prospective target-text audience. Therefore, the first step in the translation process is the "interpretation of the brief", drawing on whatever information there is or can be obtained about the "profile" of the target text the client needs. In routine tasks from well-known clients, for example, the translator may rely on previous experience; in "standard briefs" (like translating a set of operating instructions for a similar audience to achieve the same communicative function as that of the source text), they may simply follow the culture-specific norms for this kind of translation. Any task that is not standard or routine, will have to be specified before the process is initiated, and clients have to be "educated" to provide all sorts of information or indications available. Otherwise they will have to take what they get: a target text that fits many functions but none particularly well – instead of a text that is made to measure for the client's needs.

This does not mean that the client should tell the translator how to go about her or his work – no less than a client tells a mechanic how to fix the broken car or a lawyer how to defend the accused. The methods and strategies to choose from are part and parcel of the translator's professional competence, and this, in turn, is the basis for loyalty and trust between the translator and her/his interaction partners in intercultural mediation, as we will see below.

## 2. BASIC PRINCIPLES OF FUNCTIONALISM IN TRANSLATION

Functionalist approaches to translation draw on the following basic principles:

- a) The purpose of the translation determines the choice of translation method and strategy. This means that, as experience shows, there is no single method or strategy for one particular source text, and any decision between two or more available solutions to a translation problem must be guided by some kind of intersubjective criterion or set of criteria (i.e. strategy). In the case of functional approaches, this criterion is the communicative function or functions for which the target text is needed (i.e. the functionality principle).
- b) The commissioner or client who needs a translation usually defines the translation purpose in the translation brief. If the translation brief is not sufficiently explicit (as in "Could you please translate this text by Wednesday!"), the translator has to find out what kind of purposes the client has in mind, relying on previous experience in similar situations, or interpreting any clues that might indicate the intended purpose, or asking clients for more information about their intended purpose(s).
- c) A translation that achieves the intended purpose may be called functional. Functionality means that a text (in this case: a translation) 'works' for its receivers in a particular communicative situation in the way the sender wants it to work. If the purpose is information, the text should offer this in a form comprehensible to the audience; if the purpose is to amuse, then the text should actually make its readers laugh or at least smile. The text producer (and the translator as text producer, too) has, therefore, to evaluate the audience's capacities of comprehension and cooperation and anticipate the possible effects which certain forms of expression may have on the readership.
- d) Functionality is not an inherent quality of a text. It is a quality attributed to the text by the receiver, in the moment of reception. It is the receiver who decides whether (and how) a text 'functions' (for them, in a specific situation). If, as we know, the same receiver at different moments of her/his life reacts in different ways to the 'same' text (e.g. Shakespeare's *Romeo and Juliet*), it is most improbable that different readers at different moments, let alone readers belonging to different cultural environments, will react to the same text in the same manner.
- e) But if this is true, how can we be sure that a text achieves the function we want it to achieve? We cannot. Usually we rely on the audience's willingness to cooperate in a given situation, otherwise communication would be impossible. Any text producer, therefore, consciously or unconsciously uses some kind of verbal and/or non-verbal 'function markers' indicating the intended communicative function(s), e.g., printing the text in small letters on a slip of paper that comes with a box of pills, which indicates a patient package insert. Imposing a title like 'Instructions for

use', to mention just another example, is a most explicit indication that the sender wants this text to function as an instruction. Other types of markers: a particular text format or lay-out, say, a newspaper headline; certain sentence structures, say, imperatives in a recipe; a particular register, as in an editorial; certain forms of address for the readership, say, in a student's manual, etc. If the receivers recognise the function markers, they may accept the text as serving the intended function. But markers can only be interpreted correctly by a receiver who is familiar with the 'marker code' that is used.

f) One of the most important text-producing strategies is to find the appropriate balance between new and old information; if a text offers too much new information it will be incomprehensible for the readers, while if it contains too little new information, the audience will not find it worth reading.

g) Especially in the case of texts translated from a source culture that is distant in time and/or space from the target-cultural environment, the function (or hierarchy of functions) intended for, and/or achieved by, the target text may be different from that intended for, and/or achieved by, the source text.

The methods and strategies to choose from are part and parcel of the translator's professional competence, and this, in turn, is the basis for loyalty and trust between the translator and her/his interaction partners in intercultural mediation

### 3. LOYALTY AS A CORRECTIVE IN FUNCTIONAL TRANSLATION

Looking at these basic principles we may wonder why there is no mention of criteria like 'faithfulness' or 'fidelity', which have been almost sacrosanct in any discourse on translation for the past two thousand years. This is the reason why some critics reproach functionalism for producing "mercenary experts, able to fight under the flag of any purpose able to pay them" (Pym 1996: 338). Others hold the view that a translator who takes into account the needs and expectations of her/his target audience must necessarily lose sight of 'the' source text.

The latter criticism can be answered on the grounds of the concept of 'text' as used in functional translation theory. In terms of what I have said about functional markers and their culture-specificity, the form in which the source text presents itself to the translator is a product of the many variables of the situation (time, place, medium, addressees) in which it originated, while the way this form is interpreted and understood by the translator, or any other receiver, is guided by the variables of the new situation of reception.

The first criticism refers to an ethical quality related to the status of the source text. While the broader, text-linguistic, equivalence approach stretches the idea of a translation's double linkage to both the source and target sides (sometimes so far as to blur the borderline between translations and non-translations), narrower linguistic approaches still start from the autonomy or authority of a source text, that must not be touched in the translation process. In *Skopostheorie*, however, the source texts, or

more precisely, its linguistic and stylistic features, are no longer regarded as the yardstick for a translation. Does this mean that the translator is entitled to do as he or she likes with the source text?

Indeed, the first basic principle of functionalism could be paraphrased as 'the translation purpose justifies the translation procedures', and this sounds very much like 'the end justifies the means'. As such, there would be no restriction to the range of possible ends; the source text could be manipulated as clients (or translators) saw fit. In a general theory, this doctrine might be acceptable enough, since one could always argue that general theories do not have to be directly applicable. Yet translation practice does not take place in a void. It takes place in specific situations set in specific cultures, so any application of the general theory, either to practice or to training, has to consider the specific cultural conditions under which a text is translated.

At different times and in different parts of the world, people have had and still have different concepts of the relationship that should hold between an original and the text that is called its translation. According to the prevailing concept of translation, readers might expect, for example, the target text to give the author's opinion exactly; other cultures might want it to be a faithful reproduction of the formal features of the source text; still others could praise archaising translations or ones that are far from faithful reproductions, but comprehensible, readable texts. Taking account of all these different expectations, which may vary according to the text type in question or depend on the self-esteem of the receiving culture with regard to the source culture, the translator acts as a responsible mediator in the cooperation developing between the client, the target audience and the source-text author. This does not mean that translators always have to do what the other parties expect, which may even be impossible if the three parties expect different translational behaviours. It means that the translator has to anticipate any misunderstanding or communicative conflict that may occur due to different translational concepts and find a way to avoid them.

The responsibility that translators have toward their partners is what I call 'loyalty'. The loyalty principle was first introduced into *Skopostheorie* in 1989 (Nord 1989, cf. Nord 1997: 123 ff.) in order to account for the culture-specificity of translation concepts, setting an ethical limitation on the otherwise unlimited range of possible *skopoi* for the translation of one particular source text. It was argued that translators, in their role as mediators between two cultures, have a special responsibility with regard to their partners, i.e. the source-text author, the client or commissioner of the translation, and the target-text receivers, and towards themselves, precisely in those cases where there are differing views as to what a 'good' translation is or should be. As an *interpersonal* category referring to a social relationship between people who expect not to be cheated in the process, loyalty may replace the traditional *intertextual* relationship of 'fidelity', a concept that usually refers to a linguistic or stylistic similarity between the source and the target *texts*, regardless of the communicative intentions and/or expectations involved. It is the translator's task to mediate between

the two cultures, and I believe that mediation can never mean the imposition of the concept of one culture on the members of another.

In introducing the loyalty principle into the functionalist model, I would therefore also hope to lay the foundations for a trusting relationship between the partners in the translational interaction. If authors can be sure that translators will respect their communicative interests or intentions, they may even consent to any changes or adaptations needed to make the translation work in the target culture. And if clients or receivers can be sure that the translator will consider their communicative needs as well, they may even accept a translation that is different from what they had expected. This confidence will then strengthen the translator's social prestige as a responsible and trustworthy partner.

The loyalty principle thus adds two important qualities to the functional approach. Since it obliges the translator to take account of the difference between culture-specific concepts of translation prevailing in the two cultures (involved in the translation process), it turns *Skopostheorie* into an anti-universalist model; and since it induces the translator to respect the sender's individual communicative intentions, as far as they can be elicited, it reduces the prescriptiveness of 'radical' functionalism.

The following example may illustrate this point.

In 1972, Ernesto Cardenal published a book with the title *En Cuba* ("In Cuba", Cardenal 1972a), in which he enthusiastically described how wonderful he found the "new" Cuba under Fidel Castro. Immediately after its publication in Spanish, the book was translated into German (Cardenal 1972b). The West German publisher asked the translator to adjust the author's Latin American "pathetic style" to what they considered acceptable for a West German audience – precisely in connection with a communist system during the Cold War period. Consequently, the translator omitted, or at least, toned down most of the author's positive evaluative and emotional utterances with regard to post-revolutionary Cuba, Fidel Castro or the Cuban Revolution, and his negative remarks about the United States and their representatives, e.g. the US ambassador. She omitted, for example, the dedication 'Al pueblo cubano y a Fidel' (To the Cuban people and to Fidel), Che Guevara's motto 'Todos parejos en todo' (All equal in everything), the characterization 'con su cara de cerdo' (with his pigface) in the description of dictator Batista, the remark that black people work like slaves in the United States ('trabajan como esclavos en los Estados Unidos'), three pages of testimonies about torture and acts of violence of the Batista regime, and a whole paragraph in which Fidel Castro explains *in verbatim* his vision of a socialist society in Cuba in an interview with the author (cf. Grohmann 1976: 31–33). Since this was Ernesto Cardenal's first book ever to be published in Germany, German readers received the impression that he was a journalist describing his visit to Cuba in a rather detached, "objective" kind of style.

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The first basic principle of functional translation theory mentioned above should, therefore, be restricted in the sense that the range of acceptable translation purposes is limited by the translator's responsibility to all her/his partners in the cooperative activity of translation (i.e. the loyalty principle). Loyalty may oblige translators to reveal their translation purposes and justify their translational decisions.

In what follows, I will look at loyalty from four different angles: loyalty and conflict prevention, loyalty and professionalism, loyalty and trust, loyalty and fairness.

### 3.1. Loyalty and conflict prevention

If we consider translation to be an activity facilitating communication between people belonging to different language and culture communities, the translator is part of a communicative interaction intended to overcome linguistic and cultural boundaries between people. Such an interaction involves at least four participants or, rather, roles:

- the **source-culture sender** (SC-S) of a message which was produced for a source-culture audience (SC-A) in order to achieve a particular communicative purpose in the source culture (SC-P);
- a **client or initiator** (INI), who commissions a translation or interpretation of this source-culture message for a target-culture audience (TC-A) in order to achieve a particular communicative purpose (TC-P);
- a **translator or interpreter** (TRL), who produces the target text according to the way in which the initiator specifies the commission (possibly in a translation brief);
- the **target-text receivers** (TC-R), whose reception is guided by their own communicative needs plus the verbal and nonverbal function markers found in the text and in the situation in which it is received, in addition to their expectations toward a text received in such a situation.

While the sender and the receivers belong to the source and the target culture, respectively, the initiator and the translator can be members of either the source or the target culture. The behaviour of each of these participants is guided by their respective socio-cultural backgrounds, by culture-specific norms and conventions and by their subjective (in the case of sender, initiator and receivers) or objective (in the case of the translator if she/he has undergone formal training) theories on translation.

In this intercultural communicative interaction, the translator is the only one who is (by definition) familiar with the conditions and norms of both the source and the target cultures, while the other participants are often not even aware of those of their own culture in contrast with the others. Each of them communicates (as a sender or an initiator or a receiver) according to the conditions of her/his own culture. Due to their familiarity with both cultures, only translators are in a position to discover the conflict potentials (Michael Agar calls them "rich points", 1991: 168) and either avoid them or

find a satisfactory solution. Therefore, translators play a powerful role. They could easily deceive their partners without anybody noticing – sometimes just by "faithfully" translating what the source text says.

For this kind of conflict management, ethical principles are needed. For we have to ask whose expectations will have priority in the case of incompatibility. A translator who is "loyal" should make sure that in this interaction none of the participants is deceived or otherwise damaged. Chesterman (1997: 184 ff. and 2001: 151-152) speaks of prevention or reduction of "communicative suffering":

Communicative suffering arises from not understanding something that you want to understand, from misunderstanding or inadequate understanding, and from not being able to get your own message across. It also arises from a lack of communication at all. Translators are like doctors in that their task is to intervene in certain cases of communicative suffering: those involving language and culture boundaries. (Chesterman 2001: 151)

As everybody knows, physiological and psychological suffering can also be caused by deficiencies we are not aware of. A doctor acting in an ethical way will therefore not only cure the symptoms the patient is complaining about but also try to discover the origin of the illness and look for a remedy. The translator is such a doctor who tries to prevent communicative suffering by responsible and professional procedures. This becomes obvious in cases where old texts belonging to the cultural heritage – like the Bible or the works of Shakespeare – are re-translated. Receivers may not recognize certain passages they know by heart or allusions to, or quotations of, well-known words and phrases (even though they may not even be able to explain their meaning).

### **3.2. Loyalty and Professionalism**

Unlike that of doctors or lawyers, the translator's professional title is not legally protected. Translation services can be offered by anybody who feels capable or entitled to do so, although an error in a translation or interpretation can cause as much damage to people and objects as wrong medical treatment or wrong legal advice. Therefore, an ethics of translation must include the obligation to act in a professional way.

Professionalism means that the translator has the competences required for translation or interpreting services and constantly tries to improve them; it means that she/he is "striving for excellence", as Chesterman puts it (2001: 149). The "Code of Professional Conduct and Business Practices" of the American Translators' Association, published in November 1997 (ATA 1997), lists the following abilities required of a professional translator:

- mastery of the target language equivalent to that of an educated native speaker;
- up-to-date knowledge of the subject material and its terminology in both languages;
- access to information resources and reference materials, and knowledge of the tools of the profession.

In addition, professional translators must be able to consider the possible consequences of their translational actions, keep their partners from getting damaged and try to avoid negative consequences. This is an ability no person is born with, so it has to be developed in the course of training, where the future translator receives an education about the theoretical and methodological foundations of translation practice.

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### 3.3. Loyalty and trust

Coming back to example 1, I may state that both the Nicaraguan author and the German readers have been deceived because the translator fulfilled the requirements of the translation brief. Could we say, therefore, that acting according to the brief is unethical? Is a translator obliged to critically scrutinize a translation brief? Would her behaviour have been "more ethical" if she had not done what the publisher had asked her to do? In this case, the commissioner belonged to the target culture, and he could have asked a reviser to "adjust" the translation to target-culture style conventions – although this procedure would have shifted the problem of loyalty only to somebody else without solving it. However, if the commissioner had been a member of the source culture he would not have been able to control whether the target text had conformed to his brief. In any case, the client must always trust the translator.

The same applies to the author and the target receivers. As they do not know the other culture (including language) they must rely on the translator's trustworthiness. The sender expects the translator to respect his communicative intentions; the receivers expect to read a translation that corresponds to their expectations, in this case: a translation that gives an idea of the author's attitude toward the object of reference, post-revolutionary Cuba.

What could the translator have done to solve the dilemma? One possibility would have been to discuss the brief with the publisher, agreeing perhaps on an explanatory foreword which would have explained the difference between Latin American and German style conventions and the author's political standpoint. Another possibility would have been to use target-cultural markers of expressivity without hiding the author's opinion.

Loyalty does not mean that the translator always has to act according to her/his partners' expectations, otherwise no translation could have an innovative, enriching influence on the target literature or culture.

#### 3.4. Loyalty and fairness

The fourth item in Andrew Chesterman's suggestion for a "Hieronymic Oath" reads as follows: "I swear that my translations will not represent their source text in unfair ways." (Chesterman 2001: 153) This "fairness", in the sense of being "free from dishonesty or injustice" (DCE 1978), is also one aspect of loyalty. It means that the translator refrains from deceiving any one of the partners involved in the translation process. The aim is to establish a fair relationship between the source-text sender and the target-text receivers, without taking sides and without detriment to one or the other. However, readers and clients or senders will only accept the translator's behaviour as being fair if they trust her/him and believe in her/his honesty and professionalism. Therefore, the aspects of loyalty we have dealt with are intrinsically linked and interwoven.

#### 4. INTERTEXTUALITY AS A KEY CONCEPT IN FUNCTIONAL AND LOYAL TRANSLATION

All the texts that were ever written or spoken in a particular culture form a culture-specific repertoire. Among them we can observe various kinds of relationship: genre relations between all the texts belonging to one particular genre as opposed to those forming part of other genres; time-related links between all the texts produced in a particular moment in time as opposed to those produced earlier or later; register relations between all the texts representing a specific register, and so on. These intertextual relations of the source and the target text are represented in Fig. 1.

Whatever its purpose, a translated text is bound to enter the target-culture repertoire and become a part of the culture-specific intertextuality system. There, it might be supposed to conform to a particular text class or genre or to represent certain register or time-specific features. In some cultures, translated texts (or, possibly, all texts translated from a particular source language as opposed to those translated from other source languages) may form a set of their own and show certain typical features (maybe of "translationese") which are not found in non-translated texts. These features, such as explicitation or shifts, are analysed by corpus-based Translation Studies.

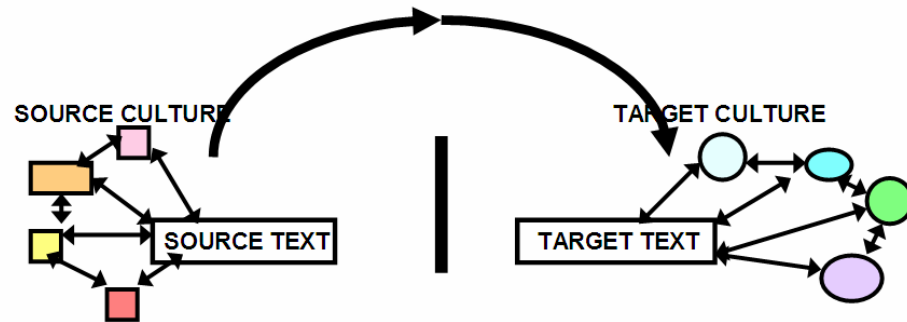


Fig. 1. Intertextuality in translation

Looking at Fig. 1, we see that both the source and the target text form part of a system of intertextual relationships. This means that the effect of the target text can be predicted comparing it to the (possible, normal, usual) effects of existing texts from the target culture. If the text conforms to conventional patterns of a particular class of texts, the text form will not attract the readers' attention, which allows for an easier processing of the information contained in the text. On the other hand, if a text shows strange, unconventional form patterns, the audience may wonder why the author chose these original forms and whether they are meant to convey an extra amount of information.

In a translation, for example, where the translation brief requires the target text to show features of "strangeness" (which I call a documentary translation, cf. Nord 1997: 48 ff.), the purpose would be precisely *not* to resemble any text existing in the target-culture repertoire, which makes processing more difficult (and maybe also more meaningful) for the readers. Whereas, in an instrumental translation (cf. Nord 1997: 50 ff.), the expectation is that the target text fits nicely into the target-culture text class or genre it is supposed to belong to. In any case, the translator will have to be familiar with the specificities of the target-culture repertoire to be able to achieve or avoid conventional intertextual relations and/or to predict the audience's reaction, adjusting her/his strategy accordingly.

### 5. LOYALTY AND FIDELITY IN SPECIALIZED TRANSLATION

There is no general rule or norm telling the translator whether to choose a documentary or an instrumental strategy. It depends on the translation brief – but there are routine or standard briefs which might guide the translator's decision if the brief does not specify any exception from the standard. This applies both for specialized and non-specialized (e.g. general, literary, biblical) translation tasks.

For many official documents (like marriage certificates or school reports), the "standard brief" requires a translation in the documentary mode. Here, equivalence is not the

purpose, since a translated driving license, for example, is not, as such, a target-culture document. Rather, it is a "meta-document" giving evidence, in the target language, of, or informing about, a source-culture document. With regard to intertextuality, this document will not conform to target-culture patterns of the genre unless these are identical with those of the source culture. In this case, the outcome of a loyal translation process will be a faithful translation.

On the other hand, where the purpose of specialized translation is the transfer of information (as in technical texts, product documentation, operating instructions, balance sheets, etc.), an instrumental translation is required, which will not necessarily reproduce source-culture style or behaviour patterns. In this case, the adaptation of text forms to target-culture norms and conventions will make processing easier for the receivers, because they are not confronted with style or behaviour patterns they are not familiar with and which sometimes stand in the way of fast and efficient information processing.

**Loyalty always refers to the attitude or behaviour of the translator during the process of translation. A text or a translation cannot be loyal. It is the translator's behaviour that is or is not loyal**

## 6. CONCLUSION

Seen in this way, loyalty towards people is a category that is entirely different from fidelity to a text. We cannot speak of a "loyal" translation referring to the result of the process, the target text. Loyalty always refers to the attitude or behaviour of the translator during the process of translation. A text or a translation cannot be loyal. It is the translator's behaviour that is or is not loyal. Therefore, loyalty, as was mentioned before, is an interpersonal category affecting the relationship between people (even though perhaps the author of the source-text is no longer alive, or some readers will read the target text long after the translator has died). But acting loyally with regard to the communication partners in a specific translation task and with regard to one's own ethical principles does not automatically mean that the translator gives target-culture norms priority over source-culture norms. In certain tasks, such as the "standard" translation of legal documents (like a marriage certificate or a driving license) or "standard" court interpreting, it may mean that some source-text features are faithfully reproduced in the target text.

Therefore, the criticism that functional translators are adaptors, is a generalization that is supported neither by *Skopostheorie* nor by the applied functionalist versions of the theory. The criticism that translators are "mercenary experts", or slaves acting as they are told by their clients, does not hold water either. On the contrary, the functionalist approach makes a point of regarding translators as responsible agents in an interaction between equals, negotiating, if necessary, the conditions of cultural mediation. One of the means to this aim is the observation of the principle of loyalty. ■

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