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NOTIS/WITS Meeting Oct. 4, 2003 "International Translators Day" Celebration Lunch and Program with Dr. Judith Shapiro "Culture Clash in the Courtroom: China and the United States"

by Maiyim Baron, Baron-Charms International Services

(A longer version of this article can be found in the latest WITS publication. This shorter edition is being printed here with permission in honor of our combined event.)

Dr. Judith Shapiro, an American born Caucasian, began learning Chinese at Princeton University in 1971, before Americans could go to mainland China. When she went to China to teach English in the first group of forty Americans to go there, she was assigned to Hunan Teacher's college and was one of four foreigners in the whole province of Hunan at that time. The six hundred students there were the best in English in the province, (the renowned '1977 grade') and she was the first native speaker of English there. When she and a Chinese literature student decided to marry, they had to get permission from Deng Xiao Ping, in what became an infamous court case. She told the story of her husband's Cultural Revolution experience in a book published in 1983 called Son of the Revolution. When they returned to the U.S. she naturally assumed the

interpreter role for her husband. Dr. Shapiro now teaches at American University where she is the Director of the Global Environmental Politics program, and also works as a judicial interpreter.

Dr. Shapiro began her presentation on cross-cultural experiences in the courtroom by reminding us of the current news about two civilian interpreters who have been arrested in Guantanamo. While the reason for their arrest has not been made public, she wondered if they might be in situations similar to ones many of us have found ourselves in, such as a defendant asking us to get word to his family that he has been detained. We are engaged to be 'language machines' she noted, not to have a heart and act out of compassion. Clearly we are not supposed to do this kind of thing, but what is the best way to handle such a situation?

Continued on page 4

Northwest Translators and Interpreters Society

A chapter of the

American Translators Association

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NOTIS Notes

Welcome to New Members

Amy Andrews	Spanish <> English
Angela Di Chiara-Hardin	Italian <> English Spanish > Italian
Amanda Fujimoto	Cantonese <> English Mandarin <> English Chinese > English
Iris Heerhold	English > German
Feifei Jiang	Chinese <> English
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Naoko Tanabe Magasis	Japanese <> English
John Zimet	Japanese > English
Rejoins	
Bev Corwin	French <> English Spanish > English Japanese > English
Jeanne Farrow	Russian <> English
Sara Koopman	Spanish > English

American Translators Association (ATA) Conference 2005, Seattle!

It's coming and we need to start planning!

If you would be interested in serving on the NOTIS Host Committee to plan for and to help host this exciting event, please contact the NOTIS board by writing to: info@notisnet.org. We'll see you there!

International Translators' and Interpreters' Day: Saturday, October 4 with Judith Shapiro

by Cristina Caioli (12th grader at University Prep, Seattle)

Dr. Judith Shapiro, an American interpreter of Chinese language, was the main attraction in Seattle, Washington at the Swedish Cultural Center on October 4, 2003. She gave an open-for-discussion lecture to a room-full of about 45 people. I had imagined this conference, when my mom first told me about it, to be in a much bigger room with hundreds of people. So I was surprised and pleased (I do not enjoy being immersed in big crowds) to have been one of the people to attend the conference.

Dr. Shapiro focused on the major issues concerning interpretations between Chinese and English within crucial situations like trials in court and visitations with clients who are in jail. I could continue this review by

summarizing my notes, which in turn summarize her speech and people's comments during discussion sessions, but then I would place myself back in the future as an eighth grader writing a book report. So I won't. I'll tell you about my experience instead.

My first surprise was seeing Dr. Shapiro. I thought she would have been Chinese, knowing that she was a Chinese interpreter! It never occurred to me that a Caucasian would know a language other than English so well as to be an interpreter. Little did I know...literally: I knew little. The lecture and discussion were laid-back and understandable. Understandable? As in, I could follow, most of the time, what specific instances the listeners were talking about with Shapiro. At

times, though, I was completely lost when they started discussing back and forth...they reminded me of a ping-pong match. Their words were the ping-pong ball, shooting back and forth, most of the time received and bounced back, sometimes whacked out of bounds without replay. The ball would just drop and Dr. Shapiro would move on.

That Saturday afternoon was a new experience for me; intriguing and fascinating. Intriguing, because I heard many personal experience stories from other interpreters of German, Russian, and other languages. The interpreters would agree and laugh or disagree and raise their eyebrows. Fascinating, because I learned about the little things, that I had never considered, that make interpreting difficult or fun. For example, the fact that the interpreter is so concentrated on expressing every crucial concept to his/her client that he/she does not have time to dilly-dally, so-to-speak, or day-dream. There is no room in the brain for that stuff. An interpreter must stay focused the entire time. I found that fascinating and tremendous.

I am proud of myself for wanting to have attended that conference (thanks to my mom who enticed me to come), because I am not inspired usually to go to these things. I always think, "I have more fun things to do." But, I was wrong; I had a great afternoon! I recommend attending a conference like this to anyone (let's say a girl, to avoid a million "he/she"s) who has ever been even *remotely* interested in or has ever had a question about translating and interpreting, because she will learn a lot; especially if she takes notes because she wants to and not because she feels she has to!

Are You One of Us?

By Caitilin Walsh

While we were all basking in the luxury of having a summer, the NOTIS online directory quietly celebrated its first birthday. Not one to rest on its laurels, the NOTIS Directory Committee (Caitilin Walsh, Alfred Hellstern, Michael Broschat, Marilyse Benyakar and Christina Zubelli), is ramping up to resume production of our venerable print Directory after a one-year hiatus. And that's where you come in!

The NOTIS Board and Directory Committee are looking for an enthusiastic volunteer (or volunteers) to take on the role of Print Directory Publisher. This person will have the

opportunity to work with cutting-edge technology and experienced colleagues. Familiarity with Microsoft Access is a must, along with a working knowledge of VBA or other programming language. Legacy tools are available for adaptation, though the Publisher will certainly be free to create more elegant solutions! Best of all, working with this creative team is stimulating and rewarding.

If this opportunity piques your interest, please feel free to get in contact with one of us, either via email or at the annual meeting. We look forward to working with you!

Continued from page 1

She mentioned conflicting ideas on the 'proper' way to interpret: do we keep our faces impassive and our hands stiffly at our sides, or do we express the emotions of the person we are interpreting for - acting indignant when they are indignant, for example? Dr. Shapiro believes we almost become the person we are interpreting for, and that we must use more than words alone to get their meaning across. After all, she reminded us from what she knows and teaches of cross-cultural communication, the words themselves are only about 20% of any communication. Another approximately 20% of communication is intonation, but the majority of communication content depends on facial expression and body language. She cites this as the reason most of us are uncomfortable with telephonic interpretation which is being used more because it is less expensive. However, we interpreters know we are not getting all the information we need from facial expression and gestures to do a complete interpretation of what is being communicated.

Dr. Shapiro noted the satisfactions of our profession when we know we are truly someone's lifeline and performing a real service for them. What a paradox: we are supposed to be that 'language machine' but we are often so much more to a defendant who has had no-one to speak to in their language for some time.

She mentioned our difficulties when people ask us later to com-

ment on what we observed of the proceedings, asking us to act as analysts or consultants. We usually can't do both that and fulfill our interpreting role. When we are working as interpreters we are so completely focused in the present moment that we usually don't retain much of the content, and we are not processing it the way others present are. She mentioned how we get into the interpreters 'zone' when two languages are being processed simultaneously in our brains, with a particular feeling some interpreters sense in the back of their heads, and how like a meditative state this can be because we are so focused in the present moment.

The sad tale was told of an interpreter who was called as a witness and had such good notes that he could not claim he didn't remember what he was questioned about. Once he was summoned as a witness, he lost the assignment to interpret for that case. Tagalog interpreter Lilly May Bayley told us she always shreds her notes. When asked by a lawyer to show him her notes, she insisted that "I want to see you shred them after you read them."

Korean interpreter Kwang Chough mentioned an experience of sitting with a defendant whom a television news reporter wanted to interview. His response was that since the interpreter can only speak in the presence of an officer of the court, the reporter's request needs to be made through the defendant's attorney. Dr. Shapiro commented that one of the judge's responsibilities is to be solicitous of the welfare of all persons in his courtroom. Since inter-

preters are considered officers of the court, we too have the ability to call any questionable situation to the attention of the judge. Dr. Shapiro recalled a situation when she was severely reprimanded for bringing a novel in Chinese to an incarcerated defendant, reasoning that other defendants had access to the jail's library, so why shouldn't this fellow have something to read too? She was told "If you're sympathizing with the defendant, we don't want you interpreting." She realized that this simple request too should have gone through the defendant's attorney, who then could have gotten the judge's approval.

Dr. Shapiro related her chagrin when she was involved in an immigration trial with five defendants who each had attorneys who all handled their practically identical cases differently. Some of the defendants' cases were resolved quickly, while other defendants were in jail for months, but she felt helpless to share anything of what she knew had been done on the cases that resolved easily with the attorneys for the other defendants.

Following this lively discussion of difficult ethical situations, Dr. Shapiro led our interactive exploration of culture clashes in the courtroom. She compared verbal communication to the 'tip of the iceberg' of all the cultural customs and manners that affect what is actually said. For example, she observed a Thai interpreter and the defendant he was working with bow to each other when they entered the courtroom, and also noticed that the interpreter kept his hand on the fellow's shoul-

der while he interpreted for him. This could easily be misunderstood and called 'excessive closeness,' for which the interpreter's ability to do his job impartially could be challenged. Sam Mattix commented that he certainly wouldn't do that in an American court.

The common mistake of mixing up given names and family names in Asian languages was mentioned, so we were advised to use those terms and avoid saying 'first name' and 'last name' because that can just add to the confusion. Most of us have probably faced situations where we were incorrectly assigned to a defendant based on court personnel's limited understanding, for example, a Thai interpreter being assigned to someone from Taiwan. I work in Japanese, and have often been called to interpret for someone with a Korean name, who may well have been born in Japan and prefer to use Japanese. I have several times asked the person assigning me to a case to double check whether Japanese or Korean is the language being requested. We were cautioned to be diligent in verifying the language requested.

Asian languages are less specific than English in designating plurals - which can lead to problems. Often it is impossible to tell if a person being mentioned in an Asian language is male or female, so we don't know if our interpretation should use 'he' or 'she.' Similarly, a question in English may refer to a 'brother' or 'sister' and these kinship terms in Chinese or Japanese are specific to older or younger siblings. In these situations, it is appropriate for the interpreter to stop and explain to the partici-

pants that she must ask the speaker whether they are referring to a man or woman, or an older or younger sibling before interpreting. Another way to handle this is to use a generic term like 'my relative,' which is less specific, but still accurate. Chinese especially can be very vague in terms of tense. Often statements do not include terms for past or future, so it is very easy to get into difficulties unless one is very careful, and perhaps stops the proceedings to indicate that this statement must be clarified before a correct interpretation can be made.

To avoid confusion, interpreters who work in Asian languages must also pay attention to the Asian way of calculating age based on birthdays, i.e. a person is one when they are born, being in their first year, and then turns two on their first birthday. This can be a crucial point in determining whether someone will be tried as a juvenile or as an adult. Also, for example in Thailand, where years are counted in the 'Buddhist Era' or in Japan where years are numbered by the Emperor's reign, care must be taken in converting this to our 'Common Era' to avoid discrepancy in dates.

Commonly used clichés in one language often present difficulties in interpretation. For example, literally translating the Chinese phrase 'I'm going to beat you to death' could definitely influence a defendant's case and possibly lead to a charge of 'lethal threat' when a more culturally literate interpretation of the phrase would produce a better English equivalent like 'I'm going to beat the living daylights out of you' -

provoking an entirely different reaction from those listening. In Dr. Shapiro's experience, Chinese have a different attitude towards the legal system: they tend to resolve disputes themselves through direct negotiation according to their underlying Confucian ethics rather than going to court, because in a Chinese court the judge may well penalize all parties involved for causing problems. WITS Vice President Steve Muzik, who works in Spanish, commented that in his experience Hispanics often avoid trial, and poor people run away from any legal entanglement. Cultural and economic situations can definitely be a source of bias.

Those unfortunate cases we all encounter which really should not end up in court were mentioned, such as a street vendor who when questioned by police about his license, did not understand and ended up being arrested. Another example Dr. Shapiro gave us was of someone practicing parallel parking in the Pentagon parking lot who was arrested for suspicious activities. Chinese understanding of the law is based on a principle of harm. She cited cases of arranged marriages between Americans and Chinese when American law determined there was an illegal 'fake fiancé' situation, but from a Chinese point of view, since no one was actually harmed, why was this action against the law?

In Chinese culture, 'law' and 'morality' are not necessarily the same. For example, a Chinese person may not understand why they should stop at a traffic light at midnight, if no one is around. The Chi-

nese concept of 'saving face' leads some into the American courtroom if one is accused and cannot understand what one did that was wrong, minor cases end up in trial so the accused can defend their honor instead of perhaps simply admitting their guilt and paying an appropriate fine.

In Chinese culture, the level of trust in relationships, leading to an unquestioned willingness to do favors for a friend who asks, can get people into trouble in the American system. Chinese people will lend money based on the relationship, without asking what the money is for. In Taiwan, it is normal to give politicians cash. Attorneys sometimes run into difficulties when they try to play the 'culture card' without full comprehension. 'Cultural difference' is no excuse for an illegal action in the U.S. just as 'ignorance is no excuse.' Attorneys sometimes fight to pack a jury with other Asians if the defendant is Asian, but this shows their own cultural stereotyping and lack of cultural understanding. Jurors cannot be excluded on the basis of race; neither should attorneys attempt to include people on that basis.

Sometimes lawyers seem to prefer a non-native interpreter, because it avoids any appearance of the interpreter being in collusion with the defendant. The defendant may feel that an 'American' interpreter will be more familiar with the legal system here and therefore of more help to them. Problems can also arise when the defendant thinks they speak enough English to rely on the interpreter only for 'backup,' a situ-

ation most of us are probably familiar with. Dr. Shapiro gave an example of this: instead of answering the question "Did you see him?" with "I ran into him," which was what he intended to say, the defendant replied "I had a run-in with him last week." This gave an entirely different impression and sent the conversation off on a different tack. If we interpreters are being used as 'backup' in less formal situations, we must be very alert to jump in and correct this type of misunderstanding before things get off track.

A cultural difference which often shows up in cases involving Chinese defendants is when a Chinese defendant 'begs' the judge for clemency, as is common in China. Dr. Shapiro was asked her impression of whether Chinese feel they are treated fairly in American courts. She says she believes many do not feel they are fairly treated, and that many more are involved in the legal system now than before 9/11. She has heard many Chinese express their sadness and disappointment that the U.S. is not the 'land of the free' as they believed, and their anger at the current lack of legal due process. An important part of our job is to 'level the playing field' and help ensure all are dealt with fairly.

Ann Macfarlane cited the case of a fifteen-year old Guatemalan woman accused of infanticide, who spoke only her indigenous language but was afforded only a Spanish speaking interpreter. This prompted the National Association of Judiciary Interpreters and Translators to write to the judge in protest. Normandie Nunez, who was visiting us and is in

charge of finding interpreters for other than Spanish languages for the Oregon Judicial Department, raised the case of a woman from Oaxaca who went to a hospital without her baby after giving birth. She ended up in jail for fifteen months until the need to bring in a native interpreter in her language was proved in court.

Several high school students who are interested in becoming professional interpreters joined our meeting. One young attendee not familiar with our profession commented that she had heard lots of information on what we are "supposed to do and not do" and asked on what code this is based. The State of Washington has an 'Interpreters Code of Ethics' for court interpreters. All judicial interpreters in Washington should comply with this code. We also have the NAJIT 'Code of Ethics and Professional Responsibilities' to rely on.

In conclusion, Ann Macfarlane noted that it might not always be possible to completely fulfill our professional goals, but that we must keep moving towards them to become better interpreters individually, and to strengthen our profession.

Maiyim Baron specializes in high-level and technical Japanese interpretation, and through her partners in her company Baron-Charms International Services, has offered translation and other Japan-focused communications services since 1990. She can be reached through www.JapaneseInterpreter.com or by telephone at 206-523-1324.

Lively Morning Discussion Starts off International Translation Day Event

By Michelle LeSourd

(This article is being printed with permission in both this publication and in the WITS newsletter in honor of our combined event.)

The Chinese SIG welcomed Judith Shapiro, Ph.D. to a morning roundtable prior to the main International Translation Day event on October 4. Chinese SIG and WITS member Ginger Wang had read Judy's article, "Mandarin in the Legal Arena" in *Proteus*, and invited her to come to Seattle. Judy told the Chinese SIG that she was happy to accept, because it was her first opportunity to speak on the subject of Chinese↔English interpretation.

Ten participants originating from Taiwan, Hong Kong, Mainland China, and the U.S. shared a lively morning discussion, which warmed an otherwise chilly and foggy day. Topics ranged from the practical, such as sharing dictionary and glossary resources, to the less tangible, but very real ethical issues faced by an interpreter day to day. Judy Shapiro zeroed in on her experience with immigration cases in the federal courts, noting the increased difficulties of the post 9-11 political climate. Her stories about language and cultural confusion brought nods of understanding. Even a name can be

daunting, since Chinese names are listed surname first. In one example, the authorities in a jail brought all of its Chinese detainees into the courtroom to identify one for a court proceeding, seemingly uncomfortable asking for him by name themselves. When the group was asked, "Which one of you is Mr. Tang?" one man raised his hand and said "That's me." Some in the courtroom apparently came to the conclusion that he was saying "I'm guilty" (we didn't hear the end of the story, but assume that, as the interpreter, Judy clarified matters).

Judy Shapiro's visit was an excellent second event for the Chinese SIG. All are welcome to future Chinese SIG activities. For information contact Michelle LeSourd at michelle@c2etranslation.com or (206) 764-8909.

NOTIS News Editorial Calendar

Issue	Submission Deadline
February / Winter 2004	January 15, 2004
May / Spring 2004	April 15, 2004
August / Summer 2004	July 15, 2004
November / Autumn 2004	October 15, 2004

Submission Guidelines

- Articles are due by the 15th of the month prior to publication (i.e., January 15th for February / Winter publication).
- Articles should not exceed 2,500 words.
- All articles must be published in English.
- Articles may include a brief biography (6 sentences maximum) along with a digital photo of yourself if you wish. Please do not send photos via US mail without express permission.
- Please submit all articles electronically via email attachment to: sarah.garriott@aolti.com
- Text should be formatted for MS Word.
- All articles become the property of NOTIS News once they are submitted and are subject to editing for grammar, style, punctuation and space limitations.

A proof will be sent to you for review prior to publishing only if you so request.

Calendar

Date	Event	Details	Time & Place
November 22, 2003 1:00 - 4:00 PM	NOTIS Annual Meeting and ATA Recap	For information: Call: +1(206)382-5642 e-mail: info@notisnet.org	Bellevue Community College North Campus Room 268 (North Wing)
Wednesday, December 3, 2003 6:30 PM	NOTIS Board Meeting (All members welcome)	Please RSVP to: info@notisnet.org to confirm location (Bothell) and attendance	
December 3-7, 2003	Choices & Difference in Translation	www.cc.uoa.gr/english/C&D/ C&D1.htm	University of Athens, Athens, Greece
May 21-23, 2004	NAJIT's 25 th Annual Meeting and Educational Conference	www.najit.org	Denver, Colorado, USA

For other national and international T&I events, please see the NOTIS website at: www.notisnet.org.

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