

(Re)producing habits in international negotiations: a study on the translation of collocations

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Abstract The paper aims to contribute data to the subservient habitus hypothesis explored in Interpreting and Translation Studies, where interpreters and translators are said to be especially sensitive and keen to reproduce social and textual norms, usually dictated by other agents in the field. After exploring the use of this hypothesis in the field, the case study is preceded by a brief account of special features of translation in international organizations and the key elements of the use of legal translation at the World Trade Organization (WTO). The selection of the corpus of study and the target-oriented approach are justified before briefly comparing the traditions in the study of phraseology in English and Spanish. A method drawing from both traditions is explained and then applied to two subcorpora of legal texts in order to establish patterns that can help us see how subservient or subversive translators' behavior can be.

Keywords subservient habitus hypothesis, translational norms, legal translation, international organizations, collocations

1 Introduction

One of the most widely tested hypotheses in Interpreting and Translation Studies (TS) is that translators are “creatures of habit” (Kenny 1998). They have a special relationship to norms and conventions, as they are usually (albeit unknowingly) committed supporters of standards and patterns, sometimes seen as overtly conformist and submissive (Wolf 2007) and reluctant to take risks (Pym 2008). Studies on translators' *habiti* have focused on developing the concept and testing its applicability to translators in different systems (Simeoni 1995, Wolf 1999, Gouanvic 2002, Inghilleri 2003, Sela-Sheffy 2005, Meylaerts 2010). Definitions have closely followed Bourdieu's theory of social practice, which is especially significant in TS for both the sociologist's own interest in translation (Bourdieu 2002) and his reception in the field. Part of his ontological system has been pervasive in the discipline for the last decades. The explanatory powers of the notions, even outside of Bourdieu's conceptual complex, seem to withstand the test of time.

Within the field of TS, however, not all areas have shared the same keen interest to test the subservient habitus hypothesis bequeathed to the discipline (Simeoni 1998), or even Bourdieu's theoretical framework. Legal interpreting and translation (LIT), for instance, has been relatively impervious to Bourdieu's work (exceptions including Vidal Claramonte 2005, Monzó Nebot 2005, Valero Garcés/Gauthier 2010). The protracted debate on core notions such as loyalty or neutrality supports a tacit or explicit agreement on not only LIT but also LIT studies being aligned with a functionalist theory of translation (Garzone 2000, Prieto Ramos 2014). This approach endorses the introjection (cf. Bourdieu 1977: 26) of the norms found in the target group and a resulting subservience to the client and their needs, as perceived by or instructed to translators. At the edge of translation, the power to define LIT is claimed *de facto* by Law Studies, whose quest for the knowledge of the source legal system and language stresses both source-orientedness and an equivalence paradigm (cf. Condon 2010), where es-

sentialist views are impinged upon practitioners. Also in TS, the equivalence paradigm calls for the study of the legal systems and individualized discussions of equivalences (cf. Šarčević 2000). Both positions represent and reproduce a prescriptive approach to LIT.

Changes in society and LIT scope cast doubts on the dominant views and solutions as heterodox practices call for our attention (cf. Villeneuve 2001, Fiola 2004, Inghilleri 2010, Mingxing 2012, Guo 2014). A new wave of critical studies (cf. Vidal Claramonte/Martín Ruano 2003) have been focusing on the insights from real practice that shake up the status-quo bias in scholarly work. The more we know from different traditions across languages, cultures, and time, the more undeniable the diversity of coexisting definitions of LIT and its core notions becomes. A new zeitgeist is advancing ethnographic studies (Valdés et al. 2000, Inghilleri 2003, Koskinen 2008, Gallez/Maryns 2014), which present human experience as fragmented and provide specific cases and systematically taken data for a context-dependent discussion. “The turn to ethnography promises greater attention to agency and a focus on non-discursive practices and the potential of resistance to discourses otherwise seen as totalizing and reductionist to individual freedom.” (Lie 2013: 202)

Studies focus on human groups, whose norms (cf. Toury 1978) are then related and compared to other results, aiming at constructing a LIT theory that can fit an ever-changing reality. LIT is thus viewed as “the other types of translational activities”; that is, “a norm-governed human and social behavior” (Cao 2013: 422). Norms replaced the notion of equivalence in Descriptive Translation Studies (DTS) to refer to regularities in translational behavior. They determine the position of a translation or system of translations between adequacy (that is source-orientedness) and acceptability (target-orientedness) and they act as “the mediating factor between the system of potential equivalence relationships and the actual performance” (Toury 1981: 24). “Norms imply that there is a course of action which is more or less strongly preferred because it is accepted as proper or correct or appropriate.” (Hermans 2012: 4263)

Šarčević (1997) reviewed what norms have been dictated to and reproduced by legal translators through history, arguing that “legal translation remained under the grip of tradition much longer than other areas of translation” (Šarčević 1997: 23). Equal language rights movements in multilingual and multiethnic societies changed the norms by stressing the citizens’ rights to access legal texts which are not distorted by linguistic or stylistic obligingness to dominant law-making languages (cf. Šarčević 1997 on the Rossel-Cesana controversy). The extent to which adequacy or acceptability is incorporated in translators’ *habiti* and reproduced through their social and textual behavior remains an open question for descriptive studies in LIT.

By taking a descriptive microperspective, this study will approach the habitus of translators working in international organizations to contribute some data to the debate on how neutral, subservient, participatory, and subversive translators’ habitus is. Of course, habitus is not to be understood in exclusively textual terms, and therefore this can only be added to other contributions in the field as a step towards deciphering the complexities and dynamics of LIT.

2 What is so special about international organizations?

The Paris Peace Conference (1919) marked a major milestone in the international political arena. Interstate negotiations changed scenario and moved from diplomats’ bureaus to a public agora where discussions were relatively open. The resulting League of Nations (1920) set

the tone of an unprecedented institutional development. Liaison interpreting had been the mode *par excellence* in overcoming interlingual and intercultural differences between diplomats. Thereafter, translation would assume a crucial everyday role to make intense worldwide political cooperation possible. Translation policies and norms have been established through an intensive translation activity and thanks to technological developments and international resources, they have reached beyond institutional limits. Translators all over the world look for help in institutional multilingual glossaries and databases. Despite their easy access, these solutions are tailored to the specific needs and working procedures of the organizations that created them in the first place and they are heavily influenced by two special features that are particularly relevant for TS: “foundational multilingualism” and “multilingual drafting”.

2.1 Foundational multilingualism and multilingual drafting in international organizations

Foundational multilingualism, as the linguistic policy agreed on at the inception of an international organization, acts as recognition of the political value of the parties to the institution or the original founding parties. The first session of the UN General Assembly established Chinese, English, French, Russian, and Spanish as the official languages of the UN (UN General Assembly 1946), to which Arabic was added in 1973 (UN General Assembly 1980). The European Union is an extraordinary case, as each and every one of the members choose one language upon accession that will be from then on considered “official”, now amounting to 24. That does not mean, however, that the daily work at the secretariats or even discussions are conducted in all languages, as English is nowadays as dominant as French used to be at the time of the Paris Conference (cf. Baigorri Jalón 1999). The UN system relies mostly on English, French, and Spanish as working languages, and English is sometimes referred to as the only working language in the EU (Ammon 2006). Special attention must be paid to the Organisation of African Unity, whose Charter is worded in very ambiguous terms, whereby English and French texts have to be made available, whereas African languages are official and yet should be used only “if possible” (OAU 1963: art. 24 and 9). The subsequent incorporation of Arabic, together with Portuguese, gave some meaning to the provision, although no other African language has been used as an official or working language (Ajulo 1985).

The practical result of foundational multilingualism is that documents are produced in the (non-ambiguous) official languages at (more or less) the same time. Following the Vienna Convention on the Law of Treaties (UN 1969), translations in the official languages are called “texts” and any other translation is called a “version” (ILC 1966: 874th meeting, § 7, and 93rd meeting, § 41). All texts embody one single treaty (ILC 1966: 874th meeting, § 10) and the responsibility to reconcile eventual differences between texts lies on the interpreter of the treaty (UN 1969: art. 33.4) as their meaning is presumed to be the same (UN 1969: art. 33.3).

That rule has resulted in two disciplinary views clashing and jostling in the LIT field claiming the right to define what a legal translation is. From a legal perspective we must suspend our disbelief and accept that all texts are the result of the discussions and drafting efforts of State representatives, even though the *travaux préparatoires* are public and do acknowledge the existence of translations. Lawyers can therefore claim exclusive jurisdiction over any interpretation of those texts, linguistic, textual, and otherwise. Applying a translational doxa, however, we can use session proceedings and other available sources to determine which texts were authored by State representatives and which texts were entrusted to translators, albeit later discussed and possibly amended in the room. TS can thus claim its jurisdiction over the

study of norms, either linguistic or otherwise, and of translation as a means to canonize a text within the international legal system (cf. Berman 1988, Venuti 1992: 7).

Multilingual drafting, on the other hand, stresses the fact that documents in international organizations are collective endeavors. Drafters rarely share one language and, with or without interpreters and translators, discussions and related work are held and conducted in different languages using terms from different legal traditions. Both “multilingual drafting” and “co-drafting” are used although not always interchangeably. Jurilinguists suggested co-drafting as the ideal formula to coordinate two different legal traditions in bilingual legislation (cf. Covacs 1979, Fernbach 1995). The solution was to have a team of lawyers and jurilinguists work together and, when possible legal mismatches were identified, to gloss all versions (texts) so that correspondence was ensured and cultural differences were bridged. Co-drafting was implemented at the national level (Levert 1999, Gémar distinguishes co-drafting from any translational practice, e.g. 2013) but was rare in international negotiations (Shelton 1997 reports one such case). The most widespread use, however, refers to texts being drafted in one language, then translated, and then submitted for discussion or approval in the different languages simultaneously (cf. Koskinen 2000, Cao 2007, Biel 2014).

2.2 The making of norms

In this most common formula lawyers and translators work at different desks. Documents are sometimes discussed using different languages (proceedings of the International Law Commission attest to this practice), drafted in one (generally English, or Englishes), and transferred to translation sections whilst still being negotiated. Translators discuss solutions in (multi-disciplinary) teams, establish prescriptive equivalences (circulated through memos and glossaries), and point out incongruences or comprehension problems in original versions when working on or upon submitting translations. Amendments are suggested for, and introduced in, any and all linguistic versions at the same time. In this process formulations are negotiated across languages and dialects, among translators but also delegates, counselors, and technical staff. The resulting texts are the product of complex, long, and detailed negotiations, and have an impact on the institutional future, and language. As representatives of different (legal) languages, cultures, and dialects, each negotiating party has contributed its share to a specific jargon which builds a common ground for translators from different Member States.

Approved documents are then processed and used as reference for future texts. International organizations provide computerized systems so that both drafters and translators have easy access to their documents in all official languages, thereby ensuring consistency across languages when quoting foundational agreements, referring to previous documentation, or contesting specific clauses. Organizations also have (official and informal) terminological databases that provide term equivalences in the official languages. These tools are especially convenient for the work of translators (and revisers) but they underscore the importance of negotiation and agreement: once a linguistic version has been agreed upon, changes would violate the expressed will of members.

2.3 Tools for consistency

Consistency across linguistic versions of institutional documents is crucial (cf. Condon 2012). Citizens may call upon any linguistic version of a given document, which of course should

provide the same rights and obligations whichever the language (cf. Aceves 1996), and delegates may be able to renegotiate covenants if inconsistencies or “mistranslations” are alleged. Consistency is not only applied across languages but also across texts within one same language. Reusing previous translations and formulae is not only a question of economy but also a requisite to respect the highly negotiated nature of organizational language. To ensure both drafters and translators/revisers have access to previously negotiated and approved versions, human and technological resources are established.

Before delivering a document to the translation service, most organizations provide a reference service where the secretariat’s staff mark the parts of the document that have been taken up from existing official documentation. Translators are then given the texts and the translation support service (be it a department under this or any other name, or assigned personnel from other sections) offers and maintains a documentation system consisting of translation memories, terminological databases, and parallel corpora. Some organizations also provide basic style guidelines and specific instructions for particular genres or for documents sent by specific committees. Translators may or may not use these tools, but beyond ensuring consistency they will no doubt help them reach the minimum productivity rate for their job assessments. Revisers will then be assigned the translated document. These are professionals who have typically been working for the institution for a considerable time and their mission is to ensure consistency with the institutional norms in which they have been socialized. They are also available for questions and discussions with novice translators and sometimes they hold law-related seminars and practice-based workshops where different solutions for specific problems are discussed in detail.

Several of these tools and resources have been described and explored elsewhere.¹ The intention here is to establish the simultaneity and comprehensiveness of both human and technological measures aimed at preserving the institutional norms. Under these circumstances, can some self-determination escape control? Does innovation have a place in the institutional machine? Beyond explicit rules and equivalences enshrined in databases, do translators abide by common patterns? Parallel corpora allow both for translators and researchers to access previous decisions of any linguistic realizations. Will translators albeit implicitly recognize phraseological units and formulaic language as part of the textual and organizational consistency when drafting new texts? Do they take risks and introduce changes in the organizational culture or do they take a subservient role to norms seeking the revisers’ and the institutions’ approval?

To attempt to answer these questions, the collocations used in one of these organizations, the World Trade Organization (WTO), will be analyzed. The research will focus on the Spanish versions of texts as these are usually authored by translators and not by delegates or other professional and technical staff (cf. Condon 2010).

3 Brief notes on the World Trade Organization

This section will summarize the key data on the World Trade Organization (WTO) that will be used for corpus selection.² The WTO was founded in 1995 after the successful Uruguay round

¹ For an overview of the use of corpora in international organizations cf. Monzó Nebot 2011. The tools used at the WTO have been described in Pasteur 2013.

² Cf. Narlikar (2005) for an overview and Prieto Ramos (2013) for an account of the translation work conducted at the WTO.

of negotiations that became an international agreement to establish rules and policies for international trade and an international organization to pursue and continue cooperation. The WTO provides a forum for trade negotiations and ensures agreements are honored through training, policy reviews, and dispute settlement. Multilateral agreements reached on its three major areas of interest (trade in goods, trade in services, and intellectual property) are administered and supervised through councils, specialized committees, working groups, and working parties. The fundamental agreements are together referred to as the Final Act of the 1986–1994 Uruguay Round, although they have been entered into at different times. The daily work at the Secretariat (Geneva, Switzerland) is conducted in English, French, and Spanish. Topics cover a wide range of specialisms, but given the organization's legislative and adjudication functions, law-related work and LIT hold a prominent position, especially considering the "ever-expanding body of dispute settlement reports" (Cook 2012: 49). This poses structural and procedural demands.

The Dispute Settlement Body (DSB) operates under the Dispute Settlement Understanding (DSU) through dispute Panels and an Appellate Body. Countries seek the DSB's mediation when they believe agreements have been violated. The resulting processes generate an enormous volume of documents, including lengthy reports that are usually "carefully crafted" (Jackson 2000: 196) in English, and conscientiously translated into French and Spanish.

4 Questions of method

4.1 *The target-text oriented approach in the reconstruction of norms*

This contribution focuses on reconstructing translators' textual behavior by describing translational norms. There is no evaluative intention as any feature required to establish equivalence between linguistic versions is not considered "a postulated requirement, but an empirical fact" (Toury 1981: 13). The texts included in the corpus are part of the international legal system and are considered utterances of the target system (cf. Toury 1981: 11), that is, international legal texts uttered in Spanish. They are not considered derivative material (cf. Baker 2000) and, although relations to other texts in the system are assumed, these will not be the focus of this discussion.

The purpose is to establish how the existence of prescriptive norms in the system, in the form of utterances dictated by the institution and its different agents (revisers or senior translators through institutional glossaries), may have a standardizing effect on other utterances that are open to variability (specifically collocations).

4.2 *Researching collocations*

Sinclair's argument that the phrase is the "primary carrier of meaning" (2008: 409) has placed the study of phrase at the center of linguistic studies. Frequently occurring contiguous and non-contiguous combinations of two or more words that express a certain meaning, under different names ("lexical phrases", "extended lexical units", "extended collocations", "n-grams" or "lexical bundles"), are attracting growing attention from language and translation scholars. Methods have been developed to identify most common phrases to test hypotheses of register and genre variation, to characterize genres, to improve second language acquisition, or to develop computer-assisted translation tools (cf. Stubbs 2002, Biber 2006, Conklin/Schmitt 2007,

Ellis et al. 2008, Römer 2010, Goźdź-Roszkowski 2011, Grabowski 2013, Buendía Castro/Faber 2014).

To cater to a different aim, the method will require some adjustments. Although the statistical approach is by far the most common in English studies, research on Spanish collocations tends to stress the semantic approach (Aguilar Amat 1993, Corpas Pastor 1996, Larreta Zulategui 2002, Zuluaga 2002, Sánchez Rufat 2010). In this paper, the aim is to discover to what extent Spanish legal translators at the WTO reproduce collocations not included in organizational glossaries (which would therefore be prescriptive). Although frequencies are a determining factor when trying to find an answer, a semantic target-oriented approach will allow us to locate the room for innovation and to discuss where variances are present.

Collocations will be extracted from the Spanish translation of panel reports derived from the (lack of) compliance with the Agreement on Subsidies and Countervailing Measures (C1, 12,014,055 words), an area taken to reduce topic variability. These reports were originally drafted in English by independent experts and lawyers from the WTO Secretariat. The texts were then translated and revised in Spanish by professional staff working at the Secretariat. Collocations in this Spanish corpus will be extracted and then those included in institutional glossaries³ will be discarded. The remaining bundles will be compared with those found in a corpus comprising the foundational agreements of the WTO (C2, 903,502 words), which are taken as the source of textual normality, beyond prescriptive equivalences dictated by glossaries.

Keywords from C1 were automatically extracted with AntConc (Anthony 2014) applying log-likelihood calculations in both subcorpora and using the CREA corpus (RAE 2005) as a reference corpus.⁴ For each keyword, extended collocations (3 to 5 word combinations) were extracted. Not being necessarily idiomatic, extended collocations allow for increased variability and were therefore best suited for our purposes. The five most frequent collocations for each keyword were then selected and classified. This classification aimed at distinguishing cases where translators may actually have different options from which to choose. The following categories follow Alonso's proposal (1994, 2001):

- a) Terminological. Collocates whose combination produces a new meaning which cannot be derived from any of the elements (*grupo especial*, Spanish for 'panel', literally 'special group'; or *estados unidos*, 'united states').
- b) Unique. Collocates that do not occur except in combination with the core element (*palabra esdrújula*, *proparoxytone*).
- c) Semantic. Collocates sharing a semantic field with the core element (such as *párrafo X del artículo Y*, literally 'paragraph X in section Y').
- d) Auxiliary. Collocates whose meaning is altered in the combination (*tomar una decisión*, 'take a decision') although implying no changes in meaning for the lexical core and which can collocate with other lexical elements.
- e) Elective. Collocates with an arbitrary relationship with the lexical core (such as *el mencionado artículo* or *dicho artículo*, 'aforementioned article'), where the core element does

³ Glossaries include the English term and equivalences in Spanish and French. They are generally presented as word lists although some have been introduced in a MultiTerm file. The lists include a total of 35,000 entries, including terms and common expressions in the institutional jargon.

⁴ In order of frequency: *artículo*, *párrafo*, *unidos*, *acuerdo*, *grupo*, *especial*, *comunidades*, *medidas*, *Canadá*, *subvenciones*, *Europeas*, *informe*, *derechos*, *más*, *partes*, *China*, *productos*, *órgano*, *CE*, *Brasil*, *respecto*, *mercado*, *medida*, *precios*, *primera*, *subvención*, *prueba*, *parte*, *producción*, *sentido*.

not undergo any change in meaning and alternatives exist whose collocation produces a synonym expression.

This classification was meant to distinguish between collocations where translators had a real choice (d and e) from those where choices were determined by the linguistic system (b), highly dependent on the topic and content, or even determined by glossaries provided by the organization (a and c).

Among the most frequent there are no collocations whose relation to the core is unique. The highly specialized nature of these texts is confirmed by a strong presence of terminological relations between the elements forming the collocation (43.9 %). For the most part of these cases, translators cannot find alternatives in the legal register. However, a fifth (20.3 %) of these terminological units were considered as such only because they were included in institutional glossaries. For instance *establecimiento del grupo especial* is included as an equivalent for ‘establishment of the panel’, when *formación* or *creación* are also possible and frequent collocates for panels in the Spanish legal register (referring to ‘establishment’ and not to its ‘constitution’ at a later stage). In other cases, although alternatives exist, the preference is shared in other legal settings, as in *comunicación escrita* as the Spanish version of ‘written submission’ instead of the linguistically possible *comunicación por escrito*.

The number of collocates that were classified as elective are second to terminological combinations, representing 34.7 % of the total collocations under study. In these cases, at least one alternative is available but this is less used or most frequently disregarded. As an example the table shows units used in connection with *artículo* to express the meaning ‘under the article’, but preference is clearly given to *de conformidad con*.

Tab. 1: Collocates with the term artículo

Collocates	Occurrences in C1	Relative % ⁵
<i>de conformidad con el artículo</i>	2,876	44.5 %
<i>en virtud del –</i>	1,824	28.2 %
<i>con arreglo al –</i>	1,471	22.8 %
<i>según el –</i>	208	3.2 %
<i>de acuerdo con –</i>	83	1.3 %

The preference in the CREA corpus (subcorpora ‘justice and legislation’ and ‘law’) is given to *de acuerdo con el artículo*, the least preferred alternative in C1. *De conformidad con el artículo* is third to *según el artículo*, and *con arreglo al artículo* is last after *en virtud del artículo*. Although the collocation of *de acuerdo con* with *acuerdo* (‘agreement’) simply does not work in Spanish, no parallelism can be found in the rest of the cases either. It is also noteworthy the preference in C1 for complex prepositions (all but *según*).

Less frequent were collocations showing a semantic relation between their constituent elements (13.3 %). In these cases the semantic fields concerned are trade, adjudication, and textual production, thereby attesting to the importance of the textual culture in international organizations. This is the case with *párrafo X del artículo Y* or *frase del párrafo*, among the five most frequent collocations of *párrafo*. The latter (literally, ‘sentence in section’) could also

⁵ In C2 *artículo* is used 212,129 times. This percentage takes into account only the occurrences of *artículo* with one of the collocates listed (6,462).

be considered as an elective combination, since alternatives include *oración del párrafo*, as strict synonym, but also *lo expresado en el párrafo* or *la formulación del párrafo* in the sense of ‘wording’.

Tab. 2: Collocates with the term párrafo

Alternatives	Occurrences in C1	Relative % ⁶
<i>frase del párrafo</i>	3,947	78.1 %
<i>oración del –</i>	1,054	20.8 %
<i>lo dicho en el –</i>	13	0.3 %
<i>lo expuesto en el –</i>	10	0.2 %
<i>lo indicado en el –</i>	9	0.2 %
<i>lo enunciado en el –</i>	9	0.2 %
<i>lo señalado en el –</i>	6	0.1 %
<i>la formulación del –</i>	4	0.1 %
<i>lo expresado en el –</i>	1	0.0 %
<i>lo afirmado en el –</i>	1	0.0 %
<i>lo aseverado en el –</i>	1	0.0 %
<i>lo consignado en el –</i>	1	0.0 %
<i>lo sugerido en el –</i>	1	0.0 %

Relatively few auxiliary collocations were found (8.2 %). In this case alternative options were always available, and they were sometimes even registered in notes to the relevant entries in institutional glossaries. One of the examples is *objeto de apelación* (‘appealed’). The entry is not registered in institutional glossaries, but *objeto de* is indeed included under other headings. For instance, under the entry ‘matter in dispute’, *asunto en litigio* is given together with *asunto objeto de litigio*, where *objeto* is an auxiliary collocate. The lesser number of auxiliaries actually improves readability, as non-lexical alternatives reduce discourse density.

At this point, only bundles where alternative collocates had been identified were selected for the next phase of the analysis. The purpose was to determine whether agreements (C2) were taken as normative sources even when flexibility was possible, and, if so, how strictly or loosely the norm set by those texts was reproduced. The aim is to determine whether translators (or revisers) use their discretion to introduce variability or if they rather adhere to trends as if they were norms.

5 From elective to normative?

Collocations with a terminological relation to the lexical core were not taken into account for this part of the analysis, as choices are clearly restricted. Among clusters with a semantic relation between their constituent elements, few bundles were selected, as most were found in institutional glossaries or admitted no variation while preserving meaning. Those selected referred mostly to textual elements. Both *párrafo* (‘paragraph’) and *artículo* (‘article’ or ‘sec-

⁶ In C2 *párrafo* is used 219,593 times. Percentages show the relative presence of the different collocates listed (out of a total of 5,057 occurrences). Only those carrying the meaning of ‘wording’ were taken into account.

tion’) appear in the keyword lists for C2 and C1, and were also found in the most frequent combinations for other keywords. The use of *artículo* was found to have no alternative (*el artículo 1*). *Párrafo*, however, was used as a synonym for *apartado* in C1, whereas the latter was exclusively used in the sense of ‘subparagraph’ in C2. Thus C1 departs from the norm in occurrences such as *el párrafo b* or *el párrafo 1b*, where *el apartado b* or *el apartado 1b* would be consistently used in C2.

Other clusters were more open to variations, such as those including *disposiciones*, which collocates with *artículo* and *acuerdo* (‘agreement’). When taking the legal register as a whole, alternatives in Spanish include *estipulaciones* (0 occurrences in combination with *acuerdo* in both C2 and C1), *preceptos* (2 occurrences in C2 in this combination and 0 in C1), *el contenido* (not used in this combination, although co-occurring in both subcorpora), *lo preceptuado* (0 occurrences in this combination in C2 and 1 in C1), *lo dispuesto* (21 occurrences in C2 and 131 in C1 for this combination), and *lo previsto* (2 in C2 and 22 in C1). The tendency is clear, and the preferences established in C2 are reproduced in C1. Both corpora show an overwhelming preference for *disposiciones* (547 occurrences in this combination in C2 and 2,024 occurrences in C1).

When considering *disposiciones* in combination with *artículo* (*disposiciones del artículo*) both corpora share the most frequent alternative and options found in C1 are all present in C2. Variety is slightly reduced in C1, as one of the alternatives present in C2 cannot be found in C1.

Tab. 3: Collocates with the term *disposiciones* and their different frequencies (C1 and C2)

Alternatives	Frequency C1	%	Frequency C2	%
<i>disposiciones del artículo</i>	483	63.0 %	185	59.5 %
<i>lo dispuesto en el –</i>	238	31.0 %	76	24.4 %
<i>lo establecido en el –</i>	32	4.2 %	23	7.4 %
<i>lo previsto en el –</i>	12	1.6 %	24	7.7 %
<i>el contenido del –</i>	2	0.3 %	1	0.3 %
<i>lo preceptuado en el –</i>	0	0.0 %	2	0.6 %
<i>estipulaciones del –</i>	0	0.0 %	0	0.0 %
<i>preceptos del –</i>	0	0.0 %	0	0.0 %

The trend is reversed in one case, *la frase del párrafo*, where C1 incorporates new alternatives that cannot be found in the agreements.

Tab. 4: Frequencies for “frase del párrafo” and elective alternatives in C1 and C2

Alternatives	C1	C2
<i>frase del párrafo</i>	3,947	191
<i>oración del –</i>	1,054	19
<i>lo dicho en el –</i>	13	0
<i>lo expuesto en el –</i>	10	0
<i>lo indicado en el –</i>	9	0
<i>lo enunciado en el –</i>	9	0
<i>lo señalado en el –</i>	6	0
<i>la formulación del –</i>	4	1
<i>lo expresado en el –</i>	1	1
<i>lo afirmado en el –</i>	1	0
<i>lo aseverado en el –</i>	1	0
<i>lo consignado en el –</i>	1	0
<i>lo sugerido en el –</i>	1	0

Another semantic combination would be *texto* (‘text’) in the frame *el texto del artículo* (‘the text of the article’). Alternatives include *términos* (‘terms’) or phrases such as *lo expresado* or *lo formulado* (‘what was expressed’), which occur in both C2 and C1, but also *lo mencionado*, *lo referido*, *lo indicado* or *lo señalado*, which do not appear in either corpora in combination with *artículo* (albeit some co-occur). Nevertheless, when compared with a reference corpus (RAE 2005), *lo señalado* is the most frequent option in the register ‘Law’ and ‘Justice, Legislation.’

This same degree of homogeneity was found in auxiliary combinations, such as *medida adoptada* (‘action agreed on’ or ‘approved measure’). Alternatives include *medida tomada*, *aprobada*, *convenida*, *dispuesta*, *establecida*, *concertada*, *convenida*. None of these alternatives occur in C2, and of the eight suggested three can also be found in C1, although the preference for *adoptada* is clear (316 occurrences vs. 53 for *tomada*, 29 for *establecida* and 1 for *aprobada*). When comparing these choices with results from the reference corpus (within the aforementioned register), *adoptada* is also preferred (69 occurrences), although the distance to the second option, *tomada*, is not significant (the latter is used 29 times), and *dispuesta*, *aprobada* and *acordada* are also present (7, 6 and 5 occurrences respectively). A look at documents from other international organizations, specifically the UN, shows how *aprobada* is the most frequent option among the given alternatives, thereby confirming the bearing of the organizational language (not only field-specific register) on translations.

Also auxiliary is the relation between different core elements and *presente* in *el presente caso* (literally, ‘this present case’) or *el presente informe/acuerdo* (‘this present report/agreement’). The alternative considered in these cases was *este* (‘this’), and the trend is consistent, as both C2 and C1 prefer *el presente* in combination with the name of the genre (report or agreement) but *este* in other clusters (*asunto*, *procedimiento*, *análisis*, *grupo*, *escrito*).

When considering elective combinations, which allow for the most flexibility, the preferences shown by C1 are parallel to those found in C2. This is the case for *de conformidad con el párrafo #* (‘under paragraph #’).

Tab. 5: Collocates with the term *párrafo* and their different frequencies (C1 and C2)

Alternatives	Frequency C1	%	Frequency C2	%
<i>de conformidad con el párrafo</i>	2,018	37.0 %	365	51.2 %
<i>en virtud del –</i>	1,524	27.9 %	168	23.6 %
<i>con arreglo al –</i>	1,100	20.2 %	132	18.5 %
<i>al amparo del –</i>	695	12.7 %	39	5.5 %
<i>según el –</i>	89	1.6 %	7	1.0 %
<i>de acuerdo con el –</i>	29	0.5 %	2	0.3 %

Another interesting elective combination is *con respecto al párrafo*. Alternatives include *con respecto del párrafo*, *respecto al párrafo*, and *respecto del párrafo*. According to the *Diccionario panhispánico de dudas* (RAE 2005), the forms are synonym and currently the most common would be *respecto a*. However, C1 strongly reflects the preferences shown in C2.

Tab. 6: Different frequencies of collocates with *respecto* in the sense ‘related to’

Alternatives	Frequency C1	%	Frequency C2	%
<i>con respecto a</i>	7,309	63.9 %	842	75.4 %
<i>respecto a</i>	484	4.2 %	30	2.7 %
<i>con respecto de</i>	4	0.0 %	3	0.3 %
<i>respecto de</i>	3,633	31.8 %	241	21.6 %

Overall results seem to suggest that C2 is indeed taken as a normative source even when there would be room for alternatives, as exemplified by collocates with elective relations between the constituent elements. To confirm this trend, however, the list of keywords and bundles should be considerably expanded to further identify new clusters where alternatives are actually an option and analyze their behavior in the corpora.

6 Creatures of habit?

As seen in section 2.1, the position of translation in international organizations is somewhat particular. Texts translated into official languages are granted original and thereby central status, as the (translated) texts in those languages are independently taken as sources of legal rules and usually cannot become such unless all linguistic versions are available. Does this canonized and canonizing status result in translations occupying a more central and influential position in the system? Or do they show a conservative approach and preserve and reproduce conventional forms? Even-Zohar (1990: 50) theorized that, when translation is a primary product in the target system, translators do not feel constrained to follow existing models and are more prepared to “violate the home conventions.” They are thus more prone to produce innovation through non-normal patterns. On the other hand, when translations are secondary, translators tend to use existing models, select linguistic options that are more common, and produce more ‘non-adequate’ and ‘acceptable’ translations. As a consequence there is a tendency towards a general standardization and loss of variation in style (Toury 1995: 268), as the translators accommodate to existing models. When this is the case, translation usually assumes a weak and peripheral position in the target system, and non-normal translations are assessed in negative terms.

Even though, theoretically, the texts in this analysis are to be seen as canonical, results suggest a process towards standardization where institutional norms established in authoritative texts (C2) are reproduced in other genres (in this case, reports), even though variations are not totally stifled. The patterns show institutional specificities that do not necessarily reproduce those found in the general language or in the legal register used in other settings so a primary nature vis-à-vis other Spanish legal languages can be hypothesized. However, institutional norms become models beyond terminology and conceptual rendering, as opportunities for variations do not seem to be seized, and translators resort to authoritative texts in the search for norms pertaining to the collocation of elements also in elective combinations. Hermans (1998: 53) suggests that when adopting norms translators do so “with a view to securing some form of benefit, whether personal or collective, material or symbolic”. It can be easily hypothesized that translators working for international organizations want their contracts to be extended by seeking revisers’ approval, but other motivations can be expected, especially from revisers working on a permanent basis.

What lies behind the strong parallelisms between the corpora analyzed remains uncovered. The suggestion that agreements are taken as a source of normativity even when no norms have been dictated can partially account for the results, but offers no satisfactory explanation as to the identity between possible and actual variations in both genres. Further parameters need to be taken into account. Among those, the extent to which the one-to-one equivalence paradigm is followed would need to incorporate the source texts and the study of shifts. Studying group preferences, the intersubjective development of nuances and complexities, and the pursuance of certainty and other possible material or symbolic benefits would need to include the participants in drafting and translating and comparisons with translation behavior in other organizations. How socialization and continuous revisions affect a translator’s willingness to innovate in cases where variation is possible, or how the necessity for homogeneity in terminological and discursive choices impacts their decisions regarding elective combinations are also open questions.

Norms are system-dependent, a sense made common for the members of a group, a *doxa* whose borders can be drawn with the descriptive and ethnographical approach towards which TS is steadily progressing. There is far more to this matter than meets the eye and it seems worthy approaching translators with no prescription as to what they should do, adopting instead Toury’s descriptive project. With an ethnographical stance, the translators’ definition of LIT can be reconstructed and its evolution in the workplace and its relation to norms prevailing in the organization can be examined. Translators have sufficiently proven to be complex creatures and how they introject, identify to, or integrate norms in the workplace still remains unclear. Hopefully not for too long.

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