

Literal or Free? A Study of Danish Translators' Strategies in Translating Spanish Judgments

Anja Krogsgaard Vesterager

Abstract This article reports on the findings of a qualitative study on Danish translators' strategies in their translations of an excerpt from a Spanish judgment. The aim of the study was to examine 1) whether Danish translators opted for a literal or free approach in their translation of a Spanish judgment, and 2) whether differences could be observed in relation to the participants' expertise in translation in terms of strategy on the one hand, and interference on the other hand. To fulfil the purpose, a corpus study involving translation from Spanish into Danish was performed. The data – a Spanish source text and ten translations into Danish by five experts and five non-experts – was analysed using contrastive text analysis. The results of the study showed that literal translation was the strategy used in most translations. However, although literal translation was the predominant strategy overall, the findings revealed that there were slight differences between experts and non-experts in the way they used the strategy of literal translation. In addition, the results showed that interference was slightly more prevalent in the translations produced by non-experts than in those produced by experts. This study contributes to academia by providing empirical evidence of translators' strategies – evidence which is much needed in the field of legal translation, where empirical research on this particular topic is scarce. Apart from its academic contribution, the present study may be useful in heightening professional and student translators' self-awareness and performance monitoring skills, both of which are preconditions for producing an idiomatic translation.

Keywords literal translation, free translation, literal translation automaton hypothesis, interference, translation strategies, legal translation, judgments

1 Introduction

How do we translate legal texts? Do we preserve the letter of the law (i. e. literal translation), do we let ourselves be guided by the spirit of the law (i. e. free translation), or do we choose something in between? For centuries, legal translation scholars have been battling with these questions, and the battle continues (examples of recent literature include Borja Albi 2007, Garzone 2000, Pommer 2008, and Šarčević 2000). The dichotomy of literal versus free translation is not restricted to legal translation, but has been widely discussed over the years by scholars of Translation Studies (Barbe 1996, Catford 1965, Munday 2008, and Nida 1964/2004, among many others). However, the issue has been particularly controversial in legal translation because it also raises legal questions.

Although the literal versus free discussion has traditionally attracted much scholarly attention in the field of legal translation, only very few empirical studies have been conducted on the topic; and as we shall see in the literature review in the following section, the studies which have been conducted typically focus on word level, examining legal terminology translation or translation universals (see section 2.3). The corpus study reported on in this article helps to fill this gap in the research by contributing empirical evidence of translators' strategies (the term

strategy being used in the sense of textual implementations of the translator's decision-making during target-text production, see section 3) to the much discussed dichotomy of literal versus free translation. More specifically, the study examines 1) whether Danish translators opt for a literal or free approach in their translation of judgments from Spanish into Danish through an empirical analysis of the participants' micro strategies (see section 2.1) at syntactic and lexical level, and 2) whether differences can be observed in the participants' performances in relation to their expertise in translation. This is done by analysing the differences in the participants' strategies on the one hand, and in the instances of interference and thus the idiomaticity of the translations on the other hand. For the purposes of this study, and following Franco Aixelá (2009: 75), interference is defined as structures and combinations of words which are unusual or non-existent in the target language, thus resulting in an unidiomatic translation. Conversely, an idiomatic translation uses structures and combinations of words which are natural to native speakers of the target language. In other words, an idiomatic translation is characterised by its lack of interference. Although the phenomenon of interference can be subjective in nature, most instances of interference are unmistakable, clearly marking the target text as a translation (Franco Aixelá 2009: 75).

The data – a Spanish source text and ten translations into Danish by five experts and five non-experts – is analysed using contrastive text analysis. The present article is based on a PhD thesis by Krogsgaard Vesterager (2011).

2 Current state of research

The paper draws on theory and empirical research from the fields of Translation Studies and legal translation, focusing more specifically on the topics of translation strategies, literal translation in relation to interference, and the literal versus free (or functionalist or not) discussion in legal translation. In the subsequent sections, each of these topics will be considered.

2.1 Translation strategies

In recent years, empirical research into translation strategies has increased significantly. However, the term *strategy* has been variously defined by translation scholars, and it is often used synonymously with terms such as *procedure*, *principle*, *technique*, *method* etc. (see e.g. Lörscher 1991). The result is “considerable terminological confusion” (Chesterman 1997: 87). Empirical research into translation strategies can be divided into two approaches: process-oriented and product-oriented, each of them focusing on different aspects of translation strategies.

In translation process research, the focus is on the specific actions, or translation strategies, performed by the translator during target-text production. Lörscher (1991: 76), for instance, defines a translation strategy as “a potentially conscious procedure for the solution of a problem which an individual is faced with when translating a text segment from one language into another”. Thus, the focus is on the translator's decision-making process. More specifically, process researchers study the translator's strategies for solving particular translation problems, typically using think-aloud protocols (TAPs), retrospective interviews, or other usual translation process research methods. Using TAPs, Jääskeläinen (1993), for example, examines the translation strategies used by professionals, semi-professionals (trainee translators), and non-professionals (language students) during target-text production. Her findings show that

professionals and semi-professionals tend to be more conscious and consistent in their choice of a literal or free translation strategy than non-professionals. In a study from 1996, Lörcher uses TAPs to compare the translation strategies adopted by professional and non-professional translators (foreign language students). His findings show that non-professionals tend to opt for a literal translation, whereas professionals tend to opt for a free translation.

Translation product researchers agree that translation is a problem-solving activity, involving translators adopting specific strategies during target-text production to solve particular translation problems. However, unlike process research, product research focuses on the results, or textual implementations, of the translation strategies rather than the strategies themselves. Chesterman (1997: 89), for instance, defines strategies as “forms of explicitly *textual* manipulation. They are directly observable from the translation product itself, in comparison with the source text” (italics in original). Thus, when the translator for example adopts the strategy of paraphrase to solve a particular translation problem encountered during the translation process, this results in a paraphrase in the target text as compared to the source text. In a study from 2009, for instance, Zare-Behtash and Firoozkoochi (2009) examine the translation strategies used in English–Persian translations of six books by Hemingway. Their findings show that most of the translators have opted for a free translation. In addition, Branco (2011) examines translation strategies in a parallel corpus of English and Brazilian Portuguese online news reports. Her findings show that free translation is the strategy adopted by most translators.

In the study of translation strategies, scholars distinguish between macro strategies (or global strategies) and micro strategies (or local strategies). While macro strategies operate at a general level, pertaining to questions of textual style, readership, etc., micro strategies relate to the translator’s specific strategies at word, phrase and sentence level (e. g. Chesterman 1997: 90f.). As has already been stated in the introduction, the two prototypical macro strategies are literal translation and free translation. Literal translations use structures and words similar to those of the source text, and, consequently, they often result in interference. Thus, literal translation and interference are inextricably linked. By contrast, when opting for a free translation, the translator breaks away from the source text to make the translation more idiomatic in the target language. The choice of macro strategy – whether it is a conscious or unconscious decision on the part of the translator – is reflected in the translators’ specific micro strategies.

Several classifications of translation strategies have been proposed by various scholars, such as Vinay and Darbelnet’s translation procedure model (1958/2004), Delabastita’s model of transformation categories (1989), Chesterman’s classification model (1997), and Schjoldager’s taxonomy of micro strategies (2008). To examine whether the participants in my study opt for mainly literal or free translations, an analysis of the translators’ specific strategies at the level of syntax and lexis is required. To that end, the present study uses the taxonomy of translation micro strategies proposed by Schjoldager (2008) as a theoretical framework. Schjoldager’s taxonomy is based on Vinay and Darbelnet’s model, but is more nuanced and more practically applicable for the present study in that it includes the additional categories of explicitation, paraphrase, condensation, deletion, addition and permutation, most of which are highly relevant to the analysis of this study. In what follows, Schjoldager’s micro strategies will be explained.

Schjoldager (2008: 93–110) operates with twelve different micro strategies, of which three are characterised as source-text oriented (direct transfer, calque and direct translation) and the remaining nine as target-text oriented (oblique translation, explicitation, paraphrase, condensation, adaptation, addition, substitution, deletion and permutation). If source-text orient-

ed micro strategies are predominant, the macro strategy is literal translation. If, on the other hand, target-text oriented micro strategies dominate the translation, the macro strategy is free translation. In other words, the macro strategy depends on the frequency of source-text and target-text oriented strategies at micro level. From this follows, of course, that any translation contains a mix of source-text and target-text orientation. Even the freest of translations will inevitably include source-text oriented micro strategies, and vice versa.

The source-text oriented strategies consist of direct transfer (transferring a source-text item to the target text unchanged, referred to as borrowing by Vinay/Darbelnet 1958/2004), calque (literal translation resulting in an unidiomatic text), and direct translation (literal translation resulting in an idiomatic text). The target-text oriented strategies, on the other hand, comprise the categories of oblique translation (a freer translation in a sense-for-sense manner), explicitation (implicit source-text information is made explicit in the target text), paraphrase (rendering the meaning of the source text rather freely, e.g. a change from negative to positive), condensation (shortening the text), adaptation (recreating the effect of the source-text), addition (adding target-text items), substitution (changing the semantic meaning of the source text), deletion (deleting source-text items), and permutation (making up for the loss of source-text effect elsewhere in the text, mainly used in literary translation). In my study, a small adjustment has been made to the strategy of paraphrase so that it also covers linguistic and syntactic changes, such as the replacement of one word class with another and the change of position of linguistic elements.

2.2 *Literal translation and interference*

Because a literal translation by definition uses syntactic structures and words similar to those of the source text, interference is a characteristic feature of literal translation, as has already been established (see section 2.1). In process research, the topic of literal translation and interference has attracted the interest of researchers. Of particular interest has been research into what distinguishes expert performances from non-expert performances. In a study from 2005 by Tirkkonen-Condit, for instance, the findings show that tendencies towards literal translation emerge in the processes and products of both experts and non-experts. On the basis of the study, she proposes the *literal translation automaton hypothesis*, arguing that literal translation is a default mechanism taking place at all linguistic levels (lexical, syntactic and textual) which is only interrupted when conscious decision-making on the part of the translator is needed. The literal translation automaton “generates literal or formally corresponding linguistic material as long as the material thus produced is semantically and syntactically acceptable” (Tirkkonen-Condit 2005: 412). Support for the hypothesis is found in Englund Dimitrova’s study from 2005, in which she finds that literal translations are often produced as a first version by both experts and non-experts. Further evidence for the literal translation automaton is found in studies by Kvam (1996), Mandelblit (1996), Martikainen (2007), Rouhe (2009), and Tirkkonen-Condit et al. (2008).

Although it has been suggested that literal translation is a default mechanism which is observable in both expert and non-expert performances, empirical evidence shows that interference emerges to a greater extent in the performances of non-experts than in those of experts. Studies show that non-experts tend to proceed word by word, phrase by phrase and sentence by sentence, solving the problems in the order in which they appear in the source text (i.e. literal translation) (Jääskeläinen 1989, Kvam 1996, Tirkkonen-Condit et al. 2008). Thus,

non-experts tend to be linguistically, or locally, oriented, considering translation to be a simple act of word substitution. Expert translators, on the other hand, tend to be more globally oriented, having “learned to look beyond the linguistic structure and the literal meaning of the words”, enabling them to “form the sense in detachment from the linguistic signs” (both quotations are from Tirkkonen-Condit et al. 2008: 2). Crucially, expert translators have the ability to monitor their own performance; they “possess the ability to give feedback to themselves. They have a clear goal and are in control of their actions. They feel and know at once if they have done something really well, or not so well” (Hansen 2003: 26). Thus, expert translators possess the ability of self-awareness and the skills of performance monitoring, both of which are preconditions for producing an idiomatic translation.

2.3 *The literal versus free dichotomy in legal translation*

As has already been stated in the introduction, the literal versus free dichotomy has been particularly controversial in legal translation. Since legal texts may produce legal effects, they have usually been accorded the status of ‘sacred’ or ‘sensitive’ texts, and, consequently, approaches to legal translation have historically centred on literal translation (for a historical overview of legal translation, see Šarčević 2000: 23 ff.). Due to the ‘sanctity’ of legal texts, literal translation dominated the area of legal translation much longer than other areas of translation.

In legal translation, the principle of fidelity to the source text was not challenged until the 1980s, when Canadian and Swiss legal translators were assigned an active role in the drafting of federal legislation. Not only did the introduction of new bilingual drafting techniques impact on the role of the legal translator in Canada and Switzerland, it also revolutionised the entire field of legal translation (Šarčević 2000: 16). No longer bound by the dictates of a literal translation, the legal translator was finally able to free him- or herself from the role of a passive mediator and emerge as an active text producer responsible for selecting a translation strategy based on the communicative situation. With this new decision-making authority, legal translators have won new freedom. However, since linguistic decisions may produce legal consequences, such authority must be exercised with caution. In legal translation, Driedger’s (1982: 4) proposition that the modern translator has “the freedom to use to the fullest extent everything that language permits” is not valid. As responsible text producers, legal translators must know exactly how free their translations can be while respecting the restrictions of the legal profession.

But how does the legal translator know when a text requires literalness, and when it allows for a freer translation? The answer to this question depends, to some extent, on the status of the translation, that is, whether the translation is legally binding (authoritative) or not (non-authoritative). Some legal translation scholars argue that authoritative translations, for instance contracts, prenuptial agreements and wills, must be literal, while non-authoritative ones, intended for information, such as national laws and court orders, may be freer (Borja Albi 2007: 32, Didier 1990: 280, 285). Translated strictly for information purposes, judgments are an example of non-authoritative translations. In the source language culture, the judgment is an authoritative text written by the judge mainly for the parties involved in the lawsuit (primary recipients), although based on the assumption that the content of the judgment is explained to the parties by their respective counsel (secondary recipients). Since a judgment may establish a precedent, the entire legal profession is a possible recipient. Other potential recipients are politicians, NGOs, the press, and the public in general. While the judgment is

an authoritative text in the source language culture, it functions as a metatext in the target language culture, enabling the recipient to understand the judgment. Judgments are almost always translated with the purpose of establishing law in the target language culture on the basis of a foreign judgment. Thus, the translation enables the judge to understand the legal reasoning of the court and the arguments on which the judgment is based. Engberg (1999: 84) also mentions business executives as possible recipients of a translated judgment. For example, if a company is doing business with a foreign company which is a party in a lawsuit, the business executive may want to understand the judgment to determine its potential consequences for their business relations.

As in all legal texts, the approach adopted in the translation of judgments has traditionally been literal (Engberg 1999: 91, Pasquau Liaño 1996: 16, 19, Stolze 1999: 46, among others). However, since judgments are translated for informational purposes, some legal translation scholars (Borja Albi 2007: 32, Didier 1990: 280, 285, Garzone 2000: 400) challenge the traditional approach. Because literal translations use words and structures similar to those of the source language, they may require an additional reading effort in the target language. Therefore, these scholars advocate a freer approach to the translation of judgments, arguing that if the purpose is information, the translation should be comprehensible to the recipient.

Thus, the literal/free dichotomy has traditionally attracted much scholarly attention, mainly in the form of theoretical contributions on legal translation in general and on the translation of specific genres, such as judgments. Considering the attention devoted to the literal versus free discussion, it is surprising that so little empirical research has been conducted on the topic. Only a few studies have examined strategies in legal translation. Bednárová-Gibová (2012), for instance, compares translation strategies in Slovak translations of an EU institutional-legal document and an excerpt from the novel *The Shack* by William P. Young. Her findings show that free translation is by far predominant in the literary translations, whereas the legal translations are equally divided between a literal and free approach.

Some studies have focused on the translation of legal terminology. Januleviciene and Rackeviciene (2011), for instance, examine strategies in translations of English legal terms into Norwegian and Lithuanian. Their results show that translations include an even mix of free and literal strategies. Similarly, Samadi et al. (2011) examine strategies in translations of legal terms from Persian into English. Their findings show that upon encountering legal terminology problems, the translators mainly opted for a free translation.

Other studies have focused on the so-called translation universals (i. e. linguistic features which are typical of translations in comparison with non-translated texts). In several studies, Faber and Hjort-Pedersen (2013, 2010, 2009a) have examined explicitation and implicitation in professional and trainee performances. Their findings show that while explicitation is frequent in the performances of professionals and trainees, implicitation is much less frequent. In addition, in a study from 2009, Faber and Hjort-Pedersen (2009b) examine explicitation and implicitation in the performances of legal translators as compared to those of legal experts. The results of the study show that unlike translators, legal experts often opt for implicitation in a translation situation.

3 Central concepts and definitions

As has already been established, the term *strategy* has been used variously in Translation Studies (see section 2.1). In this study, translation strategies are defined as textual implementations

of the translator's actions during target-text production. Thus, the definition provided here only includes the product of translation, not the process.

As has also been established, interference is defined as structures and combinations of words which are unusual or non-existent in the target language resulting in unidiomatic translations (see section 1). Conversely, an idiomatic translation uses structures and combinations of words which are natural to native speakers of the target language, and is thus characterised by its lack of interference. Although the phenomenon of interference can be subjective in nature, most instances of interference are unmistakable, clearly marking the target text as a translation (Franco Aixelá 2009: 75).

In Translation Studies, expertise is often referred to as 'professionalism'. For the purposes of my study, however, professionalism does not equate with expert performance (see Enríquez Raído 2014). While the former refers to the translators' ability to earn their living by translating, the latter concerns translation processes "that are observed to result in good performance" (Tirkkonen-Condit 2005: 406). This distinction is based on two premises: 1) translation is a skill, and, as such, it can be learned through formal instruction and practice (Chesterman 2000, Montalt Resurrecció et al. 2008), and 2) not all professionals are able to reach expert level (Jääskeläinen 1990, Séguinot 2000). We must keep in mind that there is wide individual variation between translators. In addition, no translator can be an expert in all areas (Shreve 2002). During the course of a career, translators specialise not only their translation abilities, but also their knowledge of particular subject areas and domain-specific terminologies.

To operationalise expertise in translation, in this study the concept is defined as ten years of experience or more combined with specialisation in a particular area of translation (see Englund Dimitrova 2005, Shreve 2002). For the purposes of the study, the participants are divided into two groups based on their practical experience in legal translation: 1) experts (translators with ten years of experience or more who specialise in the translation of legal texts), and 2) non-experts (translators with less than ten years of experience and/or translators who do not specialise in legal translation).

4 Set-up and methodology

As indicated in the introduction, the aim of the present research is to examine 1) whether Danish translators opt for a literal or free approach in their translation of a Spanish judgment, and 2) whether differences can be observed in relation to the participants' expertise in translation in terms of strategy on the one hand, and interference on the other hand. To that end, the study compares the performances of experts with those of non-experts. As has already been established, empirical evidence suggests that although literal translation seems to be a default strategy in translation, interference emerges to a greater extent in non-expert performances than in expert performances (see section 2.2). Thus, based on previous research, I expect that the non-expert performances of this study will be characterised by interference to a larger extent than the expert performances.

To fulfil the purpose of the study, a corpus of translations by professional translators (i. e. translators who earn their living by translating) was assembled. To assemble the corpus, I contacted all the major translation agencies in Denmark requesting their services. Since the aim of the study is to examine the translators' specific micro strategies, a naturalistic study is most suitable to answer the research question. Ecological validity requires that the translation situation be as close to a real translation task as possible. The participants should not be aware that

they are participating in a research project because this could affect their decisions during the translation process. Consequently, the study must be as authentic as possible to ensure a high degree of ecological validity. Therefore, the present study may be characterised as naturalistic, albeit with two reservations. First, the translation task is constructed. Second, in two cases the translation agencies referred me directly to the translator, which means that two of the translators (no. 8 and 10) were aware that they were participating in a research project, although they were not informed of the purpose of the study. Due to the nature of the study, my only interest is the translators' best translation attempt, and, therefore, the translation agencies were asked not to carry out additional quality proofing.

Before selecting the participants, I asked the translation agencies for information on each translator regarding education, translation experience and area of specialisation. As already stated, the participants are divided into two groups based on their practical experience in legal translation: 1) experts (translators with ten years of experience or more who specialise in the translation of legal texts), and 2) non-experts (translators with less than ten years of experience and/or translators who do not specialise in legal translation). More specifically, the first group consists of translators 1, 3, 4, 5 and 8, whereas the second group consists of translators 2, 6, 7, 9 and 10, as detailed in table 1.

Tab. 1: Background information on participants

Experts/ Non-experts	Translator no. (corresponds with translation number)	Education	Experience	Area of specialisation
Experts	1	Sworn translator	24 years	Legal texts
	3	Sworn translator	15 years	Legal texts
	4	MA in language	21 years	Legal and technical texts
	5	Sworn translator	12 years	Legal texts
	8	Sworn translator	31 years	Legal and medical texts
Non-experts	2	MA in language	2 years	None
	6	Sworn translator	20 years	Medical and EU texts
	7	Sworn translator	15 years	EU texts
	9	Sworn translator	3 years	None
	10	Sworn translator	5 years	None

Bernardini (2001) discusses the problem of comparing the performance of experts with that of non-experts, in an attempt to determine what expertise is on the basis of external criteria, such as years of experience and official certifications. In my study, I am not concerned with defining expertise as such, or with translation quality. My interest lies in examining the translation strategies in the products of experts as compared to those of non-experts.

The translation agencies were instructed to assign the translation task to their respective translators, except for translators no. 8 and 10 to whom I assigned the task myself. The partic-

ipants were given two weeks to perform the translation task. No translation instructions (i. e. brief) were elaborated for the translation task, but it was possible for the participants to obtain a brief through their contact person on request. However, none of the participants requested further information about the translation task.

The source text consists of a randomly selected excerpt from the grounds of a Spanish judgment, which had to be translated into Danish (the source text is appended at the end of the article before the references). The topic of the source text is that of dismissal on conduct grounds, that is, dismissal due to misconduct or non-compliance on the part of the employee. The source text is an appeal, and in the text reference is made to the judgment of the first instance court. The source text has a total of 885 words and is divided into three paragraphs, consisting of a total of six sentences, making the average sentence length 147 words. Syntactically, the sentences are rather complex as they contain a considerable degree of subordination (mainly in the form of adverbial clauses and gerund¹ constructions), consistently interrupting the logical sequence of the text. For the Spanish recipient (i. e. the lawyer) this is not problematic, but it may be so for the Danish reader (i. e. the translator). Unlike Spanish, which is generally characterised by long subordinate sentences, Danish favours relatively short and syntactically simple sentences. Danish translators are not as accustomed to syntactic complexity as Spanish lawyers, so the constant interruption of the logical sequence is likely to present them with processing challenges, and they may find it difficult to see which pieces of information actually belong together and, thus, to follow the argument of the source text (Krogsgaard Vesterager 2011: 197 ff.).

The lexis of the source text presents further challenges to the Danish translator. Not surprisingly, the use of legal terminology is a characteristic feature of the source text. Moreover, several references are made to legal institutions and laws which apply specifically to the Spanish legal system. In addition, the source text is redundant, in the sense that each sentence sums up the content of the previous one, typically using lexical variants (i. e. new lexical items referring to the same content), and subsequently elaborates on some aspect of it. Although the use of lexical variants is a conventional feature of general Spanish, some of the lexical variants of the source text place heavy demands on the translators' ability to recognise them as such and not mistake them for lexical items referring to new content (Krogsgaard Vesterager 2011: 116 ff.).

The data – a Spanish source text and ten translations into Danish by five experts and five non-experts – is analysed using contrastive text analysis. More specifically, a detailed manual analysis of each translator's specific source-text and target-text oriented micro strategies at the level of syntax and lexis is carried out, using the taxonomy of micro strategies proposed by Schjoldager (see section 2.1). Subsequently, the performances of experts are compared to those of non-experts.

5 Results

In this section, the results of the study will be described. The results of the analyses of micro strategies are described in section 5.1, and the results of the analyses are compared to the participants' expertise in translation in section 5.2.

¹ Morphologically the Spanish gerund, a non-finite verb form, connects the verb stem with the suffix *-ndo* as in *trabajando* or *siendo*.

5.1 Analyses of micro strategies

In the following, the results of the analyses of micro strategies will be presented first for syntax and then for lexis.

5.1.1 Syntax

Let us first look at the results at the level of syntax. The findings show that of the ten translations, seven may be characterised as quite literal (translations no. 1, 2, 4, 5, 7, 8 and 9). Translation no. 10, on the other hand, is quite free syntactically, whereas translations no. 3 and 6 include an even mix of source-text and target-text oriented micro strategies. An overview of the results is presented in table 2.

Tab. 2: Micro strategies at syntactic level

Translation no.	ST-oriented	TT-oriented	Even mix
1	×		
2	×		
3			×
4	×		
5	×		
6			×
7	×		
8	×		
9	×		
10		×	

As may be seen from table 2, most of the participants opt for source-text oriented micro strategies, with direct translation being by far the predominant strategy. Since literal translation and interference are inextricably linked, as has already been established, this may be problematic for the Danish recipient (i. e. the judge) because the target text may require an additional reading effort, or it may even be incomprehensible to the recipient (see section 2.3).

By contrast, the remaining three translators use the micro strategy of paraphrase to divide the long subordinate sentences of the source text into two or more separate sentences. It is interesting to notice that these changes in syntax often coincide with gerund constructions in the source text, as exemplified in 1.

Example 1 (translation no. 3, my emphasis)

ST: “[...] *habiendo* establecido la jurisprudencia incluso que [...]”

EN: ... with the case law even *having* established that ... (My translation)

TT: “*Det* er sågar blevet fastslået i retspraksis, at [...]”

EN: *It* has even been established by case law that ... (My translation)

In example 1, the gerund *habiendo* (i.e. ‘having’) initiates a subordinate clause in the source text. In the target text, on the other hand, the subordinate clause has been replaced by a coordinate clause introduced by the provisional subject *det* (i.e. it). To make successful syntactic changes, the translator must be able to infer the implicit information from the source text. However, not all of the participants succeed in this respect, as example 2 demonstrates.

Example 2 (translation no. 10, my emphasis)

ST: “[...] ***resulta justificado el despido para las conductas que supongan una violación trascendente de la buena fe contractual*** [...] *habiendo establecido la jurisprudencia incluso* que si es cierto que la tolerancia del empresario no genera un derecho al incumplimiento del trabajador, también lo es que no se justifica la sanción de despido apoyada en actos realizados en el clima de tolerancia y dentro del margen de la misma.”

EN: ... ***dismissal is justified for actions which constitute a gross violation of the good contractual faith*** ... *with the case law even having established* that although it is true that the employer’s tolerance does not give the employee the right to non-compliance, it is also true that dismissal is not a viable sanction for actions performed in a tolerant work environment. (My translation)

TT: “[...] ***er afskedigelsen berettiget for adfærd, der udgør et betydeligt brud på god kontraktmæssig tro*** [...] *som fastslået af retspraksissen*. Lige som det er sandt, at arbejdsgiverens tolerance ikke giver den ansatte ret til ikke-opfyldelse, så er det også sandt, at man ikke kan berettiggte sanktionen om afskedigelse baseret på handlinger i et klima af tolerance og inden for rammerne af denne.”

EN: ... ***dismissal is justified for a behaviour which constitutes a gross violation of the good contractual faith*** ... *as established by case law*. Just as it is true that the employer’s tolerance does not justify employees’ non-compliance, it is also true that one cannot justify the sanction of dismissal based on actions performed in a climate of tolerance and within the framework of this. (My translation)

In example 2, the Spanish gerund *habiendo* (i.e. ‘having’) initiates a non-finite clause in the source text, and in the target text, the non-finite clause has been translated with an adverbial clause. What is interesting to notice about this example is that the non-finite clause of the source text refers to what comes next in the sentence, whereas the adverbial clause of the target text refers back to the main clause of the sentence (my emphasis in bold and italics) thus changing the meaning of the target text as compared to the source text. More specifically, the source text states that case law has established that although an employer may tolerate certain forms of behaviour, non-compliance is not justified, and that dismissal is not a viable sanction for actions performed in a tolerant work environment. The target text, on the other hand, states that case law has established that only serious and culpable non-compliance on the part of the employee justifies dismissal.

5.1.2 Lexis

Having looked at the results at the level of syntax in the previous section, let us now proceed to the level of lexis. Of the ten translations, five are quite literal (translations no. 2, 4, 5, 7 and

10). Three of the translations, in turn, are freer (translations no. 1, 6 and 8). The remaining two translations (no. 3 and 9) include an even mix of source-text and target-text oriented micro strategies. Interestingly, the findings show that all of the translations are very literal in sentence number three (and to some degree sentences number one and four and the final part of sentence number two), which contains a considerable amount of relevant information, including references to different sections of Spanish law. An overview of the results is presented in table 3.

Tab. 3: *Micro strategies at lexical level*

Translation no.	ST-oriented	TT-oriented	Even mix
1		×	
2	×		
3			×
4	×		
5	×		
6		×	
7	×		
8		×	
9			×
10	×		

As may be seen from table 3, half of the participants opt for source-text oriented micro strategies, using mainly the strategy of direct translation, and often translating word-for-word, as exemplified in 3.

Example 3 (translation no. 4)

ST: “De forma que si bien la trasgresión de la buena fe contractual supone un incumplimiento, ello queda sometido a la exigencia gradualista [...]”

EN: Thus, while a breach of good contractual faith constitutes non-compliance, this is subject to the gradualistic requirement ... (My translation).

TT: “Således at forstå, at selv om overtrædelse af det kontraktlige krav om god tro udgør en misligholdelse, er dette underlagt det gradualistiske krav [...]”

EN: To be understood in the way that although a violation of the contractual requirement of good faith constitutes a non-compliance, this is subject to the gradualistic requirement ... (My translation)

In example 3, the translation is idiomatic, but the findings show that literal translations often result in interference, as exemplified in 4.

Example 4 (translation no. 3, my emphasis)

ST: “[...] por lo que señala que debe modificarse *el dictado de la resolución de instancia* [...]”

EN: ... which is the reason why [the appellant] states that *the judgment of the first instance court* should be repealed ... (My translation)

TT: “[...] hvorfor hun hævder, at *afsigelsen af afgørelsen på begæring* bør ændres [...]”

EN: ... which is why she claims that *the delivery of the decision on request* should be modified ... (My translation)

In example 4, the literal translation of *el dictado de la resolución de instancia* (i. e. ‘the judgment of the first instance court’) results in interference in the target text because the combination of words used in the target text is non-existent in the target language (see the definition provided in section 1). What the source text is actually referring to is the judgment of the first instance court, which is a legal term, as may be seen from my translation, but this is not clear from the target text.

The findings show that many instances of interference result from the high level of formality of the source text. This is sometimes referred to as *oficialese*, and it is defined as the language of official documents characterised by the use of excessively formal language which could easily be translated into simpler terms (Elliot 1987). An example is given in 5.

Example 5 (translation no. 7, my emphasis)

ST: “[...] que el actor que *ostentaba la categoría de Jefe de Almacén* [...]”

EN: ... that the plaintiff who *was stock manager* ... (My translation)

TT: “[...] at sagsøger, der *havde kategori af lagerchef* [...]”

EN: ... that the plaintiff who *had the category of stock manager* ... (My translation)

In example 5, the extract from the source text constitutes *oficialese*. According to Alcaraz and Hughes (2002: 125, 135), Spanish legal language is generally characterised by an unnecessarily formal style which is very difficult to understand for lay people. In addition, the study from 2011 by Krogsgaard Vesterager shows that the level of formality is higher in the Spanish judgments of the corpus than in the Danish ones. In this example, the literal translation of the source text results in interference because it represents an excessively formal style in the target language. Thus, a less formal, more idiomatic translation would be *was stock manager*, opting for the micro strategy of condensation, as may be seen from my translation of the source text.

In other instances, interference stems from the use of lexical variants in the source text (see section 4), as exemplified in 6.

Example 6 (translation no. 3)

ST: “[...] la previsión de un plus jurídico, de gravedad y de culpabilidad [...]”

EN: ... the legal requirement that a non-compliance must be serious and culpable ... (My translation)

TT: “[...] forudsigelsen om et juridisk tillæg, om grovhed og om skyld [...]”

EN: ... the prediction of a legal supplement on seriousness and guilt ... (My translation)

In example 6, *la previsión de un plus jurídico, de gravedad y de culpabilidad* is a lexical variant of *la existencia de gravedad y culpabilidad en las faltas imputadas* (i. e. ‘the legal requirement that an act of non-compliance on the part of the employee must be serious and culpable to justify dismissal’). However, the translator has not been able to identify it as such, but has mistaken it for a lexical item referring to new content and has therefore translated it literally. In this example, the literal translation results in interference because the combination of words used in the target text is not only non-existent in the target language but completely meaningless.

Although decisions to mark translations as instances of interference can be subjective in nature, as has already been established in section 3, the instances identified in my analysis are unmistakable, which has hopefully been demonstrated by the examples commented on here.

By contrast, the free translations, not surprisingly, use a variety of target-text oriented micro strategies to make the translation more idiomatic in the target language, as exemplified in 7.

Example 7 (translation no. 8, my emphasis)

ST: “Y así, *según ha declarado el Tribunal Supremo*, el enjuiciamiento del despido disciplinario **debe abordarse** de forma gradualista, buscando la necesaria proporción entre la infracción y la sanción, y **aplicando** un criterio individualizador que valore las peculiaridades de cada caso concreto [...]”

EN: And so, *as has been declared by the Supreme Court*, the adjudication of disciplinary dismissal cases **must be addressed** gradualistically, seeking the necessary proportion between non-compliance and sanction, and **applying** a criterion that assesses the specific circumstances of each case individually ... (My translation)

TT: “Ifølge Højesteret **skal** behandlingen af en sag om disciplinær afskedigelse således gribes gradualistisk an for at sanktionen kan stå i det rette forhold til overtrædelsen, **og** der skal i hvert enkelt tilfælde foretages en særskilt vurdering under hensyntagen til de konkrete forhold [...]”

EN: *According to the Supreme Court*, the hearing of a case on disciplinary dismissal **must** thus be approached gradualistically in order for the sanction to be in the right proportion to the violation, **and** in each case a separate assessment must be carried out, taking into account the specific circumstances ... (My translation)

In example 7, several lexical changes have been made to this translation, which as a result is more idiomatic (see my emphasis). First of all, the conjunction *Y* (‘and’) introducing the source text has been omitted in the translation (micro strategy: deletion). According to the study by Krogsgaard Vesterager (2011), the Danish judgments of the corpus do not tend to introduce a sentence with a conjunction. Second, the connector *así* (‘thus’, *således* in the target text) comes after both the adverbial (*Ifølge Højesteret*), the modal verb (*skal*), and the subject (*behandlingen af en sag om disciplinær afskedigelse*) in the target text, resulting in a more idiomatic translation (micro strategy: paraphrase). In Danish, connectors do not typically precede the verb and subject (Becker-Christensen 2010: 66). Third, in the case of the adverbial *según ha declarado el Tribunal Supremo*, which constitutes another example of officialese (see above), the translation has resulted in a less formal style (*Ifølge Højesteret*, my emphasis in italics) (micro strategy: condensation). Fourth, the modal verb of the sentence (*skal*, my emphasis in bold) has been located so that it immediately succeeds the adverbial (micro strategy: paraphrase). The verb

of the main clause can only be preceded by one constituent of a sentence (Becker-Christensen 2010: 66), either the subject (*behandlingen af en sag om disciplinær afskedigelse*) or the adverbial, as is the case in example 7. And fifth, the conjunction *og* ('and') (see my emphasis in bold and italics) has been added to the coordinate clause of the target text, thus connecting it to the main clause of the sentence (micro strategy: addition).

5.2 Micro strategies compared to translation expertise

In this section, the results of the analyses of micro strategies are compared to the participants' expertise in translation. An overview of the characteristics of the translators and their translations is presented in table 4.

Tab. 4: Characteristics of the participants and their translations

Experts/ Non-experts	Translator no. (corresponds with translation number)	Education	Experience	Area of specialisation	Syntax	Lexis
Experts	1	Sworn translator	24 years	Legal texts	Literal	Free
	3	Sworn translator	15 years	Legal texts	Even mix	Even mix
	4	MA in language	21 years	Legal and technical texts	Literal	Literal
	5	Sworn translator	12 years	Legal texts	Literal	Literal
	8	Sworn translator	31 years	Legal and medical texts.	Literal	Free
Non-experts	2	MA in language	2 years	None	Literal	Literal
	6	Sworn translator	20 years	Medical and EU texts	Even mix	Free
	7	Sworn translator	15 years	EU texts	Literal	Literal
	9	Sworn translator	3 years	None	Literal	Even mix
	10	Sworn translator	5 years	None	Free	Literal

As we can see in table 4, literal translation is the strategy most frequently resorted to by both groups of this study at the level of syntax. Four of the translations by experts may be characterised as literal, and the remaining translation includes an even mix of source-text and target-text oriented strategies. Three of the translations by non-experts are literal, one is free, and one includes an even mix of strategies. Thus, slightly more expert translations than non-expert

ones may be characterised as literal at the level of syntax. When it comes to lexis, on the other hand, table 4 shows that half of the translations are literal, and the other half may be characterised as freer translations (constituting either free translations or an even mix of source-text and target-text orientation). Two of the translations by experts are literal, two may be characterised as free translations, and one includes an even mix of micro strategies. Three of the translations by non-experts may be characterised as literal, one is a free translation, and one includes an even mix of source-text and target-text oriented strategies. Thus, when it comes to lexis, slightly more non-expert translations than expert ones are literal, and, conversely, slightly more expert translations than non-expert ones may be characterised as freer translations.

To sum up, although literal translation is the strategy resorted to in most translations at the level of syntax and lexis overall, the results reveal slight differences between experts and non-experts in the way they use the strategy of literal translation. While slightly more experts than non-experts opt for a literal translation at syntactic level, slightly more non-experts than experts choose literal translations at the level of lexis.

Because literal translation is the strategy resorted to by most participants at one or both of the levels of analysis, all of the translations include instances of interference, although to a varying degree. As may be recalled, my assumption is that interference will emerge more frequently in the performances of non-experts than in those of experts (see section 4). Now, let us have a look at the results to see whether they corroborate this assumption. We will start by looking at the translations produced by non-experts (that is, translations no. 2, 6, 7, 9 and 10). As stated, non-experts are defined as translators with less than ten years of experience and/or translators who do not specialise in legal translation. Three of the participants (no. 2, 9 and 10) have limited translation experience, having only worked as professional translators for two to five years. The two remaining participants of this group (no. 6 and 7) are very experienced translators with 20 and 15 years of experience, respectively, but because they specialise in areas other than legal translation, they cannot be considered experts, according to the definition. According to the analyses, all of the translations produced by non-experts include many instances of interference, indicating that they have yet to reach expert level. However, the phenomenon of interference is particularly evident in translation no. 2. With a MA degree in language, the translator in question has not necessarily undergone any training in translation as opposed to the other non-experts, who are all sworn translators, which may be at least part of the explanation.

Let us now look at the translations produced by experts, that is, translators with ten years of experience or more who specialise in the translation of legal texts. The experts in this study are very experienced legal translators with between 12 and 31 years of experience. According to the analyses, three of the expert translations (no. 1, 5 and 8) include very few instances of interference and thus constitute highly idiomatic translations. In contrast, the two remaining translations (no. 3 and 4) include many instances of interference, which is surprising considering that they have been produced by very experienced legal translators with 15 and 21 years of experience, respectively. There may, of course, be several explanations for this result. As has already been stated, there is wide individual variation in translators' performances, experts and non-experts alike (see section 3). In addition, since translators often work under tight deadlines, the time factor may play a role. Further discussion of this aspect is, however, not the topic of the present paper. Suffice it to say that translations no. 3 and 4 have been produced by less successful expert translators.

To sum up, the results show that interference emerges slightly more in the translations produced by non-experts than in those produced by experts. Thus, the findings corroborate

my initial assumption regarding interference in expert and non-expert performances (see section 4), although not to the extent expected.

6 Conclusion and discussion

The aim of this study was to examine 1) whether Danish translators opted for a literal or free approach in their translation of a Spanish judgment, and 2) whether differences could be observed in relation to the participants' expertise in translation in terms of strategy on the one hand, and interference on the other hand.

To fulfil the purpose, a corpus study involving translation from Spanish into Danish was performed. The data – a Spanish source text and ten translations into Danish by five experts and five non-experts – was analysed using contrastive text analysis. First, the participants' micro strategies at syntactic and lexical level were analysed, and then the performances of experts were compared with those of non-experts.

The analyses revealed that literal translation was the strategy used in most translations at one or both of the levels of analysis. Thus, the findings seem to support the literal translation automaton as proposed by Tirkkonen-Condit (2005), among others. The findings also showed that although literal translation was the predominant strategy overall, there were slight differences between experts and non-experts in the way they used the strategy of literal translation. While slightly more experts than non-experts opted for a literal translation at syntactic level, slightly more non-experts than experts chose literal translations at the level of lexis. Because the translation process has not been studied, no conclusive explanation can be offered for this finding. However, drawing on the studies by Jääskeläinen (1989) and Tirkkonen-Condit et al. (2008), among others, a tentative explanation for this finding may be that non-experts tend to be linguistically oriented towards translating word by word, whereas experts tend to focus on sentence or text level rather than word level (see section 2.2).

In addition, the findings showed that all of the translations included instances of interference, although this phenomenon was slightly more prevalent in the translations produced by non-experts than in those produced by experts. Thus, the findings are consistent, to some extent, with evidence from previous studies on translation processes and products (e. g. Englund Dimitrova 2005, Jääskeläinen 1989, Tirkkonen-Condit et al. 2008).

The present study can be faulted for involving a relatively small number of translations, and for focusing on a single language combination only (Spanish and Danish), among other things. Nevertheless, the study contributes empirical evidence of professional translators' strategies to the field of legal translation where empirical research on this topic is scarce. In addition, the findings of my analysis show that not all translators have succeeded in producing an idiomatic translation. Thus, the study may be useful in heightening professional and student translators' self-awareness and performance monitoring skills, both of which are preconditions for producing an idiomatic translation.

Appendix

The source text used for the translation task:

Ahora bien, se ha de añadir a ello que, según tiene declarado el Tribunal Supremo, la sanción de despido ha de ser objeto de interpretación restrictiva y su específica naturaleza obliga a llevar a cabo un estudio de todas las circunstancias constitutivas de grave antijuridicidad (S^a.

del Tribunal Supremo de 5-5-1983, entre otras), bien entendido que según la llamada doctrina gradualista, creada y aplicada por el Tribunal Supremo de forma reiterada, se han de apreciar las circunstancias concurrentes en cada caso, y especialmente la existencia de gravedad y culpabilidad en las faltas imputadas, insistiéndose en que el despido disciplinario exige la prueba plena de una acción u omisión del trabajador que sea grave, culpable y tipificada por la normativa laboral, requisitos para cuya apreciación han de ponderarse de forma particularizada todos los aspectos subjetivos y objetivos concurrentes, teniendo en cuenta los antecedentes y circunstancias coetáneas que definen la relación laboral como una relación continuada en el tiempo.

Y así, según ha declarado el Tribunal Supremo, el enjuiciamiento del despido disciplinario debe abordarse de forma gradualista, buscando la necesaria proporción entre la infracción y la sanción, y aplicando un criterio individualizador que valore las peculiaridades de cada caso concreto (SS. del Tribunal Supremo de 17 de noviembre de 1988, 28 de febrero de 1990, 6 de abril de 1990, 7 de mayo de 1990, 24 de septiembre de 1990, 16 de mayo de 1991 y 2 de abril de 1992, entre otras muchas), lo que obliga a tener en cuenta circunstancias concretas, tales como la antigüedad del trabajador en la empresa, el perjuicio económico en su caso sufrido por la misma y la existencia o no de otras sanciones por el mismo o similares hechos; habiéndose expresado a su vez en la sentencia de nuestro más Alto Tribunal de 4 de marzo de 1991 tal obvio principio y el criterio de proporcionalidad en relación con el de la buena fe, en cuanto modelo de comportamiento común impuesto a las relaciones laborales por los artículos 5 a) y 20.2 del referido Estatuto, erigido en criterio de valoración de conductas.

De forma que si bien la trasgresión de la buena fe contractual supone un incumplimiento, ello queda sometido a la exigencia gradualista que se deriva de la previsión de un plus jurídico, de gravedad y de culpabilidad, tipificado en el artículo 54.1 del Estatuto de los Trabajadores, siendo cuestión empírica el identificar las circunstancias desgravadoras de la reprochabilidad, tanto atinentes al elemento subjetivo de la culpabilidad, destacando entre estas, la buena fe en su sentido de contraposición a la mala fe (o sea, como ignorancia más o menos excusable, según el artículo 433 del Código Civil, o como creencia errónea más o menos vencible, según el artículo 1950 del citado Código sustantivo), cuanto al elemento objetivo de la gravedad, determinable intensivamente, en función por ejemplo de la proporcionalidad sancionadora de la norma convencional, o extensivamente, en atención a la propia duración de la relación laboral, las conductas previas de las partes o la relevancia económica o ética del bien jurídico comprometido.

De suerte que, con arreglo a dicho criterio gradualista, tendente a establecer una adecuada proporción y correspondencia entre conductas y sanciones, y con criterio individualizador conforme a las peculiaridades del caso concreto, resulta justificado el despido para las conductas que supongan una violación trascendente de la buena fe contractual, con lo que no cualquier transgresión de ella, sino solamente la de carácter grave y culpable, es la que tiene entidad bastante para que resulte lícita aquella sanción, habiendo establecido la jurisprudencia incluso que si es cierto que la tolerancia del empresario no genera un derecho al incumplimiento del trabajador, también lo es que no se justifica la sanción de despido apoyada en actos realizados en el clima de tolerancia y dentro del margen de la misma (S^a T.S de 24-9-1990, entre otras).

2^a) En el supuesto de autos, la recurrente, tras combatir el relato fáctico en los motivos anteriores (aunque sin éxito, según lo expuesto), aduce, en el motivo Cuarto del recurso, que el actor incumplió de forma negligente, deliberada y grave todas las obligaciones contractuales

contraídas con la empresa, por lo que señala que debe modificarse el dictado de la resolución de instancia, alegando al efecto que el actor, que ostentaba la categoría de Jefe de Almacén, desatendió de forma flagrante toda obligación de control, vigilancia y supervisión de las operaciones acontecidas en la sección de la que era responsable, provocando con ello un grave desfase entre el inventario de productos defectuosos existente en la empresa y el que, teóricamente, aparecía reflejado en la base de datos de la misma.

Y añade que la falta imputada es, per se, suficientemente grave para justificar la decisión extintiva adoptada, sosteniendo que no resultan veraces las afirmaciones realizadas sobre la insuficiencia de personal y exceso de trabajo en la Sección a la que se encontraba adscrito el demandante, así como que los hechos imputados en la carta de despido fueron conocidos por la Dirección de la empresa en febrero de 2006 y, tras indicar que la transgresión de la buena fe contractual no admite grados y que debe convalidarse la decisión extintiva por la causa imputada en virtud de la facultad sancionadora del empresario, solicita la revocación de la sentencia de instancia.

References

- Alcaraz, Enrique/Hughes, Brian (2002): *El español jurídico*. Barcelona: Ariel.
- Barbe, Katharina (1996): "The dichotomy free and literal translation." *Meta : Journal des traducteurs / Meta: Translators' Journal* 41.3: 328–337.
- Becker-Christensen, Christian (2010): *Dansk syntaks: Indføring i dansk sætningsgrammatik og sætningsanalyse*. Frederiksberg: Samfundslitteratur.
- Bednárová-Gibová, Klaudia (2012): *Translation procedures in the non-literary and literary text compared*. Prešov: Filozofická fakulta Prešovskej univerzity.
- Bernardini, Silvia (2001): "Think-aloud protocols in translation research: Achievements, limits, future prospects." *Target* 13.2: 241–263.
- Borja Albi, Anabel (2007): *Estrategias, materiales y recursos para la traducción jurídica inglés – español: guía didáctica*. Madrid: Edelsa.
- Branco, Sinara de Oliveira (2011): "Describing the methodological procedure of a translation studies investigation based on corpora." *Revista Eletrônica de Linguística* 5.3. 08.11.2014 <<http://www.seer.ufu.br/index.php/dominiosdelinguagem/article/viewFile/13551/8537>>.
- Catford, John (1965): *A linguistic theory of translation: an essay on applied linguistics*. London: Oxford University Press.
- Chesterman, Andrew (1997): *Memes of translation: The spread of ideas in translation theory*. Amsterdam/Philadelphia: Benjamins.
- Chesterman, Andrew (2000): "Teaching strategies for emancipatory translation." *Developing Translation Competence*. Eds. Christina Schäffner/Beverly Adab. Amsterdam/Philadelphia: Benjamins. 77–89.
- Delabastita, Dirk (1989): "Translation and mass-communication: film and T.V. translation as evidence of cultural dynamics." *Babel* 35.4: 193–218.
- Didier, Emmanuel (1990): *Langues et langages du droit*. Montreal: Wilson and Lafleur.
- Driedger, Elmer (1982): *A manual of instruction for legislative and legal writing*. Ottawa: Department of Justice.
- Elliot, Roger (1987): "The blight of officialese." *English Today* 3.2: 19–21.
- Engberg, Jan (1999): „Übersetzen von Gerichtsurteilen: der Einfluss der Perspektive.“ *Übersetzen von Rechtstexten: Fachkommunikation im Spannungsfeld zwischen Rechtsordnung und Sprache*. Hrsg. Peter Sandrini. Tübingen: Narr. 83–101.

- Englund Dimitrova, Birgitta (2005): *Expertise and explicitation in the translation process*. Amsterdam/Philadelphia: Benjamins.
- Enríquez Raído, Vanessa (2014): *Translation and web searching*. London/New York: Routledge.
- Faber, Dorrit/Hjort-Pedersen, Mette (2009a): "Manifestations of interference processes in legal translation." *Copenhagen Studies in Language* 37: 107–124.
- Faber, Dorrit/Hjort-Pedersen, Mette (2009b): "Translation preferences in legal translation: legal experts and professional translators compared." *Copenhagen Studies in Language* 38: 339–357.
- Faber, Dorrit/Hjort-Pedersen, Mette (2010): "Explicitation and implicitation in legal translation. A process study of trainee translators." *Meta: Journal des traducteurs / Meta: Translators' Journal* 55.2: 237–250.
- Faber, Dorrit/Hjort-Pedersen, Mette (2013): "Expectancy and professional norms in legal translation." *Fachsprache. International Journal of Specialized Communication* 35.1–2: 43–63.
- Franco Aixelá, Javier (2009): "An overview of interference in scientific and technical translation." *The Journal of Specialised Translation* 11: 75–88.
- Garzone, Giuliana (2000): "Legal translation and functionalist approaches: a contradiction in terms?" *International colloquium University of Geneva, February 17–19, 2000: Proceedings*. Berne: ASTTI. 395–414.
- Hansen, Gyde (2003): "Controlling the process: Theoretical and methodological reflections on research into translation processes." *Triangulating Translation*. Ed. Fabio Alves. Amsterdam/Philadelphia: Benjamins. 25–42.
- Jääskeläinen, Riitta (1989): "Translation assignment in professional vs. non-professional translation: A think-aloud protocol study." *The translation process*. Ed. Candace Séguinot. Toronto: H.G. Publications. 87–98.
- Jääskeläinen, Riitta (1990): *Features of successful translation processes: A think-aloud protocol study*. Unpublished licentiate thesis. Joensuu: University of Joensuu, Savonlinna School of Translation Studies.
- Jääskeläinen, Riitta (1993): "Investigating translation strategies." *Recent trends in empirical translation research*. Eds. Sonja Tirkkonen-Condit/John Laffling. Joensuu: University of Joensuu. 99–120.
- Januleviciene, Violeta/Rackeviciene, Sigita (2011): "Translation strategies of English legal terms in the bilingual Lithuanian and Norwegian law dictionaries." *Socialiniu Mokslu Studijos* 3.3: 1073–1093.
- Krogsgaard Vesterager, Anja (2011): *The translation of judgments: An examination of potential translation challenges in translating judgments from Spanish into Danish*. PhD thesis. Aarhus: Aarhus University. 05.11.2014 <http://pure.au.dk/portal/files/37175036/Anja_Krogsgaard_Vesterager_pdf.pdf>.
- Kvam, Sigmund (1996): „Strukturelle Interferenzen als translatorisches Problem am Beispiel norwegisch-deutscher fachsprachlicher Übersetzungsfälle." *Sprachgermanistik in Skandinavien III. Akten des IV. Nordischen Germanistentreffens auf Schloss Sandberg 5. bis 8. Juni 1996*. Hrsg. Harald Pors/Lisbeth Falster Jakobsen/Flemming Talbo Stubkjær. Aarhus. 283–300.
- Lörscher, Wolfgang (1991): *Translation performance, translation process, and translation strategies. A psycholinguistic investigation*. Tübingen: Narr.
- Lörscher, Wolfgang (1996): "A psycholinguistic analysis of translation processes." *Meta: Journal des traducteurs / Meta: Translators' Journal* 41.1: 26–32.
- Mandelblit, Nili (1996): "The cognitive view of metaphor and its implications for translation theory." *Translation and meaning, Part 3*. Eds. Marcel Thelen/Barbara Lewandowska-Tomaszczyk. Maastricht: Hoogeschool Maastricht. 483–495.
- Martikainen, Kati (2007): "What can translation reveal of metaphors? Translation experiment on the psychological reality of the conceptual metaphor theory." *Text, processes, and corpora: Research inspired by Sonja Tirkkonen-Condit*. (Publications of the Savonlinna School of Translation Studies 5). Eds. Riitta Jääskeläinen/Tiina Puurtinen/Hilkka Stotesbury. Joensuu: Joensuu University Press. 145–159.
- Montalt Resurrecció, Vicent/Ezpetela Piorno, Pilar/Garcia Izquierdo, Isabel (2008): "The acquisition of translation competence through textual genre." *Translation Journal* 12.4: 1–12.

- Munday, Jeremy (2008): *Introducing translation studies – theories and applications*. London/New York: Routledge.
- Nida, Eugene (1964/2004): "Principles of correspondence." *The translator's invisibility. A history of translation*. Ed. Lawrence Venuti. London/New York: Routledge. 153–167.
- Pasquau Liaño, Miguel (1996): "Peculiaridades del lenguaje jurídico desde la perspectiva del jurista." *Introducción a la traducción jurídica y jurada (inglés – español)*. Eds. Pedro San Ginés Aguilar/Emilio Ortega Arjonilla. Peligros: Comares. 9–24.
- Pommer, Sieglinde (2008): "No creativity in legal translation?" *Babel* 54.4: 355–368.
- Rouhe, Olga (2009): *The impact or the syntactic asymmetry of Finnish and Russian on the fluency of simultaneous interpreting*. Doctoral dissertation, Savonlinna School of Translation Studies, University of Joensuu.
- Samadi, Mohsen/Shomoossi, Nematullah/Rasekh, Abbas (2011): "Problems in the translation of legal terms from Persian into English." *Language Society and Culture* 33: 108–114.
- Šarčević, Susan (2000): *New approach to legal translation*. The Hague: Kluwer Law International.
- Schjoldager, Anne (2008): *Understanding translation*. Aarhus: Authors and Academica.
- Séguinot, Candace (2000): "Knowledge, expertise, and theory in translation". *Translation in Context: Selected Contributions from the EST Congress, Granada 1998*. Eds. Andrew Chesterman/Natividad Gallardo San Salvador/Yves Gambier. Amsterdam/Philadelphia: Benjamins. 87–104.
- Shreve, Gregory (2002): "Knowing translation: Cognitive and experiential aspects of translation expertise from the perspective of expertise studies." *Translation Studies: Perspectives on an Emerging Discipline*. Ed. Alessandra Riccardi. Cambridge: Cambridge University Press. 150–171.
- Stolze, Radegundis (1999): „Expertenwissen des juristischen Fachübersetzers.“ *Übersetzen von Rechtstexten: Fachkommunikation im Spannungsfeld zwischen Rechtordnung und Sprache*. Hrsg. Peter Sandrini. Tübingen: Narr. 45–62.
- Tirkkonen-Condit, Sonja (2005): "The monitor model revisited: evidence from process research." *Meta: Journal des traducteurs / Meta: Translators' Journal* 50.2: 405–414.
- Tirkkonen-Condit, Sonja/Mäkisalo, Jukka/Immonen, Sini (2008): "The translation process: Interplay between literal rendering and a search for sense." *Across Languages and Cultures* 9.1: 1–15.
- Vinay, Jean-Paul/Darbelnet, Jean (1958/2004): "A methodology for translation." *The translation studies reader*. Ed. Lawrence Venuti. London/New York: Routledge. 128–137.
- Zare-Behtash, Esmail/Firoozkoobi, Sepideh (2009): "A diachronic study of domestication and foreignization strategies of culture-specific items: In English-Persian translations of six of Hemingway's works." *World Applied Sciences Journal* 7.12: 1576–1582.

Acknowledgements

I would like to express my gratitude to Helle Dam-Jensen, Aarhus University, for her valuable comments on an earlier version of the manuscript.

Prof. Anja Krogsgaard Vesterager
Aarhus University
School of Business and Social Sciences
Department of Business Communication
Jens Chr. Skous Vej 4
8000 Aarhus C
aol@asb.dk