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Does Good Writing Mean Good Reading? An Eye-tracking Investigation of the Effect of Writing Advice on Reading Laura Winther Balling

From Theory to Practice: The Selection of Spanish Lemmas in the Accounting Dictionaries Pedro A. Fuertes-Olivera, Henning Bergenholtz, Pablo Gordo-Gómez, Sandro Nielsen, Marta Niño-Amo, Ángel de los Ríos, Ángeles Sastre-Ruano, Marisol Velasco-Sacristán

Expectancy and Professional Norms in Legal Translation: A Study of Explicitation and Implicitation Preferences Dorrit Faber/Mette Hjort-Pedersen





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	Seite
Articles / Aufsätze	
Does Good Writing Mean Good Reading? An Eye-tracking Investigation	
of the Effect of Writing Advice on Reading	
Laura Winther Balling	. 2
From Theory to Practice: The Selection of Spanish Lemmas	
in the Accounting Dictionaries	
Pedro A. Fuertes-Olivera, Henning Bergenholtz, Pablo Gordo-Gómez,	
Sandro Nielsen, Marta Niño-Amo, Ángel de los Ríos, Ángeles Sastre-Ruano,	
Marisol Velasco-Sacristán	. 24
Expectancy and Professional Norms in Legal Translation: A Study of Explicitation	_
and Implicitation Preferences	
Dorrit Faber/Mette Hjort-Pedersen	. 42
Reviews / Buchbesprechungen	
Gea-Valor, Maria-Lluisa/García-Izquierdo, Isabel/Esteve, Maria-José, eds. (2010):	
Linguistic and Translation Studies in Scientific Communication	
Janine Pimentel	. 63
Giannoni, Davide Simone/Frade, Celina (2010): Researching Language and the Law:	
Textual Features and Translation Issues	
Viviana Gaballo	. 67
Höhmann, Doris (2011): Lexikalische Konfigurationen. Korpusgestützte Mikrostudien	
zur Sprachlichkeit im deutschen und italienischen Verwaltungsrecht	
Rebekka Bratschi	. 73
Groebner, Valentin (2012): Wissenschaftssprache. Eine Gebrauchsanweisung	
Michael Szurawitzki	. 75
Neu, Julia (2011): Mündliche Fachtexte der französischen Rechtssprache	, ,
Thomas Tinnefeld	. 77
Bibliography / Bibliographie	
Bibliography of Recent Publications on Specialized Communication	
Ines A. Busch-Lauer	. 82

# Does Good Writing Mean Good Reading? An Eye-tracking Investigation of the Effect of Writing Advice on Reading<sup>1</sup>

### Laura Winther Balling

**Abstract** Many writing guides list constructions that writers should avoid, including passives, nominalisations and long complex words and sentences. This study presents an eye-tracking experiment that compared the reading of such supposedly problematic constructions with the reading of their recommended parallel versions in four different Danish LSP texts. While a range of control predictors, including the length of the target constructions and their position in the texts, had significant effects on reading time, there was no effect of whether a target construction followed or opposed the advice given in writing guides. This suggests that, in themselves, the supposed problem constructions are not inherently problematic to understand. Therefore, factors previously put forward as important, such as the information structure of texts and the image the sender wishes to project, should be what influences the choice of constructions rather than simplified rules such as "Avoid passives!". The implications of this finding for writing guides and for company and institutional language policies are discussed.

**Keywords** text processing, sentence processing, writing guides, language policy, eye tracking, sentence structure, passive constructions, nominalisations

### 1 Introduction: Good writing

Good writing avoids passive constructions, nominalisations and heavy premodifications, if we are to believe an array of writing handbooks (for English, for instance, Rozakis 2000, Sorenson 2010, Williams 2005; for Danish, Jacobsen/Jørgensen 1992, Jacobsen/Skyum-Nielsen 1996, Salling 2007, Veirup 2002). The claim is that texts that avoid such constructions are more comprehensible, but the empirical evidence is scarce. By their nature, writing handbooks do not tend to include much systematic empirical evidence, only obviously problematic examples and perhaps the odd anecdote, but there is also a lack of scientific studies of how the supposed problem constructions are processed. This article reports an eye-tracking experiment that begins to fill this gap by investigating how Danish readers read constructions that follow or oppose writing advice such as "avoid passives" and "avoid nominalisations". The question is whether the recommended constructions are in fact easier to read – and why or why not?

The constructions that writing guides advise against (henceforth termed *problem constructions* as a shorthand, though the object of this study is to investigate whether they are in fact problematic) are found across a range of texts, but are most characteristic of language for specific purposes (LSP). Although LSP may be both expert-to-expert and expert-to-layman

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communication, the recommendation to avoid the specific problem constructions is most relevant for experts communicating to laymen, whereas the familiarity of the expert receiver with a specific LSP code makes special constructions less problematic in expert-to-expert communication (Bostian/Thering 1987). The present study considers four texts of which one is most accurately classified as expert-to-layman communication, while for the other three texts the receiver groups may be categorised as either laymen or experts or a mixture of the two. All four texts are excerpts of authentic texts taken from different domains.

The constructions investigated in the present study include seven different types, for which the problematic version is compared to the recommended parallel construction. Thus, for instance, passives are compared to actives and nominalisations to verbal constructions. The choice of target constructions was based on Danish writing guides (especially Jacobsen/Jørgensen 1992 and Veirup 2002) because Danish is the language of the experiment reported below, but almost all the recommendations generalise to English (Brown 2001, Callis 2001, Rozakis 2000, Williams 2005; for the specific categories, see the overview of types in table 1).

Table 1: The types of problem constructions and their parallel recommended versions, along with the number of occurrences in the experimental texts and generalisability to English.

Туре	n	Problem	Recommendation	Parallel to English
Passive	10	Passive verb	Active verb	Yes
Nominal	20	Nominalisation	Verbal construction	Yes
Complex	6	Long complex sentence Long complex word	Dissolved into several shorter sentences or words	Yes
Genitive	7	's-genitive for impersonal construction	Construction with prepositional phrase	Yes, sometimes phrased as grammatical rule
SV-interference	7	(Long) adverbial be- tween subject and verb, or between auxiliary and main verb	Postposed adverbial	Yes for long adverbials between auxiliary and main verb
PP	1	Prepositional phrase premodifying noun	Relative clause post- modifying noun	Problem construction is ungrammatical
Preposed	1	Preposed adverbial	Postposed adverbial	Yes

Of the seven types, passives and nominalisations are the ones that writers are most frequently warned against; passives because they make the text less clear, personal and dynamic, and nominalisations because they may code information so densely and abstractly as to make it difficult to decode. The other problem constructions are overly long and complex words and sentences, 's-genitives compared to constructions using prepositional phrases for impersonal constructions, much material interfering between subject and verb, prepositional phrases premodifying nouns (a strong characteristic of old-fashioned Danish officialese, now rare outside legal language) and long adverbials occurring at the beginning of a clause. The choice of problem constructions for the experiment reported here is motivated by what the central pieces

of writing advice are and which of these can be operationalized for direct comparison in an experiment, but also constrained by which constructions could be found in sufficient numbers in authentic texts for use in the experiment.

Among these constructions, passives have been the target of most attention in the processing literature, probably mainly because in the generative tradition (starting with Chomsky 1957), they are regarded as different and more complex surface structure derivations of the same deep structure as their corresponding active versions. A number of early offline comprehension experiments, i. e. studies measuring comprehension post hoc, showed problems with passives relative to actives (e. g. Forster/Olbrei 1971, Mehler 1963, Miller/McKean 1964), but Slobin (1966) demonstrated that such problems only occurred for reversible passives, and a few online experiments (measuring comprehension as it happens) have shown differences in the opposite direction, with faster processing of passives than actives (see Carrithers 1989).

Although the general advice in writing handbooks is to avoid passives, a more nuanced approach is to consider which structure – active or passive – fits the information structure of the sentence and paragraph (see e. g. Björk/Räisänen 1997, Rozakis 2000). Evidence that information structure also plays a role in online comprehension was found by Olson/Filby (1972), who showed that when a preceding picture or sentence focused on the patient of an event, passive sentences were easier to process than actives, exactly because the passive is the correct encoding of the relevant information structure. Unfortunately, Olsen and Filby's study involved a very small number of both participants and items, and the items were repeated a number of times. It is therefore uncertain to what extent the findings generalise but the results do suggest that a more refined approach than the standard "Avoid passives!" is appropriate.

In the more recent literature, there is also little evidence on how constructions such as passives vs. actives and nominalisations vs. verbal constructions are processed online by readers. The effects of a number of other linguistic factors on processing time and ease have been thoroughly investigated (see for instance overviews of eye movements during reading by Rayner 1998, 2009), but pragmatic factors have been relatively underexplored. One partial exception is the study by Huestegge/Bocianski (2010), who compared the reading of identical passages following passive vs. active and embedded vs. non-embedded structures in German using eye-tracking. Huestegge and Bocianski report some adverse effects on reading time for sentences following passages with embedded structures, but no solid effects of the passive vs. active manipulation, also not when considering the actual problem/recommended construction rather than the following sentence. However, the purpose of their study was to investigate the global rather than local (mainly lexical) effects on eye-movement control, and the authors used a block design (with blocks of multiple exemplars of the same type of construction) in order to optimise the chance of finding such global effects. This makes it questionable to what extent the results generalise to a more natural reading situation. Moreover, the study failed to take length differences between different types of constructions into account.

In sum, experimental studies of the processing of recommended and problem constructions are rare. There are more studies of the comprehension of such constructions, but the findings are not conclusive. Spyridakis/Isakson (1998) studied the comprehension of nominalisations, which are also the largest group of problem constructions in the current experiment, embedded in full texts. The study found no overall benefit for recall of denominalised constructions compared to parallel nominalisations, but did find that native speakers recalled more important idea units expressed in denominalised phrases. This effect seems rather too slender to merit substantial rewriting to avoid nominalisations, but it should be noted that the

nominalisations were relatively common nouns like *result, decision* and *behaviour,* whereas efforts to avoid more complex and abstract nominalisations may be warranted.

The studies of Huestegge/Bocianski and Spyridakis/Isakson both focused on one or two specific types of constructions, finding at best partial benefits for the recommended constructions. The same holds for a recent study by Jones et al. (2012), who studied the use of questions rather than statements as headings and the use of pronouns in environmental policy documents. By contrast, studies using more general rewriting of texts to avoid a variety of problem constructions have shown effects on comprehension: Both Coleman (1964) and Duffelmeyer (1979) found shorter reading times for passages that were simplified, at least for poorer readers. Different researchers have also documented improved impact of a range of specialised texts, including juror instructions, medical consent forms and letters from tax authorities (see overview in Jones et al. 2012: 335 ff.). The examples given by Jones and colleagues included a range of revisions, affecting both the language and the physical appearance of the text.

The present study also considers a range of different construction types, but focuses not on detailed measures of comprehension of the whole text, but on how a straightforward change from problem to recommended construction affects ease of processing as measured by gaze time for that construction and the sentence it is embedded in. All texts – like a lot of texts we encounter in our highly literate daily lives – include both recommended and problem constructions. Crucially, the effect of construction type in this study is isolated by statistically controlling a range of predictors, most importantly the length of the constructions, which may vary with the change in construction type.

Using as a starting point those writing guides that advise against the problem constructions, the hypothesis of the present experiment would be that the participants in the experiment would gaze longer at the problem constructions than at the parallel recommended versions. This hypothesis is based on the understanding that what readers look at is also what they are mentally processing (the eye-mind assumption of Just/Carpenter 1980) and that longer gaze times indicate more difficult processing. However, a number of factors work against this hypothesis: The relatively high quality of the texts used in the experiment means that the problem constructions may be used in a more appropriate way than in texts of lower quality and therefore may be less problematic to the reader. Consequently, simplistic advice such as "Avoid passives!" – which is what the experimental manipulation tests – may be inappropriate. Further, the variety of problem constructions in the experiment may result in a mixed picture, but this is taken into account in the analyses. Taken together, this indicates that a more complex picture may well emerge.

### 2 Experimental method

The use of eye-tracking to study text and discourse processing is not so common as it is in the study of lexical and syntactic processing (evidenced by the massive number of references in overview articles such as Rayner 1998, 2009, and Clifton/Staub/Rayner 2007), but for instance Rayner et al. (2006) demonstrated that global text difficulty can be meaningfully studied using eye-movement measures and several other studies have shown effects of discourse factors on eye movements (see overview in Rayner 2009: 1474). Based on this, it is assumed that the eye-tracking measures of gaze time provide a test of the text-processing difficulty that may be involved when reading problem constructions compared to their parallel recommended constructions.

### 2.1 Texts and items

The experiment involved the reading of four texts which were all excerpts of authentic texts: A leaflet describing the duties of the National Bank of Denmark is mainly targeted at laymen wishing to understand the workings of the National Bank (abbreviation NB), while for the three remaining texts the receiver groups could include both laymen and experts. These were the mission statement of the Danish Department of Justice (JM), an insurance policy from *Lærerstandens Brandforsikring* (LB, a private insurance company), and an e-mail describing changes in the examination rules at the Copenhagen Business School (CBS). Each text occurred either in its original form with no changes or in a revised version; each participant saw only one of these versions. There were two different combinations of text versions (original vs. revised), each of which was presented in two different orders, resulting in four different experimental orders to which participants were assigned randomly. All participants read two original and two revised texts. An overview of this design is presented in table 2.

Table 2: Overview of text orders and versions for each of the four groups that participants were randomly assigned to, and the number of participants in each group.

Group	Text 1	Text 2	Text 3	Text 4	Participants
1+2	LB	JM	NB	CBS	
1	Revised	Original	Revised	Original	5
2	Original	Revised	Original	Revised	4
3+4	CBS	NB	JM	LB	
3	Original	Revised	Original	Revised	5
4	Revised	Original	Revised	Original	6

Most of the revisions were changes from problem constructions to recommended versions, but in order to maximise the number of target constructions in the text, there were also cases where a recommended structure was changed into a problem construction. This means that all versions had both recommended and problem constructions, but because most of the changes were from problem constructions in the originals to recommended constructions in the revised versions, the original texts contained most of the target problem constructions. The texts were checked by two language professionals to ensure that the revised texts were still coherent and that none of the changes seemed unnatural.

There were seven different types of constructions, as outlined in the introduction and listed in table 1 above. All in all, there were 52 problem constructions, each paired with a recommended construction in the other version of the text. For the analysis, areas of interest (AOIs) were defined around each problem or recommended construction, and eye-tracking indicators were measured for these areas.

### 2.2 Participants

The participants were 27 native speakers of Danish aged 17 to 23 (mean 19.3 years), who read the texts while their eye movements were monitored. Eye-tracking data from 20 participants

were analysed, while for the remaining seven participants, the quality of the eye-tracking record was too poor. This was mainly an issue of the remote eye tracker used for the experiment (see below) registering fixations below the relevant line of text, but also a single case of very few gaze samples being registered by the eye tracker. Data from all 27 participants were used in a supplementary analysis of the reading pace.

The participants fall into two groups, just over half being high school students and the remainder BA students at the Copenhagen Business School (CBS). While the latter group are farther along in the educational system, the former group were enrolled in a special programme for talented high school students and as such on a relatively high academic level. The group difference was included as a variable in the analyses, and it was therefore possible to analyse the data from all participants together. The reason for the two groups of participants was simply availability: the high school students spent a day being introduced to language technology and language experiments, and as part of that, participated in this experiment. This provided eye-tracking data of sufficient quality from 11 participants, which was less than the planned 20 participants, and the rest were therefore recruited from the student body at CBS.

### 2.3 Apparatus

The experiment was run using a Tobii T120 eye tracker with a 17" screen. The T120 is a remote eye tracker which samples at a rate of 120 Hz, with an accuracy of 0.5°. Using a remote eye tracker may sometimes result in reduced data quality, especially if participants move around a lot, but it has the advantage of providing a relatively naturalistic setting for the experiment: Participants sit and read from a computer screen, while their eye movements are tracked by two cameras built into a panel below the screen. The texts were presented in an 18-point Courier New font, black on a white background.

### 2.4 Task and procedure

Participants were asked to read four texts, a revised or original version of each of the four experimental texts described above. Participants were asked to read the texts for normal comprehension and were told that questions would be asked for each text to ensure comprehension.

Participants were first given an oral instruction about the task, before their eyes were calibrated using a nine-point grid. After calibration, a brief written repetition of the instruction occurred, and then the four texts followed (in one of the four different combinations of orders and text versions described in section 2.1 and summarised in table 2), each preceded by a page with a heading describing the contents of each text, e. g. "Excerpt from the mission statement of the Department of Justice". The texts were presented one sentence at a time; participants pressed the space bar to proceed from one sentence to the next. This means that, in addition to the eye-tracking record, the time it took the participants to read each sentence may be analysed. At the end of each text, participants were required to answer a comprehension question by clicking one of two possible answers to a question relating to the preceding text; these questions were included to ensure some level of comprehension without encouraging very slow in-depth reading. Most of the participants answered all questions correctly, and all answered at least three out of four questions correctly. The question that received almost all of the error responses was one relating to word choice in a text, with rather similar answer

options that in hindsight were probably too difficult to distinguish when the reader's focus had been on understanding the meaning of the text. The readers' performance on the comprehension questions had no effect on eye movements or reading time. The experiment took around ten minutes, including instruction and debriefing.

### 3 Results and discussion

### 3.1 Dependent variables and predictors

The main hypothesis of this study concerns the effect of problem vs. recommended constructions on gaze time. Consequently, the main dependent variable of the study was the total fixation duration on the problematic and recommended AOIs, i. e. for each construction the sum of all fixations on that construction. This was preferred as the most informative variable over other eye-tracking measures, such as individual fixation duration and number of fixations, because total fixation duration best reflects the focus on overall reading-time benefits for recommended as opposed to problem constructions. There is no strong reason to assume that individual fixations would vary much as a function of whether the construction was recommended or problematic. There might be an effect for the number of fixations, but the information in this variable overlaps to a great extent with total fixation duration and, consisting of discrete numbers (of fixations) rather than the continuous variable time, it is less informative and more problematic for statistical analysis.

A supplementary analysis used as a dependent variable the speed with which participants read each sentence. Those sentences that contained only one target construction were analysed, as described in section 3.5. Although the sentence reading time is less sensitive than the eye-tracking measure, it has the advantage that it includes the reading of the entire sentence. It may thus include what the eye-tracking literature calls spillover effects: cases where effects of the target construction manipulation are manifested in the gaze time not only on the critical AOI, which is made up of the target construction, but also on other regions of the relevant sentence. This secondary analysis loses statistical power because sentences with multiple target constructions could not be analysed, but gains some power because data from all 27 participants can be analysed.

The two dependent variables were analysed in regression models with a range of predictors, investigating to what extent total fixation duration and reading pace varied as a function of different properties of the items and participants. The main, hypothesis-driving predictor is of course whether a target construction is a problem construction or the recommended parallel of the problem construction, e. g. whether it is active or passive, a nominalisation or a verbal construction etc.

In order to investigate whether this main factor Construction Type, with the values Problem and Recommended, had an effect on reading times, it was necessary to take into account a range of control predictors. In general, there are two ways of dealing with control predictors: one is experimental control where two categories of experimental items like the ones in this study are matched in terms of all relevant control predictors and then compared in a simple statistical model. However, such experimental control is not possible in a study like the present one, since the critical constructions vary in a number of ways, not least in length of the construction, where for instance nominalisations, which are categorised as problem constructions, tend to be shorter than the verbal constructions which are the recommended alternative. Because experimental control is not possible, the study uses statistical control,

Articles/Aufsätze

whereby a number of potentially relevant variables are indexed for all constructions and included in a regression model that can show the effect of each variable, most importantly of course Construction Type, while all the other variables are taken into account. This approach has the advantage of making it possible to use naturalistic texts, and additionally allows us to investigate a range of different (control) variables or predictors, some of which may be of independent interest.

The control predictors fall into three different categories: characteristics of the items, context variables, and characteristics of the participants. The characteristics of the items include the most important control predictor, which is each target construction's Length in Characters; this is very influential because there are considerable length differences between the constructions, which range between 3 and 119 characters in length (mean 27 characters). Another potentially influential item characteristic is the Mean Word Frequency of the words in each target construction, which is relevant because more frequent words are usually read faster than less frequent ones.

Another frequency-based predictor, which is best characterised as a context predictor, is the Mean Conditional Word Trigram Probability of the words in the target construction, which is used to index the predictability of the words in the AOI in their context (for details, see Balling 2012, MacDonald/Shillcock 2003). For each target word in an AOI, this measure is the frequency of the word trigram (i. e. three words) of which the target word is the last, divided by the frequency of the two words that precede the target word. This indexes how predictable the target is given the two words that precede it. Both frequency-based measures were based on *Korpus90/2000*, a large corpus of written Danish, and all measures were Kneser-Ney smoothed (Chen/Goodman 1998) before being averaged across the words of each AOI.

The other context predictors are AOI Order, the position of the AOI in the experiment (with 1 indexing the first AOI a participant encountered, and 52 the last), the AOI Position inside its text (indexed by the rank in the text of the sentence in which the AOI occurred), and the Position in Line and Position in Sentence of the first word of the AOI. The two former context predictors – position in experiment and in text – may index priming or fatigue across the experimental session or the individual texts (see for instance Balling 2008a). The two latter predictors take into account the fact that words early and late in sentences and lines may show atypical fixation patterns (Frenck-Mestre 2005, Just/Carpenter 1980).

Finally, the participant predictors are the Gender, Group (High School vs. University Students) and Comprehension Question Performance of the participants. All three turned out to be non-significant in the eye-movement analyses and are therefore not further discussed in that connection; Group had an effect in the secondary analysis of reading pace and is discussed in section 3.5.

### 3.2 Statistical analyses

The results of the experiment were analysed using a regression approach to allow statistical control of the control variables described in the previous section. More specifically, a linear mixed-effects regression (LMER) model was used. In addition to the item, context, and participant predictors described in the previous section, this type of model makes it possible to take into account some of the random variation between participants and items through so-called random intercepts. These random intercepts may for instance model the fact that some participants are slower than others, resulting in a more precise analysis than standard analyses

that only take into account the so-called fixed effects of item, context, and participant predictors. For details on the use of LMER, see Baayen/Davidson/Bates (2008) or, for a less formal description, Balling (2008b).

The statistical model was constructed by first modelling the dependent variable total fixation duration as a function of Length, the predictor with the largest expected effect, and then adding more and more of the control predictors, starting with the most uncontroversial ones and ending with the most interesting ones, before finally adding the central predictor Construction Type. In this way, all available control predictors had been taken into account before the central predictor was tested, allowing us to discern the effect of Construction Type when all other variables are held constant. Predictors were retained in the final model only if they were significant at the 0.05-level, with the exception of the central predictor Construction Type, which is included in the final model to allow the reader to assess its size and (lack of) significance. The p-value for a given predictor relates to the null hypothesis that there is no effect of that predictor on the dependent variable, in this case total fixation duration. If p = 0.05, it means that there is a five-percent chance of observing a larger difference than that in the actual dataset if the null hypothesis is true; if p is 0.05 or below, it is usually taken to indicate that the effect is a significant and reliable one that should be interpreted.

Both the dependent variables (total fixation duration and reading pace) and several of the predictors, including length and frequencies, show the skewed distributions characteristic of response times and lexical statistical measures, with many observations concentrated in the low end of the range and fewer, more spread-out high values. Such skewness can cause problems for the statistical model, because the high values may be outliers which may be overly influential. In order to reduce the skewness, these variables were transformed, logarithmically in most cases, but using the less severe square root transformation in the case of the AOI position in sentence. Also in order to improve the fit, data points with large standardised residuals (i. e. differences between the observed data and what the model predicts), which often represent outliers were removed, in order to avoid that these potential outliers would influence results unduly. This procedure removed 1.6 % of the data points but resulted in a better model fit and more reliable effects.

The final model is summarised in table 3, which shows the name of the predictor in the first column and the estimated effect size of each predictor in the second column. The remaining columns show values based on 10,000 Markov chain Monte Carlo (MCMC) simulations run on the basis of the dataset and the model. Especially for smaller datasets, MCMC-based values provide superior accuracy compared to values based on the t-distribution; the present dataset is not small, but the method is applied nonetheless for consistency with the analysis of reading pace (see section 3.5), which includes fewer data points. The MCMC mean in the second column is the mean estimated effect size in the MCMC-simulations. HPD95 lower and upper are credible intervals within which 95 % of population means are likely to lie; these are similar to standard confidence intervals but they are based on the simulations. Finally, the MCMC-based p-values in the right-most column indicate the significance of each effect.

Table 3: Summary of the linear mixed-effects regression model for total fixation duration. The final model includes those of the control predictors that were significant as well as the central Construction Type predictor irrespective of its significance. The model also included random intercepts for participant (standard deviation estimated at 0.2332) and item (standard deviation estimated at 0.1964). The residual standard deviation was estimated at 0.3919.

	Estimate	MCMC mean	HPD95 lower	HPD95 upper	р
Intercept	4.3252	4.3239	4.0739	4.5787	0.0001
Construction: Recommended	-0.0182	-0.0184	-0.1004	0.0611	0.6582
Length in Characters (log)	0.8668	0.8666	0.8111	0.9201	0.0001
AOI Order	-0.0038	-0.0039	-0.0056	-0.0022	0.0001
Position in Sentence (squareroot), linear	0.0644	0.0673	-0.0644	0.2008	0.3118
Position in Sentence (squareroot), quadratic	-0.0243	-0.0247	-0.0453	-0.0032	0.0192

For the numerical predictors, e. g. Length, the Estimate represents the slope of the regression line that describes the relation between the dependent variable total fixation duration and the numerical predictor in question, exemplified by the lines in figure 1. For Position in Sentence, the table shows two estimates: one for the linear and one for the quadratic component; when, as here, the quadratic component is significant, the linear term is included, whether or not it is significant. Together, the two estimates describe the effect, which is illustrated in figure 1 and discussed below. For categorical predictors, i. e. for our central factor Construction Type, one level, in this case problem constructions, is represented by the intercept, while the line "Construction: Recommended" describes the effect for recommended constructions relative to problem constructions. In other words, one level of the categorical predictor is not explicitly mentioned but "hidden" in the intercept, while the comparison between the two categories is given in the line that mentions the other level of the categorical predictor.

### 3.3 Problem and recommended constructions

The difference between recommended and problem constructions is shown in table 3 in the line "Construction: Recommended", with an estimated effect size of 0.0182 log RT units, i. e. recommended constructions are read on average 0.0182 log RT units faster than problem constructions (which are represented by the intercept). When this is adjusted to the medians of the other predictors, it corresponds to a mean advantage of 17 ms for the recommended compared to the problem constructions. In addition to being small, this effect is highly unsystematic and very far from significant with a p-value of 0.6582. This means that the, more or less explicit, claim of writing guides that problem constructions are more difficult to read, cannot be confirmed: There is no evidence that the problem constructions are more difficult to read than the recommended constructions.

It is not unproblematic to draw conclusions from a non-significant result, since what the

statistical model does is test whether it is reasonable to reject the null-hypothesis. In this case, the null hypothesis is that there is no difference between recommended and problem constructions — when, like here, the null hypothesis cannot be rejected, it does not mean that the null hypothesis can be straightforwardly accepted. The result does, however, provide an interesting indication that supposedly problematic constructions such as passives and nominalisations are not necessarily difficult to process, at least not when used in high-quality professional texts like the present ones. The implications of this result are further discussed in the general discussion. Importantly, the result is based on a regression model in which other relevant factors are held constant; the effect was also non-significant when non-significant control variables, which were tested during the analysis process but not included in the final model, were included in the analysis, and it was non-significant in an analysis of the raw data with no control predictors.

One thing that can be done to help interpret a non-significant effect is consider the estimated size of the effect — in this case the difference between recommended and problem constructions, which is 17 ms (the difference between the intercept, which represents problem constructions, and Construction: Recommended, backtransformed from the log scale to ms and adjusted to the median values of the other predictors). For constructions like the present, which had a mean length of 27 characters or 3.5 words, this is a very small effect, which apart from being statistically non-significant must also be characterised as non-significant in practice: An advantage of 17 ms hardly merits changing from a problem to a recommended construction (though other factors may motivate such a shift, see discussion below). Moreover, the effect size is completely unsystematic — which is also what makes it statistically non-significant — with credible intervals (i. e. intervals within which 95 % of effect size means are predicted to lie) ranging from an advantage for problem constructions of 78 ms to an advantage for recommended constructions of 77 ms.

One possible reason for the non-significance of Construction Type is that this factor encompasses a range of different manipulations – genitive, passive, nominalisations etc. – which may show different patterns. For instance, it is not out of the question that a contrast like the one between a nominalisation and its sentential parallel should have bigger effects than the one between an inflectional and a periphrastic genitive. In order to explore this, a number of subanalyses were conducted exploring the differences between recommended and problem constructions for each of the five target construction types that had more than one instance in the texts (i. e. excluding the types PP and Preposed which were only represented by one construction each). The subanalyses showed no significant effect of Construction Type for any of the types Nominalisation, Passive, Complex, Genitive or SV-interference (all p-values in likelihood ratio tests comparing models including the contrast with a simpler model not including it were above 0.4).

### 3.4 Control variables

As expected, Length in Letters (logarithmically transformed to reduce skewness) had a very large and highly significant effect, which is illustrated in the top left panel of figure 1: Total fixation duration, shown on the vertical axis, naturally became higher for longer constructions, illustrated as log length in letters on the horizontal axis. The other item-related predictor, namely Mean Word Frequency of the words in the AOI turned out to be non-significant and is not included in the model. Similarly, there was no effect of Mean Trigram

Fachsprache 1-2/2013

PROBABILITY. One possible reason for the non-significance of these frequency-based effects is that they are means across constructions that vary considerably in length and whose words vary considerably in frequency, including function words, which are of extremely high frequency, and both high- and low-frequency content words. This large variation may make the mean an uninformative predictor of total fixation duration on the target construction.

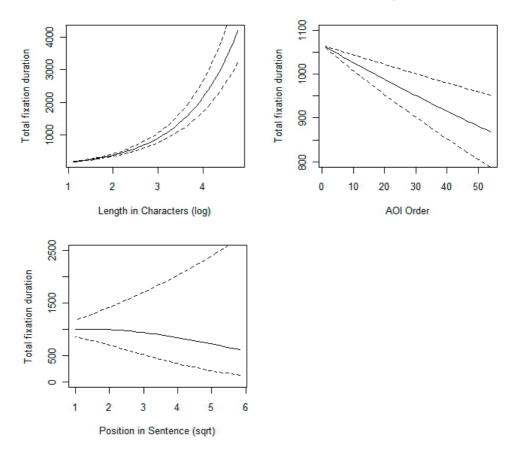


Figure 1: Partial effects of the control predictors Length in Characters, AOI Order and Position in Sentence. The response variable total fixation duration is adjusted to the intercept and the median values for the other predictors, and backtransformed from the log scale to milliseconds for ease of interpretation. Note the different scales on the vertical axis, which is motivated by the much larger effect of length than the other predictors. Solid lines show the estimated effects, dashed lines 95 % credible intervals, i. e. the interval within which 95 % of estimates are predicted to lie.

By contrast, two of the context predictors turned out to be significant and are also illustrated in figure 1: The top right panel illustrates the linear effect of AOI ORDER with shorter total fixation duration for AOIs occurring later in the experiment. This is the smallest of the three effects, but still has a span of around 170 ms. It probably covers two facets of the reading process: Firstly, the fact that reading tends to be slowest in the beginning of a (short) text when the

topic and context of the text need to be established; secondly, the fact that participants tend to become faster as a short experiment progresses. It does not seem to be an issue of the mode of reading changing radically after the first text and the first (relatively easy) comprehension question, since the change is gradual rather than sudden.

The lower left panel shows the effect of the Position in Sentence of the AOI. This non-linear effect exhibits an overall downward trend, indicating shorter reading times for AOIs that do not occur early in the sentence: Once the scene is set by the beginning of a sentence, reading seems to become easier. At first sight, this contrasts with the well-documented sentence wrap-up effect, but that is concerned specifically with words occurring at the very end of sentences and clauses being fixated relatively long (Just/Carpenter 1980, Rayner/Kambe/Duffy 2000, Hirotani/Frazier/Rayner 2006), whereas the effect in this analysis is a graded effect of how early in the sentence a construction occurs. The large credible intervals indicate that this is a somewhat unsystematic effect which should be interpreted cautiously.

### 3.5 Supplementary analysis of reading pace

As a supplement to the main analysis of the eye-tracking data, reading times for the full sentences could also be analysed for a subset of the constructions. The predictors tested for in the reading-pace model are the same as in the eye-tracking analysis, and relate specifically to the target constructions. This means that the predictors do not capture all variation between the full sentences, which are what the reading pace measures, but using the predictors based on the target constructions still makes sense because what varies between sentences with a single recommended or problem construction are exactly the characteristics of the AOI covering the target construction. The bottom-up approach to the analysis, starting with the least interesting and ending with the most interesting variables, is the same as in the eye-tracking analysis. The analysis is summarised in table 4, which shows the same types of information as table 3 (see the description above). As in table 3, the Estimate represents the slope for numerical predictors like Length, and the difference between the reference level and the contrast level for factors such as Group and Construction Type.

Table 4: Summary of the linear mixed-effects regression model for reading pace. The final model includes those of the control predictors that were significant as well as the central Construction Type predictor irrespective of its significance. The model also included random intercepts for participant (standard deviation estimated at 0.1687) and item (standard deviation estimated at 0.2812). The residual standard deviation was estimated at 0.2003.

	Estimate	MCMC mean	HPD95 lower	HPD95 upper	р
Intercept	7.4991	7.5029	7.0706	7.9398	0.0001
Length in characters (log)	0.2282	0.2269	0.1407	0.3111	0.0001
MEAN TRIGRAM PROBABILITY	-0.1400	-0.1398	-0.1992	-0.0790	0.0001
Group: CBS	0.2064	0.2071	0.0963	0.3125	0.0010
Construction: Recommended	-0.0022	-0.0026	-0.1381	0.1420	0.9622

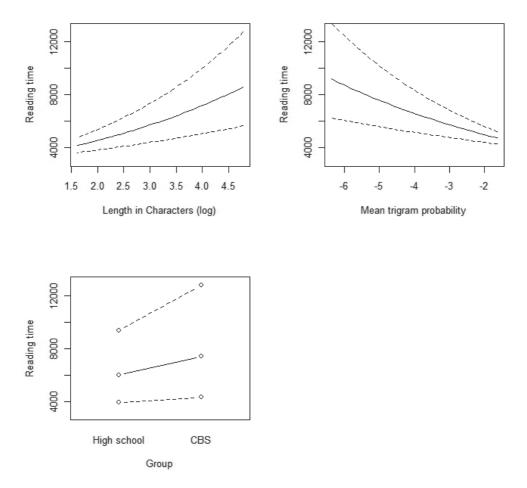


Figure 2: Partial effects for the control predictors Length in Characters, Mean Trigram Probability and Group. The response variable reading pace is adjusted to the intercept and backtransformed from the log scale to milliseconds for ease of interpretation. Solid lines show the estimated effect, dashed lines credible intervals based on the HPD-estimates in table 4.

Exactly as in the eye-tracking analysis, there was absolutely no evidence for an effect of whether a target construction was what writing guides classify as problematic or recommended (p = 0.9622). In this analysis, the difference between the recommended and the problem constructions (adjusted to the median values of the numerical predictors length and mean trigram probability and backtransformed from the log scale to ms) was 13 ms in reading of full sentences, i. e. an even more negligible effect than in the eye-tracking analysis. In addition to the effect being small, the credible intervals are again large which means that the effect is very unsystematic, ranging from an advantage for problem constructions of over 1.400 ms to an advantage for recommended constructions of 500 milliseconds. Thus, this analysis confirms the eye-tracking analysis, by showing that the factor Construction Type does not have any detectable spillover effects to other regions of the relevant sentence.

In addition to the non-significant factor Construction Type, the model summarised in table 4 shows significant effects of three control predictors which are shown in figure 2. The effect of Length, shown in the upper left panel, is similar to the eye-tracking analysis, though relatively smaller because it only measures the length of the target construction, not the whole sentence. The effect of Mean Trigram Probability, indexing predictability of the words in the AOI in their context, shows the expected facilitatory effect, with shorter reading times for AOIs containing more predictable words. This is similar to the observations of Balling (2012), but different from the eye-tracking analysis presented above, which showed no significant effect of this variable.

Finally, this analysis – again in contrast to the eye-tracking analysis – showed a small effect of Group. The effect has quite large credible intervals, but is nonetheless significant, with longer reading times for the group of CBS students than for the high school students. Although the CBS students could be assumed to have more reading experience, the especially talented high school students that took part in the experiment are apparently faster readers, a fact that comes out in an analysis of overall reading time, but not in the narrower analysis of fixations time for specific target constructions.

The main difference between the current, secondary analysis of overall reading time and the primary analysis of fixations is that the latter focuses on the specific constructions of interest. Moreover, the fixation time analysis is less likely to include whatever non-reading gaze activity may occur during the experiment. As such, that analysis remains primary. It is, however, useful to corroborate the results in a secondary analysis which would detect effects of the recommended vs. problem construction manipulation that was not narrowly tied to the target construction AOI.

### 4 General discussion

The eye-tracking experiment showed no reading time benefit, as indicated by total fixation duration on target constructions and reading time for the sentences in which they were embedded, for those constructions that writing guides recommend, compared to supposed problem constructions like passives and nominalisations. Although neither reading time measure says anything direct about actual text comprehension, this null result is nonetheless telling: There is a broad consensus that longer fixation durations and longer reading times are indicative of higher cognitive load in general, for instance in the eye-mind hypothesis of Just/Carpenter (1980) and specifically for the processing of larger chunks of information for instance in Balling/Hvelplund/Sjørup (forthcoming; reading of source text constructions during translation), Rayner et al. (2006; global text difficulty), Birch/Rayner (1997; processing of elements in linguistic focus), and Cook/Myers (2004; resolution of discourse roles). The eye-mind hypothesis assumes that there is always a direct connection between what is gazed at and what is processed; recently, there has been some debate as to whether this always holds completely (Kliegl/Nuthmann/Engbert 2006, Rayner et al. 2007), but there is certainly some correlation between the two. If such a processing difference is not found, it indicates that the problem constructions are not in fact problematic for comprehension. Although the result is specific to Danish, the generalisability of the recommended/problem distinction of the Danish target constructions to English suggests that this holds more generally.

It is of course not inconceivable that there are comprehension difficulties for problem constructions that do not result in longer reading times; to investigate comprehensibility on

its own, we would need a study that measures the actual comprehension of a large number of problem constructions compared to their recommended parallel constructions, probably with rather extreme manipulations in order to see an effect on comprehension. Another possibility would be to consider recall of recommended as opposed to target constructions (e. g. Spyridakis/Isakson 1998), but precise recall may not be the most relevant parameter for comprehension.

The two-choice comprehension questions that participants were required to answer after each text do not provide in-depth information on participants' comprehension and were therefore not analysed as a measure of comprehension. Instead, the questions had the function of ensuring that participants did not read too superficially; this was also supported by instructions presenting the task as reading for comprehension with the goal of being able to recall general contents and word choice. This is one possible choice of format which ensures some level of text comprehension, without encouraging slow, detail-oriented reading. Slower reading could be encouraged by using more difficult comprehension questions, possibly with more answer options, or a series of comprehension questions for each text. Such slower reading could on one hand have resulted in a larger effect of construction type because the differences between constructions would be enlarged as a result of slower reading; on the other hand, it is also conceivable that problem constructions pose fewer problems when reading is slower. This is an interesting question which the current study cannot answer; instead, it is left as an issue for future research. What this study aimed at was a mode of reading that is representative for a lot of the reading that we do in our daily lives, and that constitutes an intermediate type between slow, in-depth reading as one extreme and completely superficial skimming as the other.

The fact that the difference between the construction types is as small and unsystematic as it is - 17 ms with large credible intervals - suggests that there are no (measurable) comprehension difficulties associated with problem constructions and that even if there were, changing them to recommended constructions would not have much practical impact on the speed and ease of reading. The implication of this is that simple writing advice like "Avoid passives!" - and the effort put into implementing this in language policies of various institutions and companies - is at best ineffective and at worst harmful, if it means that writers avoid passives (and other supposed problem constructions) which may sometimes be reasonable solutions to a communication problem, and moreover spend time and effort on doing so. This in turn means that a more refined approach is required, namely one in which the choice of construction is based on a thorough understanding of the structure of the text – crucially including the information structure of sentences and paragraphs - and careful consideration of the receivers' basis for understanding the text. Many writing guides do in fact offer such nuanced approaches, but simple statements such as "Avoid passives!" may be what stays with the readers of such guides and language policies (as exemplified by Kjærgaard 2010). Changing this is a larger pedagogical challenge than simply teaching students and other writers to identify and avoid passives, nominalisations and the like, but may in the end result in better texts.

One caveat is in place, namely that the texts used in the experiment are of relatively high quality, especially the high-profiled and highly polished texts from the National Bank of Denmark and the Department of Justice, while the basis for much writing advice may be texts of lower quality and cases where unmotivated passivation and preposing of heavy constituents may in fact hinder comprehension. The reason for nonetheless choosing to use texts where both recommended and problem constructions were comprehensible was that this made it

possible to directly compare the two, to get a picture of the isolated effect of contrasts such as active vs. passive and nominalised vs. verbal constructions.

There are also other factors motivating various pieces of writing advice than plain speed and ease of comprehension. For instance, Veirup (2002) tells us to choose active over passive constructions because this makes for more dynamic and personal language; in accordance with this, a preference for actives over passives in an institution's language policy may be partially motivated by a wish to appear approachable and personal rather than distant and institutional. Nonetheless, comprehensibility must always be an important – if not the most important – factor when considering how to write well, and in that respect the present result questions the validity of several recommendations for good writing. The issue of how readers experience the reading and view the sender is a different but very interesting question which is left open for future research. Jones et al. (2012) suggest that some guidelines, for instance the recommendation to use questions rather than statements in headings, have mixed effects: The use of questions leads to ratings of the sender as more familiar, while the use of statements means that the sender is seen as more reliable. Further research is clearly required to clarify the effects of different guidelines on different parameters of receivers' perception of the sender.

In contrast to the effect of construction type, other predictors do have an effect. Of these the length of the construction is at the same time the least and the most interesting: the least interesting because it is completely obvious that the length of the construction affects how long it takes to read it, but also the most interesting because length may vary between problem constructions and their recommended parallels. The fact that length is significant while construction type is not suggests that the length of candidate constructions should be taken into account in the choice of construction, along with other factors discussed above, e. g. how the type of construction fits the information structure (Björk/Räisänen 1997). The other significant control variables are of less prescriptive interest: the tendency for constructions late in texts and segments to be processed faster does not prescribe a specific way of writing.

Over the last decade or more, many public institutions and agencies have adopted language policies, in Denmark for instance the Danish courts, the Danish tax authority and the Copenhagen Municipality, spending considerable resources on designing the policies and training employees to apply them. In the USA, using plain language has become a legal requirement for federal agencies after the Plain Writing Act of 2010. This involves, among other aspects, following writing advice similar to that investigated in this study, as outlined in the *Federal Plain Language Guidelines* of 2011. Similar initiatives are listed for many different countries on http://www.sprakradet.se/2065 and http://www.plainlanguagenetwork.org/Government/index.html, indicating how widespread the concern with clear writing is.

In Denmark, the spread of language policies has spurred some debate as to the goals of such policies and their implementation (Kjærgaard 2009, 2010, 2011, Søndergaard 2010). Kjærgaard (2009) argues that the success criteria of institutional language policies and writing guides are underspecified but may be deduced to be reductions in the number of supposed problem constructions such as passives and prepositional phrases premodifying nouns. Against this, Søndergaard (2010), who worked on designing the language policy of the Danish courts, argues, following Wille (2001) and Wille/Løj (1985), that it is not the quantity but the quality, i. e. appropriateness, of passive constructions that is at stake. Such a consideration cannot be quantified, but needs to be investigated in an analysis of readers' attitudes to the text and the sender. This more nuanced approach may not always be the central message in writing guides (Kjærgaard 2010), but it is in clear accordance with the present study, which shows that

passives and other supposed problem constructions are not inherently problematic to readers. Thus, the answer to the question posed in the title of this article – does good writing mean good reading? – is, on the level of specific constructions, negative: Following or opposing writing advice about certain syntactic constructions does not seem to have an isolated effect. What matters to the speed and ease of comprehension is probably not the structure of a particular construction, but whether that structure fits the message, which – on a more abstract, not construction-specific level – means that good writing, of course, does make for good reading.

### 5 Appendix

The original texts used in the experiment. Target constructions are in italics and square brackets, the different construction types are marked as subscripts using the codes from table 1.

### Text 1: The vision statement of the Danish Department of Justice (retrieved from http://www.justitsministeriet.dk/visioner.html on October 13, 2011)

Justitsministeriets vision er at være den institution, som [*i den centrale statslige forvaltning*] <sub>SV</sub> [*forestår vurderingen af*] <sub>NOMINAL</sub> væsentlige eller principielle retsspørgsmål og varetager retssektorens anliggender, og som med henblik [*herpå*] <sub>COMPLEX</sub> besidder stor juridisk kompetence. Med henblik [*herpå*] <sub>COMPLEX</sub> er Justitsministeriets overordnede målsætninger følgende:

### $[At\ underst ilde{v}tte]_{_{ m NOM}}$ den demokratiske beslutningsproces

Justitsministeriet er en ministerstyret organisation, der skal stå til rådighed for den demokratiske proces i alle dens faser. Det bør [sikres]<sub>PASSIVE</sub>, at der skabes et præcist og overskueligt beslutningsgrundlag for ministeren, regering og Folketing, og at der så vidt muligt gives et overblik over den politiske [handlefrihed] <sub>COMPLEX</sub> i forhold til de retlige grænser samt over konsekvenserne af forskellige beslutninger.

Der skal være en høj grad af troværdighed og saglig kvalitet i alle ministeriets aktiviteter, og ministeriet skal herunder [ved at yde bistand og rådgivning til andre ministerier]<sub>SV</sub> arbejde for generelt at styrke [lovgivningens kvalitet]<sub>GENITIVE</sub>. Justitsministeriet skal endvidere [gennem rettidig igangsættelse]<sub>NOMINAL</sub> af udvalgs-, udrednings- og lovforberedende arbejde skabe grundlaget for, at ministeriet [på sine lovområder]<sub>SV</sub> til stadighed er med til at præge udviklingen såvel nationalt som internationalt.

Ministeriet skal i den forbindelse samtidig være med til at styrke den forskningsmæssige indsats. Oplysning om forskningsresultater skal være let tilgængelig, og nye relevante forskningsprojekter skal [igangsættes]\_COMPLEX, således at der bl.a. skabes dokumentation for [lovgivningens effekt]\_GENITIVE og for behov for nye lovgivningsinitiativer.

### $\left[At\ v extit{\'e}rne\ om\ og\ u dvikle} ight]_{ ext{NOMINAL}}$ faglige kompetencer

Justitsministeriet skal [gennem synliggørelse af] $_{\rm NOMINAL}$  [ministeriets arbejde og ved en faglig, åben og direkte dialog med samarbejdsparterne og det omgivende juridiske miljø] $_{\rm SV}$  skabe forståelse og interesse for [vigtigheden] $_{\rm NOM}$  af juridisk sagkundskab.

Ved at skabe en udfordrende og attraktiv arbejdsplads skal ministeriet [sikre rekruttering, udvikling og fastholdelse af]  $_{\rm NOMINAL}$  medarbejdere med stor professionel kompetence. Gennem faglig dygtighed og engagement skal ministeriet være med til at udvikle og værne om grundlæggende juridiske kompetencer.

Justitsministeriet skal have en sikker juridisk håndtering af komplicerede retsspørgsmål, herunder [sikre vedligeholdelse]<sub>NOMINAL</sub> af et vidensberedskab på Justitsministeriets juridiske kerneområder. Justitsministeriet lægger endvidere vægt på, [at andre faglige kompetencer - herunder administrative kompetencer - udvikles og understøttes]<sub>PASSIVE</sub>.

## Text 2: Conditions for insurance against work-related injuries at Lærerstandens Brandforsikring (retrieved from https://www.lb.dk/betingelser/arbejdsskadeforsikring. pdf on October 13, 2011)

### Forsikringstagerens oplysningspligt

Det påhviler forsikringstageren ved [forsikringens tegning]<sub>GENITIVE</sub> og senere at oplyse om og på forlangende at dokumentere samtlige de forhold, som selskabet skønner nødvendige til [bedømmelse af]<sub>NOMINAL</sub> selskabets risiko og til [fastsættelse af]<sub>NOMINAL</sub> præmie.

dømmelse af]<sub>NOMINAL</sub> selskabets risiko og til [fastsættelse af]<sub>NOMINAL</sub> præmie.

Forsikringstageren er forpligtet til at [give selskabet meddelelse]<sub>NOMINAL</sub>, såfremt der [efter forsikringens tegning]<sub>SV</sub> [indtræder forandringer i]<sub>NOMINAL</sub> arten eller omfanget af risikoen. Skønner selskabet det nødvendigt, er forsikringstageren ligeledes forpligtet til at give selskabet adgang til at kontrollere [de af forsikringstageren afgivne]<sub>PP</sub> oplysninger, herunder at undersøge forholdene på de arbejdssteder forsikringen omfatter. [text omitted]

### [Præmiens beregning]\_GENITIVE

[Ved hvert forsikringsårs begyndelse] NOMINAL [fastsættes] PASSIVE en foreløbig præmie på grundlag af det forventede antal beskæftigede/enheder i forsikringsåret. [Ved hvert forsikringsårs afslutning] NOMINAL [fastsættes] PASSIVE en endelig præmie på grundlag af det endelige antal beskæftigede/enheder i forsikringsåret. Såvel den foreløbige som den endelige præmie [beregnes] PASSIVE på grundlag af selskabets tarif ved forsikringsårets begyndelse.

Uanset bestemmelsen i stk. 3 er selskabet [ved ændring af ydelserne efter lov om sikring mod følger af arbejdsskade samt de hertil hørende foretagne hensættelser] $_{\rm SV}$  berettiget til uden varsel at ændre præmien.

### Text 3: E-mail on a change of examination rules at Copenhagen Business School

Vedhæftet  $[videresendes]_{PASSIVE}$  efter aftale med Studielederen og Studienævnet uddannelsesdekanens brev om  $[harmonisering]_{NOMINAL}$  af normalsidedefinitionen på de erhvervssproglige uddannelser med den norm som i øvrigt gælder på CBS.

Som det fremgår er en normalside [også på de erhvervssproglige uddannelser]<sub>SV</sub> nu defineret som 2275 satsenheder.

Bestemmelsen [ $er\ i\ princippet\ gældende$ ] $_{COMPLEX}$  fra 1. september 2011 (selv om brevet er dateret senere) – i praksis fra og med den [førstkommende] $_{COMPLEX}$  eksamenstermin.

Under hensyn til de varslede ændringer har Studienævnet allerede inden ferien besluttet ikke at ændre sideantallet for <u>opgavebesvarelser</u> fastsat i den nugældende (09-) studieordning, men fastholde det som et maksimum-sideantal i kursuskataloget, som I fik til høring i sidste halvdel af juli.

Denne beslutning [blev truffet]<sub>PASSIVE</sub>, fordi Studienævnet [er vidende]<sub>COMPLEX</sub> om at der er mange studerende som godt kan bruge lidt mere tekst til [opgavebesvarelserne]<sub>NOMINAL</sub>.

Text 4: Leaflet describing the duties of the National Bank of Denmark (retrieved from http://www.nationalbanken.dk/DNDK/Publikationer.nsf/side/Nationalbankens\_opgaver/\$file/brochure\_nationalbankens\_opgaver\_web.pdf 26/10/11 on October 13, 2011)

Det er vigtigt for en centralbank, at der er tillid til [dens økonomiske soliditet]\_NOMINAL. Hensyn til bankens egen indtjening må ikke [lægge en begrænsning]\_NOMINAL for udøvelsen af penge og valutapolitikken. Egenkapitalen bør derfor være betydelig set i forhold til bankens balance og aktiviteter, og der bør løbende ske en vis konsolidering

### Møntningsgevinsten

Møntningsgevinst kaldes den indtjening, som  $[opnås]_{PASSIVE}$  gennem Nationalbankens  $[udstedelse]_{NOMINAL}$  af sedler og mønter. Når Nationalbanken udleverer kontanter, svarer det til, at Nationalbanken optager et rentefrit lån.  $[Værdien\ af\ lånet]_{GENITIVE}$  kan Nationalbanken placere i aktiver, der giver renteindtægt.  $[Efter\ fradrag\ af\ omkostninger\ til\ produktion\ og\ distribution\ af\ sedler\ og\ mønter]_{PREPOSED}$  er der tale om en betydelig indtægtskilde for Nationalbanken.

### [Text omitted]

### [Fordelingen af overskuddet]<sub>GENITIVE</sub>

[Fordelingen af overskuddet]<sub>GENITIVE</sub> tages der hvert år stilling til i forbindelse med [aflæggelse af regnskabet]<sub>NOMINAL</sub>. Siden 2002 har staten modtaget 80 pct. af årets resultat ekskl. kursreguleringer. Dermed kommer Nationalbankens indtægter i sidste ende hele samfundet til gode. De resterende 20 pct. [overføres]<sub>PASSIVE</sub> til sikringsfonden, der er en del af Nationalbankens egenkapital. Sikringsfonden har til formål at bevare Nationalbankens finansielle styrke.

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Jeder Mensch ist mehrsprachig. Wir alle pendeln täglich zwischen verschiedenen Sprechweisen (Dialekt, geschriebene Sprache, Umgangssprache, Fachsprache ...) und begegnen (in der Straßenbahn, in der Schule, in Medien, auf Reisen ...) einer Vielfalt von Sprachen. Wer erforschen will, wie wir Sprachen erleben, Sprachen erwerben und mit Sprachen umgehen, findet in diesem Band aktuelle soziolinguistische Zugänge zur Mehrsprachigkeit aus Subjekt-, Diskurs- und Raumperspektive. Vorgestellt werden auch Methoden der Mehrsprachigkeitsforschung wie sprachbiografisches Arbeiten oder die Exploration lokaler Sprachregime. Neben Studierenden der Linguistik erhalten auch Personen in Ausbildung zu Lehr- und Sozialberufen wertvolle Hilfestellungen für ihre zukünftige Arbeit in einer multilingualen Gesellschaft.

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## From Theory to Practice: The Selection of Spanish Lemmas in the *Accounting Dictionaries*<sup>1</sup>

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**Abstract** Interest in specialized lexicography has been propelled both by the development of LSP communication in academic circles and by the consolidation of function-based approaches to lexicography that have identified the existence of several user types, e. g. experts, semi-experts and interested laypersons, and use situations, typically cognitive-oriented and communicative-oriented types (Bergenholtz/Tarp 2003, 2004). This paper follows suit and elaborates on the selection of Spanish lemmas in a particular dictionary project: the *Accounting Dictionaries*. This dictionary project aims to satisfy the needs of translators (primary user group), accountants and financial experts (secondary user group), and students of accountancy, students of translation, journalism and interested laypersons (tertiary user group). It addresses the issue as a lexicographical problem and makes comments on the decisions taken by a lemma selection team who based their decisions on the principle of *relevance*. This principle states that the selection and treatment of dictionary data are directly related with the nature of the data to be included, the function(s) of the dictionary and the user situation in which the dictionary is intended to be used. In particular, Spanish lemmas were selected from three main sources: existing dictionaries, an in-house corpus, and very specific accounting texts through a process of intensive reading.

**Keywords** function theory, specialized lexicography, Spanish lemmas, users' needs, translation, accounting

### 1 Introduction

Nothing is more practical than a good theory, wrote Sandro Nielsen and Sven Tarp in their introduction to Henning Bergenholtz's *festschrift*, which was published in 2009. The above reflection is especially necessary in the realm of lexicography, which is mired in two related misunderstandings: its old association with linguistics and its consideration as an art or craft. For instance, Landau's (2001) claim that constructing a dictionary is either a craft or an art is a thing of the past, as everyone who does so can corroborate. For a start, a proper selection of headwords demands the use of methods and practices that are based on theoretical foundations, as we will show in this article.

Regarding the nature of lexicography, scholars are divided between an Anglo-Saxon, mostly British, view and a German and Nordic one. The former describes dictionaries as repositories of language knowledge and, consequently, ideal candidates for developing and evaluating linguistic theories (Wierzbicka 1985). The second view, notably espoused by German and Nordic scholars such as Wiegand (1984, 1998), and Bergenholtz and Tarp (2002, 2003,

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2004, see Tarp 2008 for a review), proclaims the independent academic and scientific status of lexicography and defend the view that dictionaries are essentially reference tools, the aim of which is to assist users in specific use situations.

Here we agree with Bergenholtz and Tarp, and advocate the suitability of the so-called function theory of lexicography, initially proposed by Bergenholtz and Tarp for compiling dictionaries, e. g. online specialized dictionaries such as the Accounting Dictionaries (Fuertes-Olivera et al. 2012; Nielsen/Mourier/Bergenholtz 2012) that constitute the focus of this article. Before presenting these we will discuss recent developments in the function theory, particularly those that emphasize the association of lexicography with Information Science, and illustrate our theoretical position with reference to the extra-lexicographical use situation and the selection of Spanish lemmas in the Accounting Dictionaries. This practical application highlights not only the benefits of having a sound theoretical framework on which lexicographical decisions can be taken, but also some terminological windfalls, two of which are that specialized dictionaries can also be compiled within the tenets of lexicography (in other words, terminology and specialized lexicography are two sides of the same coin), and that specialized dictionaries can be adapted and modified in a short period of time, a must when working with specialized texts.

The above-mentioned advantages are connected with making dictionaries for satisfying users' needs in specific use situations. For instance, the construction of online specialized dictionaries must follow three main principles that have their origin in the tenets underlying the foundations of the function theory of lexicography:

- 1. a lexicographic approach to terminology (Bergenholtz/Nielsen 2006);
- both lexicographic costs and the technical possibilities of the Internet must be taken into consideration when making these dictionaries (Fuertes-Olivera/Bergenholtz 2011, Granger/Paquot 2010 and 2012, Kosem/Kosem 2011, Nielsen 2008);
- 3. the methods and practices used when compiling general language dictionaries cannot be replicated uncritically. This evaluation should aim to separate the wheat from the chaff, for example by establishing which, if any, of the assumptions defended in well-known approaches to terminology can result in real and workable specialized online dictionaries. For example Fuertes-Olivera and Nielsen (2011) have reported that frequency can mislead lexicographers in subject fields such as accounting, where regulatory bodies are constantly discussing, updating, modifying, and changing accounting and financial reporting standards.

To sum up, the making of online specialized dictionaries needs its own theoretical approach (Section 2), as shown in the compilation of the *Accounting Dictionaries* (Section 3). For instance, the use situation associated in a translation situation (Section 4) justifies the methodology used for selecting Spanish lemmas, which is explained in Section 5. These decisions aim at proposing a methodology for working in the field of specialized lexicography. A final section summarizes the main conclusions drawn.

### 2 The Function Theory of Lexicography and Information Science

Proponents of the function theory of lexicography or the theory of lexicographical functions emphasize that dictionaries are utility tools that are made to satisfy a specific type of need

that arises in a certain type of user in a certain type of situation. This means that the practical compilation of most dictionaries requires the presence of lexicographers as well as experts in the required field. For instance, the making of the *Accounting Dictionaries* demands the joint work of four types of experts under the supervision of a lexicographer: experts in lexicography, experts in accounting, experts in the Internet, especially how to construct, run and maintain online lexical databases, webpages and search engines, and experts in marketing and selling sellable products through the Internet. In other words, certain recent developments in the theoretical scaffolding of the function theory currently see lexicography as part of Information Science. This approach does not modify the true nature of lexicography at the highest level of abstraction, an idea disputed in some quarters, e. g. Wiegand (1998), who defends the necessity of having lexicographical theories adapted to the new medium. For the function theory, the needs giving rise to information tools – be they dictionaries, glossaries, or knowledge databases – belong to the same categories at the highest level of abstraction, as do the data selected to solve these needs irrespective of the specific medium in which the data are presented (Bergenholtz 2011, Gouws 2011, Leroyer 2011, Tarp 2011).

Furthermore, the association between lexicography and Information Science reinforces the necessity of generating new lexicographic tools that are expected to make use of the technical options offered by lexicographical databases (i. e. repositories where lexicographical definitions, equivalents, collocations, examples, cross-references, labels, etc. are stored), text corpora, and the Internet, and integrating them into the three key lexicographic elements defined so far, namely, *data*, *access routes* and *users' needs*, in extra-lexicographical use situations, typically communicative, cognitive, interpretative, and operational see Tarp 2008 for a review. This development is especially visible in the upsurge of e-lexicography, i. e. the lexicographic sub-discipline that is mainly concerned with the development, planning, compilation, and publication of electronic reference tools. In particular, scholars are currently evaluating the impact that the advent of the so-called information and knowledge society, as well as the integration between lexicography and computer technology, is already having on the compilation of online information tools. Below is a list of some of the issues that are currently being debated in the field of e-lexicography (Fuertes-Olivera/Bergenholtz 2011, Granger/Paquot 2010 and 2012, Kosem/Kosem 2011):

- The use of lexicographical databases from which different types of dictionaries, and even different dictionaries of the same type, can be extracted.
- The means of coping with the mistake of including much more data than needed, in reference to the traditional view espoused by linguistically-oriented lexicographers, who advocate the inclusion of as much data as possible in a dictionary article, regardless of whether or not this is useful for the potential user.
- The broadening of lexicographical theory to the development, planning, compilation, and publication of other reference sources, which are also focused on the users of these, the data presented in them, the structures to accommodate the data and, of utmost importance, access to the data in order to achieve an optimal retrieval of information. Verlinde (2011), for example, presents the *Base lexicale du français* as a web-based system that has task-oriented access to lexicographic information by allowing users to identify their use situation(s) and need(s).
- An explanation of the paradigm shift proposed in terms of the technical options the Internet offers and changes in the social mores brought to the fore by the widespread

use of the World Wide Web; for instance, dictionary users are also Internet users who upload and download all types of data. Heid (2011) claims that if electronic dictionaries are to be understood as (software) tools, they should also be designed according to the principles applicable to software tools. One such principle is *usability*, a concept developed within Information Science with the aim of assessing the effectiveness and efficiency of the tool when used in a particular situation and for a particular task. More recently, Fuertes-Olivera (2012) has discussed on a list of gadgets or resources that make online dictionaries, even the free ones (Fuertes-Olivera 2009b, Lannoy 2010), usable in a teaching and learning situation. This has led the author to conclude that the concept of *usability* can also be applied to the contents, i. e. the data, the user's characteristics, and the access routes of web-based systems; in other words, online tools that can be used in order to assist users gain knowledge of something and/or communicate, which are two typical use situations within the tenets of the function theory of lexicography.

The above issues indicate that the future of lexicography is intimately connected with *customization*, *recreation*, and *re-representation* of dictionary articles, which has given birth to new ideas and lexicographic concepts: Lexicographers are moving from the dictionary to the lexicographical database, that is, they are no longer focusing on the end product (the dictionary) but on the place where lexicographic data is stored (a lexicographical database), the system(s) that can be used for accessing the data (the search engine[s]), the means of searching and presenting data (e. g. the customization of data), and the knowledge needed for understanding and explaining the extra-lexicographical situation envisaged when planning specialized dictionaries (Bergenholtz 2011, Fuertes-Olivera and Nielsen 2011, 2012, Nielsen and Almind 2011). These new reflections are already having an impact on an ongoing dictionary project: the *Accounting Dictionaries* (Bergenholtz 2012; Fuertes-Olivera/Nielsen 2011 and 2012, Nielsen/Almind 2011).

### 3 From Theory to Practice: The Accounting Dictionaries

The *Accounting Dictionaries* are a set of online specialized dictionaries that represent a complex system of specific lexicographical and technological options for creating interaction between database and dictionary. The database contains carefully selected types of data in discrete data fields, which are linked and structured so as to facilitate search and presentation. Users consult a dictionary through the homepage and the dictionary sends their queries to the database via a search engine that seeks matches in the database. Once found, the data are sent to the dictionary and presented to users in a predetermined way (Bergenholtz 2012, Fuertes-Olivera/Nielsen 2011 and 2012, Nielsen/Almind 2011). This set-up allows users to access the data in the database in a number of ways that are designed to provide information, thereby assisting users in different but specific types of situations.

The compilation of the *Accounting Dictionaries* illustrates our view on the future of lexicography in close connection with, or even as part of, Information Science: This new conceptual scenario requires working with information science specialists with the aim of building lexicographic databases and search engines that allow lexicographers to present data that target the specific needs users may have in specific use situations (this option does exist, as shown below, in the *Accounting Dictionaries*) and that facilitate "dynamic solutions based upon a *recreation*"

and re-representation of the data made available in this way" (Tarp 2011: 61); such a possibility might be explored with the aim of offering users the opportunity of compiling their own dictionary articles (Fuertes-Olivera/Bergenholtz 2011). Regarding the first option, the accounting database currently feeds twenty-three different dictionaries, each for assisting users to carry out a specific function (Bergenholtz 2012):

### Danish

- 1. Meaning of Danish accounting terms.
- 2. Use of Danish accounting terms, search with a known term.
- 3. Use of Danish accounting terms, search based on a known meaning.
- 4. Knowledge of Danish accounting terms, search with a known term.

### **English**

- 5. Meaning of English accounting terms.
- 6. Use of English accounting terms, search with a known term.
- 7. Use of English accounting terms, search based on a known meaning.
- 8. Knowledge of English accounting terms, search with a known term.

### English-Danish

- 9. Reception of English terms in English accounting texts.
- 10. Translation of English accounting texts into Danish.
- 11. Knowledge of English and Danish accounting texts.

### Danish-English

- 12. Translation of Danish accounting texts into English.
- 13. Knowledge of English and Danish accounting terms.

### Spanish

- 14. Meaning of Spanish accounting terms.
- 15. Use of Spanish accounting terms, search with a known term.
- 16. Use of Spanish accounting terms, search based on a known meaning.
- 17. Knowledge of Spanish accounting terms, search with a known term.

### Spanish-English

- 18. Reception of English terms in English accounting texts.
- 19. Translation of Spanish accounting texts into English.
- 20. Knowledge of Spanish and English accounting terms.

### **English-Spanish**

- 21. Reception of English terms in English accounting texts.
- Translation of English accounting texts into Spanish.
- 23. Knowledge of English and Spanish accounting terms.

The practical application of the above principles and methods has resulted in users being able to retrieve different dictionary articles depending on the filters they are using in the search engine. In a 'meaning of accounting term' situation a search for *cash flow statement* retrieves

grammar information (i. e., a noun that is countable), pragmatic information (it is an international accounting term shown by means of the label IAS/IFRS), and conceptual information that is offered by means of a definition (example 1):

### cash flow statement noun <a; -, -s> IAS/IFRS

### Definition

The cash flow statement must, as a minimum, show the cash flows for the period classified by operating, investing and financing activities. Furthermore, the cash flow statement must show changes in cash and cash equivalents for the accounting period and the cash and cash equivalents as at the beginning and end of the period.

Example 1: Dictionary entry retrieved in a 'meaning of accounting term' situation.

However, in an English to Danish translation and/or in a production situation, the same user searching for *cash flow statement* in the same search engine will also retrieve a Danish equivalent with its grammar data, as well as English collocations translated into Danish, an English example also translated into Danish, and hyperlinks (i. e. cross references) to related dictionary entries (example 2):

### cash flow statement noun <a; -, -s> IAS/IFRS

### Definition

The cash flow statement must, as a minimum, show the cash flows for the period classified by operating, investing and financing activities. Furthermore, the cash flow statement must show changes in cash and cash equivalents for the accounting period and the cash and cash equivalents as at the beginning and end of the period.

### Equivalent

pengestrømsopgørelse noun <en; -n, -r, -rne>

#### Collocations

cash flow statement per quarter pengestrømsopgørelse pr. kvartal (...)

### Examples

Investing transactions that do not require the use of cash and cash equivalents are excluded from the cash flow statement.

Investeringstransaktioner, der ikke kræver brug af likvider er ikke indregnet I pengestrømsopgørelsen.

### See also

direct method <a href="method">http://beta.ordbogen.com/opslag.php?dict=roed&word=direct+method">(...)

Example 2: Dictionary entry retrieved for translating an accounting expression or using it in Danish

In sum, the advent of Information Science is having such an impact on the preparation and compilation of information tools that lexicographers must rethink traditional practices and methods, especially those associated with the ideas that lexicography is a sub-discipline of Linguistics or a kind of craft or art, both of which must be abandoned for two main reasons. Firstly, the true nature of Linguistics, which is the scientific study of language, is far removed from the true nature of lexicography, which is the compilation of information tools that satisfy users' needs in specific use situations. Bergenholtz and Tarp (2010: 30) summarise this lexicographic stance by defending the argument that the overriding lexicographical principle is the "satisfaction of the specific types of lexicographically relevant needs that may arise in a specific type of potential user in a specific type of extra-lexicographical situation". Secondly, nothing is more practical than a good theory, and consequently dictionary making is easier and better accomplished within the tenets of a proven theory than as a personal endeavour. Following suit, the rest of this article is concerned with explaining the selection of Spanish lemmas, which was accomplished after a deductive analysis of the use situation associated with the needs of the dictionaries' primary users: translators of Danish, English and Spanish accounting texts. For the sake of simplicity, we will restrict our article to the translation of Spanish accounting texts.

### **4 Use Situation: Translating Spanish Accounting Texts**

Specialized dictionaries generally display two types of function. Communicative functions provide help in ongoing or planned communicative situations, and cognitive functions are of assistance if users wish to acquire knowledge about factual or linguistic matters. Both functions are interrelated when translating specialized texts, and therefore specialized translation dictionaries are conceived as information tools which, through their surface components and underlying features, aid users in the translation of specialized texts pertaining to one or more subject fields. In order to compile such information tools, it is appropriate to study the extra-lexicographical situation, which comprises two main elements: (1) what happens outside the dictionary when people translate, and (2) the characteristics of the specialized language that make the translation of specialized texts "special" or "different". The findings concerned with both elements have influenced some of the lexicographical decisions taken, as shown below in connection with the selection of Spanish lemmas and equivalents.

The translation process can be divided into three general stages: planning, execution, and finalization. Translation dictionaries are very helpful for the execution stage, as this is where proper translations are carried out. The finalization stage concerns the proofreading, printing, and copying of the final text, with proofreading representing the only finalization activity that has lexicographical relevance, completing as it does the work on the target text. Translation dictionaries are less likely to provide help in the planning stage, though some of the elements, for instance the design of the target text, may affect the execution stage (Nielsen 2010, Tarp 2007).

Compilers of translation dictionaries should focus on the execution stage and the proofreading phase. Following Bell (1991) and Nord (1997), Nielsen (2010) explains that the execution stage involves the analysis of the source text, the transfer of the meaning of the source text message into the target language, and the recording of the message into a realized target-language text. As it is an iterative process, translating includes the drafting, revision and editing of the target text. As a result, translation dictionaries are information tools that have been designed to help users draft, revise and edit target-language texts by the inclusion of data

types that support these activities. In particular, Fata (2010), Nielsen (2010), and Tarp (2007) claim that translation dictionaries are expected to help users at the *micro-level of translation*, that is, when users are drafting their texts and need assistance concerned with lexis and syntax (e. g. terminology and phraseology), grammar and syntax (e. g. coherence and cohesion) and pragmatics (e. g. implicatures and presuppositions). In addition, translators may need help when revising and editing their translated texts. Mossop (cited in Nielsen 2010), for instance, highlights the importance of the micro-level and explains that editing and revision involve checking texts to make sure that translators have complied with generally accepted grammar and spelling rules (copyediting), that they have used the relevant terminology consistently, that target texts are unambiguous and have been adapted to the target culture (stylistic editing), and that errors have been identified and amended accordingly (revising). To sum up, an analysis of the first component of the translation situation, i. e. what happens outside the dictionary when people translate, has shown that users need assistance at the micro-level of translation and that this assistance is especially necessary for drafting, revising and editing their translated texts.

Regarding the second component of the use situation, i. e. those characteristics of the specialized language that make the translation of specialized texts "special", scholars have shown that specialized texts aim at facilitating communication by promoting standardization and eliminating ambiguity (Fuertes-Olivera/Nielsen 2011 and 2012). Both objectives must be reconciled with the current state of specialized communication as an economic activity. For instance, there are companies which pay large sums of money in order to acquire multilingual terminologies that describe the products they sell, establishing their own terminology departments, and struggling to create, develop and standardize "the LSP they use themselves and want to force their competitors to use" (Teubert 2005: 97).

The above situation, namely promoting standardization and eliminating ambiguity as well as gaining "terminological market share", requires our taking into consideration three characteristics of specialized translation that make it different from general translation. The first one is the fact that, as a general rule, no meaningful LSP communication can take place without a minimum of subject-field knowledge. For the subject-field expert this does not usually constitute any problem. However, for the layman or semi-expert (in relation to a specific subject field) the lack of this particular knowledge may lead to important communication problems that may be solved by their consulting dictionaries specifically designed to provide help in this type of communicative situation. This can be achieved by including systematic introductions, i. e. dictionary texts that explain the basics of a domain and that are very helpful in a translation situation (Bergenholtz/Nielsen 2006, Fuertes-Olivera 2009a, Svensén 2009), as well as by referring to dictionary articles that show the stability of the relationship between form and content in specialized texts. For instance, in the Accounting Dictionaries there is one and only one meaning attached to every term, and data types such as equivalents, collocations, and examples are included with a dual objective: to disambiguate meaning in a very precise way (i. e. to make explicit the stability between form and content), and to offer potential users translated texts that can help them in their working environments (example 3):

### deemed cost <a, the, -s>

### definition

Deemed cost is an amount used instead of cost or depreciated cost at a specific date. Any following amortisation or depreciation is made on the assumption that the enterprise initially recognised the asset or liability at a cost equal to the deemed cost. *coste atribuido* 

synonyms coste asignado

### collocations

- fair value or revaluation as deemed cost
- valor razonable o revalorización como coste atribuido
- have a deemed cost of zero in the opening IFRS balance sheet
- tener cero como coste atribuido en el balance de apertura basado en la NIIF
- the deemed cost of goodwill
- el coste atribuido del fondo de comercio
- use an event-driven fair value measurement as deemed cost
- utilizar una medición del valor razonable de un acontecimiento inevitable como coste atribuido

### examples

Items of property, plant and equipment are measured at cost as deemed cost less accumulated depreciation and impairment losses.

Las partidas de edificios, instalaciones y equipos se valoran al coste como coste atribuido menos amortización acumulada y deterioros.

### Example 3: Data presented in the Accounting Dictionaries

To sum up, example 3 defines the term *deemed cost* in a clear and precise way, offering one and only one Spanish equivalent (*coste atribuido*), one synonym (helpful in production situations such as academic writing), and collocations and examples that are relevant for translation purposes (Fuertes-Olivera/Nielsen 2012).

The second characteristic is concerned with the nature of specialized communication, namely, the fact that experts are constantly creating, modifying and manipulating terms, usually because of new discoveries and/or new or adapted legislation. This results in a proliferation of terms for representing the same conceptual reality. Some of them vary only in their spelling and other formal properties, whereas others are different in contexts. In the *Accounting Dictionaries*, we have overcome this difficulty by making use of *proscription*, i. e. lexicographers recommend a variant after an in-depth analysis of the available options (Bergenholtz 2003, Bergenholtz/Gouws 2010).

The proscriptive approach is more than necessary when planning and compiling a specialized translation dictionary, especially when a new concept is introduced, and when there is variation among terms. In both situations, such an approach involves the need to offer insertable full equivalents in a translation dictionary. A case in point occurs when Spanish lexicographers have to decide on the various Spanish accounting terms that correspond to the so-called English IAS/IFRS terms. The IASs and IFRSs (International Accounting Standards

and International Financial Reporting Standards, respectively) are examples of *equal texts*, i. e. texts that have been prepared in a language (usually English) and then translated into the different official languages of an organization such as the European Union. They conceptualize (new) realities that have been identified in the *accounting dictionaries* as IAS/IFRS terms. These terms are widespread in accounting (for instance there are 377 English IAS/IFRS terms) and are used in order to refer to normalized and standardized concepts, i. e. concepts that were defined by the writers of the above-mentioned standards and which will appear in many official accounting documents.

It may happen that translators of these equal texts do not know that a particular concept already has a well-known and respected Spanish term, or they may commit a translation mistake, which can easily lead to a conceptual one. Both situations occur with the Spanish IAS/IFRS translated terms. We found examples of nonsensical Spanish renderings and the introduction of unnecessary Spanish terms; in other words, the translators of the IAS/IFRS standards were unfamiliar with the traditional Spanish term and consequently introduced a new one in the Spanish version of the International Accounting Standards/International Financial Reporting Standards.

Both problems were resolved in the *Accounting Dictionaries* by including lexicographical notes (e. g. "Spanish accountants prefer *resultado de explotación* to the IAS/IFRS term *resultado operativo*"; or "the IAS/IFRS term is nonsensical in Spanish"), and by making frequent use of *exact proscription*, the term by which Bergenholtz and Gouws (2010) refer to the process of recommending one equivalent, although other equivalents may be mentioned. This resulted in the selection of traditional Spanish equivalents (for instance: *cuenta deudora; beneficio contable; producción agrícola; valor contable; tesorería; clasificado por tipo de gasto* etc.) and the inclusion of the Spanish translated IAS/IFRS terms as synonyms (*cuenta a cobrar; ganancia contable; producto agrícola; valor en libros; efectivo; clasificado por naturaleza* etc.).

In a similar vein, the proscriptive approach was indicated by means of the symbol and the expression "not recommended, use instead". These devices are to be found in the *Accounting Dictionaries* with the aim of offering users the option lexicographers deem more appropriate. For instance, terms such as *ratio coste-beneficio*, *ratio coste/beneficio* and *ratio coste beneficio* are included. Our analysis of relevant Spanish accounting texts resulted in our recommendation of *ratio coste/beneficio* as the preferred term.

The third characteristic refers to the key role a *lingua franca* has in the world today. English, the current *lingua franca*, is especially influential in terms of the preponderance of English loan translations, borrowings and calques in Spanish. For example, Guillermo de la Dehesa, who is president of the Centre for Economic Policy Research and an influential Spanish consultant who writes in several Spanish newspapers on economic issues, wrote an article in a Spanish daily newspaper (October 30, 2011; *El País Negocios*) explaining the decisions taken in the European summit that took place on October 26, 2011. This 1.230-word article, which was directed at interested Spanish laypersons, contained a very large number of loan translations, borrowings and calques. Here is a list of terms that are not included in the Spanish wordlist of two recent editions of well-known Business/Economics dictionaries<sup>2</sup>: *crisis soberana*, *contagio*, *credit event*, *CDS* (*credit default swap*), *facilidad de estabilidad financiera*, *EFSF* (*European Financial Stability Facility*), *hoja de ruta*, *gobernanza*, *CDS desnudos*, *cortafuegos*, *estados pe-*

The dictionaries are: Diccionario de Términos Económicos, Financieros y Comerciales (Alcaraz/Hughes 2008); Diccionario LID Empresa y Economía (Elosúa 2007).

riféricos, vehículos SPV (Special Purpose Vehicles), obligaciones de deuda colateralizada (CDO, collateralizad debt obligation), tramos senior y mezzanine, tramo equity, vehículos fuera de valance (SIV, structured investment vehicles), core tier one (CT1), capital buffer, riesgo sistémico, and European Banking Authority (EBA). Some of these terms are repeated several times in the text, which makes its reception very difficult, almost impossible for semi-experts and interested laypersons, although the text was published in the most widely circulated Spanish daily newspaper. This preponderance of English in accounting discourse has partly influenced the selection of Spanish lemmas and equivalents, as the next section shows.

#### **5 Selection of Spanish Lemmas**

The selection process of Spanish lemmas largely depends on the principle of *relevance*. With regard to the translation situation, the principle of relevance means the condition of being directly connected with accounting, the translation function, the translation situation in which the dictionary is intended to be used, and the levels of competence of the intended users (Fuertes-Olivera/Nielsen 2011 and 2012). This principle has resulted in the drawing-up of a word-list of around 6.000 Spanish accounting texts. These terms were chosen from three sources: existing accounting dictionaries, a 3-million-word in-house accounting corpus, and very basic accounting texts which were the object of intensive scrutiny. The wordlist was selected by a team of three experts in accounting and economics and one lexicographer, devoting around 500 hours to the process (around 20 hours a week over a period of 25 weeks).

Existing dictionaries made it possible for the lemma selection team to choose around 3.000 terms, especially those that are very traditional and typical in the field, such as those that are loaded with cultural connotations and are usually included in dictionaries as one-word or two-word terms. For instance, the terms *amortización/depreciación* (Engl.: *amortization*) and *deterioro* (Engl.: *impairment*) are both frequent and specific terms that also need the inclusion of usage and contrastive notes, as they changed their traditional meanings after Spain's entry into the European Union. Briefly, the selection team chose around 3.000 traditional and frequent accounting terms that are considered typical in Spanish.

The team also selected a frequent list of our in-house corpus and used this to perform Google searches of the frequent terms, each of which was restricted by adding the symbol "+" and quoted keyword(s). For instance, searching "metodo" + "contabilidad" + "coste" (Engl.: "principle" + "accounting" + "cost") on Google retrieved terms concerned with cost accounting, most of which can be defined as translated cognates, i. e., Spanish accounting terms that are the result of word-for-word English translations. These explain the preponderance and frequency of multiword English borrowings, loans and calques that occur in Spanish accounting texts, perhaps a reflection of the status of English as the lingua franca of accounting. With this method we selected around 1.000 new terms, most of which are two-word or three-word Spanish literal translations of original English terms: consideraciones de prudencia (Engl.: consideration of prudence), inventario en consignación (Engl.: consignment inventory) etc.

Finally, the lemma selection team selected around 2.000 new terms by intensive reading of basic accounting texts such as *Plan General Contable* (Spanish accounting code), *Normas Internacionales de Contabilidad* (Engl.: *International Accounting Standards*), *Normas Internacionales de Información Financiera* (Engl.: *International Financial Reporting Standards*), and European accounting directives and regulations. We consider intensive reading a more suitable method than inverted frequency for searching very idiosyncratic, domain-specific and

infrequent terms, many of which cannot be selected by any electronic means. For instance, sixword and seven-word terms such as *fecha de transición a las NIIFs* (Engl.: *date of transition to IFRSs*), estado de resultados del ingreso marginal (Engl.: contribution income statement) and resultado antes de intereses, impuestos y amortizaciones (EBITDA) (Engl.: Earnings before Interest, Tax, Depreciation and Amortisation) were extracted from the definition sections included in the Spanish translations of the International Accounting Standards, the International Financial Reporting Standards and the *Plan General Contable*, respectively.

To summarize, the method used for selecting Spanish lemmas is illustrated in tables 1 to 3. Table 1 shows Spanish terms that contain the Spanish accounting term *bruto* (Engl.: *gross*), and which are classified by source. The analysis indicates that existing accounting and/or business/economics dictionaries are adequate sources for identifying traditional Spanish accounting terms, which are especially relevant for making users aware of possible cultural differences between traditional terms and their possible substitutes due to the introduction of new rules; rules and standards that must be adapted to international legislations and standardization processes. As indicated, most of these traditional Spanish terms were extracted from existing dictionaries (12 out of 18 *bruto* terms).

Table 1: Sources for Spanish terms with "bruto"

Spanish Term	Source: Dictionary	Source: Corpus + Google	Source: Intensive Reading
Ingreso contable bruto	х		
Ratio del beneficio bruto sobre ventas			х
Beneficio bruto	х		
Margen de beneficio bruto		х	
Porcentaje de beneficio bruto		х	
Tipo de beneficio bruto		х	
Bruto	х		
Valor contable bruto	х		
Flujo de efectivo bruto	х		
Ingreso bruto	х		
Margen bruto	х		
Beneficio bruto	х		
Porcentaje de margen bruto		х	
Impuesto bruto	х		
Valor bruto	х		
Importe bruto	х		
Saldos y salarios brutos AAPP			х
Valor añadido bruto	х		

Table 2 shows Spanish terms with *combinación* (Engl.: *combination*), which has entered into accounting discourse recently through the publication of the International Financial Reporting Standard 3, dealing as it does with *business combinations*, i. e. the combining of separate enterprises to form one economic entity as a result of one enterprise uniting with or obtaining control over the net assets and operations of another enterprise. As expected, most terms, 6 out of 11, were extracted from this basic accounting text, the IFRS 3, through the process of 'intensive reading'.

Table 2: Sources for Spanish terms with "combinación"

Spanish Term	Source: Dictionary	Source: Corpus + Google	Source: Intensive Reading
Combinación de negocios		X	
Combinación de negocios entre entidades o negocios bajo control común			х
Combinación	X		
Combinación de divisas		x	
Método de combinación de intereses		X	
Año de la combinación de intereses			х
Combinación de intereses		х	
Combinación de negocios realizadas por etapas			х
Coste de la combinación de negocios			Х
Diferencia negativa en combinaciones de negocios			х
Coste de una combinación de negocios			х

Finally, table 3 shows Spanish terms with *margen*, a term that entered Spanish accounting texts through a translation of English *margin*, which has four main meanings in the field:

- 1. Borrowed money that is used to purchase securities.
- 2. The amount of equity contributed by a customer as a percentage of the current market value of the securities held in a margin account.
- 3. The difference between a product's (or service's) selling price and the cost of production.
- 4. The portion of the interest rate on an adjustable-rate mortgage that is over and above the adjustment-index rate. This portion is retained as profit by the lender.

The Spanish *margen* is basically restricted to meanings 3 and 4, and the analysis shows that these terms tend to represent two types. Firstly, those that are in widespread use in Spanish, and hence are found in published dictionaries (13 out of 30). Secondly, those that are literal translations of English terms: 11 out of 30 terms: *margin of safety ratio* (Span.: *ratio de margen de seguridad*); *EBIT margin* (Sp: margen de BAII'); *EBITA margin* (Span.: *margen de EBITA*);

EBITDA margin (Span.: margen de EBITDA); gross profit margin (Span.: margen de beneficio bruto); net profit margin (Span.: margen de beneficio neto); gross margin percentage (Span.: porcentaje de margen bruto); solvency margin (Span.: margen de solvencia); margin of security (Span.: margen de seguridad); risk margin (Span.: margen de riesgo); and service margin (Span.: margen de servicios) (table 3).

Table 3: Sources for Spanish Terms with "margen"

Spanish Term	Source: Dictionary	Source: Corpus + Google	Source: Intensive Reading
Contrato de margen sobre el coste			х
Ratio de margen de seguridad		х	
Margen de ventas	х		
Coeficiente de margen de seguridad			х
Margen de BAII		х	
Margen de EBITA		х	
Margen de EBITDA		x	
Margen	х		
Margen de beneficio bruto		х	
Margen de beneficio neto		х	
Margen de explotación	х		
Margen bruto	х		
Porcentaje de margen bruto		х	
Margen de seguridad			
Margen de beneficios	x		
Fijación del precio mediante la adición del margen de beneficios			X
Margen de la liquidación de una aseguradora			х
Margen de solvencia		х	
Margen de seguridad		х	
Margen de producción	X		
Margen de ventas	x		
Margen de riesgo		x	
Margen de servicios		x	
Margen industrial de un producto			x
Margen de contribución	X		
Margen de intermediación	х		
Margen financier	х		
Margen neto	х		
Margen ordinario	Х		
Margen relative	х		

Tables 1 to 3 simply aim to show a practical application of the principle of relevance in the selection of lemmas and equivalents in specialized lexicography. It reinforces our initial conviction: Nothing is more practical than a good theory, for instance, a theory that facilitates the construction of a sub-field accounting dictionary that aims to assist semi-experts in a translation situation, containing a maximized word list of around 6.000 easily updatable lemmas, and making use of the technical options the Internet currently offers.

#### 6 Conclusion

The analysis carried out in this article shows that constructing dictionaries is the subject matter of lexicographers, who must always use lexicographical know-how when undertaking such a task. In particular, this article has defended the view that the so-called *function theory of lexicography* offers the theoretical background and the practical experience for making online specialized dictionaries, and has illustrated some of the decisions taken during the compiling of the *Accounting Dictionaries*, especially issues related with selecting Spanish lemmas. The process of selecting these lemmas lay in their extraction from three main sources: existing dictionaries, an in-house specialized corpus, and intensive reading of very basic texts. The process could be implemented due to the application of the principle of relevance. In a near future, we will access log files and will make log-file analyses. These will inform us on search procedures that can be used in order to make the dictionaries more adequate for meeting the specific needs specific users have in a specific use situation.

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## **Expectancy and Professional Norms in Legal Translation:** A Study of Explicitation and Implicitation Preferences<sup>1</sup>

#### Dorrit Faber & Mette Hjort-Pedersen

Abstract This article reports on the findings of a qualitative study seeking to generate hypotheses about norms as psycho-social entities amongst professional producers and commissioners of legal translations, and to shed light on the reasons underlying these norms. In particular, we wish to investigate how perceived norms influence the use of explicitation and implicitation. The findings are based on experiments involving Danish translators and legal experts who were asked to evaluate three different translations into English of the same Danish legal source text on a set of defined parameters. These parameters focus on the degree to which the use of explicitation and implicitation is considered to influence meaning transfer, authentic English legal language and style, and the informative function of the translation in a defined translational situation. Based on Chesterman's categorization of norms into expectancy and professional norms, the study leads us to set up two assumptions about the existence of norms at the macro-strategic level that may impact on attitudes across members of different discourse communities within the legal domain. These norms, we believe, may be useful in legal translation training to heighten student translators' awareness that norms are not a uniform entity, but subject to different perceptions depending on discourse community membership.

Keywords translation theory, legal translation, fidelity, norms, asymmetry hypothesis, explicitation and implicitation, legal translators and legal experts

#### 1 Introduction

What are the norms governing the use of explicitation and implicitation in legal translation as perceived by legal translators and do they correlate with the expectations of the commissioners of the translation, i. e. legal experts?

In this article we want to explore the attitudes voiced by Danish members of different discourse communities to the use of such phenomena to try to generate hypotheses about norms influencing the use of explicitation and implicitation in legal translation. Our interest in this subject is connected with our role as teachers of legal translation. The norms that student translators work towards in their training process are, in a manner of speaking, what certified translators do and do not do in real-life legal translation situations. From a theoretical and didactic point of view these norms are interesting, but to our knowledge no comprehensive studies have been made of what the explicitation and implicitation norms of certified legal translators actually are.

Similarly, in their translation process, certified translators will naturally aim to produce legal target texts (TTs) that will satisfy any norms that the commissioner of the translation, in our case legal experts, may have. And to our knowledge no comprehensive studies have been made of the nature of such expert norms either.

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#### 2 Investigating norms in legal translation

Access to translational norms may be gained via "textual and extratextual sources" (Schäffner 2010: 238). If investigated via textual sources, i. e. translated texts, norms may be seen as leading to "regularities of translation behaviour within a specific sociocultural context" (Schäffner 2010: 237). Such regularities are evidence of norms – not to be confused with the norms themselves (Chesterman 1999: 91).

Chesterman (2006) stresses that

norms do not affect behaviour directly, because their influence must be filtered through the translator's mind as decisions are made during the translation act. Translators adopt attitudes to norms, if they are aware of them: to follow them or not, as the case may be.

If norms are accessed via extratextual sources, the focus is on "norms as psycho-social entities" and they are therefore not "directly observable" (Schäffner 2010: 239), but will have to be studied through the attitudes or preferences expressed by the members of a discourse community. This is the focus adopted in this article, where we will consider the attitudes of different groups in the legal domain to the particular phenomena of ex- and implicitation in legal translation (rather than investigating what is actually done in translated texts).

Chesterman's (1997) categorization of norms into expectancy and professional norms encompasses both the attitudes of translation commissioners and those of producers of translations, in our case legal experts and legal translators. Expectancy norms reflect "the expectations of readers of a translation (of a given type) concerning what a translation (of this type) should be like" (1997: 64). The readers may include the clients of the translators, who may have expectations about factors such as text type and discourse conventions, style and register, lexical choice, but also expectations about target language/target culture adaptations or source text orientation, respectively. Chesterman also notes that expectancy norms "can be influenced by economic or ideological factors, power relations within and between cultures and the like" (1997: 64).

Chesterman's second category, professional norms, covers the norms of the process regulating the translation process itself (1997: 67). The professional norms reflect or take into account the expectancy norms, since "any process norm is determined by the nature of the end-product which it is designed to lead to" (1997: 67).

The basic process norms in Chesterman's descriptive system are (1997: 68 f.)

- the accountability norm, which is an ethical norm focusing on the loyalty owed by the translator to relevant parties such as the writer of the source text (ST), the commissioner of the translation, the readers of the TT, etc.;
- the communication norm, which is a social norm focusing on the need to facilitate optimal communication;
- the relation norm, which is a linguistic norm focusing on achieving "relevant similarity" between the ST and the TT.

Chesterman's concepts will be applied in the following to identify and describe attitudes voiced in connection with the manifestations of ex- and implicitation that we are examining here.

#### 3 Changing socio-cultural constraints leading to changes in legal translation norms?

Translators produce translations under socio-cultural constraints which follow from the historical and social context in which they operate, the implication being that norms are unstable (cf. Toury 1995: 54, as quoted in Malmkjær 2007: 50, Schäffner 2010: 239). Therefore, it is relevant to consider any changes in attitudes to legal text production, and to translation in general, that may impact on legal translation norms.

In legal translation the factor of 'unstableness' is reflected in the attitude to the traditional principle of fidelity, e.g. in connection with the interpretation of the so-called 'translator's oath'2 added to certain legal translations. To some, fidelity in the legal domain involves the traditional convention of adhering very closely to the ST (near-literalness focusing on linguistic or legal equivalence with ST and source language orientation, e. g. Azar 2001). Focusing on more functionalist approaches, others have advocated a less ST-orientated approach and aimed at a TT that both denotatively and connotatively will enable the TT reader to derive the same meaning as the ST reader, e.g. Alcarez/Hughes 2002, Šarčević 1997). One influencing factor could here be the awareness of the need for a change in communicative focus from the sender's perspective to that of the receiver, as advocated by the plain legal language movement, which has been prevalent in both the Anglo-Saxon and the Danish legal world for some time now.

The focus of the skopos theory on the function of the TT as the key factor in translation choices may thus be influential in bringing about a change in the conception of fidelity (see Garzone 2000). However, judging from a global survey of translator habitus, though not of the habitus of legal translators specifically, consensus seems to be non-existing. Katan (2009: 137) states:

Only just over half the professionals (56 %) believe that listener/reader reaction is ideally always their concern. [...] Surprisingly, perhaps, the group with a qualification in translation are no more concerned with the client than the group of professionals as a whole. This suggests that the skopos theory functionalist thinking has yet to permeate the profession, and that Gentzler's prediction, "the future of the functionalist approach appears assured", is certainly not (yet) the case.

#### 4 Norms and explicitation/implicitation in translation

For our purposes explicitation is of two types: addition and specification. 1: Addition is quantitative in nature, and involves the inclusion in the TT of extra lexical elements that either add or repeat meaningful elements. 2: Specification is qualitative, i. e. it adds meaning(s) by using lexical elements that are semantically more informative than the ST lexical elements.

Similarly, we consider implicitation to be of two kinds: 1: Reduction, which involves leaving out meaningful ST lexical elements in the TT. 2: Generalization, which involves using target-language lexical elements that are semantically less specific than the ST lexical elements (Hjort-Pedersen/Faber 2010).

One version used in certified translations by Danish translators reads: I, ..., authorized translator and interpreter, competent to translate from ... into ..., hereby declare that the annexed translation in the ... language, and executed by me, is, to the best of my professional knowledge and belief, a true and faithful rendering of the ... original.

In the following we will focus on translational norms related to the use of explicitation and implicitation as micro-strategies in legal translation.

In a study from 2005, Klaudy and Károly formulate their 'asymmetry hypothesis' according to which "translators – if they have a choice – prefer to use operations involving explicitation, and often fail to perform optional implicitation" (2005: 14) when moving in the opposite translation direction.

One assumption of relevance to the issue of asymmetry is that the necessary cognitive inferencing processes undertaken by the translator to understand the ST may leave traces in the TT in the form of explicitation (cf. Steiner 2001, Pym 2005). The more complicated the ST, the more cognitive processing the translator will be engaged in. In the process of translating the translator may choose to render his or her fully enriched understanding in the TT and avoid the extra work of returning to the less-explicitated level of the ST.

Accordingly, as legal texts are notoriously complex, it can be assumed that explicitation will occur in legal translation — even if the risk involved in specifying or adding information might be taken to be greater than in other types of translation because of the potential legal effects of any additions. Implicitation, on the other hand, should be rarer in legal translation following the 'asymmetry hypothesis' and the same considerations of risk-taking.

In an attempt to gain access to translational practices via translation-process and textual sources we have worked with translation experiments involving student translators, professional translators and legal experts who were asked to translate a legal text. Here we focused on elements in the ST that required reference assignment and enrichment in relevance theoretic terms to find out how such reference assignment and enrichment processes were tackled and subsequently rendered in the TT. These experiments have shown that both student translators and professionals quite often choose explicitation, whereas implicitation as a strategy is much less frequent (Faber/Hjort-Pedersen 2009a, Hjort-Pedersen/Faber 2010). Unlike the translators, the legal experts, when themselves doing the translation, were found to opt for implicitation in several cases (Faber/Hjort-Pedersen 2009b).

To further explore the attitudes of both legal experts and legal translators to the phenomena of explicitation and implicitation, we carried out a study in which we asked the participants to evaluate three different translations of the same text on a number of parameters. The ST was an extract of a Danish law report of a judicial decision. Seen in isolation from the ST, the three variants represent comparable renderings of the same content, though with different degrees of explicitness and implicitness in linguistic terms.

The following questions were explored:

What are the attitudes of legal translators and legal experts, respectively, to the use of explicitation and implicitation in legal translation?

More specifically,

- What are the reasons given by the two groups of informants in support of their attitudes towards the use of explicitation and implicitation in legal translation?
- What types of explicitation and implicitation, if any, are preferred or disliked by legal translators and legal experts? And why?

#### 5 The evaluators

The evaluators taking part in the study consisted of six legal translators and five legal experts. The relatively small number of evaluators is connected with the limited range of potential

participants. Two requirements had to be met: a) a sufficient knowledge of legal English and b) willingness to sacrifice time for our experiment.

Two of the legal experts worked in a Copenhagen-based law office handling a high number of international business clients; three were employed as researchers and teachers of law, one of whom had previously been employed in a law office. They all use English on a daily basis in their work life, communicating with clients or writing articles in English, and they also make use of the services of professional translators for translation of Danish texts into English or revision of TTs in English.

The legal translators all perform legal translation on a regular basis, either as freelance legal translators or as law office employees. In Denmark legal translators very often work into their L2 (in this case English).

#### 6 Set-up and methodology

The experiment was designed as a qualitative investigation of the attitudes of the legal translators and legal experts based on both their ratings of the translations and their comments on the reasons for their ratings, which were recorded in individual protocols.

The ST and the translations are shown below. The three translations were produced by us and manipulated in such a way as to allow us to focus on selected instances of ex- and implicitation. We chose this procedure in order to avoid the complexity (or 'noise') that may result from real-world translations, which normally differ on several levels and in many different respects. We wished to restrict discussions of the choice of legal terminology as much as possible, as this was not our primary concern. Our evaluators were not informed of the origin of the translations nor of the area of our interest. The evaluators were given the ST, a background text (providing the context leading up to the decision) and a translation brief, which for the sake of the experiment was stated to have been given to the translators, and they were then asked to evaluate the translations in three different phases.

The brief specified that the translation was needed to inform an English lawyer of a Danish judicial decision and read (our translation): The text is to be translated for an English lawyer who wants to be informed of the decision of the Danish High Court. The reason is that he is working with a Danish law firm on a similar case involving an English party. The commissioner of the translation does not think that the English lawyer has any knowledge of the Danish legal system.

Translation A was the most literal and neutral translation. Translation B contained a large number of explicitations especially relating to agent, location and manner as well as to the chronology of the legal scenario described in the ST. In the frequently highly condensed style of Danish legal texts such information is often made implicit and will in relevance-theoretic terms (Blakemore 1992) require enrichment, reference assignment or disambiguation processes. Finally, Translation C was a translation that contained a high number of implicitations and therefore relied on the ability of the TT reader to infer information from the co-text as well as the general context.

#### The ST:

[....] retsplejelovens § 248 findes dog ikke at udelukke, at byretten som sket har tilladt fremsættelse af afvisningspåstand grundet på indsigelse mod værnetinget. Afgørelsen findes heller ikke uforenelig med EF-domskonventionens artikel 18, idet sagens forberedelse

for byretten på tidspunktet for kærendes processkrift af 15. april 1999 ikke var fremskreden. Det tiltrædes derfor, at byretten har tilladt kærende i henhold til processkrift af 15. april 1999 at fremsætte påstand om afvisning.

#### Translation A:

However, section 248 of the Administration of Justice Act is found not to prevent the City Court, as was the case, from allowing the submission of a motion for dismissal based on an objection to jurisdiction. Nor is the decision found to conflict with Article 18 of the EC Judgments Convention, as the case preparation before the City Court at the time of the Appellant's pleading dated 15 April 1999 was not advanced. The City Court's decision to allow the Appellant's submission of a claim for dismissal in accordance with the pleading of 15 April 1999 is therefore upheld.

Translation A is, as mentioned, the 'neutral' translation with neither ex- nor implicitations.

#### Translation B:

However, the Danish Eastern High Court finds that section 248 of the Danish Administration of Justice Act (Retsplejeloven) does not prevent the Copenhagen City Court from allowing the Defendant to submit a motion for dismissal, as the Court did in this case, based on the Defendant's objection to the City Court's jurisdiction. Nor does the High Court find the City Court decision incompatible with Article 18 of the EC Convention on Jurisdiction and Enforcement of Judgments (the EC Judgments Convention), as the parties' preparation of the case before the City Court had not reached an advanced stage at the time when the Appellant submitted its pleading of 15 April 1999. The High Court therefore upholds the City Court's decision to allow the Appellant to submit a motion for dismissal in accordance with the Appellant's pleading of 15 April 1999.

To give examples of the types of explicitation made we look at the first sentence in Translation B. Here we find the addition of the element *the Danish Eastern High Court*. This explicitation adds the agent of the verbal act, *find*, to the TT, and at the same time it provides cultural information about nationality and location, *Danish* and *Eastern*.

#### Translation C:

Section 248 of the Administration of Justice Act does not prevent the City Court from allowing the submission of a motion for dismissal based on an objection to jurisdiction. Nor is the decision contrary to Article 18 of the EC Judgments Convention, as the case preparation at the time of the Appellant's pleading dated 15 April 1999 was not advanced. The decision to allow the submission of a claim for dismissal is therefore upheld.

Considering the same sentence in Translation C the implicitations made are reductions through the omission of the conjunction *dog* (*however*) as well as of the speech act marker *finds* (*is found*) and, finally, the chronology expressed by *som sket* (*as was the case*).

The experiment was divided into three phases, in which different approaches were adopted to obtain information about the informants' attitudes towards explicitation and implicitation.

In phase 1, we asked the evaluators to let us have their immediate reactions to the three translations, and to give them each a score from 1 to 10 with 10 representing the top score. We also asked the informants to verbalize their thoughts as to why they had arrived at these scores.

In phase 2, we asked the evaluators to score the three translations once again, this time zooming in on three parameters of evaluation. For each translation, and again based on scores ranging from 1 to 10, we now asked the evaluators to consider the degree to which

- (1) the TT renders the meaning of the ST
- (2) the TT appears to them to represent authentic language and style, and
- (3) the degree to which the TT fulfils the TT informative function specified in the translation brief.

In phase 3, we narrowed the focus even more, asking the evaluators to mark in Translations B and C any textual material they considered superfluous/not relevant (in Translation B) or any information that they thought was lacking (in Translation C).

One implication of giving the evaluators access to the three translations at the same time was that the mere knowledge of a different version might affect their awareness of one translation being more explicit than another. However, as our main objective was to elicit information about their attitudes to ex- and implicitation, this risk was considered secondary to the need to encourage them to speak of precisely these phenomena.

Given the limited number of evaluators involved, the scores were not subjected to quantitative analysis. Rather we compare the relative scoring of the two groups as such, while correlating these scores with the evaluators' recorded comments. In line with Brownlie (2003), we do, however, make use of quasi-quantification in the form of e. g. 'the majority of', 'some', 'generally'. As Brownlie puts it: "Quasi-quantification is useful in a qualitative approach for obtaining an overall appreciation of groups of people's opinions (translators and readers), of the general nature of a single translation, of data across the whole corpus of translations." (151).

#### 7 Analysis

For analytical purposes we divided the scores into three groups: low (covering scores from 1–4), intermediate (scores from 5–7) and high (scores from 8–10).

#### 7.1 Phase 1

Tables 1A and 1B show the scorings of the two groups in phase 1 of the experiment.

Table 1A: Translator scores - phase 1

	Translation A Translation B				Translation C			
Low	Intermediate	High	Low	Intermediate	High	Low	Intermediate	High
1	1	4	1		5		2	4

<i>Table 1B: Lawyer scores – phase</i> .	1B: Lawyer scores – phase	1
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	Translation A		Translation B				Translation C	
Low	Intermediate	High	Low Intermediate High		Low Intermediate High		High	
	3	2	1		4	3	2	

Looking across the translations in the low-score section, Translations A and B were assigned low scores by relatively few informants. Translation C, on the other hand, received low scores from the majority of the lawyer group, whereas the translators appear to be more favourable towards this translation.

Translations A and C received scores in the intermediate category from both groups of informants. With Translation B, the striking feature is that either the informants did not like it, one from each group, or they liked it a lot, with nothing in between.

In the high-score category, the informants seem to be in agreement with regard to Translation B, for Translation A the picture is less clear, whereas with Translation C only the translators give it high scores.

The results of the phase 1 scoring are rather surprising on two counts. The translators' high scores for Translation C seem to conflict with the findings of our previous translation process studies, which showed that implicitations were used very rarely by translators but not infrequently by lawyer translators. With regard to Translations B and C, the most striking result is that the translator group seems to approve of texts with both high levels of explicitation and implicitation in the same translational context.

The comments provided by the evaluators in the protocols for this initial phase point to some of the attitudes and reasons which may be behind the scores. These can be summarized as being concerned with the following three main issues: the ST/TT relation, the question of legal language and legal style and the communicative value.

The ST/TT relation covers deliberations about legal translation in terms of near-literal or direct translation as a prerequisite of precision. Here the concern seems to be with Chesterman's accountability and relation norms and, in the case of the legal experts, the expectancy norm, i. e. does the TT live up to what a translation should be?

The question of legal language and legal style is reflected in deliberations about the flow of the sentences, whether it sounds 'nice' to the evaluator in terms of legal language and style. Here again the norm involved is Chesterman's relation norm.

The communicative value deals with questions that the TT reader might have about the content and his or her needs or preferences. The issues involved concern such factors as comprehensibility and background knowledge about the Danish legal system. This is related to Chesterman's communication norm.

Table 2, which contains our translations of selected comments, illustrates the points made above. For each excerpt from the protocols it is stated whether it is made by a legal expert (L) or a translator (T) and which translation it relates to, e. g. Trans C.

Table 2: Phase 1 comments – translators and legal experts

ST/TT relation	[] [you should not] include too many inferences in a translation if you are not 100 % certain of what is meant. [Trans A] (T1)I would prefer A because it's a translation – it's not really the translator's job to change what is said, sort of to improve on the text. [Trans A] (L1)
Language and legal style	[] Too many things are implied in C. But it sounds really nice. [Trans C] (T2) [] It is ok – a bit complex That's the way I myself would have translated it, and then the translators would shake their heads at me in disbelief and rearrange everything. [Trans A] (L2)
Communicative value	[] [with B] it's more detailed, it's easier to understand what the ST said. I quite like that more words are used to explain to the reader what the point is. [] It's of course debatable how much to add, one shouldn't be patronizing. [] I think it's easier to understand for a non-Dane. [Trans B] (T1)  [ B] has a lot of information which makes it a bit cumbersome, but on the other hand the English lawyer is well informed with this version. [Trans B] (L4)

#### 7.2 Phase 2

In phase 2 we were interested in trying to elicit information that would give us a more detailed picture of what these attitudes expressed by the two groups of evaluators actually cover. We hoped that our specific questions as to meaning, authenticity and informative value of the TTs would prompt the evaluators to elaborate on their attitudes. For our purposes, the specific scores provided by the evaluators are again secondary to the protocols, but they may give an indication of the significance assigned to the different parameters and in this way be a key to some of the scoring of phase 1.

In the following we consider the distribution of scores in phase 2 given by each of the two groups in order to zoom in on the possible motives behind the overall scores of phase 1. Tables 3A and 3B present the scores given by the two groups.

Table 3A: Translator scores – phase 2

	Translation A			Translation B			Translation C		
	Low	Inter- mediate	High	Low	Inter- mediate	High	Low	Inter- mediate	High
Meaning	1	1	4		1	5		3	3
Authentic value		3	3		5	1		2	4
Informa- tive value		3	3	1		5	1	3	2

Paradoxically, the majority of the translators quite like all three translations. For Translation A importance is attached to the meaning parameter, Translation B scores high on both meaning and informative value, and for Translation C it is authentic value that draws the high score.

Table 3B: Lawyer scores – phase 2

	Translation A			Translation B			Translation C		
	Low	Inter- mediate	High	Low	Inter- mediate	High	Low	Inter- mediate	High
Meaning		2	3		3	2	1	2	2
Authentic value	1	3	1			5	1		4
Informa- tive value	1	3	1		1	4	3	1	1

If we compare the scores given by the legal expert group in phase 2, it seems that the reason why most of the legal experts approve of Translation B is that it provides value in terms of authenticity and information. Conversely, they find that Translation C is lacking in informative value, which may explain the relatively low score in phase 1.

The legal experts rate Translation A higher than Translation C in phase 1, but when we look at the scores of phase 2, they do not provide any explanation in that they seem to be more or less evenly distributed on the three parameters, with a slight preference in terms of the meaning parameter.

We now turn to the protocols to explore the connection between the scores and the attitudes. The three issues that we identified in phase 1 are elaborated on in the phase 2 protocols, where the evaluators express their opinions about the translations on the basis of our three questions.

With regard to the ST/TT relation, both groups share the concern about the role of the translator as an interpreter of the ST and the authority that the translator has as a language

producer. As Harvey (2002: 181) puts it with respect to lawyers: "Since lawyers are well aware of the empowering nature of language, they are evidently reluctant to grant translators leave to use the words they choose." The following comments are examples, again translated by us from Danish.

I would rather not be faced with a lawyer saying to me: I wrote it like that, how come the translation reads like this? ... Then it would be best to be able to say: Well, you wrote it, I just translated it. [T6] (general comment)

A is very close to the wording of the ST, you might say, and this makes it a bit difficult to read when it's in English. One might have considered a more active style, but of course it's not the translator's job to change what is said, because [...] the ST is difficult to understand as it is. [Trans A] (L1)

But the protocols show that for the translators this concern seems to be rooted in uncertainty constraints on the one hand and the risk of a subsequent certification requirement.

You have to be 200 % certain to use an explicitation – experience has taught me that sometimes when you think you have understood a connection then afterwards you learn that it was the other way round, because sometimes it is fairly complicated. [Trans B] (T6)

[...] I don't think I would dare do that, though. [...] It takes a lot of confidence to leave out things. [Trans C] (T1)

[...] But I would want to make sure that I wasn't mistaken concerning 'the defendant'. The thing is that it is explicitated that it's his objection. It may be correct, but not being a lawyer, I would want to be absolutely certain. [Trans B] (T2)

I don't think I would necessarily insert an agent, if the translation is to be certified. But by far the majority of the translations we make are not certified, they are just for information, and then I would have no problem doing that. [Trans C] (T3)

This could never have been certified. [Trans B] (T6)

The legal expert group voice their concern in terms of what a translation is. They want to be certain who speaks through the translation, the ST or the translator.

Nothing has been added to explain things, and that is the characteristic feature of a good translation, i. e. that it says exactly what the ST said, so to speak. [Trans A] (L1)

The extra information added takes you away a bit from the ST and so you may be in doubt as to who actually said what, i. e. whether it is the translator giving you her interpretation or the court speaking. [Trans B] (L4)

The issue of precision is also touched upon, although from different points of view.

It confuses things a lot that extra words and things are added. The meaning is there, but it is sort of wrapped up. [Trans B] (L1)

#### Conversely,

(B) has a lot of details, which makes it a very precise reproduction. [Trans B] (L4)

If it's in the ST, it's probably because it's meant to be there. [...] I always aim at getting totally identical STs and TTs. [Trans C] (T6)

If the job is to make a precise translation, then that has not been done here [(C)], but that is not in fact the commission, is it? [Trans C] (T6)

With regard to language and style, both groups agree that readability is a requirement and to the legal experts especially it is very important that the TT can easily be understood by the TT reader.

(B) is better than (A) because an active style is much better and easier to understand. Especially if we are dealing with different nationalities, different linguistic traditions, then it is a great advantage to use an active style. [Trans B] (L4)

It is understandable, but you might have to read it several times to get it – it's not always the shortest version that will give you the most accessible text. [Trans C] (L3)

[...] and it makes the text less readable, if it contains all these explanations. [Trans B] (T3)

The translators' concern with readability is more focused on the issue of translation bias and whether to opt for a translation that to them resembles an English law report or not.

[...] to me it sounds more authentic when the translator uses verbs, which he or she does a lot more in B. [Trans B] (T2)

Being so concise without any explanations makes it seem more authentic to me, since they [English speakers] would not explain as much as a Dane might tend to do. [Trans C] (T2) Highly authentic because of the direct manner in which things are phrased. In English judgments, those direct phrases are much more frequent. [Trans C] (T3)

With regard to the communicative value, both groups find the TT reader's background knowledge a factor that is important to consider. For the lawyer group, communicative value has to do with the translation allowing the TT reader to establish adequate contextual assumptions in terms of, for instance, specification of actors and chronology:

But again Translation (B) is much more readable with the details that are inserted. You don't have to wonder who is saying and doing what at the different points in time. I like that. [Trans B] (L3)

It is fairly obvious to a lawyer who is making the objection to jurisdiction from the context, but still I think it is a good thing that you don't have to make contextual inferences in a text written by others. It is better to have it clarified who is doing what. [Trans C] (L4)

Also the provision of legal cultural information in order to be able to save time and costs of a lengthy correspondence is important:

In my view, the most important thing is that the message comes across without the translator interpreting too many things. But on the other hand, if the TT reader does not understand the entire context, then it's OK that the translator clarifies certain things e.g. by writing the Danish Eastern High Court. [Trans B] (L3)

The message is delivered much faster in (B). It is highly likely that you would get questions from the English lawyer with both (A) and (C). [Trans B] (L3)

The advantage of (C) is that it is very brief, but it may result in a lot of extra phone calls or emails. And especially if there are many foreign-language parties involved, it becomes costly, so it's better to have a little too much information than a little too little. [Trans C] (L4)

The translator group is also concerned with TT reader needs, but, with the exception of one, is not very specific about what these needs would be.

I would find it too risky to include all this. Not necessarily risky in this situation, but I don't think there is any reason to do so. Because the TT readers will know very well what it is about. [Trans B] (T6)

Even if it isn't there in the ST, I like it that agents have been specified to be sure that the TT reader will not misunderstand who does what. [Trans B] (T2)

The translators also consider the issue of time, but not specifically from their own point of view, but rather from that of the receiver. Several of the translators mention that the shorter version appears to be more effective in terms of reading time for the expert reader, e. g.

There is no reason to make the text longer. First, it won't help the reader, and second, it takes longer to read. [...] The reader is a busy man, so the text needs to be short and precise. The content must be there, and then he needs no more. [Trans B] (T6)

Figure 1 on page 55 illustrates and sums up the areas of concern, ST/TT RELATION, LEGAL LANGUAGE AND STYLE, COMMUNICATIVE VALUE, which appear to be behind the attitudes of the two groups, with the concerns that are shared by legal experts and translators appearing inside the circles and the concerns specific to the two groups of evaluators appearing in the columns.

#### 7.3 Phase 3 – Types of explicitation and implicitation preferred or disliked by the evaluators

As mentioned earlier, in phase 3 of the experiment, we asked the evaluators to indicate in the TTs where they found that either too much information was being provided by the TT or too little. In practical terms, it meant marking the exact words or phrases that were found to be inappropriate or superfluous in Translation B, or the parts of the text where information was lacking in Translation C.

In tables 4A and 4B and 5A and 5B, respectively, we have typologized the specific instances in the TTs which each evaluator found to be either providing too much or too little information.

The types of explicitation that were marked as redundant by the evaluators were either additions or specifications such as

addition of cultural information that relates directly to the Danish system or provides extra information which strictly speaking is semantically redundant, such as Danish Eastern (High Court), Copenhagen (City court), retention of the Danish title (Retsple*jeloven*) in the TT, short and full titles of convention,

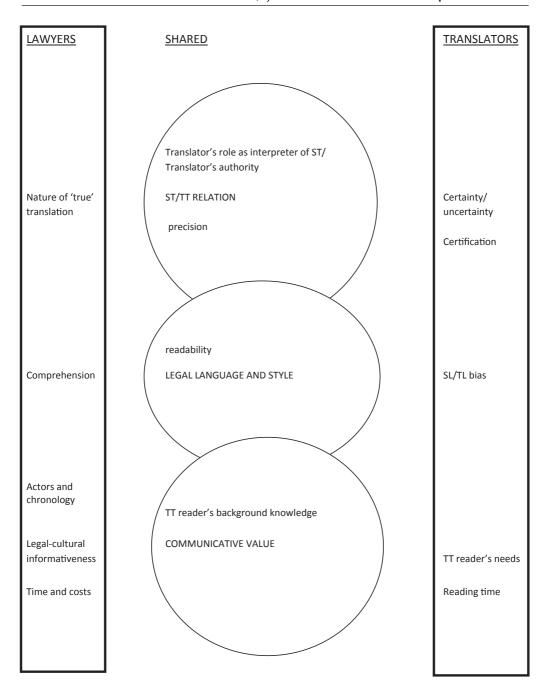


Figure 1: Areas of concern – lawyers and translators compared

- Fachsprache 1-2/2013
  - specification of agents and locations (the parties or the courts involved) because of the choice of active voice in English,
  - specification of reference (rather than retaining a pronoun) or specification of adjectival phrase meaning.

The implicitations that were marked as 'information missing' to a large extent overlapped with the points above. More specifically, they related to

- speech act marker (e. g. findes = [s 248] 'is found' specifies that what follows is the court's interpretation of the Act or Convention),
- cultural information,
- agents/locations,
- chronology markers/time specifications.

Table 4A: Redundant explicitations – translators

Translation B	Instances of explicitation considered inappropriate or superfluous by the translators. (Each 'x' represents one occurrence in the data.)							
	Cultural information	Agents/location Active voice	Reference (pronoun)	Adjectival phrase				
T1	XX		Х					
T2	Х	Х						
Т3	XX	Х						
T4	xxxx							
Т5	XX	XX						
Т6	xxx	xxxx						

Table 4B: Redundant explicitations – legal experts

Translation B	Instances of explicitation considered inappropriate or superfluous by the lawyers. (Each 'x' represents one occurrence in the data.)								
	Cultural information	Adjectival phrase							
L1	xxx	XXXXX		Х					
L2	Doe	Does not find that any elements are redundant							
L3	Х								
L4	xxx								
L5	х	Х							

Surprisingly, the phrases: '... the case preparation *before the city court*' (... sagens forberedelse *for byretten*), and 'at the time of the appellant's pleading' (på tidspunktet for kærendes processkrift) were found by two evaluators (one lawyer and one translator) to be superfluous information that should not be provided even though present in the ST.

Generally speaking, tables 4A and 4B show that apart from one lawyer, the evaluators find that Translation B has too many additions or explanations providing cultural information on the legal system(s) and rules. The translators' comments are concerned with considerations of the professional background knowledge of the TT readers and their reading-time constraints.

It may seem a little unprofessional to include all these explanations considering that the recipient knows what it is about, and it makes the text less readable with all those explanations and long names etc. (T3)

The text is too long-winded with all those inclusions of 'Danish', 'Eastern', the Danish title of the act, etc. It makes the text too long for the recipient who is a lawyer, and anyway, most of this is clear from the context. (T4)

The legal experts do not seem too keen either on the inclusion of such culturally anchoring terms as 'Danish/Eastern/Copenhagen' etc., and with the exception of one, they find the double rendering of the title of the Convention to be superfluous.

It is debatable whether it is necessary to put 'Danish' in front of 'High Court' because it can be inferred from the general context, and it is in fact not the name it has in Danish. (L4) ... And then in brackets 'the EC Judgments Convention', that would have been sufficient if that is the English title. It only confuses things to add more words. (L1)

However, the situation changes somewhat when the explicitation relates to agents and locations, i. e. the parties, the courts, etc. Again with one exception, the legal experts are largely in favour of the active voice style with specifications of agents and locations. Although the picture is less clear with the translators, the majority are not against this type of explicitation.

... There again – the readability – if you include the High Court, there is no doubt whose decision it is, whether it is the first instance or second instance. (L3) I really like the second part in (B) because it is specified that it is the High Court that rules in respect of the City Court's decision, which is missing in Translation C and even in the

This picture is reinforced when we look at tables 5A and 5B, where both groups find that Translation C lacks specifications of agents and locations and, to a lesser extent, the speech act markers and chronology/time specifications, and to an almost negligible extent, cultural information.

Danish ST. (T2)

Table 5A: Inappropriate implicitation – translators

Translation C	Instances of implicitation, i. e. information considered to be missing by the translators								
	Cultural information	Speech act marker	Agent/ location	Chronology/time specifications	Specification of adjectival phrase				
T1	х		XX	х	х				
T2	XX		xxx	х					
Т3	х	xx	xxxxx						
T4	х	х	XXX						
T5		х	XX	х					
Т6		х	XX	xx					

Table 5B: Inappropriate implicitation – legal experts

Translation C	Instances of implicitation, i. e. information considered to be missing by the legal experts				
	Cultural information	Speech act marker	Agent/ location	Chronology/time specifications	Specification of adjectival phrase
L1		xx			
L2	х	х	XX	x	
L3	х	х	X		
L4	х		XXX	x	
L5				x	

When the evaluators are asked to consider the TTs at sentence level vis-à-vis the same ST sentences, as we did in phase 3, their focus shifts from the TTs as independent texts to particular features that are either added or missing, which they had not been aware of in the earlier phases. In the case of Translation C this focus made several of the translators reflect on the risks involved in leaving out textual elements:

... it is unfortunate in a translation if anything is missing. As a translator you should be careful not to leave out something that you don't think means anything, because it is not my decision, really, if it is in the ST, it is there for a purpose. (T6)

One lawyer stresses that Translation C does not provide sufficient information as to the chronology of the case proceedings because that is an informative feature which is important both in legal texts in general and in the translations:

... the date [of the pleading] is missing, and when was the 'claim for dismissal' actually made? I like to have clarity of the chronology as far as possible, the dates of when the things happened. (L2)

#### 8 Norm hypotheses

The analysis leads us to set up two assumptions about the existence of norms at the macrostrategic level that may impact on attitudes to the use of ex- and implicitations at the microstrategic level:

#### Norm 1: The TT should be a precise rendition of the ST.

Chesterman's ethical norm of accountability and linguistic norm of relation play a major role. Several reasons for this can be extracted from the protocols. In the case of the translators it is a question of risk involved in the issue of certainty/uncertainty and certification. If translators are faced with a translation problem they cannot always be totally certain of the ST meaning, and they may not feel authorized to make any addition or reduction because of their status as interpretive language users in relevance theoretic terms. To them the use of ex- and implicitations may imply that they have taken on the role of a descriptive language user in relevance theoretic terms with the resulting responsibility for the truth value of the content.

Moreover, in the experience of translators, the skopos of a translation may change, for instance in the course of a court case so that certification subsequently becomes necessary. This might call for a new translation of the same ST, since it is debatable whether the traditional understanding of the Danish translator's oath with the emphasis on a 'true and faithful' translation will allow ex- and implicitations.

For some of the legal experts a translation is not a 'real' translation if it is not a near-literal translation, and therefore it may not be trustworthy. Or they want to be sure whose voice is speaking in the translation (the original ST drafter or the translator). Therefore, ex- and implicitations are not allowed.

## Norm 2: The TT should be easily readable and take the TT reader's background knowledge into account.

Chesterman's linguistic norm of relation and the social norm of communication are at play.

The protocols seem to provide the following explanations. If the skopos of the translation is informative as in this case, then for the translators, a number of considerations seem to be related to this norm, i. e. a target language bias to achieve authentic legal English and higher readability as well as general considerations about TT reader needs.

The perceptions of what constitutes authentic legal English in connection with ex- and implicitation are of course idiosyncratic. Thus to some evaluators, explicitations may be a viable strategy since explicitation of, say, the agent involves the active voice resulting in a legal style which is considered to be authentic legal English, i. e. reflecting the conventions of English judgments. On the other hand, others seem to think that implicitations make the text more authentic in a style which mirrors what is referred to as 'direct statements' of English judgments. Paradoxically, both the active voice style with explicitations and the economical style with implicitations are taken by the translators to imply or result in higher readability.

The protocols showed the translators' difficulty in determining TT reader needs. On the one hand, the TT reader is seen to be part of a different national culture and therefore in need

of some cultural information about the ST background, but on the other hand the TT reader is perceived as a person with expert professional knowledge, which seems to be the primary concern of the translators. This means that the translators wish to avoid patronizing their reader by inserting information that is already available to him or her.

Finally, for reading-time reasons, the translators are concerned about the wordiness effect of the use of explicitations, and for the same reason, implicitations may be an effective strategy because of the readers' background knowledge and ability to draw on contextual assumptions.

Norm 2 also reflects the legal experts' expectancy norm in that they insist on a text presentation with clear chronology and clarity as to agent and location. One effect of this would be for them to welcome such explicitations. However, explicitation has to be targeted at achieving successful communication with their fellow English lawyer, which also means that the factors of time and costs are among the prime considerations. For that reason, 'unnecessary' explicitations are seen to be time-consuming and perhaps cause annoyance, e. g. the provision of both the short and long title of the convention. Their reluctance to accept implicitation is connected with the overall goal of communicating effectively.

We therefore suggest that these two norms co-exist in both professional discourse communities. The emergence of the TT reader focus following both the influence of the skopos theory and the plain legal language movement has thus resulted in a higher degree of focus on TT reader needs even in legal translation depending on the function of the TT.

#### 9 Summing up

To return to the understanding of the principle of fidelity, the analysis shows agreement among both groups that the translator's role is to be that of interpretive rather than descriptive language user in relevance theoretic terms. Therefore, if the skopos of the TT is unknown or changeable, the default position with regard to fidelity is the 'neutral' translation, i. e. limited or no use of explicitation and implicitation.

This is also connected with the legal experts' preconceptions about the 'true nature' of a translation and the lawyer's need to be able to differentiate between the ST message as such and the translator's interpretation of the ST. The translators' attitudes are connected with the other side of the coin in that they see their authority and legal ability to interpret the ST as limited, and therefore they experience what could be called uncertainty constraints.

Both groups further agree that as long as the function of the TT is to inform the TT reader (documental translation), then explicitations are acceptable. However, they differ in attitudes to implicitations. For legal experts, implicitations result in too little information being given to the foreign TT reader. Some of the translators, on the other hand, think that because the (lawyer) TT reader is an expert reader who is able to make the necessary inferences, the use of implicitation allows the translator to balance the goal of authentic English3 with what to them is a text that is comprehensible to a legal expert.

Most of the legal experts think that explicitations save time (and money) through language and culture mediation, whereas some of the translators think that explicitations are unnecessary because of the contextual assumptions already available to the (lawyer) TT reader and

Authentic English is seen as an active style without the 'cumbersome' inclusion of all the details of the Danish ST.

because of their concern with not appearing to be patronizing in providing too much detail to an expert reader.

The legal experts seem to be more preoccupied with the end reader of the translation as a member of a different culture. The translators, on the other hand, although also having their focus on end-readers and their place in a different culture, are very much aware of the end-reader as a member of a different expert group to which they as translators do not belong.

In the narrow field of legal translation, our study seems to supplement the asymmetry hypothesis and the prediction that "translators – if they have a choice – prefer to use operations involving explicitation and often fail to perform optional implicitation" in the following ways. Our study identifies the situations that may allow the use of explicitation as situations requiring translation for information purposes only. It also shows that even in such situations, some legal translators would hesitate to use explicitation in order not to violate some sort of maxim of relevance; lawyers are the experts and they should not be told by means of explicitation what they already know. At the same time, our study shows that legal translators are more prone to accept implicitation for reasons both related to the maxim of relevance and a desire for producing texts that resemble authentic English texts.

An analysis like the present one can be faulted in several ways. It involves a relatively small number of evaluators. Moreover, the TTs are manipulated texts which because of the set-up of the experiment may have made the evaluators focus on phenomena that they would not have noticed or been concerned with in a real-life situation. So perhaps we should restrict ourselves to talking about a number of individual reactions to ex- and implicitations. Be that as it may, our analysis involving both translators and legal experts has illustrated that contradictory norms may co-exist. Norms do not appear to be a uniform entity, but subject to different perceptions depending to some degree on discourse community membership. Thus, the analysis has some explanatory value as to the correlation between expectancy and professional norms with regard to ex- and implicitation in legal translation that may be useful in legal translation training.

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Gea-Valor, Maria-Lluisa/García-Izquierdo, Isabel/Esteve, Maria-José (eds.) (2010): *Linguistic and Translation Studies in Scientific Communication*. Bern: Peter Lang. (Linguistic Insights. Studies in Language and Communication 86.) ISSN 1424-8689/ISBN: 978-3-0343-0069-8, 311 pages.

This is a welcomed book on scientific communication and translation. It is well organized in two parts and its fourteen contributions stem from two disciplines: linguistics and translation studies. The first part is called "Construction and Communication of Scientific Knowledge" and the second is called "Translation of Scientific Knowledge". We will argue that despite the fact that most contributors are hispanophones (mostly from Spain), the choice of contributions is fairly wide and varied. The reader will find that the emphasis is placed on the synchronic and diachronic aspects of scientific communication, on the resources for scientific communication and, most of all, on the several genres that constitute the field of scientific communication.

The first paper in 'Section I' is called "Boffins Create Supermouse': The Role of the Popular Press in Creating the Public Image of Scientists and their Work". Martin Hewings compares the images of scientists and their work in the British press, so as to understand the lack of attractiveness of science as a career in Britain which led to a campaign by the British government to change public attitudes to science. The author examines two stories that were published in three kinds of press: tabloid press (The Sun), "intermediate" publication (New Scientist) and quality press (The Independent). He traces the journalistic history of the two stories back to the original research papers. In the British tabloid press, as represented in The Sun, the emphasis is placed on entertainment, on sensationalism as well as on the distortion of the researches that are reported. Here, scientists are called "boffins" and are projected as having unworthy motives. In contrast, the other two publications are more accurate and informative.

In the second article, "Academic Book Reviews and the Construction of Scientific Knowledge (1890–2005)", Françoise Salager-Meyer makes the point that the diachronic exploration of scientific discourse can be instructive. She illustrates her arguments with a study on the book reviews published in English medical journals published over the last two centuries. The differences over the time are clear in many aspects. For instance, in the 19<sup>th</sup> century, the book reviewer was almost always anonymous, whereas nowadays he is well identified. Also, reviewers have sugar-coated their critical remarks and reviews have become shorter and shorter. Interestingly, we also learn that book reviews are losing their importance in the medical field as they become secondary in the dissemination of knowledge, but that linguistic journals still publish more book reviews than economics and chemistry journals.

Luz Gil-Salom and Carmen Soler-Monreal contribute the third paper, "Appraisal Resources in Scientific Research Article Discussions", which focuses on the types of subjective language used in the discussion sections of engineering research articles, namely on Computing, Telecommunications, Nanotechnology and Robotics. The authors examine the adjectives and adverbs that express attitude, such as *significant* and *surprisingly*, as well as certainty and epistemology, such as *obvious* and *likely*, respectively, so as to contribute to the teaching of English for Academic Purposes. They use a methodology based on the concepts of "move" and "step" proposed by Swales (1990), which allow them to situate the occurrences of the items showing the writer's opinions. The paper could have benefitted here from clarification on the concepts of "move" and "step" because not all readers may be familiar with them. Also, the paper could have benefitted from a graph or table illustrating the moves and steps to which the authors refer. Although the analysis is well developed, this lack renders the methodology confusing.

Nevertheless, the authors successfully demonstrate several interesting findings, such as the differences in the distributions of the examined adjectives and adverbs across disciplines as well as the predominance of attitude markers over epistemic adjectives and adverbs.

In the fourth paper, "Hyponymy Relations in Construction Textbooks: A Corpus-Based Analysis", Concepción Orna-Montesinos analyzes the role of hyponyms in the discipline of construction and civil engineering in order to understand how experts lexicalize their disciplinary world. She uses a corpus of textbooks as well as WordNet to define what the concept of "building" is and why it can be referred to in so many different ways (house, bungalow, club, school, cathedral, etc.). Whereas WordNet lists four different definitions of it, in the specialized corpus of construction textbooks the author only finds the prevalence of one of them: "building, edifice (a structure that has a roof and walls and stands more or less permanently in one place)" (p. 99). Also, whereas WordNet lists a very high number of hyponyms for that sense of building that are distributed in five levels of hyponymy, in the specialized corpus Orna-Montesinos only identifies 27 % of the hyponyms described in WordNet. Although the most frequent hyponym found in the corpus is the first-level prototypical house, the historical predominance of religious construction is reflected in the corpus (e. g. cathedral, chapel, basilica). Interestingly, the hyponyms listed in WordNet that are not used in the specialized corpus correspond to buildings for keeping animals (e. g. aviary) as well as buildings not meant to be inhabited (e. g. boat house). This indicates that textbook authors prefer commercial and institutional construction, a choice that is reflected in the lexicon. Also, the comparison of the frequencies of the occurrences of hyperonyms and hyponyms reveals that experts prefer to use more specific words to noun phrases: "health facility (2) - clinic (4), hospital (38)" (p. 104).

Nuria Edo contributes the paper "The Creation of an Active, Corpus-Based Dictionary on Industrial Ceramics from Specialized Lexicography". The author describes the principles guiding the elaboration of an English-Spanish dictionary of ceramics that aims to meet the terminological needs of the professionals of ceramics in Spain for international marketing purposes. The dictionary is said to be "active" in that it is closer to works of specialized lexicography because it aims at meeting the translators' needs. The dictionary entries strangely vary from very technical terms such as *alligator* to less technical ones such as *abroad* and *agree*; they include several information fields (part of speech, equivalents, semantic field, collocations/collocates, examples, etc). However, the extent to which this dictionary is "active" could have been attested more convincingly.

Inés Lareo's paper ("New Trends Exploring the Language of Science: The Corpus of English Texts on Astronomy (CETA) and its Tool (CCT) in the Context of the *Coruña* Corpus") introduces the *Coruña Corpus: A Collection of Samples for the Historical Study of English Scientific Writing.* She lists the objectives of the research project, draws considerations on the selection criteria of the texts that the corpus includes, describes the methodology used to encode the texts as well as the metadata referring to both the texts and to authors, and presents the tool that allows users to access it. This is a very interesting resource that will surely help the linguistic community study the language of astronomy from a historical point of view.

Regarding the same subject field and thanks to the corpus described in the previous contribution, Gonzalo Camina ("New Words for New Ideas: Noun Formation in the Corpus of English Texts on Astronomy") analyzes the processes employed in the coining of nouns in scientific writing. He focuses specifically on affixation as a means to enlarge the vocabulary inventory and examines several text genres produced from 1200 until 1800.

In the last contribution of Section I, Estefanía Sánchez Barreiro ("Adjunctive and Disjunctive Lists in Modern English Scientific Discourse") presents a study on the most frequent phrases collocating with *and* and *or* (called *extenders*) that occur in the scientific writing of the eighteenth century. After defining what extenders are, differentiating between adjunctive and disjunctive constructions as well as between general and specific extenders, the author presents the methodology that she used to carry out her research. She uses part of the *Coruña* Corpus which was described in the previous two contributions. The selected samples of texts pertain to the subject matter of life sciences. She concludes that extenders serve a function that can vary according to the contexts of use, that they typically occur in clause-final position and that their basic form corresponds to a conjunction plus a noun phrase.

'Section II' opens with Tomás Conde's "Tacit Technique on the Evaluation of Technical Texts", a study on the differences in the evaluation of the translation of specialized and non-specialized texts. He uses four groups of evaluators: potential addressees of the texts, professional translators, translation teachers and translation students. The specialized texts correspond to technical procedures for painting and non-specialized texts consist of several news taken from *Economist.com*. Conde describes in detail the methods and parameters used by the evaluators to assess the translations. He concludes that evaluators made more changes on the non-specialized sets of texts because they felt more self-confident about the subject matter, and that regardless of the nature of the texts the behavior of teachers was more regular because they are used to evaluating series of translations.

The following article is written by Pilar Ordónez López ("The GENTT Corpus of Specialised Genres: A Valuable Tool for Professional Translators"). She argues that textual genres play an important role in the configuration of specialized languages and that they can therefore be a key tool in the analysis of specialized communication. The GENTT corpus covers three specialized fields: legal, medical, and technical. It is a multilingual and comparable corpus that allows translators to become familiar with the socio-professional conventions of these fields within different linguistic systems, thereby saving them from having to undertake a laborious documentary search. Each field of specialization is attributed a tree of genres for each language and each text is attributed a genre. The author explains that this allows translators to categorize texts conceptually, namely to anticipate equivalence gaps. The usefulness of the corpus is illustrated through the example of legal translation, which we thought was a little odd because this book deals with scientific and technical communication and not with legal translation. Nevertheless, the usefulness of the GENTT tool for legal translators is very convincing because each language version of the legal subcorpus has a tree of genres of its own due to the fact that law is a culture-bound subject field.

In "Metadiscursive Elements in the Translation of Scientific Texts", Francisca Suau-Jiménez compares the correspondence of metadiscourse in English and Spanish research articles and popular science. More specifically, she analyzes hedges and phatic elements, i. e. elements that assume vagueness or non-assertiveness of language and that therefore reveal the way in which the writer of the texts addresses the reader. She argues that the understanding of this phenomenon is very important for translation because metadiscourse assists in the accomplishment of prescriptive and communicative functions in scientific genres and should therefore be translated fittingly. This study is interesting because one usually believes that phatic elements are rare in pure sciences, but the author proves that the phenomenon does, in fact, exist in scientific communication as well.

The following contribution, "TRACE: Measuring the Impact of CAT Tools on Translated texts", was written by Olga Torres-Hostench, José Ramón Biau Gil, Pilar Cid Leal, Adrià Mor, Bartolomé Mesa-Lao, Mariana Orozco and Pilar Sánchez-Guijón. The authors describe the design of an experiment to compare translations made with and without the use of CAT tools, because, as they explain, "little research has been carried out to determine the differences that may exist between technical texts translated with or without CAT tools, or the impact that the practice of translating using CAT tools may have on developments in target language usage" (p. 256). They make the hypothesis that the phenomena of explicitation, of linguistic interference and of textuality are expressed differently in translations made with or without CAT tools. They use texts with indicators of these phenomena, translation memories, recordings of the operations carried out by professional translators as well as post-translation questionnaires to collect data for a pilot study.

Juan José Martínez-Sierra contributes the paper "Science and Technology on the Screen: The Translation of Documentaries". After defining what a documentary is, enumerating its main characteristics, and situating it in a classification of audiovisual genres, the author draws considerations on audiovisual translation, namely on the modalities for the audiovisual translation of documentaries. According to him, audiovisual translation has the appropriate modalities to make it possible for documentaries to cross language barriers, namely by using dubbing and voice-over, two popular modalities used in Spain. The audiovisual genre is presented here as being different from written and oral genres and the point is made that the translation of documentaries demands adequate training.

Finally, María Rosario Bautista Zambrana presents "Ontologies for Scientific-Technical Translation". She argues that ontologies can be useful for translators because these can provide them with "conceptual and terminological information" (p. 295) about a certain specialized field. Zambrana's ontology carefully delineates a methodology inspired by state-of-the-art work that aims at supplying the translation of terms from the domain of diabetes, at describing how the terms relate to other terms from the domain as well as the properties and characteristics that they have. As an attempt to meet translators' and terminologists' needs, the linguistic realizations of English, German and Spanish terms are offered. The starting language for this ongoing study was Spanish and the emphasis is placed on the fact that this ontology can help translators find the translation of terms. However, the reader may find that little indication is provided as to the extent to which the German and English equivalents were found and that there is no information concerning the syntagmatic contexts in which the equivalents can be used by translators.

Clearly, the reviewed contributions focus on three main aspects of scientific communication: textual genres, synchronic and diachronic studies, and resources for scientific translation. Firstly, the contributions selected by the editors focus on a panoply of textual genres in one way or another: popular science, book reviews, research articles, technical texts, documentaries. The contribution by Pilar Ordónez López emphasizes the importance of textual genres for the understanding of and dealing with scientific communication; Inés Lareo's paper stresses the importance of selecting different text genres when building a comparable corpus, such as the *Coruña corpus*. Secondly, although the majority of the contributions selected by the editors offers synchronic studies, there is an obvious effort to develop diachronic studies of scientific communication (Françoise Salager-Meyer; Gonzalo Camina, Sánchez Barreiro, Inés Lareo). Finally, most of them correspond to corpus-based studies or deal with the elaboration of corpora (there are at least three papers on the *Coruña Corpus of Early Scientific Writing)*; other

contributions describe two different resources for scientific translation: dictionaries (Nuria Edo) and ontologies (María Rosario Bautista Zambrana). The inclusion of more contributions on the resources for the field of scientific communication might have further enriched the coverage made by the editors. Nonetheless, the book offers teachers and students of translation a wide panorama of research in scientific communication.

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Giannoni, Davide Simone/Frade, Celina (2010): Researching Language and the Law: Textual Features and Translation Issues. Frankfurt a. M. u. a.: Lang. (Linguistic Insights: Studies in Language and Communication). ISBN: 978-3-0343-0443-6, 278 Seiten.

The book contains 13 papers that were presented at the 2009 CERLIS Conference in Bergamo, divided into two parts, one with 6 chapters focusing on textual features of legal discourse, and the other with 7 chapters addressing issues in legal translation and interpreting.

#### Part 1: Textual Features

Estrella Montolío Durán discusses the importance of using conditional clauses to fulfill the communicative function of legal discourse, and provides examples drawn from Babylonian and present-day Spanish legislation. The value of the chapter lies in the detailed analysis of the clause order and discourse function of conditional structures in a historical perspective which compares the temporal extremes in the legal writing of statutory texts, i. e. the first recorded legal system in the world (Hammurabi's Code of Laws) and contemporary legislation (the Spanish laws passed in 2008). The study, though, does not provide any diachronic analysis, as the editors wrongly assume in the introduction; in fact, no evidence whatsoever is provided as to the recurrent use of conditional logical connectors in statutory texts between the mentioned temporal extremes.

In spite of the erudite reference to the Babylonian legal codes, the methodological approach of the research is rather weak for a number of reasons (inconsistency, incoherence, hyper-generalization, etc.). For instance, the first research question ("Why do conditional constructions recur with such frequency in the writing of legal texts?") would call for an intralinguistic comparison between legal texts and other text types – which is totally missing in the study – in order to verify the assumed higher frequency of conditional clauses in legal texts. The question remains unanswered. Furthermore, the assumption on which it rests can be easily falsified by quickly checking the occurrence of "if-clauses", for instance, in a technical text: a random check on a technical manual of 6,013 words came up with 15 of them, i. e. relatively much more than the 22 occurrences in Law 1/2008, which consists of 13,693 words (p. 21). Equally inconsistent is the comparison with the causal sentences within the same law, which returned 4 occurrences of causal structures. Again, if compared to the 0 occurrences in the technical manual above, it would not make a much more striking contrast.

The author introduces her study by saying that she used what she calls "a double corpus" – i. e. a parallel corpus¹ consisting of the English and Spanish versions of Hammurabi's Code of Laws, consisting of 282 clauses (each introduced by "if") amounting to 9,506 words in King's English translation² (without prologue and epilogue) – to exemplify Babylonian legislation, and the body of laws passed in Spain in 2008 (amounting to 150,000 words) to exemplify contemporary legal texts. For no apparent reason, the author decided to "randomly" select (p. 21) only one of the Spanish laws (i. e. Law 1/2008 consisting of 13,693 words) to conduct her analysis, but further in the study she contradicts herself as she provides examples drawn from Laws 2, 3 and 4 as well. The author also assumes that by just comparing conditional and causal structures in Law 1/2008 (13,693 words) she would prove "the structural importance of conditional sentence [...] in the writing of any law" (p. 22)!

Apparently, the author tries to incorporate corpus linguistics into discourse/text analysis with little or no cognition of the issues involved (representativeness, size, etc.). The chapter would have gained in value without such inconsistencies.

The fallacious research methodology proposed in Durán's chapter is counterbalanced by Susan Kermas's sound investigation of the influence of French on English legal language in Europe, and the consequently increasing distance between British and American legal nomenclature. The former research hypothesis is corroborated by lexicographical examination of the English and French versions of the documents in the EUR-Lex archive, followed by an investigation of British and French legislation (retrieved from governmental web sites) aimed at determining any semantic deviations due to the culture/system-bound nature of legal terminology. The latter research hypothesis is studied by checking the presence of terms found in EU legislation in separate corpora of British and American news (and in broadly searched French websites) in order to spot any divergences between technical legal discourse and general usage.

Kermas notes three main trends emerging in European legal discourse as a consequence of the Europeanization of law: a new wave of French loan words (e. g. *juriconsult, stagiaire*, and *domiciliataire*); nomenclature previously used being replaced by mixed Anglo-French forms (e. g. *appellation of origin, domestic burglary*, and *volume crime*); and the semantic extension of English cognate words to host previously unknown French meanings (e. g. *dispose of, competent*, and *sanction*).

Kermas's research confirms that European legal drafters and revisers have contributed to creating a new variety of legalese, strongly influenced by the dominant role of French – which is causing a rift between British and American legal nomenclature – and that this new variety, although attested by corpus analysis, has not yet – unsurprisingly³ though – been perceived by lexicographers as a European standard.

<sup>&</sup>quot;A parallel corpus, sometimes also called a translation corpus, is a corpus of original texts in one language and their translations into another (or several other languages). Reciprocal parallel corpora are corpora containing original texts and translated texts in all languages involved. Sometimes parallel corpora contain only translations of the same texts in different languages, but not the text in the original language." (W. Teubert & A. Čermáková, 2004: 122).

Hammurabi's Code of Laws, King's English translation: http://eawc.evansville.edu/anthology/hammurabi.htm.

As Sager puts it (1990: 115), "Standardisation is a retrospective activity which follows naming after an indeterminate length of time".

Stanislaw Goźdź-Roszkowski's study revolves around the concept of keyword as understood in present-day corpus linguistics, i. e. as a "statistically significant word form" (p. 71)4. The aim of the chapter (identifying salient keywords in legal journal articles both quantitatively and qualitatively in order to characterize the genre) is pursued through careful investigation of a 600.000-word corpus of journal articles randomly selected from different US law school online resources. What makes this contribution stand out from other studies based on the analysis of keywords is the author's decision to part from the usual comparison of a specialized corpus against a general-purpose corpus such as the BNC or COCA, and compare the journal article wordlist against a larger reference wordlist generated from six other legal genres (bills, opinions, contracts, briefs, professional articles, textbooks) collected in a 5-million-word corpus in the hope of isolating the most characteristic, genre-specific words. As a result, the author identifies five distinctive categories: citation keywords (Id., supra, note, and see), self-mention keywords (we), legal terms as keywords (discovery, governor, harm, penalty, prosecutors, sentencing, sovereignty, and treaty), legal reasoning keywords (beliefs, estimates, model, probability, problems, results, responsibility, theory), and general-language keywords (pertaining to the spheres of health care, education, welfare, family, crime, and ethics). Based on the top 100 positive keywords listed in the table on pages 86-87 and on the author's attempt at lexically characterizing the genre of legal academic journals, it is arguable that we can consider the identified categories as "unique" (p. 84) to the genre, with the only exception of citation keywords, ranked among the first five keywords in order of keyness (a result that would also very likely hold when comparing the legal journal article wordlist with a general-reference corpus wordlist). The high frequency of non-salient (unless proven differently) keywords such as these (ranked 10), are (ranked 12) or even at (ranked 50) casts a huge doubt on the methodological opportunity of comparing wordlists within the same specialized domain. It seems as if the author has obtained the same homogeneous findings he had feared he would have come to, had he compared his specialized corpus against a general reference corpus (p. 73). A wealth of studies testifies to the contrary.

Vanda Polese's and Stefania D'Avanzo's study focuses on five EU directives on immigration and asylum to investigate vagueness in their structure and underlying ideology. The methodology applied relies on former studies on vagueness in normative texts and, more generally, on discourse analysis. The authors point out a change in the EU's attitude, from an inclusive approach to the recognition of migrant's civil rights towards a more exclusive stance vis-àvis refugees and displaced persons, as a result of the delegation of power to member states through forms of lexical and legal vagueness. The argument is sustained by thorough<sup>5</sup> analysis of cases of strong vagueness (where adjectives seem to be the main lexical resource encoding it) and weak vagueness (mainly expressed through prepositional and adverbial phrases that determine time).

Mike Scott's idea of a keyword is rather different, though: "The key words are words which occur unusually frequently in comparison with some kind of reference corpus." (Scott: 2010, 35) and "The reference corpus word list is assumed to be a big one, which will help WordSmith work out what is unusual about the words in your chosen text(s)." (Scott: 2010, 36) http://www.lexically.org/wordsmith/step\_by\_step\_guide\_English.pdf.

<sup>&</sup>lt;sup>5</sup> Some criticism, though, could be raised when the "vague" label is also applied to those cases in which as soon as possible is followed by a time clause based on the structure after + N + VP/PP, e. g. As soon as possible after the granting of refugee or subsidiary protection status (p. 103), since the time clause still refers to a specific deadline, even if implied, e. g. ninety days, as in the more explicit example 21 (p. 104).

Ross Charnock's contribution aims at proving that, contrary to the general assumption that legal texts are lexically and syntactically complex, most of the current English judgments, as transcriptions of the judges' "speeches" (p. 115), retain many of the essential features of oral discourse, while older judgments are more likely to display the features of written language as a consequence of the use of Latin and "macaronic" (p. 116) Legal French which confirms that judgments were drafted in advance before being read in court. In order to support the formulated counter-assumption, the author refers to 36 cases from English Reports 1220-1865 and The Law Reports (1865-present). After analyzing some of the rhetorical and semantic features of common law judgments as written discourse (cohesion, abbreviations and subtitles) and as oral discourse (conversational connectives and interjections, deixis, performative effects, dialogues and storytelling), the author concludes that the language of English judges is "neither syntactically complex nor particularly obscure" (p. 132) considering that judges themselves complain when legal texts make judicial interpretation difficult. A final word is reserved to the importance of cross-disciplinary cooperation especially when judicial analysis touches aspects of legal theory, as "acknowledgement of the problems common to the different disciplines may then lead to reciprocal illumination" (p. 132).

Judith Turnbull conducts a cross-cultural, comparative analysis of the Opinions of British and Italian Advocates General with the intent to assess the degree of harmonization (as defined by Boodman, 1991) of EU across EU member states. The author justifies the choice of AG Opinions in consideration of the influential (though not binding) role they play in the Court's decisions and judgments. Turnbull analyzes a corpus of 40 randomly chosen Opinions of British and Italian AGs (20 each, for a total of 310,162 words), appropriately tagged with TalTac2 and concorded with ConcApp, referring to cases dating from 1998 to 2008. Given the predictable, different nature of judgments (more impersonal, bureaucratic in the Italian legal system; more personal and explicit in the British common law system), the author decided to focus on those features of the language that most expose the judge's attitude and stance, i. e. explicitly personal expressions, which predictably confirm British AGs' greater freedom of expression than the rather "formulaic" language used by Italian AGs, and expressions of politeness in agreements and disagreements, in which neutral, non-polite (Lakoff, 1989) expressions are used by both British and Italian AGs.

However, it is unlikely that the few examples provided (56 altogether for both languages and for both linguistic features investigated) would allow generalization about any degree of adaptation reflecting the process of harmonization in European law, as they could rather be interpreted as "idiolectal usage and personal preferences of expression" (p. 138). A diachronic, intra-genre, intra-linguistic, comparative analysis would better serve the purpose.

#### Part 2: Issues in Translation and Interpreting

Patrick Leroyer and Kirsten Wølch Rasmussen set out to challenge the claim that printed dictionaries (or analogous e-resources) are of little or no use at sentence and text level by restoring them as functional tools to be employed by users in two different situations: 1) translating L2>L1 legal texts, and 2) learning about strategies and tactics for L2>L1 legal translations (situations which are reminiscent of the dichotomy between performance and competence). The case study presented revolves around the translation problems encountered in connection with the prepositional phrase *sans préjudice de* while translating a French legal text (T2) into Danish (T1) with the use of French-Danish legal dictionaries and IATE/EUR-Lex term bases. The evidence provided to solve the problems discussed in the study comes from a pa-

rallel corpus of French and Danish legal texts and a comparable corpus of French legal texts (no figures are available as to how large these corpora are). After analyzing the incomplete or misleading data found by the purposely created translator 'avatar' Jette in her search for equivalents in three bilingual resources (a legal dictionary, a general-language dictionary, and the IATE term base), the authors point out important omitted information or missing subdivision and comments, and explain the rationale behind the selection of candidates in the mentioned resources (i. e. the nature of referents, the position of the prepositional phrase in the sentence, the language registers, and collocates).

Besides offering a thorough translational profile of the investigated prepositional phrase, the authors also suggest how dictionaries could improve their lexicographic potential (i. e. by explaining the usage of competing equivalents and by adding contextual examples). The final point of the study hinting at the design of an integrated lexical text base would certainly deserve expansion.

The most unusual aspect of Ángel M. Felices Lago's contribution is the use of a legal dictionary as a corpus to investigate axiologically loaded entries. The 598 entries (15 % of the total dictionary entries) have been organized in 20 divisions ranging from deviant behavior to politeness, and clustered in 7 tables, which list the values based on their frequency. The author argues that this approach can help clarify the axiological values in Spanish legal discourse. However, in consideration of the obvious limitations ascribed to dictionaries in general, and specialized dictionaries in particular, as the one which has been the object of analysis in the former article, the study would have acquired more value if a corpus-driven methodology had been applied to a corpus of Spanish legal texts.

Christopher Goddard's chapter focuses on the profession of legal linguist and the related emerging discipline in order to establish whether they have specific features that do not overlap with parallel disciplines or professions, such as legal translator and lawyer linguist. Although the focus group's responses to the submitted questionnaire are both unclear on this point and limited in number (12 altogether, covering both the academic and professional worlds), they provide a useful snapshot of current perceptions of what the profession of a legal linguist implies. While the difference between a legal translator and a legal linguist has someway emerged from Goddard's small-scale investigation, most probably because there is no opacity in the relationship between the relevant disciplines, more research is needed, as the author himself acknowledges (p. 210), to distinguish a lawyer linguist from a legal linguist, especially in the context of the European Union and comparable bodies.

The aim of Iulia Daniela Negru's chapter is to analyze some of the variables involved when measuring acceptability in oral interpreting in real contexts. After applying conversation analysis to the data (12 interrogations of more than 10 minutes, interpreted from Italian into Romanian) in order to identify the internal logic and sequential organization of moves, the author focuses on acceptability in the choice of register, turn-taking, summarizing and closeness to the source text. Negru also suggests that the performance of Italian/Romanian interpreters is still very far from the ideal model of accuracy, implicitly ascribing it to the poor job conditions of court interpreters in Italy, which she stigmatizes, and that no improvement can be made under such circumstances "to assure interpretation quality and interpretation quality control" (p. 227) other than moving in the direction of a functional model of acceptability.

Francisco Vigier aims at providing a snapshot of working conditions for legal translators and interpreters in both the public and private sectors in the UK. The report, based on now obsolete data referring back to November–December 2008 and on a small-scale survey con-

ducted among legal translators in the UK (30 Spanish>English and 12 English>Spanish), could be considered of little significance; however, it still has some value, at least in a diachronic perspective, since it testifies to the working conditions prior to September 2011, when the British Ministry of Justice (MoJ) unpredictably decided to grant the monopoly of all interpreting services to one contractor (Applied Language Solutions, now Capita Translation and Interpreting), which proved not to be up to the task (and standards), considering the avalanche of complaints, protests and investigations under which the MoJ has been buried since. The consequences of such an unreasonable decision have been disastrous for the whole category of legal translators and interpreters in the UK, and would require an updated report. Vigier's study would therefore serve as a useful point of comparison in the past.

Rocco C. Loiacono crosses the European borders with his investigation of eleven bilateral agreements signed by Australian and Italian governments between 1963 and 1996 in order to point out the principles and strategies adopted in their translation. These understandably seem to depart from the functional approach applied in the drafting of legislation in Canada where the comprehensibility of the target text for the general public is a primary concern, and to have rather opted for legal equivalence as an objective to be achieved in consideration of the text type at issue, i. e. "agreements drafted solely to be accessible to expert readers" (p. 260).

Legal equivalence is also at the core of Cornelis J. W. Baaij's investigation of EU legislative texts. The author argues that, due to the supranational nature of EU legislation, it is unlikely that the approach adopted in translating it will be different from a source-oriented approach.

#### **Evaluation**

In their volume on the language of the law, the editors Giannone and Frade fruitfully applied the metaphor of globalization to account for the emerging changes that have recently destabilized well-established norms and routines in the practice of legal discourse.

In spite of the few flaws commented on above, the volume perfectly fits with other literature on the topic (Bhatia et al. 2003; Gotti 2009; Šarčević 2009) and is certainly a good read for all specialists concerned in the investigation of legal globalization and the use of legal English in supranational legislation. I believe that there is still considerable room for research in this area, particularly if discourse analytical and corpus-based approaches are adopted synergistically.

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Watch this question time for more details on the ALS/Capita case: http://www.parliamentlive.tv/Main/ Player.aspx?meetingId=11582.

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Höhmann, Doris (2011): Lexikalische Konfigurationen. Korpusgestützte Mikrostudien zur Sprachlichkeit im deutschen und italienischen Verwaltungsrecht. Frankfurt am Main: Lang. (Arbeiten zur Sprachanalyse; Band 55). ISBN 978-3-631-61854-7, 175 Seiten.

Mit diesem Buch will die Autorin zeigen, welche Möglichkeiten die modernen technischen Hilfsmittel für die Sprachanalyse bieten. Untersucht wird der Sprachgebrauch im deutschen und im italienischen Verwaltungsrecht. Höhmann wählt dafür einen korpuslinguistischen Ansatz: In einem Korpus aus authentischen Rechtstexten untersucht sie einzelne sprachliche Erscheinungen (daher der Ausdruck "Mikrostudien") und verbindet dabei qualitative und quantitative Forschungsmethoden. So soll eine "feinmaschige empirische Erfassung von Sprachbeständen in der Fachkommunikation" (S. 28) möglich werden.

Kapitel 1 trägt den Titel "Lexikalische Konfigurationen". Mit diesem Ausdruck bezeichnet die Autorin textsorten- und diskursspezifische Regelmäßigkeiten und Besonderheiten im Sprachgebrauch. Es geht um Fragen wie: Welche Ausdrucksweisen kommen in welchen Textsorten wie häufig vor, wie spielen verschiedene Ausdrucksmittel zusammen, welche Lesarten überwiegen in welchen Kontexten? Korpuslinguistische Verfahren ermöglichen es, solche Regelmäßigkeiten aufzuspüren. So lassen sich typische Konfigurationen fachsprachlicher Kommunikation ermitteln.

Kapitel 2 ("Strukturierungsmöglichkeiten des Untersuchungsgegenstandes 'kommunikativer Handlungsraum") ruft in Erinnerung, dass sprachliches Handeln kultur-, sprach- und textsortengebunden ist.

Kapitel 3 mit dem Titel "Zum Verhältnis und zur Verknüpfung qualitativer und quantitativer Untersuchungsmethoden bei der Analyse großer und sehr großer Korpora" ist methodologischen Überlegungen gewidmet. Hier erläutert Höhmann die Vor- und Nachteile korpusanalytischer Untersuchungen. Die Arbeit mit umfangreichen Textkorpora hat ihrer Ansicht nach den Vorteil, dass die Forscherin über ihre eigene, begrenzte Spracherfahrung hinaus systematisch eine Vielzahl von authentischen Texten berücksichtigt. So können Vorannahmen über den Sprachgebrauch bestätigt oder korrigiert werden. Die Schwierigkeit korpuslinguistischer Untersuchungen liegt nach Ansicht der Autorin darin, dass die meisten Sprachmittel polyfunktional sind und ihre Bedeutung vom Kontext abhängt. Gerade bei Rechtstexten ist

diese Kontextabhängigkeit besonders groß. Nach Höhmann bringt eine quantitative Erfassung daher wenig, wenn sie nicht mit einer qualitativen Herangehensweise, die Kontextelemente einbezieht, kombiniert wird.

Kapitel 4 ("Die juristische Fachkommunikation als Gegenstand korpuslinguistischer Untersuchungen") gibt einen kurzen Überblick über die Besonderheiten juristischer Fachkommunikation und erinnert daran, dass Rechtssprachen immer an die entsprechende Rechtsordnung gebunden sind.

Kapitel 5 hat den Titel "Die untersuchten verwaltungsrechtlichen Textbestände: Datengrundlage und Korpusdesign" und gibt Aufschluss über das der Untersuchung zugrunde liegende Korpus. Dieses besteht aus Rechtstexten, die einen Zusammenhang mit dem Thema "Ermessen" haben, und ist zusammengesetzt aus drei deutschen Subkorpora (Gesetzestexte, Gerichtsentscheidungen, Gesetzeskommentare) mit je ca. 276.000 Wörtern sowie zwei italienischen Subkorpora (Gesetzestexte, Gerichtsentscheidungen) im gleichen Umfang. Beigezogen wurde zusätzlich ein erweitertes deutsches Gesetzeskorpus mit ungefähr einer Million Wörtern. Höhmann weist darauf hin, dass die Ergiebigkeit und Nützlichkeit eines Korpus für eine bestimmte Untersuchung von der Zusammenstellung des Korpus abhängt. Sie kommt zum Schluss, dass für die Erfassung fachbezogener Ausdrucksmittel ein kleines, aber spezialisiertes Korpus einem allgemeinen Großkorpus überlegen ist.

Will man die große Datenmenge eines Korpus qualitativ untersuchen, so muss man sich auf wenige sprachliche Phänomene beschränken. In Kapitel 6 ("Korpuslinguistische Untersuchungsmöglichkeiten, -strategien und -ergebnisse") stellt die Autorin drei mögliche Ansätze vor und illustriert sie mit konkreten Beispielen. Erster Ansatz: Man geht von einem einzelnen Lexem (z. B. Ermessen oder entscheiden) aus, wobei es meist sinnvoll ist, auch die Wortfamilie in die Analyse einzubeziehen. Mit solchen lexembasierten Mikrostudien lassen sich unterschiedliche Ausprägungen und Verwendungsweisen der Wörter erfassen. Im Sprachvergleich zeigen sich beispielsweise unterschiedliche Präferenzen bei der Wortbildung (Ermessensbefugnis vs. potere discrezionale). Im innersprachlichen Vergleich fallen textsortenspezifische Besonderheiten auf. So zeigt Höhmann anhand der Lexeme Ermessensfehler und Gewaltentrennung, dass Begriffe je nach Kommunikationszusammenhang unterschiedlich gehandhabt werden und eine unterschiedliche sprachliche und begriffliche Ausdifferenzierung erfahren. Zweiter Ansatz: Ausgangspunkt der Untersuchung sind kontextuell miteinander verbundene Wörter. Bei Modalverben kann so zum Beispiel ermittelt werden, mit welchen Verben sie häufig zusammen auftreten. Dritter Ansatz: Das Korpus wird auf wiederkehrende Buchstabenund Wortketten hin durchforstet. Auf diese Weise werden Mehrworttermini und formelhafte Ausdrucksweisen (etwa die Zwillingsform Auslegung und Anwendung) erkannt.

"Zum Abschluss: Gebrauchsprofile als sprachwissenschaftliches und (fach)lexikographisches Hilfsmittel": So heißt das letzte Kapitel, in dem die Autorin andeutet, wie sich die Ergebnisse solcher Mikrostudien nutzbar machen ließen: Mithilfe sogenannter "Gebrauchsprofile" könnte der Gebrauch einzelner Lexeme in bestimmten Kommunikationszusammenhängen beschrieben werden, zum Beispiel für lexikografische Hilfsmittel. Das Verständnis der Funktionsweise von Fachsprache und die Vermittlung von Fachsprachen ließen sich dadurch verbessern.

Was hinterlässt das Buch nun für einen Gesamteindruck? Die Kapitel 2 und 4 bieten einen guten Überblick über die Forschung, auch wenn sie insgesamt wenig Neues enthalten. Lesenswert sind die methodischen Überlegungen in den Kapiteln 3 und 5, wo man viel über Möglichkeiten und Grenzen korpuslinguistischer Untersuchungen erfährt. Hier hätte man sich

etwas mehr Informationen darüber gewünscht, wie genau das Korpus zusammengestellt und ausgewertet worden ist. Nach welchen Kriterien wurden beispielsweise die Gerichtsentscheidungen ausgesucht? Wurde überprüft, ob das unterschiedliche Textalter in den Teilkorpora die Ergebnisse beeinflusst? Was gab den Ausschlag dafür, dass gerade die Lexeme Gewalt und entscheiden untersucht wurden? Solche Angaben sind unerlässlich, wenn man sich selber ein Bild von der Zuverlässigkeit der Untersuchungsergebnisse machen will. Etwas zu differenzieren wäre auch die Argumentation, dass es von Vorteil ist, eigens für die Untersuchung zusammengestellte Textkorpora zu verwenden. Natürlich leuchtet es ein, dass man Rechtssprache an einem rechtssprachlichen Korpus untersuchen sollte. Ist die Korpuszusammenstellung aber allzu sehr auf den Untersuchungszweck ausgerichtet, so kann dies auch gefährlich sein. Sobald nämlich die Textauswahl (bewusst oder unbewusst) tendenziös wird, verfälscht sie die Untersuchungsergebnisse, und die Vorteile der Korpusanalyse – die ja die 'tatsächliche' Sprachwirklichkeit zeigen soll - fallen weg. Im konkreten Fall etwa ist es kaum verwunderlich, dass das Lexem Ermessen mit seinen Komposita im Untersuchungskorpus häufiger vorkommt als in viel größeren allgemeinsprachlichen Korpora (vgl. S. 77 f.), denn das Thema "Ermessen" war ja explizit das Kriterium für die Aufnahme der Texte ins Untersuchungskorpus. Will man mit dieser höheren Frequenz begründen, dass ein spezialisiertes Korpus einem größeren allgemeinen Korpus überlegen ist, wird die Argumentation zirkulär.

Der inhaltsreichste Teil des Buches ist Kapitel 6, wo konkrete Beispiele für korpuslinguistische Mikrostudien vorgestellt werden. Hier bekommt man "Fleisch am Knochen" vorgesetzt, und hier erschließt sich auch einiges, was in den vorangehenden Kapiteln noch unklar blieb. Der Fokus auf das (nicht allzu häufig untersuchte) Sprachenpaar Deutsch—Italienisch hat zudem den Vorteil, dass gewisse Phänomene beleuchtet werden, die sich in anderen Untersuchungen nicht zeigen. Alles in allem lässt sich festhalten: Das Werk geizt zwar etwas mit neuen Forschungserkenntnissen, enthält aber lesenswerte Überlegungen methodischer Art und gibt der Leserin oder dem Leser Anregungen für eigene korpuslinguistische Untersuchungen.

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**Groebner, Valentin (2012):** *Wissenschaftssprache. Eine Gebrauchsanweisung.* Konstanz: Konstanz University Press. (Konstanz University Press Essay). ISBN 978-3-86253-025-0, 143 Seiten.

In den Wissenschaften ist das Wort *interdisziplinär* oft und gern gehört. Die Verzahnung unterschiedlicher Forschungsrichtungen kann ein großes Potenzial für Innovation bergen. Von daher sind Versuche, die in diese Richtung zielen und dabei für den fachsprachlichen Bereich relevante Fragestellungen thematisieren, erst einmal sehr interessant. Einen der neuesten Beiträge hierzu hat der Luzerner Historiker Valentin Groebner mit seinem übersichtlichen Band zur Wissenschaftssprache vorgelegt. Er diskutiert die Schwierigkeiten, die mit dem Gebrauch von Sprache (primär Schriftsprache) in den Wissenschaften einhergehen. Um es vorweg zu

sagen: Dieses Vorhaben gelingt, nimmt man die Perspektive fachsprachlich interessierter Forschender ein, nur bedingt. Gehen wir jedoch chronologisch vor und betrachten zunächst die Gliederung des Bandes. Hierbei verzichtet der Autor auf Nummerierungen; dies scheint in Anbetracht der Kürze des Bandes auch nicht unbedingt notwendig, da der Rezipient an drei Hauptbereichen orientiert wird, die dann jeweils näher spezifiziert werden. Der erste dieser Bereiche ist mit der Frage "Worum geht es?" (S. 11) überschrieben. Der zweite Bereich nennt sich salopp "Ein bisschen Feldforschung" (S. 33). Der abschließende Hauptbereich ist unter der Überschrift "Lesbarkeit. Ein Werkzeugkasten" (S. 69) zu finden. Ein Fazit der Ausführungen findet sich ebenfalls, dieses unter dem Titel "Es ist ohnehin Ihr Text" (S. 127).

Der Impuls zum hier anzuzeigenden Band wurde nach Auskunft des Verfassers durch eine Schreibwerkstatt von DoktorandInnen verschiedener Fachrichtungen gegeben, die im Juni 2009 im Deutschen Literaturarchiv in Marbach stattfand. Die sich in den einleitenden Ausführungen zunächst implizit, dann explizit stellende Ausgangsfrage lautet, warum es in der Masse wissenschaftlicher Textproduktion nicht mehr *gute* wissenschaftliche Texte gibt (wobei hier nicht klar wird, was genau mit einem *guten* Text gemeint ist). Valentin Groebner formuliert das Anliegen seines Bandes folgendermaßen: Es handle sich um eine

"Sammlung von Beobachtungen in und an wissenschaftlichen Texten. Sie ist organisiert unter der Leitfrage, ob sich aus der Beschreibung dieser Phänomene auch praktische Schlüsse ziehen lassen und zwar vorzugsweise solche, die für Autorinnen und Autoren nützlich sein können, die im Zeitalter des Internets selbst an einem größeren Text für ein wissenschaftliches Publikum arbeiten [...]" (S. 16)

Hiermit sind primär Dissertationen gemeint; die konkrete Anbindung an die Marbacher Veranstaltung scheint immer wieder auf. Im Folgenden werden – sehr vage – Eigenheiten der deutschsprachigen Wissenschaftsprosa festgestellt, ohne dass wir jedoch genau erfahren, welche hiermit gemeint sind. Eine Modellierung an wissenschaftspolitischen und auf den angloamerikanischen Raum fokussierenden Diskursen, die Groebner konstatiert, kann den Experten nicht überraschen. Daraufhin hebt der Verfasser auf den Spezialisierungsaspekt sowohl von Dissertationen als auch von deren Sprache ab. Jedoch wird nicht auf spezifische sprachliche Mittel eingegangen, sondern es steht die Frage im Fokus: Dissertation – was dann? Abschließend für den einleitenden Teil werden die Rahmenbedingungen des wissenschaftlichen Publizierens im Internetzeitalter aufgezeigt.

Im zweiten wesentlichen Teil des Bandes beginnt der Verfasser dann vielversprechend. Die oben eingeforderten sprachlichen Mittel werden punktuell besprochen, und zwar im Zusammenhang mit negativ-evaluativen Äußerungen innerhalb wissenschaftlicher Rezensionen (S. 35–36). Hier sind die Ausführungen anhand von Beispielen illustriert, wobei sich aus der Lektüre nicht erschließt, ob die Belege erdacht sind oder aus – uns nicht nähergebrachten – Korpora stammen. In der Folge werden grundsätzliche Fragen von Wissenschaftlichkeit und disziplinären Abgrenzungen diskutiert. Darauf folgt ein sehr gut gelungener (der Verfasser ist Historiker) kurzer Abschnitt über die historische Entwicklung der *Doctores* innerhalb des europäischen Bildungskontextes (mit jedoch starkem Fokus auf dem deutschsprachigen Raum), wonach ein Brückenschlag in die Gegenwart erfolgt. Hier schließen sich Reflexionen zu wissenschaftlicher Reputation an sowie ein mit "Disziplinäre Sprachspiele" überschriebener Abschnitt (S. 55–58), in dem erwartbar eingeräumt wird, innerhalb von Dissertationen sei teils wenig Raum für "individuellen Stil" (S. 56). Danach folgt ein (von mir so bezeichneter) Exkurs zur Legitimation der eigenen Resultate innerhalb wissenschaftlicher Studien mittels (oft disziplinimmanent überholter) Erkenntnisse aus

Nachbarwissenschaften und zu Möglichkeiten der Disziplinerweiterung. Insgesamt lässt sich innerhalb dieses zweiten Hauptteils nach dem roten Faden fragen, den man gern aufnehmen würde.

Der dritte Hauptteil ("Lesbarkeit. Ein Werkzeugkasten", Beginn S. 69) enthält konkrete Anweisungen und Vorschläge, wie wissenschaftliche Texte zu verfassen sind. Hierbei erfolgt eine Gliederung in Abschnitte, die jeweils mit einer prägnanten Überschrift mit Regestencharakter überschrieben sind. Zunächst wird angemahnt: "Orientieren Sie Ihre Leser" (S. 70). Dies wird anhand von Verkehrs- und Hinweisschildmetaphern getan, mit denen textgliedernde Elemente erläutert werden. Hier manifestiert sich nun ein konkreter Ratgeber-/Gebrauchsanweisungscharakter (vgl. dazu den Titel des Bandes); es ist nur die Frage, welche der angesprochenen DoktorandInnen bis zur S. 70 warten, um dann die ersten Hinweise entgegenzunehmen. Wie formuliert es Groebner selbst? "Ihr Leser ist neugierig, und deshalb geduldig. Sogar sehr geduldig. Aber nur am Anfang." (S. 77) Unter der zweiten Rubrik "Verdichten, bitte" (S. 77) nutzt Groebner eine Analogie von "Denkbegriff" und "Hauptperson"; damit bewegt er sich hier auf einer literarischen oder Theatermetaphernebene, teils werden auch argumentative Anleihen bezgl. Filmdrehbüchern gemacht. Der Haupthinweis hier lautet, man solle sich auf ein überschaubares Personal beschränken. Im dritten Abschnitt "Dinge, Orte, Personen" (S. 82) richtet sich Groebner m. E. am ehesten an Historiker, als ForscherInnen seiner eigenen Zunft, und gibt für diese nützliche Hinweise zur Verortung der genannten Konzepte; für andere Disziplinen kann man wenig Raumgewinn konstatieren. Wiederum pragmatisch gelungener lässt sich der Abschnitt "Aber ich habe doch viel mehr Material" (S. 88) einstufen, da eine bestmögliche Eingrenzung der Materialbasis (gerade bei Dissertationen oft ein Mangel) eingefordert wird. Daraufhin wird auf den Schreibprozess und die Frage fokussiert, wo denn das Wichtige zu stehen habe (S. 96). Hier geht es aber mehr darum, Klarheit in Stil und Kürze und Prägnanz in Zitate zu bringen. Die nächsten beiden Abschnitte bieten Reflexionen zur Verwendung von ich und wir, ohne wirklich Innovatives beitragen zu können (für DoktorandInnen mögen diese Fragen dennoch erhellend sein).

Insgesamt kann man sehr geteilter Meinung über den Band sein: Wie aus dem bisher Gesagten hervorgehen dürfte, bietet er nicht viel Neues für ExpertInnen im Bereich der Fachsprachen. Hingegen kann er sich für DoktorandInnen vor und während des Schreibprozesses zur kritischen Hinterfragung der Vorgehensweise durchaus gut eignen. Es gilt hier nach meiner Auffassung zu beachten, wer sich mit der Gebrauchsanweisung Wissenschaftssprache vertraut machen möchte.

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**Neu, Julia (2011):** *Mündliche Fachtexte der französischen Rechtssprache.* Berlin: Frank & Timme. (Forum für Fachsprachen-Forschung 96). ISBN 978-3-86596-351-2, 290 Seiten.

Julia Neu betritt mit ihrer qualitativen Studie ein Feld, das wissenschaftlich weitgehend als Neuland angesehen werden kann. Ihre Untersuchung umfasst insgesamt elf Kapitel: Das erste Kapitel stellt die Einleitung (13 f.) dar. In Kapitel 2 folgen Ausführungen zum Phänomen *Text* im Sinne einer Begriffsdefinition (18 ff.) und einer Typisierung von Texten (28 ff). Kapitel 3 ist

der Mündlichkeit gewidmet, wobei neben relevanten Forschungsrichtungen (37 ff.) eine Begriffsdefinition von Mündlichkeit und Medium (39 ff.) vorgenommen wird. Ausführungen zur Fachkommunikation schließen sich in Kapitel 4 an: Neben einer Diskussion der Begriffe Fachkommunikation und Rechtskommunikation werden hier je eine relevante Arbeit zur Fachkommunikationsforschung (Bastian 1995) (69 f.), zur Gesprächsforschung (Thörle 2005) (71 ff.) und zur Fachkommunikationsdidaktik (Mercelot 2006) (76 ff.) vorgestellt. Auf diese Arbeiten wird im Verlauf der Untersuchung wiederholt Bezug genommen. In Kapitel 5 wird das Analysemodell der Arbeit vorgestellt, in Kapitel 6 deren Untersuchungsdesign. In Kapitel 7 erfolgt der erste analytische Teil der Arbeit – eine gesamthafte Analyse eines Einzeltextes aus dem Korpus auf der Basis aller das Analysemodell konstituierenden Faktoren. In Kapitel 8 wird eine Analyse des gesamten Korpus im Hinblick auf zwei Konstituenten des Analysemodells – Konzeption und Fachlichkeit – vorgenommen. Kapitel 9 komplementiert das vorhergehende Kapitel durch eine Analyse der Faktoren Medium und Fachlichkeit. Eine Dimensionengeleitete Zusammenfassung der Ergebnisse (261 ff.) und die Schlussgedanken (267 f.) runden die Arbeit inhaltlich ab.

Ziel der Arbeit ist die Beantwortung der folgenden Leitfragen:

- Wie sind die dominant mündlichen Fachtexte des Korpus auf konzeptioneller Ebene zu beurteilen? (15)
- Weisen die dominant mündlichen Texte des Korpus prototypisch fachkommunikative bzw. rechtskommunikative Merkmale auf? (16)
- Welche weiteren Merkmale, die sich aus der Kombination der Faktoren "Mündlichkeit" und "Fachlichkeit" ergeben, weisen die Texte des Korpus auf? (16)

Das Korpus der Untersuchung umfasst Videomaterial einer Länge von etwa sieben Stunden mit Transkription (nach dem HIAT-System; 134) und ist in zwei Teilkorpora aufgegliedert: Aufnahmen aus einem Notariat im Elsass zum einen und aus einer universitären Veranstaltung im Rahmen der Notarausbildung in Frankreich zur Einübung der mündlichen Notarprüfung zum anderen (131). Die im ersten Teilkorpus erfassten Textsorten sind Abschluss und Beurkundung eines Vertrags, Notarielles Beratungsgespräch, Arbeitsbesprechung mit einem Praktikanten und Einrichtung eines Inventars. Bei der im zweiten Teilkorpus erfassten Textsorte handelt es sich um die Übung eines Prüfungsgesprächs (131).

Das von der Autorin entwickelte Analysemodell, das einem eklektischen Ansatz entspringt, umfasst die folgenden "Rahmendimensionen", in die hier einige ausgewählte Untersuchungsergebnisse integriert werden<sup>7</sup>:

• Kommunikationssituation: Tätigkeitssituation, Umgebungssituation, Grad der Situationseinbindung, Institutionalität (90). Diese Rahmendimension stellt – aufgrund ihres allumfassenden Charakters und ihrer für die vorliegende Fachsprache zentralen Teildimension *Institutionalität* – zusammen mit der Dimension *Verhältnis des Textes zu anderen Texten* (s.u.) die wichtigste Rahmendimension dar.<sup>8</sup>

Wie bei Arbeiten dieser Art mehr oder minder unvermeidbar, gibt es unter diesen Ergebnissen auch solche, die aufgrund von Plausibilitätserwägungen nicht überraschen, die hier jedoch entsprechend bestätigt werden.

Dennoch fehlt diese Rahmendimension als eigenständiger Punkt in der zusammenfassenden Übersicht (261 ff.).

- Identität und Beziehung: Objektbereich des Textes, soziale Situation (95)
- Als für die Studie relevant erwies sich nur die metakommunikative Komponente, auf der insbesondere "fachlich-institutionelle Identitäten und Beziehungen" oder "fachlich relevante Identitäts- und Beziehungsmerkmale" (261) versprachlicht werden.
- Objektbereich des Textes: Darstellung des Textinhalts, Grad der Themenfixierung, Referenzbezug, Grad der Tangiertheit. Hier erwies sich die *Themenfixierung* in performativen Texten als höher als in nicht-performativen. Der *Referenzbezug* der Texte war dann besonders hoch, wenn konkrete Objekte (Bilder oder Schemata) Teil der Kommunikationssituation waren (261). *Tangiert* sind die Interaktanten besonders dann, wenn sie als Individuen handeln und nicht als Vertreter von Institutionen (262).
- Verhältnis zwischen Text und Wirklichkeit (100): Diese Dimension erwies sich als für alle untersuchten Textsorten relevant und als durch die übrigen Dimensionen mehr oder minder unbeeinflussbar.
- Medium: mediale Verfasstheit des gesamten Kommunikationsvorgangs, Übertragungsmedium (104). Die Textsorten des Korpus wiesen sich ausnahmslos als *multimedial* aus. Die *Spontaneität* der kommunikationssituational relevanten schriftlichen Texte hängt dabei davon ab, ob diese parallel zur mündlichen Kommunikationssituation *in toto* entstehen oder parallel zu dieser Situation modifiziert werden. Der Grad der Präsenz der Kommunikationspartner sinkt dann, wenn das *Medium Telefon* Teil der Situation ist. Zwischen dieser Dimension und dem *Verhältnis des Textes zu anderen Texten* existiert eine enge Wechselbeziehung (262).
- Praktische Handlungen und Grad der Handlungseinbindung (110): Diese Dimension, die sich vordringlich auf an Dokumenten vorgenommene Handlungen bezieht, ist nur auf die dritte Leitfrage anwendbar. Dabei ist die quantitative Handlungseinbindung ungleich weniger bedeutsam als die qualitative. Es besteht eine enge Wechselbeziehung zu den Rahmendimensionen Verhältnis von Text und Wirklichkeit und Verhältnis des Textes zu anderen Texten (263).
- Verhältnis des Textes zu anderen Texten: Referenzobjekte Intertextualität, Texteinbindung (113). Explizite Referenzobjekte sind nach Ansicht der Autorin nur Rechtslehretexte. Hinsichtlich der Texteinbindung sind *Schreiben* und *lautes Lesen* von Relevanz. Letzteres geht mit der Verwendung von Gliederungssignalen einher. Das Schreiben solle sinnvollerweise als prozedural angesehen werden (263 f.).
- Textstrukturierende Ordnungsmuster<sup>9</sup>: dominante Ordnungsmuster, Gliederungssignale (116). Diese Ordnungsmuster ergeben sich aus der Gliederung des Faches selbst. Es finden sich hier verbale (= präzisere) und non-verbale (= weniger präzise) Gliederungssignale, deren Präzision jeweils beispielsweise von der Fachkompetenz der Interaktanten und der Einbindung schriftlicher Texte mitbestimmt wird. Es bestehen enge Wechselbeziehungen zu den Dimensionen Verhältnis des Textes zu anderen Texten sowie Identität und Beziehung (264).
- Verbale Darstellungsweise: textuell-grammatischer, morphosyntaktischer, lexikalisch-semantischer und lautlicher Bereich, Aggregation, Grad der Informationsdichte, fachkommunikativer Sprachwechsel (122). Fachlichkeit kann allgemein sowohl zu kommunikativer Nähe und als auch zu kommunikativer Distanz führen. Die Konzep-

Dieser Terminus wurde vom Rezensenten leicht umformuliert (vorherige Ausdrucksweise: "Ordnungsmuster, die den Text strukturieren", 116).

- tion von Text(sort)en bestimmt wesentlich die Verwendung fachsprachlicher Mittel (264).
- Nonverbale Darstellungsweise: Gestik, Mimik, Blickkommunikation, taktile Kommunikation, Proxemik, Pantomimik (130). Auch in dieser Rahmendimension wirkt sich die Fachlichkeit auf die kommunikative Nähe oder Distanz der jeweiligen Situation aus. So werden Mimik und Blickverhalten von der Performanz und der Institutionalität der Kommunikationssituation mitbestimmt. Zwischen dieser Dimension und den anderen Rahmendimensionen bestehen mehrheitlich enge Wechselbeziehungen (265).

Hinsichtlich der Beantwortung der Leitfragen stellt die Autorin mit Blick auf die erste Frage in allen untersuchten Textsorten "nähe-kommunikative als auch distanz-kommunikative Merkmale" fest (267). Die zweite Leitfrage erlaubte ihrer Aussage nach die Beschreibung fach(=rechts)kommunikativer Merkmale. Textsortenspezifische Unterschiede waren durchweg konzeptionell als auch fachkommunikativ feststellbar (267).

Die Mehrdimensionalität der Untersuchung ist zu würdigen: Zum einen sind die Kapitel 7 bis 9 so angelegt, dass zunächst alle Untersuchungsparameter auf eine Textsorte (141 ff.) und dann ausgewählte Parameter auf alle Textsorten bezogen werden (180 ff. und 224 ff.; s.o.). Zudem ist die Zusammenfassung der Ergebnisse an den erarbeiteten Dimensionen orientiert (261 ff.). Die Analyse ist somit auf unterschiedliche Perspektiven angelegt, die in Komplementarität zueinander stehen. In diesem Zusammenhang wäre es zu begrüßen gewesen, wenn zu den Kapiteln 7, 8 und 9 zur Förderung der Orientierung des Lesers im Hinblick auf die erarbeiteten Ergebnisse zusätzlich ein separates Zwischenfazit formuliert worden wäre.

Im Folgenden seien noch einige Kritikpunkte angefügt, die bei eventuellen weiteren Auflagen der Monographie gegebenenfalls Berücksichtigung finden könnten.

Der Titel der Arbeit "Mündliche Fachtexte der französischen Rechtssprache" suggeriert dem Leser, dass es sich um eine Text(sorten)auswahl handelt, die auf die gesamte juristische Fachsprache hin generalisierbar sei. Diese Hoffnung bestätigt sich jedoch angesichts der tatsächlich untersuchten Textsorten, die einer erheblichen inhaltlichen Begrenztheit unterliegen, nicht: Die analysierten Textsorten können hier allenfalls als mündliche *partes pro toto* der gesamten Rechtssprache stehen, nicht jedoch diese gesamthaft repräsentieren.

Innerhalb des von der Autorin gewählten textlinguistischen Ansatzes wird eine Vielzahl von Einzelergebnissen erarbeitet, die zum einen die Makroebene betreffen und die großen Linien mündlicher Kommunikation darlegen. Zum anderen werden die Ergebnisse mikrostrukturell bis auf die Ebene der Lautlichkeit hin analysiert. Man mag hier die Vielfalt des Ansatzes loben; man mag gleichzeitig jedoch auch von einer Diskrepanz in der Analyse sprechen, die den Leser mit einer zuweilen nicht unproblematisch zu integrierenden Vielzahl an Einzelergebnissen konfrontiert, was dem in den Schlussgedanken (267 ff.) geäußerten praktischen Nutzen der Arbeit abträglich sein mag.

Kritisch anzumerken ist, dass die Autorin es versäumt, die von ihr zitierten Beispiele hinreichend zu dokumentieren (was jedoch in der ursprünglichen Dissertationsversion anders gewesen und hier der Lesbarkeit geschuldet sein mag). Auch wenn die hier formulierte Forderung recht akribisch erscheint, so wäre es dennoch wünschenswert gewesen, wenn die zitierten Beispiele nicht nur aus den folgenden Angaben – z. B. "Beispiel 18: ABV, contrat de vente 1" (163), wobei der numerische Zusatz wohl für den ersten Text der Textsorte contrat de vente steht – bestünden, sondern zusätzlich die exakte Situierung der jeweiligen Stelle der DVD in

Minuten und Sekunden enthielten. Zudem wurde es in der gesamten Arbeit versäumt, solche Aussagen, die nicht mit Beispielen unterlegt sind, im Gesamtkorpus zu verorten, sie also in eben solcher Weise zu zitieren. Eine solche Zitierweise hätte den wissenschaftlichen Anspruch der Arbeit unterstrichen. Zudem wäre es begrüßenswert gewesen, wenn es einen Anhang mit der Auflistung aller das Korpus konstituierenden Texte gäbe. Eine solche Auflistung hätte zum einen den Umfang der Untersuchung besser dokumentiert, zum anderen die Orientierung des Lesers erleichtert. Schließlich wären mithilfe einer solchen Liste auch die wissenschaftlichen Mühen der Autorin besser dokumentiert worden.

Das Verdienst der von der Verfasserin vorgelegten Arbeit besteht insgesamt darin, die Möglichkeit der Beschreibbarkeit mündlicher Kommunikation im Fach aufgezeigt zu haben. Ihre wissenschaftliche Selbständigkeit ist dabei positiv hervorzuheben. Angesichts dieser positiven Einschätzung ist es bedauerlich, dass die inhaltlichen Ergebnisse der Studie bisweilen partikulär erscheinen und somit nicht ohne Probleme generalisierbar sind. Diese mangelnde Verallgemeinerbarkeit ist einerseits dadurch bedingt, dass hier keine statistische Analyse vorgenommen worden ist (was jedoch auch nicht das Ziel der Arbeit war). Zum anderen ist sie dadurch gegeben, dass die Formulierung der Ergebnisse oft so allgemein gehalten wird, dass ihre Aussagekraft leidet und Bezugnahmen auf sie oft nicht hinreichend präzise möglich sind.

Abschließend sei die Autorin für ihren sprachlichen Stil gelobt, der wissenschaftlich distanziert und objektiv gehalten ist. Die vorliegende Untersuchung ist methodisch und in ihrer Durchführung fundiert; die Autorin verfolgt ihre wissenschaftlichen Fragestellungen mit großer Selbständigkeit und Konsequenz. Die Studie stellt einen lesenswerten Beitrag zu der gegenwärtigen Fachsprachenforschung dar und mag als Inspiration für weitere Untersuchungen dieser Art dienen.

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#### List of Journal Abbreviations

Asian ESP J: The Asian ESP Journal, Asian ESP Journal Press, <a href="http://www.asian-esp-journal.com">http://www.asian-esp-journal.com</a>

ASp: ASp, la revue du GERAS, <www.geras.fr>

Education Research J: Education Research Journal <a href="http://www.resjournals.com/ARJ">http://www.resjournals.com/ARJ</a>

ESP J: ESP Journal. English for Specific Purposes. An International Journal, New York, Amsterdam, Elsevier Fachsprache. IJSC: Fachsprache. International Journal of Specialized Communication, Wien,

Facultas, <www.fachsprache.net>

FuH: Fremdsprachen und Hochschule, Bochum, AKS-Verlag

IJCL: International Journal of Corpus Linguistics. Amsterdam/Philadelphia, Benjamins

Int J Lexicography: International Journal of Lexicography, Oxford <a href="http://www.benjamins.com/cgi-bin/t\_bookview.cgi?bookid=IJCL%209%3A1">http://www.benjamins.com/cgi-bin/t\_bookview.cgi?bookid=IJCL%209%3A1</a>

*JAIC*: Journal of Argumentation in Context, Amsterdam/Philadelphia, Benjamins <a href="http://benjamins.com/#catalog/journals/jaic/main">http://benjamins.com/#catalog/journals/jaic/main</a>

JAPC: Journal of Asian Pacific Communication, Amsterdam/Philadelphia, Benjamins, <a href="http://benjamins.com/#catalog/journals/japc/main">http://benjamins.com/#catalog/journals/japc/main</a>

JHP: Journal of Historical Pragmatics, Amsterdam/Philadelphia, Benjamins

JoSTrans: The Journal of Specialised Translation, <a href="http://www.jostrans.org/index.htm">http://www.jostrans.org/index.htm</a>

LSP J: LSP Journal, Language for Special Purposes, Professional Communication, Knowledge Management, Cognition, Copenhagen Business School (CBS), <a href="http://rauli.cbs.dk/index.php/lspcog">http://rauli.cbs.dk/index.php/lspcog</a>

*trans-kom*: trans-kom. Zeitschrift für Translationswissenschaft und Fachkommunikation, <www.trans-kom. eu>

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