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## **On Translation Policy**

**Gabriel González Núñez<sup>1</sup>**

### ***1. Introduction***

When Holmes (originally in 1998 and reprinted in 2000) proposed his map describing the field of Translation Studies (TS), he included a small branch called translation policy (Chesterman 2009, 14). Since then, despite it being omitted in some illustrations of the map (ibid.), translation policy has surfaced from time to time in the work of different scholars (e.g. Krouglov 1997; Diaz Fouces 2002), and it even has an insightful entry in the second volume of the *Handbook of Translation Studies* (cf. Meylaerts 2011a). So the study of translation policy, even if not central to TS, has been a part of the field for some time. Scholars who wish to engage in the study of translation policy, however, may face conceptual challenges when trying to determine the exact nature of the phenomenon they are attempting to study. Perhaps this is to be expected when two notoriously fuzzy concepts like policy and translation are brought together, but the difficulty is nonetheless real, as attested by Meylaerts (ibid., 163).

This article will build upon her conceptual work in order to suggest a helpful definition of translation policy. It will also consider insights from other fields, especially from the field of Language Policy (LP), that may help develop the concept of translation policy. All fields benefit when their concepts are helpfully defined, and developing the concept of translation policy should be of particular interest to translation scholars. This is so because translation policy is not end unto itself. Rather, it pertains to broader issues that arise when considering what the best approach might be in the face of linguistically diverse populations. Inasmuch as democratic societies have adopted ideals of equality in terms of the participation and recognition of citizens, it is reasonable to ask what is (and even what ought to be) the role of translation in a government's efforts to communicate and address the needs of its citizens

in a fully participatory way. Thus, the study of translation policy allows for an exploration of the relationship between language, integration, and equality in society (ibid., 166).

By leaning on Meylaerts and scholars from other fields, this article will propose a broad yet specific concept of translation policy. It should be stated from the outset that the article makes no claim to putting forth the “one true” concept of translation policy, but rather attempts to showcase one understanding that helps achieve specific research aims regarding participation and recognition. To illustrate how this proposed understanding of translation policy may be used in a descriptive paradigm that highlights issues of inclusion and non-discrimination, the article will present translation policy in local government in Scotland.

## ***2. Defining translation policy***

Despite having been around for decades, the term *translation policy* is problematic for TS because it has meant so many things to so many authors that it threatens to lose some of its efficacy. Meylaerts (ibid., 163-166) indicates that policy has been understood by translation scholars to mean the strategies employed by translators while translating; scholarly advice on the role of translation and translators in society; the factors that govern the type, timing, and extent of texts to be translated; the conduct of the government or administrative authorities vis-à-vis translation; the legal rules that govern translation in the public sphere; and the behavior of non-official institutions to promote (or not) translation in specific settings. Thus, in TS the term policy has become a sort of “umbrella term” that risks “becoming an empty notion with little conceptual surplus value” (ibid. 2011a, 163). If the concept provides little “surplus value”, it may not be helpful in achieving certain research goals such as better understanding the role of translation in participatory citizenship. Consequently, if we are to move forward with the study of translation policy, it may be helpful to look for a definition that is methodologically useful and conceptually valuable. In other words, the idea is that

translation policy could benefit from being developed so that it will be broad enough to account for diverse phenomena in different places and including multiple agents while at the same time specific enough that a methodology may be developed accordingly. This is what this paper aims at achieving.

Meylaerts herself has attempted to do this. She has proposed a definition of translation policy as “a set of legal rules that regulate language use for purposes of education and communication, the latter covering the language of legal affairs, of political institutions, of the media, and of administration” (2011b, 744). She further acknowledges that “relatively informal situations too have a policy dimension, albeit in a less structured and often far more complicated manner” and that consequently there is a place for the study of translation policy in non-official settings (Meylaerts 2011a, 167).

This definition is a welcome step forward, but as we look at the way policy is understood in fields that study policy, this definition may warrant an expansion. To understand why, it is helpful to take a step back and think about what policy is. That is more problematic than may initially seem. One of the challenges inherent in studying *policy* is that the object of study is hard to pin down. Part of the problem is that policy analysts tend to take for granted what policy is and assume everyone more or less knows what it is (Jenkins 2007, 23). In a survey of introductory texts that define policy, Jenkins (*ibid.*, 23-25) traces how policy has been understood over time. His analysis starts with a 1968 definition that amounts to a very complex set of decisions and actions which have very wide ramifications and which require much thought and time, and then the analysis moves forward until it reaches a 2005 definition that envisions a complex, broad-ranging, implicit and explicit phenomenon found in on-going processes throughout many different contexts that can change over time and can be as much about action as about inaction, often resulting from an on-going range of uncoordinated actions (*ibid.*). He observes “that ‘whatever it is that we call policy’ is a diverse

phenomenon, encompassing a variety of institutional forms and practices, in a range of settings” (ibid., 26). This broad understanding of policy is helpful in that it makes visible many actors and settings, and yet such an approach toward policy can become in fact too broad to work with.

An understanding of translation policy as “a diverse phenomenon, encompassing a variety of institutional forms and practices [relating to translation], in a range of settings” arguably falls into that area of emptiness with hardly any surplus value. It may be helpful, then, to see how others have approached their own understanding of policy. One field that seems particularly relevant for this endeavor is that of LP, since translation is bound up in language. Not surprisingly language policy too is hard to define—no single definition carries universal approval (O’Rourke & Castillo 2009, 34). The term itself competes with other terms such as language planning, language management, language engineering, and language governance (Walsh 2012, 324). While each of these terms reflects a welcome level of nuance, they overlap a great deal and are quite fuzzy around the edges. Consequently, a term like “language policy” is messy because it may mean different things in different circles (Phillipson 2003, 17-18).

The term applies to a rather broad concept, and authors have tried to pin it down through different definitions. For example, Tollefson takes a critical approach and argues that language policy can be understood as “the institutionalization of language as a basis for distinctions among social groups (classes)” (1991, 16). In turn, Schiffman argues for a broad notion of language policy that recognizes it as decision-making “grounded in *linguistic culture*, that is, the set of behaviours, assumptions, cultural forms, prejudices, folk belief systems, attitudes, stereotypes, ways of thinking about language, and religio-historical circumstances associated with a particular language” (1996, 5; see also Schiffman 2006, 112).

In this medley of understandings,<sup>2</sup> Spolsky proposes a definition that has become influential. He proposes that language policy is a concept that encompasses language practices, language beliefs, and language management (Spolsky 2004, 5). The term “language practices” refers to “the actual language practices of the members of a speech community”<sup>3</sup> (Spolsky 2012, 5). An example of language practice might be the practice by Americans of referring to the path along a road as a sidewalk (Spolsky 2004, 9). The term “language beliefs” refers to “the values assigned by members of a speech community to each variety and variant and their beliefs about the importance of these values” (Spolsky 2012, 5). An example of language beliefs might be the idea that a language such as Spanish is corrupted by the adoption of indigenous words from Latin America (*ibid.*, 23). And the term “language management” refers to “efforts by some members of a speech community who have or believe they have authority over other members to modify their language practice” (*ibid.*, 5). This last element of his definition is what some prefer to call, perhaps confusingly, language planning (Spolsky 2009, 4-5). An example of language management (or planning) might be the writing of a national constitution that names Albanian as the official language of the Republic of Albania (Spolsky 2004, 12). The interrelationship between the three is stressed by this observation: language management must be consistent with language practice and beliefs in order to have real effects (*ibid.*, 222).

Spolsky’s definition is useful for at least four reasons. First, it serves to highlight that language policy exists in “highly complex, interactive and dynamic contexts, the modification of any part of which may have correlated effects (and causes) on any other part” (*ibid.*, 6). Second, from a methodological standpoint, this definition allows researchers to focus more on one or another of these three broad and interrelated areas of language policy while at the same time acknowledging the existence and relevance of the others. Third, it allows for the exploration of management, practice, and beliefs without being forced to draw bright lines

between them. Fourth, it is wide enough to allow the exploration of many different types of concerns which are validly raised by authors such as Tollefson and Schiffman, including power relations and linguistic culture. For these four reasons, I will lean on Spolsky's understanding of language policy.

This understanding of language policy is the center piece of a theory which has as key notions not only language policy as language beliefs, management, and practice but also the idea that language policy operates in specific domains (ibid., 39-41). Spolsky borrows the concept of domain from Fishman, who argues that research into language choices is best approached in specific domains (ibid., 42). A domain is a sociolinguistic context that can be identified in terms of three key criteria: location, participants, and topic (ibid.). The list of possible domains is very long and can include families, churches, neighborhoods, schools, activist groups, court systems, healthcare institutions, armed forces, governments, international organizations, etc. For example, in the family domain, the location is the home, the participants are the family members, and the topic is that which is related to the family's activity (ibid.).

I find that Spolsky's definition can help conceptualize translation policy. To do so, we must recognize that in multilingual societies there is a relationship between translation policy and language policy. Language policy, in the end, is about language choices (ibid., 217). In multilingual societies, these choices result in communication networks which imply "una pràctica continuada de traducció" [a continuous practice of translation] (Diaz Fouces 2002, 85). Thus, translation policy is linked to language policy. In a way, translation policy exists side by side with language policy. Translation policy, like language policy, is a type of cultural policy aimed at goals which include managing the flow of communications among the masses, establishing certain types of relationships between groups and their surroundings, or attributing a particular symbolic value to specific kinds of cultural products (ibid., 86). This

implies that translation policy works in conjunction with language policy in different settings and at different levels. If we recognize this, we can lean on Spolsky's understanding of language policy as language practices, beliefs, and management, to conclude that translation policy can be helpfully understood as more than a set of legal rules that bear on the use of translation.<sup>4</sup> Meylaert's definition can be conceptually linked to language management, and then even be referred to as a form of translation management. Yet translation policy can also be understood to cover matters of practice and belief. As we consider the relationship between translation policy and language policy, it becomes evident that translation plays a role in each of Spolsky's three general areas.

I should point out that I do not mean to suggest that language and translation are to be understood as being the same thing. As explained above, however, in multilingual societies the two are closely linked and fit within broader cultural policies. In this regard, approaches that are helpful for language policy conceptualization may also help conceptualize translation policy.

Because of this, I am suggesting that it is helpful to understand translation policy as encompassing translation management, translation practice, and translation beliefs. "Translation management" refers to the decisions regarding translation made by people who have the authority to decide the use or non-use of translation within a domain. These decisions may be made by anyone from legislators to local site managers, so that the decision may be made from outside the domain as well as inside. The decisions may include attempts to influence not just the choices of the people who actually do the translating but also those of individuals who engage translators and interpreters. Translation management may be thought of as explicit or overt policy. When decisions are explicit, they are to be found as codified or written in various documents, ranging from national legislation to a local branch's in-house guidelines.



Looking only at translation management, however, would yield an incomplete picture of translation policy, because a great deal of policy is to be found in translation practice. “Translation practice” refers to the actual translation practices of a given community. These practices may come in the footsteps of explicit policy formulation, i.e., of translation management, but they may also be the result of implicit or covert policy<sup>5</sup> (which may or may not be codified via translation management). In other words, translation practices help create policy in a very real way, even if this practice is not always explicitly mandated through legal rules. Translation practice is to be found within each domain, and it involves questions such as what texts get translated, what mode of interpreting is used, into and out of what languages, where it takes place, etc.

Translation practice, of course, is linked to the ideas that participants in a given domain may have about translation. Consequently, a look at translation policy must also consider translation beliefs. “Translation beliefs” refers to the beliefs that members of a community hold about the value of translation. This involves issues such as what the value is or is not of offering translation in certain contexts for certain groups or to achieve certain ends. Such beliefs are to be found in each specific domain, but they need not originate within the domain. Translation beliefs are at times spoken, but often remain unspoken, in which case they can be inferred from practice. This is not to say that there is only one translation belief informing practice in every domain. There may in fact be several beliefs operating at the same time in a domain, even conflicting ones. Additionally, there may also be tension between management, practice, and belief, and the relationship between each of these three aspects is complex, as they affect each other in continuous, dynamic ways that are hard to measure.

Be that as it may, I find this definition of translation policy I am proposing to be both methodologically useful and conceptually valuable. Thus, studies of translation policy can be used to analyze the way translation is managed by a religious organization, the way

translation is practiced in a government institution, and the beliefs regarding translation in a given transnational organization, or it can be used for a comprehensive study that considers all three elements in any given domain.

The definition is methodologically useful because it allows researchers to deal with distinct areas without having to draw a bright line between them. This, in turn, helps make choices regarding methodology. In this paper I will provide an example of how. I will select a specific domain in which to study translation policy. First I will search for translation policy as found in the management of translation. Translation management is approached through binding law and its attendant policy documents.<sup>6</sup> These laws and documents can be conceptualized as explicit policy in translation management. The paper will also address translation practice by referring to reported practice within the domain. These reported practices can be conceptualized as implicit policy. Finally, beliefs pertinent to translation are explored as reflected in translation management and practice.

The definition is conceptually valuable because it is neither too “broad” nor too “narrow”.<sup>7</sup> In not being too broad, it moves away from a fully relativist position. By setting the boundaries at management, practice, and belief, the definition avoids the pitfall of becoming so broad that it morphs into an empty notion with little value (see Meylaerts 2011a, 163). A notion where every competing definition is just as good as the next would indeed lack value for purposes such as those mentioned in this study. In not being too narrow, the definition moves away from a set-in-stone essentialist position. For example, by moving beyond legal rules, the definition is not so narrow as to limit itself to one specific element and consequently helps avoid what could be seen as an incomplete and even biased view (see Spolsky 2004, 40). It helps set broad parameters with admittedly fuzzy edges within which issues of nondiscrimination, inclusion, and recognition may be explored.

To illustrate how this definition of translation policy is helpful, this paper will address translation policy in local government in Scotland. This paper will first give some brief background on Scotland's linguistic situation. I have chosen *Scotland* because of its linguistic background, which includes several languages both from within and without the British Isles.<sup>8</sup> The paper will then describe the domain of local government. I have chosen to consider *government* because in today's multilingual democracies, translation policy of necessity must arise in terms of the use or non-use of translation, especially when it comes to choices about communication with individuals who speak a language other than that of the state, all of which has implications in terms of inclusion and non-discrimination.<sup>9</sup> I have chosen to consider *local* government because interactions with government and its services are more likely to occur at a local level than with legislators at the national level, even though, as we will see, the local domain is influenced by national policies. Having described the linguistic situation in Scotland and the domain of local government, the paper will explore translation management, practices, and belief in said domain. Through this exercise, the definition's usefulness for generating a helpful understanding of translation policy in any given setting should become apparent. It will help to highlight to what extent translation is intended to further aims of non-discrimination and inclusion for different groups.

### ***3. Translation policy in Scotland's local governments***

#### *3.1 The languages of Scotland*

Scotland is a country within the UK that has a population of 5,295,000 (National Records of Scotland 2012, 2). In terms of language, there is at least one way in which Scotland is like all other regions in the UK: English has a privileged position. However, there are two old minority languages<sup>10</sup> in this region, namely Scottish Gaelic and Scots, that also help define

the region's linguistic make-up. And, like everywhere else in the UK, there are immigrants and their descendants who speak a number of new minority languages.

Scots is a former language of state that is now in a state of neglect. At one point, Scots displaced Latin as the language of public administration and became a literary language (Dunbar 2004, 101). The status of Scots, however, began declining following the union of the crowns in 1603 (Gilbert 2003, 86). By the end of the 18<sup>th</sup> century, some expected Scots to disappear within a few generations (McGugal 2001, 29). The language did not disappear, even if by the end of the 20<sup>th</sup> century, the distinction between Scots and colloquial English in some parts of Scotland had been blurred (Millar 2006, 64). Indeed, Scots may be anything between “a full-blooded Scots and Scottish Standard English”<sup>11</sup> (Russell 2001, 27). This implies that anyone who speaks Scots can, at the very least, understand English. Even so, in this study I will treat Scots as a stand-alone language, because the UK has decided from a policy standpoint to treat Scots as a language other than English, as is evidenced by the state's designation of Scots as a language for protection under the European Charter for Regional or Minority Languages. Despite Scots being selected for protection, the language has been overlooked in terms of legislative and administrative support (Dunbar 2001, 241). Perhaps because of this, it is hard to gauge how many people speak Scots in Scotland. It is believed to be the second autochthonous language with the most number of speakers in the UK (Social Research 2009, 4). The 2011 census indicates that 1.5 million people over the age of three, or 30% of the population, claim to speak Scots, while the number who claims they can speak, read or understand Scots is 1.9 million or 38 % of the population (National Records of Scotland 2013a, 28). This data, however, should be “carefully qualified” because some respondents may have “considered Scots and English as inter-changeable” (ibid.).

Gaelic, in turn, finds itself in a path of on-going erosion despite more enthusiastic support by some policymakers. Once a widespread language in Scotland, Gaelic began to

erode as early as the 11th century (Dunbar 2003a, 10). Starting in the 15<sup>th</sup> century, the position of Gaelic was further weakened through a process of Anglicization that continued into the late 19<sup>th</sup> century (ibid., 11). Advocacy in favor of the language began about three decades ago (ibid.), and in 2005 the Scottish parliament took steps to protect Gaelic by approving the Gaelic Language Act. All in all, however, the use of Gaelic has been declining at least since the 1891 census (Dunbar 2003b, 143). According to the 2011 census, 58,000 people or 1.1% of the population aged 3 or older can speak Gaelic, and the percentage of the population over 3 who can speak, read, or understand Gaelic is 1.7% or 87,000 people (National Records of Scotland 2013a, 27). There are areas, particularly in the Western Isles, where the majority of inhabitants speak Gaelic, but these seem to be shrinking<sup>12</sup> (Dunbar 2006a, 2-3). All indications are that Gaelic “continues its apparently inexorable and possibly terminal decline” (Mac Giolla Chríost 2012, 17). It seems there are no Gaelic speakers in Scotland today who do not also speak English (Dunbar 2003b, 11).

New minority languages are also spoken in Scotland. Some immigrant communities are well established, and among them languages from the Indian sub-continent are spoken, including Bengali, Gujarati, Hindi, Punjabi, and Urdu (O’Rourke and Castillo 2009, 38). Other long-established languages include Cantonese, Italian, and Polish (Social Research 2006, 14). With an increase in immigration in the past few decades, Glasgow has become “the second city in the UK for the dispersal of asylum seekers” (O’Rourke and Castillo 2009, 36, 38). This has brought about the use of languages such as Russian, Shona, and Tagalog (ibid., 38). Additionally, with the expansions of the European Union, languages like Romanian are now part of the linguistic make-up of Scotland (Social Research 2006, 228). According to the 2011 Census, there are more than 170 languages spoken in Scotland other than English, Gaelic, and Scots (National Records of Scotland 2013b). The new minority language with the most speakers is Polish, with 54,186 individuals claiming it as their main language at home

(ibid., 1). Other new minority languages spoken at home by at least 10,000 people include Urdu, Punjabi, Chinese, French, German, and Spanish (ibid.). It is unclear how many speakers of new minority languages lack proficiency in English, but according to the latest census, “1.2 per cent (62,000) of people aged 3 and over in Scotland were reported as being unable to speak English well and 0.2 per cent (11,000) as not being able to speak English at all” (National Records of Scotland 2013a, 26).

### *3.2 The local government domain*

In order to apply the proposed definition of language policy, a domain must be selected. For the reasons explained above, I have chosen local government as such a domain. Local authorities in the UK have different names: district councils, county councils, city councils, borough councils, and unitary authorities. Sometimes they are collectively known as local councils. Scotland has 32 local councils, which govern the region’s unitary local authorities. These authorities provide local regulation (e.g., licenses for public housing) and services (e.g., waste management, social work, roads and transport). Local authorities vary in size, smaller ones having jurisdiction over as little as 20,000 people and larger ones over as many as 600,000 people.

### *3.3 Translation policy as management, practice, and beliefs*

*3.3.1 Translation policy as found through translation management.* Methodologically, I approached translation management by identifying and analyzing explicit or overt policy efforts as codified through laws by the UK Parliament and the Scottish Parliament as well as policy documents that are pertinent to translation. (For a complete listing of sources, see Appendix.) Through this approach, I learned that translation management in Scotland, to a

degree, is the result of decisions made by policymakers outside the local government domain. These decisions, at the very top, come from Parliament. It should be noted that Parliament has not as of yet issued very many explicit calls for translation, but through its anti-discrimination legislation, it has put local governments everywhere in a position to practice translation. The general obligation to translate for those who do not speak the language of the state is found under the Equality Act 2010, which is part of the law of Great Britain. This Act affects a very broad spectrum of institutions, including local governments. It seeks to promote equality by protecting individuals who exhibit certain characteristics from certain forms of discrimination.<sup>13</sup> This means that many public bodies have a statutory duty to ensure non-discrimination through, among other things, equal access to services and information. When language becomes a barrier to such equal access, translation can play a role in overcoming the language barrier. This is how Parliament has put translation on the to-do list of local governments.

Besides Parliament, the devolved government of Scotland has also helped shape translation policy for the local governments over which it has jurisdiction. This devolved government, created under the Scotland Act 1998, includes a Scottish Parliament with strong powers in most matters pertaining to languages (Dunbar 2003b, 145). Even so, the Scottish Parliament was relatively slow to legislate regarding languages, and when it did, the focus was on Gaelic through the Gaelic Language Act 2005. In terms of translation, certain measures in the Act are worth highlighting. While the Act itself does not explicitly mandate translation, it does create certain conditions where translation needs to take place. The Act created the Bòrd na Gàidhlig, a language body charged with promoting the Gaelic language.<sup>14</sup> The Bòrd na Gàidhlig is responsible for preparing, and later updating, a National Gaelic Language Plan to promote “the use and understanding of the Gaelic language” (sec. 2). Additionally, the Bòrd na Gàidhlig may require some public authorities to prepare their own

Gaelic Language Plans. The Gaelic Language Plans are to spell out how each public authority will use Gaelic in the fulfillment of its functions (Dunbar 2006a, 19).

Obligations to provide services in Gaelic are reflected in the adoption of a National Gaelic Language Plan. The current plan, *Growth and Improvement*, aims to “secure an increase in the number of people learning, speaking and using Gaelic In Scotland” while valuing “the linguistic traditions of all parts of Scotland, including lowland Scots, Shetland and Orkney” (Bòrd na Gàidhlig 2012, 4). The specifics of this Plan have translation implications, especially for local governments. The Plan calls for an “increased use of the language in community activities and services” (Bòrd na Gàidhlig 2012, 30). In communities where at least 20% of the population “have Gaelic abilities”, public services should be offered bilingually (ibid.). Whenever there are efforts to offer bilingual services, some form of translation must take place. Thus, the Gaelic National Plan must rely on translation for reaching some of its objectives.

Under the Scotland Act, the devolved government is also responsible for seeing that “Scottish functions are carried out with due regard to the need to meet the equal opportunity requirements” (schedule 5, section L2). Equal opportunity is to be understood in terms of preventing discrimination based on certain enumerated grounds, including language (schedule 5, section L2). Therefore, it is in the context of the Equality Act (and its predecessors) and the Scotland Act that the government of Scotland has adopted non-discrimination and equality policies that are important from a translation standpoint.

In this context of promoting equality in Scotland, the Scottish Government understood there was an important role for translation; after all, it could not be taken for granted that everyone in Scotland could speak English. With this understanding, the executive established a Translation, Interpreting and Communication Support Services Framework Group (Advisory Committee 2007, 67-68). This Group included the Scottish Translation,



Interpreting and Communication Forum, which drafted a set of Good Practice Guidelines that were in turn published by the Scottish executive. They stress that every individual in Scotland has a right to access information and services provided at the community level (Scottish Translation, Interpreting and Communication Forum 2004, 9). To ensure that everyone is equal in this regard, organizations are urged to adopt strategies that include written translation and interpreting (*ibid.*, 17-23).

*3.3.2 Translation policy as found through translation practice.* The equality/non-discrimination legislation mentioned above puts Scotland's local governments in a position to translate in order to fulfill policy objectives dictated from outside the domain. To understand how this is practiced, my method consisted in gathering information from the 32 councils in charge of Scotland's local government. I consulted online resources for access to translation policies and supplemented this search via Freedom of Information requests for specific information not found otherwise. Data regarding translation for new minority languages was obtained from all 32 councils. In turn, data regarding translation for old minority languages was obtained from 31 councils. Where available, Gaelic Language Plans were consulted. A total of eleven Gaelic Language Plans were consulted, of which three were in draft form. (For a complete listing of sources, see Appendix.)

We will begin describing translation practices for new minority languages in Scotland. Eighteen councils report actual policy documents to guide their translation efforts. These translation efforts include online, non-post-edited machine translation of their websites. Such machine translation is available mostly through Google Translate, offered in as little as three languages and as many as 63 languages. Regarding written translation, all responding councils indicate they offer some form of written translation for speakers of new minority languages. This type of translation is mostly reactive, offered upon request in order to

overcome a language barrier. However, five councils indicate they will translate some materials before a request is made if a need has been identified. The type of materials that are translated include forms, leaflets, letters, notices, and welcome packs. At times, translation may take the form of a summary in the new minority language. Written translation is mostly outsourced—only two councils indicate they have in-house translators for at least one language.

Regarding interpreting, all councils report they do this, and most offer both over-the-phone and face-to-face interpreting. Over-the-phone interpreting tends to be reserved for shorter appointments, walk-ins, or phone calls. However, there are councils which rely only on this form of interpreting. Face-to-face interpreting tends to be reserved for longer or planned interactions, particularly if they are of a sensitive nature. Interpreting, in whatever form, is always reactive, based on the need to communicate across language barriers. Most councils contract interpreting out, but five of them report having in-house interpreters, whether assigned to a translation unit or simply bilingual staff with regular, non-linguistic duties. At least six councils require the use of professional interpreters, and two explicitly discourage the use of family and friends.

In these efforts to provide written translation and interpreting, councils often rely on private companies such as Alpha Translating and Interpreting, Applied Language Solutions, Elite Linguists, Global Connects, Global Voices, Language Line, Linguassist, The Big Word, and The Translation People. But they do not rely exclusively on the private sector. Some councils also use translation services offered by other councils. For example, Aberdeenshire Council obtains translation via Aberdeen City Council's Translation, Interpreting, and Communication Support Service, while Clackmannanshire Council does the same via Dundee City Council, and in turn East Renfrewshire Council turns to Glasgow City Council. Additionally, some councils not only work with private companies or other councils but may

also turn to community organizations such as Forth Valley Language Support or Fife Community Interpreting Service.

When it comes to old minority languages, divergent approaches can be observed. More than half of the councils that provided information regarding translation for speakers of old minority languages indicate they will treat Gaelic and Scots like any language that is not English: translation and interpreting may be provided if there is a request which corresponds to a need to overcome a language barrier. The likelihood of that scenario becoming a reality is extremely low. Perhaps because of this, three councils report they will *not* offer translation for speakers of Gaelic, and four councils report the same for speakers of Scots. To these councils, the distinctiveness of speakers of Gaelic or Scots disappears.

Scots is in a state of neglect when it comes to translation practice. Not one council indicates any written translation or interpreting actually being carried out in the Scots language. This is not surprisingly in light of the lack of legislative support for Scots in Scotland.

Such legislation does exist, as stated above, for Gaelic. Gaelic Language Plans outline the ways in which the bodies will use the Gaelic language in the fulfillment of their functions. Thus, they become Gaelic language policies for their respective bodies, and it is in those documents that we find policies for translation. Translation mostly shows up when considering correspondence, documents directed toward the public, telephone communications, and public meetings.

Regarding written translation, seven of the ten Gaelic Language Plans consulted indicate that their respective councils will respond correspondence in Gaelic by using the same language, most often through the service of translators. All ten councils indicate they will proactively translate documents for public consumption into Gaelic, while two indicate they will also do it by request. These documents include complaint procedures, forms,

leaflets, and corporate plans. Full translations into Gaelic of every document are not contemplated. Some documents are translated in full (especially if they have to do with Gaelic-language issues), while others are partially bilingual (often in the form of a foreword appearing in both English and Gaelic), and many are not translated. Regarding interpreting, three councils indicate that if someone telephones in and wishes to speak in Gaelic, the council will use interpreters to accommodate the caller. Other ways of accommodating the caller include, of course, the use of bilingual employees. In public meetings, four councils signal they will provide simultaneous interpreting, and three of these will do so without a requirement of previous notice. Thus, the Gaelic Language Plans cannot be fulfilled without translation. Or, to be more explicit, providing services in Gaelic requires, in part, the service of translators and interpreters. Seven councils contract this service to outside providers, but two have set up their own in-house translation services. For example, Comhairle nan Eilean Siar, the local government council at the Western Isles, has set up Sgioba na Gàidhlig, an implementation group for its Gaelic Language Plan. The group, among other responsibilities, handles Gaelic-language translation requests at no charge for the council. At this early stage in the development of Gaelic Language Plans there seems to be no cooperation among councils in their translation efforts. Glasgow City Council does recognize there is the potential to do this: “Where translations of general forms become available through Bòrd na Gàidhlig or other councils, we will consider whether to introduce them” (Glasgow City Council 2010, 47).

*3.3.4 Translation policy as found through translation beliefs.* Translation beliefs are hard to identify, particularly because they are often unspoken. Yet they are an important part of translation policy because management and practice depend to an important extent on beliefs, even if the relationship between the three is fluid and difficult to measure. To find translation

beliefs, I needed to draw inferences from management and practice. In Scotland, we can see several translation beliefs. (These are, because the domain is local government, the beliefs of those in authority.)

One translation belief is that for individuals who do not speak the language of the state, translation is a tool for integration. This is reflected in the Scottish Translation, Interpreting and Communication Forum's guidelines, which set translation standards aimed at promoting "equality and social inclusion by removing barriers to communication" (2004, 6). The work of the Scottish Translation, Interpreting and Communication Forum highlights a national policy of providing services for speakers of languages other than English. This policy is also reflected in a letter from the Scottish Executive where local authorities and public bodies were instructed to develop language plans to grant equal access to their services to speakers of languages other than English (Chisholm 2005). In this view, translation is not a problem but rather a solution to ensure equality of access to all people in Scotland.

That is not to say that local governments in Scotland are immune to the idea that there is something undesirable about incurring costs to translate for individuals who do not speak English. The idea that translation is too costly and that it hinders the integration of linguistic minorities has been dubbed a "pervasive fiction" that British media present throughout the United Kingdom (Tipton 2012, 199), yet in Scotland this belief co-exists with a belief that there is value in translation. To what extent these two conflicting beliefs play out in specific settings can be hard to gauge. Even so, as far as it concerns many public authorities in Scotland, there seems to be a belief that translation can play a positive role in the inclusion of those who do not speak English. For example, there is no sense in the Guidelines that translation should be avoided because it is too expensive or because it keeps people from integrating. There is no think-twice-before-you-translate warning.<sup>14</sup>

This belief was also reflected in the debate over the Gaelic Language Bill. At the time, it became apparent that implementation of this law, if approved, would require much translation. The Scottish office of the Commission for Racial Equality (CRE) signaled that its resources were not unlimited and that the “allocation of resources for translation and interpretation ‘should be made on the basis of meeting needs in an equal way’, and that ‘the development of Gaelic services should not be prioritised over other minority language needs’” (Dunbar 2006b,196). The CRE’s translation belief thus expressed was that translation is a means to ensure participation in society by people who do not speak English, assuming, of course, that those who speak Gaelic or Scots also speak English (ibid.). While in the end supporting the passage of the Act, the CRE continued to stress that, as a matter of allowing equal participation in society, there must be measures of support for the other linguistic minorities (ibid.). These measures of support include translation for those who cannot fully access governmental institutions otherwise.

These concerns expressed around the passing of the Gaelic Language Act also reflect a belief that translation is a tool for revitalizing weakened languages. The Act, which is intended to secure “the status of the Gaelic language” (introduction), seeks to have local governments and other fulfill certain functions through the medium of Gaelic. Thus, the revitalization of the Gaelic language is approached by attempting to give speakers meaningful opportunities to use the language in their interactions with public institutions. This cannot be achieved without the needed translation management and practice that would allow such a provision of services in Gaelic. The concern over allocation of translation resources reflected a belief that there is a role for translation in language revitalization (that goes beyond measures like translating literature). The CRE’s initial concern was that translation for revitalization of a language was less valuable than for facilitating access to public services.

Eventually the CRE retreated from this position and supported the passage of the Act, perhaps understanding that both goals need not be mutually exclusive.

#### ***4. Conclusion***

In this paper I take as a starting point Meylaerts' claim that the concept of translation policy has somehow become too vague in TS. By looking outside the porous contours of TS, I have found insights that allow for a comprehensive and systematic way to think about policy, including those of Spolsky regarding language policy. Specifically, I propose understanding translation policy as a complex phenomenon that encompasses translation management, practice, and beliefs in any number of domains. I argue this is useful in that it allows the researcher to set specific boundaries that are neither too narrow nor too diffuse and that allow for an exploration of different concerns, including matters of non-discrimination. By gathering data regarding the management, practice, and beliefs of translation in a specific domain, the researcher can approach policy systematically. The specific techniques to gather data in each of these three components of policy may vary (cf. Ricento 2006, 134), but the advantage of a systematic approach is that it leads to developing a fuller picture of translation policy where many different agents interact at different levels with different objectives. This picture allows the researcher to explore the links between translation policy and issues of equality and inclusion.

I have presented translation policy in Scotland's local government as one example of how the study of translation policy might be approached. Here, some translation management originates outside the domain, from sources such as Parliament or Scotland's devolved government, including bodies such as the Scottish Translation, Interpreting and Communication Forum and the Bòrd na Gàidhlig. Translation management in this sense takes the form of the creation of rules with varying degrees of enforceability. Of course, there are

agents within the domain to consider. Here we find local councils, who are responsible for actual practice. At times local authorities create their own overt policy (through written rules), but at times create covert policy by taking specific actions such as hiring interpreters or commissioning translations. Others are involved in translation practice at different levels and to varying degrees, such as neighboring local councils, private companies, community organizations, and the individual staff, translators, and interpreters who help shape translation policy through their own actions or inactions. Management and practice is informed by beliefs, which occasionally appear contradictory. At times beliefs may vary from one situation to another, depending on the specific language, objective, or group of speakers for whom translation is contemplated. All in all, however, there arises a view of translation as a way to bring about equality and ensure non-discrimination by granting equal access to services. Translation also seems to arise as a way to bring about language revitalization, and thus symbolically recognize the value of the individuals who speak the weakened language. In this sense, translation helps to highlight the needs of those who either do not speak the dominant language with proficiency or who have a different main language. In a way, when no translation is provided, speakers of non-dominant languages become invisible.

This picture of translation policy that arises in Scotland's local government is specific to that domain. In different domains (e.g., print media in Paraguay), the pictures that may arise may be quite different to the one painted here. However, the concept of translation policy as translation management, translation practice, and translation beliefs in a specific domain would still apply, regardless of the final picture that emerges from it in terms of equality, integration, etc. In that sense, many studies of translation policy using such an approach would be welcome and provide valuable, comparative insights.



## Notes

1. The author would like to thank the peer reviewers for their feedback in the drafting of this article. The research on Scotland was conducted within the framework of TIME, a Marie Curie Initial Training Network (FP7-PEOPLE-2010-ITN) established with support from the European Commission.
2. For a detailed outline of how the field of language policy has evolved in its understanding of what “language policy” is, see Jernudd and Nekvapil 2012.
3. The term “speech community,” as used by Spolsky, refers to “those who share a communication network” (2009, 2). He uses another term, “language community”, to refer to “all those who speak a specific variety of language” (ibid.). The distinction between the two is not always clear cut.
4. The term “translation” in this paper is used as an umbrella term that covers written translation, sight translation, and (oral) interpreting. Whenever a distinction needs to be made, I will use the terms “written translation” and “interpreting” as needed.
5. Overt policy is often explicitly formalized as statements to be found in the law (O’Rourke & Castillo 2009: 34). Covert policy actions, are often informal, grassroots actions that can be inferred from other provisions and policies (O’Rourke & Castillo 2009: 34; see also Spolsky 2004: 39, in the discussion about implicit policies).
6. The term “policy document” is used broadly to mean any document that describes the way translation is to be managed. The documents themselves may have the word “policy” in the title, but they may also be described as guides, guidelines, guidances, and even instructions.
7. For an exploration of the sort of problems found in adopting fully essentialist or fully relativist positions, see Halverson 1999.
8. This can also be said of other regions in the UK. For an example of translation policy in several domains in Northern Ireland see González Núñez 2013.

9. Translation policy is also an issue for non-democratic societies. For example, totalitarian regimes impose strict controls on the choice of texts to be translated (Krouglov 1997, 37).

10. In this study, I will use the term “old minority language” to refer to the languages of old minorities in Scotland (i.e., Gaelic and Scots). I will use the term “new minority language” to refer to the languages of new minorities, or immigrant groups (e.g., Urdu and Polish). On what to call these two language groups, please see Edwards 2008, 253-254 and Extra and Gorter 2008, 10.

11. Different varieties of Scots have been identified, including Glaswegian, Doric, Ayrshire, Shetland, and Border Scots (Social Research 2009, 4).

12. Several studies carried out between 1972 and 2001 show an undeniable retraction of Gaelic before English in the Western Isles (MacKinnon 2005). Nothing in the 2011 census indicates that this has changed. The council area of Eilean Siar (Western Isles) has the highest percentage of Gaelic speakers in Scotland, at 52% of the population (National Records of Scotland 2013a, 27).

13. These protected characteristics do not include language, but they include race—which in turn includes color, nationality, and ethnic or national origin (section 9(1)). While the concept of race is complicated, the idea of “ethnic origin” has been defined in the UK under *Mandla v Dowell Lee* ([1983] 2 A.C. 548), which constructs the term as encompassing “factors as a shared history, religion, language and literature, family, social and personal customs and manners, so that they have a separate ethnic or communal identity” ([1983] 2 A.C. 548, at 551). This does not mean that language is seen legally as the defining trait of ethnicity but rather an element thereof.

14. Translation plays a role in promoting the Gaelic language, as recognized by the Bòrd na Gàidhlig involvement in several translation fronts, including the funding of the “translation of Microsoft office platforms” (United Kingdom 2009, 160).

15. Such a warning, however, can be found in similar guidelines for Northern Ireland (Racial Equality Forum 2009, 3) and England (Department for Communities and Local Government 2007, 10).

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## **Appendix: List of materials consulted for this study**

### **Laws**

Equality Act 2010 (c. 15)

Gaelic Language Act 2005 (asp 7)

Scotland Act 1998 (c. 46)

### **Policy documents**

Translation, Interpreting and Communication Support Service Guidelines for Staff (Aberdeen City Council)

Interpreting Guidelines for Staff (Aberdeenshire Council)

Draft Gaelic Language Plan (Angus Council)

Single Equality Scheme (Angus Council)

Gaelic Language Plan 2008/09-2011/12 (Argyll and Bute Council)

National Gaelic Language Plan 2012-2017: Growth and Improvement (Bòrd na Gàidhlig)

Gaelic Language Plan 2012-2017 (City of Edinburgh Council)

Barriers to Communication (Clackmannanshire Council)

Gaelic Language Plan 2013-2017 (Comhairle nan Eilean Siar)

Draft Gaelic Language Plan 2013-2017 (East Ayrshire Council)

Translation and Interpretation Services (East Ayrshire Council)

Accessible Information Policy 2011-2014 (East Dunbartonshire Council)

Inclusive Communication Policy (East Lothian Council)

Gaelic Language Plan (Falkirk Council)

Interpretation and Translation Guidance (Falkirk Council)

Communication Policy (Falkirk Council)

Access to Information Policy (Fife Council)

Gaelic Language Plan 2013 to 2017 (Glasgow City Council)

Gaelic Language Plan 2007-2011 (Highland Council)

Communicating Effectively (Inverclyde Council)

Communicating Loud and Clear (Midlothian)

Guidance on Interpreting and Translation (Moray)

Draft Gaelic Language Plan 2014-2016 (North Ayrshire Council)

Gaelic Language Plan 2012-2015 (North Lanarkshire Council)

Accessibility Policy (Orkney Islands Council)

Gaelic Language Plan 2012-2017 (Perth and Kinross Council)

Interpretation and Translation Guidelines (Scottish Borders Council)

Good Practice Guidelines (Scottish Translation, Interpreting and Communication Forum)

Equal Opportunities Policy (South Lanarkshire Council)

Translation and Interpretation Services (South Lanarkshire Council)

Communicating Effectively (West Dunbartonshire Council)

**FOI Disclosures (by council)**

Aberdeenshire Council

Angus Council

Argyll and Bute Council

Comhairle nan Eilean Siar

Dumfries and Galloway Council

Dundee City Council

East Dunbartonshire Council

East Renfrewshire Council

Fife Council

Glasgow City Council

Inverclyde Council

Midlothian Council

Moray Council

Renfrewshire Council

Scottish Borders Council

Shetland Islands Council

South Ayrshire Council

Stirling Council

West Lothian Council

**Local government websites (by council)**

City of Edinburgh Council

Highland Council

Perth and Kinross Council

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