

Intercambios



Quarterly Newsletter of the Spanish Language Division of the American Translators Association

Intercambios

Volume 20, Issue 3
Fall 2016

ISSN 1550-2945

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From my Desk

Dear members,

As I begin to write the lines of what will be my last message as SPD administrator, I am overwhelmed by a bittersweet sense of joy and sadness because the eight years I have served as assistant administrator (2006-2010) and as administrator (2012-2016) have been the best years of my life! That fills me with a great sense of pride!



When I became a student of the profession back in 1998, I had never heard of the ATA. I took a one-year certificate course at a local community college and found out there was a national organization for professional translators and interpreters. I became a member that same year and the rest is history. Shortly after, I made the decision to become a full-time independent contractor and never looked back. My first ATA conference was in St. Louis, MO in 1999 where I met a group of translators who not only cleared up any misconceptions of the profession I may have had, but also became my friends and mentors through the years, some of them still to this day.

I was a relatively young woman at the time and had big dreams that had never been fulfilled, both professionally and personally, eager to participate and learn. Therefore, I began to volunteer for the SPD in 2000 at the ATA conference in Orlando under the direction of then SPD administrator, Rudy Heller and Virginia Perez-Santalla, SPD assistant administrator. I met some remarkable people: Marian Greenfield, Pimpi Coggins, Milly Suazo, Olga Lucia Mutis, Lili Van Vranken, Alicia Agnese, Veronica Albin (*la Azteca*), Harvie Jordan, Gerardo Konig, Andy Benzo, and Alicia Gordon. They pushed me and urged me to be a better translator, be a better writer, expand my vocabulary and be careful how I wrote, what I wrote. Oh, how I miss Pimpi's *tomatazos* on *Espalista*. There was such a feeling of love and camaraderie on the, then, newly created virtual forum of the SPD where colleagues asked questions and enjoyed such a genuine cultural exchange experience. I had never felt so welcomed by a group of professionals whose sole purpose was to educate and share their experiences and knowledge, and I fell in love!

At the suggestion of Rudy Heller, I began helping organize the SPD annual dinners and the now infamous SPD raffles. I have served as SPD treasurer, assistant administrator, and administrator. It has been my infinite pleasure to serve this prestigious and important organization throughout the years and it is my intention to continue to serve and support the SPD in any way I can for as long they will let me. I have always felt a great sense of obligation to give back.

There have been many who have supported my leadership in the SPD. There is a very special group of women who I must recognize: Mónica de León, Charo Welle, Dr. Julia Andreotti Lambertini, Odile Legeay, Margarita Montalvo, Mati Vargas-Gibson, Deya Jorda, Georganne Weller, Margarita Tobar, Rosalie Wells, Yadira Diaz, Mariana Stolee, Cristina Marquez Arroyo, Leticia Molinero, Pilar Saslow, Cristina Helmericks, Gio Lester, and Yolanda Secos. Likewise, there is a wonderful group of men who have always supported my efforts: Jiri Stejskal, Nick Hartmann, Kirk Anderson, Steven Mines, Daniel Tamayo, Freek Lankhoff, Armando Ezquerro Hasbun, Andre Moskowitz, and the four members of *Palabras Mayores*, Alberto Gomez-Font, Xosé Castro-Roig, Jorge deBuen, and Antonio Martín.

To the formidable staff at headquarters: Jamie Padula, Walter Bacak aka Mooch, Mary David, Caron Mason, Teresa Kelly, and Roshan Pokharel, thank you all for your continuous support!

My grandfather used to say, “*Lo único que uno realmente tiene es su palabra.*” Your word is all you really have. Those are wise words to live by! My name did not come with fancy letters and titles, as is the case with many of my colleagues. I hope that at the very least I demonstrated resilience and commitment and that I served with the utmost love, respect and consideration for all of you.

The SPD has now a strong social media presence. This has contributed to the growth of the Division. In the last four years, we have grown exponentially and are now approximately 5,000 members strong. After many years without an SPD mid-year conference, the SPD had a very well received and successful professional

Intercambios is a publication of the Spanish Language Division of the American Translators Association, a non-profit organization dedicated to promoting the recognition of translating and interpreting as professions.

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Readers' submissions are encouraged.
Suggested maximum lengths:

Articles: 800 to 1,500 words
Reviews: 600 words
Letters: 300 words

Submissions become the property of *Intercambios* and are subject to editing. Opinions expressed in this publication are solely those of the authors.

Please send all comments, questions, and submissions to:

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Distribution
Intercambios is published on
the SPD web page
<http://ataspd.org>

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development event in Philadelphia in 2015, and it is my hope that Spring into Action will become a tradition. There are already plans for a similar event in 2017 so stay tuned!

Please continue to support the incoming administrator, Charo Welle. I could not be happier and more confident that the future of the SPD is in splendid hands.

I wish you all continued success in your careers as well as good health, peace and happiness in this rollercoaster we call life! It has been an unforgettable experience and serving you has been priceless! Thank you so very much for the lovely memories...

¡Hasta luego!

Francesca Samuel
SPD Administrator

Les presentamos a la Dra. Bertha Gutiérrez Rodilla, ponente invitada de la SPD en el 57.º Congreso Anual de la ATA en San Francisco

La División de Español (SPD) se complace en presentarles a la Dra. Bertha Gutiérrez Rodilla, nuestra ponente invitada durante el 57.º Congreso Anual de la American Translators Association (ATA), a celebrarse en San Francisco, California, del 2 al 5 de noviembre.

Bertha es licenciada y doctora en Medicina y Cirugía y licenciada en Filología Hispánica. Completó su formación en el Instituto de Lexicografía de la Real Academia Española (Madrid) y fue becaria postdoctoral del Ministerio de Educación y Ciencia en la *Académie de Médecine de Paris* y en la *Université de Paris- XIII-CNRS*.

En la actualidad es profesora titular de Historia de la Ciencia de la Universidad de Salamanca, donde imparte docencia en los estudios de Medicina, Odontología, Humanidades, Traducción e Interpretación y Filología Hispánica. Sus líneas de investigación principales son: el lenguaje científico, estudios diacrónicos y sincrónicos de lexicografía y terminología médicas, historia de la medicina española, método del trabajo científico y enseñanza médica.

Bertha es la directora de la revista electrónica *Panace@*. *Revista de Medicina, Lenguaje y Traducción* (<http://www.tremedica.org>), revista que, en 2009, recibió el premio MEDES de la Fundación Lilly a la "mejor iniciativa editorial" de medicina en español.

Ha publicado más de un centenar de capítulos de libros y artículos en revistas nacionales e internacionales relacionados con sus líneas de investigación; así mismo es autora y editora de varios libros, entre los que se encuentran *La ciencia empieza en la palabra. Análisis e historia del lenguaje científico* (Barcelona, 1998), que obtuvo el Premio LOGOS 2000, Asociación Europea de Profesores de Lenguas, (París, 2000); *La constitución de la lexicografía médica moderna en España* (La Coruña, 1999), que obtuvo el Premio "Terminología Médica", Real Academia de Medicina de Cádiz (Cádiz, 2000); *Aproximaciones al lenguaje de la ciencia* (Burgos, 2003); *El lenguaje de las ciencias* (Madrid, 2005); *La esforzada reelaboración del saber: repertorios médicos de interés lexicográfico anteriores a la imprenta* (San Millán de la Cogolla, 2007).

Bertha es miembro del consejo editorial de varias revistas especializadas y colecciones editoriales ligadas a sus líneas de investigación. También ha impartido cursos y conferencias en diversos foros y centros de reconocido prestigio, tanto nacionales como internacionales.

Es académica correspondiente de la Real Academia de Medicina y Cirugía de Cádiz y de la Real Academia de Medicina de Salamanca. Hasta marzo de 2015, fue presidente de TREMÉDICA (Asociación Internacional de Traductores y Redactores de Ciencias Médicas y Afines). Es miembro de la Junta directiva de la Sociedad Española de Historia de la Medicina y secretaria del Instituto de Estudios Medievales y Renacentistas de la Universidad de Salamanca.

La División de Español se siente sumamente honrada de contar con la distinguida participación de Bertha, quien ofrecerá dos excelentes ponencias durante el Congreso de la ATA en San Francisco:

Creación terminológica: tipología y formación de términos científicos

El jueves, 3 de noviembre, a las 11:15 de la mañana.

De cómo el "collar de Helvecio" se convirtió en la "corbata del suizo": las trampas del texto científico y la figura del traductor

El jueves, 3 de noviembre, a las 2 de la tarde.

En este enlace pueden leer más información.

<http://www.atanet.org/conf/2016/bios/#R>

¡Nos vemos en San Francisco!

SPANISH LANGUAGE DIVISION



<http://ataspd.org>

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Editorial

Hola a todos! El equipo de *Intercambios* ya está con el equipaje listo para viajar a San Francisco y asistir al Congreso de la ATA que se celebrará en esa maravillosa ciudad del 2 al 5 de noviembre.



El día 4 de noviembre, a las 4:45 de la tarde, todos los miembros de la División de Español están invitados a venir a nuestra junta anual dentro del marco del Congreso de la ATA. Durante esa reunión, la nueva administradora y la nueva subadministradora comenzarán un mandato de dos años. Enhorabuena a Rosario Welle por haber sido nombrada administradora de nuestra División. ¿Quién será la nueva subadministradora? Su servidora. Eso significa que esta es mi última entrega como jefa de redacción de *Intercambios* y también dejaré de ser la directora de los medios sociales de la SPD (puesto que he ocupado desde el año 2012), pero seguiré a su servicio en mi nuevo cargo como ayudante de la administradora.

Durante el tiempo que he desempeñado esta función he tenido el apoyo de mucha gente y me gustaría dar las gracias a todos, pero no quiero decir nombres porque al final siempre se me olvida alguien. Aprovecharé que muchos estarán en San Francisco para dar las gracias en persona. Eso sí, desde aquí quiero expresar mi gratitud a todos los lectores de *Intercambios*, sobre todo a aquellos que dedicaron un momento de sus vidas para escribirme y decirme cuánto les había gustado una entrega o lo útil que les había resultado la información escrita en alguno de los artículos publicados. Además, quiero hacer una mención especial a Mónica de León (la Maga de InDesign) por su inmensa paciencia conmigo y por la disposición y el entusiasmo que me ha demostrado durante el tiempo que hemos trabajado juntas para sacar adelante cada entrega de *Intercambios*.

¡Nos vemos en San Francisco!

¡Feliz lectura!

Yolanda Secos

Intercambios Online

<http://ataspd.org/intercambios>

We do encourage passionate contributors
on translation/interpreting topics
to send their contributions for consideration to:

intercambios.ata@gmail.com

Introducing Rosario (Charo) Welle as the new SPD Administrator

Thank you for your vote of confidence and support!

Now that the Nominating Committee of the Spanish Language Division (SPD) of the American Translators Association (ATA) has nominated me, and the membership has elected me as the 2016-2018 ATA Administrator, I would like to convey my deepest gratitude to the many colleagues and friends who have congratulated me on this new milestone with encouraging words of support.

Accepting the nomination for this position was not a decision I took lightly. Fifteen years after joining the ATA and the SPD, I feel ready to commit all my energy to continuing the legacy that my admired predecessors have forged since the Division's beginning.

It will be the greatest honor to represent all of you: the members of the SPD, the volunteers, and the Leadership Council (LC) members. You are true examples of professional, high-quality human beings, and you have laid a foundation that has set a course for success that many have followed.

"Old things are new again" -Ben Lowery

My professional journey: a calling

My beginnings as an English<>Spanish translator date back to 1989. While working in my native Dominican Republic, I was tasked with translating environmental documents into English. It was then that I discovered my love for languages. In the Dominican Republic, I went on to pursue a BA in Modern Languages. In 1993, life brought me permanently to the U.S., where later I fulfilled my calling.

In 2000, I was hired as the in-house translator for my local school district, and the following year I was fortunate to join the ATA, and the SPD, as part of my professional learning process. In 2008, I left the school district to become a freelancer, specializing in education (Pre-K-12), communications, marketing, and healthcare. From 2008 through 2012, while freelancing, I also worked as a Per Request Needed (PRN) translator and editor of patient education texts in the Language Access Service Department of Children's Medical Center of Dallas.

I continued to grow professionally by furthering my university studies, and by attending translation and interpretation courses, workshops, and conferences. Since then, I have earned an Associates of Arts degree, a BA in Communication Arts at the University of Denver, and a Professional Certificate in Translation Studies, English into Spanish, from New York University. My business has grown, and I remain engaged in meaningful translation and editing projects with wonderful clients and teams that value excellence and ethics in the translation and interpretation industry (TI).

Giving back: active member of the ATA SPD

My association with the ATA and the SPD has been one of the biggest



assets in my professional and personal growth during the last 15 years. I had the honor of serving as *Intercambios'* editor (2007-2010), chair of the SPD Website Committee and SPD webmaster (2011-2016), assistant administrator (2010-2012 and 2014-2016), and as member of several of the SPD Leadership Council (LC) committees. Having actively volunteered in the Division's activities since 2001, I have witnessed its many transitions, and how the vision and commitment of its past leaders have enabled it to remain at the front-line of this industry. For example, serving under the innovative and thoughtful leadership of Marcela Jenney (2010-2012) and Fran Samuel (2012-2016) as their Assistant Administrator and Webmaster, colleague, and friend, provided invaluable learning experiences.

In this role: I helped them bring the SPD to the Digital Era, which positioned it as the first ATA division with a presence in the most popular social media channels; overhaul the once static website to a dynamic blog-style portal that includes the online version of *Intercambios*; integrate newcomers into Association and Division activities; maintain open and timely communication with the SPD membership; organize quality training and educational events; and support and guide SPD Leadership Council members and committees in carrying out their roles and activities.

I am eager and excited to continue serving my beloved Spanish Language Division, and your overwhelming support infuses me with the confidence and energy I need to continue the work of the Division on behalf of its membership. With your involvement, I know the SPD will thrive even more in the years to come.

I hope to meet many of you in San Francisco, but until then: Be well!

Charo Welle

¿Cómo se dice en México?

En esta entrega de *¿Cómo se dice en México?* seguimos con nuestro estudio de la terminología mexicana del vestuario, usando este término en los sentidos amplios de ‘cualquier ropa, adorno o aparato que se lleva puesto’ y también ‘cualquier cosa relacionada con el vestuario’. Varias entradas contienen remisiones a otros términos regionales, ya sea porque estos son afines o porque surgen en los ejemplos presentados.

burro. Mesa con una plataforma alargada y generalmente con dos pares de patas cruzadas que se pueden abrir a distintas alturas, muy usada para planchar la ropa; tabla de planchar: *Guarda el burro si ya terminaste de planchar.* [IRONING BOARD]

cajonera. Mueble con cajones para guardar artículos diversos como ropa, papeles, grano, etc.: *La cajonera de la abuela.* | *Fue a la cajonera donde la traidora guardaba sus prendas íntimas.* | *La señora guardaba sus joyas en una cajonera, pero al no tener cerrojo, se las robaron con facilidad.*

— OBSERVACIÓN. Para algunos mexicanos el término *cajonera* es más abarcativo que *cómoda*, pues este se refiere específicamente a un mueble con cajones para guardar ropa y aquel a uno donde se puede guardar otras cosas, aparte de la ropa; para otros mexicanos, en cambio, *cajonera* y *cómoda* son sinónimos.

carátula. Parte anterior y externa de un reloj, sobre la que giran sus manecillas y en la que están impresos o señalados los números o marcas que representan las horas; generalmente está protegida por un cristal o mica transparente: *Le entró agua a mi reloj y se le despegaron los brillantitos que tenía en la carátula.* | *Desperté en plena oscuridad, la bata y las sábanas empapadas de sudor. Una hora inquietante tembló en mi carátula de cuarzo: 2:05 A.M.* [esfera; FACE (OF A WATCH OR CLOCK)]

extensible. Tira de metal articulada o banda de cuero, de tela o de otro material con que se fija a la muñeca un reloj de pulso; correa de reloj pulsera: *Estoy buscando un extensible negro de hule duro para mi reloj.* | *Iba vestido con una camisa de cuadros de tres colores y reloj con extensible de plástico transparente.* [WATCHBAND] Ver *hule*.

huarache o guarache. Calzado formado por una suela de la que salen tiras de cuero entretrejidas: *Estos huaraches son muy cómodos para caminar.* | *Los huaraches tienen varias correas.* | *Sólo los hijos y las hijas de los comerciantes y los políticos traían mochila, ropas y zapatos, los demás andaban remendados y con huaraches.* | *Pensó que aquella indumentaria era excesiva para un día tan caluroso como ése, y el choque fue aún mayor cuando vio que la mujer calzaba unos guaraches de cuero bronco sobre unas medias de lana burdas y mugrosas.* | *En guerra contra la moral de las apariencias, pegó en su cuarto un cartel de James Dean, se dejó el pelo largo, cambió los zapatos bostonianos por los huaraches de jipiteca, la ropa de niño fresa por las camisetas psicodélicas, y comenzó a frecuentar un café del centro, el Submarino, propiedad de una loca vieja, Erasmo Estrada, que leía el tarot por las mañanas y de noche, en la trastienda, fumaba*

marihuana con un grupito de artistas marginales. [abarca, alpargata, caite, chala, chancla, chancleta, chola, cutara, ojota, quimba, ushuta] Ver *fresa*. || Verle a alguien los huaraches. Engañar a una persona ingenua, especialmente en una venta: *¿Te venden el carro en esa cantidad? Te quieren ver los huaraches.* Ver *bailarse, guaje, maje, parche*.

huipil. Túnica o blusa holgada, a menudo adornada con bordados de colores; a veces cubre hasta el antebrazo o sólo los hombros; puede llegar hasta la cintura o hasta los muslos y a menudo es de algodón o manta; la usan, sobre todo, las mujeres de pueblos indígenas de México y América Central: *Esa mujer trae un huipil precioso.* | *Un huipil oaxaqueño; un huipil chamula; un huipil otomí.* | *Desde tempranos tiempos prehispánicos, hasta la fecha, el huipil es la prenda de vestir más común entre las mujeres indígenas mexicanas.* | *En México hay mujeres que cosen como diosas, a las que nadie valora ni trata de modistas. Casi siempre viven en las montañas y allí tejen telas con las que hacen huipiles que luego bordan con puntadas diminutas y perfectas como las que nunca pude hacer yo.*

jorongo. Tela gruesa que tiene forma de rectángulo, con una abertura en el centro por donde se mete la cabeza; poncho: *Antes de salir ponte tu jorongo porque hace mucho frío.* | *Con un jorongo encima del uniforme y un paliacate en la cabeza, cabalgamos por senderos poco frecuentados, guiados por un indio viejo de nombre José Losada.* Ver *paliacate, sarape*.

paliacate. Pañuelo grande que usan sobre todo campesinos y obreros para cubrirse el cuello o para secarse el sudor: *Se cubrió la cabeza con el paliacate.* | *Saqué mi paliacate para secarme el sudor de la frente.* | *Empezó a zapatear un bailarín con paliacate rojo, guayabera, sombrero y pantalones blancos.* | *Trilce se quejó del efecto de aquel sol que caía sobre su cabeza como el aliento de un dragón, y el Lúder desató el paliacate rojo que traía al cuello, lo desarrugó y se lo puso a Trilce como pañoleta.* | *Limpiate esos mocos, por ahí debes tener un paliacate.* | *La vieja se dejó caer al suelo. Depositó cuidadosamente, a un lado, un paquetito cubierto con un paliacate.* | *Afuera los ferrocarrileros, las manos en los bolsillos, aguardaban en silencio. Algunos, cabizbajos, sentados en la acera le daban vuelta a su paliacate rojo. Se veían mayores que su edad. ¿O era la espera la que marcaba así sus facciones?* [BANDAN(N)A]

Andre Moskowitz es traductor certificado por la ATA (español-inglés, inglés-español y portugués-inglés) e intérprete de español/inglés certificado por los tribunales federales de los EE. UU. Recibió el título de maestría en traducción del Graduate Center de la City University of New York (1988) y su segunda maestría, en español, de la University of Florida (1995). Sus publicaciones versan sobre la lexicografía hispánica y la dialectología léxica del español.



“What Language Do You Think In?”

If you speak more than one language, at some point someone has probably asked you, “Can you think in that language?” or “What language do you think in?” This tends to be a polite, conversational way to ask about fluency and comfort level in another language.

When I used to be asked this question, language-lover but self-doubter that I am, I would think, “Hmm – I must not be very good at languages, after all. I don’t feel like I think in my second language. Or third. Or fourth. Et cetera.” Obviously, I was the one missing the point.

With more time and self-awareness, I began to realize that this wasn’t a simple question to answer in a few words between appetizers at a dinner party. Few things are, especially when we are discussing something so near and dear to my heart – languages.

Over time, I came up with what I think would be a better way to address the issue.

If you ask someone, “What language do you think in when you aren’t interacting with anyone?” you can get at the issue of what that person thinks about when there is no societal or linguistic pressure to do anything a certain way. This is like the control sample in a scientific experiment.

If you ask, “What language do you think in when you are working in another language?” you can get an idea of the fluency and comfort level in the second or third language. The other language adds a variable to test the proficiency in another language.

I don’t seem to think in any language when I am not communicating with someone else. It took my completing an entire translation certificate program to realize that I tend to think in meaning rather than languages if I am not communicating those ideas with anyone at the time.

That’s pretty fortunate, since translators convey meaning rather than words. Lay people tend to believe translators do a word-for-word substitution, like some kind of math formula where you insert the values for X and Y to complete the translation. But any translator will tell you that method creates a cobbled-together result that screams “translation” – and bad translation, at that.

After giving it some thought, I realized that when I am not communicating ideas to anyone else, I tend not to assign linguistic labels in any language to any items. Instead of thinking about what specific items or actions would be called in any language, I just observe a situation and react to perform some kind of action without considering what words apply. For example, if I am working on the computer and the program freezes, the words for *freeze* or *computer* or *laptop* or *close* or any other specific terms will never come to mind. Those terms in any other language won’t cross my mind, either. I will simply notice the problem, get annoyed (obviously) and work to fix it.

One exception to this tendency is when I am mentally composing something in writing or speech – this article, for instance, or the simplest way to phrase something to explain to the customer service rep why I am calling. Those involve a bit of forethought and involve using language to complete actions, which might explain why I put more attention to the word choice or even think of it at all.

When I am speaking or writing, I tend to think in the language that this communication is taking place in. This led me to think maybe I do think

in terms of words in different languages, but only when I need to be speaking or writing, both of which obviously involve a lot of language recall and thought. If I need to recall words for use in a target language, it is enormously helpful not to have to mentally translate for every other word.

While thinking about this topic, I remembered something I hadn’t thought of or done in years, perhaps because it was born of necessity at the time. When I was in high school and taking demanding classes that required quick notetaking, I would use abbreviations of Spanish words when taking notes in English because I could write them slightly faster, even though I had only been studying Spanish for about a year when I began doing this.

When I needed to use the terms *also* or *still* in my English-language notes, I would write *tam* and *tod* to represent *también* (also) and *todavía* (still). While those words are much longer in Spanish than the English equivalents, I was able to recognize what I meant easily and quickly when I read over those abbreviated Spanish words. It always made more sense to me and seemed more efficient than trying to abbreviate already-short English words, even though I was only saving one or two letters by abbreviating the words in a foreign language. Such was my dislike of leaving off the last letter of an English word to make it shorter (and deliberately misspelled) that I would rather convert it to another language and then shorten it. This memory reminded me that I can also selectively think and write in a couple of languages at the same time if it is the most efficient system for me.

Returning to our original question of what language we think in, I would add one more question to get at the ways people think in terms of languages: What language do you think in when you don’t even realize you’re thinking?

Since English is my native language and I use it the most, my default language for internal thoughts that I never verbalize will be English if there is a language involved. But since I love learning new languages, I will notice myself recalling the words for objects or concepts in various other languages. When we got a new fridge delivered, the German word for refrigerator (*Kühlschrank*) was in my head for days. When I studied a bit of Tagalog and would hear someone say, “Nice to meet you,” my favorite Tagalog word at the moment (*nakilala*) from a much longer phrase we learned would go through my head for the Tagalog equivalent.

How about you? What language do you think in? Better yet, what language do you think in when you aren’t interacting with anyone? What language do you think in when you are working in another language?

And what language do you think in when you don’t even realize you’re thinking?

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The Sixth Amendment and the Non-Native English Speaker

The Bill of Rights refers to the first Ten Amendments to the United States Constitution. In a general sense, it refers to the list of protections each individual enjoys against government action. They include the first amendment rights to free speech and practice of religion, the second amendment right to bear arms, the fourth amendment right against unreasonable search and seizure, the fifth amendment rights against self-incrimination and to due process, and the sixth amendment rights to a speedy trial by an impartial jury, the right to be informed of the charges and to confront the witnesses against him, and the right to assistance of counsel for his defense.ⁱ These rights are granted to every individual who falls under the jurisdiction of the U.S. legal system; provided, of course, the individual speaks English.

Thanks to *Gideon v. Wainwright*,ⁱⁱ the Supreme Court made the provision of counsel to indigent individuals mandatory for criminal proceedings, and this right has become popularized within the last few decades due to its inclusion in the *Miranda Rights*.ⁱⁱⁱ Another landmark decision by the Supreme Court was in *Powell v. Alabama*.^{iv} In 1931, nine black men were arrested and accused of raping two white women. The court denied these nine men access to an attorney until shortly before their trial, and as such an appropriate defense could not be established. All nine were subsequently convicted and sentenced to death. The U.S. Supreme Court ultimately reversed the conviction on the grounds that their constitutional right to counsel under the Sixth Amendment had been violated. The Court determined that they were granted access to their attorney only moments before the beginning of the trial, which was not enough time to consult with him and establish an appropriate defense. In its decision, the Court ruled:

... [The defendant] requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence. If that be true of men of intelligence, how much more true is it of the ignorant and illiterate, or those of feeble intellect. If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be a denial of a hearing, and, therefore, of due process in the constitutional sense...^v

This same reasoning can be applied to Limited English Proficiency (LEP) speakers. The “guiding hand of counsel” can only go as far as counsel’s ability to lead her client through every stage of the proceeding, which can only occur if both client and attorney can effectively communicate with each other. The Second Circuit Court agreed with this in its ruling in *United States ex rel. Negron v. New York*.^{vi} Rogelio Negron was a Puerto Rican farmer who immigrated to the United States in the mid-1960s. In August 1966, he killed a coworker in a drunken brawl and was subsequently arrested for murder. Neither Negron nor his attorney requested an interpreter, so throughout the trial there was no communication between them; and Negron only received a few summaries of the proceedings by an interpreter employed by the prosecution. Negron was eventually convicted of second-degree murder. All appeals were denied and a *writ of certiorari*^{vii} to the Supreme Court was denied as well on the grounds that, even when assuming Negron had a right to an interpreter, he and his counsel had waived that right by not requesting one. Negron’s defense attorney then filed a *writ of habeas corpus*^{viii} to the Eastern District of New York in 1969, which was granted. The court determined that in order to effectively waive a right, that right has to be known and the waiver must be intentional. The state then appealed the ruling, which was confirmed by the United States Court of Appeals for the Second Circuit. The court ruled, in part:

...the right that was denied Negron seems even more consequential to us than the right of confrontation. Considerations of fairness, the integrity of the fact-finding process, and the potency of our adversary system of justice forbid that the state should prosecute a defendant who is not present at his own trial.^{ix}

An LEP speaker is unable to learn and comprehend the charges against him, confront witnesses, and gain assistance from counsel if he cannot effectively communicate and understand the language being spoken to him, and thus cannot participate in his own trial. This ruling would eventually lead to the enactment of the Court Interpreters Act of 1978, and even though this law would take significant strides in providing LEP speakers access to an interpreter, it seems to have missed the essence of the Negron ruling, as it still leaves the appointment of an interpreter to the discretion of the court:

The presiding judicial officer, with the assistance of the Director of the Administrative Office of the United States Courts, shall utilize the services of the most available certified interpreter...if the presiding judicial officer determines on such officer's own motion or on the motion of a party that such party (including a defendant in a criminal case), or a witness who may present testimony in such judicial proceedings—

(A) speaks only or primarily a language other than the English language; or

...

so as to inhibit such party's comprehension of the proceedings or communication with counsel or the presiding judicial officer, or so as to inhibit such witness' comprehension of questions and the presentation of such testimony.^x

Several states have enacted similar statutes that grant a "right" to an LEP defendant, but the judge still has broad discretion in determining whether an interpreter is necessary, and these determinations are often erroneous. Furthermore, the courts are not required to provide and pay for interpreter services for attorney-client communications prior to a criminal trial, which means that the attorney is unable to adequately prepare a defense. Since there is still no Supreme Court ruling^{xi} on whether LEP speakers have a constitutional right to an interpreter, which would allow them to exercise this right at any time, the federal and state governments have opted to treat it as an *occasional* right, meaning if the judicial officer determines that the interpreter is necessary, and if it's not too expensive and does not prolong the proceedings too much, then perhaps an LEP speaker will be granted permission to have an interpreter present, but only during court-related proceedings. So, unlike in *Powell*, where the Supreme Court ruled that the right to confer with counsel from arraignment until the beginning of trial was "the most critical period of the proceedings,"^{xii} the same logic and legal reasoning does not apply to LEP speakers. Apparently, access to justice, due process^{xiii} and equal protection^{xiv} are only constitutionally-protected rights if you speak English.

the poor man charged with a crime has to face his accusers without a lawyer to assist him."

- iii <http://www.mirandawarning.org/whatareyourmirandarights.html>
- iv *Powell v. Alabama*, 287 U.S. (1932). Other landmark decisions were *Gideon v. Wainwright* and *Miranda v. Arizona*.
- v <https://www.law.cornell.edu/supremecourt/text/287/45>
- vi *United States ex rel. Negron v. New York*.
- vii Writ of Certiorari: a writ (order) of a higher court to a lower court to send all the documents in a case to it so the higher court can review the lower court's decision. (source: <http://dictionary.law.com/default.aspx?selected=164>)
- viii Writ of Habeas Corpus: Latin for "that you have the body." In the US system, federal courts can use the writ of habeas corpus to determine if a state's detention of a prisoner is valid. A writ of habeas corpus is used to bring a prisoner or other detainee (e.g. institutionalized mental patient) before the court to determine if the person's imprisonment or detention is lawful. (source: https://www.law.cornell.edu/wex/habeas_corpus).
- ix <https://casetext.com/case/united-states-v-denno-26/case/united-states-ex-rel-negron-v-state-of-new-york#cited-link-1>
- x 28 U.S. Code § 1827 (d)(1)
- xi *State v. Ibrahim*, 862 A2d 787, 797 (R.I. 2004) ("The United States Supreme Court has not yet recognized a constitutional right to a court-appointed interpreter.")
- xii *Powell*, 287 at 57
- xiii Under the Fifth Amendment
- xiv Under the Fourteenth Amendment, which applies the Federal Bill of Rights to the states: "All persons born or naturalized in the United States...and [no] state [shall] deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

i <https://www.billofrightsinstitute.org/founding-documents/bill-of-rights/>

ii *Gideon v. Wainwright*, 372 U.S. (1963). (Justice Black: "...reason and reflection require us to recognize that in our adversary system of criminal justice, any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him...[the] noble ideal [of] fair trials before impartial tribunals in which every defendant stands equal before the law...cannot be realized if

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Speaking of *Bichos*

In American English there are a hundred names for small, unwelcome creatures. Generally, each of these terms has a specific application.

Etymology and entomology aside, “termite” sounds like something that needs to be exterminated; “bug,” although it resembles “hug,” clearly contains the word “ugh.” A “critter,” meanwhile, sounds like something darting, or skittering, from one dark place inside your house to another. This term in particular refers to a small animal or creature, undefined but most likely a vertebrate. Where I’m from, you wouldn’t say “critter” to describe a bug or vice versa.

In Latin American Spanish, however, there exists a word that appears to combine most of these descriptors into a single term: A *bicho* is any sort of unwanted beast imaginable, as I learned on a warm summer day in the rural outskirts of Buenos Aires. Norma, a woman whose family I was living with, identified a *bicho* and told me in perfect *porteño*: “¡Che, sacAlo a la cAshay!” She wanted it thrown into the street because, being a *bicho*, it had no business in her yard.

Norma and Juan Vera were Argentine ex-hippies living in Berazategui, on the train line from Buenos Aires to La Plata. They had been there since the 1980s, when Juan parked his old school bus in the yard and gave up his dream of touring the country for a career in photojournalism. Norma kept house and earned extra money baking and decorating cakes, and was also taking philosophy classes at the *Universidad Nacional de La Plata*.

Their eclectic professional pursuits may help explain why they let a 23-year-old aspiring human rights worker *cum* photographer live in their attic. I wasn’t much help around the house, unfortunately, and spent my days in their laundry room learning to develop politicized photos of the type of activism that was widespread after the Argentine *peso* crashed in late 2001.

That Norma tolerated me at all was a tribute to her patience. Despite my post-college hubris, I think I was able to sense that I wasn’t pulling my weight, and on the afternoon that she told me to deal with the *bicho* I puffed up a bit, imagining a spider she couldn’t handle, and told her it was as good as done.

According to the Oxford Spanish Dictionary, a *bicho* is first and foremost an “insect,” “bug,” or “creepy-crawly,” which was my general understanding of the term during my first eight months in Argentina. When I went outside to execute my pest-control duties, I posted a sharp eye for any unusual insects – a colorful spider, a big beetle, something that Norma might have

been afraid to go near. What I found was neither spider nor beetle, nor *bicho*, as far as I was concerned, but more along the lines of “chicken.”

Laying wings and legs akimbo on the ground next to the front tire of Juan’s bus was a featherless, pink, few-week-old chicken with its beak open and eyes bulging from its small head. After looking around for any sign of an owner, I knelt next to it and tried to pick it up with my thumb and forefinger. It kicked, and I jumped.

After my heart rate slowed to normal, I sat down and tried to figure out what to do with a half-dead, but still very much *not*-dead, baby chicken. Throwing an animal into the street to finish dying didn’t seem like the right thing to do, and putting it out of its misery was a last resort, so I lifted it gently, kicking and jerking, onto a paper plate and walked with it five blocks to the conveniently located veterinarian’s office.

The vet must have thought it was strange that I was willing to pay as much as I did for antibiotics for Normito, as I had taken to calling the bird, but she administered them and explained to me that if he hadn’t recovered by morning then he was more than just sick. He could have head trauma, she explained.

I took him home and put him to bed in the laundry shed behind the house, where he would stay warm overnight.

Norma about had a fit when I told her I paid for medicine for the bird. I joked that it was her fault he was sick and that that was why I had christened him with her name. “Well, have fun dealing with your pet chicken tomorrow,” she said, smirking.

Normito never recovered, and my dream of a having a pet chicken never materialized. The next day I realized I needed to put him down, despite lacking the tools to do a proper job. I learned many things about *bichos* that day, including that the word applies to more than just insects, that sometimes it’s best not to meddle, and that stepping on a cockroach is much easier than cutting off the head of a chicken with a shovel.

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Harvie Jordan Scholarship Recipient

The American Translators Association Honors Armando Ezquerro Hasbun, Co-chair of the Spanish Language Division's Professional Development Committee, with the 2015 Harvie Jordan Scholarship

The American Translators Association (ATA) awarded our dear colleague Armando Ezquerro Hasbun, a federally certified court interpreter and ATA certified English>Spanish translator, the 2015 Harvie Jordan Scholarship.

Armando was born in Lima, Peru. He has degrees in psychology, international studies, and Spanish. He is also certified as a state court interpreter, and is certified as both a translator and interpreter by the National Association of Judiciary Interpreters and Translators. He works as a legal interpreter, conference interpreter, grader, lecturer, trainer, and industry consultant. He is a professor of translation and interpreting studies at *La Salle University*, where he explores how academic preparation enhances translator and interpreter performance in the field. He has published on topics of interest to the profession and is often engaged as a speaker at industry, trade, and educational events.

He currently serves as co-chair of the Professional Development Committee of ATA's Spanish Language Division (SPD). Armando is honored to have been selected and wishes to share this recognition with the entire leadership of his local ATA chapter, the Delaware Valley Translators Association.

Harvie Jordan was the first assistant administrator of ATA's Spanish Language Division. He served as president of the Austin Area Translators and Interpreters Association, which he co-founded. He was also a freelance Spanish<->English translator and Spanish and English voice talent. The scholarship is given in honor of his lifetime contributions as a language professional.

Past SPD Harvie Jordan Scholars are Mildred Suazo, Olga Lucía Mutis, Francesca Samuel, and Rosario Welle. To learn more about the Harvie Jordan Scholarship, please visit the American Foundation for Translation and Interpretation (AFTI): <http://www.afti.org/jordan.htm>.

