

**Title: Building a Line of Sight Between Heterogeneously Conditioned Interlocutors:
An Arbitration Interpreter's Experience**

Abstract

I am a linguist, before anything else. Therefore, I will spend the first five minutes of my slot on a cursory study of the definitions of culture in English and its equivalent in Chinese, and of their nuances.

Suffice it to say that while the English word and concept of culture can be defined, albeit not entirely satisfactorily, from two classical angles according to the 1913 Webster Dictionary - (1) "What the Greeks expressed by their *paidei`a*, the Romans by their *humanitas*, we less happily try to express by the more artificial word culture" (J.C. Shairp) and (2) "The list of all the items of the general life of a people represents that whole which we call its culture" (Tylor) - the Chinese equivalent, *Wén Huà*, is even more intransigent in defying any attempt to define it with precision. However, a little etymological study reveals that *Wén* originally means multicoloured, interwoven pattern/texture while *Huà* means generation and transformation. *Wén Huà*, in ancient Chinese texts, refers to "educating and transforming with a view to bringing the behaviour of people in line with the observed laws/patterns of nature and the rules so derived that are applicable to human society". After thousands of years of conditioning or "culturing" with these explicit and implicit "rules" that are subscribed to collectively, the

people of the land experience, and thereby demonstrate, a collection of realities of their own making, which fits in with Tylor's definition.

I offer this as a preambular teaser for my subsequent treatment of the titular subject matter and as a linguist's perspective on the general theme of this event.

I shall then share my general observation regarding an interpreter's job at arbitration hearings involving parties, and their witnesses, from distinctly different cultural backgrounds, in particular in the context of Hong Kong: the added burden of sometimes having to throw in an explanation of a linguistic and/or cultural nature and the added stress of having to endure the challenges from lawyers who speak both languages fluently and are well-versed in both cultures.

The general observation is backed up by examples of specific, anonymised cases, namely (though not necessarily in this order):

- (1) The IP case of a world-leading sports equipment supplier versus its Chinese competitor. During the hearing, one of the Chinese witnesses, the owner of the Chinese company, quoted a Chinese proverb, which I rendered into idiomatic English and which was readily understood by those present. But one of the arbitrators, Dr Anthony Neoh, felt that it would be a pity if the non-Chinese speakers (including his two colleagues) were denied knowledge of the exact

meaning of the witness's humorous repartee, so I subsequently supplied, in writing, a detailed annotation of that proverb for good measure.

- (2) The culturally complex case of a Korean resources company versus China's national resources corporation, involving witnesses from both countries, a Taiwan businessman-cum-ex-arms dealer married to a Georgian lady, an assortment of lawyers from different countries, among others. In connection with this case, I shall be speaking about (a) misfired punchlines in Chinese and in English; (b) my reaction to individuals that evoked dislike or even repulsion in me; and (c) a case study of body language during arbitration proceedings.
- (3) The case of a mining company versus its Chinese partner. I shall use this case to illustrate the discomfort of being sandwiched between the opposing parties, with one side bent on filibustering the hearing by challenging the interpreter on untenable grounds, and how one can extricate oneself from the tight corner.
- (4) The case of two warring department store chains from Taiwan. With this case, I had to be sensitive to the cultural nuances between Taiwan and mainland China. Fortunately, I was equipped with a sufficient knowledge of the other side of the Straits and developed a rapport with my clients. I also had to adapt to the main witness's staccato knowledge of the English language and balance between his wishes and his lawyer's instruction.