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Actors and Networks in Court Interpreting Services in the Context of Migration in Türkiye*

Türkiye’de Mültecilik Bağlamında Mahkeme Çevirmenliğinde Aktörler ve Ağlar

Araştırma/Research

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ABSTRACT

The primary aim of this study is to determine the network and the actors involved in court interpreting services in Türkiye. The second aim is to explore if the actors in the network have an impact on the other actors’ perceptions on the position and the duty of the court interpreters or not. In this context, two case studies were conducted in trials, where the refugees benefit from the interpreting service in Arabic-Turkish in two provinces (Kayseri and Antalya) in Türkiye. The data are composed of the semi-structured interviews with the court interpreters, open-ended questionnaires administered to the judges and the officers in the court registry and the short interviews conducted with the refugees. Additionally, the second data includes the observation notes during the hearings, research diaries and available codes, regulations and documents in the field. The findings have been analysed within the frameworks of position, interaction, and intervention, utilising Actor-Network Theory proposed by Callon and Latour. In the first category, the interpreters’ physical and social positions, the actors’ attitudes towards the profession, status and role are addressed. In the second category, the communication of actors before and after interpreting and the cooperation between the interpreters are discussed. The third category encompasses interpreting techniques, challenges faced during interpretation, interventions in the interpreting process, and the roles of the interpreter and the speaker. It has been determined that

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each network is ephemeral and unstable. Additionally, court interpreters have established local and small networks prior to interpreting performances to ensure safe involvement in the network, addressing procedural deficiencies. The study finally notes that the bilingualism of interpreters, the definition of the interpreter's role in the code, and the communication among actors prior to interpreting in the network may influence the perceptions of human actors regarding the position and responsibilities of court interpreters.

Key words: court interpreter, migration, community interpreting, Actor-Network Theory.

ÖZET

Bu çalışmada ilk olarak Türkiye'de mahkeme çevirmenliği hizmet ağını ve bu ağda yer alan aktörleri belirlemek amaçlanmaktadır. İkinci amaç ise ağdaki aktörlerin, diğer aktörlerin mahkemede görev alan tercüman bilirkişilerin konumu ve görevine ilişkin algıları üzerinde bir etkisi olup olmadığını araştırmaktır. Bu bağlamda, Türkiye'de Kayseri ve Antalya illerinde mültecilerin Arapça-Türkçe dil çiftinde tercümanlık hizmetinden yararlandığı iki vaka çalışması yürütülmüştür. Veriler, tercüman bilirkişilerle yapılan yarı yapılandırılmış görüşmelerden, hâkimlere ve mahkeme kalemlerindeki memurlara uygulanan açık uçlu anketlerden ve mültecilerle yapılan kısa görüşmelerden oluşmaktadır. Buna ek olarak, ikincil veriler duruşmalar sırasında alınan gözlem notları, araştırma günlükleri ve mevcut kanun, yönetmelik ve belgelerdir. Bulgular konum, iletişim ve müdahale kategorilerine ayrılarak ve Callon ve Latour tarafından ortaya atılan Aktör-Ağ Kuramı çerçevesinde tartışılmıştır. İlk kategoride tercümanların fiziksel ve sosyal konumları, aktörlerin mesleğe yönelik tutumları, statüleri ve rolleri ele alınmıştır. İkinci kategoride aktörlerin sözlü çeviri öncesi ve sonrası aktörlerle iletişimleri ve çevirmenler arasındaki iş birliği ele alınmıştır. Sözlü çeviri teknikleri, çeviri sırasında karşılaşılan zorluklar ve sözlü çeviriye, tercüman bilirkişiye ve konuşmacıya yapılan müdahaleler üçüncü kategorinin temalarıdır. Her bir ağın geçici ve istikrarsız olduğu ortaya çıkmıştır. Ayrıca, tercüman bilirkişilerin prosedürdeki eksiklikler nedeniyle ağa güvenli bir şekilde dahil olabilmek için çeviri yapmadan önce yerel ve küçük ağlar oluşturdıkları görülmüştür. Tercüman bilirkişilerin iki dilli olması, kanunda yer alan tercümanın görevine ilişkin tanım, çeviri öncesi aktörler arası iletişim gibi insan olmayan aktörlerin, insan aktörlerin tercüman bilirkişilerin konumu ve görevine ilişkin algısı üzerinde etkili olabileceği sonucuna varılmıştır.

Anahtar Sözcükler: Mahkeme çevirmeni, göç, toplum çevirmenliği, Aktör-Ağ Kuramı.

1. Introduction

Court interpreting encompasses written, oral, and sign language interpreting services provided in legal contexts for individuals with hearing impairments or limited proficiency in the court's language. Some scholars categorise court interpreting as a subset of community interpreting (Hale, 2007; Mikkelsen, 2017), whereas others view it as part of legal interpreting, with courtroom interpreting identified as a specific sub-field within courtroom settings (Morris, 2015, p. 95). Hertog (2012) categorizes legal interpreting based on settings such as courtroom proceedings, police, prisons, and asylum settings. Similarly, Hale (2007) delineates court interpreting across settings like police interviews, lawyer-client meetings, tribunal hearings, and court trials.

This study does not encompass interpreting in police settings, a sub-area of court interpreting that has received limited attention globally (Monteoliva-Garcia, 2018) and in Türkiye. In Türkiye, individuals providing interpreting services in courts are known as

'interpreter expert witnesses' (*tercüman bilirkişi* in Turkish); but for consistency and clarity, this study adheres to the widely used terms 'court interpreting' and 'court interpreter.' This study focuses specifically on interpreting services for refugees in criminal court proceedings.

Court interpreting differs significantly across cultures, legal systems, and languages, resulting in variations in how it is practiced (Mikkelsen, 2017, p. 3). Additionally, practices and procedures, including laws and regulations pertaining to court interpreting, levels of professionalisation, interpreter training, certification, relevant associations, ethical standards, and guidelines, vary across countries. In 1997, the Ministry of Justice in Türkiye established a sworn translation bureau to offer translation and interpreting services for courts, compiling a list of 400 translators without formal examinations or advertising (Doğan, 2003, p.58). Translation requirements primarily pertained to criminal cases in Ankara, with ad hoc translators such as imams or teachers employed in resource-limited regions (Doğan, 2004 p. 3-4). In 2013, regulations mandated that each court compile an annual list of interpreters residing within its jurisdiction who had applied for and received approval. Interpreters were subsequently assigned from the list as required.

According to the By-laws on the Arrangements of Interpreters' Lists in Criminal Proceedings, as per the Turkish Criminal Procedure Code, a court interpreter is defined as "a real person who translates the statements of the victim, suspect, witness, or defendant from another language or sign language into Turkish during the investigation and prosecution phase" (Ceza Muhakemesi Kanununa Göre Tercüman Bilirkişi Listelerinin Düzenlenmesi Hakkında Yönetmelik, 2013). The investigation phase spans from the time when authorities become aware of a crime until an indictment is accepted, while the prosecution phase begins with the acceptance of the indictment and continues until the finalization of the judgment (Ceza Muhakemeleri Kanunu, 2004). Article 202 of the Turkish Criminal Procedure Code (*Tr. Ceza Muhakemeleri Kanunu*) outlines situations where an interpreter may be present, specifying that the state will cover the costs (Ceza Muhakemeleri Kanunu, 2004). This ensures that witnesses, victims, or defendants with disabilities or insufficient Turkish language skills are not responsible for interpreter fees. The qualifications and necessary documentation for interpreters seeking inclusion on the list are outlined in detail within the by-laws.

Each year, court interpreter application announcements are published on each court website in September or October. Approved interpreters are invited to take an oath administered by officials at the Provincial Court of First Instance Justice Commission. After the oath is taken, a final list of interpreters is sent to courts, prosecutor's offices, police departments, and land registry offices. When translation or interpreting service is needed, they find the interpreters from the list. If an interpreter is unavailable, another interpreter from the list is called.

The By-laws also include ethical principles for interpreters, such as "independence, impartiality, honesty, truthfulness, personal responsibility, confidentiality, and adherence to basic judicial principles" (Ceza Muhakemesi Kanununa Göre Tercüman Bilirkişi Listelerinin Düzenlenmesi Hakkında Yönetmelik, 2013).

However, these principles are not explained in detail. The interpreter's oath includes some of the principles as in the following: "I swear on my honour and conscience to fulfil my duty impartially, in accordance with science and justice." When an individual not designated as an interpreter assumes this role during a hearing, their oath is documented and signed (Ceza Muhakemesi Kanununa Göre Tercüman Bilirkişi Listelerinin Düzenlenmesi Hakkında Yönetmelik, 2013).

Additionally, interpreting services may be provided through video conferencing system when needed. Under the Regulation on the Use of Audio and Video Information System in Criminal Procedure (2011), individuals who cannot attend a hearing in person may participate via SEGBIS, a video and audio communication system. In cases involving foreign individuals, interpreters facilitate communication through this system. However, the regulation does not specifically address the interpreting service. The selection of the Turkish-Arabic court interpreting process as the focus of this study is informed by the historical context of court interpreting in Türkiye, particularly in relation to migration and the consequent demand for interpreting services across various public domains. The Syrian Civil War, which began in 2011, prompted a significant migration of Syrians to other countries, particularly Türkiye, as it served as a transit point for relocation to third countries. Consequently, this situation necessitated the provision of interpreting services between Arabic and Turkish. The scarcity of Arabic-Turkish interpreters in the country has resulted in the reliance on ad hoc interpreters fluent in Arabic, as well as family members, friends, or relatives proficient in Turkish, to provide interpreting services.

The studies on migration and interpreting have been carried out interpreting in asylum applications of migrants (Kahraman, 2010), problems of migrants in terms of interpreting services (Doğan, 2017; Koçlu, 2019), interpreting between nongovernmental organizations and migrants (Erdoğan, 2021), nonprofessional interpreting services for migrants (Polat Ulaş, 2020, 2021a, 2021b), psychological effects of interpreting for refugees (Polat Ulaş, 2022; Şener Erkirtay et al., 2024), community interpreting training (Ross, 2018). However, the court interpreting has been less addressed in the studies in Türkiye. The difficulty in collecting data and no permission to get records in the hearings or the documents related to trials may discourage the researchers. The first studies portrayed the court interpreting practices (Tahir Gürçağlar & Diriker, 2004; Doğan 2004, 2010, 2015). Later, the subjects addressed on this topic are the visibility of court interpreters (Yücel, 2018), eligibility of legal interpreters (Özer Erdoğan, 2018; Özer Erdoğan & Tarakçıoğlu, 2018) professional standards for court interpreters (Eryılmaz, 2020, Eryılmaz & Demez, 2021), professionalization and impartiality in sign language court interpreting (Şen Bartan et al. 2021), user perspective for sign language court interpreting (Şen Bartan et al., 2023), and psychological effects of interpreting for refugees in the court and healthcare settings by Polat Ulaş and Şener Erkirtay et al. (2024). The lack of the studies related to migrants and court interpreters is the motivation to discuss the current position through a sociological perspective as a case study as in the abovementioned studies.

The aim of this study is to describe the Turkish-Arabic interpreting process and actors/actants involved in Turkish criminal courts in the context of migration. The second aim is to explore the interaction and intervention happening between actants/actors in Turkish criminal courts and its effects on the perception of position and responsibility/duty. The research questions of the study are presented as follows:

- (1) Who/what are the actors/actants involved in Turkish-Arabic interpreting services in Turkish criminal courts?
- (2) How does the interaction and relation between actors/actants affect the interpreting services in Turkish criminal courts?
- (3) How does the interaction and relation between actors/actants affect the court interpreters' perception on their position and responsibilities during the interpreting services in Turkish criminal courts?

2. Actor-Network Theory

Actor-Network Theory (ANT), which serves as the theoretical framework for this study, is a sociological theory initially proposed by Michel Callon, John Law, and later expanded by Bruno Latour in 1986. Originally applied to analyse processes in the field of science and technology studies, ANT has been adopted as a framework across various disciplines, including architecture, business, and computer sciences. Actor-Network Theorists follow an approach called the "social of associations," which posits that social life has a diverse structure, shaped by relationships. The goal of ANT is to understand society by mapping out these connections, recognizing the variability of relationships instead of making rigid conclusions, as traditional sociology often does. This approach tracks evolving relationships to offer explanations.

A unique aspect of ANT is its inclusion of both human and non-human entities as actors, without prioritizing one over the other (Latour, 1996). Law explains that the heterogeneous nature of these actors is essential because all situations arise from this structure, and without non-human actors, the network would be incomplete (1992, p. 4). In this theory, an actor—whether human or non-human—is defined as anything that performs an action or to which an action is attributed by others (Latour, 1996, p. 375).

In this context, the roles of intermediary and mediator become important, focusing on how actors influence the process. An intermediary simply facilitates the flow of a relationship without altering it, while a mediator actively changes and transforms the relationship. For example, a computer might serve as a mediator in one context, while a complex conference panel could act as a mediator in another. The key is to identify which role each actor is playing (Latour, 2005, p. 39). Thus, the mediator is a term in the scope of ANT as abovementioned, and it is different from the mediator term in community interpreting studies, which refers to the person facilitating communication in various cultural contexts.

This theory has also been applied in the fields of translation and interpreting studies. Various subjects have been analysed through Actor-Network Theory (ANT) in the

context of literary translation, including the dynamics among translators, publishers, and translated works involving both human and non-human actors (Tahir Gürçağlar 2005, 2007), the translation production process within publishing houses (Buzelin, 2006), the interconnections among publishers, critics, institutions, and writers (Hekkanen, 2009), the influence of publisher-translator relationships on the inclusion of literary works (Luo, 2020), and the roles of actors in the publishing process in Finland (Kung, 2009), in Persian contexts (Haddadian Moghaddam, 2012), and in Türkiye (Uslu, 2018).

Some other studies are on audio visual translation in Finland (Abdallah, 2012), the translation of radio news in South Africa (van Rooyen, 2019), the translation process of legal texts (Duraner, 2015), ethical and professionalization perspective through the network in healthcare, court and NGO (Gürleyen, 2022), the effect of computer assisted translation in the networks of freelance translators (Gürleyen & Uras, 2023). Especially, in interpreting, the studies on the network of court interpreting and video conference system (Devaux, 2016, 2017), and the networks of educational interpreting setting (Brewis, 2019) were the motive of this study to analyse the network through ANT and interpret it thanks to the phrases and its inclusion the non-human actors to the networks as mediators, which shape the process and translate it.

3. Case Study

3.1. Method

Qualitative method was adopted in this study as it enables to understand cases in a social context (Kuş Saillard, 2012). Two cases were used to analyze the relations between actors in the court interpreting process. The method is called as embedded multiple case study as two cases in a court in Antalya and a court in Kayseri were analyzed through more than one data collection techniques such as interviews, open-ended questionnaires, participant observation, researcher diary.¹

3.2. Data Collection Tools

The data were collected from the court interpreters, judges, officers at the court registry, and refugees in the same hearing at the same time between 2019 and 2020. Convenience sampling was used to collect data as the criteria were determined for court interpreters, such as serving as an Arabic-Turkish court interpreting for at least one year. For other participants, snowball sampling (non-probability sampling) was used since other actors have been users of the court interpreting services in the hearing or the organizers of the process. Triangulation was achieved considering the variety of the data collection tools. Semi-structured interviews were administered to court interpreters, and open-ended questionnaires for judges, officers at the court registry, and refugees. Different data collection techniques are used due to the convenience. Field notes were taken during the observations in two hearings. The researcher wrote everything she

¹ Istanbul University Social Sciences and Humanities Ethical Board date and number: 16/01/2019-10242

heard and experienced before, during and after hearings and meeting with participants believing that she can have an impact on all the process as an actor. The regulations, announcements and lists for court interpreters were also a part of the supporting data.

The questions in the interviews with court interpreters include demographic features, the reason for choosing this occupation, etc. Interview is also composed of the questions related to perception and position, asking about the working place in the courts, position and roles, the setting and placement during the hearings, and other actors' awareness on interpreters' role and position. Also, it includes questions related to meeting defendants, lawyers, judges, officers at court registry before or after the hearing, questions related to network, questions related to difficulties.

Questionnaire for judges is composed of demographic features, questions related to perception and position of court interpreters, expectations and decisions about court interpreters, questions related to meeting court interpreters before and after the hearings, questions related to intervention and difficulties. Interviews with officers at court registry include questions related to workflow, questions related to difficulties, questions related to perception and position of court interpreters.

Interviews with refugees include the questions related to meeting court interpreters before and after the hearings, questions related to intervention and difficulties, questions related to perception and position of court interpreters. The interpreting performance as linguistic material could not be included in this study as the researcher does not know the refugees' language (Arabic) and the courts do not give permission for voice-recording during the hearings. In addition, the courts do not share the documents related to the hearings.

3.3. Participants

The participants consist of individuals who engage in the same hearing, which was analysed for the case study. Demographic information regarding participants and the case is presented in Tables 1 and 2.

Table 1

Participants in Case 1

Participants in Case 1	Features of Participants	Data Collection Tools
1 Court Interpreter	Male, part time interpreter, 4-year experience in interpreting, 20-year police officer, Arabic-Turkish citizen	Interview
1 Judge	Female	Questionnaire
1 Officer at Court Registry	Male	Interview
1 Refugee	Male, Syrian	Interview

Table 2

Participants in Case 2

Participants in Case 2	Features of Participants	Data Collection Tools
1 Court Interpreter	Female, full-time interpreter, 4-year experience, 14-year finance manager before CI, Arabic-Turkish citizen	Interview
1 Judge	Male	Questionnaire
1 Officer at Court Registry	Male	Interview
1 Refugee	Female, Syrian	Interview

3.4. Thematic Analysis

The interviews were transcribed and analysed using thematic analysis. The interviews and questionnaires were initially coded into categories and subsequently organised into themes. Furthermore, these themes and categories were analysed within the framework of Actor-Network Theory (ANT). The study's themes and categories are presented in Table 3.

Table 3

Themes and categories

Theme	Category
Position	Physical Position Social Position (status, role) Decision to be court interpreter
Interaction	Meeting before the hearing Meeting after the hearing Cooperation with other interpreters
Interaction during the interpreting process	Difficulties Interpreting techniques
Intervention	Intervention to interpreting and interpreter Intervention to speaker

4. Findings: Actors in the Networks

The interpreting service is shaped by the institutions, the degree of interaction, and the surrounding society within the social context where it occurs (Angelelli, 2004, p. 29). At a broader level, entities like the Ministry of Justice, the Turkish Criminal Procedure Code, By-laws on the Arrangement of Interpreters' lists in Criminal Proceedings, the Provincial

Court of First Instance Justice Commission, and the courts themselves function as key players. They are responsible for recruiting interpreters, setting the conditions for recruitment, and creating the interpreter lists used by the courts.

Furthermore, it has been observed that the interpreter oath is also an actor affecting the interpretation process as it shows the boundaries of the interpreter with concepts of adherence to the law and impartiality. The eligibility criteria for interpreters specified in the abovementioned legislation, such as a minimum primary education level and the acceptance of the applicant's signed statement for language proficiency, affect the quality of the interpreting services in court. Moreover, the ethical principles outlined in the regulation, the phrase "essential points shall be translated" in the relevant article of the Criminal Procedure Code are actors in determining what should be interpreted during the hearings.

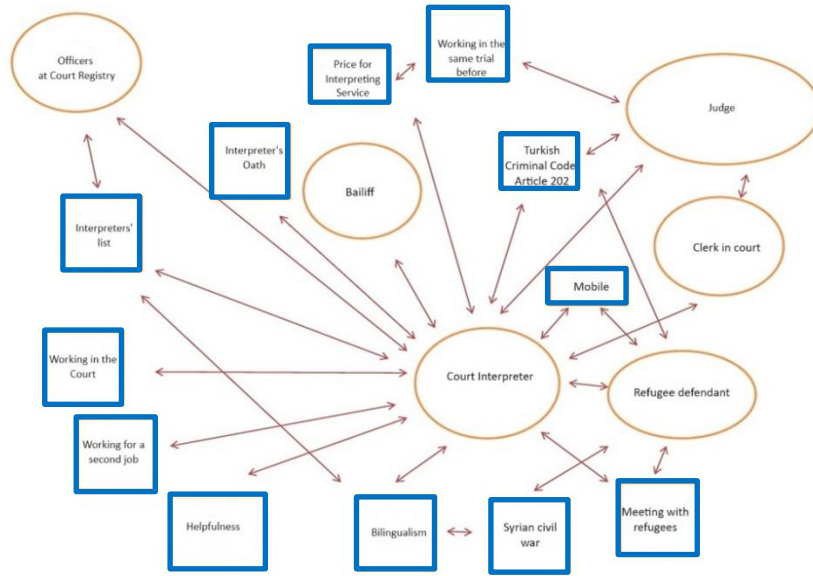
In addition to that, the Syrians who migrated to Türkiye after the Syrian civil war in 2011 also become an actor since the need for interpreting services increased, especially in the Arabic-Turkish language pair in courts. Another actor is the Arab-origin Turkish citizens in the Southeastern Anatolia Region, who share similar dialects with Syrian people. These bilingual individuals began to provide ad-hoc interpreting in many settings when there has been a significant need for interpreters but very few professional interpreters.

Human actors are lawyers, judges, prosecutors, defendants, plaintiffs, officers at the court registries, and witnesses who interact with the interpreter. The judge or prosecutor notifies the necessity for interpreting during the hearing, and the officer informs the interpreter about the location and time for the hearing. During the hearing, the interpreter facilitates communication among the people involved in the hearing. After the hearing, the judge determines the fee for the interpreter's service, and the interpreter submits it to the officer to get the payment order covered by the government in Criminal Courts. Since interpreting does not occur in isolation (Wadensjö, 2014, p. 8), interaction among these actors is natural and necessary, and all the actors involved in this process shape and affect the social environment. Additionally, the qualifications and background knowledge of these actors also serve as factors influencing the interpreting process.

The network in the hearing in court in Antalya Province is illustrated in Graphic 1 created in accordance with the data obtained for this study. Circles represent human actors (orange), while rectangles (blue) indicate non-human actors, and relationships are indicated with arrows. In this network, actors in the role of mediators and intermediary actors are given. The human actors in this network include the judge, clerk, bailiff, officer, interpreter, and refugee complainant. The non-human actors are Article 202 of the Turkish Criminal Procedure Code, interpreter lists, ethical principles, interpreter oath, acquaintances working in the legal sector, pre-hearing meetings with the refugee, performing as a full-time job, gender, being helpful, lack of training and competence, bilingualism, the Syrian civil war, court entry card, business card, computer screen, and telephone.

Figure 1

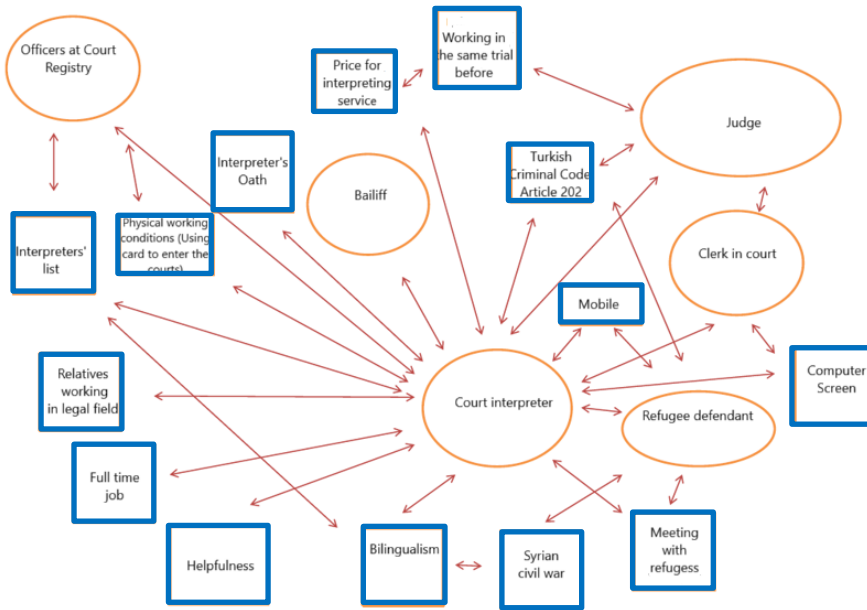
Court Interpreting Network in Antalya



The network for the interpreting process in a court in Kayseri Province is shown in Graphic 2. The human actors (orange) include the judge, officer, bailiff, clerk, interpreter, and refugee defendant. The non-human actors (blue) are Article 202 of the Turkish Criminal Procedure Code, interpreter lists, ethical principles, interpreter oath, fee for service, meeting with the judge in previous hearings, pre-hearing meetings with the refugee, working in the court, performing interpreting as a second job, gender, being helpful, lack of training and competence, bilingualism, the Syrian civil war, and the telephone.

Figure 2

Court Interpreting Network in Kayseri



Some actors are present in both networks, while others appear in only one. This suggests that the actors involved in the process vary depending on the social network of every hearing.

5. Discussion

In this part, the findings will be discussed under the themes. In the theme of position, physical position, status and role, decision to be court interpreter are discussed. Interaction theme deals with meeting before the hearing and after it, cooperation with other interpreters, communication during the interpreting and difficulties and techniques encountered during interpreting. The intervention theme encompasses the asking actors speak shorter or waiting for interpreting, as well as the interactions between the interpreter and the speaker.

5.1 Physical Position

The interaction and perception in the hearings can be shaped through how interpreter is addressed, where they sit or stand (Hale & Napier, 2016, p. 353). When asked to the court interpreters about their physical position, CI2² answered:

"Well, again, I will say that it is at the discretion of the judge and the bailiff, probably the judge guides the bailiff in this matter. Every court has a different practice. Every judge has a different choice. Some make them sit next to the Arabic person. Some tell us to stand next to the clerk, his right or his left. It depends, it's completely up to them, we don't have a specific position. There is a visual plan. In courts, the judge, the prosecutor, the clerk and the bailiff, everyone has a specific position but there is no such standardized position for interpreters."^{3 4}

Regarding this answer, it can be suggested that the interpreter has no standardized position in the hearings, and interpreter can be guided by the bailiff or judge for where to stand or sit. CI2 sat next to the complainant refugee in the observed case. Thanks to the computer in front of her, she followed the clerk's writing and corrected the name of the complainant. In this case, the computer can be considered as a mediator since it affects the interpreting process. CI1 answered:

"We are next to the defendant. Sometimes, the complainant is Syrian. The suspect is also Syrian. I stand next to the person who is talking. Especially, s/he asks me because s/he addresses me. And I have to convey the message to him/her. S/he addresses me first. S/he tells me, and I tell the judge what his/her question is. When s/he tells me, I tell the other party."

CI1's answer can be interpreted as the refugee addressing directly the interpreter, not the judge, even though the question was asked by the judge. J2 answers the question about physical position by expressing that "S/he stands next to the person whom s/he will interpret for so that s/he can hear him/her well. The interpreter is that person's mediator. There is SEGBİS. The interpreter stands wherever s/he can hear best." It can also be interpreted as the indicator for how the judge perceives the interpreter's duty, which means as mediator for the refugee. J1 also answers in parallel with J2 by stating "The position of the interpreter depends on the person s/he is interpreting for such as complainant, defendant, witness."

The refugees share a collective perspective regarding the spatial arrangement of interpreters within the courtroom, particularly in relation to the judges and interpreters themselves. R2 states "I actually prefer the interpreter to be in front of me so that we can talk to each other face to face.", and R1 "It would be better if s/he was next to me..." Considering the answers of the participants and observations in the cases, it can be concluded that the interpreters can be considered obligatory passing point in the network according to the ANT. In addition, it can be inferred that the interpreting

² CI1 stands for Court Interpreter 1, J1 for Judge 1, R1 for Refugee 1, O1 for Officer 1 in Kayseri Province while CI2 for Court Interpreter 2, J2 for Judge 2, R2 for Refugee 2, O2 for Officer 2 in Antalya Province.

³ The interviews were transcribed verbatim, eliminating any word repetitions or sentence fragments.

⁴ The translation of interviews belongs to the first author unless otherwise indicated.

network and actors have heterogeneous structures in different cases, and these situations can be specific to the observed cases like computer screen as a mediator or mobile as intermediary.

5.2 Social Position

The answers related to the decision to be a court interpreter and views about status and role are addressed in this category. When asked to the CI2 about how s/he decided to be a court interpreter as full time, s/he states that "Through the lawyers in my family, I thought I could do something related to Arabic." On the other hand, CI1 mentions the way of encountering this occupation part-time by stating, "It was a coincidence that there was such an interpreting task at the court. After that, when we searched, they told us that we could do it and there was no problem for our profession."

They were involved in the interpreting network through their social connections and bilingualism, which makes these factors mediators as they enabled the people's inclusion to the networks.

Regarding their role and status, CI1 said that "You represent the person and the court", and CI2 "Because you are the mediator of both parties, you have to understand and convey both parties' messages correctly." These expressions indicate that they perceive their role and status as mediator between two parties, which might be the result of the stereotype of the society, as they stated they should stand or sit closer to the refugees as they are their interpreters.

R1 states "The interpreter is important to know why I am accused, what is said to me", while R2 "Without the interpreter, I would be like a lost person. I live in a country where I don't speak the language, so interpreting is important for me, and I was comfortable with this interpreting at the hearing." These expressions demonstrate that the interpreters are obligatory passing points for them to understand and to be understood in this setting.

While O1 states "In my opinion, I think that the task of the interpreter and the court board is almost equivalent.", O2 states "I can define them as assistant staff who have met required criteria and have been listed, and who help us to work in a reliable and right way." Two of the officers consider the interpreters as a part of the permanent workers of the court. O1 gives an inevitable importance to their duties while O2 emphasizes the importance of reliability and believes that they are assistants for the court.

Mentioning the position of the interpreters, J1 expresses it through the duties that "The interpreter conveys his/her statement directly, without adding self-expression or emotion." and emphasizes the accuracy and impartiality of the interpreters. J2 mentions similar ideas with O2, and considers interpreter as an inevitable part of the hearings and the assistant of the court by stating:

"An interpreter is an assistant to the court, like a witness. It is also regulated in Article 62 of the Criminal Court. If there is no interpreter for the person who does not speak

the language of that country, the hearing cannot be held. If the defendant does not speak Turkish, if he cannot express himself fully in that language, if there is no interpreter, there is no defense, there is no trial."

It can be concluded that in both cases, interpreters are seen as mediators and assistant staff by other actors. Refugees and interpreters acknowledge this role; however, the observations demonstrate that it can sometimes expand, and interpreters not only interpret during the hearing but also assist with tasks like calling refugees into hearing and accompanying them for administrative processes. This role can be compared to medical interpreters, who can extend their duties to support patients throughout their entire hospital experience (Duman, 2021), sometimes driven by personal motivation to help, as in the case of this study, according to the observations and the interviews. CI2 stated that s/he had some personal traits like helpfulness, thus, s/he helped the refugees or answered whenever they called. Similarly, CI1 helped the refugee after the hearing in the observed case. It can be concluded that the personal traits like helpfulness can be mediators affecting the roles of court interpreting or the perception to them.

The role and status of court interpreters are not only shaped by how they are perceived by others but also by their working conditions and the fee they receive for their services. Court interpreters were asked whether other actors are aware of their role, if they face issues with receiving the task, or if they encounter problems with payment for their services. CI1 believes others are aware of their role, while CI2 disagrees, highlighting poor working conditions, low payment, and lack of respect. For instance, interpreters don't have access to facilities like other court personnel, such as access cards for courts in Antalya case. Deficiencies in working conditions may serve as an indicator of low status, despite the individual respect shown by the actors involved (Hale & Napier, 2016, p. 352).

In terms of payment, both interpreters noted that while a minimum fee is set, judges have discretion over the final amount. J1 expressed that they arranged the fee considering the duration of interpreting, the amount of effort while J2 also mentioned the duration of interpreting and the number of participants requiring interpreting regarding the minimum and maximum fee. CI1 mentioned fewer issues with payments but implied at occasional difficulties with the administrative process. Delays in payments and dissatisfaction with fee reflect the lower status of the interpreter profession in the court system.

5.3 Interaction

In this theme, meeting before and after the hearing and cooperation with other interpreters in the court are discussed in terms of their effects on the perceptions of the actors and the interpreting process.

Recommended National Standards for Working with Interpreters in Courts and Tribunals (2017) emphasize the importance of providing information about the case to interpreters before hearings via portals or by talking to ensure proper preparation.

However, in Türkiye is lack of this kind of formal system, and interpreters must often rely on personal interactions to obtain necessary information.

CI1 stated "We look over the statements. If necessary, when there are complicated matters, we read the person's statement because it is needed in court." However, O1 noted that it was rare for them to share case information with interpreters: "We very rarely provide information about the case." and J1 said "There are no meetings, and it is not considered appropriate."

CI1 met the refugee before the trial to acquire information individually. Similarly, CI2 explained their process: "We arrive 10-15 minutes before the trial... If the person is there, I try to find them... I try to understand the subject. If there is a lawyer... we meet as a trio—myself, the lawyer, and the refugee."

Judges, however, often do not engage in such meetings. J2 stated, "No, I do not meet the interpreter in any way." On the contrary, R2 described meeting with the interpreter before the trial: "...the interpreter called me... we met in front of the court. I gave them the statement... and the interpreter looked over it."

CI2 also noted working with lawyers: "If they have any questions or requests, we also assist them." CI1 mentioned facilitating communication between pedagogues and children: "When dealing with children... we assist by facilitating pre-hearing meetings between the pedagogue and the child." In summary, interpreters often initiate pre-hearing meetings on their own. According to ANT, this interaction is an intermediary, and shows that interpreters influence other actors' actions and perceptions by establishing themselves as obligatory passing point in the process.

Regarding the meeting after the hearing with the actors, CI2 explained "If the court has called you in the first hearing, or from the moment they call you, you are required to attend every hearing." indicating that interpreters must attend all hearings in one case until it concludes. While another interpreter did not explicitly mention this, CI1 was observed attending a second hearing for a case s/he had previously worked on, suggesting that interpreters often continue to interpret for the same individual across multiple hearings.

CI2 also mentioned that refugees continue to reach out outside of hearings: "Sometimes through messages, sometimes by phone, or even face-to-face meetings, communication continues constantly. Once that person gets the right answer from you, they share your name with people around them." This is due to the interpreter's personal characteristics. In other cases, where the complainant is responsible for finding and paying for the interpreter (in the courts other than Criminal Courts), CI2 and others often leave their business cards with clerks. This indicates the diverse interactions of all actors within the heterogeneous network structure. working full-time or part-time and business cards are intermediary actors as they seek connections in various networks to secure working opportunities. Interpreters were asked if they consulted with other interpreters or if they had a common social network. CI1 stated "We sometimes meet in court, we meet elsewhere. We discuss... we also take ideas from each other. We have mobile numbers of them.... I can direct them to the hearing which I will not attend..."

CI2 echoed CI1 saying they asked about the availability of other interpreters to try to help. This shows that even if interpreters do not attend, they play an active role by influencing the process by persuading another actor to include into process and translated their roles into organizer of the process according to ANT. CI1 mentioned “No, we don’t have a group.” but acknowledged being part of another social network. In contrast, CI2 noted “We created a WhatsApp group with the interpreters in Antalya.” which includes around 24-25 Arabic interpreters, indicating that this group plays a role in determining who can attend hearings. CI2 also emphasized:

“Of course, for information sharing I mean, for example, if there’s a need for an interpreter in a certain language at the police station, we ask if there’s someone available. If so, we say to call this person or that number, thus providing an information exchange there. Our primary purpose of use is that, or if there’s any change or reform related to the court or our profession, we try to share it. This is the focus.”

These discussions reveal the active presence of various actors in the network, suggesting that the network includes both actors and, at times, the WhatsApp group. This implies that each hearing consists of distinct heterogeneous networks, supporting the idea that generalizations cannot be made for all hearings, as ANT suggests. Mobile and WhatsApp group are mediators in these networks as they affected the process and inclusion of the other actors.

5.4 Intervention

The theme of intervention, includes difficulties in interpreting process, interpreting techniques, interference with the speaker or interpreting process. The difficulties interpreters face during interpreting can be discussed in four subjects: dialects, the number of speakers, audio quality in the SEGBİS system, and the specific circumstances of the plaintiff/defendant. The interpreters' common response is that due to Arabic being spoken in many different countries, dialects can vary significantly, and some interpreters struggle to understand certain dialects. CI1 stated regarding dialects: “...Every region has its own dialect... Especially Syria, Palestine, and Morocco are the ones I can fully communicate with.” CI2 also noted the differences in dialects and mentioned “...Almost every Arab country has a different dialect. You have zero chance of knowing all of them... I am originally from Hatay. The Arabic I speak is close to Arabic in Syria. Since I have worked in the tourism sector, I learned a bit of Arabic from countries like Libya, Kuwait, and Bahrain, which makes it easier for me to understand.” CI2 also pointed out that when faced with dialect difficulties, they and CI1 used explanation method: “As I said, the only challenge I face is when a different dialect comes up, and I struggle a bit, but as I mentioned, I try to reach what I aim for by asking questions, so I don’t do incorrect interpreting.”

While R2 answered “No” when asked if they had encountered any interpreting-related issues, R1 mentioned a previous experience: “I had a problem related to interpreting at the police station. The other interpreter said we could not communicate well, and our dialects did not match.” It might be beneficial to learn the dialect of the

plaintiff/defendant attending the hearing and call an interpreter accordingly. Another challenging situation arises when there are multiple speakers. CI1 mentioned that having several speakers made it difficult for the interpreter: "...Sometimes there are many defendants, many suspects, many plaintiffs, and many witnesses... we can experience difficulties in conveying."

CI2 also explained the challenges faced during SEGBİS when there were multiple speakers: "Sometimes there can be triple or quadruple SEGBİS sessions... case with several people also happens sometimes during SEGBİS. It becomes extraordinarily difficult..." The dialect and number of the speakers can be regarded as mediator when it affects the interpreting process in the network.

Another issue is audio quality during SEGBİS meeting. CI1 spoke about the challenges of remote interpreting: "...the person is in prison, and I am in the court. That can be a bit challenging... When you cannot understand the person next to you, you can infer their intent from their gestures... Sometimes, the voice is not clear. If the person is far from you, you have to say them repeat." CI1 highlighted that non-verbal elements make it easier, but when remote interpreting is required, technical difficulties can complicate the understanding phase. This indicates that body language is effective in the interpreting process, and can be considered as mediators.

When asked whether they preferred face-to-face or SEGBİS, both CI1 and CI2 chose face-to-face. Finally, CI1 noted that they struggled when interpreting for children in sexual abuse cases, individuals with mental health issues, or the elderly:

"In cases of sexual abuse, sometimes there are certain terms that make us a bit hesitant because we are men. Additionally, there is a child monitoring center at the children's hospital. When it comes to sexual abuse, they collect information there in the presence of the prosecutor. There is a social researcher there. We inevitably struggle a bit..."

CI1's expression reveals that culture and gender impact these challenges. Since CI2 did not address this issue, it is unknown whether they have participated in such hearings or faced difficulties in these situations.

CI1 also mentioned difficulties arising from interpreters dealing with mentally unstable and elderly refugees: "Sometimes, there are people with mental health issues. You inevitably struggle with them... You ask a question, and they explain different things... There are elderly people who cannot hear. You have to shout." The differences in the cities where interpreters provide services, and the types of cases make differences in challenges. This aligns with the claim of ANT that networks and actors are not static, as actors sometimes play active roles and sometimes passive ones, influencing the network of relationships.

The analysis of methods used in interpreting services highlights two key issues: whether the interpreter uses first or third person singular and whether they interpret speech verbatim or through explanations/simplifications. When asked about the techniques, CI1 explained "I speak from their mouth. S/he came, s/he went, s/he hit, s/he broke. I interpret using their voice." Observations during the hearing confirmed that CI1 used the third person singular while interpreting. Since the interview with CI2

occurred after the hearing, this question was not posed to them, but it was noted that during the hearing, CI2 began sentences with "s/he says" before switching to the first-person singular, indicating a similar use of indirect speech as CI1.

While studies on these subjects present varying conclusions, Mason (2014, p. 65) suggests that the use of the third person by interpreters may be intended to establish a degree of distance between themselves and the individual for whom they are interpreting. However, it is speculated that in this study, the use of the third person could be linked to the fact that the interpreters interviewed lacked formal interpreting training. Mikkelsen's study on US court interpreting suggests that interpreters tend to use the third person when speaking themselves (e.g., "the interpreter asks") but switch to the first person when interpreting to clarify who the subject of the speech is (Mikkelsen, 2017, 77). In the Turkish context, however, both interpreters were observed using the third person singular while interpreting.

Angermeyer (2009) found that interpreters generally use the first person when interpreting into the institutional language, English, but resort to indirect speech from English into another language in his study, and suggests that this variation is not intended to create distance between the interpreter and the speaker but rather reflects an effort to comply with institutional norms when using the first person. Similarly, Berk-Seligson explains that while interpreters in the U.S. are required by ethical standards to use the first person, some choose to use the third person or indirect speech to avoid confusion or to protect themselves from a defendant's anger (2017, p. 216). For this study, it is unclear which approach the interpreter adopts when interpreting for the Arab refugee, thus, the observation is based on interpreting into the institutional language.

When it comes to explanations and simplifications, J1 described the interpreting method as "Conveying the statement of the party directly without adding anything or emotions." CI1 expressed a similar view, stating, "We are obligated to convey whatever the citizen, complainant, or defendant says. We cannot change or comment on it." Similarly, CI2 remarked, "...my duty is to convey what I hear." Mikkelsen (2017) emphasized that just as native speakers are exposed to legal concepts, non-native speakers should be as well, meaning that the message should be delivered exactly as spoken. On the other hand, Düzen noted that in the UK, interpreters take an oath to explain points where the foreign party might not understand due to unfamiliarity with the legal system or cultural elements (2015, p. 155).

However, the participants in this study indicated that they did explanations and simplifications. CI1 stated "It needs to be simplified because legal terms are very complex, and people have trouble in understanding." They also mentioned that as quoted in the part related to the dialect, they resort to explanations when the message is not understood. It was observed that the interpreter was not merely a linguistic facilitator but played an active role using various methods to facilitate communication and prevent noncommunication. Since these two techniques influence the interpreting process, they can be regarded as mediators.

When judges were asked if they intervened during the interpreting process, J1 responded that no such intervention was permitted. J2 elaborated it by stating:

“A judge cannot intervene in the matter as an expert. If the judge deems the interpreter insufficient, they can be replaced. But I haven't encountered such a situation. However, what the judge cannot do is take over and interpret in place of the interpreter.” In this context, it can be said that the rights of experts also play a role as actors involved in the process.”

When the same question was posed to the interpreters, CI1's response demonstrated how the interpreter's oath fosters trust among the actors involved. “There is no interference because we are sworn interpreters, we are trusted...there could be an odd situation, but so far, I haven't encountered such a case. There are judges who know, and even some lawyers who speak Arabic...” CI2 similarly emphasized the oath, stating: “...we take an oath at the beginning of each year, promising to interpret accurately, and to convey information correctly, and we perform our duties accordingly.”

Both interpreters pointing to the oath as a factor preventing interference and building trust suggests that this oath is an active actor within the network. CI2 also added:

“However, in some trials, I heard complaints that the previous interpreter had mistranslated for an Arabic-speaking person, but this is a very serious accusation. Unfortunately, if the person is in custody, such a claim could be used against them, so it is up to the judge and prosecutor to assess the situation. Often, it is just a tactic to prolong the case.”

Although no such case was observed during the hearing in this study, the right to dismiss an interpreter—though not an active actor in the cases studied—could become a significant factor affecting the interpreter process. Another noteworthy point regarding interference is that interpreters do not interpret the entire speech in the hearing. In the observed hearing, the interpreter confirmed identity with the clerk at the beginning, but only interpreted when the judge asked questions or when the refugee responded. Conversations between the judge and other actors during the hearing were not interpreted. J2 explained, “Information is provided to the person based on the laws in the case. Only what is necessary is conveyed.” As mentioned above, Article 202 of the Code of Criminal Procedure, which states that “...s/he will be provided with a translation of the main points of the charges and the defense by an interpreter” seems to be an influential and mediator actor in the decision not to interpret the entire hearing.

A notable issue is the interpreter's intervention in communication to ensure the fluency of the hearing. CI1 described it as follows:

“...Sometimes someone says something, but you don't know to whom it's addressed. Then you ask, ‘To the president?’ and they repeat it, and I tell them. Sometimes the citizen speaks too much. To avoid any misunderstanding, you have to ask them to repeat. Because every word has its place in the law. We try to do our best so that no one suffers.”

CI1's statement indicates that the interpreter actively manages the process and takes on a visible role. CI1 also remarked on intervening in the refugee's discourse, stating, "Sometimes, they talk too much, and... as I mentioned they forget something. Maybe, we miss something important... That's why we let them talk a little, then we say 'wait.'" CI2 offered a similar explanation.

These interventions are intended to facilitate communication among the actors in the network. However, the data shows that the interpreter plays active roles in the interpreting process and convince other actors of their roles.

6. Conclusion

This study provided views of actors in the court interpreting process and observations from the field to help define the current situation of the profession in Türkiye through a sociological perspective. The findings of the study demonstrate that the networks in the court interpreting services in Türkiye are dynamic and heterogeneous. The general conclusions of the study can be listed as follows:

- (1) The necessity for interpreting services in courts has risen post-Syrian civil war, influenced by factors such as bilingualism and the presence of relatives who are legal professionals or court personnel.
- (2) Provisions like Article 202 of the Criminal Procedure Code, the term "translation of the essential points," the minimum qualifications for interpreters, the requisite documentation, and the interpreter's oath significantly influence the interpreting process.
- (3) Interpreters can create new and small networks in order to get involved in the larger network by communicating with refugees and officers before the hearing since information about the case is not generally shared.
- (4) Actors, including WhatsApp groups with interpreters and calls from administrative staff, can influence the engagement of other participants in the network and shape their perceptions of the interpreter's role and responsibilities.
- (5) Personal characteristics of interpreters, such as being bilingual, meeting with refugees before and after the hearing, or officers asking them to find another interpreter can shape the actors' perceptions of the position and duties of interpreters.
- (6) The physical position of interpreter in the interpreting process, judges asking questions directly to interpreter, clerks expecting identity and address confirmation from interpreters can influence the actors' perceptions on the position and duties of interpreter.
- (7) Actors can ask refugees to speak slower or shorter, and thus they may be impactful on the interpreting process and actors' perceptions on the position and role of interpreters.

It can be concluded that human and non-human actors can have an impact on the interpreting process in the courts, thus, shape not only the interpreting activity, before and after the interpreting but also perception on the position and duty of the interpreter. The findings of this study are parallel with the study of Devaux (2016, 2017), which shows that court interpreters using video conferencing systems form temporary networks specific to each case, and the roles within these networks are renegotiated each time. The study suggests that the roles in interpreter networks adapt to the changes with the actors involved.

The conclusion of this study corroborates Brewis' findings (2019), which suggest that interpreters' actions are shaped by language policies and the prevailing norms of the time. The Syrian civil war and mass migration have influenced interpreters' roles, decisions, and methodologies when assisting refugees. Furthermore, norms such as the prohibition of document sharing with interpreters and the restriction of interpreting to essential points have impeded the integration of interpreting into networks and the establishment of new networks.

This study focusses on court interpretation performance within the Arabic-Turkish language pair from a sociological perspective. Further study may investigate various networks including educators, legal professionals, or SEGBİS. The networks including bilingual and monolingual interpreters, whether skilled or untrained, may be examined and contrasted. Eser asserts that for community interpreting to attain professional status in Türkiye, collaboration with stakeholders, including state institutions, associations, and higher education entities—akin to Australia—is essential for the sustainability of interpreting and translation services (2020, p. 129). A comprehensive examination of the networks and actors may elucidate the barriers, deficiencies, and impacts of various aspects on the process and the interpreter's role, facilitating the development of solutions, guidelines, and collaborative activities with relevant institutions.

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Second Author: Alev Bulut %40 (literature review, data collection and analysis, theoretical framework, discussion)

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