

Translation policies in Belgium during the French period (1792-1814). Legal and administrative texts

Caroline Ingelbeen & Michael Schreiber

Johannes Gutenberg-Universität Mainz-Germersheim

Abstract

In our paper we will present the outlines of a research project on the translation policy in Belgium during the so called French period, from 1792, when the Southern Netherlands were occupied for the first time, via 1795, when the territory was annexed by France, to 1814, the end of the French period in Belgium. The project, which is financed by the Deutsche Forschungsgemeinschaft and organized in cooperation with Lieven D'hulst (KU Leuven), focusses on the translation of administrative, legal and political texts from French into Flemish. According to the *opinio communis*, the period under consideration, especially from 1795 on, was strictly monolingual with French as the only language of administration and justice. We will argue that there was a 'covert multilingualism' that today is often ignored. There was a huge amount of official or semi-official bilingual texts. The translation was organized partly on the national level (in Paris, the *Bulletin des lois* was translated), partly on the regional or local levels (this is valid for shorter texts published by different authorities). We will present a part of these bilingual documents, focusing on legal and administrative texts. Some of the typical features of the translations will be illustrated in our paper.

Keywords

Translation policy, Belgium (French period), legal texts, administrative texts

1. Introduction

In this article we present the key features of a research project on the translation policy in Belgium during the so-called French period, from 1792, when the Southern Netherlands were occupied for the first time, through 1795, when the territory was annexed by France, to 1814, the end of the French Period in Belgium. The project, which has been financed by the *Deutsche Forschungsgemeinschaft* and organized in cooperation with Lieven D'hulst (KU Leuven), focusses on the translation of administrative, legal and political texts from French into Flemish (for an initial outline, see D'hulst & Schreiber, 2014).

According to the *opinio communis*, the period under consideration, especially from 1795 on, was strictly monolingual with French as the only language of administration and justice:

[...] la loi imposa partout le français. La justice fut rendue en français, l'enseignement secondaire fut donné en français, l'administration des départements et des villes fut française de langue.

(Stengers, 2000, pp. 166-167)

We will argue that there was a 'covert multilingualism' (see Schreiber, 2016), that is often ignored today because it does not fit into today's image of the French Period in Belgium. In fact, there was an enormous volume of bilingual official and semi-official texts. The translation was organized partly on the national level (in the Ministry of Justice in Paris, the *Bulletin des lois* was translated into the so called *Bulletin flamand*), partly on the regional or local levels (this applies to shorter texts published by different authorities, especially the *Départements* of the Flemish-speaking part of Belgium).

We will present a portion of these bilingual documents, found in several archives in Belgium and France. The regional focus is on texts from the Flemish-speaking *Départements* Escaut/Schelde, with its capital city of Ghent, and Lys/Leie, with Bruges. The texts are to be included in a database in order to be able to analyze them on different levels (e.g., terminology, collocations, text structure). Some of the typical features of the translations will be illustrated in our paper.

2. The project

The first phase of our research project, which started in April 2014, has consisted in the collection of bilingual documents written and translated during the period of the French Revolution and the Napoleonic Era. For this purpose, we visited several archives in France and Belgium to take photographs of the relevant texts. As these documents exist only in print form, we had to digitalize all texts which could give us more insight into the translation policy of that time. The digitization was done manually because the texts are not suited to automatic text recognition (the Flemish translations present too many graphical variants).¹

In a second phase, we will upload all of the digitized, bilingual documents to a database, called UePol that was created for this purpose.² The database will include photographs and the full text of the documents, bibliographical information like the date, institution and publisher, as

¹ In the period under consideration, Flemish was often treated as a language on its own, and not as a variety of Dutch. In our paper, we will use the term *Flemish* in this historical sense.

² URL: <http://uepol.zdv.uni-mainz.de/> (under construction). Our thanks go to Peter Gilles (University of Luxemburg) and his collaborators for the support in the creation of the database.

well as a short abstract of the document in question. With the database, we will be able to search efficiently through more than 1200 documents (bilingual texts) that we collected from archives in Beveren (335), Bruges (700), Brussels (80), Ghent (90) and Paris (50). The project focusses on individual translations published in Belgium. The *Bulletin flamand* is not included in our project because the digitization of this important collection (comprising about 300 volumes and several thousand pages) would be a project on its own.

With the financial assistance of the DFG (Deutsche Forschungsgemeinschaft), we have been able to undertake all of the steps necessary to develop this project, like trips to the most important archives, etc. We are also working hand in hand with our research partner Lieven D'hulst (KU Leuven) in Belgium, who has visited a number of local archives in Belgium and who has presented an analysis of the Flemish and Dutch translations of the *Bulletin des lois* (see D'hulst, 2015).

As the project is still in progress, it is difficult to present a comprehensive analysis. Not all documents have been digitized yet and an extensive investigation of existing translation strategies is not possible yet. However, we have been already able to assign the various texts to three categories: legal, administrative and political texts. Legal texts are mostly named as such (e.g. *loi, décret*). Administrative texts are often announcements which inform the people about an event or a decision. There is no sharp distinction between legal and administrative texts. Political texts are very often speeches which are supposed to convince the people of a certain vision, like, for example, the importance of going to war or to defend the values of the French Republic. For this publication we will focus on the legal and administrative texts.

The overall function of the translations was not to give the Flemish language an official status, but to propagate the messages of revolutionary France to Flemish-speaking citizens who often did not understand enough French.

3. Lexical level

On the lexical (or terminological) level, we first checked to see if there were terms, collocations or structures that occurred repeatedly in our corpus. In a further phase of the project, we will try to find out if these translations had an influence on the Flemish target language.

In our initial analysis, we distinguish three lexical categories: Gallicism (G), non-Gallicism (NG) and hybrid Gallicism (HG). Here are examples of each type:³

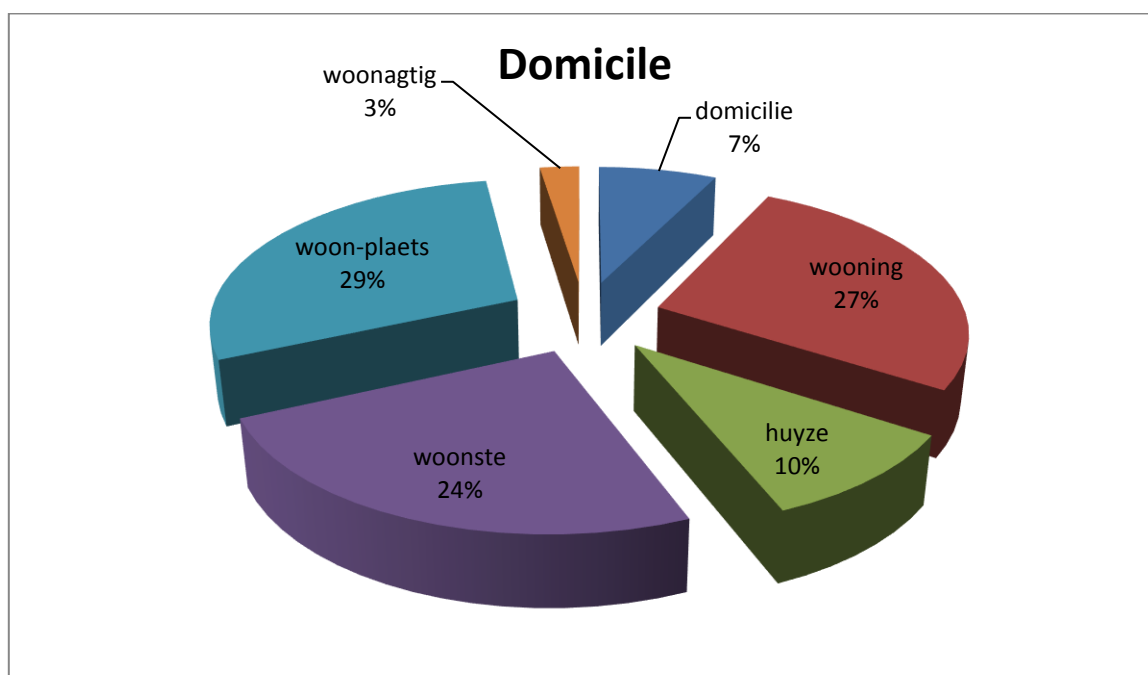
le Greffier du Tribunal Correctionnel	den Greffier van den Correctionneelen Tribunael (G)
déclare qu'il y a urgence	Verklaerd dat'er dringentheyd is (NG)
Assemblée électorale	electorale vergaderingen (HG)

Our first, limited research efforts also revealed to us a few words and collocations that occur repeatedly. While the French collocation is always the same, the Dutch translation varies occasionally, as in the following examples:

³ We reproduce the original orthography of the translations, which is mostly typical Flemish, but we will not discuss this issue here (for a detailed discussion see Rutten & Vosters, 2011).

Pour Copie conforme	<ol style="list-style-type: none"> 1. voor Copie conforme 2. voor overeenkomstige Copie 3. voor cotype conform 4. voor gelykvormige copie 5. voor gelykvormig afschrift
Pour Extrait conforme	<ol style="list-style-type: none"> 1. voor overeenkomstigen Uyttrek 2. voor gelykvormigen uyttrek 3. voor over-een-komstigen Uyttrek 4. voor over-een-komstig Extrait 5. voor gelykvormig extrait
Directoire exécutif	<ol style="list-style-type: none"> 1. uytwerkende Bestier 2. uytwerkende magt 3. uytwerkend directorie 4. uytvoerende Directorium 5. Directoir exécutif 6. Directorium exécutif
Les Représentans du Peuple	<ol style="list-style-type: none"> 1. de Verbeelders des Volkx 2. Representanten des volks 3. Volks-Representanten
Dispositions générales	<ol style="list-style-type: none"> 1. gemeyne schikkingen 2. gemeene schikkingen 3. algemeyne schikkingen

We also found a few legal terms and collocations that Caroline Ingelbeen had analyzed as part of her MA thesis on legal terminology in Belgium today (Ingelbeen, 2008). An example of a collocation is *au profit de* which occurs in many of the legal texts that we collected. We found three different translations for this collocation and one of them is currently the standard equivalent in legal texts in Belgium (*ten voordele van*). An example of a term is *domicile*. There are six different translations; two of them are still standard equivalents in legal texts (*woning, woonplaats*).



Of course, one should always take the context into consideration and in this phase of the project, it is too soon to make any conclusions about the correctness of the translation. In both cases, one of the translations was also a gallicism: *Ten profyte van* for *au profit de* and *domicilie* for *domicile*.

The greater variation in the target texts is evidence supporting the view that the target language (legal Flemish) was not yet standardized during this period. There are, however, also

words or collocations which are always translated the same way (stable equivalents) and which we still find in contemporary legal texts.

Ouï	Gehoord
Arrête ce qui suit	besluit het gene volgt
Déclare qu'il y a urgence	verklaerd dat'er dringentheyd is
Ordonne que	gebied dat

4. Structural level

Another important feature that can still be found in some legal and administrative texts in France and Belgium is the so-called *phrase unique*, the construction of a text (or a part of a text) in one long sentence (see Mimin, 1962; Krefeld, 1985; Schreiber, forthcoming-a). The most important part of texts of this type, e.g., a judgment, is the part called *motifs* (reasons, arguments). During the Ancien Régime, the normal case was the so-called *jugement non motivé*, where this part was absent. In 1790, the *jugement motivé* was introduced (Krefeld, 1985, p. 88). The historical model was the Roman formulary procedure. In revolutionary France, the argued judgments of the Cour de Cassation, founded in November 1790, became the model for other courts and institutions: "Les jugements de cassation offraient un modèle qui devait inciter progressivement les juges ordinaires à mieux motiver leurs décisions" (Halpérin, 1996, p. 255).

After the expansion of the French legal system to other European countries during the French Revolution and the Napoleonic Age (see Soleil, 2014), judgments of the French type can be found in other countries or regions, for example in Belgium and Italy (see Gorla, 1968, vol. 1, pp. 22-24). Even today, the French style can still be found in some legal and administrative texts of these two countries (see Conseil d'État, 2012, p. 97). We wonder if the early translations during the French period had an influence on the propagation of the French model in legal and administrative texts.

In the legal and administrative texts of our corpus, the *phrase unique* typically has the following structure:

Institution (e.g. Département)	Subject of the matrix clause
Legal norms ('visa'): <i>vu...</i>	Subordinate clause(s)
Arguments ('motifs'): <i>considérant que...</i>	Subordinate clause(s)
Verb (e.g. <i>arrête</i> "decides")	
Tenor (divided into articles) main clauses)	Object of the matrix clause (mostly formulated as

Let us now take a look at a bilingual example. The following text is an order (*arrêté*) of the central administration of the Département Escaut (Schelde) in Ghent from 21 messidor 7 (9 July 1799). We quote the *visa*, the *motifs* and the first two of 15 articles:

L'ADMINISTRATION CENTRALE du Département de l'Escaut,

Vu l'Arrêté du Directoire exécutif du 14 de ce mois, que lui a fait passer le Ministre des Finances, par lequel il est prescrit aux Administrations centrales des mesures pour parvenir à l'apurement des Contributions directes avant le premier Vendémiaire prochain, & à la prompte confection des Rôles définitifs de l'an 7 ;

Considérant que les motifs sur lesquels est basé cet Arrêté sont de la part du Directoire un grand désir de voir établir l'ordre dans la comptabilité des Contributions, & de maintenir dans les recouvrements cette ponctualité si nécessaire à l'entretien & la subsistance des Armées, au maintien de l'ordre public & celui du crédit général & particulier ;

Considérant que tous les amis de la chose publique ne peuvent qu'applaudir aux mesures qui peuvent tendre à un tel ordre de chose, & que c'est pour cette Administration centrale un devoir bien cher, d'adopter celles qui doivent remplir ce but ;

Revu ses diverses Circulaires aux Administrations de Canton, & les Arrêtés ayant pour objet le recouvrement des Contributions & la confection des Rôles définitifs de l'an 7,

Sur le rapport de son premier Bureau, & le Commissaire du Directoire exécutif entendu, ARRÊTE :

ARTICLE PREMIER.

L'Arrêté du Directoire exécutif du 14 Messidor sera imprimé dans les deux langues & envoyé aux Administrations de Canton, pour y être publié & affiché.

II. Les Commissaires répartiteurs de chaque Commune & nommés en exécution de la Loi du 3 Frimaire dernier, seront convoqués par l'Agent particulier des Contributions de leur Canton, qui leur signifiera l'Arrêté du Directoire ci-dessus mentionné, & particulièrement l'article II qui les oblige à s'assembler tous les jours pour s'occuper au moins pendant six heures de la rédaction des Matrices des Rôles des Contributions directes de l'an 7, ou des états de mutation.

[...]

DE CENTRAELE ADMINISTRATIE van het Departement van de Schelde,

Gezien het Besluit van het uytwerkende Directorie van den 14 dezer maend aen haer door den Minister der Finantien behandigt, in welke aen de Centraele Administratien maetregelen worden voorgeschreven, ten eynde van voor den eersten Vendemiaire aenstaende de volle afkwyting der directe Contributien en het volmaeken der definitive Rollen van het jaer 7 te bekomen;

In aendagt nemende dat de beweegredenen op welke dit Besluit is gevestigd, uytwyzen hoedaenig het Directorie begeert van een order te zien invoeren in de comptabiliteyt der Contributien en in deszelfs inzaemelingen te zien handhaven die nouwlettentheyd zoo noodig voor het onderhoud en de noodwendigheden der Legers en voor de standhouding van het publiek order en van het generael en het besonder crediet;

Overwegende dat alle de vrienden van het gemeyne-best maer kunnen toejuychen aen de maetregelen die tot dusdaenigen staet van zaeken strekken, en dat het voor deze

Administratie eene wel aengenaeme pligt is van werkstellig te maeken de gene die dit oogwit konnen bereyken;

Op nieuws gezien haere verscheyde Circulairen geschreven aen de Cantons-Administratien en haere Besluyten, voor oogmerk hebbende de inzaemeling der belastingen en het opmaeken der definitieve Rollen van het jaer 7,

Op het Rapport van haeren eersten Bureau en den Commissaris van de uytwerkende Magt gehoord, BESLUYT:

EERSTEN ARTIKEL.

Het Besluit van het uytwerkende Directorie van den 14 Messidor zal gedrukt in de twee taelen, toegezonden worden aen de Cantons-Administratien, om er afgekondigt en aengeplakt te zyn.

II. De Commmissarissen-Repartiteurs van elke Commune benoemt ingevolge de Wet van den 3 Frimaire laestleden, zullen byeen geroepen worden door den besonderen Agent der Contributien van hun Canton, den welken hun kennis zal geven van het voorengemeld Besluit van het Directorie, en wel besonderlyk van den II artikel, die hun beveelt van dagelyks te vergaederen en ten minsten geduerende zes uren te werken aen het opmaeken der vorms van de Rollen of van de staeten van mutatie.

[...]

(Archives nationales: F/1a/409)

Obviously, the translation is very literal. The structure was imitated even if the word order does not follow the normal conventions of Dutch syntax. There are only differences on the microstructural level: the connective *considérant (que)* has been rendered by two different equivalents: *in aendagt nemende (dat)* and *overwegende (dat)*. These two forms (with graphical variants) can be found in most translations of our corpus, *overwegende* being the more frequent form. Other expressions, e.g., *in agt nemende*, *aenmerkende*, *overdenkende dat* and the gallicism *considereerende*, can be found occasionally. The connective *vu* has been rendered literally by *gezien*. A more explicit variant that can be found in some texts is *gezien hebbende*. The form *revu* has been paraphrased by *op nieuws gezien*, other occasional variants are *herzien* and *overzien*.

The variants on the microstructural level confirm once again that the Flemish target language at that time was less standardized than the French source language.⁴ However, the *phrase-unique* macrostructure is maintained in all of the translations analyzed so far. This leads us to the question of whether these early translations could have had a lasting influence on the propagation of this structure in Belgian legal and administrative texts. This is one of the questions to be dealt with in the next phase of our research project.

5. Reference to bilingualism and translation

The first article of the order quoted above contains a reference to the administrative bilingualism in Belgium during the French period:

⁴ The Flemish (Dutch) language became definitely co-official with French in Belgium as lately as in 1898 (see Martyn, 2005, p. 281). Before that date, Flemish was nevertheless used in legal and administrative contexts, including during the French period.

L'Arrêté du Directoire exécutif du 14 Messidor sera imprimé dans les deux langues & envoyé aux Administrations de Canton, pour y être publié & affiché.

Het Besluit van het uytwerkende Directorie van den 14 Messidor zal gedrukt in de twee taelen, toegezonden worden aen de Cantons-Administratien, om er afgekondigt en aengeplakt te zyn.

The expression *dans les deux langues – in de twee taelen* can be found in many texts of our corpus. The use of the definite article and the omission of the language names (French, Flemish) could be interpreted here as a sign of the omnipresence of administrative bilingualism during the French period in Belgium. We could even raise the question if this expression did not imply a semi-official status for the Flemish language, even if *de jure* French was the only official language on the French territory.

While the reference to the bilingual impression of legal or administrative texts is very common in our corpus, the explicit mention of the act of translation occurs only occasionally. One of the rare texts that refer explicitly to translation is an order of the central administration of the Département Lys (Leie) from 2 Prairial 4 (21 May 1796) that begins as follows:

L'administration centrale du Département de la Lys, vu le rapport de son 3me. Bureau 2me. Section, et le Commissaire du Directoire exécutif entendu:

Arrête, la réimpression et traduction en langue flamande des Loix ci-après, dont la publication a été ordonnée dans les Départemens réunis.[...]

De Centraele Administraetie van het Departement der Leye, gezien hebbende het rapport van haer derde Komptoor tweede Sectie, en gehoord hebbende den Commissaris van het uytwerkende Bestier.

Besluit de herdrukking en overzetting in the vlaemsche taele van de onderstaende Wetten, welkens afkonding is geboden geweest in de vereenigden Departementen. [...]

(Stadsarchief Brugge: Plakkaten)

In this text, the Flemish language is explicitly mentioned as the target language of a translation from the French. In most cases, the translation direction can only be deduced from the layout: The French original is normally printed on the left side, and the translation on the right side.

Even when the act of translation is referred to, the translator him- or herself normally remains invisible. Last but not least, we would like to quote, as an exception of this rule, an example where the translator is explicitly mentioned. In the library of Ghent University, we found a printed version of a translated judgment, with the following title:

Sententie uytgesproken door den Criminelen Regtsbank van het Departement der Leye,

In daeten tweeden Fructidor elfste Jaer der Fransche Republyke, eene en onverdeelbar

Jegens

Ludovicus Baekelandt en zyne mede-pligtige;

Gedrukt nae de echte Vertaeling van den burger J. H. Annoot, Interprête.

Tot Brugge, By F. Van Eeck, Boekdrukker, in d'Hoog-straet.

Den 10 Brumaire Jahr XII. – 2 November 1803.

(University Library Ghent)

What is striking here is the reference to the authorized translation (*echte vertaling*) made by a court interpreter and the fact that the name of the interpreter-translator is mentioned in the title. This could be an evidence for the higher visibility of a court interpreter in comparison to a translator who works in the office of an administration. However, these impressionistic observations will have to be verified on the basis of a larger corpus of documents.

6. Conclusion

Even if the collection of bilingual texts in the Flemish Départements Schelde and Leie is not yet finished, we can state that the administration of Belgium during the French Period was not monolingual and that translation and bilingualism were not a marginal phenomenon.

Questions that will be dealt with in the next phases of our research project include the following: (a) did the translations into Flemish have an influence on the target language? This question includes the analysis of contrast corpora from the time before and after the French period; (b) how was the translation organized on the regional and local level? At present, we have more detailed information on the national translation policy (see Schreiber, forthcoming-b) than on regional or local translation policies.

Desiderata for further research include the following: (a) a digitization of the *Bulletin flamand* and other bilingual Bulletins, in order to get a basis for more comprehensive corpus research, and (b) a comparison of the translation policies in different countries or regions under French influence.

7. References

- Conseil d'État (2012). *Groupe de travail sur la rédaction des décisions de la juridiction administrative. Rapport, Avril 2012*. Paris: Conseil d'État.
- D'hulst, L. (2015). 'Localiser' des traductions nationales au tournant du XVIIIe siècle: le bulletin des lois en versions flamande et hollandaise sous la période française (1797-1813). In D. Dizdar, A. Gipper, & M. Schreiber (Eds.), *Übersetzung und Nationenbildung* (pp. 93-108). Berlin: Frank & Timme.
- D'hulst, L., & Schreiber, M. (2014). Vers une historiographie des politiques des traductions en Belgique durant la période française, *Target*, 26(1), 3-32.
- Gorla, G. (1968). *Lo stile delle sentenze. Ricerca storico-comparativa e testi commentati*. Rome: Foro Italiano.
- Halpérin, J.-L. (1996). Le juge et le jugement en France à l'époque révolutionnaire. In: R. Jacob (Ed.), *Le juge et le jugement dans les traditions juridiques européennes* (pp. 233-256). Paris: Librairie générale de droit et de jurisprudence.
- Ingelbeen, C. (2008). *Terminologische inconsistentie in Nederlandstalige arresten van het Hof van Cassatie* (unpublished Master's Thesis). Antwerp: Lessius Hogeschool.
- Krefeld, T. (1985). *Das französische Gerichtsurteil in linguistischer Sicht*. Tübingen: Narr.
- Martyn, G. (2005). Het Burgerlijk Wetboek en de evolutie van de 'Vlaamse' rechtstaal in België. In D. Heirbaut & G. Martyn (Eds.), *Napoleons nalatenschap. Tweehonderd jaar Burgerlijk Wetboek in België* (pp. 271-300). Mechelen: Kluwer.
- Mimin, P. (1962). *Le style des jugements*. Paris: Librairie de la Cour de Cassation.
- Rutten, G., & Vosters, R. (2011). Chaos and standards: Orthography in the Southern Netherlands (1720-1830). *Multilingua*, 29, 417-438.
- Schreiber, M. (2016). Covert multilingualism: The case of the translation policy in France and Belgium during the French Revolution and the Napoleonic era. *Across Languages and Cultures*, 17, 123-136.

- Schreiber, M. (forthcoming-a). *La phrase unique*: Die Ein-Satz-Struktur in Texten der Französischen Revolution und deren Übersetzungen. In W. Dahmen et al. (Eds.), *Sprachvergleich und Übersetzung. Die romanischen Sprachen im Kontrast zum Deutschen. Romanistisches Kolloquium XXIX*. Tübingen: Narr.
- Schreiber, M. (forthcoming-b). Zur Übersetzungspolitik der Französischen Revolution und der Napoleonischen Epoche. Am Beispiel von drei nationalen Übersetzungsbüros. In H. Aschenberg & S. Dessi Schmid (Eds.), *Romanische Sprachgeschichte und Übersetzung*. Heidelberg: Winter.
- Stengers, J. (2000). *Histoire du sentiment national en Belgique des origines à 1918. Les racines de la Belgique. Jusqu'à la Révolution de 1830* (Vol. 1). Brussels: Racine.



Caroline Ingelbeen
Johannes Gutenberg-Universität Mainz
Caroline.Ingelbeen@t-online.de



Michael Schreiber
Johannes Gutenberg-Universität Mainz
schreibm@uni-mainz.de

Biography Caroline Ingelbeen: Born in 1985 in Belgium. Master Translation in Antwerp (2008) and Master Conference Interpreting in Mainz-Germersheim (2012). Teaching experience in translation and simultaneous interpretation at Johannes Gutenberg-Universität Mainz. Since 2012: freelance translator and interpreter for Dutch, German and English.

Biography Michael Schreiber: Born in 1962. PhD in Mainz-Germersheim (1993). Habilitation in Heidelberg (1998). Teaching experience at universities in Heidelberg, Stuttgart, Cologne, Graz and Innsbruck. Since 2005: Professor for linguistics and translation studies (French and Italian), Mainz-Germersheim. Research interests: linguistic problems of translation, translation theory, history of translation.