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UKP (INDONESIAN TRANSLATORS' QUALIFICATION EXAM) IN RELATION TO LEGAL TRANSLATION PRACTICE IN INDONESIA

ITS HISTORY, ROLES, DEBATES AND CHALLENGES

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ABSTRACT

This paper aims to describe the history and roles of UKP (Indonesian Translators' Qualification Examination) in relation to legal translation practice in Indonesia and to discover the debates and challenges of this certification test. The method applied is a qualitative method, and the data were obtained from primary data via questionnaires and in-depth interviews, and from secondary data, such as from some published books, articles, and online sources. The results of the study are expected to provide a preliminary and comprehensive explanation of all matters related to UKP. As academic sources discussing this type of exam are not easily found, this paper could be one of the fruitful references on this topic.

KEYWORDS

UKP; certification; legal translation; examination.

Introduction

In most countries of the world, interpreting and translation are required for specific purposes, be it for international détente, trade negotiations or in community settings. However, outside Europe formal training courses and/or qualifications in interpreting and translation are very scarce. The result is that qualifications in interpreting and translation, particularly in community settings, have been carried out by speakers of two languages who are untrained interpreters and translators, and who perform these tasks on a voluntary basis. The results have been helpful in some cases, disastrous in others (Bell 1997, 93).

The situation described by Bell above is still more or less relevant today, especially when we refer to translation certification or accreditation. Some countries might require their translators to be accredited, whereas others may believe accreditation is optional, and even in many countries around the world there is no translation certification at all. In Europe, some countries, such as Germany, Italy, Norway, Poland, Spain, and Sweden, have a unified system of translation certification or accreditation to produce certified and/or

sworn translators (<http://www.penerjemah.cc/>), while UK and Belgium do not have a unified system, although there are systems of certification or accreditation in some places in that translators may be recognized by certain institutions (Proz.com). In America (the continent), Canada, Argentina, Mexico, Venezuela, and Brazil are the countries which require translators to pass some tests to become certified and/or sworn translators, whereas in the United States certification is just optional for translators and interpreters (Ibid.). Below is the quotation taken from the website which describes the situation of translation certification in the US.

In contrast to many other countries, in the United States there is no federal or state licensing or certification for translators. There are some credentials available to translators working in some language pairs in this country, but they do not carry the same weight-in the market place or in the translation community - as federal licensing or certification in other countries (Hipyen Nopri, Proz.com, posted April 16, 2007).

In Asian and Pacific countries, Australia has NAATI (National Accreditation Authority for Translators and Interpreters) which is the board for the only accepted qualification in Australia for the profession of interpreting and translation (Bell 1997, 96), and it is also available in New Zealand and Japan (Bell 1997, 103) since those countries do not have their own certification or accreditation. In China, currently there are two nationally recognized certification examinations (Jianjung Zhang, Yeasir Business Services, posted September 5, 2015). One is CATTI (China Accreditation Test for Translators and Interpreters, starting from 2003), and the other is NAETI (National Accreditation Examinations for Translators and Interpreters, starting from 2001) (Ibid.). In Indonesia, there was a translation certification called UKP. UKP is short for Ujian Kualifikasi Penerjemah (Translator's Qualification Exam) held in Jakarta, the capital city of Indonesia (located in Java Island), from 1981 to 2010. The research questions for this study are: How significant is UKP for legal translation practice in Indonesia? Is this test recognized by the people living outside Jakarta? Are there translation certifications in other areas of Indonesia?

To answer the questions, the paper will discuss further what UKP is, its history, its roles, debates, and challenges related to legal translation practice in Indonesia. Why legal translation? It is because a number of legal documents, such as business contracts, documents to be used as evidence in legal actions, birth and school certificates, and others, are required to be translated by sworn translators in this country (Admin, Telitikata Translocalize, posted November 2, 2010). However, other text types do not require to be translated by sworn or even certified translators (Indra Listyo, Bahtera Blog, entry posted August 27, 2009). Thus, UKP seems to have more significant roles in legal translation than in the translation of other text types.

Methodology

Since there have been a limited number of recorded sources, such as articles and books, to obtain data about UKP and about legal translation practice in Indonesia, the information has been acquired by sending two kinds of questionnaires, the first one to UKP participants living in Jakarta and in its satellite towns (Bogor, Bekasi, Tangerang, Depok), and the second one to translators and people working as foreign language teachers or lecturers living outside Jakarta. The choice of the respondents refers to those who know about translation in general, although they, the ones living outside Jakarta, may or may not have heard about UKP. Despite the fact that the questionnaire for UKP participants was sent to more than 50 people, with the help of the administration staff at the institution where UKP has been held, and the questionnaire for people living outside Jakarta was sent to more than 40 people to three major islands in Indonesia which are Java, Sumatra, and Sulawesi, since March 1, 2011, only twelve (12) were returned from Jakarta's respondents and eight (8) were from outside Jakarta, unfortunately. This low number of respondents might not give us significant results to picture the real points of view of UKP participants about UKP itself and to have the true

perception from people from outside Jakarta about UKP. However, this paper could be a preliminary research about UKP which requires further investigation. The questionnaires can be seen in Appendix 1.

To cover the lack of data and the small number of respondents returning the questionnaires, more information was obtained by interviewing the Head of PPP LBI (the Translation Center where UKP has been held) in 2011, the first Head of PP who was also a prominent figure of translation in Indonesia, the late Prof Dr Benny H. Hoed, and a senior administration staff of LBI. Moreover, some Internet websites containing some writing and discussions about UKP and legal translation provide assistance to give more thoughts in completing this paper. Based on the results, this paper will start with the history of UKP which is intertwined with the history of legal translation in Indonesia, and therefore the roles of UKP in legal translation practice shall be elucidated through the history. Furthermore, the discussion shall be continued to the debates and challenges faced by UKP from the first time it was held. In the end, the paper will be concluded with some recommendations for the improvement of UKP and the betterment of legal translation in Indonesia.

Result and Discussion

The History of Legal Translation

Indonesia was colonized by the Dutch for approximately 350 years and then by the Japanese for three and a half years. Then it proclaimed its independence on 17 August 1945. With the first president, Ir. Soekarno, until 1960s Indonesia was still chaotic and poor. Its economic condition was bad and underdeveloped because this young nation still had to face wars against the Dutch who wished to recolonize the country (from 1945 to 1950), against the rebellion movements in some islands which demanded separation from Indonesia (in the 1950s and the 1960s), and against PKI (a communist party) in 1965 (http://id.wikipedia.org/wiki/Sejarah_Indonesia). Political situation hampered other sector development. Hence, until 1965 there was no record of legal translation activity and translation certification in this country.

Afterwards, in Soeharto's era which was the New Order Era from 1966, the focus of the government was to improve and develop the economy of the country (Ibid.). Then, the Law no. 1 of the year 1967 (UU No 1/1967) on Foreign Capital Investment and other government regulations helped increase the legal document translation in Indonesia (Hoed 2009, 2). This happened because there were a lot of foreign companies starting to invest their capital in Indonesia and to run their business, especially in Jakarta, and they were required to have contracts, agreements, or MoU (Memorandum of Understanding) with the Central Government and/or the local government, in this case the Jakarta Provincial Government. The economic development and other sector development in Indonesia in this era were more centralized in Java Island, especially in Jakarta, creating a big disparity with other areas outside Java Island (Abida Mutaqqiena, History of Development Blog, posted June, 2004).

Those contracts, agreements, or MoU were originally in English (Hoed 2009, 2) and had to be translated into Indonesian so that there would not be a misunderstanding between the foreign party and Indonesian government. However, there was no law or any regulation which governed the rules to translate contracts or agreements into Indonesian from 1967 to 1990. Then, in 1991 there was the Decision of the Finance Minister no. 1169/KMK.01/1991 which requires the lease agreement be made in Indonesian (Ibid.). The Law no. 1 of the year 1995 (UU No 1/1995) on Limited Companies also requires the Articles of Association of a limited company be made in Indonesian (Ibid.). In 1997, the Decision of the Trade and Industry Minister no. 259/MPP/Kep/7/1997 on Franchise requires the franchise agreement be made in Indonesian (Ibid.).

The newest regulation is the Law no. 24 of the year 2009 in Article 31 which governs the obligation to use Indonesian in contracts or agreements between business parties (Bahar and Partners). Therefore, based on those regulations, any contracts or agreements in foreign languages must be translated into Indonesian, and the regulations also govern the obligation to use the service of authorized (or sworn) translators to do the translation (Hoed 2009, 2). The certified or authorized translators should be those who have passed the qualification exam conducted by a mandated institution (Ibid.). This is where UKP plays its roles.

The History and the Roles of UKP

Although the activity of legal translation started to grow in 1967, there was no record of translation certification from 1967 to 1979 to produce authorized or sworn translators in Indonesia. Then, in 1980, the Governor of Jakarta Province at that time, Mr Tjokropranolo, had an initiative to hold a translator's qualification exam cooperating with the Faculty of Letters, Universitas Indonesia (FSUI), whose Dean was Mr Gondomono. This initiative must have derived from the significant increase in the demand for authorized or sworn translators to translate legal documents (based on the interview with the late Prof Dr Benny H. Hoed). The agreement to cooperate between the Jakarta Provincial Government and FSUI was signed on October 18, 1980. The legal foundation of this agreement refers to the Staatsblad of the year 1894 No. 169 jo Staatsblaad 1938 No. 374 about the appointment and resignation of sworn foreign language translators who do not receive any salary from the State (Hoed 2009, 9). This regulation was from the Dutch colonization era and made by the Dutch, and it was a Decree of the Batavia Governor. The agreement of the cooperation to hold UKP is written in Indonesian, and it has no expiration date, which means FSUI was and has been the only institution administering the exam. The agreement can be seen in Appendix 2.

Based on this agreement, we could see the first role of UKP was to fulfill the demand for authorized or sworn translators in the society in light of the increase of foreign investment in Indonesia, especially in Jakarta, since 1967. The first coordinator to hold UKP was the late Prof Dr Maurits Simatupang, who was one of the fulltime teaching staff at the English Study Program, FSUI, and who was also appointed to be the Rector of UKI (Christian University of Indonesia) in Jakarta. He did not assemble a team to manage UKP; he worked by himself, and he allocated the test in UKI instead of in FSUI because of his position as the Rector of UKI, but the cooperation was still between FSUI and the Jakarta Provincial Government. This occurred from 1980 to 1990. In 1991, FSUI established PPPJ (Translation and Interpreting Education Program) to take over the administration of UKP, but Prof Dr Maurits Simatupang was still in charge as the coordinator of the test. The Head of PPPJ was the late Prof Dr Benny H. Hoed. From 1991 to 2010, the location of UKP was moved to FSUI in Depok, West Java. In 1994, PPPJ became PP (Translation Center) still under FSUI, and the Head of PP was still Prof Dr Benny H. Hoed.

From 1980 to 1994, UKP test was administered manually and the duration was around 3 hours, and the participants could choose any text to be translated; usually, there was only one text which had to be translated, and the language pairs available were English to Indonesian and Indonesian to English. The choices of the texts were legal documents, technical texts, and general texts (Hoed 2009,10). The assessment was also conducted manually with the standard grades of A from 80 to 100, B from 70 to 79, and C between 60 and 69 (Susan Kumaat, Bahtera Blog, entry posted August 12, 2009). Those who obtained a grade lower than C were considered failing, while those who earned the grades of A, B, and C would become sworn translators, even though the choice of the text they translated during the test was not legal documents. This led to an 'inflation' of sworn translators, as stated by Prof Dr Benny H. Hoed, and the quality of the sworn

translators at that time (in the 1990s) was very much doubted by the society, especially when they translated legal documents (Hoed 2009, 10).

To overcome this problem, in 1995 PP decided to change the system of UKP test. From this year, the test was divided into two kinds, the general translation test and the legal translation test. The participants could choose one of the tests or do both. The time to do the test remained the same, three hours for each kind of test, the test was still conducted manually, and the participants could look at any resources, printed and online resources, to help them do the translation; they could and should bring their laptop and printer if they wanted to work with computer. The general translation test required the participants to merely choose one general text from two choices given, and the legal translation test also required them just to translate a whole legal document which could be an agreement, a contract, or law from two choices of legal texts. The standard of the assessment used was the same as before. However, for participants passing the general translation test only, they would be given a certificate from Universitas Indonesia (UI), but they would not become sworn translators. Only those who took the legal translation test and who passed with A would be the sworn translators. Therefore, with this system change the number of participants who would become sworn translators was only 5% to 10% per year from hundreds who took the test (Susan Kumaat, Bahtera Blog, posted August 12, 2009). Thus, besides fulfilling the demand for authorized or sworn translators, UKP started to play another role as the quality control of the sworn and certified translators in Indonesia.

In addition, according to a senior administration staff of LBI, from 1994 there were more choices of language pairs for UKP test. Besides English-Indonesian and Indonesian-English, there were Arabic-Indonesian, Indonesian-Arabic, German-Indonesian, Indonesian German, Chinese-Indonesian, Indonesia-Chinese, Japanese-Indonesian, Indonesian-Japanese, French-Indonesian, Indonesian-French, Dutch-Indonesian, and Indonesian-Dutch. Nevertheless, the majority of the UKP participants always chose English-Indonesian and Indonesian-English language pairs for the test. The participants for the legal translation test were not only translators but also lawyers, yet it does not mean the number of those who passed was dominated by people working in the field of law. Since it has become harder and harder to pass the test as sworn translators, many translators and lawyers have joined some courses of legal translation. PP and very few other institutions in Jakarta have opened the legal and general translation courses for those who would like to take UKP since the 1990s. Hence, UKP has encouraged the establishment of courses and training of translation in Indonesia.

In 2008, PP was merged into LBI (International Language Institution) which is under FIB UI (the Faculty of Humanities of Universitas Indonesia, which changed the name from FSUI in 2002), and from 2008 to 2010 UKP system changed from manual to computer-based, which was pioneered by the Head of PPP LBI at that time, Ms Margaretha Adisoemarta, M.Hum. The test for the general translation offered the participants three choices of texts, which are a journalistic text, an academic text, and a speech, but they only needed to translate one of the texts. For the legal translation, there were two documents to be translated. The first one is an agreement, a contract, a regulation, or a law, and there are certain parts or paragraphs which have to be translated, not the whole document. The second one, all of which must be translated, is usually a subpoena, a decree, a power of attorney, or any short legal document. There are around 800 to 1000 words to be translated in three hours for each type of test. The participants could look at any printed resources or notes but were not allowed to browse into the internet or any electronic or online resources.

The assessment system of this computer-based UKP is also different from that of the manual UKP. There is only pass or fail in the new system. The participants were given rewards for the excellent translation for certain expressions, sentences, or phrases, and given penalty if they made mistakes; points of mistakes would be subtracted by points of rewards, and if the points of mistakes remained 20 or more, it would be

considered failing. To pass UKP of this system seemed to be more difficult at first, but the percentage of those who passed the legal translation was as low as that of the manual UKP, which was 5% to 10% per year (based on the interview with the administration staff of LBI), so the previous system had the same level of difficulty as the computerized system. One thing for sure, the use of computer for UKP encourages more application of technology in doing translation in Indonesia, which is another role played by UKP.

Based on the results of the questionnaires, two separate analyses were conducted for people living in Jakarta and its satellites cities and people living outside Jakarta. The questionnaire for people living in Jakarta and its surrounding areas (hereinafter referred to as Questionnaire A) consists of 11 questions answered by 12 respondents. For this section, questions 1 to 9 are relevant, while questions 10 and 11 are relevant for the next section. Question 1 of Questionnaire A asks what year the respondents took UKP test. The answers vary from 1994, 1997, 2000, 2002, 2004, 2005, 2006 (two respondents), 2008 (three respondents), to 2010. The second question asks how the respondents did the test, either manually or computer-based, and the answers are 7 manually and 5 computer based. Out of 12 respondents returning the questionnaire, six said they passed UKP and six failed UKP in the answer of question 3. The most reason for failing is that they were not ready or not well-prepared, whereas a few stated that the test was difficult (question 4).

Furthermore, for question 5, six respondents took the test once, and the other six took the test twice already (one out of these six people has taken the test three times for legal translation). The most reason for taking the test more than once (question 6) is because they just passed one language direction and wanted to pass the other language direction, while another reason is because they really wanted to become sworn translators. For questions 7 and 8 which ask whether they noticed the differences of their UKP test experience from the first to the second one or from the second to the third one, in terms of the place, the procedure, and the result announcement, the respondents replied that those remained the same. As for the test, most of them think that the latter test was more difficult than the former one they took, and a few of them experienced manual testing in their first attempt and computer-based testing in the second or third one. As for question 9 which asks whether the respondents prefer the manual or computer-based UKP, surprisingly the number of respondents preferring the manual UKP is the same as the number of those preferring the computer-based UKP. Some have never taken the manual UKP, and some have never taken the computerized UKP.

The questionnaire for people outside Jakarta (hereinafter referred to as Questionnaire B) consists of 8 questions, all of which are relevant for this section. Question 1 of this questionnaire asks whether the respondents have heard about UKP. Out of 8 respondents filling in and returning the questionnaire, five said yes, while three said no. Those who have known about UKP obtained the information from their institution, their friend, or their colleague (question 2). When they were asked about their opinion of UKP (question 3), five answered that the test is only held in Jakarta and for the people living there, while the rest answered that they do not know/care about UKP, and some think UKP is a good test for translators. Question 4 asks whether there has been or there is a similar test for translators like UKP in their area, and all the respondents answered no.

For question 5, three respondents chose to find any translator (not sworn translators) in their area to translate their legal or official documents, and other three respondents translated those themselves. The other two chose to find a sworn translator from Jakarta. Question 6 asks whether the respondents think UKP should be held outside Jakarta. Seven respondents absolutely agree with that as they think it is important to give a chance for translators all over Indonesia to be sworn translators, whereas there is one respondent from Aceh who disagrees with the idea, as he/she doubts the quality of UKP and the people who have passed this test. Questions 7 and 8 ask about the complaints the respondents have heard about the UKP administration in Jakarta. Three respondents stated they never heard any complaint. The other five respondents mentioned

several complaints, such as (1) being inconvenient and costly; (2) being unfair and exclusive; (3) being inefficient. The answers of Questionnaire B will be discussed further in the next section.

The Debates about and Challenges for UKP

Based on the results of Questionnaire A, all agree that UKP is very significant (only one answered significant) for legal translation practice in Indonesia (Questions 10 and 11). The reasons are, as summarized, (1) to ensure and measure the quality of the sworn translators so that they will be more recognized and have more bargaining power in their profession, (2) to set the standard for legal translation in Indonesia because wrong legal document translation has serious legal consequences, and (3) to fulfill the demand for sworn translators in accordance with some regulations which require legal documents be made in Indonesian. There is no doubt that all the reasons mentioned above about the significance of UKP are true to some extent. However, for point (1) we should ask ourselves whether there is a guarantee that anyone passing UKP and becoming a sworn translator would have an excellent quality in legal translation. To acquire expertise in translation in whatever texts, thousands and thousands of hours of practice is needed, and not merely proven by a three-hour test. According to Shreve, he states that professional or expert translators require ten years or ten thousand hours of practice (2002, 151). Even some translators' discussion forums in the internet, such as Bahtera Blog and Telikata Translocalize claim that there is no guarantee the translation made by sworn translators will be better than the one made by not sworn translators. Moreover, this UKP certification was given without an expiration date (Indra Listyo, Bahtera Blog, posted August 27, 2009), or there was no obligation for the sworn translators to retake the test. Thus, how could this certification ensure and control the quality of sworn translators?

As for point (2), Wolff states that "...a legal translation must weigh the text's legal implication" (2011, 235), so it is true there will be serious legal consequences if sworn translators make mistakes in their translation. In fact, they can be sued in court for that as they are sworn to do translation correctly (Hipyani Nopri, April 16, 2007). For point (3), based on the history of legal translation and the history of UKP, it is obvious that there has always been a high demand for sworn translators since 1967, but does the demand only occur in Jakarta? What about in other areas in Indonesia? Moreover, considering that all regulations mentioned in the history of legal translation section apply to all over Indonesia, and not just in Jakarta, which means all legal documents must be translated by an authorized or sworn translator, should there not be a translation certification like UKP conducted in other areas outside Jakarta? To answer these questions, we should look at the answers given by the people living outside Jakarta from Questionnaire B. From 8 people returning the questionnaire, two (2) are from Aceh, one (1) is from Palembang (both are in Sumatra Island), and five (5) are from Java and Bali Islands.

Although three respondents say they have never heard about UKP before, almost all (except one from Aceh) agree that UKP must be held outside Jakarta because (1) there is no similar test held in their region. UKP is the only translation certification in Indonesia (Indra Listyo, Bahtera Blog, posted August 27, 2009). Another reason is (2) those respondents think it is very costly to have their documents translated by sworn translators in Jakarta, which is far from where they live. There is an anecdote saying that the sworn translators cannot translate documents outside Jakarta and its satellite towns. However, based on the Decision of the Jakarta Provincial Governor for the sworn translators (see Appendix 3), there is no statement prohibiting them to work outside the capital city. The problem is perhaps most sworn translators prefer to work in Jakarta only since they live in Jakarta, and only people with Jakarta's ID can take UKP. However, there is

a website about sworn translators in Semarang, Central Java (posted by OXL), but certainly it is rare to find sworn translators working outside the capital city.

Another reason is (3) most respondents mentioned that because more people in some regions are getting scholarship abroad, the demand to have sworn translators to translate their documents, such as birth and school certificates, is increasing. So far, those people have translated their own legal documents or gone to the language center in their area to have them translated and authenticated by a civil registry office. Only two respondents from Java hired a sworn translator from Jakarta for the job. One respondent from Java claimed that it is unfair that UKP was only held in Jakarta, which shows exclusiveness, but one respondent from Aceh does not even think UKP is necessary to be held in his/her area, and he/she doubted the quality of the people who assess the results of UKP.

What do UKP participants and people working for the institution holding UKP say about UKP being held only in Jakarta? Some believe that because the legal foundation of UKP is the Decision of the Jakarta Provincial Governor no. 1319 of the year 1980 and that UKP is the initiative of the Jakarta Provincial Governor, it should be for only the citizens of Jakarta as they will be sworn by the Jakarta's Governor. Another reason they stated is there is no request from other provincial governments to hold such test, and perhaps there is no institution in other regions capable and ready to hold the test. On the other hand, some think that UKP should be for everyone in Indonesia and should not be limited only for Jakarta's citizens. One respondent highlights that the legal foundation to administer UKP actually refers to the Dutch's regulation (Staatsblad of the year 1894 No. 169 jo Staatsblad 1938 No. 374) which mentioned Gouverneur-Generaal (General Governor) of Hindia Belanda (referring to the Dutch colonized region, Indonesia) which is supposed to be equal to the President of Indonesia now, and not to the Governor of Jakarta. The discussion forum of HPI (Indonesian Translators' Association), (Susan Kumaat, Bahtera Blog, posted August 12, 2009), also discusses this matter and agrees that UKP should be held in other areas in Indonesia.

Unfortunately, UKP was discontinued by the Government of DKI Jakarta in 2010 with no official reason from the government. Some believe the reason is because the Government of DKI Jakarta was no longer willing to administer the inauguration of sworn translators as they were not the right party to hold such event. However, after 6 years of vacuum, the Ministry of Law and Human Rights (Kemenhukham) of the Republic of Indonesia enacted a Ministerial Regulation in August 2016. With this regulation, the Ministry plans to take over the inauguration of sworn translators. As for the UKP, FIB and LBI UI with the recommendation from Kemenhukham are in progress to re-administer the test soon in this year (2017). The test held by FIB and LBI UI is expected to be a pilot test for UKP test that will be held in several areas in Indonesia someday.

Conclusion and Recommendations

Considering its history, UKP has had some important roles to play, especially in the legal translation practice in Indonesia as it was commenced to fulfill the need for the authorized or sworn translators. As it continued to become the only translation certification in the country from 1980 to 2010, it remained being held only in the capital city for more than 30 years despite the growing demand for sworn translators in other regions. However, the Central Government of Indonesia via the Ministry of Law and Human Rights (Kemenhukham) has finally noticed the importance of UKP and sworn translators for legal translation activities in this country, so they plan to encourage many institutions to administer the test with Universitas Indonesia conducting the first UKP again in 2017 to set up an example before UKP will be held in other areas.

To deal with some challenges faced by UKP, such as not having the assurance of excellent quality of the sworn translators produced, this certification should have an expiration date, and it should require

the translators to retake the test every five (5) years just like NAATI accreditation. Another issue, such as the growing demand for sworn translators in other regions, should be handled by the governments and the institutions in those regions. They ought to have their own initiative to hold UKP by cooperating with the institution in Jakarta to begin with. Better yet, the Central Government should establish a national translation certification/accreditation to be allocated in several strategic cities and towns in Indonesia.

Furthermore, the research about UKP and its significance in translation practice in Indonesia needs to be carried out further with more respondents, more interview, and more time to gain more significant results, especially for other text type translation. The relationship between UKP and HPI should also be studied since in some countries it is the translation profession organization or association, such as ATA in US and CTTIC in Canada, which administers the test.

References

- Bahar and Partners. http://www.baharandpartners.com/news_detail.php?nID=1893 (accessed April 23, 2011).
- Bog Bahtera. <http://blog.bahtera.org/2009/08/ujian-kualifikasi-penerjemah/> (accessed April 19, 2011).
- _____. <http://blog.bahtera.org/2009/08/penerjemah-bersumpah/> (accessed April 19, 2011).
- Bell, Sherrill J. 1997. The challenges of setting and monitoring the standards of community interpreting. In *The critical link: Interpreter in the community*. Ed. Silvana E. Carr, Roda Roberts, Aideen Dufour, and Dini Steyn, 93–108. Amsterdam/Philadelphia: John Benjamins Publishing Company.
- CTTIC Edu. <http://www.cttic.org/certification.asp> (accessed April 16, 2011).
- Encyclopaedia Britannica. <http://www.britannica.com/bsp/additionalcontent/18/33933028/China-Accreditation-Test-for-Translators-and-Interpreters> (accessed April 16, 2011).
- History of Development. <http://muttaqiena.blogspot.com/2008/06/analisa-sejarah-perekonomian-indonesia.html> (accessed on April 23, 2011).
- Hoed, Rahayuningsih, S.S., S.H., LL.M. 2009. *Penerjemahan Teks Hukum: Masalah dan Cara Mengatasinya (Legal Text Translation: Problems and Methods to Deal with)*. Published by Makarim & Taira S Law Firm (for internal trainings).
- Keputusan Menteri Keuangan Republik Indonesia Nomor 1169/KMK.01/1991 tanggal 27 November 1991 tentang Kegiatan Sewa Guna Usaha (*leasing*) (Decision of the Finance Minister no. 1169/KMK.01/1991).
- Keputusan Gubernur Kepala Daerah Khusus Ibukota Jakarta Nomor 1319 Tahun 1980 tentang Penunjukan Fakultas Sastra Universitas Indonesia sebagai Penguji Bahasa bagi Para Calon Penerjemah Bahasa Asing yang Disumpah dan Tidak Menerima Gaji dari Pemerintah/Negara (Decision of the Jakarta Provincial Governor no. 1319 of the year 1980).
- Keputusan Menteri Perindustrian dan Perdagangan Republik Indonesia Nomor: 259/MPP/Kep/7/1997 Tanggal 30 Juli 1997 tentang Ketentuan dan Tata Cara Pelaksanaan Pendaftaran Usaha Waralaba (Decision of the Trade and Industry Minister no. 259/MPP/Kep/7/1997 on Franchise).
- <http://www.penerjemah.cc/> (accessed on April 18, 2011).
- OLX. <http://semarang.olx.co.id/pictures/biro-jasa-penerjemah-tersumpah-di-semarang-smarttrans-service-iid-97939390> (accessed on April 18, 2011).
- Proz.com. http://www.proz.com/forum/translators_associations/38224certified_sworn_translators_around_the_world.html (accessed April 16, 2011).
- _____. <http://www.proz.com/translation-articles/articles/1774/1/Penerjemah-Tersumpah-atau-Terjemahan-Tersumpah%3F-/print/1774> (accessed April 19, 2011)

- Shreve, Gregory M. 2002. Knowing translation: Cognitive and experiential aspects of translation expertise from the perspective of expertise studies. In *Translation studies: Perspectives on an emerging discipline*. Ed. A. Riccardi, 150–171. Cambridge: Cambridge University Press.
- Staatsblad of the year 1894 No. 169 jo Staatsblaad 1938 No. 374 about the appointment and resignation of sworn foreign language translators who do not receive any salary from the State
- Telitikata Translocalize. <http://telitikata.com/category/artikel-tentang-penerjemahan/> (accessed April 19, 2011).
- Undang-undang Republik Indonesia Nomor 1 Tahun 1967 tentang Penanaman Modal Asing (Law no. 1 of the year 1967 (UU No. 1/1967) on Foreign Capital Investment).
- Undang-undang Republik Indonesia Nomor 1 Tahun 1995 tentang Perseroan Terbatas (Law no. 1 of the year 1995 (UU No. 1/1995) on Limited Companies).
- Undang-Undang Nomor 24 Tahun 2009 tentang Bendera, Bahasa, dan Lambang Negara serta Lagu Kebangsaan (Law no. 24 of the year 2009 (UU No. 24/2009) on National Flag, Language, Symbol, and Anthem).
- Wikipedia. http://id.wikipedia.org/wiki/Sejarah_Indonesia (accessed April 22, 2011).
- Wolff, Leon. 2011. Legal translation. In *The Oxford handbook of translation studies*. Ed. Kirsten Malmkjaer and Kevin Windle, 228–242. Oxford: Oxford University Press.
- Yeastir Business Services. <http://www.yeastir.com/blog/2006/11/certification-programs-in-china/> (accessed April 16, 2011).

APPENDIX 1**THE QUESTIONNAIRES**

The Questionnaire for People Living in Jakarta and its Suburbs

1. In what year did you take UKP for the first time?
2. How did you do the test?
 - a. Manually
 - b. Computerized
3. Did you pass?
4. If you failed, what do you think was the reason?
 - a. I was not ready.
 - b. There was not enough time.
 - c. The test was very difficult.
 - d. Others: _____
5. How many times have you taken UKP?
 - a. Once
 - b. Twice
 - c. Three times
 - d. More than 3 times
6. If you have taken UKP more than once, please explain why.
 - a. I failed and want to pass the test.
 - b. I passed one language direction, and wanted to pass in the other language direction.
 - c. Others: _____
7. Have you noticed any differences from your first UKP experience to the second?

The place:

The procedure:

The test:

The result announcement:
8. What about the differences from the second to the third?

The place:

The procedure:

The test:

The result announcement:
9. Do you prefer the manual or computerized UKP? Please explain why.
 - a. Advantages of manual UKP:
 - b. Disadvantages of manual UKP:
 - c. Advantages of computerized UKP:
 - d. Disadvantages of computerized UKP:

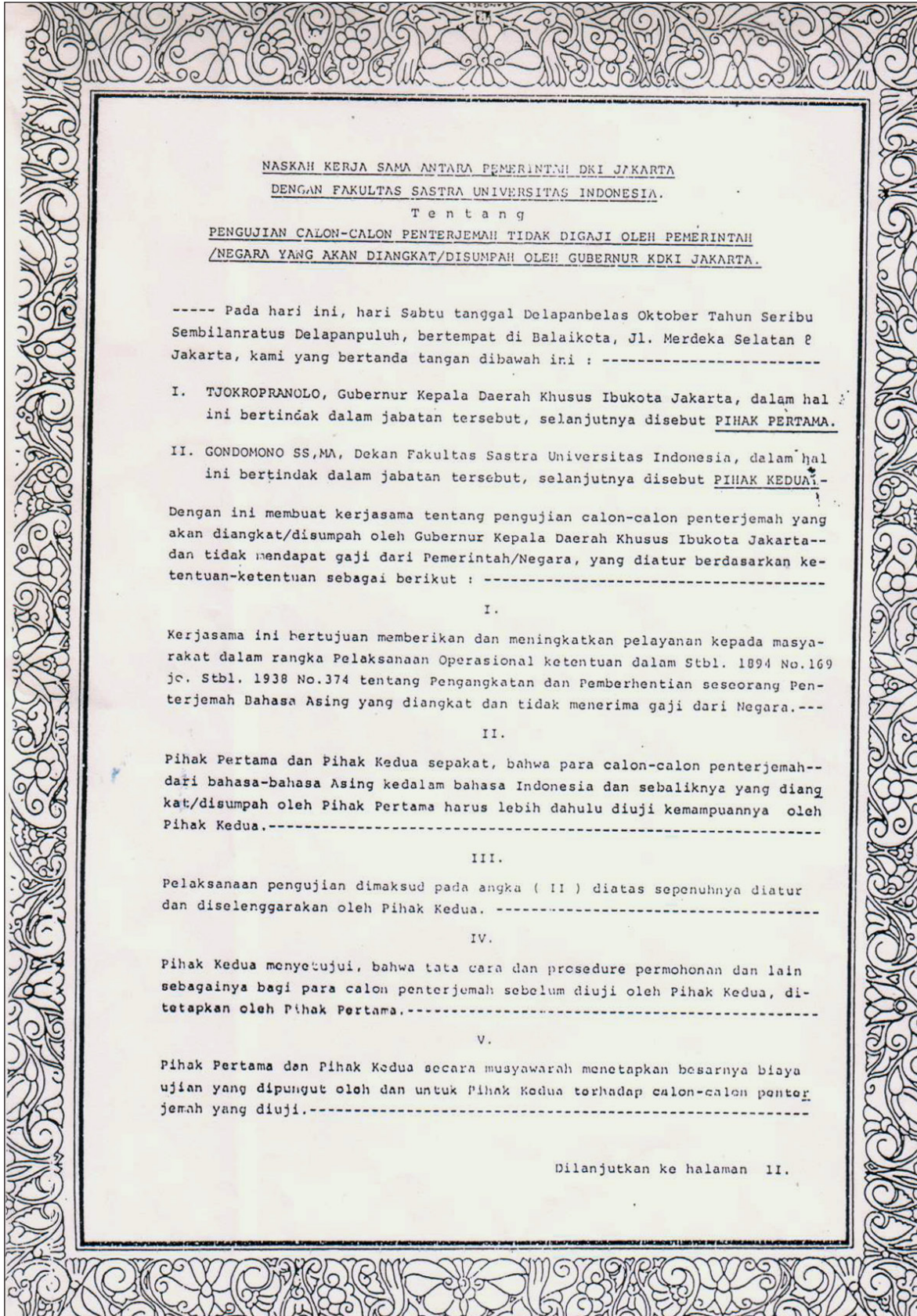
10. In your own opinion, what is the significance of UKP toward the legal translation practice in Indonesia?
 - a. Very significant
 - b. Significant
 - c. Not significant
 - d. Not very significant
11. Please explain your response to question 10.

Questionnaire for People Living outside Jakarta and its Suburbs

1. Have you ever heard about UKP (Ujian Kualifikasi Penerjemah)?
2. How have you heard it?
 - a. From the institution where I work
 - b. From an acquaintance in Jakarta
 - c. Others: _____
3. What is your opinion of UKP? (You can choose more than one)
 - a. It is a good test for translators.
 - b. I don't know
 - c. I don't care
 - d. It is a bad test for translators
 - e. It is only held in Jakarta and only for people living there
 - f. It should be for everyone in Indonesia
 - g. Others: _____
4. Has there been or is there a similar test for translators to obtain certification, especially in legal translation, in your area? If yes, please name the test.
5. If your official documents needed to be translated by a sworn translator, what would you do?
 - a. just find any translator (not a sworn translator) in your area
 - b. find a sworn translator from Jakarta
 - c. translate it yourself
 - d. Others: _____
6. Do you think UKP should also be held outside Jakarta? Explain your answer.
7. What have you heard so far about the complaints for UKP only being held in the capital city?
8. Could you specify the year of the emergence of the complaints?

APPENDIX 2

THE AGREEMENT BETWEEN JAKARTA PROVINCIAL GOVERNMENT AND FSUI



Halaman II.

VI.

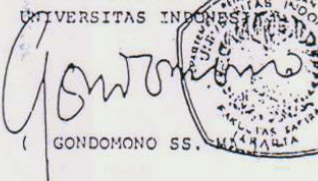

Selambat-lambatnya dalam waktu 10 (sepuluh) hari setelah pengujian dilakukan Pihak Kedua sudah harus mengirimkan hasil pengujian para calon-calon penterjemah termaksud diatas kepada Pihak Pertama dengan disertai penjelasan penjelasan yang perlu menjadi bahan pertimbangan bagi pihak Pertama untuk pengangkatan dan penyempahan para calon penterjemah yang telah diuji.-----



VII.

Perubahan, penambahan atau perluasan serta pembatalan tidak sebahagian atau keseluruhan dari pokok-pokok persetujuan kerjasama ini termasuk program pelaksanaannya akan dimusyawarahkan serta dilaksanakan setelah dimufakati oleh kedua belah pihak. -----

VIII.

Kerjasama antara Pemerintah DKI Jakarta dan Fakultas Sastra Universitas -- Indonesia dinyatakan berlaku sejak tanggal Naskah Kerjasama ini ditanda -- tangani oleh kedua belah pihak.-----

DEKAN FAKULTAS SASTRAS
UNIVERSITAS INDONESIA

(GONDOMONO SS.)


GUBERNUR KEPALA DAERAH KHUSUS
BUKOTA JAKARTA,

(TJOKRPRANOLO. -)




*Gubernur Provinsi Daerah Khusus
Ibukota Jakarta*

KEPUTUSAN GUBERNUR PROVINSI DAERAH KHUSUS
IBUKOTA JAKARTA

NOMOR 1836/2009

TENTANG

PENGANGKATAN PENERJEMAH BAHASA ARAB-INDONESIA, INGGRIS-INDONESIA,
JEPANG-INDONESIA, INDONESIA-ARAB, INDONESIA-INGGRIS, YANG BERSUMPAH
DAN TIDAK MENERIMA GAJI ATAU PENGHASILAN DARI PEMERINTAH/NEGARA

DENGAN RAHMAT TUHAN YANG MAHA ESA

GUBERNUR PROVINSI DAERAH KHUSUS IBUKOTA JAKARTA,

- Menimbang :
- a. bahwa berdasarkan Hasil Ujian Kualifikasi Penerjemah 2008 yang telah dilaksanakan oleh Fakultas Ilmu Pengetahuan Budaya Universitas Indonesia tanggal 4 Agustus 2009, ditetapkan nama-nama penerjemah yang telah memenuhi syarat dan dianggap cakap untuk menjadi penerjemah bersumpah;
 - b. bahwa berdasarkan pertimbangan sebagaimana dimaksud pada huruf a, perlu menetapkan Keputusan Gubernur tentang Pengangkatan Penerjemah Bahasa Arab-Indonesia, Inggris-Indonesia, Jepang-Indonesia, Indonesia-Arab, Indonesia-Inggris yang bersumpah dan tidak menerima gaji atau penghasilan dari Pemerintah/Negara;
- Mengingat :
1. Undang-Undang Nomor 10 Tahun 2004 tentang Pembentukan Peraturan Perundang-undangan;
 2. Undang-Undang Nomor 32 Tahun 2004 tentang Pemerintahan Daerah sebagaimana telah beberapa kali diubah terakhir dengan Undang-Undang Nomor 12 Tahun 2008;
 3. Undang-Undang Nomor 29 Tahun 2007 tentang Pemerintahan Provinsi Daerah Khusus Ibukota Jakarta sebagai Ibukota Negara Kesatuan Republik Indonesia;
 4. Peraturan Daerah Nomor 10 Tahun 2008 tentang Organisasi Perangkat Daerah;
 5. Keputusan Gubernur Nomor 1319 Tahun 1980 tentang Perunjukan Fakultas Sastra Universitas Indonesia sebagai Penguji Bahasa bagi Para Calon Penerjemah Bahasa Asing yang Disumpah dan Tidak Menerima Gaji dari Pemerintah/Negara;
 6. Keputusan Gubernur Nomor 444 Tahun 1996 tentang Penetapan Besarnya Biaya Ujian bagi Para Penerjemah Bahasa Asing yang Bersumpah dan Tidak Menerima Gaji dari Pemerintah/Negara;

2

7. Keputusan Gubernur Nomor 104 Tahun 2004 tentang Persyaratan bagi Penerjemah Bersumpah yang Tidak Menerima Gaji dari Pemerintah/Negara di Propinsi Daerah Khusus Ibukota Jakarta;

MEMUTUSKAN :

- Menetapkan : KEPUTUSAN GUBERNUR TENTANG PENGANGKATAN PENERJEMAH BAHASA ARAB-INDONESIA, INGGRIS-INDONESIA, JEPANG-INDONESIA, INDONESIA-ARAB, INDONESIA-INGGRIS, YANG BERSUMPAH DAN TIDAK MENERIMA GAJI ATAU PENGHASILAN DARI PEMERINTAH/NEGARA.
- KESATU : Mengangkat Penerjemah Bersumpah Bahasa Arab-Indonesia, Inggris-Indonesia, Jepang-Indonesia, Indonesia-Arab, Indonesia-Inggris yang bersumpah dan tidak menerima gaji atau penghasilan dari Pemerintah/Negara yang nama-namanya sebagaimana tercantum dalam Lampiran Keputusan Gubernur ini.
- KEDUA : Penerjemah sebagaimana dimaksud pada diktum KESATU sebelum melaksanakan tugas terlebih dahulu melakukan sumpah di hadapan Gubernur atau Pejabat yang ditunjuk.
- KETIGA : Keputusan Gubernur ini mulai berlaku pada tanggal ditetapkan.

Ditetapkan di Jakarta
pada tanggal 8 Desember 2009

GUBERNUR PROVINSI DAERAH KHUSUS
IBUKOTA JAKARTA



Tembusan :

1. Menteri Sekretaris Negara
2. Menteri Dalam Negeri
3. Menteri Hukum dan HAM
4. Menteri Pendidikan Nasional
5. Menteri Luar Negeri
6. Rektor Universitas Indonesia
7. Pangdam Jaya
8. Kapolda Metro Jaya
9. Kepala Kejaksaan Tinggi Provinsi DKI Jakarta
10. Ketua DPRD Provinsi DKI Jakarta
11. Wakil Gubernur Provinsi DKI Jakarta
12. Sekretaris Daerah Provinsi DKI Jakarta
13. Para Asisten Sekda Provinsi DKI Jakarta
14. Inspektur Provinsi DKI Jakarta
15. Para Kepala Badan Provinsi DKI Jakarta
16. Para Kepala Kantor Wilayah di Lingkungan Pemerintah Provinsi DKI Jakarta
17. Dekan Fakultas Ilmu Pengetahuan Budaya Universitas Indonesia
18. Kepala Pusat Penerjemah Fakultas Ilmu Pengetahuan Budaya Universitas Indonesia
19. Para Walikota Provinsi DKI Jakarta
20. Bupati Kabupaten Administrasi Kepulauan Seribu Provinsi DKI Jakarta
21. Para Kepala Dinas Provinsi DKI Jakarta
22. Kepala Satuan Polisi Pamong Praja Provinsi DKI Jakarta
23. Para Kepala Biro Setda Provinsi DKI Jakarta
24. Para Inspektur Pembantu/Kepala Kantor Provinsi DKI Jakarta
25. Para Camat Provinsi DKI Jakarta
26. Para Lurah Provinsi DKI Jakarta