Self-care Ethics
Towards Enhancing the Translator's Agency and Symbolic Recognition

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Abstract

The late 20th century attempts at the professionalization[1] of translation as a modern system – with professional associations as its organizing institutions – have been accompanied by the 'need' to codify and regulate ethical issues. The purpose of this process of 'professionalization' and, by extension, ethics codification as a part of that process, is to reduce doubt and uncertainty between the different agents involved in the translation occupation, on the one hand, and impose the translator's recognition, on the other hand – as we learn from the sociology of professions. Within this context, a number of translator associations have created codes of ethics[2], adopting a deontological approach based on *a priori* principles. Precise solutions have been proposed in these documents to respond to the ethical issues that arise in translation.

This thesis argues that these solutions are problematic as they may not only ignore the complex nature of ethical encounters but may also impact on the translator's empowerment. The study demonstrates how codes of ethics – supposedly one of the traits of *professionalism*, which is equated with symbolic recognition and self-control of one's occupation in the sociology of professions – may be *internal* sites where a low status of the translator is reinforced and an *external* control is discerned. Also, the thesis shows how in the name of ethics, these documents may be sites where 'ethics' function as ideologies of alienation and where the translator's ethics *per se* are neutralized. It also examines how codes may impact on those beyond the circle of translation, as a consequence.

Drawing on Pierre Bourdieu's and Zygmunt Bauman's sociologies, the current project investigates the codes/charter of ethics of a selection of national/provincial and international associations, in addition to the UNESCO *Nairobi Recommendation*, in order to find out how they impact on the translator's *capital* and *moral self*. Drawing on Michel Foucault's notion of *Epimeleia Heautou* (self-care) and transformative learning theory, the study proposes alternative ethics to the current codes of ethics.

Keywords: capital, code of ethics, moral self, professionalization, self-care, transformative learning, translator association

[1] I will still be using the mainstream terms, 'profession', 'professional', 'professionalism', 'professionalization' in scare quotes. I will be using *profession*, *professional*, *professionalism*, *professionalization* (without scare quotes) only when an occupation is under the power or control of practitioners. The latter understanding/use of the terms will be discussed at length in Chapter 1 of Part I.

[2] I will be using the term 'codes' or 'codes of ethics' to refer to codes of ethics and codes of 'professional' conduct.

Résumé

Les tentatives de professionnalisation[3] de la traduction à la fin du XXe siècle en tant que système moderne, avec des associations professionnelles comme institutions organisatrices, se sont accompagnées de la " nécessité " de codifier et de réglementer les questions éthiques. Le but de ce processus de " professionnalisation " et, par extension, de la codification de l'éthique en tant que partie de ce processus, est de réduire le doute et l'incertitude entre les différents agents impliqués dans le métier de la traduction, d'une part, et d'imposer la reconnaissance du traducteur, d'autre part, comme nous l'apprend la sociologie des professions. Dans ce contexte, plusieurs associations de traducteurs ont créé des codes de déontologie[4], adoptant une approche déontologique basée sur des principes *a priori*. Des solutions précises ont été proposées dans ces documents pour répondre aux questions éthiques qui se posent dans la/en traduction.

Cette thèse soutient que ces solutions sont problématiques car elles peuvent non seulement ignorer la nature complexe des rencontres éthiques mais peuvent également avoir un impact sur l'autonomisation du traducteur. L'étude démontre comment les codes de déontologie, censés être l'un des traits du professionnalisme, qui est assimilé à la reconnaissance symbolique et à l'autonomie/autocontrôle de son occupation dans la sociologie des professions, peuvent être des sites internes où le statut inférieur du traducteur est renforcé et où un contrôle externe est discerné. La thèse montre également comment, au nom de l'éthique, ces documents peuvent être des sites où l'"éthique" fonctionne comme des idéologies de l'aliénation et où l'éthique du traducteur en soi est neutralisée. Elle examine également comment les codes peuvent avoir un impact sur ceux qui se trouvent au-delà du cercle de la traduction, en conséquence.

En s'appuyant sur les sociologies de Pierre Bourdieu et de Zygmunt Bauman, le projet actuel étudie les codes/charte d'éthique d'une sélection d'associations nationales/provinciales et internationales, en plus de la Recommandation de Nairobi de l'UNESCO, afin de découvrir leur impact sur le *capital* et le *moi moral* du traducteur. S'inspirant de la notion d'*Epimeleia Heautou* (souci de soi) de Michel Foucault et de la théorie de l'apprentissage transformateur, l'étude propose une éthique alternative aux codes de déontologie actuels.

Mots-clés : apprentissage transformateur ; associations de traducteur ; capital ; code de déontologie ; moi moral ; professionnalisation ; souci de soi

[3] J'utiliserai les termes courants, " profession ", " professionnel ", " professionnalisme ", " professionnalisation ", entre guillemets. J'utiliserai les termes *profession*, *professionnel*, *professionnalisme*, *professionnalisation* (sans guillemets) uniquement lorsqu'une occupation est sous le contrôle des praticiens. Cette dernière compréhension/utilisation des termes sera discutée en détail dans le chapitre 1 de la première partie.

[4] J'utiliserai le terme « codes » ou « codes de déontologie » pour désigner les codes de déontologie et les codes de conduite « professionnelle ».

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Abbreviations and Acronyms

APTIC	Association of Professional Translators and Interpreters of Cameroon
ASTRA	Association sénégalaise des traducteurs
	[Senegalese Association of Translators]
ATA	American Translators Association
ATIO	Association of Translators and Interpreters of Ontario
ATIPCO	Association de traducteurs et interprètes professionnels du Congo
	[the Association of Professional Translators and Interpreters of Congo]
ATPP	Asociación de Traductores Profesionales del Perú
	[Peruvian Association of Professional Translators].
AUSIT	Australian Institute of Interpreters and Translators
BDÜ	Bundesverband der Dolmetscher und Übersetzer e.V.
	[Federal Association of Interpreters and Translators]
BoPC	Board of Professional Conduct
CAT	Computer-Assisted Translation
CBC	Canadian Broadcasting Corporation
CIOL	British Chartered Institute of Linguists
CRAL	Regional Center Latin America
CTP	Colegio de Traductores del Perú
	[Peruvian Translators Association]
CTTIC	Canadian Translators, Terminologists and Interpreters Council
DA	Droit d'Auteur
DTS	Descriptive Translation Studies
EU	European Union
EULITA	European Legal Interpreters and Translators Association
FIT	Fédération Internationale des Traducteurs
	[International Federation of Translators]
G20	Group of Twenty
HAIT	Higher Arab Institute for Translation
IAFET	International Association for Egyptian Translators
ID	Identification

ISO	International Organization for Standardization
ITAINDIA	Indian Translators Association
MEMRI	Middle East Media Research Institute
MENA	Middle East and North Africa
MT	Machine Translation
NAATI	National Accreditation Authority for Translators and Interpreters
NATO	North Atlantic Treaty Organization
NZSTI	New Zealand Society of Translators and Interpreters
OTAN	Organisation du traité de l'Atlantique nord [North Atlantic Treaty Organization]
OTTIAQ	Ordre des traducteurs, terminologues et interprètes agréés du Québec [Québec Certified Translators, Terminologists and Interpreters Association]
RID	Registry of Interpreter of the Deaf
SATI	South African Translators' Institute
SFT	Société française des traducteurs [French Society of Translators]
ST	Source Text
TL	Target Language
TM	Translation Memory
TS	Translation Studies
TT	Target Text
TTR	Traduction, Terminologie, Rédaction
UN	United Nations
UNAPL	Union Nationale des Professions Libérales [National Union of Liberal Professions]
UNESCO	United Nations Educational, Scientific and Cultural Organization
WIPO	World Intellectual Property Organization

Introduction

0.1. Background

In 1987, the communication theorist, philosopher and psychologist, Paul Watzlawick[5], opens a speech at the Evangelic mission of the Stuttgart hospital with a French anecdote. The story he tells his audience is about a French couple who desperately wanted to have a baby, but in vain. As time passed by, and the couple finally lost all hope to become parents, to their astonishment, the woman got pregnant. A baby boy was born nine months later. They were so thrilled that they wanted to give him a name that reflected their bliss. Hence, they decided to name him 'Formidable' [Great][6]. Unfortunately, as the boy grew up, he remained small and weak. His whole life was an awful journey in which he suffered from harmful jokes due to the contrast between his name and his shape. When he was dying, he asked his wife not to put his name on his gravestone. After his death, his wife – having had a happy life with the man – wrote: "here lies a man who has been faithful to his wife all through his life." Everyone who passed by his grave since then and read the note would say: "tiens, c'est formidable!" [Oh, this is great!]

The story is about "when the solution is the problem." It demonstrates that apparent good/ethical intentions or decisions (such as the wife's decision not to write her husband's name on his gravestone but to write a phrase praising him, instead) are ambivalent, in the sense that their positive outcome is never certain, guaranteed or stable (as I will thoroughly discuss later on, drawing on Bauman (1993, 1994, 2003a/1995, 2003b, 2007, 2008)). Thus, what is seemingly a good/ethical solution may create other problems that may be even be more complex than the initial problem.

[5] https://www.youtube.com/watch?v=7etsh4HwG78 /Accessed on June 3, 2018.
[6] All translations from French into English in this dissertation are mine unless stated otherwise.

In the long history of translation, translators and translation critics/theorists have always debated about the right way to translate and the solution(s) to translation problems – which can often be seen as ethical problems or dilemmas. The age-old debate about literal vs. free translation has, at least partly, been a debate about ethics. The implicit questions triggered by translation have always been: is it ethical to translate literally or freely? How can the text be represented? How close to the source text (ST) does a translation need to be? How can the divine spirit of a text be transmitted? Etcetera. In Europe, whether translation should be understood and practised as a word-for-word or a sense-for-sense rendering of a source text into a target language is as old a debate as recorded intercultural communication history. At least since Cicero, the issue has not ceased to be at the heart of all discussions of communication between cultures over time and space. But this debate has rarely touched deeper ethical matters that lie beyond immediate textual content and the alleged sacred nature of some texts. Besides, it has always overlooked the complex nature of translation and the difficulty of adopting one approach or the other independently of socio-political and cultural contexts in which the translation occurs and with no regard for the uniqueness of each translational/ethical event.

The dichotomous debate that often implies the wholesale embracing of one side of the dichotomy and the rejection of its opposite has developed in recent Translation Studies (TS) literature into other binarisms that are not less problematic, at least from an ethical perspective. These involve, to name a few, foreignization vs. domestication, source vs. target, adequacy vs. acceptability, original vs. copy, formal vs. dynamic equivalence, overt vs. covert translation, semantic vs. communicative translation. The least one can say about these binarist labels is that they can themselves be problems, exactly like the lady's solution in regard to her husband's gravestone, in Watzlawick's story. The multifacetedness and complexity of *translation*[7] make it impossible to always derive the (ethical) choices it requires from the same overarching

[7] In this thesis, *translation* (italicized) will be used when the term refers to the concept.

'ethical' principle (for example foreignization or literalism). Moreover, there exist many other forms that may be called 'translations' (in other times and cultures) that do not correspond to either of the options proposed in the binary sets above (cf. Lefevere 1990, Trivedi 2006, Tymoczko 2007). That is why we probably have to live with the ambivalent nature of translation and its ethics as unwrapped dilemmas and never-ending problems. Translation is a practical necessity, and, thus, should probably be taken with its inherent unsolvable problems.

The debate on translation, and by extension its ethics, started to take on a more rigorous scholarly orientation in the 1960s. Theorists influenced by the tenor of the new scientific discipline of linguistics started to point to other variables beyond mere textual relations in the linguistic exchange. In 1964, Eugene Nida, the American bible translator – concerned with the spread of God's 'will' – proposed *dynamic equivalence*, which slightly reoriented the debate from the relations between the source and target texts into their respective reception by the source recipient and the target recipient (Nida 1964). He argued that the translator should be concerned with 'the dynamic relationship' in this strategy of translation in order to secure what he calls, *equivalent effect*. "The relationship between receptor and message should be substantially the same as that which existed between the original receptors and the message" (ibid., 159).

The notion of *equivalence* was questioned with the institutionalization of Translation Studies (TS) and the emergence of Descriptive Translation Studies (DTS). Taking a non-prescriptive stance regarding translations, DTS relativized the term *equivalence* and proposed, instead, the notions of *adequacy* and *acceptability*, which are governed by the *norms* of the source or target culture, respectively (Toury 1995, 56-57). DTS, thus, could not completely dismiss the long-held view of *equivalence*, which is based on *sameness* that purportedly governs the relations between the source and target texts. DTS could show that *norms* exert constraints on the translator's behavior and impinge on the choices a translator makes; yet, because DTS

scholars are mainly interested in describing translations, they hardly address the issue of the translator's ethics[8].

As the post-positivist climate in humanities and social sciences reached TS, the notion of *equivalence* was not only refuted, but seen as fostering cultural hegemony and effacement of *difference* as well as reinforcing patriarchal discourse and underlying atrocities in colonial contexts (cf. Venuti 1995, 1998, 2010/1993; Berman 1984, 1999/1985; Baker 2006a; Tymoczko 2007; Flotow 1997, 2007; Simon 1996 and Rafael 1993/1988; Cheyfitz 1991, Niranjana 1992; Jacquemond 1992, respectively). Although these later propositions about translation differ in their premises, they all embrace ethics of multiplicity and difference instead of *equivalence*, thus adopting a different understanding of *translation* and translation ethics. In parallel with these views – largely inspired by poststructuralist thought – a scholarship developed that has tried to respond to the growth of the modern 'professional' translation industry in the globalized world of communication, commerce and technology. The trigger for this scholarship of pragmatism, functionalism and efficiency was *Skopos* theory in the 1980s, which proposed that translation as a purposeful activity is determined primarily by the TT function and audience. Followers of this trend (who are not necessarily followers of *Skopos* theory), however, have once again paid little attention to the macro-socio-ideological variables that are involved in 'professional' translation. They have rarely tackled the power dynamics pertinent to the institutional formation of the translation occupation (with very few exceptions, such as Pym et al. (2013), which I will return to later on). Among these scholars, Christiane Nord (2005/1988, 1991, 1997) – a somewhat 'progressive' disciple of *Skopos* theory – introduced the ethics of *loyalty* to the ST author's communicative intentions, the initiator and TT readers – in an attempt to overcome the criticism of functionalist approaches for being overguided by solely the TT function. Other scholars, from outside *Skopos*, but who are

[8] That said, Theo Hermans, a later adherent of DTS, tackles the issue of ethics extensively (cf. Hermans 2009).

functionalist in essence, include Anthony Pym (2012) and Andrew Chesterman (2016/1997, 2001). The first stresses intercultural communication and *cooperation* as ethics/functions of translation, and translators as mediators (Pym 2012), whereas the second highlights virtues of *understanding* and *clarity* for the purpose of 'rational communication' (Chesterman 2016/1997, 2001). The theorization of these functionalist scholars may, thus, find resonance in 'professional' translation practices and conduct.

0.2. Context and Problem Statement

The growing attempts to professionalize translation as a modern system – with professional associations as its organizing institution – has been accompanied by the 'need' to regulate and control ethical issues. In a relatively recent trend, and in coincidence with the skyrocketing demand for translations of all sorts of pragmatic materials in the age of globalization, many of these associations created codes of ethics around the late 20th century (Drugan 2011, 111)[9]. The purported aim of ethics codification is to reduce uncertainty and doubt in the relationship between translators and other agents. In these codes, associations adopt *a priori* principles/rules, the purpose of which is to unify the responses to the (ethical) concerns of the different agents/people and make them predictable. 'Precise' rational solutions are proposed to respond to the complex ethical issues of translation in a way that 'ensures' the ethical/'professional' rights of all agents. These principles/rules may, however, be themselves problematic as they may, in many cases, ignore the complexity and ambivalence of ethical matters. In other words, the apparent solutions listed in codified ethics may be 'ordered' to the detriment of the particular, the out-of-order and the remainder.

[9] The Fédération Internationale des Traducteurs [International Federation of Translators] (FIT), however, established its first Translator's Charter as early as 1963. Another example of associations that established codes of ethics early is the Registry of Interpreters for the Deaf (RID) in 1965 (Cokely 2000).

Ethics codification is seen as an important pillar of 'professionalization' but it is not the only element in this process. The prior and primary component of the 'professionalization' process is the establishment of a representative body of practitioners that self-governs the practice and establishes and ensures compliance with these codes of ethics. Thus, most large translator associations we know today were created starting from the second half of the twentieth century (Pym 2014). Besides these two crucial elements, the translation occupation started to claim a theoretical base as a practice that draws on a systematic knowledge specific to the field (with the institutionalization of Translation Studies (TS) in higher educational institutions). This was followed with an international 'recognition' of the important role of translation/translators from the United Nations Educational, Scientific and Cultural Organization (UNESCO), which adopted the 'Recommendation on the legal protection of Translators and Translations and the practical means to improve the Status of Translators' during its nineteenth General Conference session in Nairobi, Kenya on November 22, 1976. From the perspective of the *traits approach* in the sociology of professions, all these events can be seen as an accumulation of many of the main attributes of 'professionalization'.

The establishment of translator organizations[10] – a milestone in this process of 'professionalization' – visibly aims to determine the boundaries of the translation occupation. The institutional bodies representing practitioners seek to monopolize the occupation through interest group politics, in a sort of exclusionary *social closure*, to use the Weberian concept (Weber 1978/1922). They construct their 'own' internal communication and eliminate the intruders/parasites, as well as sanction those who infringe upon codes of ethics and/or practice. Thus, they purportedly determine the conceptual definition of *translation* and its modes of practice, as well as the relational aspects of the occupation. Most large associations highlight,

[10] 'Translator Associations' or 'translator organizations' will be used interchangeably in this project to refer to different types of translators' networks such as orders (where translation is a legally regulated 'profession'), voluntary associations and unions (where translation is not legally regulated), and federations (which gather regional/national associations). The exact nominations will be used when need be.

to different degrees, some of what is known as 'traits of professionalism', such as, the possession of theoretical knowledge**,** educational qualifications, certification, experience, closure, autonomy and public protection, and establish and implement a code of ethics. They also stress their functions that range between the 'protection of the public', the defence of the translators' interests and the 'promotion of the profession' – with differences in emphasis depending on the nature of each organization (i.e., whether it is an order, a voluntary association, a union or a federation of associations). All these associations supposedly engage in communication and lobbying with regard to political powers, academic institutions, publishing industry and client/employer representatives to gain the due symbolic, economic, institutional and legal rights, and promote the 'profession'. They may also seek to advance 'uniform professional *standards'* and 'uniform training programmes' (Bajčić and Basaneže 2016) that can be endorsed by powerful regional/international political, administrative and educational bodies. In the European Union (EU), for example, the European Legal Interpreters and Translators Association (EULITA) is setting measures to establish standards for legal interpreters. They are trying to impose 'the international standard on legal interpreting (ISO 20228)' on all Member States (ibid., 2016, 3). Not only that, EULITA also engages in lobbying for an international ISO standard for legal interpreting (cf. Katschinka 2016).

In 2014, Pym compiled a list of 217 'professional' associations from all over the world for his study on translator associations. Analyzing his corpus, Pym found that some associations are surprisingly old. The Society of Greek Playwrights, Musicians and Translators was founded as early as 1894; the British Chartered Institute of Linguists (CIOL) was established in 1910; the Norwegian Statsautoriserte Translatørers Forening [Association of State Authorized Translators] was created in 1913; the Association of Translators and Interpreters of Ontario was founded in 1920; the Swedish Federation of Authorized Translators was founded in 1932 (Pym 2014, 469), and the Danish Association of Translators dates back to 1910 (Dam and Zethsen

2010, 196). However, most large associations that are active today were not created until the 1950s and 1960s (Pym 2014). For example, the American Translators Association, one of largest associations in terms of membership, with over 10,000 members, was founded in 1959[11]. The Bundesverband der Dolmetscher und Übersetzer e.V. (BDÜ) [Federal Association of Interpreters and Translators] in Germany, which has over 7,500 members, was founded in 1955[12]. The Société française des traducteurs (SFT) [French Society of Translators], with less membership (around 1,500 members)[13], but probably more international influence (founding member of the Fédération Internationale des Traducteurs [International Federation of Translators] in 1953), was founded a little earlier in 1947. In Africa, South African Translators' Institute (SATI) was founded in 1956. Another large association founded later in 1981 is the Translators' Association of China, which has 2,002 direct members, in addition to a huge number of indirect members through its member associations and institutions (Pym 2014).

Seeking support and more influence nationally and internationally, national associations gather in, or join, international bodies of translation/translators. In this regard, the Fédération Internationale des Traducteurs [International Federation of Translators] (FIT), which was established in 1953 in France, represents more than 100 translator/interpreter/terminologist/linguist associations and institutes from 55 countries, representing more than 80,000 translators. This international body of translator associations lobbied the UNESCO for the adoption of the *Nairobi Recommendation* in 1976. All these efforts, nevertheless, may not potentially affect the status of the individual translators/interpreters in positive ways unless these associations are able and willing to further

[11] http://www.atanet.org/aboutus/history.php/Accessed on October 24, 2018.
[12] https://bdue.de/en/bdue//Accessed on October 24, 2018.
[13] The French version of the SFT Code de déontologie [Deontological Code] states that the association has more than 1,600 members while English version of the code states that it counts more than 1,500 members (A propos de la SFT [About the SFT] Section). The English version of the SFT website states that the association has more than 1,300 members (https://www.sft.fr/fo/public/menu/gestion_front/index&id=484/ Accessed on 15 November 2019). The French version of the website states that it has more than 1,500 members (https://www.sft.fr/fo/public/menu/gestion_front/index&id=13/ Accessed on October 25, 2019).

support the translators/interpreters' interests and impose their terms on the other agents, as we learn from the sociology of professions (that I will discuss shortly). The effect of these efforts will be thoroughly examined in this project.

As we learn from the sociology of professions, professionalization is not a smooth or ideal process. It is rather embedded in power asymmetries (cf. Johnson 2016/1972). One of the agents always imposes their terms and conditions on the others. Hence the ineluctable and compelling question: how is this sought-after professionalization impacting on the translator?

- ✓ Is it improving their status?
- ✓ Is it putting them in an imposing position?
- ✓ Are 'professional' associations defending translators' interests effectively?
- ✓ Are they producing a (new) discourse and practices (in their defining documents) that are empowering to translators?
- ✓ Are they *re*defining *translation* as a complex concept/endeavour that requires esoteric and complex knowledge?
- ✓ Are they showing the *critical importance* of translation to the other agents and the public?
- ✓ Or, are they simply reproducing/reinforcing the same old hegemonic discourse that represents translation as a low occupation (mechanistic process) and translators as mere conduits (with no responsibility)?
- ✓ In the documents of associations, are translators regarded as responsible moral agents or simple executors of clear, non-ambivalent and *a priori* defined tasks?

In order to answer these questions, one would like to look at the internal documents of associations. I believe the code of ethics and/or conduct is the main document where answers

to these questions can be discerned as it is the document which mostly reflects the associations' identity and policy. Codes of ethics may reflect the translator's self-concept, role(s) and status. They display the required conduct from translators in their work and their relations with colleagues and outsiders. On the one hand, they *define translation* and, on the other hand, they regulate the 'professional' practice and establish 'ethical' and 'professional' *relations* between the translator and the other agents (in)directly involved in translation. And the analysis of these two latter aspects in codes of ethics is likely to show the translators' self-positioning in relation to the other agents. It will reveal whether the principles in codes of ethics are included for the sake of ethics or whether they are meant to please and cater to the interests of an agent against other agents' interests. In sum, the analysis will show how power dynamics, inherent to the process of 'professionalization', are reflected in one of the main identifying documents of translator associations, that is, the code of ethics.

The choice of codes of ethics over other internal documents is also justified by the fact that codes are the locus where we can discern not only the translator's symbolic power but also their ethical power, by and large. Recognition and ethicality are very interconnected, as I explain later in this project. The (symbolic) positioning of translators may affect their ethicality, the main purported aim of the documents, and their study is, thus, likely to reveal any paradoxes within them. Codes of ethics state and enforce principles and rules that supposedly aid the translator in making ethical decisions during different encounters in translation. But these pre-determined principles/rules may affect the translator's ethical judgement – which, in turn, can have an impact on themselves and other agents/people. On the other hand, I believe that ethics and codes of ethics can barely be studied and understood without studying the status of practitioners as the two facets impact on each other. The current study examines how the ethical principles/rules listed in the codes may be reflective of the status assigned to translators. In

short, the study explores how these documents symbolically and ethically affect some of the agents involved in the occupation and beyond.

In spite of all the recent developments in the process of translation 'professionalization' and the possible problems associated with the translator's code of ethics and conduct – which are part of that process – not very many TS projects about professionalization and/or ethics have thoroughly examined these documents[14]. Some TS scholars who have passingly addressed the translators' codes refute them for being too abstract, for restraining the translator's personal responsibility or for being unrepresentative of the actual and wide variety of ethical dilemmas translators face in their everyday practices (cf. for example, Baker 2018/1992, Koskinen 2000a, Davis 2001, Baker and Maier 2011b, Pym 2012; Angelelli 2004 and Inghilleri 2008, 2012 regarding interpreter's codes of ethics). One of the strongest objections to these codes comes from Kaisa Koskinen (2000a). Koskinen (2000a, 82) argues that "the ethical codes may rather often leave the translator without much support." She contends that codes of ethics are mainly designed to oblige the translator to adhere to the principle of 'faithfulness' in translation. "To start making choices would lead to infidelity. The ethical code could thus be seen to consist, in short, of the requirement to refrain from choosing" (ibid., 13). Baker (2018/1992, 307-308), similarly, criticizes codes of ethics vehemently and calls on translators to use their critical judgement to make ethical decisions. In the chapter entitled 'Beyond equivalence: ethics and morality' that she added to her work *In Other Words: A Coursebook on Translation* (in its second edition), Baker writes,

> [o]f central concern in this chapter is the need to develop critical skills that can enable translators and interpreters to make ethical decisions for themselves, rather than have to fall back uncritically on abstract codes drawn up by their employers or the associations that represent them. This is important for at least three reasons. The first is that no code can ever predict

[14] Some available studies related to interpreters' codes of ethics include, Schweda-Nicholson (1994), Bancroft (2005), Hale (2007), Mikkelson (2000), Cokely (2000), Witter-Merithew and Johnson (2004), Valero-Garcés 2017, Ren (2020).

> the full range of concrete ethical issues that may arise in the course of professional practice, and hence translators – like other professionals – are often faced with situations in which it is difficult to interpret or apply the relevant code. Second, codes, like laws, are elaborated by people like us, and are therefore never infallible, ethically or otherwise. You might find yourself disagreeing with the code, perhaps because you believe it could result in tolerating certain types of injustice in some contexts. If so, it is your responsibility to question the code in order to avoid causing harm to others or perpetuating potential forms of injustice. And finally, it is in the interest of society as a whole for individuals to be accountable for their decisions, in professional life as elsewhere. Adopting the default position of applying a professional code unquestioningly undermines this accountability. (ibid.)

Rosario Martín Ruano (2017) remains among the rare scholars who clearly question codes of ethics for being one of the sites of a depreciatory discourse about *translation* – when she discusses translation/interpreting recognition in public service. Although she does not refute them altogether, she contends that codes of ethics could be one of the sites where transformation of the understanding of *translation* could begin. "[t]hese texts are but the tip of the iceberg of a complex network of discursive practices constituting translation and interpreting as socially regulated activities towards which transformative efforts could also be geared" (2017, 32). Martín Ruano also highlights the importance of explaining through workshops, publications and awareness-raising the "complexities, challenges and potentialities" of translation in order "to enhance recognition by institutions and stakeholders" (ibid., 31). However, the author rightly argues, "recognition is not only dependent on being understood by others; it also requires self-recognition" (ibid., 34). Despite the importance of her insights, Martin Ruano does not seem to be aware of the fact that recognition is not only about the promotion of the complexity of *translation* but mainly about the combination of other favorable factors – mainly external support – in the struggle for this recognition, as I demonstrate shortly when I discuss *professionalization* in the sociology of professions.

Martín Ruano's, Baker's and Koskinen's critical remarks on codes of ethics, while important, remain too summative and lack a thorough analysis and discussion of many aspects

related to these documents. Although Baker and Koskinen make allusions to power issues in prescribed ethics, as predetermined rules/principles may be a restraining force to the translator's choice or agency, they do not go further into discussing the symbolic or economic implications of any specific codes on translators themselves. Martín Ruano, on the other hand, has the merit of briefly but clearly referring to the issue of recognition of translators as reflected in codes of ethics, although with no reference to any specific codes. And this is one of the main objectives the current project seeks to further pursue with a more in-depth investigation using different conceptual tools.

Most of the few TS researchers who have studied translators' codes of ethics more thoroughly question them also for being incomplete, limited, restraining to translators, inflexible or difficult to apply to all situations. For Andrew Chesterman (2001, 2016/1997, 2018), current codes of ethics are incomplete and inflexible to cater to all ethical situations and text types. As an alternative to these documents, the author proposes the "universal Hieronymic Oath" (2001, 153, italics added) – which is not radically different from the existing codes of ethics, as Lee and Yun (2020) also observe, despite the fact that it is centred on virtues. Kruger and Crots (2014), for their part, raise the issue of codified ethics being limited to the immediate 'professional' context. "In this view, the ethical relationships involved are primarily limited to those professional relationships between the translator, client and text. This is the view of ethics expressed in most codes of ethics of organisations representing translators' interests", Kruger and Crots explain (2014, 148). Julie McDonough Dolmaya (2011) argues that codes of ethics "often do not address many of the issues translators are encountering as part of their practice" (ibid., 45), and their guidelines "sometimes conflict and are often not very clear" (ibid.). McDonough Dolmaya compares 17 codes and concludes that there is no general consensus between the different codes about what constitutes an ethical behaviour. Not so differently, Joanna Drugan (2011) compares the content of 'professional' codes of ethics with other

approaches adopted by non-professional groups of translators. She observes the lack of shared values and interpretation of the meaning of the former codes' articles among translators. Drugan argues that these 'professional' codes can learn from non-professional communities the "emphasis on shared values and ideals, rather than the individual rights which codes have tended to stress" (2011, 121). She contends that these formal documents can adopt "self-regulation" or "community-policing", seek better interpretation of their content and highlight "mentoring" and "support" as part of professional development (2011). Along the same line of thought, Drugan and Megone (2011), in a paper about the training of students on ethics, underline that codes of ethics are not understood by translators "in a way that can inform practice" and are, therefore of "very limited value" (2011, 187).

> The difficulties in understanding arise because, on the one hand, codes do not interpret themselves, they require intelligent deployment. On the other, if they are mistakenly presented as a set of rules, they are bound to be inadequate to the range of particular situations faced by practitioners. As there will always be situations in which elements of the code enter into conflict or which the code does not cover at all, developing judgement requires more input. (ibid., 187-188)

Joseph Lambet (2018), quite differently, laments the fact that codes of ethics provide a false image to the client about what translation consists of. The author even questions their ethicality as they mainly serve promotional agendas by representing *translation* as a neutral and impartial meaning transfer. "This continued reliance on an inaccurate portrayal of the translation process could be seen as a desire on the part of translation agencies and associations to increase reliance on their offerings and to provide clients with an image that they believe they want to see" (2018, 281). Lambert calls for the adoption of codes of ethics that show *translation* as a multifaceted, subjective and "inherently-imperfect activity" (ibid., 284).

Rosemary Arrojo (2013), for her part, argues that codes of ethics of contemporary translator organizations, such as the American Translators Association's (ATA), are based on the old view of *translation* as 'fidelity'. That is why ethics of translation is synonymous with

impartiality and accuracy in the ATA's code (2013, 2). However, Arrojo observes that the code inadvertently shows in many articles that *partiality,* and, therefore, choice in translation, is inevitable. "It is certainly significant that in the Association's 'Code of Ethics' most of the principles following the initial recommendation regarding fidelity actually try to establish guidelines for translators and interpreters on how to be ethical in their inevitable partiality" (ibid., 3). A different code of ethics, therefore, should recognize the transformative and partial nature of translation "and, consequently, redefine the translator's role, which could no longer be described as a passive bridge between the domestic and the foreign" but as a responsible author (ibid, 3-4). Understanding ethics from this perspective, "it would actually be unethical and irresponsible for translators to insist on hiding behind claims of neutrality or to wash their hands of the responsibilities involved in the highly complex and influential work they do" (ibid., 4). Similarly to Martin Ruano discussed above, Arrojo argues that a new code of ethics "should also involve an explicit effort to educate clients, readers, critics, professional organizations, and all those who are directly affected by their work on how to re-evaluate the opposition that tradition has built between originals and translations" (ibid.).

Quite differently from Arrojo, Uldis Ozolins (2014), head/coordinator of the joint working team of Monash University and the Australian Institute of Interpreters and Translators (AUSIT) that revised the AUSIT code of ethics in 2012, does not question the 'conduit' orientation of the code and its "aversion to advocacy or cultural brokering" (2014, 355), nor does she raise any issues related to this model. Concerned mainly with 'practicality', she – similarly to McDonough Dolmaya (2011), and Drugan and Megone (2011) – observes that a number of other associations' codes make "no reference to actual practice" (Ozolins 2014, 351). Reporting on the main issues debated during the elaboration process of the AUSIT code of ethics, Ozolins (2014) underlines the importance of explaining the principles listed in the code as well as the educational role of the revised document. The explanation of rules/principles

in the revised version of the AUSIT's code follows a critique leveled to the old version (1995) by Leong Ko (2006) – among other AUSIT members, as Ozolins (2014, 356-357) reports – that such a code of ethics cannot be applied to all situations and that "certain clauses currently lack clarity and are therefore difficult to observe in actual interpreting and translation work" (Ko 2006, 56).

In an article entitled 'How Can We Improve the Codes of Ethics for Translators?' published by the end of 2020 as I was wrapping up the current dissertation, Hyang Lee and Seong Woo Yun question codes of ethics for responding mainly to the clients' expectations while ignoring the social role of translators. Following on the discussions of Chesterman (2001), Baker (2006a, 2008), Inghilleri (2008) and Rafael (2012), they argue that community-based principles and virtues need to be included in translator codes of ethics. The authors argue that the *telos* of symmetrical communication should govern such codes. "In any case, we believe that a good translator should strive for, and enable, reciprocal and equal communication […] We believe that the *telos* of translation should be to give voice to the vulnerable and to facilitate equal communication instead of simply following the client's demand to 'Just translate!'" (2020, 715)

Most scholars cited in this review generally lament translator codes of ethics for their difficulty of application, incompleteness to cater to actual practice, lack of awareness-raising among outsider agents with regard to the nature of the translator's work, or non-reflection of the nature of *translation*. Importantly, some publications raise the question of moral unaccountability when such codes of ethics are applied unreflectively (cf. Arrojo 2013, Koskinen 2000a, Baker 2018). Also, some of the cited scholars allude (implicitly) to the issue of power asymmetries in codes of ethics between the interlocutors in the translation encounter (Koskinen 2000a, Arrojo 2013, Martín Ruano 2017, and Lee and Yun 2020). However, these scholars do not clearly examine the positioning of translators and the roles assigned to them in

specific clauses of these documents. Also, they do not situate the codes in their wider social context of 'professionalization' and how this modern process impacts on such documents, from sociological perspectives. However, the problems with these documents may be deeper and have yet to be examined thoroughly in TS. These codes of ethics did not emerge in a vacuum; they are influenced not only by some theories of translation but also by some social narratives and intellectual traditions, as well as by practices in other occupations and institutions. While codes of ethics of some fields have been conceptually examined to unveil the place of the individual's ethical self and status[15], TS has yet to dig deeper by drawing on other disciplines in order to have a more in-depth understanding of the underlying foundations of translator codes of ethics as well as their ideological and social implications and the profound problems they embody that may, in fact, be *ethical*. Some of this orientation can already be discerned in studies centred on interpreter's (codes of) ethics in Inghilleri's publications (2008, 2012), which draw on sociological and philosophical insights, as I explain later on in Chapter 2. Also, very recently in an article published in 2020, as I was wrapping up the current project, Wen Ren (2020) has undertaken a similar approach to the one undertaken in the current project, by drawing on Bourdieu's sociology to study some of the principles of codes of ethics in China's modern history and how these principles are interpreted differently depending on the translator's symbolic power in different historic eras. I will return to the discussion of the problems of the latter study in the section devoted to Translation 'Professionalization' in TS and Power Dynamics in Chapter 1 of Part I shortly.

The current study draws on TS, sociology, philosophical genealogy and Transformative Learning theory in order to reveal the underlying conceptual and 'professional' foundations of current codes of ethics and the power dynamics in which they are embedded, and also to propose

[15] Cf. for example Kelemen & Peltonen (2001) and Kavaliauskas's (2011) studies on business codes of ethics; Holtzhausen's (2015) research on professional communication codes of ethics; Meijl's (2000) analysis of anthropological codes of ethics; and Johnson's (2016/1972) accounts of power dynamics in accountancy.

alternative ethical avenues the translator may pursue to empower themselves. The project reveals where and how codes of ethics position the translator, and, therefore, how they affect their status and their ethical autonomy. For this purpose, I draw on sociological frameworks that can account for professionalization and ethics codification. I argue that sociology is needed in this area of TS more than ever before. Although sociological studies that draw on Bourdieu (e.g., Inghilleri 2003, 2005a, 2005b; Gouanvic 2005; Heilbron and Sapiro 2007), Latour's Actor-Network Theory (e.g., Buzelin 2005, Folaron & Buzelin 2007), and Luhmann's systems theory (e.g., Hermans 2008, Tyulenev 2009) have proliferated since the 2000s, none of them has tackled the process of professionalization and its repercussions on translator ethics, to my knowledge, with the exception of the very recent publication of Wen Ren (2020) that I will discuss in Part I, Chapter 1. As Pym (2014, 466) rightly points out, "[c]alls for a sociology of translation have so far remained remarkably impervious to one of the most basic units of social organization: the formation of public associations", which is an important pillar of the attempts at 'professionalization' of translation. The current project studies one of the basic aspects of the 'professionalization' process, which is the code of ethics established by translators' organizations. The aim is to examine the apparent solutions to ethical issues that are provided in codified ethics and to analyze their implications. The importance of investigating these documents stems from the fact that this may reveal that in the name of ethics, the translator is impoverished **ethically, materially, and symbolically.**

0.3. Research Questions and Hypotheses

Codes of ethics purportedly seek to protect the different agents involved in translation as well as the public at large. A close analysis of a few of them may, however, show that they protect some of the agents' interests at the expense of others. Studying these codes will show whether and how they affect the translating agent's *capital* and *moral self*, to use Pierre Bourdieu's and

Zygmunt Bauman's notions, respectively. Examining codes of ethics will reveal the *occupational control* mode – in Terence Johnson's (2016) terms – that governs translation 'professionalization' processes, and ultimately identify the agent(s) that pay the (economic, symbolic and ethical) price for these processes.

With these considerations in mind, my main research questions are: H**ow are the translator's *capital* and *moral self* affected by the codes of ethics established by 'professional' associations? If they are negatively affected, are there alternative ethics that are likely to enhance the translator's *capital and moral self*, and therefore, empower them?** Sub-questions that will help answer the main question are:

1) What underlying conceptual foundations do translation codes of ethics adhere to?

2) Have any translation theories found resonance in codes of ethics?

3) What understanding of the concept *translation* is reflected in these codes of ethics?

4) What mode of *occupational control* is reflected in these codes?

5) Is there a significant variation between the documents of different national and international bodies[16]?

6) Are there discrepancies between the positioning of the translator in national/provincial associations' codes and their international 'recognition', manifest in the UNESCO *Nairobi Recommendation*?

7) How do these codes tackle the wider social and planetary ethical issues beyond the translation circle?

8) What pedagogical and ethical avenues can translators pursue in order to empower themselves ethically and symbolically?

My hypothesis is that the translator's *capital* is generally impoverished in codes of ethics due to their positioning in lower ranks than those of the other agents, namely large clients,

[16] In this project, I will sometimes be using the word 'documents' to refer to the associations' codes of ethics, the FIT *Translator's Charter* and the UNESCO *Nairobi Recommendation*.

employers, authors and publishers. Similarly, the individual translator's moral self is generally neutralized in these documents in the name of 'neutrality' and 'professionalism', and this may result in a limited responsibility to the immediate 'professional' context and the powerful agents involved in the translation circle. The symbolic and ethical disempowerment of translators in these codes, I hypothesize, is due to many variables. First, the concept of *translation* as a 'neutral/faithful' transfer of meaning, which is imposed by most of these codes, denies any agency to the translating agent other than the 'transfer' task. Second, the overemphasis on *loyalty* to the dominant agents (large clients, employers and authors) and the preservation of their interests (and even their understanding of *translation*) in some codes at the expense of the translator's interests, in a *patronage* mode of occupational control, weakens the translator's *capital* and their ethical autonomy. Third, the embeddedness of these codes in a modernist discourse – which claims to contain and unify translation practice as well as organize and categorize the 'profession' and rationalize the relations within it – tends to undermine the translator's moral responsibility and constrain their social/planetary agency.

0.4. Objectives

The main objectives of the current research are:

- to assemble, describe, compare and analyze a diverse corpus of codes/charter of ethics established by associations of translators in addition to the UNESCO *Nairobi Recommendation*;
- to analyze the potential impact of specific, selected translator codes of ethics/charter/recommendation on the translator's individual morality and their *capital*;
- to propose alternative ethics to the current codes of ethics, which may negatively affect the translator's status and morality, for the purpose of enhancing their *moral self* and *capital*, and therefore, empowering them.

Other secondary goals are:

- to investigate the conceptual and 'professional' foundations of the current translation codes/charter of ethics;
- to analyze the concept of *translation* reflected in these documents and the UNESCO *Nairobi Recommendation*;
- to identify the clauses/statements that (dis)empower translators in these documents;
- to reveal differences between different national and international organizations' codes of ethics/charter/recommendation;
- to unveil the *occupational control* mode that translation is undergoing, drawing on the sociology of professions;
- to reveal how these documents tackle the wider societal/planetary ethical issues beyond the translation circle;
- to propose an alternative charter *for* ethics;
- to show how a *culture of the self* can be enhanced within the institutions concerned with translation in order to empower translators;
- to show how a transformative learning approach centred on the self may help empower students/translators.

0.5. Methodology

In this project, I describe and analyze codes of ethics of seven national/provincial translator associations, representing Africa, the Middle East and North Africa (MENA), Asia, North America, South America, Oceania, and Europe, in addition to two international bodies'

charters/recommendations[17]. The national/provincial associations are generalist voluntary associations, Orders or unions that represent translators regardless of specialization[18]. In territories/countries where translation is a legally regulated 'profession', I choose the member-based regulatory body. In others where the profession is not legally regulated, I opt for the largest association (voluntary or union). I choose national/provincial associations that are (direct or indirect) members of the Fédération internationale des traducteurs [International Federation of Translators] (FIT), from whose website I obtained the list of members. In cases where there are many members from the same country, I opt for "gatekeepers" – to use Pym's (2014) term – that is, associations that are usually the oldest and/or the largest. These associations filter their membership based on certain criteria. They may emphasize more 'professionalizing' traits (like theoretical base, educational qualifications, certification, experience, code of ethics, closure, autonomy and/or approval from society) than do newer associations (that are usually smaller in size) – which may be less rigorous about entrance conditions (Pym 2014, 479-480). These large associations generally have some authority to speak on behalf of the 'profession' (Pym et al. 2013, 26). They, thus, purportedly seek market control and lobby political actors for legislation at the regional, national and international levels. Some of them have even reached the status of a *legally* recognized regulatory body within the territory/country in which they operate and their certified members have a Reserved title, like the Association of Translators and Interpreters of Ontario (ATIO), Canada.

These criteria of my choice are driven by methodological reasons. I choose these large associations' codes of ethics because respecting these codes is an important condition for membership in these 'professional' networks. Other smaller/newer associations may not be as

[17] Although the focus of the current project is on codes/charters of ethics, I occasionally resort to the organizations' other documents (e.g., bylaws, websites) when the former documents are broad or less clear about an issue and when more clarifications are needed to reach grounded conclusions.

[18] The word 'translator' will be used to refer to translators of all specializations and may occasionally include interpreters as well.

rigorous about their codes – if they have any at all. Also, the chosen associations seem to be more representative of translators in the country/region/world thanks to their size and age. Studies of specialized associations and online platforms' codes of ethics may follow from this general study.

Also, I have chosen national/provincial associations that represent individuals rather than those which gather a collective of provincial associations or represent academic/political institutions. This criterion does not, of course, apply to the two international bodies that I include in the study. A variable that also influences my choice is the language issue. Only associations that use the languages I command (French, English or Arabic), and whose codes of ethics are available in either of the three languages, are studied. For example, from Latin America, the only choice I have is the Peruvian Association of Professional Translators (ATPP)[19]. All the other associations from Latin America either do not have their website and/or code of ethics in one of the languages I command or do not have codes of ethics in the first place. One last factor is the question about whether such a code of ethics for an association is available (which would not be a bad sign after all). For Africa, for instance, my choice of South African Translators' Institute (SATI) is not a deliberate choice but due mainly to the fact that no other codes of ethics of the few African associations that have online presence exist online. Beside the International Association for Egyptian Translators – IAFET – (that will be studied as a representative of the Middle Eastern Region), the FIT includes five other African members. One of them (the Association de traducteurs et interprètes professionnels du Congo [Association of Professional Translators and Interpreters of Congo] – ATIPCO) does not have a website. The website of another one, the Association sénégalaise des traducteurs [Senegalese Association of Translators] (ASTRA), is not accessible. The Association of Professional Translators and Interpreters of Cameroon (APTIC) does not have a code of ethics posted on its

[19] I choose ATPP despite the existence of an Order (Colegio de Traductores del Perú [Peruvian Translators Association]), whose website is not available in English or French.

websites, and my e-mails requesting the document were not answered. Finally, the Algeria-based Higher Arab Institute for Translation (HAIT) is an academic body of the Arab League of States, a fact which places it beyond the scope of this project. If I had a choice, I would choose an association that is less studied than the SATI (South Africa) (cf. studies by McDonough Dolmaya 2011, Drugan 2011, Kruger and Knots 2014) and from a country that is more representative of the economic situation of the majority of African countries – instead of South Africa, a G20 member.

Apart from these constraints, the remaining choices are driven by the representativity criterion – with no claims to exhaustiveness, of course. This has resulted in a corpus of an interesting variety of associations with different natures and functions. I have ended up with one Order, one union, five voluntary associations and one federation – which probably reflects the general scenery of these representative bodies of translators around the world. Most large associations of translators around the world are voluntary and very few are Orders or unions. This variety will ultimately allow a comparative perspective depending on their natures and functions. The codes of ethics are all downloaded from the associations' websites, with the exception of the IAFET's (Egypt) that was sent to me by email, following my request. I hereafter briefly introduce the national/provincial associations, whose documents will be studied.

- The Association of Translators and Interpreters of Ontario (ATIO), Canada[20], is the oldest organization of translators in Canada. This member-based association was founded as early as 1920, under the name 'Association technologique de langue française d'Ottawa' [French Language Technological Association of Ottawa]. ATIO adopted its current name in

[20] Note that the ATIO is a member of the FIT indirectly through the Canadian Translators, Terminologists and Interpreters Council (CTTIC), of which it is a member.

1962. It is now a regulatory body that controls the market through its legally sanctioned certification system. The ATIO is "the first translators' association in the world whose certified members are deemed professionals by law, for in February 1989 the Province of Ontario granted reserved title for certified members of ATIO through the *Association of Translators and Interpreters Act, 1989"*[21]. However, the translation 'profession' in Ontario is not (yet) exclusive for the members of the regulatory body. The ATIO's main purported function or mission is the protection of the public and the promotion of the language 'professions'. The latest version of its code of ethics, which will be examined in this project, was adopted during its Annual General Meeting on April 25, 2009.

- The Indian Translators Association (ITAINDIA) is a voluntary association that was founded in 2006. It is the only Indian member of the FIT. The association's main function is "to look after the interests of individual translators and Small Scale Agencies" (ITAINDIA Membership Information, Section B). It, thus, excludes large corporate members from its membership. Also, "it constantly acts as an interface between the government of India and the affiliates of the Translation Industry of India" (ITAINDIA Membership Information, Section A). The other main claimed function of the ITAINDIA is "the betterment of the industry by providing adequate guidance and orientation to its members so that they meet the professional standards of the industry" (ibid.). Its Code of Professional Conduct appears in the General Information section of the ITAINDIA's defining document entitled: Membership Information[22]. The code includes two sections: one for Service Providers and another for Employers or Contractors. The year of adoption of the current code is unknown. My e-mails requesting the information remained unanswered.

[21] https://atio.on.ca/about/ Accessed on July 5, 2018.
[22] The document contains two main sections: section A entitled 'General Information' and section B entitled 'Instructions and Guidelines for Members'.

- The Australian Institute of Interpreters and Translators (AUSIT) is a voluntary association, which was created in 1987, with the support of the National Accreditation Authority for Translators and Interpreters (NAATI), the only certifying authority for translators and interpreters in Australia[23]. The AUSIT is the Australian member of the FIT. Its declared aims are "to promote the profession, improve the profile of translators and interpreters in the community and raise standards through professional development and the adoption of the AUSIT Code of Ethics."[24] The association also "engages in dialogue with interpreting agencies, government and business entities, and makes submissions to government and to relevant inquiries about the work of interpreters and translators" (ibid.). Its first code of ethics was adopted in 1995. This document was endorsed by the NAATI as "the basis of professional conduct for those with a NAATI credential, that is to say anyone holding NAATI accreditation or recognition" (AUSIT Code of ethics and code of conduct, Preamble). The latest version of the document, established in 2012, consists of a Code of Ethics, a Code of Conduct, and two explanatory sections: Conduct Issues Specific to Translators and Conduct Issues Specific to Interpreters.

- The Société française des traducteurs [French Society of Translators] (SFT) was created as early as 1947. It is a founding member of the FIT. It is also a member of l'Union Nationale des Professions Libérales [the National Union of Liberal Professions] (UNAPL)[25]. The SFT is a union that defends the interests of translators/interpreters in France and promotes the profession of translation/interpreting (SFT Code de déontologie, A propos de la SFT [SFT

[23] "NAATI is a not for profit company that is jointly owned by the Commonwealth, State and Territory governments. We are governed by a Board of Directors, who are appointed by the owners" (NAATI Website: https://www.naati.com.au/about/who-we-are/ Accessed on May 10, 2018).

[24] https://ausit.org/AUSIT/About/Who_We_Are_-_Our_History.aspx / Accessed on June 10, 2018.

[25] https://www.sft.fr/bienvenue.html#.XGM3r1VKjIU / Accessed on March 17, 2018.

Deontological Code, About the SFT]). « La SFT constitue une interface essentielle entre les traducteurs, quel que soit leur statut, les utilisateurs de traductions et les pouvoirs publics" [The SFT is an essential interface between translators of all categories, translation users and public authorities] (ibid.). The association counts about 1,500 members with different specializations, which makes it the first network of translators in France. The latest version of its 'Code de déontologie' [Deontological Code] was adopted in 2009.

- The South African Translators' Institute (SATI) is a voluntary association, which was founded in 1956. It is the only South African member of the FIT. The SATI is "widely recognised in the industry" and "it offers the only professional accreditation available in South Africa"[26]. Its main proclaimed function is to "promote excellence in translation and related fields, as well as clarity of thought and expression; ensure high standards of professionalism among its members through accreditation and the adoption of a code of ethics; and provide support for its members both in their occupational lives and as members of a multicultural and dynamic society."[27] The SATI also seeks to "promote the interests of the translation, interpreting, text editing and terminology professions." The SATI has three separate codes of ethics for individual members, language agency corporate members and language office corporate members, respectively. The latest version of these codes of ethics was adopted in 2013 (Kruger and Crots 2014, 148).

- The Asociación de Traductores Profesionales del Perú [Peruvian Association of Professional Translators] (ATPP) is a voluntary association, founded in 1992. The purpose of its establishment was "to institutionally strengthen the translation and interpreting profession

[26] http://translators.org.za/sati_cms/index.php?frontend_action=display_text_content&content_id=1 / Accessed on August 17, 2018.
[27] https://www.translators.org.za/satis-mission-and-objectives/ Accessed on August 17, 2018.

in order to benefit translators and interpreters alike, as well as users of translation and interpretation services"[28]. The ATPP lobbied for the creation of the Order, the Colegio de Traductores del Perú [Peruvian Translators Association] (CTP) in 1996. Its main claimed objectives are the promotion of translation and interpretation as "professional activities in Peru" and "the recognition of translators and interpreters as high-ranking professionals." The ATPP also aims to "[e]nsure that high ethical and quality standards are adhered to when performing professional translation and interpretation services." The association "[s]upport[s] the specialization and professional development of ATPP members as well as that of other members of the translation and interpretation community" and "[c]ontribute[s] to the use of consistent and correct terminology to facilitate communication."[29] The ATPP is an institutional member of the American Translators Association (ATA**)**, and a founding member of the FIT LatAm (Latin America Regional Center – CRAL) in 2003. The year of adoption of its current Code of Ethics is unknown. My e-mails requesting the information remained unanswered.

- The International Association for Egyptian Translators (IAFET) is a voluntary association, which has an accreditation system. It is the only Egyptian member of the FIT. Its purported aims are to "[promote the recognition of the translations and interpreting professions", "create and maintain standards of professional ethics, practices and competence", "[t]rain and support the education of translators and interpreters", "promote professional and social relations among its member [sic]", support "programs of accreditation and certification for translators and interpreters who meet specific standards of competence", maintain "works [sic] relationships with professional organizations in related fields", and work "constantly with universities and non-governmental and governmental Organization and other entities

[28] http://www.atpp.org.pe/association.php / Accessed on September 20, 2018.
[29] http://www.atpp.org.pe/association.php / Accessed on September 20, 2018.

in such matters as the education and continuing education of translators and interpreters" (IAFET Bylaws, Article II) . The IAFET's first Code of Ethics was adopted in November 2017[30].

In addition to these provincial/national associations' codes of ethics, I examine documents of two international organizations (which have different natures and functions), namely the *Translator's Charter* of the Fédération Internationale des Traducteurs [International Federation of Translators] (FIT) and the UNESCO *Recommendation on the Legal Protection of Translators and Translations and the Practical Means to improve the Status of Translators*.

- The FIT was founded in 1953 in France by only six national associations of translators and interpreters. Currently, it gathers more than a 100 translator/interpreter/terminologist/linguist associations and institutes from 55 countries, representing more than 80,000 translators. It has three regional centers: FIT North America, FIT Latin America and FIT Europe. The FIT is a consultative association of the UNESCO. The main goal of the Federation is "to promote professionalism in the disciplines it represents. It seeks constantly to improve conditions for the profession in all countries and to uphold translators' rights and freedom of expression"[31]. The FIT adopted its first *Translator's Charter* at the Congress of Dubrovnik in 1963, that is ten years after its creation. This charter was amended in 1994. One of the main aims of this document is to lay "the basis of a translator's code of ethics" (FIT *Translator's Charter*, Preamble).

- The *Recommendation on the Legal Protection of Translators and Translations and the Practical Means to improve the Status of Translators*[32] was adopted by the UNESCO during its

[30] Personal communication with Nourhan Ahmed (Office Administrator at the IAFET) by e-mail on September 2, 2018.
[31] https://www.fit-ift.org/about/ Accessed on September 5, 2017.
[32] Henceforth, the UNESCO *Nairobi Recommendation*.

nineteenth General Conference session in Nairobi, Kenya on November 22, 1976, thanks to the work of lobbying exercised by the FIT. The analysis of this document of an outsider agent helps in revealing the extent to which this international 'recognition' (in 1976) is reflected, or surpassed, in codes of translator associations. In the current project, I will study the extent of this 'recognition', i.e., where the UNESCO *Nairobi Recommendation* positions the translator in relation to the other agents. I will also show how similar or different this positioning is to the other codes/charter of ethics.

The current project is interdisciplinary. It draws on Foucault's (1984a, 1984b, 2001a/1982, 2001b/1983, 2001c/1984, 2001e/1988) genealogy of ethics as well as Bourdieu's (1986, 1990a, 1990b, 1993, 1998a, 1998b) and Bauman's (1993, 1994, 2003a/1995, 2003b, 2007, 2008) distinct but complementary sociologies, in addition to Transformative Learning Theory. To undertake my analysis of the translator's (self)positioning via the studied documents, I use Bourdieu's notion of *capital* – along with insights from TS – as a heuristic tool to identify and examine the clauses that empower or impoverish the translator's cultural, economic, social and symbolic forms of capital in their struggle for benefits and recognition with the other agents involved in the translation industry (mainly employers, large clients, authors, legislators/politicians and publishers). I also draw on Bourdieu's sociology in order to uncover and assess the labour relations between the involved agents. With the support of insights from the sociology of professions, the concept of *capital* will ultimately help reveal the mode of *occupational control* 'professional' translation is undergoing, and therefore, who of the agents is imposing their terms and conditions and who is paying the price for this process of 'professionalization'. It is noteworthy that the term 'clients' here and throughout this thesis refers to large clients, and not to (vulnerable) individual clients. This is simply because the biggest portion of the translation market nowadays is with large clients/employers (such as

international/regional organizations, governments, multinational corporations, localizers, giant translation companies and media outlets)[33].

I draw upon Bauman's notion of *moral self*, backed with insights from TS, to analyze the role and place of the translator's moral responsibility in these codified ethics. This notion allows to identify whether the translator's moral judgements can play a role in their decision making or whether they are completely subjected to the preordained rules of codes of ethics. Ultimately, this part of the project will tackle the implications of the possible exclusion of individual morality, in the name of 'professionalism', on the translator's moral self and on various societal issues. The concept of *moral self* and Bourdieu's notion of *capital* together allow me to examine the moral, symbolic, cultural, social and economic powers translators are endowed with or deprived of, and, thus, the extent to which their agency is enhanced or undermined in the documents under study.

Bauman's theory is used mainly as a *critical* tool with which to approach the current translation codes/charters of ethics. His theory is complemented by Foucault's notion of *self-care*, which is used to propose *ethical alternatives* to the current codes that may be *unethically* disempowering individual translators. I propose a charter for ethics that overcomes the weaknesses of the current codes along with a pedagogical project inspired by Foucault's ethics and based on Transformative Learning Theory. Drawing on Foucault's ancient ethics stems from the fact that these ethical traditions allow autonomy from modern codified ethics and are one of the important sources of learning/inspiration widely ignored by modernity. As Alasdair MacIntyre (2007/1981), a contemporary leading figure of virtue ethics, puts it when discussing the critiques of his work *After Virtue* (1981),

[33] The figures of some giant companies of translation are quite revealing, in this respect. For example, the translation company Lionbridge alone concentrates a big portion of the global translation market. "We're fluent in 350+ languages, and we work from more than 5,000 cities […]. Through our world-class platform, we orchestrate a network of 500,000 passionate experts around the world" (Lionbridge Website: https://www.lionbridge.com/who-we-are/ Accessed on November 20, 2020).

> [w]hat there is is an insistence on our need to learn from some aspects of the past, by understanding our contemporary selves and our contemporary moral relationships in the light afforded by a tradition that enables us to overcome the constraints on such self-knowledge that modernity, especially advanced modernity, imposes. (prologue to third edition of *After Virtue*, 2007, vi)

The epistemological and moral crises of modernity, manifest in its inability to continue the games of "illusions", in MacIntyre's (1977, 2007/1981, 1988) thought, may necessitate a return to ancient traditions – which modernity has interrupted and categorically rejected – in order to look for ways that may help – in one way or another – to respond to the current crises.

It is noteworthy that Foucault's thought is important for enhancing not only the ethical self of the translator but also their capital. Thus, his notion allows us to see how the translator can be empowered not only ethically but also culturally, symbolically and economically.

0.6. Originality and Contribution to Knowledge

The current research is expected to enrich the discussion on the thorny issue of ethics in TS, which, I believe, still needs more in-depth interdisciplinary investigations from different angles – notwithstanding the existence of quite a rich literature in the field. The novelty of this project stems from its interdisciplinary approach to studying established codes of ethics, first and foremost. The reliance on insights from Bourdieu's reflexive sociology, the sociology of professions, philosophical genealogy and pedagogy, besides TS, makes it possible to examine the question of translator codes of ethics from different perspectives using different tools. I argue that the issue of (codes of) ethics cannot be tackled within TS alone. Original, well-founded and historical insights about this question reside primarily within philosophy and sociology. The current project digs into the foundations of codes of ethics and the phenomenon of the 'professionalization' processes – the driving force behind this codification.

Although there is a general agreement on the low status of translators/translation in TS literature (e.g., Liu 2013, Dam and Zethsen 2008, Gouadec 2007, Katan 2011, Sela-Sheffy and

Shlesinger 2011, Prunç 2007, Dam and Koskinen 2016, and most, if not all, culturalists), little research has been done to investigate the internal expressions of this state of affairs. This project seeks to study one of the internal documents that may be most reflective of the current situation, that is the code of ethics. The current study of the translating agent's *capital* in codes of ethics complements the studies in TS that have problematized translator codes of ethics for being idealistic, decontextualized and insufficient or for undermining the translator's moral accountability, as reported earlier. The project also builds on the studies that underscore the power issues in codes of ethics, like the brief allusions made by Martín Ruano (2017) about the derogatory view of *translation* in codes of ethics, as cited earlier, or the work of Inghilleri (2008, 2009, 2010, 2012) regarding interpreter's ethics – which I will discuss later on in Part I, Chapter 2. The current project further investigates the power relations in which specific clauses of these codes may be embedded and how they impact on *translators* themselves economically, symbolically and ethically. Importantly, the study gears the discussion on ethics in TS towards an ethics of the self as an *a priori* condition for the ethics of the Other, distancing itself, thus, from the focus on otherness, which has been prevalent in TS, as I discuss in details in Part I, Chapter 2. Also, this is the first project in TS that proposes alternative ethical pathways that are non-coercive and purely personal. Other studies have either proposed other similarly preordained ethics (e.g., Chesterman 2001, Gouadec 2007) or abstained from proposing any in the name of postmodern thinking that inherently refutes imposed prescriptions (e.g., Koskinen 2000a). This study will ultimately attempt to propose a middle ground between proponents of codes and their opponents. Following Foucault's ancient but ageless ethics, I argue that charters of ethics can still co-exist along with self-constituted ethics and develop (as part of a gradual change) on the condition of being stripped of their coercive mantle. Hopefully, this research will be a nucleus for a *critical approach* to translator ethics that draws a new pathway for an ethically, culturally, symbolically and materially empowered translator of tomorrow.

On the other hand, some reservations regarding this project need mention. First, this study's findings will, in no way, claim to reflect the *actual* situation of individual translators' *moral self* or *capital*. This is because the findings derive from an analysis of the way the *institution of the translator*, i.e., the translator association, positions the individual translator in relation to the other agents involved in translation in its internal documents, namely codes of ethics, and not from an empirical research that measures the actual position of the translator. This warning is necessary due to the element of resistance to imposed codes that is inherent in any relation of power (cf. Foucault 1975). Hence, a future follow-up research may want to measure the exact practical implications of the codes on the moral and capital statuses of translators. Another reservation is that the results of the current analysis may not coincide with some translators' understanding and perception of these codes; some practitioners may not be aware of the fact that these documents are embedded in power asymmetries (cf. Bourdieu 1998b, Althusser 1971). One last clarification regards the methodological limitations already mentioned in the methodology section. These have to do with the language limitations and the inaccessibility of some associations' codes of ethics.

0.7. Outline

The dissertation includes four parts. Part I is devoted to Professionalization, Translation Ethics in TS, and *Translation* in Codified Ethics. Part II analyzes the translator's *capital* in the studied documents. Part III examines the translator's *moral self* in these documents. Part IV proposes alternative ethical avenues.

In section 1.1. of Part I, I discuss the main models/theories in the sociology of professions with a special focus on what is known as the *power approach*. I show how the process of

'professionalization' is embedded in power dynamics and, thus, how the vulnerable agent (the practitioner or the client/consumer) involved in an occupation pays the price of this process. In section 1.2., I discuss how TS literature about translation 'professionalization' tackles this question of power dynamics. In Chapter 2, I give an overview on how translation/translator ethics have been approached in contemporary translation theories. I lay out the main views and explain their strengths, their usefulness for my research, their weaknesses and gaps, and how the latter problems informed the current project. Chapter 3 opens the analysis of the corpus. It analyzes the definition given to *translation* in each document. I put this chapter about the definition of *translation* in the studied documents in Part I, rather than Part II, because this definition serves as a background for both Part II and Part III and, to some extent, Part IV. It is used to account for how the view of *translation* affects both the translator's *capital* (Part II) and *moral self* (Part III).

In Chapter 1 of Part II, I introduce Bourdieu's theoretical framework, on which I draw in my analysis of the translator's *capital* in the corpus under study. In Chapter 2, I analyze the translator's different forms of capital, namely cultural capital in section 2.1., social capital in section 2.2. and economic capital in section 2.3. I show how the definition of *translation* (analyzed in Part I) and the self-concept of the translator as well as the relational aspects in the studied documents affect the translator's different forms of capital and, therefore, their status. Chapter 3 is the central chapter in which I reveal whether and how the three forms of capital convert into symbolic power (if any). Because translators can be seen as both occupation practitioners and cultural producers, I postulate that their cultural capital is convertible into a symbolic capital that can take two main forms: recognition as autonomous *professionals* who self-govern their profession, and/or recognition as autonomous cultural producers (manifest in copyright). Section 3.1. of this last chapter shows whether and the extent to which the translator is recognized as a *professional*, and, therefore, whether they impose their terms and conditions

on the other agents in the field. Section 3.2. reveals how the current copyright law is reinforced or resisted in the studied documents and whether it can be considered as a symbolic recognition of the translator as a cultural producer. Ultimately, it shows whether the copyright issue impacts the translator's capital positively or negatively. Section 3.3. discusses symbolic violence that translators may be subject to in case their capital is not recognized in any of the mentioned forms. This section also explores possibilities of emancipation.

In Part III, which is devoted to the analysis of the translator's *moral self* in codified ethics, I present Bauman's notion of *Moral Self* and other issues related to morality in Bauman's postmodern theorization, in Chapter 1. Chapter 2 entitled The Translator's *Moral Self* in Codified Ethics is made of 3 sections. Section 2.1. investigates the question of *public protection* (highlighted by the studied documents), its understanding, its 'ethical' and 'professional' means as well as its limits and repercussions on the translator's moral self. Section 2.2. analyzes the issues of Otherness, representation and cultural sensitivity in the documents under study. Section 3.1. of Chapter 3 discusses how and to what extent moral responsibility under the studied codes is an institutional concern rather than an individual translator's reponsibility. Section 3.2. discusses the universalism and well-foundedness of the studied codes of ethics. Section 3.3. discusses the translator's morality in postmodern ethics. And section 3.4. briefly tackles the ethical challenges posed by globalization.

In Chapter 1 of Part IV, devoted to alternative ethics, I present an overview of Foucault's *self-care* ethics. In section 2.1. of Chapter 2, I propose an approach that may enhance the culture of the self within the institutions concerned with translation, namely Translation Studies, the translation occupation and translation pedagogy. In section 2.2., I propose an alternative charter for ethics that can be viable only within this culture of the self in the mentioned institutions. Being aware that this charter may be of little use if not adopted by ethically empowered translators, I further explain in Chapter 3 how the culture of the self can be embodied

pedagogically and applied in the education of the translator. For this purpose, I resort to Transformative Learning Theory as a complementary approach that is appropriate for the implementation of self-care ethics in translation classrooms. I present the core components of Transformative Leaning and ethical growth, in section 3.1., and I explain how the translator's self-care through Transformative Learning can be instantiated in a translation classroom, in section 3.2.

The concluding part summarizes the answers to the research questions of the current project and underlines the ethical perspectives the translator of tomorrow may espouse. It also proactively responds to possible criticisms and lays out some avenues for future research.

Part I: Professionalization, Translation Ethics, and *Translation* in Codified Ethics

Part I of this thesis provides further context to the current study. It draws on sociological perspectives that allow to situate codes of ethics within the general process of 'professionalization' of the translation occupation. It explains the power relations in which this process is involved, which might have an impact on the orientation of these codes of ethics. To provide this context, I present some views from the sociology of professions, with a focus on what is known as the *power approach*, in Section 1.1. of Chapter 1. I also review the existing literature in TS about translation 'professionalization', in Section 1.2. This part also reviews the existing literature about ethics in TS and places the current project within this scholarly research, in Chapter 2. This first part also opens the analysis of the corpus in its Chapter 3. It presents the view of *translation* advanced by the studied documents, which serves as the background on which the analysis in the subsequent parts of the dissertation is based.

Chapter 1: Translation 'Professionalization' and the Sociology of Professions

1.1. Professionalization in the Sociology of Professions

As already stated, a code of ethics is one of the main documents that display the identity and policy of a 'professional' association. Its establishment and adoption may be seen as one of the apparent characteristics of the professionalization process. Scholarship that examines this process started to appear under the umbrella of the sociology of professions in the 1950s as a response to the growing professionalization of some fields of practice. Social scientists have generally agreed that professionalization as the institutional and/or legal regularization of occupations is a major, if not, a defining characteristic of modern societies (Johnson 2016, 9).

The most classical approach in the field of sociology of professions is what is known as 'the trait model'. This approach considers that a profession is characterized by a set of attributes that differentiate it from an occupation. These attributes are: "1) systematic theory, 2) authority, 3) community sanction, 4) ethical code, and 5) a culture" (Greenwood 1957, 45). The trait approach advances that an occupation can be considered a profession only with the existence of a systematic knowledge specific to the field of practice, an authority of professionals in determining the needs of the clients, recognition from society for this authority, the establishment of a **code of ethics**, and the existence of a professional culture manifest in professional networks or associations. Without these core attributes which define a profession, an occupation remains a non-professional practice, according to Greenwood.

Another important approach in the sociology of professions is the functionalist model. This approach stresses systematic knowledge, altruism in service and self-control of behaviour through the internalization of **codes of ethics**; all for the welfare of society. Its pioneers, Parsons (1954), Goode (1960) and Barber (1963) claim that professions have a functional relevance for society, and, therefore, they need to be regularized in order to protect the general public from abuses and violations. Public protection is ensured mainly through the establishment and implementation of **codes of ethics and practice** (Saks 2016a, 72). Talcott Parsons (1954, 1968), the most influential proponent of functionalism, emphasizes such central values of professions, but also stresses the primacy of cognitive rationality, functional specificity and universalism which professions need to embody. He asserts that "[w]hile there is a variety of reasons why *disinterestedness* is of great functional significance to the modern professions, there is equally impressive evidence for the role of *rationality*, *functional specificity* and *universalism*" (Parsons 1954, 42, italics added).

Terence Johnson (2016/1972), one of the most prominent figures in the sociology of professions, rejects both the trait and the functionalist models. For him, the trait approach is too

atheoretical. He argues that it "too easily falls into the error of accepting the professionals' own definitions of themselves" (2016, 25), and asserts that "[t]here are many similarities between the core elements as perceived by sociologists and the preambles to and contents of professional codes" (ibid.). According to the trait approach, the process of professionalization – which actually involves other determining variables and agents – is usually restricted to an occupation's technicality and other self-attributes of practitioners, Johnson reports. Johnson rejects the assumption that the inherent qualities and nature of an occupation are the only reasons for its professionalization. He also refutes the belief that these qualities solely and autonomously determine the process and the way of an occupation's professionalization. In his account of the case of accountancy, Johnson contends that this occupation is, in fact, not a profession despite its accumulation of many traits and despite its mainstream perception as such. The reason, according to him, is that practitioners are not in a position of power and do not self-control their occupation, but are rather subject to the power of patrons/clients. In sum, the trait approach, for Johnson, ignores issues of power dynamics in the *occupational control* processes, like the lobbying that occupational groups engage in and the possible role played by governments and educational institutions or powerful patrons/clients in imposing their own definitions and contents of the practice on practitioners' representative bodies (ibid., 30).

Johnson, also, vehemently criticizes the functionalist model for overlooking power dynamics in its analysis. He criticizes Parson's (1954) assumption of rationality, functional specificity, universalism and affective neutrality in the content of practice as well as in interpersonal relations for its pre-determinism regarding such content and relations. These are, in fact, usually influenced by power relations beyond 'professional' criteria, as Johnson argues:

> [w]here, for example, a physician or architect is subject to the whims of a single powerful patron as the sole client; where the client has the power to define his own needs and the manner in which they are to be met; then the relationships of affective neutrality and authority which Parsons claims are inherent in the professional role will be undermined. (Johnson 2016, 36)

Parsons's (1991/1951, 1968) thought is clearly embedded in modernism that stresses rational regularization both in the content of occupations and the interpersonal relations between practitioners and other agents. It is, also, embedded in a striking idealism as it stresses the issue of professionals' *disinterestedness*. Thus, he pays little attention to the power dynamics between practitioners, clients and other social/political agents. Parsons ignores the fact that the powerful client may be in a position to dictate not only the nature of the relationship but also the practice content. Johnson also criticizes functionalism for being ahistorical and ungeneralizable, for it cannot serve to account for various processes of occupational control across cultures, times and cases. He corroborates Rueschemeyer's (1964, 17) critique of the functionalists' idealistic picture of professions, "conceived of as service occupations that (1) apply a systematic body of knowledge to problems which (2) are highly relevant to central values of the society." In a similar vein, Mike Saks (2016a) classifies both the trait and the functionalist models under 'the taxonomic approach' and criticizes them for their uncritical view of professions. He refutes both models for being "more oriented towards legitimating professional ideologies" than "depicting how professions operate in practice" (Saks 2016a, 72, cf. also Sacks 2015, 2016b). Bourdieu (1992), in a brief discussion of the concept of 'profession', vehemently criticizes Parsons' functionalism, which he qualifies as a 'theoretical jumble'. Bourdieu refutes the notion of 'profession' as it is a constructed social category rather than a scientific concept – which, if unexamined, appears as *neutral* and commonsensical.

> The notion of profession is all the more dangerous because it has, as always in such cases, all appearance of neutrality in its favor and because its use has been an improvement over the theoretical jumble (*bouillie*) of Parsons. To speak of 'profession' is to fasten on a true reality, onto a set of people who bear the same name (they are all 'lawyers' for instance); they are endowed with a roughly equivalent economic status and, more importantly, they are organized into 'professional associations' endowed with a code of ethics, collective bodies that define rules for admission, etc. 'Profession' is a folk concept which has been uncritically smuggled into scientific language and which imports into it a whole social unconscious. It is the *social product* of a historical work of construction of a group and of a *representation* of groups

> that has surreptitiously slipped into the science of this group. This is why this 'concept' works so well, or too well in a way.
>
> (Bourdieu and Wacquant 1992, 242-243, italics in original)

Bourdieu, thus, rejects taking the concept of 'profession' "at face value" (ibid., 243). Rather, he stresses "the work of *aggregation* and symbolic imposition that was necessary to produce it" (ibid., italics in original). Bourdieu, like Johnson and Sacks, therefore, stresses the play of power dynamics in advancing professions and professionalization. Following this understanding, he issues a call to "to *replace* this concept [profession] with that of field" (ibid., 242, italics in original), i.e., to take it "as a structured space of social forces and struggles" (ibid., 243).

Bourdieu's brief remarks about the notion of 'profession' as a field of struggles over available stakes and about 'professionalization' as a symbolic imposition were taken up by Schinkel and Noordegraaf (2011). In their publication, they regard *professionalization* as the process of struggle to attain scarce symbolic capital, that is *professionalism*. Following Bourdieu's reflexive sociology, Schinkel and Noordegraaf argue that the notion of 'profession' is "a socially consecrated and legitimated concept within a field of differences" (2011, 77), and that it has been *naturalized* as non-arbitrary through power struggles that settled it as common sense (ibid., 78). The process of *professionalization* as a symbolic control of content takes place within certain *determining* historical and structural contexts that give it shape.

> The construction of professionalization "projects" and the struggles over (discursive) resources take place within more historical and structural contexts. These contexts determine whether specific field can arise in which "professionalism" can function as symbolic capital. In short, when we take available conceptions of professionalism and connect them to Bourdieusian thinking, professionalism can be seen as *symbolically controlled content in autonomous but dynamic contexts of struggle*. Both content and context can be elaborated in order to understand professionalism-as-construction. (ibid., 85, italics in original)

Johnson, Sacks, Bourdieu, and Schinkel and Noordegraaf all argue that the idealistic image of professions as rationally regulated organisms that promote the good functioning of society and the protection of the public, regardless of the agents' struggles for privileges and status, is fraught with problems. They can, thus, all be safely put under the umbrella of the 'power approach' to the sociology of professions.

Under this approach goes, also, Eliot Freidson (1970, 1984, 1986, 1994), one of the most influential figures in the sociology of professions, and, particularly, in medical sociology. Freidson critically defines 'profession' as a form of monopoly and control over one's practice, a securing of a highly regarded position in the division of labor, and autonomy from other agents. Despite its various uses,

> [i]t is possible to reserve the term "profession" for that form of occupational organization which has at once gained for its members a labor monopoly and a place in the division of labor that is free of the authority of others over their work. Work as such, and the skills it entails, while not irrelevant, are not the focus for discrimination so much as the organized place of an occupation in the labor market and in a division of labor. (1994, 115)

Similarly to the scholars discussed earlier, Freidson rejects the trait approach for its overemphasis on the aggregation of certain attributes for professionalization. He argues that, despite the importance of the intrinsic qualities of a practice and the workers' actual skills or education level, these variables alone do not lead to professionalization. Freidson rather stresses the role of political lobbying in securing favourable jurisdictions and terms.

> The existence of such control over work by the workers themselves cannot be explained by the mere length or content of formal education or by some intrinsic character of skill. Rather, control presupposes a successful political organization which can gain the power to negotiate and establish favorable jurisdictions in an organized division of labor, and to control the labor market. (ibid., 114-115)

Freidson, not very differently from the above scholars, refutes the functionalist approach for its idealism concerning the altruistic function of professions to society, the ethicality of

professionals and the efficiency of internal self-regulation through professional associations. He debunks these functionalist claims drawing on empirical findings.

> Not only have observers been concerned that organized professional associations have flouted the public interest (e.g., Gilb 1966; Lieberman 1970), but it has become evident that the informal method of social control prevalent among professionals has typically been guided by norms that prevent that control from being exercised judiciously and systematically. (ibid., 129)

In sum, following Freidson's thought, professional groups promote 'professionalism' ideology and engage in a (political) struggle to enhance the status of their occupations and reinforce or maintain exclusionary social closure that secures the boundaries of their proclaimed professional territories. Ultimately, their endeavours aim at privileging and empowering the practitioners and protecting their interests.

Somewhat differently from Freidon, Johnson (2016) does not tackle the question of power and self-interest in one-dimensional way[34]. Instead, he shows that in many occupations that are conventionally seen as *professions*, practitioners do not actually possess the power to control and determine the content of the practice and its relations. In many cases, it is the other agents (namely consumers/clients) who determine the content of the practice and the relationships within it. Johnson argues that, generally, institutionalized forms of *occupational control* arise as a result of uncertainty and tension in producer-consumer relationship. *Occupational control* is, thus, seen as a management strategy designed to reduce the doubt between the two main agents (producers and consumers) in their transactions/interactions. This reduction of doubt is not, of course, achieved in an idealistic fairness to all agents. There is a price to be paid for this process by one of the parties. 'Consensus' may be reached, but usually at the expense of one of the agents – and hence the determining role of power dynamics.

[34] I do not mean that Freidson does not, like Johnson, highlight the control of occupations by managerial agents (corporate capital) or the state (in some regimes), but he does not pursue a systematic analysis in this direction as deep as Johnson's. This is probably due to the fact that Freidson's primary focus is the medical profession (traditionally controlled by professionals) while Johnson's primary focus is accountancy, which has always lacked practitioners' self-control.

Contrary to common assumptions, few occupational groups have sufficient access to resources of power to impose their own definitions of the content of their work and to define the practitioner-client/employer relationship. Only if they gain extra power from a wider social power or if their consumers/clients are heterogeneous and divided do they acquire sufficient power to impose themselves. In this respect, Johnson writes,

> [i]t is only where an occupational group shares, by virtue of its membership of a dominant class or caste, wider resources of power that such an imposition is likely to be successfully achieved, and then only where the actual consumers or clients provide a relatively large, heterogeneous, fragmented source of demand. (2016, 43)

Where there is a single powerful consumer/client or a unified body of clients/consumers, practitioners are usually unable to impose their own definitions of 'professional' relations or 'professional' content. It follows that expertise and skills are not determining factors in the professionalization of an occupation. It is rather *professionalism* – re-defined as a mode of *occupational control* when professionals have external power resources – that is liable to lead to professionalization under the terms and conditions imposed by the professionals.

Johnson summarizes the discussion about professionalism, professions and professionalization with the assertion that

> [p]rofessionalism, then, becomes redefined as a peculiar type of occupational control rather than an expression of the inherent nature of particular occupations. A profession is not, then, an occupation, but a means of controlling an occupation. Likewise, professionalisation is a historically specific process which some occupations have undergone at a particular time, rather than a process which certain occupations may always be expected to undergo because of their 'essential' qualities. (ibid., 45)

Thus, as in Bourdieu's thought, Schinkel and Noordegraaf's view, and Freidson's account – and differently from the 'trait' and the 'functionalist' models – Johnson contends that it is neither the knowledge of practitioners nor the inherent qualities of an occupation that impose it as a profession. Rather, it is the imposition of the *belief* that the occupation is important and

esoteric through lobbying and struggles. In other words, it is not about the actual skills practitioners possess but about how these skills are represented and, most importantly, how they are perceived. However, *professionalism* is only one mode of *occupational control*. This control can take other forms depending on who, among the main agents, possesses more influential power resources. Johnson concludes that *occupational control* can take three main forms: *collegiate control*, *patronage* and *mediation.*

Collegiate control refers to the mode in which the professional defines the client's needs and the way they cater to these needs, raising the flag of expertise, i.e., technically based skills and esoteric knowledge of their field – which is in fact only deployed as an ideology of control. As stated earlier, *professionalism* as a mode of occupational control emerges when the producer/practitioner community is homogeneous and enjoys some external resources of power while the clientele/consumers are heterogeneous and fragmented. In this case, clients are usually unorganized, dependent and have divergent interests, and therefore easily manipulable (ibid., 51). In this regard, the creation of newer needs is a tactic that may be used by professionals. The expert's authority, drawn from the consumer/client's 'ignorance', gives them the opportunity to create and/or exaggerate the clients' needs, in the name of professional counselling and guidance.

When specialization increases, the professional community's homogeneity is usually threatened and interests start to diverge. When this coincides with the existence or the formation of an organized, powerful and homogeneous clientele/consumer base, the ideology of *professionalism* may enter into crisis, and other modes of occupational control may emerge. This is the perfect soil for the emergence of a second mode of occupational control, which is the *patronage system*. This mode is characterized by the power of the client to define both the content they need and the way they wish these needs to be catered to. "In such cases the members of occupations applying esoteric knowledge are themselves 'clients', having neither

exclusive nor final responsibility for their services; ultimate authority in the assessment of process and product lies with the patron or patrons" (Johnson 2016, 65). This form of occupational control, in turn, has three subtypes: oligarchic patronage, corporate patronage and communal Control. *Oligarchic patronage* dates back to traditional societies when the aristocratic patron would define their wishes for their architects, artists, translators and craftsman, and impose the ways they were to be fulfilled. *Corporate patronage*, on the other hand, develops when a few large-scale powerful corporations are the main consumers of practitioners' services while the latter are a heterogeneous community with divergent interests and no external sources of power (Johnson 2016). In this case, practice is not defined by the practitioners' knowledge or even theorists' understandings but is imposed by the client in line with their needs, definitions and terms. As Johnson tells us, this mode "has been associated with the growth of bureaucratic organisation in industrial societies, creating conditions in which the demand for many occupational services comes increasingly from a declining number of large-scale corporations, both private and public" (ibid., 66). This *corporate control* mode is perfectly epitomized in the accountancy occupation – conventionally regarded as a *profession* – in today's industrial world where a big part of accountants' services is mainly demanded by large corporations (ibid., 46). Therefore, as Johnson informs us, "[t]he influence of corporate patronage has always been felt in the governing bodies of the accountancy profession in so far as the public practitioner was oriented to the needs of business" (ibid., 67). I will examine how this situation applies to the translator's governing bodies (i.e., professional associations) later in this project.

The last subtype of 'patronage' is *communal control*. This "refers to a situation where a community as a whole or a community organisation imposes upon producers communal definitions of needs and practice" (ibid., 46). This communal control can take the form of

consumers' associations that try to control any 'deviations/abuses' of producers/practitioners. The proliferation of consumers' rights associations in many countries are good examples.

Under patronage systems, practitioners are expected not only to share the modes of practices of their patrons/clients and produce the contents the latter demand but also imbibe and reflect the (theoretical) understandings, value systems and 'ethical' orientations/practices of these patrons/clients. Hence, the ethical responsibility of practitioners may be confined to being *loyal* to the patron and faithful/adherent to their favourite mode of practice and their 'ethical' codes. The consequences of one's actions beyond this practitioner-client unidirectional relationship is, thus, probably not a concern for the practitioner. Repercussions their acts may have on society, environment, remote places/people and other species in general do not seem to be within their ethical concerns. This is because that may embarrass the patrons in case they are involved in suspicious activities that may harm others (environment, humans or any other species), as Johnson (2016, 71) underlines. The practitioners' concern for the patrons' value systems and their definitions of the practice foregrounds "an ethic of limited responsibility, contrasting with that of *professionalism* – a situation in which the 'professional' does not look beyond the consequences of his actions for the patron. Also, such practitioners tend to be apolitical, where the expression of political views or political action may embarrass the patron" (ibid., 71-72, italics in original). All these issues will be discussed as far as translation occupation is concerned in case it is found to be within this mode of occupational control.

The third mode of occupational control is *mediation* by a third party. This intermediary role has been played by states and other forms of political and/or religious regularization (e.g., the Church). In this mode of occupational control, neither the producer/practitioner nor the consumer/client determines the content of practice or the interpersonal relations between stakeholders. They are rather determined by the intermediary.

Regardless of its mode, the main characteristic of occupational control in modern times is the creation/existence of a 'professional' association that gathers practitioners with similar status, identity and interests. 'Professional' associations seek to "promote uniform policies by imposing a monopoly on practice in the field and regulating entry to it" (ibid., 54). They play the role of gatekeepers of the 'profession' by creating mechanisms of entry filtering based on strict conditions. In order to proclaim homogeneous identity and high standards of 'professionalism' for their members, they legislate codes of practice and ethics and develop measures that ensure full compliance with the regulations. These codes mostly include defining clauses of the practice and relationship with peers, clients and the public. Their study may, thus, reveal the occupational control mode that a certain occupation undergoes, and this is one of the objectives of the current project about 'professional' translation.

1.2. Translation 'Professionalization' and Power Dynamics in TS

In most TS literature, the term 'profession' has been used in its mainstream sense to refer to the translation occupation and specifically to pragmatic types of translation. The question of *professionalization* started to attract the interest of scholars only recently, with the growing demand for translation services in the age of globalization. While some scholars still discuss the issue of the professional recognition of translation/translators quite atheoretically, a few others have started to discuss the question drawing on scattered ideas from the sociology of professions. Most of these studies have focused on the translator/interpreter's self-perception, (professional) status, and internal and external struggles for recognition, as I discuss shortly (cf. Sela-Sheffy and Shlesinger 2011, Dam and Koskinen 2016).

In his work *Translation as a Profession*, Daniel Gouadec (2007) often discusses translation as a 'profession' in its mainstream meaning. By professional translation, he often means translating for "business" (2007, 3). In some parts of this work, however, Gouadec

expresses his concern over the current 'professional' status of translation. He laments the fact that translation in most countries is regarded as "secretarial work" (ibid., 245). "[T]here still exists no official status for translation and translators and trying to get professional recognition and financial rewards for their skills and technical expertise is still basically a lone struggle" (ibid., 245-246). Gouadec argues that translators need to present their skills and technical expertise as important as they actually are and calls for an international recognition of their expertise.

> What is needed is some kind of solemn official international declaration confirming the highly specific technical character of translation as a pursuit, and as a profession. Alternatively, a definition of job profiles relating to translation and of the ways and means to access the translating professions is a necessary first step to make sure that such a category as translating professionals reaches international recognition. (ibid., 246)

What Gouadec overlooks, however, is the fact that such recognition has to be seized by translators using other external resources of power that may be available to them, as I explain in Part II. Gouadec also seems to equate the legal status of translation/translators with professionalization when he cites the case of translation/translators in Canada as a model to follow in other parts of the world. This same understanding of translation professionalization is held by Lynne Bowker (2005). Bowker equates the legal status of a reserved title for the ATIO's certified members with 'professional recognition'. However, paradoxically in the same article, she found that while translators value this 'professional recognition', "it seems to be less well understood by the public" (2005, 29). Employers seek and value less this 'professional recognition' and the majority of them are "unaware of or unconcerned" about it (ibid.).

Some studies that somewhat draw on the sociology of professions appear in the volume *Identity and Status in the Translatorial Professions*, edited by Rakefet Sela-Sheffy and Miriam Shlesinger (2011). As mentioned, most of these studies focus on the translator's or interpreter's self-identity and status, and/or their view of professionalization in this "semiprofessional

occupation" – to cite Sela-Sheffy's (2011, 3) denomination in the Introduction. Using online questionnaires that were sent to translators/interpreters worldwide, David Katan, in his paper 'Occupation or Profession, A Survey of the Translators' World', investigates the translators' self-perception of their work and the traits of 'professionalism'. He reports that although translators perceive themselves as "satisfied professionals" when they focus on the limited text world, they, however, feel their work is undervalued and lacks "public recognition" when they look at the wider reality of their job. "[W]hen asked to focus on the wider reality they become acutely aware that they lack societal recognition, and that translators, in particular, lack status" (Katan 2011, 84). Katan observes that very few translators, however, show an interest in responding to the requirements of the trait approach, and, thus, the accumulation of the necessary criteria for professional recognition. He writes,

> there is not really much mention or apparent awareness regarding wider professional autonomy or many of the key traits deemed necessary for the transformation from an occupation to a profession. In fact, control of output and its use in wider society is hardly mentioned, nor is the need for a recognized body of T/I [Translation/Interpreting] knowledge (rather than practice) or professional certification/qualifications. (ibid.)

Katan, subsequently, concludes that translation is still an occupation "rather than a fully fledged profession" (ibid.).

Another study that tried to measure the professional status of translators in Canada comes from Marielle Godbout (2012). Relying on the trait approach, Godbout concludes that translation in Canada is a "semi-profession." Although the translation occupation has many of the attributes of 'professionalism', some of them are only partial, according to the author. For example, although programs of translation (as a trait of theoretical knowledge) exist all over the country and codes of ethics are established by all existing associations, not all provinces/territories have translator associations, nor do they all accord translators a legal status or recognize their system of certification, Godbout observes. But the main attribute that is

seriously lacking, according to Godbout, is the recognition of the expertise of translators and/or their reserved title by society. The author, thus, like the authors discussed above, unfortunately, barely touches on the power issues except for the fact that translators are "the authors of their own misfortune" (Godbout 2016, n.p)[35]. Godbout recommends that associations give access to Reserved Title only to translators with training in the field and that they "become proactive in publicizing the value of their work to the good functioning of society" (ibid.).

Not very differently, Kafi, Khoshsaligheh and Hashemi (2018), in an article published in *The Translator,* study the challenges that face the 'professionalization' of translation in Iran and make recommendations that may help overcome the *status quo*. Based on "indepth interviews" of different agents involved in translation, (namely translation scholars, translators, translation agency managers and a head of a publishing house), they found that the main problems are:

- the lack of a translators' representative body,
- the lack of precise market entrance criteria for translators,
- the lack of an agreed-upon code of ethics, and
- the lack of the necessary skills for the newly graduated students from translation departments to succeed in the market.

The interviewees in this study suggest that some courses need to be added to the current TS programs. They also recommend that a certification system needs to be adopted in order to "put an end to the issue of unqualified translators" and that more 'professional' development programs for the practicing translators need to be established (2018, 100). In this study, Kafi, Khoshsaligheh and Hashemi (2018), like the above scholars, seek the accumulation of traits of 'professionalization'.

[35] https://www.circuitmagazine.org/dossier-131/lack-of-status-are-translators-the-authors-of-their-own-misfortune

Sergey Tyulenev's (2015) publication is one of the few theoretical studies in TS that fully draw on the sociology of professions. Unfortunately, however, the author relies on Flexner (1915), one of the first pioneers of the archaic trait approach. He, surprisingly, overlooks insights from the sociology of professions since the 1960s – except a few swift general remarks about Freidson – under the pretext that "the sociology of professions has been experiencing a crisis and it is felt that little progress has been made" (Tyulenev 2015, 15). He also justifies his dismissal of the later developments in the field by the "lack of consensus" despite the richness of the literature (ibid., 16). Tyulenev applies Flexner's criteria of 'professionalism' to the translation occupation. He deduces that translation is an occupation that is still in the process of professionalization. "[t]ranslation cannot as *yet* claim the status of a fully fledged profession" as it fails some of Flexner's criteria of 'professionalism' (ibid., 24, italics added). Thus, Tyulenev, like the previous theorists, barely touches on power issues.

Critical of the ethnomethodological studies about translation 'professionalization' (i.e., studies based mainly on the translator's self-perception) prevalent in TS, Tyulenev, Zheng and Johnson's (2017) comparative study of the degree of professionalization in Russia, China and Spain reports on external views of translation by investigating the requirements of consulates/embassies, and on internal views by looking into the translation agencies' requirements of job applicants. The authors find that the Spanish authorities are more appreciative of the specificity of translation as they put higher demands on quality and adopt adequate mechanisms to measure quality. The Russian and Chinese authorities, on the other hand, while admitting the importance of translation, are not as strict as the Spanish authorities regarding the establishment of methods to assess quality. Concerning the translation agencies' (internal) view, the authors conclude that the Spanish and Chinese agencies are stricter than the Russian agencies as far as skills and education requirements are concerned. "In this way they seem to contribute in a more efficient way to creating a professional public image of the

translator/interpreter" (2017, 351). Based on their findings, Tyulenev, Zheng and Johnson (2017) conclude that "translation is professionalized, yet not uniformly across countries" (ibid., 352). These authors' atheoretical ways of assessing professionalization in this study show a very reductive view of the process and the notion of 'profession' compared to how they are viewed in the power approach in the sociology of professions.

In a very recent article published by the end of 2020 as I was wrapping up the current dissertation, Wen Ren – drawing on Bourdieu's sociology – studied the evolution of the status of interpreters in China over the last 70 years, and how that has changed the perception and application of some of the main principles found in codes of ethics (mainly the principle of 'fidelity). In this study, Ren concludes that

> [t]he past 70 years have witnessed the evolution of interpreters' understanding and practice of (codes) of ethics in China as interpreting developed from a heteronomic field, largely subject to the domination of other powerful fields such as politics and diplomacy, to a relatively autonomous field, and now possibly to a subfield of the language service sector, thus risking losing its professional autonomy. (2020, 291)

The author argues that in the first phase (1949–1978), interpreters in China did not have enough cultural capital because of the lack of training/resources, and the political agent dominated the field. 'Fidelity', for example, "was recognised as one of the cornerstones of professional ethics for interpreters, but it was understood that this notion should not be taken at face value" (ibid., 287), as political allegiance to the state usually overrode it. Ren contends that during the second phase of the studied period (1979–2009), interpreters gained internal control and had a stronger capital and better codified ethics, and other traits of 'professionalism'. She argues that 'fidelity', for example, "was given more importance" (ibid., 292) and became more achievable thanks to the high cultural capital of the interpreter – although she implies that it remained driven by the political agent. The third phase (2010–2019), characterized by the increasing growth of language service industry, makes Ren doubtful about whether the 'profession/professionals'

will keep its/their autonomy and symbolic capital. Ren's conclusions and findings remain to be revisited by other studies about interpreting (codes of) ethics in China. In her article, the notion of autonomy and professionalism are taken at face value. Despite the use of Bourdieu's sociology, the author seems to see professionalization as a process of accumulating some traits, mainly the enhancement of cultural capital. She does not seem to see the impositions of the external (political) agent as the main hurdle to professionalization. It is clear that the situation of interpreters in China, even following Ren's report, has been very much controlled by the political agent (i.e., the state), which makes its professionalization anything but possible. The possibly flawed conclusions of the study seem to be due mainly to a partial understanding and misapplication (or selective application) of Bourdieu's reflexive sociology and the sociology of professions.

Regarding the question of professionalization and (internal) power struggles, Rakefet Sela-Sheffy (2008, 2016) examines the translator's recognition in the Israeli context. She investigates the way literary translators in Israel advance their *personal* prestige through positive self-representation in the media. She found that they mainly advance the images of "cultural custodians" of the national culture, "ambassadors of foreign cultures" and "men of art." The author argues that "the status of *literary* translators in Israel seems to depend entirely on their *personal* glorification through the propagation of highly valued images of translators as cultural agents" (Sela-Sheffy 2008, 610, second italics added). Hence, "elite" literary translators in Israel not only show no interest in collective or institutional 'professionalization' but also stand against it, as Sela-Sheffy (2016) shows in her contribution to the special issue of *The Journal of Specialised Translation* about the translation 'profession'. Strikingly, this "anti-professionalization" culture among 'elite' translators in Israel contaminates even "non-elite practitioners." "[D]espite their occupational insecurity, anonymous non-elite practitioners, too, are mostly indifferent, if not hostile, to attempts toward professionalising their trade" (2016,

68). While the situation of 'elite' literary translators is quite understandable as most of them "usually have additional literary-related careers", and, therefore, get their prestige not so much from being translators but from being 'original' literary producers, academics, critics or editors, the inclination of the other 'non-elite' translators towards countering 'professionalization' is quite peculiar or extreme, argues Sela-Sheffy (ibid., 55, 58). Sela-Sheffy contends that

> whether or not an occupation undergoes professionalisation depends on market incentives and the interest of corporate or governmental bodies to control the given cultural production. However, the major impetus for this process comes from the practitioners themselves, who strive to capitalise on their specific abilities and monopolise them as their own exclusive assets.
>
> (ibid., 56)

Hence, Sela-Sheffy seems to equate professionalization with *control* of translation by any involved party (even if it is the government or the patrons). Although aware of power issues among different ranks of practitioners and subfields within the same occupation, Sela-Sheffy fails to see the power struggles that practitioners are engaged in with other agents in the social field involved in translation at large (among them patrons and/or the state).

In the introduction to the same special issue of *The Journal of Specialised Translation* on the translation 'profession', the editors, Helle Dam and Kaisa Koskinen (2016, 2) argue that despite many attempts at transforming translation into "a fully-fledged profession" through the accumulation of many traits of professionalization, "translation has not *yet* reached full professional status, and the boundaries of the field remain fuzzy" (italics added). Not very differently, Pym et al.'s (2016, 50) contribution notes that "[t]he kind of legally protected title that is based on an academic degree and membership of an association seems not likely to happen anytime soon in the case of translation." This is due to the high number of freelance translators and part-time translators and the fragmentation of specializations, and therefore the multiplicity of associations (cf. Pym 2014). The increasing specializations make the "fictional uniformity of a professional title" unattainable (Pym et al. 2016, 51). This *status quo* is also due

to technological advancements, which have had the side effects of further disturbing the already disordered market. In the electronic age, traits of 'professionalism' are less trusted as the occupation attracts many non-professionals (Pym et al. 2016). In an earlier study about *The Status of the Translation Profession in the European Union*, Pym et al. (2013, 76) advance that "[i]t may be that the modes of 'power' and 'control' associated with the image of a fully autonomous profession are simply not those that are operative in the field of translation." Translation – 'not fully professionalized' – does not endow its practitioners with the necessary power to be recognized by clients/consumers and society, following Pym et al.'s argument (2013). This same understanding is seen in Dam and Zethsen's analysis (2011). Dam and Zethsen assume that "the barriers to full professionalization [in Denmark] are closely connected to status and prestige" of translators (2011, 979) – not recognized by the clients and/or the public (2010, 207) (cf. Dam and Koskinen 2016 for similar assertions). Pym et al. and Dam and Zethsen rightly argue that since translation as an occupation (and translators as practitioners) do not have the power and control of an autonomous profession (and professionals), it follows that translation may not be under *collegiate control* in the current conditions.

Pym et al.'s (2013) argument is, however, embedded in a striking paradox. While they seek to empower translators to allow them to set their terms rather than submit to their clients/employers' agendas, they endorse 'professionalization' based on a consensual effort with those very agents. They seem to suggest that the desired 'professionalization' requires cooperation and consensus from everyone involved for the mutual benefits of all. They, thus, undermine the fact that these agents are engaged in permanent struggles to impose their different needs, contents and definitions, and therefore, enforce their specific mode of *occupational control*. Not very different from Sela-Sheffy (2016), who equates professionalization with any kind of occupational control (i.e., collegiate or corporate control), Pym et al. (2013) seem idealistic in their plea for 'professionalization' through patron(s)'

consent on the translators' terms in a cooperative atmosphere. This is manifest in their recommendation that any action in this direction should be "*clear and recognisable for employers"* (Pym et al. 2013, 121). This implies the involvement of employers in processes of qualifications or certifications, Pym et al. explain. Yet, Pym et al. (2013), like Sela-Sheffy (2016), overlook the fact that this mode – which may require the translator's inclination to patrons' terms – cannot lead to the translator's autonomy and, thus, to their power or self-control. They both omit to suggest that only through imposing the *view*[36] that translation is *highly important* and *complex* and that the work of translators is *esoteric*, and mostly through mobilizing other *external resources of power,* that translators will be able to seize a recognition of their expertise from employers/clients and the public at large. Only in *collegiate control* mode, where professionals impose their terms and conditions, will translators be recognized, similarly to other professionals, like doctors or lawyers. And this is a much more complex process than Pym et al.'s (2013) recommendations, as the current project will show. Pym et al.'s analysis is problematic in the sense that it ignores the price being paid for removing doubt and uncertainty among agents. They overlook the fact that it may be the translator who has to pay full price under the mode of patronage they tacitly promote in their study.

The introductions of the two main recent contributions to the questions of professionalization, profession or status, namely the volume entitled *Identity and Status in the Translatorial Professions* (2011) and the special issue of *The Journal of Specialised Translation* (2016), qualify translation as a "semiprofessionional occupation" (Sela-Sheffy 2011, 3), which has "not *yet* reached full professional status" (Dam and Koskinen 2016, 2, italics added), respectively. Although some of the publications are aware of the internal and external power dynamics in which the field is embedded and of the translator's struggle for recognition, the prevalence of terms like 'semi-profession' or 'partial professionalization' in

[36] It is not important whether translation is complex or important (*which it is*); what is important is to convince people of its complexity and importance, and *naturalize* that belief in their way of thinking.

TS literature, as discussed in this section, shows that most accounts are based on the archaic "atheoretical" trait model – in Johnson's (2016, 25) qualification – and barely make use of the more recent and plausible power approach in the sociology of professions. Most these studies often count the accumulated traits and deduce that the 'professionalization' process is not complete *yet* as some of the attributes of 'professionalism' are still missing. Those scholars, therefore, urge for more work to be done to 'gather' all the attributes. The best many TS scholars aspire to is a legal status (cf. for example, Gouadec 2007, Sela-Sheffy 2016, Pym et al. 2016). They, thus, overlook the fact that legal status does not guarantee *collegiate control*, in the Johnsonian sense (2016). As Johnson shows, although accountancy has all the traits of 'professionalism' and has a legal status, it still fails the test of professionalization and, hence, submits to the *patronage* system. I do not mean that traits are completely irrelevant, but I do believe they are not decisive. It is rather the imposition of recognition on the other agents surrounding the field by mobilizing external resources of power that leads to *professionalization,* in Johnson's terms (2016).

In short, neither the accumulation of traits of 'professionalism' alone nor the *fair* and *collaborative* 'professionalization' that many TS scholars aspire to can lead to *collegiate control*, in Johnson's sense. The current project examines the power relations at stake in these attempts at *occupational control*, i.e., who is paying for the process, through an analysis of the translator associations' main identifying document, that is their codes of ethics and/or practice. Ultimately the study explores whether *professionalism* as a social construction of control that enhances the translator's *symbolic capital* (cf. Schinkel and Noordegraaf 2011), and, therefore, gives them the power to monopolize the "'official' definitions" (to borrow Johnson's term 2015/1977, 106) of *translation* and its content and practice, is within reach. Let us now turn first to a review of translation ethics in Translation Studies before moving to the analysis of the "'official' definitions" of *translation* in the different studied documents.

Chapter 2: Translation Ethics in Contemporary Translation Theory

The question of ethics has been quite widely debated in Translation Studies, especially since the cultural turn. A number of renowned journals devoted special issues to translator/interpreter ethics in the last twenty years. *The Translator* alone has published three special issues: the 2001 issue about 'The Return to Ethics', edited by Anthony Pym; the 2017 issue about 'Translation, Ethics and Social Responsibility', edited by Joanna Drugan and Rebecca Tipton; and the 2010 issue edited by Moira Inghilleri and Sue-Ann Harding, devoted to 'Translation and Violent Conflict' – tackling translator/interpreter ethics and other related issues pertaining to mediation and agency in situations of conflict. *Traduction, Terminologie, Rédaction (TTR)*, in turn, published a special issue in 2004 devoted to 'Translation, Ethics and Society', edited by Marco Fiola. Very recently in 2020, *Translation and Interpreting Studies* devoted a special issue to 'Ethics of Non-Professional Translation and Interpreting', edited by Esther Monzó-Nebot and Melissa Wallace. Related to ethics and translation pedagogy, *The Interpreter and Translator Trainer* devoted a special issue in 2011 to 'Ethics and the Curriculum', edited by Mona Baker and Carol Maier. Some contributions in these issues will be discussed later in this chapter and in other parts of the dissertation. Apart from these specialized issues and many other targeted publications that are explicitly centred around translator/interpreter ethics, there have been countless other publications that are indirectly related to translator ethics. These studies gave rise to various divergent views on the topic. The impossibility of agreement on the notion of ethics and its implications stems from the complexity and multi-facetedness of the issue, as well as scholars' adherence to different epistemological traditions. Most importantly, the different conceptualizations of the very concept of *translation*, due to its *complexity* and *openness* (Marais 2014 and Tymoczko 2007, respectively), have provoked such differences.

The debate on translation ethics has gradually evolved since the 1970s, but took a central position in TS during the cultural turn, fuelling an approach that has proclaimed distance from

the objectivist linguistic-oriented approaches to translation and focused on the socio-political, ideological and cultural dimensions of translation. This approach has emphasized the translator's ideological/political allegiances as an important variable that is involved in translation. But even before the cultural paradigm and its deconstructionist, postcolonial and gender variations, the hermeneutic tradition had provided important insights into this thorny issue. The turn away from objectivism in TS has not been for good and all. Until today, some scholars, in the name of pragmatism and functionalism, are still debating ethics from an idealistic perspective, as I discuss in the current chapter. In what follows, I sketch the main traditions in TS regarding ethics, without claiming to be exhaustive. As Goodwin rightly argues, translation is "intrinsically ethical" (2010, 26). Hence, any analysis of ethics is also an analysis of the theories and practices of translation in general. It follows that it is impossible to include every scholarly contribution that hints at ethical matters.

2.1. Hermeneutics and Translation Ethics

George Steiner's (1975) seminal work, *After Babel: Aspects of Language and Translation*, is, to my knowledge, the most extensive hermeneutical work in the history of reflections on translation. Steiner devotes significant space to the discussion of otherness in his hermeneutic motion. He admits that translation is an aggressive appropriation of the other, and calls for compensation: a restoration of balance, a reciprocity, for the translation cycle to be complete and ethical. Discussing Ezra Pound's genius in translating from Chinese (a language he did not speak), Steiner argues that those translations, though esthetically successful, were Western inventions of the Other as they contain many formalizations as well as suppressions. Steiner quotes Massignon as saying: « pour comprendre l'autre, […], il ne faut pas se l'annexer, mais devenir son hôte » [in order to understand the other, [...], one must not annex them, but rather become their host] (1975, 395). Steiner's interest in ethics of otherness may be seen as less

concerned with hegemony and oppression (than later TS scholars). The question of power relations is not the central issue on his agenda, and translation between European languages is his main focus with less focus on the *remote* Other.

Another translation critic who should be placed under the umbrella of hermeneutics is the French theorist, Antoine Berman (1984, 1999/1985, 1999/1995). Similar to Steiner, Berman was well acquainted with the German Romantic tradition, which, for him, stood as the bright opposite to the French classicism that sought to mould the foreign (ancestors') cultural heritage into contemporary French aesthetics and models. Berman argues that translation should be « l'auberge du lointain » [the shelter for the distant] (1999/1985, 76), i.e., an ethical translation needs to represent the other in their otherness. He advocates the recognition and importation of difference in translation and refutes the annexation methods, advancing the argument that meaning may indeed be untranslatable. « 'Le trafic' du sens auquel s'adonne la traduction est une opération douteuse, mensongère et peu naturelle » [Sense 'trafficking' that translation indulges in is a dubious, deceitful and unnatural operation], Berman tells us (ibid., 43). In ethnocentric translations that favor 'capturing' the sense at the expense of the 'letter' (form), « la traduction doit se faire oublier » [the translation must become invisible] (ibid.). It becomes, thus, a sort of appropriation, an « acclimatation » [acclimation] of the foreign texts (ibid.,38). Following Benjamin (2000/1923), Berman argues that translation that seeks communication and the appropriation of the content is doomed to betray the form of the original (Berman 1999/1985, 71-72). At the opposite extreme from Chesterman (2016/1997) who seeks clarity for the sake of 'rational communication' as one of the most ethical operations, Berman considers clarification unethical (Berman 1999/1985, 71-72). His advocacy for the recognition and importation of difference in translation is reminiscent of Schleiermacher's affirmation that 'a good translator' is the one that "leaves the writer in peace as much as possible and moves the reader toward him" (2012/1813, 49). Also, aware of the theoretical underpinnings behind

exclusionist translation acts, Berman calls for a reflection that could liberate *translation* from dominant ethnocentric theorization. « Sortir la traduction de son ghetto idéologique, voilà l'une des tâches d'une théorie de la traduction » [Getting translation out of its ideological ghetto is one of the tasks of a theory of translation], Berman asserts (1984, 17) (cf. also Tymoczko 2007, Trivedi 2006, Baker 2006a, Susam-Sarajeva 2002).

Although influenced by Schleiermacher and other German Romantics, who sought to build a national identity and culture through translating the ancestors in their difference, Berman has no similar nationalist agendas. On the contrary, his embrace of the German Romantics' approach to translation stems from his criticism of the opposite practices of the French 'Belles Infidèles' classicism. Surprisingly, however, Berman feels no discomfort at the Romantics' motives and imperialist agenda, or their declared ambition that the world would speak German and read the ancients' works in German (cf. Schleiermacher 2012/1813). Another quite plausible criticism that can be leveled against Berman is the elitism of his ethics that are hardly applicable to all fields, genres and cases in the same clear-cut way (Gouanvic 2001). Pym qualifies Berman's ethics as "factitious" for being "devoid of two-way power relations" (2012, 92). He criticizes the fact that Berman overlooks situations where foreign cultures impose their texts on receiving cultures, as is the case of colonial powers (ibid).

Not far from Berman geographically and intellectually resides another renowned French translation critic, Henri Meschonnic. For Meschonnic (1999), translation ethics as well as translation poetics consist of preserving the ST's rhythm and discursive spirit. « L'éthique et la poétique du traduire ne sont qu'une même recherche. Du rythme » [The ethics and poetics of translation are one and the same pursuit: preserving the rhythm of the text] (Meschonnic 1999, 221). Meschonnic (1999) also argues that a good translation is done for good and all. A translation that calls for another translation is not a translation, for him. Berman (1999/1995) criticizes Meschonnic for being intuitively judgmental and negative in his critiques. The role of

a pertinent critique is exactly to provoke a re-translation as every translation calls for retranslation, Berman (1999/1995), divergently, argues.

Although Berman and Meschonnic – like Steiner and other German precursors – fiercely defend respect for alterity in its esthetics, forms and models, they hardly devote any room to issues of (political) agency, activism, or colonial/patriarchal hegemonies. These issues and the central role played by the translator in reinforcing or contesting them will be among the prime concerns of the cultural turn.

2.2. The Culturalist Perspective on Translation Ethics

Since the cultural turn from the beginning of the 1990s, the question of 'ethics of translation' has taken a central position in various debates in TS. Many theorists have scrutinized the historical, ideological and political facets of translation, beyond the idealistic understanding of translation as the pacific transfer of a transcendent and stable signified (cf. for example Tymoczko 2007; Venuti 1995, 1998, 2005; Baker 2006a). These scholars have examined the notion of *translation* as a historical concept that evolved, taking different shapes, and hence yielding different practices and different discourses on what *translation* is and how it should be practiced. They generally argue that the socio-culturally constructed understanding of the concept 'translation as equivalence' has been mostly created by powerfully dominant actors and cultures and has been imposed on the rest of the world (cf. Trivedi 2006; Tymoczko 2007, 2007; Susam-Sarajeva 2002). Most importantly, culturalist scholars have highlighted the importance of embracing ethics of difference and ethics as engagement with just causes (cf. Venuti 1995, 1998; Davis 2001; Cronin 2003, 2006; Tymoczko 2010/2003, 2007; Baker 2006a, 2006b, 2007, 2008, 2010, to name a few).

Among the theorists that have denounced the 'scandalous' translation practices issuing from hegemonic conceptualizations of translation based on assumptions of equivalence, is the American TS scholar, Lawrence Venuti (1995, 1998). Drawing on Berman and the German Romantics (mainly Schleiermacher 2012/1813), Venuti (1998) calls for 'minoritizing translation' relying on 'discursive heterogeneity' (1998, 12). For him, ethical translations should not adhere to dominant standards but import minor foreign literatures – minor even at home – with all of their archaisms, if any. This 'minoritizing strategy' implies the creation of a heterogeneous discourse in and through translation, bringing the remote other as other, and not assimilating them to uniform or canonical fluent discourses. Venuti's vision of translation ethics is, thus, to adopt foreignizing translation strategies that can "restrain the ethnocentric violence of translation" (ibid., 20), and create "possibilities for cultural resistance, innovation, and change at any historical moment" (1995, 68).

Venuti's blunt declarations are not, however, unanimously embraced by his colleagues in the cultural turn. Douglas Robinson (2003), for example, is critical of what he calls Venuti's Marxist radicalism that seeks abrupt change. He refuses Venuti's 'principled action' that seeks to revolutionize translation practice as a way of countering hegemony. Instead, Robinson proposes an evolutionary tactic "that nudges the reader gradually, cautiously, out of the hegemonic mindset that feels so natural, so real, so comprehensive, so complete, and into a confrontation with the leading edge of the repressed" (2003, 150). Also, although Venuti's position as a proponent of ethics of difference and plurality is important, he, nevertheless, fails to consider that his foreignizing option can be the very strategy used to unethically represent the other as strange and primitive (cf. Faiq 2004, Carbonell 2004). As Tymoczko (2007, 2010) and Baker (2010) rightly affirm, Berman and Venuti's fight against cultural enclosure (and their resistance to naturalization) is specific to the French and American contexts, respectively, and hence it is difficult to generalize them. A fierce criticism of Venuti's plea in favour of

translator's visibility and resistance, and therefore authorship, comes from Barbara Folkart (2007). She castigates his foreignizing strategy as being "mindless word-for-word translation" (2007, 388). Folkart also asserts that visibility, in Venuti's sense – the kind that produces "a 'resistant translation' – one that 'minoritizes,' or that shines and shocks merely by its graininess – is worlds away from authoring a text" (ibid., 385).

Not far from Venuti, Tymoczko (1999, 2000, 2005, 2010/2003, 2006, 2007, 2010), for her part, refutes the dominant Western discourse about translation and questions the Eurocentrism of current translation theories. She seeks a reconceptualization of *translation* as a "cluster concept" that can encompass varied meanings and cultural models and push its boundaries to include a variety of types and styles. Tymoczko considers the current dominant conceptualization of *translation* as being "limited and [...] also ideological", and therefore, unethical (2007, 6). Her reference to the ideological meaning of *translation* includes the work of missionaries, colonization and globalization nowadays, which all have conceptualized *translation* idealistically as a pacific cultural encounter, in an attempt to conceal the role it plays in the indoctrination and domestication of the dominated local populations (cf. also Niranjana 1992). Also, similar to Venuti (1995, 1998), Tymoczko stresses the important role translators/translation play in political agency and in challenging or fostering hegemonic discourses and political domination. "Translation has marked political dimensions, becoming a mode of spying or intelligence gathering used for the purposes of domination or, alternatively, a mode of counterespionage, resistance, and rebellion" (Tymoczko 2007, 197). In 2010, Tymoczko reiterates her position by affirming that "in peace as in war, translation always has a potentially radical and activist edge, that it is driven by ethical and ideological concerns, and that it participates in shaping societies, nations, and global culture in primary ways" (2010, 19-20). In her work, Tymoczko (2007) prefers ethical engagement rather than resistance as the first is proactive (active) and the second is reactive (passive).

Along similar lines, Baker (2005) – freeing herself from *constative* linguistics, and embracing the *performative* trend[37] in TS, which are manifest in her publications over the last 15 years[38] – has engaged in an activism very much like Tymoczko's (2007) engagement, discussed above. Baker questions the role of translation and translators. She argues that the act of translation and the role of translators is either that of building bridges of peace or creating damage and destruction. "No one questions whether bridges are always built for the (morally) 'right' reasons, nor the fact that just as they might allow us to cross over and make positive contact with a different culture, they also allow invading troops to cross over and kill, maim and destroy entire populations", Baker argues (2005, 9). Baker's (2006a, 2010) narrative framework – borrowed from social and communication theories – brings the ethical question to the fore. Drawing on the notion of *narrative reframing*, she argues that some outwardly 'accurate translations' may sometimes have "suspicious frames" (ibid., 2010). Through *selective appropriation* and other features of narrativity, she examines how some translators and publishers select certain elements of the source texts/cultures and not others with the aim of presenting a coherent story, which is in fact only a partial representation of reality. Baker asserts that translators may play an important role in the deliberate weaving of narratives that tend to represent the Other in a negative way. In this regard, she affirms that "selecting, and in some cases 'inventing', texts that help elaborate a particular narrative of an 'enemy' culture, then, is a well-documented practice that often relies heavily on the services of translators and interpreters" (2006a, 75). Thus, Baker, like Tymoczko (2000, 2007), preaches the principle of activist interventions in support of just and ethical causes. Following her reasoning, neutrality is a *myth*[39] that conceals atrocities. Baker (2018) urges translators to approach their assignments

[37] See Robinson's (2003) discussion of constative vs performative linguistics.
[38] I would like to highlight that Baker's major publication in the 1990s, namely *In Other Words: A Coursebook on Translation* published in 1992 is embedded in constative linguistics. She, however, adds a chapter about ethics in its second edition (2018/2011) in which she treats the subject in the light of her latest relativist approach.
[39] Roland Barthes (1989/1957, 231) argues that *myth* « abolit la complexité des actes humains, leur donne la simplicité des essence, il supprime toute dialectique, toute remontée au-delà du visible immédiat, il organise

not only as technical tasks, but mainly as personal ethical challenges/dilemmas that require critical skills (ibid., 290).

Not very different from Tymoczko and Baker, Michael Cronin (2003, 2006, 2010/1998, 2017) advocates the activist dimension of translation. Cronin (2003) argues that in a globalized world, characterized by acute imbalance in translation traffic, the translator's responsibility should extend beyond taking translation only as a 'professional' activity to taking it as a cultural fact with political facets. "There must be an activist dimension to translation which involves an engagement with the cultural politics of society at national and international levels […] Indeed, the professional and the political are inextricably linked", Cronin argues (2003, 134). In his recent publication, *Eco-Translation: Translation and Ecology in the Age of the Anthropocene*, Cronin (2017) reiterates his earlier positions and further stresses the collaborative, global and processual dimensions of translation. Most importantly, he adds an original dimension to translation ethics, taking it beyond political agency and social responsibility towards humans alone, to an awareness of inter-species relatedness and the preservation of diversity and resources. Cronin (2017) expands ethics to include responsibility to other species if we want to ensure an ecological balance and survival for all species – humans included. Translation has, historically, not only concealed or perpetuated human sufferings but has also been embedded in concealing animal sufferings, Cronin points out (2017). Cronin raises the issue of unethical translations that mask or silence the brutal treatment of other species. "This is a prerequisite of any attempt to cultivate a cross-species ethical or political agency which would appear crucial to the notion of collective ecological survival" (ibid., 85). For this collective survival, he rightly

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un monde sans contradictions parce que sans profondeur, un monde étalé dans l'évidence, il fonde une clarté heureuse ; les choses ont l'air de signifier toutes seules » [abolishes the complexity of human acts, gives them the simplicity of essence, removes all dialectics, does away with anything beyond the immediately visible, arranges a world without contradictions because it is devoid of depth; a world laid out in obviousness. Myth establishes happy clarity; things appear to mean all by themselves].

argues that "[t]ranslation studies has to engage with planetary futurity as a guide to the priorities of the present" (ibid., 92). Cronin emphasizes the role that translators can play in environment protection from their position as linguistic and cultural experts. He believes that they – along with other agents – should be called upon to evaluate the ecological price of certain translations in the digital age.

> As connoisseurs of language, culture and/or different specialisms, they would assist in the evaluation of the likely impacts or benefits of the translation of particular texts. In an era of anthropogenic climate change, it is no longer possible to abstract the 'externalities' of environment from the cost of engaging in or pursuing a particular activity and this includes translation. (2017, 107)

Not far from the view that emphasizes the ethical responsibility of translators/interpreters in their translational encounters stands Moira Inghilleri (2008, 2009, 2010, 2012). With respect to interpreting and on interpreters, Inghilleri argues that political and ethical judgements in situations of high tensions should be driven by the nature of the ethical encounter, rather than predetermined by codified ethics that emphasize *impartiality* or *neutrality* principles. Drawing on philosophical and sociological insights, she embraces an ethics of interpreting "that resists the wish to transcend the violation of the other through codes based in transcendent ideals and is instead guided by the nature of the ethical encounter itself where 'the right thing to do' cannot be calculated or predetermined, but can only ever be decided in the event itself." (2008, 222). Inghilleri questions preordained rules of codified ethics for being abstract, unrealistic and decontextualized – especially in contexts that are characterized by high tension. Most importantly, she warns against the fact that interpreters may be 'ethically' annexed to the military or political field they choose to serve, in the name of impartiality and neutrality (Inghilleri 2010, 2012). Inghilleri rather underlines situational ethics and the uncertainty of the interpreter's choices in asylum adjudication situations and war zones (Inghilleri 2012). I believe her invaluable insights need to be taken further by examining these codes of ethics, where they actually exist and where they are proclaimed as important *internal* official documents. This is

especially important as these official documents probably impact on all 'professional' translators' ethical agency in most seemingly non-conflictual situations. Furthermore, codes of ethics may not only impede the translator's ethical agency but also reinforce their vulnerable economic and symbolic status, especially when these practitioners claim self-control and autonomy through 'professional' representative bodies.

A tangible strategy to respond to ethical demands in translation is that of massive textual interferences, proposed by Appiah (2000/1993) and Sturrock (2010/1990), respectively. With the African context in mind, Appiah calls for 'thick translation' strategies; a rich textual and cultural contextualization of the remote literary production through annotations and glosses. Only this way can the translator challenge the reader "to undertake the harder project of a genuinely informed respect for others", and hence contributes to the repudiation of racism (Appiah 2000, 427). Sturrock, on the other hand, advocates 'interlinear translation', which highlights the non-immediacy of the translation act and "allow[s] certain 'purely' untranslatable characteristics of the syntax and lexicon of the source to show through in the translation" (2010, 63).

2.3. Deconstruction, Postcolonialism and Gender approaches to Translation Ethics

2.3.1. Deconstructionist Tradition and Ethics

The translation theorists discussed in the previous subsection were not the first or the only theorists to have addressed the issue of ethics in translation. The challenging of objectivist theorizing that started to dominate in humanities after World War II culminated in poststructuralist thought. This intellectual tradition has been the driving force behind many other revolutionary views regarding the issue of translation ethics (heretofore seen from an objectivist lens). Outsider theorists, like Jacques Derrida, provide the most inspiring thoughts that are later taken over and developed by TS deconstructionists concerned with 'ethics'. In

1985, Derrida writes a ground-breaking essay in which he discusses Benjamin's (2000/1923) text 'The Task of The Translator'. Corroborating Benjamin's argumentation, the French theorist argues that translation is inherently *transformative*. In his comment on the German theorist's postulate, Derrida affirms that translation is impossible and necessary; it is an unachievable promise that is rarely accomplished (Derrida 1985, 234). « La traduction devient la loi, le devoir et la dette mais de la dette on ne peut plus s'acquitter » [Translation becomes law, duty and debt, but the debt one can no longer be discharged] (ibid., 218/174)[40]. This is due to the plurivocality of linguistic signs and the constructivist nature of human knowledge. Translation, thus, is a fiction we live by, as Robinson (2003, 6) puts it. It is a symbol of the confusion that humans have been left to face, the uncertainty they have been destined to, since 'God' forbade the colonial violence of *one* universal tongue, *one* universal signified, *one* frame of reference, *one* structure, and ordered the deconstruction of the Babel Tower – the symbol of totalitarianism and uniformity. Discussing the Semites' ambition to totalization and completeness by building the Tower, Derrida says that, by deconstructing the Tower, 'God' « rompt la transparence rationnelle mais interrompt aussi la violence colonial ou l'impérialisme linguistique. Il les destine à la traduction, il les assujettit à la loi d'une traduction nécessaire et impossible » [ruptures the rational transparency but interrupts also the colonial violence or the linguistic imperialism. He destines them to translation, he subjects them to the law of a translation both necessary and impossible] (1985, 218/174). Derrida's deconstruction embraces the ethics of pluralism and awareness of the double-voicedness of discourse– to use Bakhtin's (1981) term – and the uncertainty based on the incompleteness and instability of meaning.

[40] All French and English citations from this publication are from the same reference. Throughout this dissertation, the page number of the French citation is mentioned first, followed by the page number of the English citation. Here is the reference: DERRIDA, Jacques. 1985. 'Des Tours de Babel.' In *Difference in Translation*, translated and edited by Joseph GRAHAM, 165-248. Ithaca and London: Cornell University Press.

Other poststructuralist TS scholars who have played a major role in promoting 'deconstruction' and 'hybridity' principles in the field have followed Derrida's deconstruction ideas (e.g., Spivak 2000, 2005; Davis 2001). Davis, for example, refutes the idea that meaning transcends language and that translation imports meaning smoothly and completely. Meaning is rather an effect of language. It is neither a stable nor a fixed entity. Davis (2001, 46) considers that "the desire for total translatability, which has always been the desire of Western metaphysics, is a desire to reign, or dominate." With this in mind, she refutes the Eurocentric translation theories for being exclusionist and limited. She implies that any 'code of ethics' drawn from the ethnocentric conceptualization of translation is impetuous. "An ethics of translation theorized according to such a definition would be irresponsible to that which it excluded in order to define itself. For this reason, deconstruction remains wary of 'ethics', which in many contexts implies the application or establishment of an ideal code." (ibid., 92). Highlighting the notion of ambivalence, Davis argues that translation decisions that do not go through 'the ordeals of the undecidable' are not decisions. The ones that abide by the norms and pre-established 'passages' and 'programmes' are just mechanical accounts, for Derrida, as Davis (2001, 93) tells us. Ambivalent and uncertain passages should be envisaged. The translator should take into consideration the singularity of every event and should be aware of the impossibility of any complete grasp of the Other, in order to respond responsibly and ethically. Responsibility and ethics do not mean submitting the *Other* to one's own code of reference, i.e., one's assumptions and frames, but understanding the codes of the *Other* in their Otherness.

In tune with Davis's analysis, Spivak, another hardcore deconstruction and postcolonial theorist, argues that translation is an "unavoidable failure" (2005, 95), in her chapter in *Nation, Language and the Ethics of Translation,* edited by Sandra Bermann and Michael Wood. For her, cultural otherness is irreducible and inaccessible, and an ethical translator is one who is

aware of these inherent limitations in translation. A translated text is a sort of "trace rather than of achieved translation: trace of the other, trace of history", says Spivak (ibid., 105). Spivak's argument reminds us of Lévinas's phenomenological ethics about the unassumablity of otherness and the past when he affirms that « [i]ci, étrangeté absolue de l'altérité inassumable, réfractaire à son assimilation à la présence, étrangère à l'aperception du 'je pense' qui toujours assume ce qui le frappe en le re-présentant » [here, there is absolute foreignness of the unassumable otherness, refractory to its assimilation into presence, foreign to the perception of the 'I think' that always assumes what strikes it by re-presenting it] (1991, 190). Staten (2005), in the same volume, exposes Spivak's radical conceptualization of the 'aboriginal Other'. The 'aboriginal' is "the one *most* alien to European culture, the one most securely expelled from the name 'Man'" (2005, 115, italics in original), and hence the impossibility of their translation. In Spivak's understanding, the 'aboriginal' as a representative of the extreme *Other* – that is unrepresentable by Western frames – stands in opposition to the 'native informant' that incarnates colonial ideology. Staten reproaches Spivak for the radicality in her conception of the "aboriginal." She ignores all others that exist on the "scale of degrees of closeness to and distance from the fully constituted 'metropolitan subject'" (ibid., 116). Staten argues that "[t]he transcendental or quasi-transcendental notion of radical alterity is the most severe constraint on our notions of ethical encounter, which Spivak conceives on this basis as both imperative and impossibility; *this notion, however, is meta-ethical and does not by itself provide us with any political point of application*" (ibid., 116-117, italics in original). Also discussing the problematic of the Other's representation, in this same volume, Eaglestone (2005) – drawing on Benjamin (2000/1923) – argues that translation reveals that one language is not enough. This 'failure to be enough' is what discomforts us, but at the same time, makes us aware of the ethical significance of respecting Others' uniqueness and mystery (Eaglestone 2005, 136). He points

that, “it is only by approaching the neighbor, the other, as that which we cannot understand or comprehend, or translate, that we act ethically” (ibid.).

Levinasian thought about the ethics of the Other has been drawn upon by Arnaud Laygues’s (2004), in an article published in the special issue of *TTR*. The author has applied Lévinas’s notions of « image » [image] and « visage » [face] to translation ethics. Laygues rejects the view of *translation* as ‘resemblance’ or ‘image’ and embraces the view of *translation* as responsibility to Otherness in their singularity. « La possibilité est donc offerte d’une traduction non comme ressemblance, image du texte-cible, mais comme rencontre ouverte à la relation : le traducteur à l’affût du ‘visage’ de l’autre présent dans son texte » [The possibility is thus offered of translation not as resemblance, image of the target text, but as an encounter open to the relationship: the translator on the lookout for the ‘face’ of the other present in their text] (2004, 53). The notion of « visage de l’Autre » [the face of the Other] allows the translator to promote ethical relations to the other as well as the reader, Laygues concludes. In the same issue, Christopher Larkosh (2004) underlines the relevance of Lévinas’s philosophy to translation ethics. He, like Laygues, underscores the supremacy of Otherness and the translator’s role in shaping language, culture and society as well as in giving voice to the voiceless, in order to challenge the global structures of domination. Larkosh writes,

> the translator’s presence as a theorizing subject, now more than ever, can be recognized as inseparable from this practice. Clearly, discussions of translational ethics must be concerned not only with the accurate transferral of meaning, but also the broader cultural significance and potential public spaces of the texts we translate and the institutionalized positions from which we do so. Translating ethically, especially from Global South to Global North, may well imply an interruption in official discourses by enabling voices not traditionally audible in present-day academic discussions of translational ethics to come forth, and thereby challenging the Eurocentric foundations of present structures of symbolic domination. (2004, 28-29)

Another notion widely adopted by poststructuralist TS scholars is *hybridity* and *in-betweenness*. Drawing mainly on Homi Bhabha (1994), Michaela Wolf has strongly argued in

favour of *in-betweenness* to "transcend dichotomizing notions of translation" (2000, 130). She contends that authoritative discourses can be undermined by polyphonic, hybrid and double-voiced constructions (Wolf 2000, 2002). New meanings that defy the fixed polar entities and generate new spaces can then emerge, Wolf argues. These new meanings are "located in the third space, a sort of in-between space located between existing referential systems and antagonisms" (ibid., 135). Thus, translation, for Wolf, is not a reinforcement of the original but rather a *transformation*. This is because "the 'original' is never finished or complete in itself. The 'originary' is always open to translation so that it can never be said to have a totalized prior moment of being or meaning – an essence", as Bhabha insightfully argues (1990, 210). Translation as generative of discursive multiplicity and the proliferation of signification, and therefore the adverse of control, delimitation and certainty is similarly advocated by Karin Littau[41] (2010/1997). Desacralizing the original (text and author) – which are 'anoriginal', in her terms – and valuing translation/translators, is a way of promoting the proliferation of meaning and multiplicity.

> [W]e have inferiorized translation, we have devalued it, because we fear it, since it is a flaunting manifestation of textuality's most 'uncontrollable aspects', since it is an index of the 'cancerous and dangerous proliferation of significations'. By extension, we have inferiorized the translator, because we fear her or him, since he or she is the very initiator or proliferator of discourses, the multiplier of versions. (Littau 2010, 441)

Following Roland Barthes's 'death of the author', Littau adds that "the faithful translation died with the author, with our faith in the Author-God" (ibid., 438).

Not very different from Wolf and Littau, Bachman-Medick (2006, 2009), a cultural and literary studies scholar interested mainly in 'cultural translation', introduces the notion of 'culture as translation'. Like Wolf, she draws on Bhabha (1994) in her argument that the dynamic nature of cultures and their hybridity in today's world necessitate newer approaches

[41] Cf. Hermans (2010/1996) for a similar account on the ideology of translation control that seeks to prevent its generative power of meaning.

to this 'cultural encounter'. "Cultures constitute themselves *in* translation and *as* translation", says Bachmann-Medick (2006, 37, italics in original). For her, an ethical anthropology/cultural translation can and should move beyond essentialist cultural polarization to account for hybridity, shifts, displacements, transformations, heterogeneity and dynamism within cultures and between them. She embraces the exploration of a third space and border crossing, quoting Bhabha (1994,39) as he says: "by exploring this Third Space, we may elude the politics of polarity and emerge as the others of our selves." In other words, she theorizes a new (cultural) translation/anthropology in today's global world, based on a rupture with the dichotomous conceptualization of cultures and civilizations. Bachman-Medick advocates anthropology/translation that can evade their traditional mire in authoritative discursive games that favor reading about the Other's mode of life instead of learning to live a new mode of life (Bachmann-Medick 2006; cf. also Asad 1986).

The deconstructionist/poststructuralist tradition is drawn upon by TS scholars with postcolonialist and gender studies orientations in revealing the abusive effects of colonialism and sexism in translation and textual production in general, respectively. Hence, the ethics of translation for these two traditions require the deconstruction of the totalitarian colonialist and patriarchal discourses that regard the West/Man as the sacred originals and Third World/Woman as translations – or deficient derivative copies – (cf. Spivak 2000, 2005; Niranjana 1992; Cheyfitz 1991, Rafael 1988/1993; Mehrez 1992; Bandia 2005, Flotow 1997, 2007, 2011; Simon 1996; Chamberlain 2012/1988).

3.2.2. Postcolonial and Gender Approaches to Ethics

For postcolonial scholars, "colonialism and translation went hand in hand" (Bassnett and Trivedi 1999, 3). Postcolonial scholars tackle translation as a channel of empire, a technology of dominance and colonialism (Robinson 1997, 31). The ideology of objectivism of translation was the unethical tool used to harness and domesticate the natives in many parts of the world.

The work of Eric Cheyfitz, *The Poetics of Imperialism: Translation and Colonization from the Tempest to Tarzan,* is one of the most comprehensive outlines of postcolonial theory of translation. In this publication, Cheyfitz examines the conquest of the New World. According to his analysis, the 'savage' natives were seen as inferior to Europeans, and genetically unable to negotiate, and, therefore, they needed to be alienated and translated. Cheyfitz (1991, 16) writes: "[t]he failure of dialogue, figured as a genetic inability in the other, rather than as a problem of cultural difference, is the imperial alibi for domination." An important part of this translation process was the seizing and transfer of the natives' properties – since they had no sense of it – into the conquerors' hands. Translating the natives was, however, an extremely difficult, if not an impossible, task as they did not understand 'eloquent speech', and were 'incoherent, non-objective and irrational'.

For her part, Tejaswini Niranjana (1992), in her seminal work, *Siting Translation: History, Post-structuralism, and the Colonial Context*, raises the question of *interpellating* the natives by teaching them English and British ways (civilizing them), and thus translating and purifying the Indian heritage into British canons. "Translation produces strategies of *containment*" (Niranjana 1992, 3, italics mine). According to the scholar and translator William Jones, who was "responsible for the most influential introduction of a textualized India to Europe," translation had to serve "to domesticate the Orient and thereby turn it into a province of European learning" (Niranjana 1992, 12). Hence, translation was a means to 'gather in', 'domesticate' and 'rope off' the Orient. The translation of Indian texts into English promoted Orientalist images for the educated Indians who started to perceive them as 'natural' and even truthful (Niranjana, 1992).

In a similar line of thought, Vincent Rafael (1993/1988) studies the interconnection of translation, conversion (to Christianity) and conquest in the colonization of the Tagalog society in the Philippines by the Spanish in the 16th century. He raises the questions of transformation

and conversion of the population in order to guarantee their voluntary submission and even love and affection towards the conqueror. In order to facilitate the conquest, the Tagalogs needed to be converted, translated and transformed. "The Spanish notion of translation as the reduction of native signs into a structure comprehensible in Spanish terms was very much at the root of the attempts to codify native culture" (1993, 106). Because the Christian signifiers ('God's words') were untranslatable – as there were no 'equivalents' in the pagan Tagalog vernacular to express the Christian 'truth' – they were retained as such and entered into the vernaculars, (which also needed to be purified and moved closer to God's language). In a later article, Rafael (2010/2007) maintains that translation can be anything but objective and smooth. Instead, it can be "an instrument of surveillance with which to track and magnify the alienness of alien speech, decoding dangers, containing threats, and planning for interventions" (2010, 386).

According to postcolonial thought, translation was depoliticized (idealized as linguistic transfer) for centuries, thus, hiding its aggressive imperial role. According to this tradition, it is because of the understanding of *translation* within the realm of rationalism, objectivism, equivalence, transference of transcendental meaning, civilizing, converting to the divine original, that most atrocities and unethical transformations and domestications of local populations in human history have taken place.

Gender-oriented approaches, drawing on poststructuralist thought, have, similarly to postcolonial studies, tried to reverse patriarchal hegemony that regard the Man as the active and creative original and the Woman as a translation, a derivative version (cf. Godard 1990; Chamberlain 2012/1988; Flotow 1997, 2007, 2011; Simon 1996). The association of translation with all that is recreation, derivation, faithfulness, loyalty is strongly rejected by Chamberlain (2012/1988). She rebukes the sexist and patriarchal terminology of *originality* associated with the male and the author, on the one hand, and *unfaithfulness* and derivation associated with translation and women, on the other hand. Sherry Simon (1996), for her part, debunks the

prevalent binarist discourse about translation and women – which is, in fact, an extension of the binarist thought prevalent in society, culture, and languages, in general. "[G]ender is relational, and is in fact an extension of the binary, oppositional structure that pervades all our thinking" (ibid., 17). (Translation) discourse that maintains discriminate gender constructs, and binarism in general, needs to be subverted through hybrid discourse, according to Simon. Feminist TS scholars also highlight the necessity of challenging gender bias in textual material, and they, therefore, advocate translation as visible rewriting in the feminine. In this regard, Barbara Godard (1990) refutes the linguistic alienation of women and rejects the notion of equivalence in translation. The feminist translator, for her, is an *active* producer of meaning, not an invisible reproducer of 'original' meaning. She writes:

> *Womanhandling* the text in translation would involve the replacement of the modest, self-effacing translator. Taking her place would be an active participant in the creation of meaning, who advances a conditional analysis. Hers is a continuing provisionality, aware of process, giving self-reflexive attention to practices. The feminist translator immodestly flaunts her signature in italics, in footnotes - even in a preface.
>
> (1990, 94, italics in original)

Luise von Flotow (2011), for her part, argues that translation is inherently interventionist as it is an intentional and deliberate act exactly as is any feminist or other form of social activism. "Translation, it can be argued, is as intentional, as activist, as deliberate as any feminist or otherwise socially-activist activity" (ibid., 4). Flotow, hence, equates translation acts with activist acts, and in particular, with feminist acts.

Many of the contemporary translation theories and the views on ethics cited in the foregoing review have been developed based on data pertaining mainly to literary translation – with probably the exception of Cronin (2003, 2013, 2017), Baker (2005, 2006a, 2007, 2010) and Inghilleri (2008, 2009, 2010, 2012). Some may argue that most of these views – which tend

to highlight politics, otherness and power dynamics – have nothing to do with today's 'professional' translation that is mostly technical/pragmatic, and which is ethically less problematic and hardly involves otherness, power dynamics or ideological issues. But, as Davis (2001, 97) rightly points out, "translators always face decisions in their translation process (no matter how technical the text may be), as well as in the larger context of their work." (cf. also Tymoczko 2007, Cronin 2003, 2017). In the same line, I argue that many of these views may in some ways apply to today's pragmatic translation, although to different extents depending on the nature of the document and the genre of the text. What applies to literary texts may in fact apply quite similarly to politically oriented texts and news adaptation/translation, for example. I believe that these types of texts are the sites of representation, power dynamics and ideology, *par excellence*, and that their impact is much wider than literary texts (read probably by fewer readers than, say, a media text emanating from influential media outlets). As already explained, Baker (2005, 2006a, 2007, 2010) has mainly worked with media translations as her data. She has, on many occasions, shown how these (non-literary) pragmatic types of translation represent the others negatively, following certain geo-political agendas. Studying the Canadian context, Chantal Gagnon (2006), in turn, shows that even the translation of the word 'Canada' in media/political texts is ideologically/politically driven. Gagnon (2006) observes some important shifts in the French translations of the lemma 'Canada' and surrounding words. These shifts, Gagnon concludes, reflect the different perceptions of the Canadian identity by the two major cultural groups. Translators working for the Translation Bureau of Canada, for example, are, thus, supposedly aware of such ethical, ideological and political issues. In a similar vein, Hatim and Mason (1997, 12-20, 127-132) report on influential shifts that have ethical implications in a translated text carried out for the UNESCO. The scholars reveal that a translation of a document about the historical heritage of Mexico published in the UNESCO *Courier* was reshaped in a way that undermines the indigenous people and culture of Mexico.

These shifts, hence, result in an obliteration of otherness in the service of socio-cultural and institutional factors[42].

We know that the U.N., its affiliate organizations and many such international and regional organizations and governments depend heavily on translation and, thus, employ large numbers of translators, who do a lot of sensitive (political) language work. We also know that in their daily work of adapting news/political texts to their specific audiences/cultures, journalist-translators encounter countless dilemmas similar to, or even more complex than, those identified in the studies of Baker, Gagnon, and Hatim and Mason. This is not to mention situations in countries which are bilingual or multilingual (and which depend on translations in every sector of life) with all the cultural sensitivities that may affect translations, as a result – as seen in the Canadian context.

Political/media texts are not the only types of texts affected by ethical dilemmas that have to do with representation and ideology. Any other type of pragmatic texts (used by other large powerful employers/clients) may include problematic stretches that have to do with ideology, power relations or representation. As we learn from Bourdieu (1991) as well as the pioneers of Critical Discourse Analysis (like Fairclough (2003, 2010) or van Dijk (1993)), language is a site of power asymmetries, regardless of its thematic content. In this respect, Gagnon and Kalantari (2017, 27-28) show that issues of identity in translation between French and English can also be identified in technical/commercial texts, as well. They report examples from the websites of two different Canadian brands, Tim Horton's Cafe and Canadian Tire (which is a retail company). The English and French versions of the two brands' promotional texts, although purely pragmatic, reflect the identity perception divide between the two major linguistic/cultural entities. Although these texts are normally less ideologically loaded than

[42] Of course, condemning these shifts as unethical is not to be understood as a condemnation of shifts/transformation at all times. Often times – to be moderate – practical and ethical requirements do call for such interventions.

political/literary texts, they may occasionally contain ideological/discursive elements that are not naïve and that require reflexivity on the translator's part. Commercials and all other audio-visual adaptations/translations, for instance, may include a considerable number of ethical dilemmas having to do with the representation of minorities, otherness and women.

Pragmatic translation may even be more ethically taxing than literary texts in today's era of survival challenges for the future generations. Ethics in pragmatic translation, in the age of global warming and climate change, is even more challenging and more complex as it should have the preservation of our planet as its primary focus. Purely technical documents may pose more dilemmas as they may have direct and discernable fatal consequences for ecological balance or survival of humans and other species in the present or the future. For example, translating labels/documents of the products of the agrochemical corporation, Monsanto, may be the most ethically challenging since the American company has been involved in many ethical scandals, the latest of which is its herbicide, Roundup, which was found to be carcinogenic[43].

In sum, pragmatic translation has political/ideological and ecological dimensions (cf., for example, Davis 2001; Cronin 2003, 2017; Tymoczko 2007; Baker 2006a; Gagnon 2006; Gagnon and Kalantari 2017). This latter dimension of planetary consciousness of the translator has been ignored in most of the views outlined above. Being limited mainly to literary texts and occasionally politically oriented materials, most post-positivist TS literature about ethics has, for long, limited itself to human others (mainly peripheral source cultures), thus, ignoring other species and the consequences of translation content on the recipient groups and also on future generations. Most post-positivist scholars have overlooked the fact that humans (current and future generations) may be harmed indirectly by harming their environment by the driest technical texts (probably seen by some as not ethically relevant). In one word, they have largely

[43] https://www.spiegel.de/international/world/monsanto-papers-reveal-company-covered-up-cancer-concerns-a-1174233.html / Accessed on March 1, 2019.

overlooked environmental ethics and ecological integrity. The exception comes from Cronin (2017), who has tried to "stretch" our ethical imagination – in Bauman's terminology – to include ecological concerns, as already discussed.

The proliferation of writings that advocate ethics of difference, uncertainty, resistance, hybridity and the recognition of otherness as well as engagement with just causes in the socio-political sphere is significant in volume. However, besides overlooking planetary and ecological issues, all these views have overemphasized otherness and ignored *self-centred ethics.* One of the imports of the current work is to cater to this gap in TS and focus on self-ethical empowerment – which, of course, requires symbolic empowerment, as I will discuss later in this study. This link between symbolic empowerment and ethical empowerment has barely been made in TS. The post-positivist theorists discussed in this review have also focused their efforts on the sole practice of translation and ignored the growing institutionalization of the practice and the repercussions/implications of this process on translator ethics. They paid little attention to the business relations the new situation entails. Hence, institutions behind the 'organization' of translation and their codified regulations are rarely tacked. Of course, Lefevere (1992), Venuti (1995, 1998) and others have unveiled the role of patronage in shaping and orienting translation and translators, respectively. However, little has been said about the role of 'self-governing' institutions (i.e., translator associations) in this process.

Despite these gaps, one wonders if these post-positivist ideas have been adopted (or are even applicable) in the codes of ethics of translator associations. In the current study, I show whether any of these views have found resonance in different translator associations' code of ethics. Also, I examine how these codes of ethics might affect the translator's capital and, therefore, whether they allow practitioners any margin of manoeuvre or power in relations with other agents, and thus, any chance for visibility and agency that the scholars discussed above advocate.

3.3. Functionalist 'Professional' Ethics

In response to certain scholars' assumption of, and pleas for, the translator's sovereignty or power, Anthony Pym (2012, 88) has stated: "[h]ow could we recommend a particular action, for example, to someone who has no agency at the level of that action? Asking a translator to save the world is sometimes like asking an infant to read." Although one may find it difficult to disagree with Pym's assertion about the current status of the translator, one, however, may not share his determinism. The 'infant' *can* still grow, learn to read and gain quite a good position in relation to the other agents involved in translation, and thus acquire some balanced power and agency. Pym's comments stem from his disbelief in the power of the translator in the complex social dynamics of the translation act. This is due to his understanding of the translators' responsibility as limited mainly to the immediate context and parties involved in the 'professional' translation circle. Pym claims that translators have no responsibility in regard to the content of the translated work, seeing them – drawing on Goffman (1981) – as 'animators' or speech reporters (Pym 2012, 62). "Translators have no 'I'", he says (ibid., 63). Pym contends that the 'profession' "requires detachment rather than commitment" (ibid., 67) to the translated message, although he admits that "any supposed neutrality is a profoundly ideological professional construct" (ibid., 67). The question is whether the current professional ideology also uses the alibi of 'neutrality' to foster 'professional' 'detachment' and encourage indifference towards possible negative outcomes of a translated text in a target context. Another question has to with 'detachment': to what extent does 'detachment' serve to weaken the translator's agency [44]? Quite paradoxically, Pym does not very much approve of the current 'professional' codes of ethics. These codes "do not help the translator solve the difficult

[44] Note that Pym (2012, 159-163), nevertheless, supports 'interventions' when the intention is to enhance *cooperation*.

decisions encountered while actually translating. If translators only followed professional recipes, they would not be responsible for anything that was really theirs. Their capacity to bring about change, their agency, would only be that of the profession" (ibid., 68-69). Pym's ethical theory contains some seemingly contradictory (or at least confusing) statements. On the one hand, he underlines the impersonality of the 'professional' translator and their invisibility. On the other hand, he does not exclude their individual choices.

> The term "professional" is hardly unequivocal. I have already associated it with a degree of impersonality, perhaps one that does not need an ethics beyond the explicit codes of ethics. That does not mean all human professionals are by definition as impersonal as the professional codes, but the particularity of the individual does tend to be hidden. Professionalism involves a certain invisibility, almost by definition. Individual variation is nevertheless very much a part of this particular profession, whether we want it or not. After all, doubts are personal, unique to the individual, and perhaps unnoticed at the professional level. The viable solutions to truly translational doubts are numerous, so different translators give different renditions, and all can maintain professional trust, or should do so [...] The professionalism of the professional thus primarily concerns the outward appearance, the public discourse, and image that have nothing to do with personal doubt. (2012, 70-71)

The ambiguous division between detachment and personal choices or 'professional' and personal ethics in Pym's account, as is clear in this quote, constitute "moments of doubt in his argumentation", as Koskinen (2000a, 75) says. However, one may understand that Pym considers 'professional detachment' as a social pretense or "mask" to win the trust of the other stakeholders – which is itself ethically troublesome. But a more plausible reading of Pym may conclude that although the author admits that the translator's idiosyncratic decisions are inevitable, he seeks to limit their scope and, therefore, their influence, in the name of 'professionalism'.

Pym's (1998, 2012) idealist theorization is clearer in his argument that an interculture is a common ground that should be created by the mediating translators. For him, "translators *are* intersections" between cultures (1998, 182, italics in original). In a somewhat surprising claim, he argues that translators should translate only when and in such a way that translation

fosters *cooperation* between parties involved in the transaction (Pym 2012). If *cooperation* can be achieved by other lower-cost means of communication (language learning, for example), translation should not be undertaken, Pym bluntly proclaims. Pym, driven by pragmatic functionalism[45], seems to underestimate the possible adverse effects that non-translation may have on linguistic/cultural diversity. He criticizes those who support translation as a means to protect linguistic/cultural diversity as being "protectionists" (ibid., 158). *Cooperation* that Pym advocates implies the goal of achieving mutual benefits for all, which, in my view, overlooks the fact that translation/translators are embedded in narratives and ideological affiliations/agendas (Baker 2006a, cf. also Tymoczko 2010/2003), and can be involved in cultural hostilities, in many cases, even in the name of 'collaboration' (a close synonym of *cooperation*) as was the case in colonial contexts. Also, as Lévinas (1991, 1995) conceptualizes it, morality is an *a priori, gratuitous* and *infinite* responsibility *for-the-Other* regardless of any *exchange, communication* or *cooperation*. Pym's (2012) assertions come as no surprise to his readers. Although aware of the dynamics of power relations between cultures, the socio-political dimensions of translation in today's globalized world and the imperialist/colonial history of translation, he consistently seeks to mitigate these aspects by privileging the economic/commercial dimension of translation and its functional pragmatic uses (cf. Koskinen's critique 2000a).

Not very differently from Pym – and in contrast to Cronin who contends that "the political and the professional are inextricably linked" (2003, 134) – Chesterman (2001, 2016/1997) insists on a clear distinction between personal and 'professional' ethics. Like Pym,

[45] I use *functionalism* here not to refer to *Skopos* theory alone, but in a wider sense, to refer to all scholars who claim that ethics should be driven mainly by the functional pragmatic purpose of the agents involved in the professional circle.

he gives primacy to 'professional' ethics[46]. Following Pym, Chesterman asserts that the translators' "first loyalty" is to the translation 'profession' (2001, 148). Chesterman's distinction between personal and 'professional' ethics can be contrasted with Inghilleri's (2012) outwardly similar distinction between 'role morality' and 'ordinary morality'. But Inghilleri, unlike Chesterman, clearly underscores the problems associated with the former morality when she argues that from a sociological perspective, this morality seeks to maintain "structural hierarchies of power and knowledge" and from a philosophical perspective, it encourages moral unaccountability and "moral closure" (2012, 57).

Drawing on MacIntyre (2007/1981), Chesterman underscores virtues in the translation 'profession' and excludes the translator's engagement as part of 'professional' ethics. "This means that the political engagement of the translator, which may affect the choice of texts to be translated and also ways of translating them […] lies outside the realm of professional ethics" (Chesterman 2001, 147). Chesterman, thus, undermines the (social) problems associated with 'professional' ethics and the power dynamics in which they are embedded. He, therefore, takes only a partial fragment of MacIntyre's thought (which would have disturbed the latter as I explained earlier) because MacIntyre warns us about virtues that may be tainted by interest (or what he calls "external goods" to the practice), as I explain later on in Chapter 2, Part III. We recall that "understanding" – in addition to "striving for excellence" and "commitment" to the 'profession' – is at the top of the virtues Chesterman extols and considers as the *telos* of a translator. But as Lee and Yun (2020) rightly argue, Chesterman's idealistic virtue of "understanding" cannot be the ultimate goal or *telos* of translation, as "there can be certain translated encounters whose end goal is not understanding", mainly in situations of tension (2020, 712).

[46] It is clear that both Chesterman and Pym use the terms 'profession'/'professional' in the mainstream way, in this analysis.

In one of his latest publications, Chesterman (2018) seems to have softened his tone regarding the sharp divide between personal ethics and 'professional' ethics, wondering in his conclusion, "[a]re translators professionally responsible for working towards a fairer world, or just personally responsible? Or both?" (2018, 10). He argues that this depends on the translator's *telos* and translation *skopos*. He contends that codes of ethics need to take into account text types and situational contexts, i.e., "the extratextual world" of the text (2018, 9). Hence, he reiterates his plea for a revision of the current codes and calls for the inclusion of virtue ethics into them "such as the striving for excellence – even when this means breaking code guidelines and fidelity norms" (ibid., 10). When values are in conflict or contradictory, utilitarian ethics may be prioritized over contractual ethics, Chesterman asserts (2018).

Another important notion that Chesterman (2001, 2016/1997) promotes is *clarity*. For him, "[t]o sacrifice clarity is to weaken the possibility of rational communication, and to do that is to undermine the possibility of a human society altogether" (2016, 173). Chesterman overlooks the fact that some views of *clarity* may be counter-productive as they may leave out what is 'unclear' in the Other or mould it into one's own terms, thus, running the risk of fostering ease with one's own frame of thought and taking it as universal. Astonishingly, Chesterman (2001, 153) also calls for respect for the history of the translation 'profession' in his "Hieronymic Oath." I do not know exactly what 'history' he is referring to, but I do know that a large part of translation history has been embedded in hegemony and atrocities. In short, the primacy of 'professional' ethics over personal ethics in Chesterman's thought and his advocacy for unconditional 'clarity' make his calls for including virtue ethics and taking the situational context of texts into account somewhat paradoxical, or at least, confusing.

Nord (2005/1988, 1991, 1997), on the other hand – in an attempt to overcome the criticism of functionalist approaches for being over-guided by the function of the TT – stresses the ethics of *loyalty*. This principle mostly entails responsibility towards the source text author,

the expectations of the readers and clients of the TT, thus, allowing little room for the translator's visibility or agency, if any. Even the shifts required by the TT *skopos* should be honestly reported to the other involved agents. "[I]n such cases, they [translators] would be obliged, in view of their loyalty towards the ST sender, to specify exactly which ST aspects have been taken into account and which have been neglected" (2005, 33). The determinism Nord expresses regarding the author's intentions to which the translator needs to be loyal, as well as the one-size-fits-all readers' expectations, makes her approach utterly problematic.

Although Pym, Chesterman, and Nord concede that full impartiality in translation is impossible, their theorizing of ethics is still embedded in a reductive view of *translation* as an ideal cultural encounter. The subordination of the translator's socio-political agency for the sake of 'professional' ethics as well as the delimitation of their role to the limited 'professional' circle of the translation show that – along with *equivalence* and *neutrality* – these more recent conceptualizations about ethics probably inform many a 'professional' code of ethics.

To summarize the foregoing analysis in regard to ethics of translation, Nord, Chesterman and Pym stand at the opposite end of the position taken by the culturalist, hermeneutic and deconstruction scholars (including postcolonial and gender studies scholars). These functionalist scholars seem to undermine the fact that there are differences in world views and underestimate issues of power relations inherent to cultural encounters as well as the important role played by all translators in contributing to a better/worse world. On the opposite pole, the hermeneutist, culturalist and deconstructionist scholars, all call for ethics of translation that respect *difference* and emphasize the *particular*. The focus and perspectives of culturalist, deconstructionist and hermeneutic scholarship are, however, slightly different. If Berman, Steiner and Meschonnic call for the recognition of otherness and resistance to ethnocentrism in translation, Venuti reacts against cultural domination and stands by a greater visibility of the translator. Appiah and Robinson seek self-reflexivity and gradual change, whereas Inghilleri,

Tymoczko and Baker call for more proactive engagement with (political) causes, and Cronin adds the ecological cause. Deconstructionists and their followers – postcolonialists and feminists – highlight uncertainty, hybridity and deconstruction of dominant discourses.

Following this literature review – which is in no way exhaustive – I argue that TS alone cannot account for the multifaceted nature of translation ethics. TS does not possess a strong and private conceptual apparatus able to cover all aspects of ethics or to study ethics from various perspectives. In TS, we possess only fragments of moral knowledge and our conceptual understanding of ethics is still in its infancy[47]. In order to 'appropriate' and accumulate these conceptual tools, the foundations need to be sought in disciplines where the study of ethics has a strong historical and conceptual background, mainly, in philosophy and, to a lesser extent, in sociology. It is true that many insights about ethics in TS literature are already inspired by other intellectual traditions, like hermeneutics, cultural studies, anthropology, postcolonial studies and gender studies. However, I believe that we still need to reach further and dig deeper into philosophical and sociological insights on the topic. The sociological turn in TS invites us to study the question of translator ethics in relation to the internal institutions (representative bodies) and external ones (employers/clients/states) in which translators operate and to examine the codes of ethics' orientations from a relational perspective in order to understand how these orientations are socially, institutionally and ideologically driven. Moira Inghilleri (2012) remains one of the rare scholars who have combined philosophical insights with sociological perspectives (especially Bourdieusian ones), in addition to other disciplines, in her study of some of these relational interactions, with respect to interpreters' ethics. The need for an interdisciplinary approach is even more persistent when studying the codes of ethics and practice of modern 'professional' translation. And this is the direction the current study is trying

[47] This situation reminds us of MacIntyre's (2007/1981, 2) criticism of the language of morality we have in Modernity at large (and not only in TS). He argues that this language is in a state of "grave disorder" and that what we have in our possession is only "simulacra" of morality or fragments of a conceptual scheme.

to take. In the following chapter, I analyze the definition(s) of *translation* in the studied corpus. The repercussions of these definitions on the translator's *capital* and *moral self* are tackled in Part II and III, respectively.

Chapter 3: The Concept of *Translation* in Codified Ethics

Most modern codes of ethics include two main elements: the "'official' definition" of the practice – to reuse Johnson's (2015, 106) terminology – and the relational aspects of the occupation. The corpus under study is no exception, in this regard. It includes the definition of *translation* and the translator's relations with peers and the other agents. In this chapter, I focus only on the first element – the effects of which will be later analyzed in Parts II and III. But before I delve into the analysis of the definition of *translation* in this corpus, I make a few brief general remarks about the structure and content of the studied documents.

Although the codes of ethics share many rules/principles regardless of the association's nature, function or country of origin, some differences can, nevertheless, be discerned at the level of form and discursive approaches. As far as form is concerned, the main difference between different national/provincial organizations' documents is the extent to which they explain the rules/principles they state. While some codes are very brief and posit the translators' duties – and sometimes rights – in concise articles (ATPP, SATI, ITAINDIA), others tend to illustrate each duty or right extensively (AUSIT). Another difference is the presence or absence of a preamble. Some associations like the AUSIT, ATIO, SFT and ITAINDIA have preambles in which they stress the associations' functions and objectives whereas others, like the ATPP or the SATI, do not. As far as speech act categories are concerned – following Searle's (1976, 1983) classification of illocutions – some codes adopt 'directive' acts (i.e., direct instructions on how to follow certain orders and behave in certain ways) as is the case of the ATIO, SATI,

SATI and the SFT, while some others adopt 'commissive' acts by which translators commit themselves to take certain courses of action in their work (ATPP, ITAINDIA).

At the level of content, there are recurrent themes in all codes of ethics. The difference, however, lies in emphasis and approaches. As far as their macro-approaches to duties and rights are concerned, associations adopt quite different options. While some codes of ethics are purely deontological, i.e., duty-based, others adopt a mixed approach of duties and rights. Besides this variation, differences are also discerned in the degree of centeredness on the translator (or the other agents) as far as relational aspects of the documents are concerned, as I explain in details in Part II.

The documents of the two international organizations, namely the UNESCO *Nairobi Recommendation* and the FIT *Translator's Charter*, share many principles/rules of codes of ethics as well as some thematic aspects. Nevertheless, the two documents are somewhat different in a few other aspects, given their nature and the nature of their issuing organizations. Both documents contain an extensive preamble that contextualizes and states the aims of the charter and the recommendation, respectively. In addition to the preamble, the FIT *Translator's Charter* contains 40 articles organized in 5 sections. The three first sections are about the "General Obligations of the Translator", the "Rights of the Translator" and the "Economic and Social Position of the Translator", respectively. The fourth section is about the "Translators' Societies and Unions", in which the charter shows the importance of translator organizations and their functions. The last section is devoted to "National Organizations and the International Federation of Translators", in which the FIT calls for gathering in larger national associations and joining the international organization (FIT). The *Nairobi Recommendation,* on the other hand, contains 16 paragraphs in 7 sections. The document mainly stresses the translator's rights. It, however, does not fully exclude the translator's obligations – a fact which is paradoxical, in form, as the purported function of the document is "the legal protection of translators and

translations and the practical means to improve the status of translators." The main specificity of the *Nairobi Recommendation* is its audience. While all the other documents purportedly address the translating agent, the UNESCO document addresses the Member States, i.e., the political agent.

The studied codes of ethics are directive and commissive text types that list the elements that guarantee a certain uniform behaviour of all (individual and corporate) members of the respective associations. The aim is to regulate not only the interpersonal relations between the association member and their peers, employers and clients, but also to determine how members should understand *translation* and how they have to apply this understanding in practice. The definition of *translation* is generally made explicit in every such code as the foundation on which the translator's other behaviours draw. In some of the studied documents, the definition of *translation* and its characteristics are introduced in only one article without further elaboration (ATPP, SATI, ITAINDIA, ATIO, SFT, IAFET). In others, the defining article is elaborated upon in other subsequent articles/statements (FIT, UNESCO and AUSIT). In this section, I analyze the main recurrent themes in the definition of *translation* in the corpus of codes of ethics and the FIT *Translator's Charter* as well the *Nairobi Recommendation* before analyzing their influence on the translator's symbolic power and morality in Parts II and III, respectively.

The articles that define *translation* and what its practice consists of in the documents under study are as follows:

- FIT *Translator's Charter*:

  - ✓ Translation, being an intellectual activity, the object of which is the *transfer* of literary, scientific and technical texts from one language into another, imposes on those who practise it specific obligations *inherent in its very nature.*

    (Article 1, italics added)

- ✓ Every translation shall be *faithful* and *render exactly the idea and form of the original* – this fidelity constituting both a *moral and legal obligation* for the translator. (Article 4, italics added)

- ✓ A faithful translation, *however,* should not be confused with a literal translation, the fidelity of a translation not excluding an *adaptation* to make the form, the atmosphere and deeper meaning of the work *felt* in another language and country. (Articles 5, italics added)

- UNESCO *Nairobi Recommendation*:

  - ✓ [T]he term "translation" denotes the transposition of a literary or scientific work, including technical work, from one language into another language, whether or not the initial work, or the translation, is intended for publication in book, magazine, periodical, or other form, or for performance in the theatre, in a film, on radio or television, or in any other media. (Paragraph 1a)

  - ✓ […] organizations or associations might undertake, where national law permits, in particular, the following specific activities:

    (a) promote the adoption of standards governing the translating profession; such standards should stipulate in particular that the translator has a duty to provide a translation of high quality from both the linguistic and stylistic points of view and to guarantee that the translation will be a *faithful rendering of the original.* (Paragraph 7a, italics added)

- SATI:
  All members of the Institute shall undertake:
  To endeavour constantly to achieve the highest possible quality in respect of *accuracy* of rendering, terminological correctness, language and style.
  (Code of ethics for individual members, italics added)[48]

- SFT:
  Le traducteur s'engage à travailler dans les règles de l'art en restituant *fidèlement* le message du document qui lui est confié. [The translator shall work in accordance with the rules of the art by *faithfully* rendering the message of the document entrusted to them] (Code de déontologie [Deontological Code], Article b, italics added)

- ATPP:
  As an ATPP translator and/or interpreter, I pledge to: [...] Ensure the *accuracy* of the translation and the *most accurate conveyance* of the ideas expressed in an interpretation, which are both *moral and legal obligations* for translators and interpreters.
  (Code of Ethics, Article 2, italics added)

[48]The articles of the SATI code of ethics are not enumerated.

- ITAINDIA:
  I will endeavor to translate or interpret the original message *faithfully,* to satisfy *the needs of the end user(s).*
  (Code of Professional Conduct for service providers, Article A, italics added)

- ATIO:
  Members shall *faithfully* and *accurately* reproduce in the target language the closest *natural equivalent* of the source language message *without embellishment, omission or explanation.* (Code of Ethics, Article 2.2.1, italics added)

- AUSIT:
  - ✓ […] the Code obliges members to: maintain *professional detachment, impartiality, objectivity* and confidentiality.
    (Code of Ethics and Code of Conduct, Preamble, italics added)

  - ✓ Impartiality: Interpreters and translators observe *impartiality* in all professional contacts. Interpreters remain *unbiased* throughout the communication exchanged between the participants in any interpreted encounter. Translators do not show *bias towards either the author of the source text or the intended readers* of their translation.
    Explanation: Interpreters and translators play an important role in facilitating parties who do not share a common language to communicate effectively with each other. They aim to ensure that the *full intent* of the communication is conveyed. Interpreters and translators are *not responsible for what the parties communicate, only for complete and accurate transfer* of the message. They do not allow bias to influence their performance; likewise they do *not soften, strengthen or alter* the messages being conveyed.
    (Code of Ethics, Article 4, italics added)

  - ✓ Accuracy: Interpreters and translators use their best professional judgement in remaining *faithful* at all times to the meaning of texts and messages.
    Explanation: Accuracy for the purpose of this Code means *optimal and complete message transfer* into the target language *preserving the content and intent* of the source message or text *without omission or distortion.*
    (Code of Ethics, Article 5, italics added)

- IAFET:
  All IAFET members shall:

  Carry out translating or interpreting tasks *thoroughly* and *responsibly.*
  (Code of Ethics, Article 2.1, italics added)

As is clear, the main recurrent themes in this compilation of articles defining *translation* and translation practice are 'faithfulness' and 'accuracy'. 'Faithfulness' and 'faithful translation' as such appear in 6 documents (FIT, UNESCO, ATIO, AUSIT, SFT, ITAINDIA),

while ‘accuracy’ occurs in four documents (FIT, ATPP, SATI, AUSIT). ‘Accuracy’ and ‘faithfulness’ occur, also, in other wordings, such as ‘render exactly’ (FIT). ‘Equivalence/equivalent effect’ is also stressed in two documents (ATIO, FIT). ‘Impartiality’ and ‘objectivity’ are highlighted in one code (AUSIT), and the same goes for the rules of ‘detachment’ and ‘clarity’ (AUSIT and SATI, respectively). The ‘end user/client’ is highlighted in two codes (AUSIT, ITAINDIA), and ‘responsibility’ is featured only in one code (IAFET).

	Faithfulness (6)	Accuracy (4)	Equivalence and equivalent effect (2)	Objectivity (1)	Impartiality (1)	Detachment (1)	Clarity (1)	End user/ client (2)	Responsibility and thoroughness (1)
FIT	✓	✓	✓						
UNESCO	✓								
ATIO	✓		✓						
ITAINDIA	✓							✓	
SFT	✓								
SATI		✓					✓		
ATPP		✓							
AUSIT	✓	✓		✓	✓	✓		✓	
IAFET									✓

Table 1. Rules stressed in the defining articles of *translation* in the studied documents

The main highlighted principles of *faithfulness* and/or *accuracy,* which appear in all documents (except in the IAFET’s), seem to be unconditional; i.e., they are to be applied in all circumstances to all text types. The FIT *Translator’s Charter* and the ATPP Code of Ethics go even a step further when they consider ‘faithfulness/accuracy’ a moral and legal obligation for the translator. The FIT retracts in article 5 and counteracts the first affirmation in article 4 – as Chesterman (2016/1997, 185) also observes – by clarifying that faithful translation may include “adaptation.” Chesterman argues that “[t]he FIT formulation seems to be based on an implicit belief in the overruling priority of equivalence, formal and stylistic equivalence included (‘the idea *and form* of the original’). However, […] clause (5) […] counteracts this interpretation” (ibid., italics in original). This “contradiction” between the two clauses “remains unresolved”, in Chesterman’s view (ibid.). I believe that *Equivalent effect*, in Nida’s (1964) terminology, is

also discerned in the last part of article 5, which brings the meaning of 'adaptation' in the FIT definition closer to this notion. The preceding article 3 contains another paradoxical affirmation. The article reads, "[t]he translator shall refuse to give to a text an interpretation of which he/she does not approve" (FIT *Translator's Charter*, Article 3). While the FIT charter assumes 'faithfulness' to a given stable meaning in the 'original' (in article 4), in this article, there is an implicit recognition that meaning in the 'original' is subject to different interpretations of different individual translators and, therefore, to different translations – a fact which complicates the legal clearance of the translator, as I explain later in this project. The FIT, however, seems to see differences in interpretations as rarities and exceptions rather than usual and common phenomena.

Not so differently, the ATIO code stresses 'faithfulness' and 'accuracy' in order to ensure 'equivalence'. In order to achieve 'equivalence', the code underlines that "embellishment, omission or explanation" are not allowed under any circumstances (cf. Article 2.2.1). The ATIO is clearer and more categorical about these rules than the FIT, as is reiterated in the guides for the Standard Certification Examination in Translation of the Canadian Translators, Terminologists and Interpreters Council (CTTIC)[49], which controls the certification examination on their behalf. The main general standard that guides the grading of the translations of candidates for the certification examination of the CTTIC is 'faithfulness'. "A candidate is judged competent if the translation provided is *faithful*, idiomatic and requires *little or no revision*"[50] (Marker's Guide, italics added). One wonders whether there is a translation that is definitive and that does not call for, probably, endless revisions. In the section, 'DOs and DON'Ts for prospective candidates', the CTTIC, similarly, stresses questions of omissions and faithfulness. "DON'T *over-adapt* the texts. In trying to demonstrate your skill in

[49] The CTTIC gathers seven provincial associations of translators in Canada, among them, the ATIO, and adopts a national standardized examination on their behalf.

[50] https://atio.on.ca/wp-content/uploads/2019/03/CTTIC-Markers-Guide-En-2019.pdf/ Accessed on September 25, 2019.

paraphrasing, you may well *alter the tone and meaning* to such an extent that the translation will no longer be considered *faithful*"[51] (Candidate's guide, italics added). This statement somehow implies that adaptations are, to a certain extent, still acceptable, (or probably just tolerable). Adaptations may be allowed as far as they do not *alter the tone and meaning* of the text. But it is noteworthy that this is an internal document addressed to candidates for certification and evaluators whereas the code is addressed to all agents (including clients and employers). Among us, as translators, we know that adaptation is inescapable, but we still tell others what they want to hear. One wonders, however, how one can adapt a textual material without shifting the tone (or even meaning) of a text, or how one can be certain of transporting the exact same meaning load and tone of the 'original'.

The AUSIT code of ethics stresses unconditional 'faithfulness' "*at all times* to the meaning of texts and messages" (Code of Ethics, Article 5, italics added). It, likewise, stresses 'accuracy', which implies "*optimal and complete* message *transfer* into the target language *preserving the content and intent* of the source message or text *without omission or distortion*" (ibid., italics added). Like the FIT, in its annex section entitled 'Conduct issues specific to translators', the AUSIT tries to retract the statement made in its code of ethics with a seemingly more flexible statement, which may allow some margin for adaptation in some circumstances. The statement reads: "[t]ranslators deliver a translation that *completely* and impartially renders the meaning and intention of the source text *within the parameters and requirements of the target language and culture* and is in keeping with *the purpose* specified in the commission received from the client/initiator" (Article T3, italics added). The paradox in this statement lies in its emphasis on two conflicting principles, i.e., 'completeness' of ST meanings and intentions, on the one hand, and adaptation to the target language/culture (stylistic) traditions and the *skopos* of the target text (TT), on the other hand. We all know that the *skopos* of a

[51] https://atio.on.ca/wp-content/uploads/2019/03/CTTIC-Certification-Exam-Candidates-Guide-2019.pdf/ Accessed on September 25, 2019.

translation may obviously require highlighting some aspects of the foreign text and leaving out others, thus, breaking the rules of 'completeness' and 'faithfulness'. Even if one presupposes that 'faithfulness' and 'completeness' are possible, they cannot always be the guiding principles for translations, following *Skopos* theory. They can be guiding principles only if the ST and the TT have the same function and purpose. While the ST is given prominence in 'faithful' translations, in *Skopos* theory, it is the audience and function of the TT that are more important determinants of translation strategies. Thus, the immediate question that comes to mind is: should the AUSIT rule of 'completeness' be sought only as far as it does not disturb the linguistic/cultural canons and/or the purpose/function of the TT? Apart from this ambiguity, the AUSIT seems to take the intention and meaning of the ST as a given and a clearly measurable entity that can be transported entirely and safely without loss or distortion. What corroborates this affirmation about translation/interpretation can be found in the second annex section "Conduct issues specific to interpreters." Article (Int4) of the annex strikingly urges interpreters to maintain emotions, and even incoherence, unclear statements and untruths in their interpretations. "Interpreters maintain the emotions of the speakers in their interpreting and do not soften or enhance the force of messages conveyed or language used. In specific contexts such as in court or psychometric assessments, incoherence, hesitations and unclear statements are maintained in the interpretation." The most ironic issue here is: how can unclear statements appear as unclear in the target context as they were in the source context?[52]

Reading through Ozolins's paper that reports about the process of drafting the AUSIT code by the responsible working group, it is clear that the reductive view of *translation* as an accurate transfer (and other reductive views) won over in some debates. And, this starts with the declared orientation that the code adopts the 'conduit model' (cf. Ozolins 2014). One

[52] I am well aware that the AUSIT statement may intend to respond to situations of court or psychometric assessments where the emotional state of the interviewee, their hesitations and their incoherence may give important hints on their state. But the emphasis on the maintenance of unclear statements was just unsuccessful, as the code claims to address all situations and as this task of maintaining unclarity is almost impossible.

educator had suggested to the working group what may seem as a flexible understanding of 'accuracy'. This had led to the drafting of the article about 'accuracy' as follows:

> 5.1 Interpreters and translators shall endeavour to provide accurate and complete renditions of the original. It must be noted that the meaning of accuracy depends on the *context of the situation*; for example, the type of interpreting (conference or community), the *translation brief*, etc. The concept of accuracy is a complex one that is dealt with in detail in training. Interpreters and translators should strive to obtain formal training before practising. (Rewritten code, Second draft).
>
> (Ozolins 2014, 364, italics added)

Unfortunately, this wording was objected to under the pretext that the article as such is "unhelpful" because the concept is left unexplained, as Ozolins informs us (ibid.). The final version of the article was more 'explanatory' and posited some criteria for accuracy (ibid.).

Very much like the AUSIT, the ITAINDIA urges its members to translate faithfully and to cater to the end user's needs, at the same time. Translators "will endeavor to translate or interpret the original message *faithfully, to satisfy the needs of the end user(s*)" (Article A, italics added). Unfortunately, the impossible combination of faithful translation and response to the end user's needs make such statements utterly paradoxical. Faithful translation may not meet the end user's needs, in many cases – if it is attainable at all.

The principles of 'faithfulness' and/or 'accuracy' are equally stressed by the SFT, the SATI, the ATPP and the UNESCO *Nairobi Recommendation* in less paradoxical statements, but probably in a more problematic way. These organizations are unequivocal regarding their principles of 'faithfulness' and/or 'accuracy' unlike the FIT, the ATIO, the ITAINDIA and the AUSIT, which, at least, show some awareness of the relativity of those principles, although in paradoxical terms.

Other related requirements emphasized as defining features of *translation* by one of the code of ethics, namely the AUSIT's, are *impartiality, objectivity* and *detachment*. Article 4 of the association's code underlines that "[...] [t]ranslators do not show *bias towards either the author of the source text or the intended readers* of their translation" (Code of Ethics, italics

added). But, as we have learned from Baker (2006a), translators are embedded in narratives as in-between grounds are impossible (Tymoczko 2010/2003), and they may well have allegiances towards the 'original' author or the target audience in some types of pragmatic translation, like political or media texts. Article 4 of the AUSIT code explains that "[...] [i]nterpreters and translators are *not responsible for what the parties communicate, only for complete and accurate transfer* of the message. They do not allow bias to influence their performance; likewise they do *not soften, strengthen or alter* the messages being conveyed" (ibid., italics added). These rules are, again, unconditional, regardless of the situation or the translation/text type. "Professional detachment is required for interpreting and translation assignments *in all situations*" (Code of Conduct, Article 4.1, italics added). These articles replicate Pym's denial of any personal responsibility on the part of the translator regarding the content they transmit as they are mere reporters of other peoples' enunciations (2012, 62).

'Clarity' is another rule highlighted as a defining characteristic of *translation*, besides 'accuracy', in one code of ethics, namely the SATI in its mission statement. The statement reads, "[...] the institute endeavours to: [...] [p]romote excellence in translation and related fields, as well as clarity of thought and expression." This proclaimed goal replicates Chesterman's (2001, 2016/1997) insistence on 'clarity' as a way of promoting 'rational communication'. But Berman (1999/1985), in contrast, has argued that clarifications risk the appropriation of the Other in order to fit one's canons, and, therefore, the distortion of their representation. Also, 'clarity' may foster ease with one's frames of perception as the one and only (cf. Eaglestone 2005). Following the latter scholars, translating the Other as unclear and different is the most ethical decision. But, both positions (Chesterman's/AUSIT's and Berman's/Eaglestone's) are over-determinant. They both overlook the fact that the rules they advocate, respectively, are not *a priori* ethical or unethical. That all depends on the context and the text type.

The IAFET is the only association that avoids defining *translation* using any form of prescription, such as faithfulness, accuracy, objectivity, detachment, impartiality or clarity. Its code defines *translation* as a 'thorough' and 'responsible' endeavour. However, it is not clear what the IAFET implies by these two qualities, nor to whom they are directed, nor whether the omission of the mainstream definitions (such as faithfulness or accuracy) is intentional. In order to dissipate this confusion, I looked into the IAFET "Introduction to the IAFET Certification Examination." Among the performances sought in this examination is that "*[e]verything integral to the source text is included in the target text* and nothing that is not implicitly or explicitly stated by the author is added" (italics added)[53]. In order to ensure this level of achievement, the examiners expect the candidates to produce an accurate analysis of the ST. "Accurate analysis of the source text ensures that *the target text reflects the view, argument, or presented information on all levels (text, sentence, and word)*" (ibid.). As is clear, although the IAFET avoids the use of classical terms (such as 'faithfulness', 'accuracy' or equivalence) in its code of ethics, it requires complete transfer of the view, argument and information of the ST, even at the *word* level, regardless of the situation or the translation type. That said, the wording used by the IAFET reflects a certain awareness of the problematic nature of the classical notions. For example, it clarifies that acquaintance with the different strategies of translation is demonstrated by the candidates if the "[v]iew, argument, and information are presented *appropriately* for the target culture" (ibid., italics added). Also, regarding the transfer of meaning, the IAFET seems less dogmatic about its completeness and sameness. "Idioms in the source text are rendered so as to convey a *comparable* meaning in the target text" (italics added). However, the problem is not in the terminology that is used but in its impact. And the end-result in the case of the IAFET is the same as the other organizations'; it all leads back to 'faithfulness'.

[53] https://iafet.cyrillabs.com/wp-content/uploads/2019/01/Text-placeholder-1.pdf/ Accessed on October 25, 2019.

The studied documents generally emphasize the monosemy of the concept of *translation* and the measurability of the practice. For example, in its very first article, the FIT Translator's Charter stipulates that "[t]ranslation, being an intellectual activity, the object of which is the transfer of literary, scientific and technical texts from one language into another, *imposes on those who practise it specific obligations inherent in its very nature*" (italics added). The 'nature' of translation is, thus, *one*, and its meaning is *one* (i.e., faithful transfer of meaning), and it follows that 'specific obligations' that are clear and non-ambivalent follow from this nature and meaning, following the mother organization of translator associations. The concept of *translation* as 'faithfulness', 'accuracy' or 'equivalence', adopted by the studied organizations, assumes the capacity to determine the exact meaning and intent of the ST in all circumstances. *Translation* is understood as a rendering of the author's intentions, in disregard of the polysemous nature of language and the differences in perceptions of reality in different cultures and by different individuals. The defining articles on *translation* overlook the difficulty of being certain about someone's intentions in their textual material, let alone being able to exactly transfer these intentions into a different context. These documents ignore the fact that the meaning of a text is an individual's construction and that the contexts of the ST and TT affect their (different) meaning constructions (cf. Tymoczko 2007). As Tymoczko (2007, 284) rightly argues,

> [b]ecause a source text and its translation emerge from and function within different contexts, it follows *ipso facto* that they have different meanings. If for no other reason than context, therefore, it is illusory to imagine that meaning preservation or transfer can or should be the goal of translation.

Since every text has a "surplus of meanings", the translator has to make decisions about which information to reproduce in the TT depending on their performative aims (ibid. 288). The responsibility of the translator, then, is the judicious selection of meaning, following these aims. According to Karin Littau (2010), this proliferation of meaning in translation is a gain in itself.

Littau writes, "[t]his shift 'from the one to the many', to borrow Matei Calinescu's (1991) phrase, is also a shift from loss to gain, a shift from an unattainable equivalence to an unstoppable proliferation" (2010, 440). Understood as such, the translator is a meaning constructor, rather than a meaning transferor. This is because there is *not* only one predetermined stable meaning to be transferred from the ST to TT. Every text is inexhaustible; it may have numerous interpretations and "a surplus of meaning", in Tymoczko's (2007, 288) words, and it, therefore, calls for and can have various translations. "Meaning in communication, and in translation for that matter, is therefore not an invariable, but always the result of a selective and reconstructive process determined by context" (Guldin 2016, 49). Translation, then, can be seen as a process of decision-making that involves the selection and construction of meaning in a TT that has a relation with a ST. In other words, it is a process of deconstruction and construction. The translator selects meanings following their own reading[54], according to the context of translation and its *performative* aims, and invests those meanings in the new context. "Translators both define the meaning of the source text and construct the meaning of the target text. In both roles translators are *meaning makers*" (Tymoczko 2007, 304, italics added). And, the translator, as a meaning maker, is, of course, influenced by many contextual factors, especially their own narrative and political/ideological orientations (ibid., 295-6-7-8). Hence, the best a translator can seek is *similarity in difference* (Tymoczko's 2007) as *sameness* is neither fully achievable nor always desirable. The IAFET gets a little close (although still timidly) to this understanding of *translation* as similarity in difference (to its 'original') when it stipulates that "[i]dioms in the source text are rendered so as to convey a *comparable* meaning in the target text" (Introduction to the IAFET Certification Examination, italics added). But unfortunately, this relativity awareness of untranslatability is contradicted

[54] If we follow reader-response or reception theorists, translation as reading involves the reader/translator's active supplementation and generation of meanings (cf. for example Barthes 1984/1968, Iser 1978, Eagleton 2008, Hall 1980).

by seeking to include in the target text "*[e]verything integral to the source text*" (italics added)[55].

As meaning makers, translators are original creators who generate new meanings from two different matrices and distant views; they are bisociative thinkers and nomads, in Cronin's thought.

> Languages are uniquely constituted by their differences so that translation as an operation involving two or more languages has *ipso facto* considerable bisociative potential. It can be argued that, in teaching translation studies, more time has to be devoted to highlighting the epistemic specificity of translation as expressed in the concepts of distance, the nomadic and the bisociative. (2003, 127)

Unfortunately, having ignored this bisociative potential of translation, all the definitions discussed above can be placed under the semantic fields of passivity, mechanicalness or transparency. Regardless of the interpretations the defining organizations may have of their own definitions, the vocabulary associated with *translation*/translators in those definitions may imply fixity, sterility and inactivity (e.g., faithfulness); invisibility (e.g., transfer, impartiality, detachment, objectivity); or transparency and certainty (e.g., accuracy) to the outside agents and the public at large. All the definitions neglect the translator's movement, nomadism, creativity and agency. Cronin writes, "[t]he vocabulary of 'fidelity' and 'infidelity' is after all strongly linked to the notions of licit fixity and illicit movement" (ibid.). And 'faithfulness' or 'equivalence' is linked with an understanding of *translation* as "a mechanistic process", in Koskinen' view (2000b). As such, translation is seen as "an invisible practice" (Venuti 1992, 1), which is stigmatized by "likening it to manual as opposed to intellectual labor" (ibid.). And with such an understanding of *translation* "are effaced the translator's dual activities of reading and (re)writing. The translator is understood to be a servant, an invisible hand mechanically

[55] https://iafet.cyrillabs.com/wp-content/uploads/2019/01/Text-placeholder-1.pdf/ Accessed on October 25, 2019.

turning the words of one language into another. The translation is considered to be a copy and not a creative utterance", as Barbara Godard tells us (1990, 91).

Theories of meaning and reception theory as well as postpositivist TS pronouncements, which all demonstrate that translation is a much more complex process than the reductive definition imposed in the studied documents, may seem too 'abstract' (for some translators) or may seem specific to only certain types of translation, mainly, literary translation. One may argue that these organizations are mainly concerned with 'professional' translation of pragmatic texts and, thus, advance only the definition that concerns these types of texts/translations. But this argument is fraught with problems. Many contemporary practices are anything but faithful to the 'original'. Localization, multimodal translation, legal translation, news adaptations, news translation are all instances of practices that require *adaptation*, *change* and *transformation*. The stark evidence that translation is transformative – far from 'abstraction' and far from other historical/cultural evidences – comes, thus, from today's practices in which many translators are involved and which many clients/employers demand.

The principles of faithfulness, accuracy, equivalence, detachment and so on highlighted in most studied documents all show that these documents are source-oriented. But, as mentioned, many practices today are clearly target-oriented and anything but faithful. These new practices involve *transformation* in order to adapt to cultural, ideological and technical constraints (in Diaz-Cintas's (2012) terms about audiovisual translation), and to the performative functions they seek. Tymoczko writes,

> at present translation does not necessarily constitute reported speech but can be a new utterance whose primary purpose is an independent statement about or reference to the subject matter itself. Thus translation is often *performative*, *productive* and *discursive*. Localizations, advertisements and other types of contemporary commercial translations exemplify this shift, as do many news reports, political statements and official translations of nations or governmental bodies [...] It is in this sense that translation practice is shifting from the interpretive to the *performative* in many circumstances.
>
> (2009, 404, italics added)

The recent developments in the digital era have shown that this conceptualization of *translation* as a faithful transfer is utterly problematic. Tymoczko argues that "terms like *localization* indicate a movement away from the old transfer hypothesis that has dominated Eurocentric thinking about translation since the late Middle Ages" (2009, 401, italics in original). These new practices – which are not rare or insignificant in 'professional translation' – indicate that a big portion of – in order not to say all – translations made today entail considerable shifts from the source material, and therefore, go beyond the illusions of *equivalence*, *accuracy*, *faithfulness* or *impartiality* highlighted in the studied corpus. As Koskinen (2000a, 14) rightly puts it, "contemporary understanding of the process of translation is [...] strikingly different from the dichotomy of faithful versus free translation: choice, conscious or not, is now rather seen as an essential feature of *all* translation" (italics added). Processes of decisions, shifts, selections, choices, strategizing are all part of the translation process regardless of its type, Koskinen argues.

Choices and transformations for *pragmatic* reasons are, of course, not the only types of shifts found in non-literary contemporary translation practices. Shifts and transformations are prevalent in some types of translation (beyond literary translation) for (un)*ethical* reasons. Translation of political texts and news adaptation, for example, undergo transformations due to issues of ideology, power, representation and ethics. These types of translations are even more ethically taxing than literary texts as they may, of course, be more ideologically loaded. Also, the most technical text may undergo important shifts for ethical reasons if they, for example, seem to have hazardous implications on life on this planet.

Another aspect of today's translations ignored in the definition of *translation* in the studied corpus is the shift in the translator's role and identity. In many of today's practices, the translator's very self-concept is changing. With Computer-Aided Translation (CAT) tools, the translator may be renamed as a (post)editor. Ignacio Garcia (2009) argues the translator now

simply post-edits the output of Machine Translation (MT). Segments not found in Translation Memory (TM) are translated by MT, and the translator, thus, becomes a post-editor of the CAT tools products. Cronin (2003) has argued that the translating agents in the new millennium should be construed "as translational cyborgs who can no longer be conceived of independently of the technologies with which they interact. In other words, it is not simply a question of translators dealing with material from technical and scientific disciplines; it is that their very identity is being altered by an externalization of translation functions" (2003:112). Another new important factor ignored in the reductive understanding of *translation* is that translations, in the global era, are no longer done only individually but are, in many cases, taken by teams of translators, probably from different parts of the world, connected only virtually (Cronin 2003, Tymoczko 2009). Thus, accountability is no longer individual but rather collective.

In addition to overlooking these identity shifts in their defining articles of *translation*, the documents under study ignore the fact that the classical source/target dichotomy is itself now being challenged. For example, many national and international multilingual employers obliterate this distinction. The documents of the European Union (EU), for instance, stand as equal 'originals' in the languages of all Member States in order to advance the ideal of 'linguistic equality' (Tymoczko 2009, 404, Koskinen 2000b). Similarly, in localized content, the distinction between ST and TT is not always easy, nor relevant (Tymoczko 2009, 402).

Against these new realities, i.e., the proliferation of transformative practices, the shifts in the translator's identity and the increasingly blurry line between the ST and TT, the studied organizations insist on considering *translation* a faithful transfer of meaning. Faithfulness and its associates (like equivalence, accuracy, impartiality, and objectivity) imply order, control and clarity of standards. And we know that the very existence of such organizations is to set boundaries, control the 'profession/professionals' and establish order and unity of practice. Hence, any change in these (old-new) realities would imply the questioning of this fictitious

order. The recognition of plurality of practices would make the principle of *accountability* (one of the main means of self-control) implausible as this would always give the translator means to evade institutional control. Faithfulness is, thus, a myth that disguises this disturbing plurality and this inherent 'pathological' disorder of the translation 'profession'. It is, thus, a mere scarecrow for the containment and control of the translator, on the one hand, and an insurance policy to the outsider agents, on the other hand. This is, of course, due to the suspicion of wrongness in 'unfaithfulness' and the fear of the non-containment of the 'free' translator's behavior and choices. Fidelity is reassuring while transformations and choices are threatening as they allow 'disorder' and 'dishonest' practices. Cronin (2003, 68, 130) writes,

> [i]f translation has been faithful to anything over the centuries, it has been to the notion of fidelity itself. From Philo Judaeus to Vladimir Nabokov, the company of the faithful has been numerous. The stock commonplaces of literary pundits all bear on the dubious textual morals of translators. The ritual invocation of *belles infidèles*, *traduttori*, *traditori* and the omnipresent dictum of poetry being what gets lost in the translation suggest that translators are basically not to be trusted and that translation is a somewhat dishonest enterprise.
>
> (italics in original)

Discussing the historical origins of this imposition of 'faithfulness', Koskinen (2000a, 13), similarly, argues that

> [f]aithful translation was the one and only, while free rewritings were many, and all of them 'wrong' and suspect. The assumption that free will always produces [sic] wrong choices, that unmonitored freedom always verges on licentiousness, led to the conclusion that translators' freedom needs to be bridled in order to prevent them from using it to do wrong. To start making choices would lead to infidelity.

But choices are demanded by contemporary patrons/clients, although they may not admit that out loud. Like translators, localizers, media patrons and audiovisual translation patrons, for example, all know very well that what they need are transformative translations rather than faithful ones. But the irony is that the illusion of 'faithfulness' is not only claimed by patrons/clients – many of whom oppose it in practice – but reinforced by translators and some

translation scholars/critics as well (Tymoczko 2009, Katan 2011). Tymoczko (2009, 404) contends that "many translators and translation scholars also perceive these shifts as threats and sources of anxiety because they seem to undermine all that people have learned about translation as transfer, as well as about the importance of fidelity, the concept of equivalence, the sacredness of the word, and so on." In a Barthian sense, these shifts constitute threats to the established happy *myth* about *translation*. They are a source of ambivalence, confusion, disturbance and uneasiness for many agents (including translators), as I discuss in Parts II and III. Contemporary developments have unveiled these illusions without proposing alternative *myths* that can get established easily and embraced unanimously and happily. Translators are rather left to face this perplexing complexity and get accustomed to its perpetually shifting demands. The paradox is that, in their discourse, they abstain from voicing it and rather claim to follow the *myth* of 'faithfulness'. Disorder and plurality are (temporarily) disguised as they are unduly seen as embarrassing. This is because 'faithfulness' seems to be more relaxing to the other agents as it is a shared *myth*.

A plural open concept, like Tymoczko's (2007) "cluster concept" – which can encompass varied meanings of *translation* and, thus, include a variety of types and styles of translations – may seem very problematic to translator associations. On the one hand, this indeterminate, fuzzy concept may be seen as unable to sell the *uncertain* (possibly deviant) manufactured product (that is, translation). On the other hand, it may not guarantee allegiance to supreme principles shared by all members of the institution. Most importantly, an open concept of translation may make the translator associations unviable. We know that these associations' very raison d'être is to control the practitioners and establish order in the occupation. Openness to other definitions is synonymous to plurality in practices, and may, therefore, imply 'disorder'. This 'out of control' situation is liable to create messiness and chaos – which the associations were, in fact, created to contain, to begin with.

Regardless of their different natures, functions and geographical locations, the studied organizations all underline the rule of 'faithfulness' and/or other associated rules in their documents. This is despite the recent upheavals in the translation industry. The major shifts in today's practices and in the role of the translator as well as the irrelevance of the ST/TT dichotomy in some cases, in addition to the cultural/historical differences in the practice of translation stand as stark proof of the inadequacy of the definition imposed in the studied documents. This is not to mention the fact that this understanding of *translation* obscures its ideological, political, ethical and socio-cultural dimensions – which the cultural turn has underlined. Problematizing the principles of 'faithfulness' and its associates does not mean, however, that they are *a priori* unethical or completely inappropriate at all times. What I mean is that they are illusionary ideals that are hardly achievable. Also, fidelity is problematic as it "makes claims about its exclusive relationship with moral correctness, when other approaches are also ethically viable" (Clifford 2004, 110). Also, in many cases, fidelity and its associates are undesirable as they either do not accomplish the *performative* function of the translated material (as required by the commissioner) or they fail in ethical appropriateness. This reductive definition will definitely have repercussions on the translator's perceived status in the eyes of other agents as well as their own self-concept, and will ultimately affect their moral self. These points will be discussed thoroughly in Parts II and III, respectively.

Part II: The Translator's *Capital* in Codified Ethics

This part aims to answer the question: how is the translator's *capital* affected by codes of ethics established by 'professional' associations? It examines the different forms of the translator's *capital* as reflected in the corpus under study and analyzes the extent to which they convert (or not) into symbolic recognition, manifest in *collegiate control* of their profession or in *copyright* as cultural workers. The following chapter lays out some of the basic tenets in Bourdieu's reflexive sociology that will be deployed later on in the chapters devoted to the translator's (self)-positioning in the studied documents.

Chapter 1: Basic Tenets of Bourdieu's Reflexive Sociology

Of particular interest to my analysis is the concept of *capital* and its intertwined concepts of *field* and *habitus*. Although the focus is on the notion of *capital*, it is impossible to dissociate it from the other two notions.

1.1. Habitus

Following Pierre Bourdieu (1990b), *habitus* is a set of durable embodied dispositions that the individual internalizes in their living history and that informs their choices and actions – or in Bourdieu's terminology – organizes their 'social practice'. He defines *habitus* as

> systems of durable, transposable dispositions, structured structures predisposed to function as structuring structures, that is, as principles which generate and organize practices and representations that can be objectively adapted to their outcomes without presupposing a conscious aiming at ends or an express mastery of the operations necessary in order to attain them. Objectively "regulated" and "regular" without being in any way the product of obedience to rules, they can be collectively orchestrated without being the product of the organizing action of a conductor. (1990b, 53)

Bourdieu's understanding of *habitus* is, thus, characterized by its structuring and structured nature, which transcends the objectivist/subjectivist dichotomy. But practices that are informed by *habitus* are not conscious or calculated. By this, he means that while choices can be made, the principles that determine the choices are already in place, i.e., the game is played following pre-established rules. The apparent determinism of Bourdieu's *habitus* may be disappointing to proponents of individual transformations and the reshuffling of social relations. However, a careful reader of Bourdieu's concepts soon realizes the transformational potential in the *habitus*. Bourdieu (1990b) does not rule out rational decisions altogether but rather reduces their significance, in reaction to "rational actor" theory. Responding to the criticism of determinism, Bourdieu (1990a, 13) affirms: "I wanted to emphasize that this 'creative', active, inventive capacity was not that of a transcendental subject in the idealist tradition, but that of an acting agent." Answering Loic Wacquant's question in *An Invitation to Reflexive Sociology* about whether the notion of *habitus* rules out "strategic choice and conscious deliberation", he replies, "[n]ot at all. […] The lines of action suggested by habitus may very well be accompanied by a strategic calculation of costs and benefits, which tends to carry out at a conscious level the operations that habitus carries out in its own way" (Bourdieu and Wacquant 1992, 131). Times of crisis constitute a good example of circumstances where "rational choice" may reign, Bourdieu points out (ibid.).

1.2. Field

The second important notion for my analysis is *field*. This concept can be understood as the structure that defines the rules of the game as well as the relations between the agents within its arena. Bourdieu defines the notion of field as follows:

> [i]n analytic terms, a field may be defined as a network, or a configuration, of objective relations between positions. These positions are objectively defined, in their existence and in the determinations they impose upon their occupants, agents

> or institutions, by their present and potential situation (*situs*) in the structure of the distribution of species of power (or capital) whose possession commands access to the specific profits that are at stake in the field, as well as by their objective relation to other positions (domination, subordination, homology, etc.).
>
> Bourdieu and Wacquant (1992, 97, italics in original)

Bourdieu insists on the conflictual nature of the field and the play of power dynamics as a result of the agents' permanent competition over the available stakes within it. "When we speak of a *field* of position-takings, we are insisting that what can be constituted as a *system* for the sake of analysis is not the product of a coherence-seeking intention or an objective consensus […] but the product and prize of a permanent conflict" (1993, 34, italics in original). A very important notion in Bourdieu's analysis is what he calls "the field of power." By this, he refers to the field located at the top of the hierarchy of other fields in the general social world.

> The field of power is a field of forces structurally determined by the state of the relations of power among forms of power, or different forms of capital. It is also, and inseparably, a field of power struggles among the holders of different forms of power, a gaming space in which those agents and institutions possessing enough specific capital (economic or cultural capital in particular) to be able to occupy the dominant positions within their respective fields confront each other using strategies aimed at preserving or transforming these relations of power. (Bourdieu 1996, 264-265)

The forces of these struggles depend on what Bourdieu (1996, 265) calls "'exchange rate' (or 'conversion rate')" of the different forms of *capital* into symbolic power, i.e., they depend on which form of capital (economic, social or cultural) is more valuable when converted into symbolic power. For instance, intellectual producers or professors, who have considerable cultural capital, on the one hand, and industrialists, who have considerable economic capital, on the other hand, compete in the field of power for domination, each of them using their own powerful capital. The struggle is settled in favour of one side depending on whose capital (economic or cultural) converts at a higher rate into a symbolic power. Most importantly, the struggle is over the very representation of these different forms of capital or the value attributed

to each of them, i.e., the competition is over which capital should be imposed as more important. It is a struggle over the "power to dictate *the dominant principle of domination* […] a struggle over *the legitimate principle of legitimation* and, inseparably, the legitimate mode of reproduction of the foundations of domination" (ibid.). Power, thus, does not seem to be "a brute force" that is arbitrary; it is justified, and is, thus, *recognized* as legitimate and natural. In other words, in obliterating its arbitrariness, power becomes well established. The role of social science is, thus, to uncover its arbitrariness or "pathological character" (1996, 3).

1.3. Capital

The notion of *field* is inextricably linked to the notion of *capital,* for it is the struggle for the latter as well as its use in subsequent struggles that characterize the dynamics within the field and hence determine the different agents' positioning within it. Bourdieu defines *capital* as "accumulated labor (in its materialized form or its 'incorporated,' embodied form) which, when appropriated on a private, i.e., exclusive, basis by agents or groups of agents, enables them to appropriate social energy in the form of reified or living labor" (1986, 241, italics in original). The competing agents in a field mobilize their forces to either maintain or transform the established relations of force depending on their position in the field. "[E]ach of the agents commits the force (the capital) that he [sic] has acquired through the previous struggles to strategies that depend for their general direction on his [sic] position in the power struggle, that is, on his [sic] specific capital", Bourdieu (1990a, 143) points out when discussing the literary field. The appropriation of a significant (rare) capital, however, allows the appropriating agent to impose their agendas and laws which, in turn, guarantee the reproduction of this capital within a certain field. "The structure of the field, i.e., the unequal distribution of capital, is the source of the specific effects of capital, i.e., the appropriation of profits and the power to impose the laws of functioning of the field most favourable to capital and its reproduction" (1986, 246).

Bourdieu (1986) proposes three forms of capital: economic, cultural, and social. Any of these three forms of capital can convert into a title of nobility or prestige, which Bourdieu calls "symbolic capital."

Economic Capital is purely material and the most tangible and clearest form of capital. It can simply take the form of money or property.

Cultural Capital, on the other hand, is more complex and "can exist in three forms: in the *embodied* state, i.e., in the form of long-lasting dispositions of the mind and body; in the *objectified* state, in the form of cultural goods (pictures, books, dictionaries, instruments, machines, etc.) […]; and in the *institutionalized* state", in the form of educational qualifications (ibid., 243, italics in original). The *embodied cultural capital* is acquired in a long process of *personal* embodiment that is usually costly in terms of emotions, time and economics. It is a labor of acquisition/learning and enculturation, which involves deprivation and sacrifice.

> The accumulation of cultural capital in the embodied state, i.e., in the form of what is called culture, cultivation, *Bildung*, presupposes a process of embodiment, incorporation, which, insofar as it implies a labor of inculcation and assimilation, costs time, time which must be invested personally by the investor […] it cannot be done at second hand (so that all effects of delegation are ruled out). (ibid., 244, italics in original)

The embodied state of cultural capital – when significant and scarce – has the specificity of being easily recognized and, thus, easily convertible into symbolic power. "Because the social conditions of its transmission and acquisition are more disguised than those of economic capital, it is predisposed to function as symbolic capital" (ibid., 245). Besides, it may yield important economic profits.

The *objectified cultural capital*, on the other hand, refers to the material objects and media of cultural production that an agent possesses. Its value, however, largely depends on the agent's embodied cultural capital (ibid., 246-247). Legal ownership of means of production (like

machines, computers, instruments, books, paintings) requires simply economic capital. Their use, nevertheless, requires means of consumption, i.e., technical knowledge on how to appropriate them and efficiently operate them to one's benefit. "Thus cultural goods can be appropriated both materially – which presupposes economic capital – and symbolically – which presupposes cultural capital" (ibid., 247). Therefore, the owners of mere economic capital need access to embodied cultural capital by *proxy* in order to appropriate and use cultural goods. These agents need to secure this form of capital by paying its holders for their services. The latter use their scarce expertise and esoteric knowledge to increase their *collective* power. However, the holders of economic capital may manage to set them in competition with each other through the very logic of recruitment competition, and, therefore, may decrease their imposing power (ibid.).

The *institutionalized cultural capital*, distinctively, has the power to "secure belief" and "impose recognition", as Bourdieu puts it (1986, 248). It is a "legal", "conventional", and "constant" "certificate of cultural competence" for its holder (ibid.). "It institutes cultural capital by collective magic, just as, according to Merleau-Ponty, the living institute their dead through the ritual of mourning" (ibid.). Academic qualifications are, in many cases, the measurement tool of the economic worth of any particular cultural capital. As Bourdieu puts it, the education/training qualification "makes it possible to establish conversion rates between cultural capital and economic capital by guaranteeing the monetary value of a given academic capital" (ibid.).

The possession of a rare cultural capital can convert into a significant symbolic and material power not only within the field of cultural production but also within the field of power. Holders of a rare cultural capital like cultural producers, professors and professionals (e.g., doctors and lawyers), when recognized and consecrated, hold a position within the field of

power, and are, therefore, dominant agents. Intellectuals as cultural producers are recognized thanks to their ability to uncover zones of mystery and make people believe their revelations.

> Cultural producers hold a specific power, the properly symbolic power of showing things and making people believe in them, of revealing, in an explicit, objectified way the more or less confused, vague, unformulated, even unformulable experiences of the natural world and the social world, and of thereby bringing them into existence. They may put their power at the service of the dominant. They may also, in the logic of their struggle within the field of power, put their power at the service of the dominated in the social field taken as a whole. (Bourdieu 1990a, 146)

Despite their positioning within the field of power, cultural agents (like professors or writers) are dominated in this top field in the social hierarchy as their cultural capital converts to symbolic power at a lower rate than the capital held by the economic or political agents (Bourdieu 1990a, 145, Bourdieu 1998b, 44, cf. also Bourdieu 1986, 1993, 1996). Thus, they have unstable and sometimes divided allegiances to either the dominant or the dominated depending on their own interests and positions (1990a, 145).

A less concrete type of capital than cultural capital, in Bourdieu's analysis, is ***Social Capital.*** It is less tangible, at the outset, as it does not depend on the individual's material possessions or knowledge, but on their "possession of a durable network" or "membership in a group" (1986, 248). Bourdieu defines social capital as "the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalized relationships of mutual acquaintance and recognition" (ibid.). Thus, being part of an influential group enhances an individual's power. It provides the member with "the collectivity-owned capital" (ibid., 249). Network membership has the power of a "multiplier effect" on the individually owned capital (ibid.). These social relations are usually consolidated and sustained through "material and/or symbolic exchanges" (ibid. 249) – gifts being the clearest example of these mutual exchanges. Networking is, thus, a set of conscious or unconscious "investment strategies" in useful relationships, which may – in the short or long run – secure material and/or

symbolic profits. The available resources and (symbolic and/or material) benefits, however, depend on the size of the network *and* on the volume of capital each of the agents in this network possesses (ibid., 249). If the network is large and its members prestigious, the benefits are usually significant. In contrast, if the network is small and its members uninfluential, the benefits are insignificant. Bourdieu also points out that social capital, as a network of relations, does not provide the necessary power or the sought services instantly. It "cannot act instantaneously, at the appropriate moment, unless they have been established and maintained for a long time, as if for their own sake, and therefore outside their period of use" (ibid., 252). Unlike the transparency and immediacy of economic exchange, investment in sociability is usually long-term and the reaping of its benefits requires a time lag and concealment of self-interest. Because of these properties of social investment, the results are never guaranteed or certain. Social investment "necessarily entails the risk of ingratitude," Bourdieu tells us (ibid. 254).

Social networks have consensual boundaries and identities which are the responsibility of all members to protect and respect. "Each member of the group is thus instituted as a custodian of the limits of the group: because the definition of the criteria of entry is at stake in each new entry, he [sic] can modify the group by modifying the limits of legitimate exchange through some form of misalliance" (ibid. 250). Conditions of entry are, thus, restricted because of the fear of "redefinition', "alteration" or "adulteration" of this identity and/or boundaries by any new entrant.

Networks tend to have "institutionalized forms of delegation" (ibid. 251), i.e., one agent or a small group of agents represents the entire group and therefore possesses the whole collective capital that they supposedly use to defend the group's interests. The aim of this diffuse delegation is for the delegate member to defend the members' 'honour' as a way of

defending the group's 'collective honour' and also to expel the 'wrongdoers' as a way of shielding the group from disrepute. Bourdieu explains:

> whereas in this case, diffuse delegation requires the great to step forward and defend the collective honor when the honor of the weakest members is threatened. The institutionalized delegation, which ensures the concentration of social capital, also has the effect of limiting the consequences of individual lapses by explicitly delimiting responsibilities and authorizing the recognized spokesmen to shield the group as a whole from discredit by expelling or excommunicating the embarrassing individuals. (ibid.)

That said, the representative agent(s) may function in an exclusionist manner against some of their peer members. Bourdieu asserts that "[o]ne of the paradoxes of delegation is that the mandated agent can exert on (and, up to a point, against) the group the power which the group enables him [sic] to concentrate" (ibid.). Hence, the delegate, who concentrates the group's social capital, may misappropriate the collective capital bestowed on them. This is especially possible when the network is large and its members are weak (ibid.).

Conversion of the Different Forms of Capital into Symbolic Power

The three forms of capital (economic, cultural and social) may convert into a symbolic capital, which is in turn reconvertible into economic and social forms of capital. In *Practical Reason: On the Theory of Action*, Bourdieu defines symbolic capital as

> any property (any form of capital whether physical, economic, cultural or social) when it is perceived by social agents endowed with categories of perception which cause them to know it and to recognize it, to give it value. […] More precisely, symbolic capital is the form taken by any species of capital whenever it is perceived through categories of perception that are the product of the embodiment of divisions or of oppositions inscribed in the structure of the distribution of this species of capital (strong/weak, large/small, rich/poor, cultured/uncultured). (Bourdieu 1998a, 47)

Symbolic capital is granted as a "credit" and a "credence" by those agents who *recognize* the value of a certain property (or capital) as rare and valuable (1990b, 120). It is a "doxical submission" of the granter to certain propositions that are in total agreement with their (mental)

predispositions (1998a, 102-103). Bourdieu (1998a) underlines the "magical power" of shared beliefs and categories of perception between the grantee and the granter in the efficiency of symbolic power. Symbolic capital acts like "a veritable *magical power*: a property which, because it responds to socially constituted 'collective expectations' and beliefs, exercises a sort of action from a distance, without physical contact. An order is given and obeyed: it is a quasi-magical act" (ibid., 102, italics in original). Because symbolic capital derives its power and efficiency from the shared *doxa* – which is the taken for granted, pre-reflexive beliefs – between the beneficiary agents and the bestowing agents, Bourdieu (1990b, 1996, 1998a) warns us that this form of capital may generate what he calls "symbolic violence." By symbolic violence, he means,

> the violence which extorts submission, which is not perceived as such, based on "collective expectations" or socially inculcated beliefs. Like the theory of magic, the theory of symbolic violence rests on a theory of belief or, more precisely, on a theory of the production of belief, of the work of socialization necessary to produce agents endowed with the schemes of perception and appreciation that will permit them to perceive and obey injunctions inscribed in a situation or discourse.
>
> The belief I am describing is not an explicit belief, possessed explicitly as such in relation to a possibility of nonbelief, but rather an immediate adherence, a doxical submission to the injunctions of the world which is achieved when the mental structures of the one to whom the injunction is addressed are in accordance with the structures inscribed in the injunction addressed to him. In this case, one says that it went without saying, that there was nothing else to do.
>
> (Bourdieu 1998a, 103)

From here, it follows that those who hold this capital may use it as a means of dominating the other agents, who submit voluntarily and take the hegemonic relationship as natural and common-sensical. Bourdieu (1998a) writes, "soft relations of exploitation only work if they are soft. They are relations of symbolic violence which can only be established with the complicity of those who suffer from it. […] The dominated collaborate in their own exploitation through affection and admiration" (ibid., 111). In short, symbolic violence is efficient because the dominated contribute to its "efficacy" (1996, 3).

Bourdieu's notion of *symbolic violence* is close to what Althusser (1971) calls, *self-subjugation* or *interpellation*. Althusser writes, "the individual *is interpellated as a (free) subject in order that he shall submit freely to the commandments of the Subject*" (1971, 182, italics in original). This self-subjugation is not limited to the question of low self-worth and appreciation of the dominator's views but is indeed reflected in the labour relations. It results in the reproduction of the relations of dominance in the labour order. Althusser argues that

> the reproduction of labour power requires not only a reproduction of its skills, but also, at the same time, a reproduction of its submission to the rules of the established order, i.e., a reproduction of submission to the ruling ideology for the workers, and a reproduction of the ability to manipulate the ruling ideology correctly for the agents of exploitation and repression, so that they, too, will provide for the domination of the ruling class 'in words'. (1971, 132-133)

Similarly to Bourdieu, Althusser is concerned with the reproduction of the discourse of the dominant, which ultimately fosters a certain labour domination. The aim of the reinforcement of this discourse by the dominated themselves is to guarantee their perpetual voluntary servitude, and, therefore, the reproduction of the same asymmetrical relations *with no cost*.

In this project, I use Bourdieu's notion of *capital* to account for the status that a collection of codes of ethics, the FIT *Translator's Charter* and the UNESCO *Nairobi Recommendation* accord to the translator in their struggle for recognition from other agents in the field of power, mainly, large corporate clients/employers, authors, publishers, legislative/political powers and scholars/educators. Bourdieu's concept, along with insights from the sociology of professions, allows me to evaluate whether these documents allow the translator to impose their content and relationship terms or whether they simply reinforce the translator's low status[56]. Internal competition among individual translators for *capital* (in a different delimitation of field) is not accounted for, as it does not shed light on the status of translators compared to that of the other

[56] The translator's low status is corroborated by many studies (cf. for example, Liu 2013, Dam and Zethsen 2008, Gouadec 2007, Katan 2011, Sela-Sheffy and Shlesinger 2011, Prunç 2007, Dam and Koskinen 2016).

agents involved in translation. I have chosen to focus on these external agents because the struggle for symbolic power in occupational fields is mainly external. It is mainly about "externally shielding-off professional practices from external influences", as Schinkel and Noordegraaf put it (2011, 69). An occupation becomes a profession and its practitioners acquire symbolic power only when it is auto-regulated by practitioners themselves without any external interferences and recognized by other surrounding agents and the general public. As Schinkel and Noordegraaf (2011, 87) rightly affirm,

> Bourdieu's field analysis is often used and interpreted "internalistically." In such an analysis, one would point out that the *field-specific content* of "professionalism" or the very *reference* of the idea of a specific "profession" is continuously at stake within a specific professional field. But the idea of a "profession" marks not only a field in itself but at the same time a *difference* within a larger relational system of positions. Bourdieu's notion of the field of power enables us to see professions as fields of positions nested *within* a general field of power. (italics in original)

Such a perspective allows us to measure the extent to which the documents under study position the translator as an autonomous cultural producer (similarly to the author). It also makes it possible to reveal whether they promote translators' *collegiate control* over their occupation. Ultimately, the study shows how close or distant the translator is from setting foot in the field of power, like any other cultural producer or professional[57]. In this study, I also draw on Bourdieu's notion of *symbolic violence* to show how the established order and discourse within the field of translation (as reflected in codes of ethics) impact on the translator's autonomy. In Chapter 2, which follows, I present the translator's different forms of capital as reflected in the corpus under study. In Chapter 3, I analyze their degree of conversion into symbolic recognition.

[57] Schinkel and Noordegraaf (2011, 68), and (Bourdieu 1996, 267) argue that professionalism can be regarded as a form of symbolic capital in the 'field of power.'.

Chapter 2: The Translator's Forms of *Capital* in Codified Ethics

Translation practice is primarily an intellectual endeavour, and, therefore, a cultural production. Cultural capital is, thus, the translator's most convertible form of capital into "symbolic imposition", in Bourdieu's terminology (Bourdieu and Wacquant 1992, 243). It is the form of capital that can advance the translator's 'professionalism' or entitlement to 'authorship.' And this symbolic capital, if achieved, is, in turn, convertible into economic capital "as the earning power of a profession increases" (Jackson 2017, 798).

The translator's cultural capital can convert into symbolic power when it is recognized by them and by other agents as significant and rare. The latter agents' view depends partly on the translator's self-perception and promotion of their cultural capital, but is mostly guided by the external resources of power that translators can mobilize to advance this view (cf. Johnson 2016). If the translator represents their cultural capital as being high and if this representation is backed up by powerful resources, the other agents are more likely to believe it to be so. In sum, if the other agents share the translators' own *belief* of their practice as a complex endeavour that requires high cultural capital, this will lead to the acquisition of considerable symbolic capital. Should this be achieved, relational aspects will be shaken up and translators will gain more prestige and value. On the other hand, if translators adopt a low view of their own cultural capital, their symbolic capital will not only be impoverished but they may be subjected to symbolic violence. The contribution of social capital to economic and symbolic forms of capital is not irrelevant for translators who are members of large associations. But social capital is itself partly dependent on cultural capital, which can play an important role in creating valuable social networking, as I will demonstrate shortly.

In section 2.1., I discuss the translator's cultural capital in its three states, as presented in the documents under study. In sections 2.2. and 2.3., I discuss their social and economic forms of capital, respectively.

2.1. The Translator's Cultural Capital

Cultural capital exists in three forms: the embodied state, the institutionalized state and the objectified state (Bourdieu 1986). In the case of the translator, *the embodied cultural capital* can refer to their theoretical knowledge about the field of translation, practical experience in the field, "long-lasting dispositions" – in Bourdieu's (1986, 243) terminology, general knowledge and knowledge in a specialized field, as well as expertise in using objectified cultural capital (machines, tools, references, sources). The translator's *institutionalized cultural capital*, on the other hand, refers to the translator's educational qualifications, degrees, certificates and the nature of their institutional training. Finally, *their objectified state of cultural capital* refers to their materials, books, articles, technological tools, machines, computers, and so on.

2.1.1. The Embodied State of Cultural Capital

The acquisition of embodied cultural capital related to 'translation' takes a long time and a great deal of effort and material cost. Usually, having a bachelor's degree – which is probably one of the requirements of employment or certification set by some employers or 'professional' associations, respectively – takes four years on average in many countries. Likewise, having some experience – which is often a possible requirement to become a (certified) translator/employee – takes a few years. The translator also devotes their life to the acquisition of two or more languages. This is in addition to the their whole (school) life dedication where they go through the long process of "incorporation", "labor of inculcation and assimilation" in order to accumulate the necessary knowledge (general and specialized) "in the form of what is called culture, cultivation, *Bildung*" (Bourdieu 1986, 244). This bodily and cognitive investment in embodied cultural capital requires painful efforts, sacrifice, relative privation and renunciation of pleasure. "*[O]n paie de sa personne*" [*One gives of oneself*], as Bourdieu puts it (ibid.). Besides the time and efforts, this type of capital requires a considerable economic

investment in the form of miscellaneous fees that students pay for their schools probably throughout their school life in the age of increasing privatization of education in many countries.

This form of cultural capital, which consists of the dispositions acquired in one's life through various sources and tremendous efforts, presents a problem for those who want to acquire it instantly. This is because it "cannot be transmitted instantaneously (like money, property rights, or even titles of nobility) by gift or bequest, purchase or change" (ibid., 244-245). However, powerful agents can acquire this form of capital by *proxy* (ibid., 247) as they have the economic means to buy it from its holders (i.e., translators) whenever needed. On top of that, they may be able to impose their terms and conditions on translators in return for the fees they pay. Bourdieu warns us that powerful agents seeking to acquire cultural capital by *proxy* may actually buy the practitioner themself. He wonders, "[h]ow can this capital, so closely linked to the person, be bought without buying the person [...]?" (ibid., 245). In our case, we ask how can translators keep their (ethical) autonomy when selling their services to powerful patrons/clients? I will return to these questions in this Part II and III, respectively.

The translator's embodied cultural capital is never fully acquired by the acquisition of institutionalized forms of cultural capital, i.e., graduation. Translation undergoes continuous and rapid changes, evolutions, novelties, updates and shake-ups. Hence, translator associations and other organizations of interest (namely the UNESCO and the FIT) stress life-long learning and/or 'professional' development in their defining documents. These organizations emphasize the continuous updating of one's knowledge, the acquisition of new skills required by the advancements in technology and research, and the deepening of one's knowledge about the socio-cultural contexts of working languages. The UNESCO *Nairobi Recommendation*, for example, urges Member States to provide and develop opportunities for continuous learning and 'professional' development (Paragraph 11). It also stresses the importance of translator

exchange policies/programs between countries in order to improve the linguistic knowledge of the source language and the sociocultural contexts of the source texts (Paragraph 13). Similarly to the *Nairobi Recommendation*, all national associations' codes of ethics urge the translator to seek continuous (self)-learning and/or 'professional' development opportunities – which ultimately promote the translator's embodied capital. While some codes' statements are general and broad (SATI, ATPP, IAFET and SFT), some other codes are more explanatory on the issue (ITAINDIA, AUSIT). The explanations in the AUSIT's code of ethics are the most detailed. Article 8 further stresses continuous "lifelong learning" in order to update one's knowledge and skills to the evolution and changes in the field. It explains that this includes the continuous upgrading of one's language, 'transfer' skills, and "contextual and cultural understanding", as well as keeping up to date with technological advancements. Likewise, the ITAINDIA is explicit and detailed about the translator's continuous development in its introductory section. And rather than including this requirement as the sole duty of the translator, the ITAINDIA stresses the role of the association in "providing adequate guidance and orientation to its members so that they meet the professional standards of the industry" (Section A). The association commits to "the up-gradation of knowledge and capabilities of its members by organizing workshops, creating quality awareness and following the code of professional conduct" (ibid.). Also, with national and international partnerships and collaborations, the ITAINDIA underlines its active involvement in information exchange as well as development of "relations that help in up-gradation of translation as well as technological skills of its members" (ibid).

Another issue related to 'life-long learning' that comes up often in some of the documents under study is 'knowledge sharing' among association members. The FIT *Translator's Charter* stresses that one of the functions of associations is to collect sources and share them with translators.

> They [TRANSLATORS' SOCIETIES AND UNIONS] shall endeavour to collect information of interest to the profession from all sources and to place it at the disposal of translators in the form of libraries, files, journals and bulletins, for which purpose they shall establish theoretical and practical information services, and organize seminars and meetings. (Article 32)

Three national/provincial associations (IAFET, ATIO and SATI) are explicit about the importance of knowledge sharing and cooperation among association members. Although this is a productive tradition to sustain and promote as it enhances the translators' cultural capital, knowledge sharing is restrained by the principles of 'disclosure', 'confidentiality' and copyright law. When there are innovative practices, protocols and software, they are usually protected by non-disclosure agreements that secure the patrons/clients' exclusive ownership and, thus, prevent the translator from sharing them with peers. As Tymoczko rightly points out,

> [m]any cutting-edge responses to contemporary challenges now occur behind closed doors. Corporations and governments develop innovative translation protocols, software and team structures to respond to the new demands on translators, but anti-disclosure contracts make it difficult or even impossible for translators in these closed spheres to share their innovations with the profession as a whole. (2009, 418)

In this respect, the SATI limits 'knowledge sharing' among its members by strictly applying the rule of 'confidentiality' in regard to the client/employer's resources and information.

> All members of the Institute shall undertake: […] To share their professional knowledge with other members, *but* to maintain a relationship of trust with their clients/employers and to treat all information that comes to their attention in the course of their work as *confidential.*
> (Code of ethics for individual members, italics added)

Other codes, although not as explicit as the SATI, stress the principle in separate articles, devoted to copyright and confidentiality, which I discuss later in this Part II and Part III. Following these restrictions, the question is: what is left to be shared if almost every important item (content and tools) is constrained by rules of confidentiality and/or copyright law?

Another important component of embodied cultural capital that all studied documents stress to different degrees is 'competence'. The term 'competence' appears in four documents (FIT, AUSIT, ATIO, SFT). In some codes, it appears multiple times (10 times in the AUSIT document, for example). Other elements implying or regarded as part of 'competence', such as the mastery of languages, translation skills, (specialized) knowledge and translation standards are highlighted. All documents (except the IAFET's) stress the mastery of languages as part of the translator's competence. Some of them (UNESCO, FIT, ATPP, ITAINDIA, SFT) categorically urge practitioners to translate solely into their native language or to a language in which they are highly proficient.

In sum, the studied organizations stress, to different degrees, life-long learning, 'professional' development, competence and/or knowledge sharing in order to boost the translator's cultural capital. The question remains: do these organizations represent *translation* as a creative and complex practice that requires all these intellectual efforts/competences? The short answer is *no*, as I already discussed in Part I. In Chapter 3, where I analyze the conversion of the translator's cultural capital into symbolic power, I discuss how the definition of *translation* affects the translator's cultural capital and, by extension, their symbolic imposition and, therefore, why these calls to boost the translator's embodied cultural capital may be inefficient.

2.1.2. The Institutionalized State of Cultural Capital

In line with the claim of *professionalism* that translator associations aspire to, they would supposedly stress institutionalized forms of knowledge, i.e., the possession of a university degree from a recognized education institution and a translation certificate from a regulatory body, as a condition of entry. The institutionalized form of cultural capital is what differentiates the cultural capital of a 'non-professional' "autodidact" from that of a bearer of legally recognized academic and/or 'professional' qualifications (Bourdieu 1986, 247-8). Regardless

of whether the translator possesses the knowledge and skills associated with a degree/certificate, the institutional recognition wields the magic power to legitimize their embodied cultural capital as high and significant. It is the degree/certificate rather than the person's actual knowledge that is the seal of guarantee for the other agents. Degrees/certificates are the only visible assurance of a translator's competence for a client dealing with them for the first time, especially when the latter does not possess the necessary knowledge on how to assess their embodied cultural capital and cannot delegate that to a senior translator. In Bourdieu's words, this institutionalized form of cultural capital has the power to "secure belief" and "impose recognition" (1986, 248). In 'professional' networks, it has a double function: it protects the homogeneity of the social group by eliminating 'intruders' and it advertises the claims of 'public protection' by forbidding access to the 'incompetent.'

Education in the field of translation promotes the possession of systematic knowledge *specific* to the field. The UNESCO *Nairobi Recommendation* emphasizes the distinct character of 'translation' as a field of study in its own right and recommends that it be separated from departments of languages in educational institutions. "Member States should recognize in principle that translation is an independent discipline requiring an education distinct from exclusively language teaching and that this discipline requires special training" (Paragraph 11). This call of the UNESCO is an international recognition that the exercise of this occupation requires specific knowledge and should come with high cultural capital. It acknowledges how important the institutionalized form of cultural capital is as a protection from the aberrations bilingual 'amateurs', coming from language departments, might produce. The *Nairobi Recommendation,* thus, seems to be in line with the voices raised in academia and some occupational milieus that insist on the specific nature of this intellectual operation, which is translation.

The *Nairobi Recommendation* suggests that it would be wise for the UNESCO Member States (as well as individual students) to invest in this precious cultural capital. The translation industry is expanding rapidly in today's globalized age and its non-regulation or non-institutionalization may be 'chaotic' and 'open to all risks'. Should Member States implement this recommendation, more learners will invest in this specialization and seek to join its departments, which may secure good jobs. Ultimately, one can imagine this important field being organized and limited to highly trained individuals. From a student's perspective, however, securing a good job these days may not be guaranteed by joining these departments. As we learn from Bourdieu (1986), the value of this investment all depends on the state of the market at the time of graduation. The economic and symbolic values of an academic capital (i.e., a certain degree) fluctuate depending on its rarity and on clients/consumers' perspectives of it. Unless the latter agents are convinced of the high value of this kind of capital, the investment of time, effort and money in such institutionalized cultural capital may be less profitable than desired or expected (Bourdieu 1986, 248). Although demand for translation is skyrocketing, the current conditions of employment of many translators are difficult, as empirical evidence shows (for example, the investigation of the Canadian CBC News Network published on February 13, 2019)[58]. Low rates of pay, cheques that bounce, scams, unclear contracts about job specifications and vulnerable social security all attest to the degrading working conditions of many translators around the globe. These conditions attest to the low value assigned to this institutionalized form of capital (degree in translation) and probably its irrelevance in the eyes of many beneficiary agents, especially those who employ non-graduates from translation schools/departments. As such, this institutionalized form of cultural capital may not be worth investing in, according to many governments, institutions and students.

[58] https://www.cbc.ca/news/canada/able-translations-interpreters-lawsuits-cra-debt-1.5016014/ Accessed on March 20, 2019.

Similarly to the *Nairobi Recommendation*, the FIT *Translator's Charter* and all the national/provincial associations' codes (except the IAFET's) make indirect allusions to the importance of possessing a proper institutionalized form of cultural capital in order to join the associations. Their allusions are mostly inexplicit and are mentioned in passing as the codes explain other duties, such as quality, competence and truthfulness about one's qualifications. Reading through the associations' websites and the requirements for access – where such general statements of the codes are specified – it becomes clear that all associations are content with experience (embodied cultural capital) if the candidate does not possess institutionalized cultural capital. In this respect, the ITAINDIA stipulates that

> [a]ll translators, Interpreters and/or language professionals are allowed to be included as Translator member under the condition that they have at least 3 years of formal training or possess graduation degree in first or second language. In the absence of the above, the candidate may provide letters of recommendation from member agencies or employers who have availed the language services of the candidate and are satisfied with the work.
>
> (Section B, Instructions and Guidelines for Members', Criteria for Membership)

The ATPP does not require any education qualifications on its website and is content with "proven professional experience of at least ten years"[59]. Some other associations require neither institutionalized (educational degree) nor embodied (experiential) cultural capital for ordinary membership. For example, the SATI stipulates that "[m]embership is open to anyone interested in translation and the related professions. There are currently no qualifying professional requirements for general membership."[60] Only applicants for accreditation are required to "have a higher education qualification in languages or linguistics, plus at least 2 years' experience in a translation related environment", *or* "at least 5 years' experience in a translation related environment"[61]. Like the SATI, ordinary membership in the IAFET is open to everyone

[59] http://www.atpp.org.pe/membership.php/ Accessed on August 20, 2019.
[60] https://www.translators.org.za/categories-of-membership/ Accessed on October 25, 2019.
[61] https://www.translators.org.za/accreditation-in-general-translation/Accessed on October 25, 2019.

interested in the field, under the category of 'General Non-Accredited: General Non translators/ Interpreter"[62]. Most strikingly, the IAFET does not require any specific qualifications for its "Junior Accredited Translator and/or Interpreter" category, except 0-3 years of experience. Less surprisingly, the SFT, given its unionist nature, accepts *any practicing* translator. « Tout traducteur professionnel en activité peut adhérer au syndicat […] La SFT est un syndicat professionnel qui regroupe uniquement des traducteurs professionnels en exercice » [Any practicing professional translator can join the union [...] The SFT is a professional union that brings together only practicing professional translators].[63] On the other hand, the AUSIT's membership criteria are quite fuzzy. Ordinary membership is open only to "[a] translator or interpreter with appropriate qualifications and experience."[64] The qualifications required are: "NAATI certification/accreditation/recognition OR formal T/I [translation/interpreting] qualifications from a recognised institution in Australia or overseas OR other acceptable qualifications." Finally, ordinary members need to have "at least 12 months' experience as a T/I practitioner (paid or unpaid)." The AUSIT thus requires both qualifications and experience. However, "other acceptable qualifications" may replace the educational or certification requirements. It remains vague what these "other acceptable qualifications" are. The ATIO, for its part, requires *specialized* education in translation *or* four years of experience. But if the candidate for certification has non-specialized education, it requires two years of experience in addition to their education[65].

[62] https://iafet.cyrillabs.com/memberships/ Accessed on October 15, 2019.
[63] https://www.sft.fr/adherer-a-la-sft.html#.XSTBF-hKjIU/ Accessed on October 15, 2019.
[64] https://ausit.org/AUSIT/Join_AUSIT/Join_Online/Membership_Categories.aspx/ Accessed on July 25, 2019.
[65] https://atio.on.ca/membership/application/ Accessed on March 3, 2019.

	Educational qualifications/ certification *AND* experience	Education *OR* experience	Only experience	Educational qualifications alone	No requirements
ATIO (Ontario, Canada)		✓ Specialized education or experience			
ITAINDIA (India)		✓			
SFT (France)			✓ Exercising translator		
SATI (South Africa)			✓ Experience for accreditation		✓
ATPP (Peru)			✓		
AUSIT (Australia)	✓ "OR other acceptable qualification"				
IAFET (Egypt)					✓

Table 2. Institutionalized cultural capital required for access to the different translator associations

Although the studied associations highlight – sometimes in fuzzy terms – the importance of possessing some sort of institutionalized cultural capital, they are, however, content with experience as a condition of access to their networks – despite the UNESCO's emphasis on specialized education in translation. Further, some voluntary and unionist associations (namely the SATI, the IAFET and the SFT) require neither education qualifications nor experience for ordinary membership. Membership is, thus, quite open in all the associations under study, and *social closure* – to use the Weberian term (1978/1922) – is not as solid and strict as in many other known professions, such as the legal and the medical professions, or even the accountancy occupation. Even the ATIO, which seems to be the most restrictive association as far conditions for certification are concerned, is still willing to accept experienced practitioners who have no institutionalized cultural capital. Overall, the studied associations seem to prefer the enlargement of membership rosters and the collection of as many fees as possible to a strict control of admissions. But the inflated membership size, which may appear to be beneficial to the social capital of some translators, may in fact have the side-effect of undermining the association's reputation in the eyes of other agents and the public, as I discuss in Chapter 3.

2.1.3. The Objectified State of Cultural Capital

The majority of the studied documents do not emphasize the possession of objectified cultural capital (i.e., material objects and tools of cultural production, such as translation softwares, for example). They do not underline the "means of production", which are generally possessed only by holders of economic capital[66], in Bourdieu's (1986, 247) thought, in line with the Marxist thought. These means of production may be *provisionally* and *conditionally*[67] provided to translators by third parties (the beneficiaries, the State or the representative association).

Only two national associations (ITAINDIA and AUSIT) and the two international bodies (UNESCO, FIT) refer to this form of capital in their documents in one way or another. The *Nairobi Recommendation* emphasizes that both the beneficiaries of translation and the UNESCO Member States provide the necessary "means of production" for the translator to use in order to guarantee high quality. It calls on clients/patrons to provide "any documents and information necessary for the understanding of the text to be translated and the drafting of the translation should, so far as possible, be made available to translators" (Article 14b). It also recommends that Member States establish terminology databases/centres and make them available to translators.

> Member States should consider organizing terminology centres which might be encouraged to undertake the following activities:
> (a) communicating to translators current information concerning terminology required by them in the general course of their work;
> (b) collaborating closely with terminology centres throughout the world with a view to standardizing and developing the internationalization of scientific and technical terminology so as to facilitate the task of translators. (Article 12)

[66] It is noteworthy that "means of production", like translation softwares, for instance, require embodied cultural capital (i.e., expertise) in order to be used effectively. That is why they present a problem for their owners who hold only economic capital. These agents, thus, appropriate them by proxy by hiring skilled persons who are able to manipulate them (Bourdieu 1986, 247).

[67] In cases where beneficiaries (namely clients and employers) provide CAT tools or any other "means of production" to the translator, they set strict limitations on the conditions of use as is expressively emphasized in all documents under the 'confidentiality' principle.

Quite similarly, the AUSIT urges its members to secure access to the various materials, devices, aids, reference information and physical environment needed for the task at hand (Code of Conduct, Article 7). The FIT calls on translator associations to invest efforts in making some "cultural goods" – to borrow Bourdieu's (1986) term – available to translators.

> They shall endeavour to collect information of interest to the profession from all sources and to place it at the disposal of translators in the form of libraries, files, journals and bulletins, for which purpose they shall establish theoretical and practical information services, and organize seminars and meetings.
>
> (Article 32)

Although sophisticated "means of production" are generally possessed only by holders of high economic capital, translators may possess two types of affordable objectified cultural capital: hardware materials (such as books, dictionaries, glossaries and computers) and virtual ones (such as online access to books/articles, terminology databases, some CAT tools and other resources). These goods include the materials created by translators themselves (like published articles, books, terminology database, glossaries and personal corpora) and those acquired by economic means – of which the least is purchasing a computer. The ITAINDIA is the only code that mentions the creation and production of "cultural goods" by translators in its 'General Information' section. It highlights the fact that the association offers its members the "[o]pportunity to publish articles in ITINDIA's [sic] publications." On the other hand, the ITAINDIA, unlike the AUSIT, the FIT and the UNESCO, posits the acquisition of "cultural goods" as the responsibility of the translator, without specifying whether they should ask clients for their resources. Article A3 reads, "I will endeavor to translate or interpret the original message faithfully, to satisfy the needs of the end user(s). I acknowledge that this level of excellence requires: […] Access to information resources and reference materials, and knowledge of the tools of my profession."

When clients/employers provide translators with "cultural goods", they do so either because they do not have time to utilize them themselves (as in the case of the translator-employer), or because they do not have the necessary embodied cultural capital to use them efficiently. In the latter case, they possess them only materially but not symbolically. Following Bourdieu's analysis, if translators (holders of embodied capital) are desperately needed to put objectified cultural capital (different devices/materials) into effective use (in other words, if their expertise is needed for the functioning of the institutions of the powerful beneficiary agents), their economic benefits are liable to increase. This form of capital, when rare and accessible to only a limited number of professionals, can be used as a weapon by translators in their struggle to "obtain profits proportionate to their mastery of this objectified capital, and therefore to the extent of their embodied capital" (Bourdieu 1986, 247). Economic profits proportionate to their complex expertise would not be the only outcome of the mastery of objectified capital. Symbolic gains would also be achieved – as I discuss thoroughly in Chapter 3. In sum, the mastery of technological tools and large databases, or even better, their creation and ownership or the authoring/translation of books/articles, or simply the ownership of a considerable number of books supposedly enriches the translator's objectified and embodied cultural capital simultaneously.

That said, there is a problem with these "means of production" in the case of translators. First, translation tools/materials are not seen as complex as machinery used by other specialized professionals. Unlike engineers, for example, who are the only people able to use certain machinery (or to initiate their use for technicians), translation tools/materials may be seen as manipulable by anyone, including the owner/client/patron, did they have the time to use them. The few technological tools that may be seen as mysterious are not built by translators but by tool designers, who may get all the recognition. The translator's use of these tools may, therefore, be seen as quite mechanical. Also, because some translators may not own many of

these cultural goods (but rather get them from their employer/client), they are seen as only selling secretarial services using the already established and fully functional means of production supplied by their employer. Such a situation may have the effect of reducing the translator's economic capital significantly. For example, the translator may be paid only for the words/sentences that are not translated by the Translation Memory (TM), despite the work of editing and textual analysis of the entire text. On the symbolic level, these new technological tools may reduce the value of the translator's work as they may be regarded as simple post-editors (cf. O'Brien 2012). In sum, the translator's objectified cultural capital may not be the main source of power for translators. Rather, it is their institutionalized and embodied cultural forms of capital that would be more liable to convert into symbolic capital, as I discuss in Chapter 3. This is not to say, of course, that the documentation and various materials they possess are worthless but that they may be of little significance in the eyes of other agents.

Regardless of the type of organization and its proclaimed function, all the documents under study underline some constituents of the embodied form of cultural capital. They generally suggest – to different degrees – life-long learning, 'professional' development and competence. Most importantly, they present their views of what *translation* is and what translators' roles are – as I discussed in Part I – which are the sites where the translator's perceived embodied cultural capital mostly displays. Also, most of them make allusion to institutionalized cultural capital without, however, imposing it as a strict requirement for entry. Only a minority of documents refer to the possession of objectified cultural capital, or "cultural goods." I discuss the implications of the positions of the organizations under study regarding the translator's cultural capital in Chapter 3. I measure the rate of conversion of the presented cultural capital into symbolic power. In the following section, I present the translator's social capital.

2.2. The Translator's Social Capital

According to Bourdieu (1986), social capital is generally acquired by belonging to large and/or prestigious networks. The network members usually identify with each other on social, ethnic, political, ideological or economic bases. Translators try to acquire this capital as they invest in relations with peers by joining their 'professional' associations. But to what extent does the translator's investment in these networks pay off in the short and long run?

In the documents under study, all organizations underscore the importance of networking and enumerate the benefits of joining associations for the individual translator. The FIT, which is the mother organization of all national associations, devotes two entire sections (4 and 5, that is 16 articles out of 40) of its *Translator's Charter* to highlight the importance of gathering in national associations and networking with other organizations with similar interests as well as joining the international federation. The *Translator's Charter* underscores that the main task of these local/national translator associations is to defend their members' interests and improve the conditions of their 'profession'. "In addition to defending the moral and material interests of translators, these organizations shall have the task of ensuring improvement in standards of translation [...]" (Article 26). They "exert their influence on public authorities in the preparation and introduction of legal measures and regulations concerning the profession" (Article 27). The FIT emphasizes that these associations have the task of establishing relations with all the other agents who are, in a way or another, related to translation/translators. "They shall strive to maintain permanent relations with organizations which are users of translations (publishers' associations, industrial and commercial enterprises, public and private authorities, the Press, etc.) for the purpose of studying and finding solutions to their common problems" (Article 28). In order to assure high standards of quality, they also "keep in touch with cultural organizations, societies of authors, national sections of the Pen Club, literary critics, learned societies, universities, and technical and scientific research institutes" (Article 29). Furthermore,

translator associations "give advice on the training and recruitment of translators, and […] co-operate with specialized organizations and universities in the pursuit of these aims (Article 31). The FIT *Translator's Charter* also stresses that associations shall endeavour to provide resource materials for translators (Article 32).

As for its own mission, the FIT highlights its role in lobbying for the translator's rights on the world stage as well as in keeping informed on the latest developments in the field and spreading 'civilization'. The translators' international organization "shall defend the material and moral rights of translators at the international level, keep in touch with progress in theoretical and practical matters relating to translation, and endeavour to contribute to the spread of civilization throughout the world" (Article 37). The charter underlines the role of networking with other organizations/governments at the international level as well as engaging in international gatherings and activities for translators in achieving the above aims.

> The International Federation of Translators shall attain these objectives by representing translators at the international level, particularly through relations with governmental, non-governmental and supranational organizations, by taking part in meetings likely to be of interest to translators and translation at the international level, by publishing works, and by organizing or arranging for the organization of congresses at which questions concerning translation or translators may be examined. (Article 38)

In sum, translator organizations, according to the FIT, have two main roles to play. First, they have the internal role of self-regulation/control in order to improve the standards of the practice. Second, they have the external role of opening up to their environment in order to ensure dialogue and negotiations with all agents (in)directly involved in this practice (i.e., employers/clients, publishers, politicians/legislators, educators/researchers, critics, authors, journalists). The ultimate aim of this openness is to defend the translator's rights and interests and find solutions to potential problems.

The UNESCO reiterates the FIT aims[68]. The *Nairobi Recommendation* urges Member States to allow and encourage the establishment of translator associations that defend the translator's interests, negotiate on their behalf and promote the profession (*Nairobi Recommendation*, Paragraph 7a-7k).

> Member States should also promote measures to ensure effective representation of translators and to encourage the creation and development of professional organizations of translators and other organizations or associations representing them, to define the rules and duties which should govern the exercise of the profession, to defend the moral and material interests of translators and to facilitate linguistic, cultural, scientific and technical exchanges among translators and between translators and the authors of works to be translated.
>
> (*Nairobi Recommendation*, Paragraph 7)

In addition to defending the translator's interests, the *Nairobi Recommendation*, similarly to the FIT *Translator's Charter*, purportedly aims to ensure that translators control their 'profession' through their own associations and establish a culture of dialogue and exchange among themselves and 'original' authors.

Like the two international organizations (the FIT and the UNESCO), national/provincial associations underline the importance of membership for translators. They list the actual and potential benefits of belonging to their networks in their documents (namely codes of ethics, bylaws and websites). These translator networks ostensibly aim at creating an atmosphere of solidarity that fosters cooperation and assistance through "material and/or symbolic exchanges", to borrow Bourdieu's terminology (1986, 249). The associations under study list the following benefits – among other benefits stressed on their websites, codes of ethics and bylaws:

[68] This is not surprising when we know that the FIT is a consultant to the UNESCO.

- the defense/protection of the translator's material and symbolic rights or interests (SFT, ITAINDIA, AUSIT, ATPP, IAFET, SATI);
- the exchange of knowledge (ITAINDIA, IAFET, ATIO, SATI);
- solidarity, mutual assistance, support and cooperation (ITAINDIA, ATIO, IAFET, SATI, ATPP, SFT, AUSIT);
- the use of the association logo/name (ATIO, IAFET, ITAINDIA), and
- representativity with clients, authorities or other agents (ITAINDIA, SFT).

While a comparison of the different associations' codes and documents shows similarities between these associations regarding many actual and potential benefits, it yields slight differences as to the degree of emphasis on the issue of defending the translator's interests. This question is tackled somewhat differently depending on the nature and function of the association. The SFT, given its unionist nature, is the most explicit association in stressing the defence of the translator's interests in its code de déontologie [deontological code]. In the very introduction, it stipulates: « la Société française des traducteurs (SFT) est un syndicat professionnel qui *défend les intérêts* des traducteurs et interprètes et promeut les métiers de la traduction en France » [the French Society of Translators (SFT) is a professional union that *defends the interests* of translators and interpreters and promotes translation occupations in France] (A Propos de la SFT [About the SFT], italics added). On the other hand, the ATIO, being a 'professional' order, overemphasizes elements that are of interest mainly to the beneficiaries of translation, such as "professional accountability", "quality of service" and "the protection of members of the public." The only tacit allusion to the translator's "collective voice" appears timidly on its website. "The ATIO Secretariat provides clients and the public with information on the various aspects and working conditions of the professions represented by ATIO. We actively advocate for our members and publicize the role performed by our members in society."[69] The other voluntary associations are closer to the SFT position than to

[69] https://atio.on.ca/membership/ Accessed on September 25, 2019.

the ATIO's in this policy – although none is explicit about the defence of the translator's interests. The AUSIT tackles the issue in the section of AUSIT Services on its website. It highlights, among other services, "advancing the professional interests, standing, rights and recognition of members within and outside Australia."[70] On its website, the SATI, similarly, underlines that it is "the only association that looks after the interests of all in the language practice profession in South Africa."[71] The ITAINDIA stipulates that its main mission is "to look after the interests of individual translators and Small Scale Agencies" (ITAINDIA, section B, 'Membership Information'). The ATPP claims that it aims "[t]o support its members through the Association's prestige"[72] as well as to "[p]romote the recognition of translators and interpreters as high-ranking professionals"[73]. In its bylaws, the IAFET, similarly, states that it seeks to "[p]omote the recognition of the translation and interpreting professions."[74]

All studied organizations highlight some of the material and symbolic benefits/resources of membership in networks with colleagues. But the available resources and benefits depend largely on the *size* of the network and mainly on the size of capital of each of the network members, as we learn from Bourdieu (1986, 249). The larger and more prestigious the network, the more resources and benefits there are. For this reason, translator organizations seek to enlarge their networks' size and influence. The FIT *Translator's Charter* encourages associations of specialized translators and regional associations within the same country to join efforts and gather in larger associations that can be more powerful and more influential. "Where several groups of translators exist in a country, organized either on a regional basis or into different categories, it will be desirable for these groups to co-ordinate their activities in a central national organization, at the same time preserving their identity" (Article 33). Of course,

[70] https://ausit.org/AUSIT/About/What_We_Do_-_AUSIT_Services.aspx/ Accessed on July 25, 2019.
[71] https://www.translators.org.za/background/ Accessed on October 25, 2019.
[72] http://www.atpp.org.pe/association.php / Accessed on August 20, 2019.
[73] http://www.atpp.org.pe/association.php/ Accessed on August 20, 2019.
[74] https://iafet.cyrillabs.com/wp-content/uploads/2018/09/bylaw-1.pdf/ Accessed on October 25, 2019.

the FIT does not overlook the particularities of different specialized groups of translators as well as their regional specificities as it reminds them of preserving their identity within the central organization. At the international level of social networking, the FIT *Translator's Charter* urges national translators' associations to join its international effort in defending translators' rights. "To ensure the attainment of their aims at world level by common effort, national translators' organizations are called upon to unite in the Fédération internationale des traducteurs (International Federation of Translators [FIT])" (Article 35). On its website, the FIT takes pride in representing more than 100 translator/interpreter/terminologist/linguist associations and institutes from 55 countries, representing more than 80,000 translators[75], and in having a consultative status with the UNESCO[76].

The national/provincial associations, likewise, underscore their (large) size and their influence. Some of them tackle the issue in the preambles/introductions of their codes of ethics while others advance it only on their websites. The ITAINDIA underlines that "[w]ithin a short span of its inception, ITAINDIA gained confidence of quite a large number of translators and interpreters from all over India" (Introduction, Section A). It, also, takes pride in being part of the FIT. The SFT code, likewise, highlights the size of the association and the diversity of its membership. « Forte de plus 1 600 membres, la SFT représente les nombreux secteurs constituant le paysage professionnel de la traduction en France : salariés, indépendants, experts judiciaires, interprètes de conférence, traducteurs techniques et littéraires » [With more than 1,600 members, the SFT represents the many sectors that make up the professional translation landscape in France: employees, freelancers, legal experts, conference interpreters, technical and literary translators] (A propos de la SFT [About the SFT]). The SFT, also, underlines its long history as well as its international connections and influence.

[75] https://www.fit-ift.org/ Accessed on September 25, 2019.
[76] https://www.fit-ift.org/unesco/ Accessed on September 25, 2019.

> Créée en 1947, […] La SFT est également membre fondateur de la Fédération internationale des traducteurs (FIT), organisation non gouvernementale qui entretient des relations officielles avec l'UNESCO. Ce partenariat de consultation a notamment amené la Conférence générale de l'UNESCO à adopter la Recommandation de Nairobi en novembre 1976 qui préconise d'assimiler le traducteur à l'auteur et de faire figurer son nom en bonne place sur tous les exemplaires publiés de sa traduction.
>
> [Established in 1947, [...] The SFT is also a founding member of the International Federation of Translators (FIT), a non-governmental organization that maintains official relations with the UNESCO. This partnership of consultation led the UNESCO General Conference to adopt the Nairobi Recommendation in November 1976, which recommends that the translator be assimilated to the author and that their name be prominently featured on all published copies of their translations.] (ibid.)

Not very differently, the AUSIT underlines its connections, reputation and influence. It underscores its active membership within the FIT and the fact that it hosted its World Congress in 1996 (where its original code of ethics was presented to the mother organization). It also rejoices in the fact that the accreditation institution (the NAATI) adopts its code of ethics and closely collaborates with it. Besides, the AUSIT reminds the readers/members that its very establishment was a response to a call from the NAATI. It also underscores the fact that its code of ethics "was adopted by NZSTI, the national association of interpreting and translating professionals in New Zealand (est. 1985), at its Annual General Meeting in 2012" (AUSIT Code of Ethics, Preamble). Importantly, the AUSIT shows pride in the adoption of its code of ethics by many beneficiary agents in Australia, who require it as the basis of the translator's work (ibid.).

Unlike the ITAINDIA, the SFT and the AUSIT, the other associations highlight their size, connections and/or aspects of their influence on their websites rather than their codes of ethics. On its website, the ATIO, for instance, highlights that being a member allows the translator to "meet and interact with over 1,000 colleagues from across the province."[77] It

[77] https://atio.on.ca/membership/ Network, Benefits section/ Accessed on September 25, 2019.

emphasizes the fact that it is part of the Canadian Translators, Terminologists and Interpreters Council (CTTIC) – itself part of the FIT. The ATIO, likewise, takes pride in its long history as the oldest Canadian organization of its kind, founded as early as 1920, under the name the 'Association technologique de langue française d'Ottawa' [the French Language Technological Association of Ottawa]. Most importantly, it underlines the fact that it is "the first translators' association in the world whose certified members are deemed professionals by law, for in February 1989 the Province of Ontario granted reserved title for certified members of ATIO through the *Association of Translators and Interpreters Act, 1989*."[78] The ATTP, on the other hand, does not state the exact size of its membership but highlights that "[o]ver the years, the ranks of the ATPP have been increased as an increasing number of professional translators and interpreters have identified with the mission and the Code of Ethics of our Association, which stands as a bastion of excellence in the exercise of the profession."[79]. It also shows pride in its connections as it is "an institutional member of the ATA (American Translators Association), is affiliated with the FIT (Fédération Internationale des Traducteurs) and is a founding member of the Latin America Regional Center (CRAL) of the FIT."[80] The IAFET, which has a short history, does not mention the size of its membership but takes pride in "being ***the only and the first*** Egyptian association member of the International Federation of Translators FIT"[81] (highlights in original). The SATI, on the other hand, mentions the number of its members (800)[82] and takes pride in its long history as well as its leadership in the field of language practices.

> **SATI** was founded in 1956 and is the only association that looks after the interests of all in the language practice profession in South Africa. Although **SATI** is a voluntary association, it is widely recognised in the industry.

[78] https://atio.on.ca/about/ Accessed on September 25, 2019.
[79] http://www.atpp.org.pe/asociacion.php/ Accessed on August 20, 2019.
[80] http://www.atpp.org.pe/asociacion.php/ Accessed on August 20, 2019.
[81] https://iafet.org/about/ Accessed on October 25, 2019.
[82] 800 members in a country with around 57 million people, 11 official languages and many other regional languages, is a relatively small number.

> It offers the only professional accreditation for translators, interpreters, editors and terminologists available in South Africa.[83]

And like all other associations, the SATI stresses its affiliation with the FIT[84].

All associations take pride in belonging to the FIT. Belonging to the international organization – which is a consultant to the UNESCO, as emphasized by some – naturally bestows more social capital on these national/provincial associations – which are smaller in size and influence. The FIT is sought after for its social capital as it is "well known" and "worthy of being known", in Bourdieu's words (1986, 250). Its "work of sociability" is "highly productive" (ibid.). The FIT has an international presence and has direct connections with an international body (i.e., UNESCO) that recommends action plans to its Member States in the fields of education, culture and science. Indirectly, national/provincial associations are linked to the UNESCO. Ultimately, recommendations made by the FIT to the UNESCO end up being imported back to the national level. Some of these recommendations may be much more advanced than those of national legislation/regulations. National/provincial associations would have probably not even suggested them locally as they are beyond reach. When these recommendations come 'from above', however, they are liable to, at least, shake up the local regulations – which is already a gain for national association members.

In sum, the studied associations (whether in their codes of ethics or on their websites or on both) highlight more or less the same areas of sociability but with differences in emphasis depending on their key strengths. Such emphasis ranges from membership size, through networking and influence, to their (long) histories and legal status – which are all important elements in enriching their members' social capital. The aim of highlighting these elements is,

[83] https://www.translators.org.za/background/Accessed on October 25, 2019.
[84] https://www.translators.org.za/benefits-of-sati-membership/ Accessed on October 25, 2019.

of course, to advertise their social capital, which may attract newer members to join the network.

Ideally, assembling translators in 'professional' associations enhances their social capital and thus empowers members who may be weak as isolated individuals. In principle, these large bodies get involved in lobbying the other agents (mainly in the field of power) in order to advance their weak members' interests. The most important example at hand is the FIT lobbying the UNESCO to adapt its *Nairobi Recommendation*. As Bourdieu (1986, 248-249) tells us, these kinds of networks provide individual members with "the backing of the collectivity-owned capital, a 'credential' which entitles them to credit, in the various senses of the word." Ideally, belonging to such large networks is beneficial not only for the translator's social capital but for all other forms of their capital. Following Bourdieu (1986, 249), these networks of like-minded practitioners are a ground of "useful relationships", in all respects. For example, benefiting from colleagues' diverse knowledge enhances the individual translator's skills, and, therefore, their embodied cultural capital. Likewise, defending the members' material and symbolic rights improves their economic and symbolic capital. Also, there are times when the economic yield of the institutionalized form of cultural capital "depends on the social capital […] which can be used to back it up" (ibid., 244). Belonging to a reputable network known to comprise highly competent practitioners multiplies the chances of attracting more business or better jobs. In Canada, for example, some translation jobs that are sought after within the federal government consider certification provided by a 'professional' association an asset[85]. Also, income is liable to increase through the delegation of some jobs or recommendations from more 'known' colleagues who have better connections. Importantly,

[85]Cf. this posting for Linguistic Services Officer by the Canada Revenue Agency, for example: https://careers-carrieres.cra-arc.gc.ca/gol-ged/wcis/pub/rtrvjbpst.action?pi=D06726B228B81EDA94B633094767E0DB&request_locale=en_CA/ Accessed on April 10, 2020.

there are times where social capital is even more important than cultural capital. Some clients may prefer a translator recommended by a trustworthy translator they already know, or a translator who belongs to an association known for its rigour in conditions of access and certification, over one who has a more interesting résumé. This is especially true for clients who do not have the capacity and measures to test the translator's knowledge and, thus, depend only on external references (i.e., accreditation and previous employers/colleagues' references). In this case, it is not only about what the translator actually knows (embodied cultural capital) but mainly about who they know, i.e., who recommended them and/or which association they belong to. Thus, richer cultural capital alone does not necessarily convert into better economic capital. Without the support of a large social capital, cultural capital may be less effective and, thus, may convert to less economic capital than deserved.

That said, with the boom of the translation industry in today's globalized world, the value of this social capital, which is gained from belonging to associations, may have decreased. Social capital is taking the form of a *virtual social capital* – if I can coin a term. The increasing number of online platforms and online social networks of translators is seemingly impacting on the value of *institutionally* sanctioned social capital, embodied in belonging to 'professional' associations – which are limited in their geographic coverage. Besides, increasing numbers of clients/employers are subcontracting work to online freelance translators in other countries and at lower cost. In this case, the embodied cultural capital of the translator may be more relevant in attracting jobs than the institutionalized cultural capital and the authentic social capital together as most potential clients test freelancers before hiring them. That being said, virtual social capital may be paradoxically inefficient, as well. Holders of economic capital (clients mainly, including translation companies) succeed in setting freelance translators into a fierce world-wide competition, and some practitioners become willing to accept any conditions imposed on them as far as they get the job (cf. Bourdieu 1986). Besides, translation companies

have dominated the freelance sector and "have firmly established themselves as the intermediary between the client and the translator," whereas the role and position of the translator as an expert seems to have diminished (Abdallah and Koskinen 2007, 675). In such cases, the individual translator has limited means to impose better fees or gain more decent working conditions (ibid. 678). Added to these problems are differences in standards of pay in different countries – a fact which makes the competition very unequal and very demeaning to translators in all countries.

Being part of a 'professional' association (and benefiting from its collective social capital) is not freely bestowed on the translator. In return for the actual and potential advantages (social, cultural, symbolic and material profits) mentioned in the above analysis, translators are called on to adhere to strict rules, duties and practices that maintain and reinforce the social group they belong to. They are urged to abide by the obligations that help make the benefits available and possible. Thus, the individual member is required to contribute their (material and symbolic) share of involvement in order to guarantee the enhancement of the entire group, in a sort of mutual insurance. They are compelled to contribute their share of knowledge, money (membership fees), effort of assistance and support, and compliance with the rules in return for the knowledge and assistance they get from the association. In other words, the translator acquires "the aggregate of the actual or potential resources" of the whole group (Bourdieu 1986, 248), i.e., the collective capital of the association on condition that they contribute to it and help preserve the 'power' and image of the association by respecting its rules and duties. The studied codes of ethics emphasize the idea that members are representatives of the association and that the quality of their work, ethics and conduct are the credit of the association and the 'profession' they represent. The individual translator's behaviour and conduct are "the business of the whole group" – in Bourdieu's (1986, 250) words – and not only the business of the concerned individual member. The AUSIT code, for example, stipulates that "[i]nterpreters and translators

respect and support their fellow professionals, and they uphold the reputation and trustworthiness of the profession of interpreting and translating" (Article 9). It further explains, "[p]ractitioners have a loyalty to the profession that extends beyond their individual interest. They support and further the interests of the profession and their colleagues and offer each other assistance" (ibid.). In a similar vein, the SATI in its last article calls on translators "[t]o take part in the activities of the Institute and always to conduct themselves in such a way that their conduct and the quality of their work will be to the credit of the Institute and translation as an occupation" (Code of Ethics for Individual Members). The ATPP, in turn, urges its members to "[r]efrain from any act which may be detrimental to the Association's interests" (Code of Ethics, Article 9), and to "[c]ontribute, in general, to the advancement of the translation and interpreting profession" (ibid., Article 11). The ATIO code devotes an entire section to "promoting the profession" (section 4). It stipulates that "[m]embers shall promote a positive image of their profession and endeavour to make it more widely known, through their actions and the quality of the services they provide" (Article 4.1.1). It adds that "[m]embers shall refrain from any activity that could tarnish the image of their profession or the Association" (Article 4.1.2). Besides, the ATIO stresses that professional relationships with colleagues should be based on cooperation, respect, courtesy, fairness, good faith, knowledge sharing, mutual assistance and trust (Article 4.2). The ITAINDIA, likewise, stresses "the duties of the members" in respect to the association, which are to:

> I. [a]ttend the General Body Meetings regularly
>
> II. [g]ive the required information to the society pertaining to any matter, which is considered necessary to be brought to the attention of the society.
>
> III. [n]ot indulge in activities, which are prejudicial to the Aims and Objectives and/or the Rules & Regulations of the Society.
>
> (Section B, Membership information)

The SFT devotes section 6 of its code to the question of « Respect de la profession et de la SFT » [Respect for the profession and for the SFT]. « Le traducteur doit s'abstenir de tout comportement susceptible de porter atteinte à la dignité de la profession ou de tout acte de nature à déconsidérer la SFT » [The translator must refrain from any conduct that is likely to undermine the dignity of the profession or any act that is likely to bring the SFT into disrepute] (Article 6a). In its section 3 entitled, "Duties Related to the Protection and Promotion of the Translating and Interpreting Professions", the IAFET code of ethics calls on translators to "[r]efrain from any and all sorts of conduct that might in any way harm or undermine IAFET's interests" (Article 1.2). It, also, urges its members to "[c]ontribute to upholding the good standing of their professions by means of offering services of the highest possible standards" (Article 3.3). The code stresses the appropriate use of the name of the association in a way that is not detrimental to its image (Article 3.7).

In sum, the organizations under study underline the obligations of members towards their colleagues, their profession and their association as they list the benefits of membership. The documents under study emphasize, to different degrees, the duties of advancing the reputation of the profession/association, mutual respect, fairness, collaboration with and support of colleagues and *compliance with the code of ethics*, among other obligations. In order to guarantee fulfilment of the mentioned duties, some associations may at the outset set conditions of entry that ensure *practical faith* and compliance with these *rules of the game*, as Bourdieu puts it.

> Practical faith is the condition of entry that every field tacitly imposes, not only by sanctioning and debarring those who would destroy the game, but by so arranging things, in practice, that the operations of selecting and shaping new entrants (rites of passage, examinations, etc.) are such as to obtain from them that undisputed, pre-reflexive, naive, native compliance with the fundamental presuppositions of the field which is the very definition of doxa. (1990b, 68)

Hence, in return for the associations' potential support and the potential benefits they may offer to translators, these organizations ensure that members are willing to adopt the collective "fundamental presuppositions" of the network (including the definition of the practice and the instructions of the code of ethics) and to offer actual financial and symbolic contributions.

Arranging the conditions that guarantee the translator's "practical faith", in Bourdieu's terminology, is not always enough to ensure compliance of all members with "the fundamental presuppositions of the field" (ibid.). That is why associations adopt different policies that seek to deter potential violators. In this regard, some codes of ethics under study call on different agents to report on any kind of misconduct. In this regard, the IAFET code urges members to "[r]eport to the IAFET Good Practices Commission or to any other relevant organization on any *colleague* whose conduct appears to be detrimental to the profession and, furthermore, contribute toward the investigation into such conduct" (Article 3.8, italics added). The IAFET limits its call to members as it refrains from urging any other agents to file a complaint. Not very differently, the SFT, in article 3.2 of its « Règlement intérieur » [Internal Regulations] (2018) entitled 'Discipline', limits its intervention to requests made by translators. « En matière disciplinaire, le Comité directeur ne peut statuer que sur la demande d'un traducteur directement lésé » [Regarding disciplinary issues, the Steering Committee can rule only on the request of a directly affected translator].[86] Somewhat differently from the IAFET and the SFT, the AUSIT specifies in its preamble that

> *[c]lients or other parties* who work with interpreting and translating practitioners should bring any breach of this Code to AUSIT's attention. AUSIT has processes for investigating such complaints, as do many of the agencies or institutions that purchase interpreting and translating services and require their practitioners to adhere to the AUSIT Code. (Preamble, italics added)

[86] https://www.sft.fr/reglement-interieur.html#.XS3eqehKjIU/ Accessed on October 25, 2019.

The AUSIT thus encourages third parties (mainly beneficiary agents) to report any translator's misconduct. Quite similarly, the ATIO seems to open doors to anyone to make a complaint.

> Complaints with respect to members who contravene this Code of Ethics or in any way damage the reputation of language professionals may be submitted to the Discipline Committee of the Association, which shall deal with complaints in accordance with the procedure set out in Appendix 2 of the Association's *By-laws.* (Article, 5.1.2)

As is clear from the above articles, the reported associations adopt two different approaches as to the agents who are eligible to report on the translator's possible misconduct. While the IAFET and the SFT call on colleagues to watch one another (*internal* self-control), the AUSIT and the ATIO open doors to clients and any third parties to report on members' misconduct. Clearly, positions such as the AUSIT's and the ATIO's may make the translator subject to the clients/employers' whims and inclinations and, therefore, subject to *external* control. This may put translators under continuous pressure to respond to these agents' wishes, fearing their reporting of any possible 'lapses'. Such incitement of outsiders to police association members may, ultimately, affect the individual translator's symbolic capital, as I discuss thoroughly in Chapter 3.

Reports on a translator's misconduct may result in disciplinary action taken by the delegate(s), i.e., disciplinary committees and/or board members. The delegate translating agent works to protect the image of the association from disrepute. They, thus, ensure the purification of the group and the preservation of its 'honour' by expelling the 'wrongdoers'. In Bourdieu's (1986, 251) words, "embarrassing individuals", who do not adhere to the *collective rules*, are subject to exclusion from the network or to other disciplinary measures. In this respect, the IAFET code stipulates that any misconduct or breach of the code of ethics is subject to disciplinary action.

> Becoming a member of IAFET implies acceptance of this Code of Ethics and commitment to fully respect it in practicing the translating and interpreting professions. Any and all forms of conduct contrary to this Code of Ethics shall be subject to the sanction deemed proper by the IAFET Good Practices Commission, depending on the circumstances surrounding the case in question and in accordance with the provisions of IAFETs Bylaws.
>
> (Code of Ethics Conclusion)

Similarly to the IAFET, the ATIO stipulates that "[a]ny breach of this Code of Ethics will constitute an act of professional misconduct and members may be subject to discipline by the Discipline Committee of the Association" (Article 5.1.1). The procedure set out in the ATIO's *By-laws* (2014)[87] allows the Discipline Committee to take different punitive actions that range from revoking membership in the association to a reprimand, among others.

Not so differently, the SFT in its « Règlement intérieur » [Internal Regulations] (2018) enumerates the cases which are considered serious misconduct and, thus, may lead to expulsion or a warning.

> Constituent pour l'ensemble des membres des fautes graves entraînant un avertissement ou l'exclusion :
>
> a. *le fait de ne pas respecter les Statuts, le Règlement intérieur ou les Codes de déontologie applicables* ;
> b. le fait de porter atteinte aux intérêts matériels ou moraux du syndicat ou de la profession ;
> c. le fait d'utiliser la qualité de membre de la SFT en l'associant à une raison sociale, à un nom d'entreprise ou autres, et de déléguer cette mention à un tiers tel qu'un employeur, un salarié, une société ou toute autre structure ou organisation ;
> d. le fait d'utiliser l'identité visuelle ou le nom de la SFT en dehors des conditions et règles d'utilisation de la « pastille membre », sans le consentement du Comité directeur.
>
> [The following constitute gross misconduct for all members – leading to a warning or expulsion:
> a. *failure to comply with the applicable By-Laws, Internal Regulations or Deontological Codes*;

[87] https://atio.on.ca/wp-content/uploads/bsk-pdf-manager/RGL-Anx2ENFINAL1420.pdf/ Accessed on September 25, 2019.

b. undermining the material or moral interests of the union or the profession;
c. using the membership status of the SFT in association with a company name, business name or other name and delegating this status to a third party such as an employer, employee, company or any other entity or organization;
d. using the visual identity or the name of the SFT outside the conditions and rules governing the use of the membership title without the consent of the Steering Committee.][88] (Article 3.1, italics added)

What is surprising in these internal regulations is the fact that the Code de déontologie [Deontological Code] of a *unionist* association like the SFT is a binding rather than a guiding document. 'Non-respect' of this document is considered a 'faute grave' [gross misconduct] that leads to a warning or expulsion. The SFT, on the other hand, highlights its arbitration function when it comes to *disputes between translators and users of translation*[89].

> Le Comité d'arbitrage ne peut être saisi qu'à la demande conjointe des parties concernées. Le recours à l'arbitrage suppose une relation de confiance entre les parties et les arbitres. L'arbitrage fait partie des modes alternatifs de résolution de conflits. Il n'est pas compétent en matière judiciaire et ne dispense pas les parties qui n'arrivent pas à une résolution amiable d'ester en justice.
>
> Le Comité d'arbitrage intervient à la demande conjointe des deux parties pour:
>
> - Résoudre tous différends ou controverses de nature professionnelle qui impliquent un des membres de la SFT.
> - Apprécier le mode de fixation des honoraires et le respect de la déontologie entre donneur d'ordre et client.
>
> Il sera demandé aux parties qui recourent à l'arbitrage le paiement solidaire d'une somme fixée en fonction des frais encourus par l'expertise avec un minimum forfaitaire de 150 €.
>
> [The Arbitration Committee can be called upon only at the joint request of the parties concerned. Recourse to arbitration requires a relationship of trust between the parties and the arbitrators. Arbitration is one of the alternative dispute resolution methods. It does not have jurisdiction over judicial matters and does not replace the need for the parties to take legal action if they are unable to reach an amicable settlement.
>
> The Arbitration Committee intervenes at the joint request of both parties to:

[88] https://www.sft.fr/reglement-interieur.html#.XS3eqehKjIU/ Accessed on October 25, 2019.
[89] It is noteworthy that the SFT, nevertheless, is very strict as far as respect of internal regulations is concerned, as discussed above (cf. Règlement intérieur [Internal Regulations] 2018, Article 3.1).

- Resolve any professional disputes or controversies that involve a member of the SFT.
- Assess the method of setting fees and compliance with the code of ethics between the contractor and the client.

The parties who resort to arbitration will be asked to jointly pay a sum fixed according to the costs incurred by the expertise with a minimum of € 150.]

(Article 13)

Astonishingly, according to this article, members (along with other disputing parties) are required to pay for arbitration. Typically, in a unionist organization, membership fees and other various contributions would be enough for a member to benefit from such a 'service' – which is supposedly a sort of "gratitude" for the previous efforts and money invested by the member (cf. Bourdieu 1986, 252). The SFT does not seem to recognize the debt it has towards its members when they need a service like 'arbitration'. It is clear, hence, that the social capital of the entire association (SFT) is never *fully* acquired by simple membership and previous contributions. In sum, the SFT adopts differentiated positions regarding the translator's compliance with internal regulations, on the one hand, and their disputes with outsider agents, on the other hand. While it shows firmness as far as the former is concerned, it adopts arbitration policy for the latter.

Similarly to the SFT, the ITAINDIA code stresses arbitration in cases of dispute. "I will notify my clients of any unresolved difficulties. If we cannot resolve a dispute, we will seek arbitration" (Code of Professional Conduct for Service Providers, Article D). Article C of the Code of Professional Conduct for Employer or Contractor, likewise, reads, "I will deal directly with the translator or interpreter about any dispute. If we cannot resolve a dispute, we will seek arbitration." On the other hand, the ITAINDIA is very firm as to the 'violation' of internal regulations.

[t]he Governing Body of the society shall have the powers to expel/terminate any member(s) from the membership of the association on the following grounds:
(a) On becoming insolvent or of unsound mind

(b) On written resignation
(c) If found to be involved in any anti-social activities
(d) If adjudged by any court of law to be a criminal offender
(e) If found guilty of indulging in propaganda against the Aims and Objectives of the society,
(f) If he/she fails to pay the subscription,
(g) If he/she has not attended three consecutive meetings of the general body without informing the secretariat, and
(h) *If he/she disregards Rules & Regulations or disobeys the decisions of the Governing Body*. (Section B, italics added)

While some of the grounds of expulsion may be plausible such as (d) or even applauded such as (c), it is quite striking that the ITAINDIA may expel a member because they failed to comply with the decisions of the Governing Body (h). This autocratic tone is alienating and rather incomprehensible from a voluntary association.

Although it calls on third parties to report on translators' misconduct, the AUSIT warns them that its Board of Professional Conduct (BoPC) has a mere consultative function, and therefore, limited prerogatives.

> Before making an application, you need to be aware of what the BoPC can and can't do. Other than the general ability of the Institute to expel members, the BoPC has no power of enforcement. Its primary function is to provide opinions to both applicants and respondents that may enable the parties themselves to resolve a dispute, or to better understand the events that have led to the application being made. The BoPC, as a service offered by AUSIT, is primarily concerned with providing members with support and guidance, and would only consider punitive action as the very last resort. BoPC will not deal with disputes for which there are established methods of resolution such as the courts. This would include matters involving allegations of defamation, or non-payment of invoices for example. The BoPC will only deal with matters that require expert knowledge of translation and interpreting to resolve[90].

[90] https://ausit.org/AUSIT/About/What_We_Do_BOPC.aspx/ Accessed on July 25, 2019.

While the AUSIT underlines the 'arbitrary consultative' nature of its BoPC, it maintains its prerogative to expel members found guilty. This is despite its seemingly lenient attitude when it proclaims that punitive action is only taken as a last resort.

The SATI, in turn, adopts the arbitration process. It urges its Language Office/Agency Corporate Members "[t]o be bound by an arbitration process established by the SATI in the event of a dispute between themselves and any clients, employees, subcontractors or fellow members." Surprisingly, this article disappears from the Code of Ethics for Individual Members. The SATI makes a brief mention of 'disciplinary procedures' on its website when laying out the "Benefits of SATI Membership." It stipulates that the SATI "[e]nsures that best practices are followed in the profession through our Codes of Ethics for individual members, for agencies and for offices, and our Disciplinary Procedures."[91] It remains unclear what these disciplinary procedures are. But this statement is an indication that the SATI goes beyond informal arbitration or mediation.

All translator associations discussed above (SFT, IAFET, ATIO, AUSIT, ITAINDIA and SATI) adopt disciplinary measures, which may lead to the expulsion of members found guilty of breaching codes of ethics or other regulations. The international organizations, on the other hand, avoid disciplinary language regarding the breach of internal regulations while they stress the arbitration character of translator associations in cases of dispute between members and users of translations. The mother association, the FIT, stipulates that a translator organization "shall be competent to act as arbiters and experts in all disputes arising between translators and users of translations" (Article 30). The FIT, thus, neither recommends the sanctioning of association members should they breach internal regulations, nor does it recommend their support in case of dispute with the other agents. Regarding this same issue, the UNESCO

[91] https://www.translators.org.za/benefits-of-sati-membership/ Accessed on October 25, 2019.

Nairobi Recommendation suggests that a contract between a translator and a translation user should

> provide for the resolution of any conflicts which may arise, particularly with respect to the quality of the translation, so far as possible, by means of arbitration or in accordance with procedures laid down by national legislation or by any other appropriate means of dispute settlement which on the one hand is such as to guarantee impartiality and on the other hand is easily accessible and inexpensive. (Paragraph 5j)

Like the FIT, the UNESCO avoids the disciplinary tone (in case of breach of regulations) and recommends arbitration in cases of dispute between the practitioner and the user, although it does not exclude resorting to 'national legislation'. It ultimately recommends conflict settlement processes that are impartial, accessible and inexpensive.

The analysis of the positions taken by the associations under study regarding internal regulations shows few discrepancies between them despite their different natures and functions. All of them stress the 'honour' of the translator organization and/or the 'profession' more than the individual translator's interests. All associations take punitive actions against 'embarrassing' or dissident members who do not abide by regulations and rules of codes of ethics (with the exception of the ATPP, which omits any mention of adjudication procedures in cases of dispute with users of translation or breach of the code of ethics)[92]. That said, minor differences are observed as far as strictness of application is concerned. The ATIO (order), the ITAINDIA, the IAFET (voluntary) and the SFT (union) are the strictest in their disciplinary measures while the AUSIT and the SATI (voluntary) appear to be less strict. On the other hand, some associations emphasize their arbitration nature in cases of dispute with external agents, a fact which may also suggest their inability to support vulnerable members when they need

[92] The ATA, which is not part of the current study, even publishes the cases with the names of sanctioned translators in the section about 'ethics' on its website (https://www.atanet.org/governance/sanctioned_members.php/ Accessed on December 30, 2020.

support (such as when their fees are not paid). This leads one to doubt whether investing in such social networks is worthwhile, given the limited support a member gets in moments of distress in contrast to the sanctions that apply if they ever 'lapse'. One wonders, thus, whether isolation and *autonomy* are not more advantageous than *alienating sociability*.

Adopting disciplinary measures, associations' delegates (board or committees) run the risk of abusing their power when judging accused members. Those who hold the totality of the social capital of the association and act and speak on behalf of the whole group run the risk of misappropriating the "collectively-owned capital" – in Bourdieu's (1986, 249) terms – and misusing this delegation in various ways, including in the adjudication procedures (ibid., 251). This is because judging a certain conduct of a certain translator is not as easy as it appears. Translators take different decisions depending on their personal judgements. A decision that may displease a certain party may be well justified on other ethical or practical grounds. A delegate may misjudge a translator's behaviour or decision and unjustifiably accuse them of misconduct just because their ground is different than that of the translator[93]. This does not even include cases in which some delegates may intentionally work against the individual members' interests and abuse "the power which the group enables …[them] to concentrate" (ibid.). Such a situation might arise when some employers (corporate translators, i.e., representatives of translation companies) are influential board members of an association and work mainly to respond to the clients' or employers' requirements[94]. Thus, the social capital sought by joining

[93] As an example, the ATA reports on its website that one of its members was censured for violating the article about the requirement of 'faithfulness'. "An individual member (July 2017) was censured privately for violation of the first tenet in ATA's Code of Ethics and Professional Practice: 'to convey meaning between people and cultures faithfully, accurately, and impartially'." I do not know the exact circumstances of this case, but I believe that judging a translator on the basis of this rule is unfair in many cases. This case can be accessed on this link: https://www.atanet.org/about-us/code-of-ethics/sanctioned-members/ Accessed on January 12, 2021.

[94] This is an important avenue for research to (dis)confirm this hypothesis.

the professional network may turn into a collective interpellation of members by a small number of delegates – who get their power from these same individual translators.

In addition to all the actual and potential restraints on social capital, discussed above, the accumulated amount of it thanks to membership in a large association may be significant *only* in relation to other peer translators who do not have that membership, and not in relation to the other agents with whom translators struggle for prestige. Following Bourdieu (1986, 249), the social capital of a translator who is member of an association depends not only on the size of the association (in terms of membership) but also on the volume of capital its individual members possess. "The volume of the social capital possessed by a given agent thus depends on the size of the network of connections he can effectively mobilize and on the volume of the capital (economic, cultural or symbolic) possessed in his own right by each of those to whom he is connected" (ibid.). Thus, although the size of some translator associations may be larger than, say, some leagues of authors or associations of publishers[95], the volume of symbolic capital of each member translator may be lower than that of the author/publisher – as I discuss in Chapter 3. Hence, the members' low prestige may not help empower the network and, therefore, may not feed the social capital of individual members. In short, it is not only about the number of members but mainly about the 'quality' of those members: i.e., the symbolic size is more important than the material size (i.e., quantity/number).

In sum, all studied associations underscore the importance of membership and networking with like-minded practitioners. They also all take pride in being part of a larger international network, which is the FIT, a consultative body of the UNESCO. In order to be part of such large

[95] For example, while the ATIO currently has 1,000 members in the province of Ontario, the Canadian Authors Association has had 25,000 members *from all over Canada in all its history* since its creation in 1921 (https://canadianauthors.org/national/history/). The Writers' Union of Canada has only 2,100 members *from all over Canada* (https://www.writersunion.ca/about). The Association of Canadian Publishers has no more than 115 publishers (https://publishers.ca/about/). Websites accessed on April 23, 2019.

networks and benefit from their useful relations and resources, individual members are required, of course, to contribute materially and symbolically. Most importantly, members are urged to abide by the collective rules of the game and work in a way that upholds the reputation of the association and the 'profession'. Most associations implement coercive measures in order to guarantee 'appropriate' behaviours and actions of their members. In contrast, they provide little support to them in cases of dispute with other agents. Worse, some associations incite third parties (outside agents) to report any misconduct or action/behaviour they deem inappropriate from the translator. These associations, therefore, leave the door open to external pressures on individual members and risk the intrusion of these agents in internal affairs, as I demonstrate in Chapter 3. Before delving into the discussion of this issue, I next analyze the translator's economic capital in the documents under study.

2.3. The Translator's Economic Capital

Economic capital is purely material and is the most tangible and clearest form of capital (Bourdieu 1986). It can simply take the form of money or property. In the case of the translator, economic capital can be instantaneous in the form of remunerations earned immediately in return for a service, or it can be eventual in the form of deferred benefits like social insurance, job security, retirement, copyright and the translator's share in subsequent use/success of their translations.

2.3.1. Instantaneous Economic Profits

Many of the studied documents seem to defend the economic/financial interests of translators. As far as remuneration is concerned, the UNESCO recommends that contracts governing

relations between a translator and a "user"[96] "accord an equitable remuneration to the translator whatever his or her legal status" (*Nairobi Recommendation*, paragraph 5a). Likewise, the FIT *Translator's Charter* reiterates the translator's right to fair remuneration for their commissioned work (Article 22). It also underlines that "[t]he translator must be assured of living conditions enabling him/her to carry out with efficiency and dignity the social task conferred on him/her" (Article 20).

Some national associations' codes follow the *Nairobi Recommendation* and the *Translator's Charter* as to the emphasis on the translator's *right* to equitable remuneration. The IAFET's code of ethics calls on translators to "[e]nforce and defend the *right* to receive pay that permits their profession to be practiced in a decent and effective manner" (Article 3.1, italics added). Likewise, the SFT underlines that « [l]e traducteur a droit à la rémunération de ses services déterminée notamment en fonction de son expérience, de sa formation, de ses compétences particulières, de la technicité du document, des recherches requises, des délais convenus, des frais éventuellement engagés, des investissements et de ses charges [...] » [the translator is entitled to remuneration for their services, determined mainly on the basis of their experience, training, special skills, the complexity of the document to be translated, the research required, the deadlines and any expenses, investments and charges that may be incurred] (Article 4b). The ITAINDIA Code of Professional Conduct addressed to employers or contractors, on the other hand, calls on employers/contractors to "not require translators or interpreters to do unpaid work for the prospect of a paid assignment" (Article D). Article(s) tackling remuneration, however, disappear from the section of the ITAINDIA code of professional conduct that is addressed to 'service providers' (i.e., translators).

[96] "[T]he term "users" denotes the persons or legal entities for which a translation is made" (UNESCO *Nairobi Recommendation*, Paragraph 1.C).

Three of the organizations that underscore the translator's right for fair remuneration, likewise, forbid unfair competition that results from lowering rates (FIT *Translator's Charter*, Article 8; SFT Code de déontologie [Deontological Code], Article 4b; IAFET Code of ethics, Articles 3.4, 4.2). This issue is especially important in today's fierce competition between translators at the global level. These organizations, probably aware of the power of large clients to negotiate/impose low rates because of the "market disorder" (Pym et al. 2016), aim to restore 'order' and thus 'preserve the dignity' of the occupation and practitioners.

Some other national/provincial associations' codes tackle the economic issue quite differently. They rather urge their members to refrain from applying excessive fees. The SATI code of ethics, for example, urges translators "[t]o be guided in negotiating remuneration by the principle of equitability, and in particular *to refrain from charging excessive rates*" (italics added). In the same vein, the ATIO code, purportedly seeking 'Protection of the Public,' stipulates in its third section that "[m]embers shall set fair and reasonable fees for their services […]" (Article 3.4.1). It adds that "[m]embers will bill clients *only for services provided* unless otherwise stipulated between the parties" (Article 3.4.2, italics added). Outwardly, the content of the latter article seems redundant for it goes without saying that one cannot charge others for services not provided. However, the article may be understood as a call for translators to bill clients only for the number of words 'actually' translated, and not for the 'repetitive' elements already available in TM[97]. Although this interpretation is not certain nor the only one because of the ambiguity of the article, some clients and translators may, however, adopt this understanding, which, of course, constrains the practitioner's economic capital.

The SATI and the ATIO underline only the external agents' rights for 'fair' fees and ignore the more common case where low rates are imposed on translators and where translators

[97] We all know that although some segments may already be translated, the text as a whole needs a work of analysis and editing.

can even suffer abuse. Such an orientation on the part of the associations does not discourage abusive behaviour of some clients. As an example of abuse of vulnerable translators, an investigation of the Canadian CBC News Network (published on February 13, 2019)[98] revealed that Able Translations company, "once one of the biggest companies of its kind in Canada", has been involved in a "vast extent" of "financial delinquency." "Court and financial records, company emails, and interviews with more than 50 translators — overwhelmingly immigrants — show Able has bounced at least two dozen cheques, defaulted on dozens of court orders, possibly misrepresented facts in court testimony and broken a litany of promises to pay its freelancers", CBC reports. All in all, "more than 200 people have sued for nearly $1.8 million in unpaid earnings and other damages", according to the report. Over the last two decades, this company, according to the same report, provided "medical interpreters for Alberta and Ontario hospitals, document translation for Fortune 500 firms, and language services to every level of government." The Able company subcontracted work to freelance translators, who were mainly vulnerable immigrants, with all the complexity of their (legal) situation.

In sum, some organizations emphasize fair remuneration as a *right* to be gained and defended by translators. These organizations call on the other agents to respect the effort of translators and pay them accordingly. They, therefore, impose duties on clients and employers. Some of them also underline unfair competition as a translator's duty to abide by. This orientation indicates a collective engagement – with all the power this may generate for the translator community – to impose their terms on the other agents in the translation industry field (namely clients and employers), who would then have no choice but to comply with the translator's fair demands in terms of pay. However, other associations (namely the SATI and the ATIO) highlight the excessive charges that translators may impose on other agents. They

[98] https://www.cbc.ca/news/canada/able-translations-interpreters-lawsuits-cra-debt-1.5016014 / Accessed on March 20, 2019.

call on their members to abstain from any such excesses and preserve the employers and clients' right to 'reasonable' fees. The position of these two associations is hardly justified. They overlook the fact that many agents are powerful enough not only to protect themselves but to impose their rates and terms on translators or even abuse them (as we saw in the Able example). We know that most translation transactions nowadays are with large corporations and institutions (like the EU, the UN, national government institutions, localizers and multinational corporations). We also know that translators have a low status – corroborated by many studies (e.g., Liu 2013, Dam and Zethsen 2008, Gouadec 2007, Katan 2011, Sela-Sheffy and Shlesinger 2011, Dam and Koskinen 2016, and most, if not all, culturalists) – that does not allow them to engage in fair and equitable negotiations with such agents, let alone impose their rates on them, as I further discuss shortly.

2.3.2. Potential Economic Benefits

In addition to reasonable remuneration as one of the main components of the translator's economic capital that yield immediate and fixed economic benefits, the two international bodies underline the social and fiscal benefits for translators. The UNESCO *Nairobi Recommendation* reserves section 4 to the "social and fiscal situation of translators."

> - Translators working as independent writers, whether or not they are paid by royalties, should benefit in practice from any social insurance schemes relating to retirement, illness, family allowances, etc., and from any taxation arrangements, generally applicable to the authors of literary or scientific works, including technical works.
> - Salaried translators should be treated on the same basis as other salaried professional staff and benefit accordingly from the social schemes provided for them. In this respect, professional statutes, collective agreements and contracts of employment based thereon should mention expressly the class of translators of scientific and technical texts, so that their status as translators may be recognized, particularly with respect to their professional classification. (Paragraph 9, 10)

Not very differently, the FIT *Translator's Charter* stipulates that "[t]ranslators in every country shall enjoy the advantages granted to intellectual workers, and particularly of all social

insurance schemes, such as old-age pensions, health insurance, unemployment benefits and family allowances" (Article 24). The SFT is the only national association that mentions the social insurance and fiscal situation of the translator in its code of ethics. But, unlike the FIT and the UNESCO, which call on other agents (namely employers and governments) to provide translators with appropriate social security schemes, the SFT calls on translators to respect the social and fiscal system in place. "Le traducteur s'oblige à respecter la législation de l'État dans lequel il est amené à exercer sa profession, notamment il devra respecter, pour l'exercice de la profession, le régime social et fiscal de l'État de son ou ses lieux d'établissement » [The translator shall abide by the laws of the country where they exercise their profession. In particular, they shall comply with the welfare and taxation regimes of the country in which their business is established] (Article 2). This article is clearly addressed to corporate translators (i.e., translation companies or self-employed translators). Salaried and freelance translators are not addressed by the SFT's code of ethics, as in all the other associations' codes.

Social and fiscal benefits are not the only potential sources of income for translators. The translator's copyright on their work supposedly adds substantially to their fixed remuneration. But this has not always been the case. In the past, most translators in the U.S., for example, were compelled to sign contracts on the basis of 'work-for-hire' principle, by which they are conceived of as employees who have no rights in subsequent uses of their translations. Therefore, their socio-economic situation was quite vulnerable (Venuti 1995, 11). This situation had negative impacts, not only on translators, but also on what Venuti terms "the literary invention" (ibid.). "Because this economic situation drives freelance translators to turn out several translations each year, it inevitably limits the literary invention and critical reflection applied to a project, while pitting translators against each other – often unwittingly – in the competition for projects and the negotiation of fees" (ibid.). Setting translators in competition with each other aggravates their situation even more as they are compelled to lower their fees

to attract enough projects in order to make ends meet (a fact which the ATIO and SATI ignore as discussed above). Things started to change for the better in the U.S. and probably in many other countries since the 1980s, i.e., a few years after the *Paris Act* (1971) of the *Berne Convention* and the UNESCO *Nairobi Recommendation* (1976). "Contracts since the 1980s show an increasing recognition of the translator's crucial role in the production of the translation by referring to him or her as the 'author' or 'translator' and by copyrighting the text in the translator's name" (Venuti 1995, 12). These developments, however, do not seem to have substantially affected many non-literary translators – the big majority of whom still work on the basis of 'work-for-hire'.

The 1980s developments have supposedly had positive impacts on some translators' economic capital (notably literary translators and non-literary translators who manage to sign contracts that contain such 'recognition'). Copyright as another source of economic capital that is contingent on the future success of the work may be as important, if not more important than fixed income. For the translator, like any author, to institutionalize a part of their economic capital in the form of property rights (cf. Bourdieu 1986, 243) – or copyright, to be exact in this case – may be beneficial in the long term. The *Berne Convention for the Protection of Literary and Artistic Works* (1886), as revised in the *Paris Act* (1971), has supposedly given translations 'due' protection 'similar' to that of 'original' works. "Translations, adaptations, arrangements of music and other alterations of a literary or artistic work shall be protected as original works without prejudice to the copyright in the original work" (*Berne Convention*, Article 2, Paragraph 3). Following this article, the translator enjoys copyright for their labor and skills (namely form/expression). This copyright, is, however, subject to another layer of protection, that of the 'original' author. The translator's work, although owned in a 'similar' way as that of an 'original' author, it is only *partially* owned. The author still owns even the translations of their work. Hence, economically and symbolically, the translator and the author share

ownership in the translation, a fact which reduces the translator's economic benefits substantially. As Venuti observes,

> [f]rom the viewpoint of translators and translation, these limitations carry some troubling consequences, both *economic and cultural*. By subordinating the translator's rights to the author's, *the law permits the author to shrink the translator's share in the profits of the translation*. (1998, 47, italics added)

In what follows, I analyze the economic repercussions of the current copyright law on the translator, whether or not it is reinforced in the documents under study following the developments in the *Berne Convention* and *Nairobi Recommendation*. Although the economic and symbolic aspects of copyright law are interrelated, I limit the discussion in this subsection to the economic repercussions of some articles and postpone the analysis of their symbolic significance to the respective segment of the chapter that follows.

From the corpus under study, the *Nairobi Recommendation* reiterates the *Berne convention* provision regarding the status of translation/translators. In the Article entitled 'General Legal Position of Translators' – which consists of only one paragraph – it stipulates that

> [m]ember States should accord to translators, in respect of their translations, the protection accorded to authors under the provisions of the international copyright conventions to which they are party and/or under their national laws, *but without prejudice to the rights of the authors of the original works translated*. (Paragraph 3, italics added)

Hence, the *Nairobi Recommendation* sets out that the translator's ownership of their translations is only *partial* as it is subject to the author's copyright. In its preamble, it says that despite legal advancements in terms of intellectual property protection at the international as well as national levels, the practical implementation of the existing provisions/laws is "not always adequate." Thus, practical measures are "justified to ameliorate the effective application of existing laws"

(Preamble). For the UNESCO, the international convention in this respect is appropriate and fair and the problem lies only in its adequate implementation. For this purpose, the *Nairobi Recommendation* lists "measures to ensure the application in practice of protection afforded translators under international conventions and in national laws relating to copyright" in Article III, paragraphs 4, 5, 5.a, 5.b, 5.c. These paragraphs emphasize not only the immediate economic entitlements (fair remuneration for salaried translators or advance pay for non-salaried translators for their services regardless of the commercial success or failure of the project) but also proportional economic benefits for subsequent uses and potential success of their works. On the other hand, paragraph 5.h once again reminds us that the translator's economic rights are *proportionate* to the 'original' author's economic rights.

The FIT adopts a mixed approach of rights and duties as to the question of copyright and any subsequent economic/symbolic benefits. The articles that tackle the issue read as follows:

> 11. Being a *"secondary" author*, the translator *is required to accept special obligations with respect to the author of the original work*.
>
> 12. He/she must obtain from the author of the original work or from the user *authorization* to translate a work, and must furthermore *respect all other rights vested in the author*.
>
> 13. Every translator shall enjoy all the *rights* with respect to the translation he/she has made, which the country where he/she exercises his/her activities grants to other *intellectual workers*.
>
> 19. For every public use of his/her translation the translator shall be entitled to remuneration at a rate fixed by contract or law.
>
> 21. The translator shall have a *share in the success of his/her work* and shall, in particular, be entitled to remuneration proportional to the commercial proceeds from the work he/she has translated. (Italics added)
>
> 22. It must be recognized that translation can also arise in the form of commissioned work and acquire as such rights to remuneration independent of commercial profits accruing from the work translated.

The first two articles (11 and 12) stress the translator's *obligations* towards 'original' works. The last three articles (13, 19, 21, 22), on the other hand, emphasize the translator's symbolic and economic *rights* to their translations. These articles – like in the *Nairobi Recommendation* paragraphs discussed above – are embedded in a paradox. On the one hand, they underline that the translator's (economic) rights in the subsequent uses of their translation are similar to those accorded to any intellectual worker. On the other hand, they emphasize the subordinate status of the translator to the 'original' author, who continues to hold copyright even in translation – a fact which substantially diminishes the translator's economic benefits.

Following the international organizations, codes of ethics of some associations also underline the obligation to respect copyright law. The articles related to copyright appear as follows:

- AUSIT:

> Professional translators working in areas involving copyright matters endeavour to follow the principles laid out in the Nairobi Recommendation of UNESCO on the Legal Protection of Translators and Translations, and the FIT Translator's Charter (see FIT website) (Conduct issues specific to translators, Article T10).

- SATI:

> All members of the Institute shall undertake: [...] To respect all rights of the author and the client/employer, and specifically copyright.
> (Code of Ethics for Individual Members)

- ATIO:

> Members shall observe and respect copyrights and any other intellectual property rights. (Code of Ethics, Article 3.3.2)

- SFT:

> Le traducteur s'engage à travailler dans le respect de la Recommandation de Nairobi (UNESCO, 1976). Le traducteur s'oblige à respecter les droits de propriété intellectuelle. Le traducteur a droit également au respect de ses droits en tant qu'auteur. Il s'engage, en outre, à se référer aux conventions de bonne pratique applicables dans le secteur et le pays dans lesquels il exerce.
>
> [The translator shall comply with the Nairobi Recommendation (UNESCO, 1976). The Translator shall respect intellectual property rights. The Translator is also entitled to copyright as an author. The translator shall also refer to the rules governing best practices in the sector and country in which they work.]

(Code de déontologie [Deontological Code], Article 5)

As is obvious, the AUSIT simply refers its members to the *Nairobi Recommendation* and the FIT *Translator's Charter* on the matter. The SATI is more categorical and clearer about the need to respect the 'original' author's copyright, with no mention of the translator's copyright. Not very differently, the ATIO urges its members to respect intellectual property rights without specifying whether that includes one's own copyright as a translator. The SFT, nevertheless, like the FIT and the UNESCO, adopts a middle ground. It urges translators to respect the intellectual property rights of authors, on the one hand, and to secure their own rights as authors, on the other hand. It is evident that the obligation towards the author's rights precedes the translator's rights. This is so despite the vague (and probably misleading) affirmation in the introductory section of the SFT code, which contends that the *Nairobi Recommendation* « préconise d'assimiler le traducteur à l'auteur et de faire figurer son nom en bonne place sur tous les exemplaires publiés de sa traduction » [recommends equating the translator with the author and placing their name prominently on all published copies of their translations] (A Propos de la SFT [About the SFT]). The SFT, being a union, which supposedly defends the material and symbolic rights of the translator, could have taken a better position regarding the current copyright law, as it does with the question of remuneration. Unfortunately, the union seems to take the current copyright law as natural, and therefore, unquestionable.

Contrary to the codes of ethics of the associations from developed countries and the SATI, codes of most associations from developing countries (namely the IAFET, the ITAINDIA and the ATPP[99]) omit any explicit reference to the question of author's copyright. Interestingly, the

[99] The ATPP position is somewhat unclear, however. Although it makes no mention of 'copyright' as such, it may be seen as making an indirect allusion to copyright in its defining article of *translation* when it takes 'accuracy' as a legal obligation. The article calls on the translator to "[e]nsure the accuracy of the translation and the most accurate conveyance of the ideas expressed in an interpretation, which are both moral and legal obligations for translators and interpreters" (Article 2).

ITAINDIA emphasizes *only* the translator's copyright – in contrast to the SATI and the associations from developed countries. It calls on employers or contractors to "give the translators the recognition traditionally given to the authors" for translations which are published and/or performed and over which they have direct control (ITAINDIA Code of professional conduct for Employer or Contractor, Article F). A position like this is hardly surprising as many developing countries – in addition to countries whose languages/cultures are not central – have been resisting the current copyright law and especially articles that restrain translation[100]. This resistance is due to the fact that translation is one of the main instruments of knowledge dissemination and economic development in these countries (cf. Basalamah and Sadek 2014, Sadek 2018)[101].

The resistance to copyright law by developing countries (importers of cultural goods) has led to the adoption of some exemptions, starting with the *Stockholm Act* (1967). These exemptions became known as *Special Provisions Regarding Developing Countries* in the *Paris Act* (1971). The aim was to encourage more of these countries to sign the international conventions. The adopted amendments include mainly the exemption of materials used for education and research and the compulsory licensing of translations after three years of the publication of the 'original' work. These changes have had little significance and little impact on the cultural development of the 'beneficiary' countries, however. At the same time, they have been disadvantageous for authors and publishers in major countries. As Venuti observes,

> the protocol is actually a compromise that satisfies neither side in the conflict. It has not significantly improved indigenous publishing or affected the unequal patterns of cultural exchange because various conditions restrict compulsory licensing. Translations of Western books so licensed cannot be published in a developing country until three years after the publication of the original work, and they must be intended solely for the purposes of teaching, scholarship, and

[100] Basalamah and Sadek report that Sweden rejected the idea of considering *translation* as reproduction at the 1884 Berne meeting.

[101] What is rather surprising is the position of the SATI (an association that belongs to a developing county), which does not even raise the translator's copyright issue.

> research—two conditions that prevent a publisher from capitalizing on the international popularity of a foreign work or author and increasing the size of the domestic audience (Berne, Appendix C: II(2) (a), (5)). In fact, Western publishers customarily avoid issuing compulsory licenses by exporting a low-priced edition of their own or by selling reprint or translation rights to an indigenous publisher within the allotted period. (1998, 161-162)

Gaafar Sadek (2018) welcomes the new initiative as "a step in the right direction to the extent that it confirms the necessity of differentiation," (2018, 441). However, he qualifies it "a useless or non-solution to a complex problem" for the same reasons raised by Venuti (ibid.). Sadek, like Venuti, criticizes the current copyright law for impeding creativity and the dissemination of knowledge, and affirms that "it is well established among experts that stronger copyright law is not going to benefit countries with weak economies" (ibid., 441, cf. also Basalamah and Sadek 2014).

Despite the "small increments" in the translators' economic conditions thanks to certain later amendments in copyright law, which "signal a growing awareness of the translator's authorship," Venuti asserts that "they do not constitute a significant change in the economics of translation, and it remains difficult for a freelance translator to make a living solely from translating" (1995, 12). Also, the *Special Provisions Regarding Developing Countries* in the *Paris Act* still do not meet the aspirations of developing countries. Thus, the omission of any reference to this law from some codes of associations from developing countries (which are all signatories of the *Berne Convention*[102]) may be said to reflect a sort of resistance and/or a lack of copyright tradition in many of those countries. However, these same codes reinforce, in other articles or documents, the very premises behind this law as I explain shortly in Chapter 3.

In the foregoing analysis, I showed that many associations underline reasonable remunerations for the translator. The two international bodies emphasize both immediate

[102] Signatories to the *Berne Convention* can be found at: http://www.wipo.int / Accessed on March 8, 2019).

remunerations and potential benefits. I also showed how copyright law, reinforced by some documents, impacts the translator's economic capital. In the following chapter, I discuss how effective and coherent the positions of translator organizations regarding the translator's remunerations and their other positions discussed in the sections about the cultural and social forms of capital in fact are, and whether they actually contribute to the enhancement of the translator's symbolic capital.

Chapter 3: The translator's *Capital* Conversions

As we learn from Bourdieu, symbolic capital is "a capital of recognition or consecration" (1990a, 141). It consists of the *recognition* of any form of the three other forms of capital, namely economic, social or cultural capital. This recognition results from an accord between the categories of perception of the granter of symbolic capital and the property or quality being perceived — an accord which allows the granter to see it as valuable and worthy of admiration (Bourdieu 1998a). The agents concerned with translation or the public at large would regard translation practice and translators' qualities as valuable and worthy of recognition if, and only if, they are endowed with categories of perception and prior experience that allow them to regard them as such. Of course, these categories of perception correspond to socially constructed beliefs and "collective expectations" (Bourdieu 1998a, 103). In the case of translation and translators, it is clear that if agents and the public at large recognized anything in the translator's qualities, they would recognize and appreciate their intellectual/cultural qualities and their knowledge. Like any other cultural worker, the translator would derive most of their symbolic capital from their cultural capital, following Bourdieu's thought. The translator's other forms of capital (social and economic) would be fed by the cultural capital were it converted into symbolic capital. Symbolic capital secures "useful relationships" – to use

Bourdieu's (1986, 249) terminology – with the other agents in the field of power. They run after you when you are 'useful' to them. The economic capital is also mainly fed by this form of capital. One gets high remunerations if one is *recognized* as possessing high cultural capital. In one word, for translators, cultural capital is the source, the nucleus and the orbit of all other forms of capital.

As practitioners of an occupation and as cultural producers, the translators' symbolic capital – if granted – would/should consist of a *recognition* for their esoteric knowledge as professionals (similarly to doctors or lawyers), or a *recognition* for their creative cultural production (similarly to 'original' authors), or ideally both. Hence, their symbolic capital would/should be manifest in 'collegiate control' over their profession – to use Johnson's terminology (2016) (especially for translators of non-literary works) —, or in a recognition of the translators' authorship, manifest in full intellectual property rights (especially for – but not limited to – literary translators). This is because *professionalism* implies the recognition of their esoteric expertise in a highly specialized field, and because, on the other hand, copyright is one of the most tangible signs of recognition and consecration of cultural producers, such as translators. In section 3.1. below, I discuss the extent to which the translator's cultural capital, as represented by the codes of ethics under study, may lead to "collegiate control" as a mode of occupational control (Johnson 2016). In section 3.2., I discuss the extent and volume of copyright protection as a *symbolic recognition* that the translator enjoys and how that is represented and reproduced by the *Nairobi Recommendation*, the FIT *Translator's Charter* and the national/provincial associations codes of ethics. In these two sections, I further analyze articles from the corpus that reflect the translator's symbolic status. Meanwhile, I occasionally discuss the extent to which their level of symbolic recognition, if any, feeds or not their social and economic forms of capital. In section 3.3., I discuss the symbolic violence the translator may undergo and the possibilities of their liberation.

3.1. The Translator Is (Not) a Professional

This section discusses the symbolic capital of translators as practitioners of an occupation. It examines the power relations at stake in the translators' attempts to self-control their practice. This section shows what mode of *occupational control* is being developed, following Johnson's typology (2016/1972), i.e., who is paying for the process of regularization and how that is reflected in the translator associations' identifying document(s), namely their codes of ethics and/or practice. In other words, this section examines whether *professionalism* as a construction that enhances the translator's *capital* (cf. Schinkel and Noordegraaf 2011a) and gives them the power to impose the "'official' definitions" (to borrow Johnson's term 2015/1977, 106) of *translation*, its methods/strategies and interrelations is within reach.

As we learn from Bourdieu, a *profession* is a field of struggle over available stakes and is the product of "the work of *aggregation* and symbolic imposition" (Bourdieu and Wacquant 1992, 243, italics added). Yet, professionals within the same field have internal as well as external struggles. On the one hand, they compete with neighbouring/sister occupations in order to demonstrate their distinctiveness and impose their occupation as the one and only profession. On the other hand, they struggle in the larger social field in order to secure a position within the field of power[103]. Mike Saks argues that Bourdieu's work

> may actually be synergistically useful in understanding professionalism as a form of symbolic capital, the substance of which is challenged and subject to regular struggle and negotiation in power-driven contexts. Here, professional fields may be seen as embedded within other fields in what Bourdieu views as a general field of power—in which professionalism can be seen as a legitimated way of acting and interpreting. (2016b, 13)

[103] Of course, professionals do have internal competition with one another, but this is not the focus of the current project.

Translators, seeking *professionalism*, struggle with outsider agents to impose the definition and terms of their practice and ultimately to assign themselves a position within the field of power alongside other professionals and cultural producers.

As is the case with other professionals (e.g., lawyers, doctors), cultural capital is the most decisive form of capital that is liable to feed the translator's symbolic capital and, therefore, allow them to impose their *professionalism* and shield against external impositions. "Cultural and symbolic capital are especially important to professionalization, as professionalism itself may be described as the conversion of cultural capital (knowledge) into symbolic capital (status)" (Jackson 2017, 798). This conversion of cultural capital into symbolic power is possible only if the translator's embodied cultural capital is regarded as complex and valuable, and their institutionalized cultural capital is seen as high, especially by holders of symbolic and economic capital. Should this be the case, translators may be able to impose their conditions on the holders of large economic capital (namely clients and patrons) in what Johnson (2016/1972) calls *collegiate control* of one's occupation. This, of course, entails the establishment of labour, economic and symbolic relations that are favourable to practitioners. On the other hand, if the translator's cultural capital is seen as mechanical and low, translators will be subject to *corporate patronage control* and, therefore, undergo disadvantaged labour and economic relations. For recognition to happen, translators need to be united, and most importantly, they need to mobilize other external resources that boost this form of capital in the minds of the other agents. In addition to the two conditions that need to be secured by translators themselves, the consumers of their services, i.e., clients/employers, should represent a "relatively large, heterogeneous, fragmented source of demand" (Johnson 2016, 43).

The studied organizations all claim 'professionalism' or at least seek to promote 'professionalism'[104]. They all advance, to different extents, a few purported attributes of 'professionalization', such as the organization of translators in an association, their reliance on systematic knowledge, the possession of educational qualifications and the establishment of a code of ethics – as seen in the discussion of the different forms of capital. But we already know that advancing these attributes is never enough to claim *professionalism*, following the power approach in the sociology of professions. What is more important is having control over one's practice and imposing one's terms and conditions on outsiders. In parallel, some articles in the documents under study purport to defend the translator's rights and interests and seek a *professionalism* that implies *collegiate control*. They highlight the fact that translation is an autonomous 'profession' and that translators are 'professionals' who autonomously define its rules. In this respect, the FIT lays out a strong advocacy of the translator's autonomy and recognition.

> Preamble: [...] in spite of the various circumstances under which it is practised, translation *must now* be *recognized as a distinct and autonomous profession* [...].
>
> 3. The translator shall refuse to give to a text an interpretation of which he/she does not approve, or *which would be contrary to the obligations of his/her profession*.
>
> 9. In general, he/she *shall neither seek nor accept work under conditions humiliating to himself/herself or his/her profession.*
>
> 23. The *translating profession, like other professions,* shall enjoy in every country a *protection equal to that afforded to other professions in that country*, by collective agreements, standard contracts, etc.
>
> 25. *In common with members of other professions*, translators shall enjoy *the right to form professional societies or unions*.
>
> 27. They shall *exert their influence on public authorities in the preparation and introduction of legal measures and regulations concerning the profession*.

[104] It is noteworthy that 'profession', 'professionalism' and 'professionalization' are used in their mainstream sense by many articles in the studied documents. However, in some other articles, we occasionally discern tacit or direct allusions to *professionalization* in the sense of internal and autonomous self-control, as I will discuss shortly.

(italics added)

The preamble of the FIT *Translator's Charter* presents a strong statement about the importance of 'translation' and its widespread impact, especially in today's world, and, therefore, calls for its recognition as "a distinct and autonomous profession." Article 3 and 9, respectively, stress the autonomy and dignity of the translator as a 'professional' and of translation as a 'profession'. Articles 23 and 25 emphasize the need to affiliate the translation 'profession' to other professions in terms of protection and in terms of the right to establish associations or unions. Article 27 underlines the importance of lobbying public authorities to adopt regulations and legal measures that are favourable to translators. What is important in these articles, at least, is that the FIT is well aware of the power relations at stake and shows a conviction that recognition is gained through struggle and lobbying.

Some national associations stress the question of recognition, dignity and autonomy in similar ways as the FIT. The SFT code stipulates that « [l]e traducteur s'engage à *conseiller ses donneurs d'ouvrage sur les méthodes et les techniques les mieux adaptées à l'accomplissement des missions qu'ils lui confient* » [the translator shall *advise their clients on the methods and techniques that are best suited to the accomplishment of the tasks they entrust to them*] (Article 3d, italics added)[105]. The document, likewise, underlines that « [l]e traducteur ne peut accepter des directives d'un donneur d'ouvrage ou d'un employeur susceptibles de constituer un manquement au présent Code de déontologie » [The translator shall not accept instructions from a client or employer that may constitute a breach of this Deontogical Code] (Article 6b). The union, thus, implies that the 'professional' translator is an expert and counselor in the field and that they adopt different strategies and methods depending on the task at hand and its

[105] This article appears in the html format of the Code de déontologie [Deontological Code] on this link: https://www.sft.fr/code-de-deontologie-des-traducteurs-et-interpretes.html, but disappears from its pdf format. / Accessed on July 5, 2018.

situation/context. It also advances the esoterism, specialization, autonomy and self-control of the translation 'profession'. The translator as a 'professional' expert autonomously decides what constitutes their practice and its ethics. They do not accept impositions from any other agents (namely clients or employers). Hence, the SFT, like the FIT, is aware of the power relations at stake and, therefore, seeks the translators' *collegiate control* over their work. Not very differently, the IAFET underlines the autonomy and dignity of the translator in many of its statements/articles. Article 3.5, for example, urges members to "[n]either offer nor accept jobs that are improper in terms of deadline, environment or method." This statement shows that the association is aware of the power play and the possible impositions that can be inflicted on translators in terms of methods/strategies of translation as well as working conditions. Similarly, the AUSIT stresses 'professional' relations and adequate working conditions for the translator (Article 7). It, also, calls for the recognition of the translator's status. "*International recognition of the status of interpreters and translators* becomes even more important as they achieve greater prominence through media, international affairs and local political issues, attracting increased scrutiny of their standards" (Code of Ethics and Code of Conduct, Preamble).

Somewhat differently from the above organizations, the SATI stipulates that the association seeks to "[e]nsure high standards of professionalism among its members through accreditation and the adoption of a code of ethics" (mission statement). The SATI, unlike the FIT, the SFT, the IAFET and the AUSIT, does not show awareness of the power relations at stake as it simply stresses some traits of 'professionalism' that it claims ensure "high standards of professionalism." Consistent with its other articles, the SATI code seems to support the mainstream understanding of 'professionalism' (as the skill, the good conduct and high qualities of a practitioner). The South African association, thus, does not see *professionalism* as a game of imposition/recognition, nor does it seem to be concerned with the right of translators to

control their occupation. This same understanding of 'professionalism' can easily be deduced from reading the ATIO code of ethics. The terms 'profession' and 'professional' are repeated 24 times out of 876 words in this code, all as a neutral concept that is devoid of conflict and power struggles. The mainstream sense of the terms can be discerned, likewise, in the ATPP and the ITAINDIA codes.

The UNESCO, which is a representative of the political field (and itself and its mother organization the U.N. large employers of translators) shows advocacy for the recognition of the translator's professionalism. Paragraph 7 of the *Nairobi Recommendation* stipulates that

> [m]ember States should also promote measures to ensure effective representation of translators and to encourage the creation and development of professional organizations of translators and other organizations or associations representing them, *to define the rules and duties which should govern the exercise of the profession, to defend the moral and material interests of translators* and to facilitate linguistic, cultural, scientific and technical exchanges among translators and between translators and the authors of works to be translated.
>
> (italics added)

The *Nairobi Recommendation* urges the UNESCO Member States to encourage self-definition of the rules related to the exercise of the translation occupation. This shows that some of the other agents (the political agent and the employer in the case of the UNESCO) seemingly advocate a level of recognition that some translator associations themselves do not demand in their own documents[106].

In sum, all organizations highlight the element of 'professionalism' in one way or another in their documents. Some understand it in its mainstream sense and ignore the power relations at stake. Others see it as a form of recognition that involves power dynamics. The latter group of organizations, however, overlooks the fact that recognition and autonomy necessitate the

[106] Of course, I am well aware that many of the UNESCO adopted recommendations never see the light of day in some of the Member Sates. Also, the *Nairobi Recommendation* paradoxically advances a definition of *translation* that hardly allows the translator's autonomy or recognition that is claimed in Paragraph 7.

creation of many favourable conditions, including internal ones. The most important condition is the promotion of a favourable definition of the translators' practice. As we know from Johnson (2016), 'professionalism' implies a struggle over the very definition of the practice. The definition of *translation* is the most important site of the struggle for the translator's recognition. The importance of winning this battle lies in the fact that the definition of the practice and the relations with the outsider agents are interlinked. The definition affects all the other relational aspects of the practice. If the struggle over the definition is lost, all the other relational battles are, subsequently, lost. When the clients/patrons impose their definition of the practice, they "circumscribe the translators' ideological space" (Lefevere 1992, 7), and impose all its interlinked relational aspects.

The more complex a definition is, the more imposing it may be. Esoterism, complexity and mystery are important qualities that make an occupation a wonder to its beneficiaries and to all the other surrounding agents. Unfortunately, as discussed in Part I, the way *translation* is presented and defined by all organizations does not make it appear as possessing these qualities. In this definition, the primary role assigned to the translator is to be a subservient 'faithful' copier, who follows the original text and the purpose of the client/patron, period. Creativity and initiative as part of the translator's work are neglected or probably even regarded as 'unprofessional' and/or unethical. In this mainstream definition, *translation* is not regarded as requiring esoteric knowledge in the categories of perception of the other agents and the public nor is it seen as requiring different and complex decisions in different situations. It is rather represented as a practice that is clear and evident to everyone, and not only to its specialists, i.e., translators. This implies that translation requires mere mechanical skills and, therefore, does not need high cultural capital – or at least so it seems to outsider agents/large public, who may (intentionally or unintentionally) ignore the nuances and the different interpretations that

members of the translating community may hold of 'translation as faithfulness'– if they do, at all.

Powerful agents (users/consumers of translation) seem to have the same view of *translation* as the one advanced in the documents under study. They perceive of the translator's work as a work of copying/faithful transfer that hardly provokes any admiration or appreciation. We know from Koskinen (2000b) that the Translation Services of the European Commission (the largest employer of translators in the world), for example, has adopted a policy which highlights faithfulness, 'equivalence' and 'equality' between the different languages of the European Union Member States. The organization does not perceive translators "as experts in intercultural communication" (Koskinen 2000b, 54). "Translating is only perceived as a mechanistic process best over and done with quickly and cheaply" (ibid.). Similarly, Stecconi, in a joint presentation with Hermans, confirmed that translation as faithfulness is the prevalent view at The Translation Services of the European Commission, a fact which reinforces the mechanistic perception of the translator's work (Hermans and Stecconi 2002, 13). He states that "[t]erminological issues and faithfulness play a large role in the discourse about translation at the SdT [Service de traduction (Translation Services)]; it's as if we never overcame Jerome's concerns" (ibid., 4). Stecconi also observes that little importance is attributed to translation despite its decisive contribution to the functioning of the European institution. "[I]t has been observed that translation figures very little in the wider communication within the Commission and the other institutions; in fact, it seems we are taken very much for granted." (ibid., 3). No differently, the UNESCO, a large employer of translators along with its mother organization, the U.N., takes *translation* as a mere "faithful rendering of the original" (*Nairobi Recommendation,* Paragraph 7a), despite its claim to improve the status of translators in its *Nairobi Recommendation*. In another context, Annie Brisset (2008) criticizes the decision of the Canada's federal Translation Bureau for not hiring candidates who hold an M.A. in

translation (with a B.A. in a different specialization) under the pretext that M.A. level is "trop théorique" [too theoretical] (2008, 151). She argues that the decision reflects a 'taylorist' and 'technical' conception of the translator's work. This position of the Translation Bureau reflects the view of translators as 'subordinates.' It reinforces « une perception dévalorisante de la traduction, incrustée chez les traducteurs comme dans la société » [a demeaning perception of translation, ingrained in the minds of translators as well as in society] (ibid., 156). Thus, it is clear that the perception of translators as mere mechanical executors (with little embodied and institutionalized cultural capital) and translation as an unimportant activity is, indeed, softly imposed by the giant employer. The fact that translator organizations reiterate the views of the industrialists/political agents and do not demand higher education for access (an M.A. for example, as translation practice *is* based on theorizing) is a clear example that shows that translators (through their associations) take the same position as those who dominate them. And "[o]f course, one of the most common reasons for a failure to *appreciate the complexity of translation* is that it is *viewed as the activity of the hack, a kind of slavish copying of the original*", as Cronin tells us (2013, 139, italics added). And as Stecconi rightly points out, when discussing the status of translation/translators at The Translation Service of the Commission of the EU, "[t]his mechanistic view of our craft is not exactly the best way to win professional respect" (Hermans and Stecconi 2002, 13). In this widespread sense, *translation* is mainly seen as a question of dictionaries, terminology, technological tools and language correctness. Other agents (namely users) know exactly what they want from their translators, and the latter simply execute their demands. And as importantly as not realizing the *complexity* of translation, the other agents and the public (and probably some translators themselves) do not realize the *importance* of translation (as discussed by Hermans and Stecconi 2002). According to Cronin, "[i]t is possible to get others interested in an area not by telling them how complex translation

is (which it is) but *why it matters*" (2003, 3, italics added). The studied codes do not do enough to highlight either the complexity or the importance of translation.

In the case of the recognized professions, the situation is quite different. The consumer is usually vulnerable and knows very little compared to the professional – who is regarded as possessing a complex knowledge of a mysterious practice. The vulnerable 'ignorant' patient, for example, informs the professional doctor about what is hurting them and lets the expert make the hard decision about the cure. Likewise, the lawyer's client is ignorant of the intricacies of law, its gaps and evasions; only the lawyer knows its mysterious pathways. Most importantly, patients and clients, in these two cases, are highly convinced by how *important* these two professions are for themselves and for the general public. The translator, on the other hand, executes what is already clear to everyone, including the client/employer. Unlike doctors and lawyers, who make different decisions depending on the patient's/client's case, they have the same prescription (i.e., faithfulness) ready for everyone and every context, following the mainstream view of *translation* that the organizations under study reproduce. They do not experience the pain of innovating/creating different solutions for different situations, nor do they use a special jargon that is not clear to clients. The discourse around *translation* is nothing special or perplexing like the discourse of doctors, lawyers or engineers. And unlike patients, who are at the mercy of their doctors' expertise and who rarely challenge their doctors' decisions, the translator's clients are, in many cases, more powerful and not passive recipients of a mysterious treatment. Instead, they are the ones who can impose their treatment/views – which are already reflected in associations' codes of ethics.

Yet, translation is not a mechanical activity or a less *important* practice than the other recognized professions. There is now stark evidence that translation is a much more complex endeavour than 'faithful transfer' and a much more important activity for people's lives than it seems when seen unreflexively. It is an activity that involves many different strategies of

transformation and adaptation, as is clear in contemporary practices. Most importantly, this activity contributes to many, if not all, sectors of life.

The perceived low embodied cultural capital of the translator that results from the proposed definition of *translation* is aggravated by the fact that none of the studied associations require *institutionalized* cultural capital as a condition of entry – despite the UNESCO's emphasis on specialized training in translation in educational institutions (*Nairobi Recommendation*, paragraph 11). Hence, the translator's supposedly low qualifications hardly convert to any symbolic capital. We know that recognized professionals are appreciated and respected mainly for the long years they spend at higher education institutions where they accumulate very specialized knowledge in their field of study. The fact that they possess a higher degree is the stamp of security and trust for users. Translators, not regarded as possessing this long and specialized education in the field of translation, lose recognition from the public and the concerned agents. In the public and other agents' eyes, any bilingual with a few years of experience can join these associations, and therefore, become a (certified) translator. And there are millions of them! Everybody is bilingual nowadays. Godbout (2016, n.p.) is right to affirm that "the authority of translators within society is questionable. Most people still believe that bilingualism is the only requirement necessary to be a translator." Thus, even the translator with high institutionalized cultural capital may be perceived as a bilingual autodidact who acquired the mechanical translation skills through practice.

In sum, the fact that the documents under study represent translation as a work that requires neither specialized studies (high institutionalized cultural capital) nor complex knowledge (embodied cultural capital) feeds the public image of translation/the translator as a mechanistic practice/practitioner unworthy of recognition. This has an impact on other relational aspects, including the economic aspect. As we know from Bourdieu, the translator's institutionalized cultural capital doubtless plays a role in establishing rates of pay. The

educational qualification "makes it possible to establish conversion rates between cultural capital and economic capital by guaranteeing the monetary value of a given academic capital" (1986, 248). The low cultural capital that is reinforced by the studied organizations definitely serves the other agents' economic agendas. Clients, customers, patrons and the general public may consider that translation is worth little disbursement, proportionately with the low skills it requires (faithful transfer) and the low educational qualification its practitioners possess. As Cronin tells us, "[t]he less highly a culture values translation, the less it is going to want to pay its translators." (2003, 134-134). If their practice is not perceived as esoteric enough, the pay translators will receive is not as high as the pay received by, say, doctors or engineers, who possess a rare esoteric knowledge, which users/consumers/clients desperately seek and for which they are ready to pay whatever price the expert professional sets. I do not know of a patient who has negotiated the rate of a medical examination with their doctor! This state of affairs makes the calls for reasonable remuneration that are issued in some of the codes under study relatively useless and in vain, and somewhat paradoxical. The associations ignore the fact that economic capital is fed mostly by the translator's perceived cultural (and symbolic) capital.

The translators' possession of complex knowledge and high qualifications is never enough for the professionalization of translation. These qualities need to be recognized and valued by the translators themselves, first and foremost. Translators cannot persuade other agents if they themselves are not convinced of the complexity of their practice and its high value for society. As Godbout suggests in her discussion of the translator's lack of status or prestige, translators are "the authors of their own misfortune" (2016, n.p.). "In order to gain public recognition, translators will need to increase their self-esteem, trade their image of subservience for one of a highly skilled professional service and come out of the shadows into the limelight" (ibid.). This *productive* self-promotion is supposedly done through one's official channels. Unfortunately, analyzing these channels, mainly codes of ethics and/or practice, one

can discern the omnipresence of the other agents' voice. Most codes seem to address competing agents. In the translation industry field, the documents seem to address both the individual translators and the *corporate* translators/employers, in a sort of *double-voiced discourse*, to use Bakhtin's term (1981). Even in the associations that claim to address individual translators and corporate translators separately through separate codes – as is the case of the SATI and the ITAINDIA – individual translators' codes still clearly include the corporate translator/employer's voice. The question is, therefore, whose voice is foregrounded? The power asymmetry between the two translating agents allows the dominant one (i.e., the corporate translator) to impose (some of) the internal regulations either *directly* or *softly*, as in any other field[107]. In the case of the AUSIT, for example, Ozolins (2014) states that the AUSIT committee that revised the code received agencies/employers' feedback/suggestions that reflect the (ethical) problems they have had with translators/interpreters. Some suggestions were, however, resisted by the committee in order to ensure the translator/interpreter's autonomy, Ozolins reports (see the example in Ozolins 2014, 365). But even if we accept Ozolins' assertion that there was no direct imposition, the committee certainly embraced many suggestions softly because they correspond to its members' categories of perception. Not surprisingly, Ozolins reports that, on the whole, the views of the translators/interpreters' representatives (designing the code) and the views of the other agents seem to agree on the translator/interpreter's roles (Ozolins 2014, 361). If we follow Ozolins's statements, imposition in the case of the AUSIT code, as well as in many other codes, is mostly *soft* thanks to the compatibility of the categories of perception of the translator/interpreter designing the code and those of the powerful agents. The translators/interpreters are already playing the roles desired by employers/clients very well by themselves. The reinforcement of the mainstream definition

[107] Companies of translation may be represented by individual members who may be owners or managers. Or in some cases, designers of codes of ethics request these companies' suggestions in order to include them in these documents (cf. Ozolins 2014 about suggestions received from these agencies/employers).

of *translation* (which serves the powerful agents economically in the short term, at least) is one of the clearest examples, in this respect.

The tone of most codes gives the impression that not only are corporate translators' requirements addressed by these documents but outsider stakeholders' (other clients, employers, publishers, authors, legislators') needs as well – despite the variation in the extent of the presence of this voice in the different documents. Some codes are blunt about the protection of these agents, *exclusively*. In many articles, these documents direct some ethical principles towards protecting the rights and *interests* of clients, employers and authors, while they remain silent about others' rights. The ATIO code of ethics, for instance, stipulates that "[m]embers shall practise their profession with *honesty* and *integrity*, respecting the rights and *interests of their clients and/or employers"* (italics added). In another article about non-discrimination, it underscores that

- Members shall approach professional services with *respect and cultural sensitivity towards their clients.*
- Members shall not discriminate in the services which they provide on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.

(Articles 2.4.1, 2.4.2, italics added)

As is clear in the articles, even the call for non-discrimination is specific to and *limited* to the client to whom the translators provide services, while other potential forms of discrimination *in text* are ignored. Of course, this limited responsibility to the payees is manifest in many other principles propounded by these documents such as the unconditional rule of 'confidentiality' to clients (regardless of the content), as is the case of the ATIO, ATPP, FIT, SATI and ITAINDIA[108]. This is in addition to other (virtue) ethics that are oriented solely toward clients,

[108] There are documents that condition the rule of 'confidentiality' like the IAFET (Article 2.5), the *Nairobi Recommendation* (Paragraph 5f), the AUSIT (Article 2.4, Code of Conduct/Obligations towards Recipients of Services) and the SFT (Code de déontologie [Deontological Code], Article 1c).

as I discuss thoroughly in Part III. These *a priori* principles, if embraced unconditionally and unquestioningly, may simply be used as tools to manipulate the translators so that they serve their clients/patrons submissively and unquestioningly, whatever the ethical matter is. Translators who abide by the principle of 'confidentiality' unconditionally and unquestioningly may, of course, not disclose information that is illegal/threatening or harmful in the translated material. Worse, they may disseminate this information. This is, of course, not to say that there is anything wrong with guaranteeing certain rights of the client to have their sensitive information protected. But the fact that these rights are *unconditional* and *exclusive* to these agents, in disregard of the other vulnerable agents or species' rights, is fraught with problems. Second, they are problematic as they are *unconditionally* secured regardless of the translator's dignity, autonomy and ethical judgements.

In sum, the codes under study undermine translators by (softly) imposing the interests of the other agents and embracing the same doxas as the dominating agents' in the very documents that purport to support the translator's professionalism. And the most central denigrating doxa, which affects all the relational aspects of the occupation, is the definition of *translation*, over which the struggle is softly settled in disfavour of translators – a fact which considerably handicaps collegiate control.

The double-voiced codes of ethics may, however, be seen as seeking promotional ends while instructing translators on their obligations and responsibilities. Koskinen Writes about codes of ethics seeking such ends[109].

> One can ponder who is the primary addressee of the codes of practice, charters, quality standards and oaths of fidelity: are they truly intended as guidelines for translators or are they rather directed to the clients and readers of translations, and is their hidden function to create an atmosphere of trust and thus facilitate cooperation. (Koskinen 2000a, 82)

[109] Cf. also Lambert (2018).

Following this view, the codes seek to reduce or eliminate the clients' possible suspicion and doubt (cf. Johnson 2016/1972, 41), and to promote cooperation by adopting certain guidelines/principles. The tacit message these documents send to the other agents is that their interests will be secured if they entrust their projects to association members (cf. Lambert 2018). Hence, apart from the argument which states that the codes unreflexively or forcefully adopt the ideas that favor the powerful agents' interests, this view holds that the translators' documents include the desires of the external agents strategically in order to gain these agents' trust and, therefore, secure more jobs for the associations' members, all to enhance their economic profits. But even if we follow this argument, the end results are the same. The assumedly promotional articles in some codes have adverse consequences. The presentation of the translator as unconditionally willing to abide by the wishes and demands of the client/patron ultimately undermines their prestige as autonomous experts and, consequently, reduces their economic profits. Jobs will come anyway, and with good rates, if those agents who need the translators' expertise recognize them as valuable experts. Translators could sell their valuable service more expensively if their cultural capital were recognized (i.e., converted into symbolic capital). Effective promotion, thus, means the advancement of the image of the autonomous expert rather than that of the subservient executor.

The omnipresence of the other agents' wishes and requirements in the associations' documents clearly shows that *collegiate control* is far out of reach. These agents' voice/interests, reflected mainly in the official definition of the practice and its relational aspects, can be said to place the control of the occupation in the hands of outsiders. To somewhat shake the *status quo*, the translator would need to transform their self-perception and to impose their view(s) in their defining documents and, ultimately, in the actual relations with the other agents. However, even if aware of the reductive definition of their practice and the demeaning relations it yields, translators may be unable to shake off these conditions for fear

of negative reactions from the other agents. These agents may object to any change (even in the translator's self-perception) that might contradict their perception of this practitioner and that might, ultimately, jeopardize their (economic/symbolic) interests. Translators, thus, are compelled to adhere to the established rules of the game. In order to impose their (new) competing vision(s) in their documents and in the heads of other agents, and, ultimately, gain control over their occupation, translators need to mobilize *external resources*. They need to look for allies from the field of power who are *disposed* and willing to support them and advocate their rights/interests. As Johnson tells us, "[t]he resources of power available to any single occupational group are rarely sufficient to impose on all consumers its own definitions of the content of production and its ends, except where these resources are articulated with *other and wider bases of social power*" (2016, 42, italics added). Because the agents in the field of power have contradicting interests on different levels, issues and domains, some of these interests may intersect with those of the translator, who could, thus, benefit from the support of one of those agents. The 'original' cultural producer (author), the industrial agent, the scholarly agent and the legislative/political agent – who are all part of the field of power, following Bourdieu's thought – have competing ideas about *translation* and the roles and positioning of translators in the cultural field or the professional arena. The industrial/publishing field and the legislative/political field, who have their own (business/political/ideological) orientations, seem to be comfortable with the mainstream definition of *translation* (and the interpersonal relations this entails) as it is compatible with their frames of thought, and mainly their economic interests. *Translation* as such does not disturb; it is neither costly nor suspect. The translators' ethical and 'professional' orientations are, thus, unlikely to embarrass because the regulations associated with the said definition do not allow that. 'Original' cultural producers (i.e., authors), who are also part of the field of power, side with the dominant agents (large clients/patrons, publishers) as their interests conflict with those of translators. They are part of the same game and any

support for the translator would mean conceding some of their (economic and symbolic) stakes to their competitors (translators) in the cultural production field[110]. Bourdieu has told us that cultural producers, although generally disposed to align with the economically and culturally dominated in the social world, "remain loyal to the bourgeois order" when their position, interests or capital are threatened (1990a, 145).

Probably the only potential ally that translators might mobilize from the field of power is the scholar. Many scholars already line up with the dominated translators in order to elevate their status into *authentic cultural producers* or *recognized professionals,* neck and neck with other authors or professionals (e.g., Venuti 1995, 1998, as I further discuss in the following section). Koskinen, Hermans and Stecconi, and Brisset's reactions to, and criticisms of, the powerful agents' policies with respect to translation (namely the Translation Services of the European Commission and the Translation Bureau Canada) discussed earlier are tangible examples of a very direct and open conflict in the field of power between the scholarly agent and the industrial/political agent over *translation* and the translator's roles. Some of these scholars who line up with translators in their struggle against these powerful agents have shaken the reductive concept of *translation* and proposed a much more complex or cluster concept, which, ultimately, shows the complexity and value of the translator's cultural capital (e.g., Tymoczko 2007). The scholarly/educational ally is especially important as their institution is the main site where the translator acquires or transforms their understanding of *translation* and nurtures their embodied cultural capital. Furthermore, this institution is supposedly immune from the interplays of the market and the intervention of the other agents in the field of power as it is "at the service of *societies*, rather than markets" (Kearns 2008, 200, italics in original). That being said, the scholars' relative support for translators is problematic in many ways. First,

[110] I discuss this struggle between translators and 'original' authors over symbolic stakes in the cultural production field in the following section.

they are themselves dominated in the field of power as their cultural capital converts into symbolic capital at a rate that is lower than the rate of conversion of the industrialists' economic capital and the capital of the sponsors of training programs into symbolic capital (cf. Bourdieu 1993). Thus, they themselves may be subject to the impositions of the other dominant agents in the field of power. These more powerful agents may easily overturn their vision about *translation*. Some scholars/educators, thus, become subject to market influences and the power of their employer (either governments or private entities) seeking to 'make sense' to students and to meet their expectations (and, therefore, the requirements of the market). Hence, despite the increasing research findings/theories and academic voices that advocate for the complex nature of *translation*, the education institutions are still reluctant to engage in a new educational enterprise that may become costly and risky for the life of their unit (TS or translation education department). These institutions fear losing students who wish to be trained according to the wishes of the potential employer – who seems to be comfortable with the myth of 'faithfulness'. After all, students are paying to acquire the embodied capital that can mostly convert into economic capital, i.e., good jobs. In the age of "increasing commercialization of education" (Kearn 2008, 195), universities tend to adopt approaches that respond directly to the needs of their clients and clients' clients, i.e., students and their potential clients/employers. University departments (like any corporation) are under pressure to attract certain numbers of students to ensure their longevity as governments increasingly cut their funding in many countries (especially in the Anglo-Saxon world). In the name of pragmatism and realism, many of those institutions are compelled to adapt solely to industry demands – a situation which may, ultimately, jeopardize their very autonomy. Work-based approaches, now very popular in many parts of the world, cater to employers' immediate needs and requirements – sometimes in disregard of research findings and educational aims. "As such, commerce allies with academic

rationalism, embattling Progressivist and Social Reconstructionist positions alike", says Kearns (2008, 197).

The myth of 'faithfulness', reiterated by all studied organizations, is, thus, maintained and reinforced by many education institutions. In many cases, the recent research findings/theoretical advancements have been restricted to discussions among scholars and barely affect or reach the teaching curricula and methodologies (cf. Maier and Baker 2011b). In such conditions, many translator trainees are still molded to be "meek"; i.e., to be "humble servants or handmaidens obeying their masters, as discreet, unobtrusive and self-denying facilitators, mediators, enablers, go-betweens, bridge-builders and the like," to borrow the words of Theo Hermans (Hermans & Stecconi 2002, 1). Although some educators may be teaching translator trainees to mobilize all their creative skills to appropriately engage in the contemporary translation types that require skills of adaptation, transformation and shifts (ironically required by some employers themselves), they may, however, still inculcate the ideology of 'faithfulness' in their students' heads. In addition to the mentioned power interplays, it is not easy to transform some of the educator's long-held doxa about *translation.* Cultural capital "always remains marked by the earliest conditions of acquisition", as Bourdieu (1986, 245) tells it. This situation leads to an internal fragmentation within the academic/educational corps, a fact which does not help the position of translators. While some scholars-educators still resist all the mentioned constraints and align with translators, and even hire new recruits to their camp, many others (inadvertently) underestimate the complexity of translation and the value of translators[111].

Worst of all, the concerned agent, i.e., the translator, through their organizations, is (inadvertently) conspiring in their own misrepresentation. Translator representatives do not necessarily embrace the reflexive scholar's views. They can reject, or at least ignore, the

[111] Some influential scholars in TS, like Anthony Pym (2012) or Barbara Folkart (2007), vehemently deny the translator's authorship and advance their image of mere "animators" or speech reporters (Pym 2012, 62).

scholars' support for their empowerment and recognition and rather indirectly align with their dominators and with these dominators' ally scholars. Katan (2011) has found that translators understand 'professionalism' as responsibility only to the text and, therefore, to the 'original' author with little awareness of the wider society or of their own autonomy and empowerment. "Their voluntary servitude does seem to be a prominent part of their world" (2011, 84). The scholarly views that advocate the reductive definition of the practice are usually embraced by the translator because they are less abstract and, especially, because they correspond to their perception of themselves and their vision of their practice, first and foremost. The non-empowering scholar and the translator share the same *doxa* of submission. Second, the latter scholars' presence and involvement with translators and their organizations is probably more influential[112].

Rather than interacting with the supportive scholar/educator in order to include some of their insights into one's documents and general views, some translator associations may want to see their (unreflexive) ideas reflected in education institutions' curricula. In the studied corpus, the FIT, the mother organization of all national associations, stresses the right of translation associations to give advice on the training of translators. "They [translators' societies and unions] shall have the *right* to give *advice* on the training and recruitment of translators, and to co-operate with specialized organizations and universities in the pursuit of these aims" (Article 31, italics added). One wonders which institution, the translator organization or the university department, is in the right position to give advice to the other as far as training is concerned. The FIT statement implies that translator organizations want to act as messengers of the other agents and warrantors of their demands. Instead of implementing pedagogical approaches and methods that are discipline-based, the FIT seems to be asking universities to listen to the requirements of the market and their clients and other stakeholders. Such a tripartite

[112] This is a hypothesis that needs to be corroborated by future research.

institutional alliance (i.e., the translator institution, education institution and the institutions representing the other powerful agents involved in translation) appears to give translators little chances of liberation. “This institutionalized disavowal impinges on how translation is viewed and how translators are trained and supervised”, as Tymoczko puts it (2009, 413).

In addition to the scarcity of external resources, translators are internally fragmented and heterogeneous. The lack of concentration and the lack of consensus over the title of ‘translator’ (i.e., the standards for being a translator) are among the main issues facing translators. This internal fragmentation is again due to the fact that the powerful agents (some employers/clients) further throw into confusion those standards by setting quite diverse criteria for recruitment. Some of them seek certified translators, some seek translators with education in translation and others are content with anyone who is proficient in the two languages required for translation. These agents, ultimately succeed in setting translators in competition with each other (cf. Bourdieu 1986, 247), especially in today’s digital era, characterized by a global competition in the global market of translation. Add to this the proliferation of associations and the increasing specialization in translation/interpreting (cf. Pym et al. 2016). On the other hand, the other agents with whom translators struggle over stakes may be more homogeneous and more influential. Authors and publishers, whose representative bodies may be smaller in size, may have better external support and may be more influential, as I further discuss in Section 3.2. shortly. Potential clientele/employers, although not single or structurally homogeneous, are usually large, concentrated and powerful. Large-scale corporations, large translation companies, governments, continental/regional groups and regional/international organizations are the main potential employers/clients of translators in many parts of the world. For example, the European Commission of the E.U. is the largest employer of translators in the world. In Canada, the Translation Bureau – which is a federal government institution – is the largest employer of translators in the country. Furthermore, in the digital era, we are witnessing the

establishment of large corporations of translation/localization services. These corporations concentrate jobs and subcontract work to freelancers. They, therefore, become the only direct contact with clients. Some of these companies are likely to seek immediate economic profits rather than lobby for the recognition of the individual translator.

The influence of *corporate patronage* is clearly felt in the documents of the translator associations under study. The principles of faithfulness, impartiality and confidentiality are guarantees of security for the client/patron, author, publisher, and politician. These notions dissipate the clients/patrons' suspicion and uncertainty because (creative and autonomous) interventions are suspicious, and, therefore, to be feared. They may embarrass the client/patron or give away their potentially unethical or illegal behaviour. Interventionist and subversive translators could, for instance, counter their patrons' desires or agendas. With these principles reinforced, translators are themselves 'clients', as Johnson (2016, 65) puts it, because they have "neither exclusive nor final responsibility for their services; ultimate authority in the assessment of process and product lies with the patron or patrons" (ibid., 65). Many of the rules highlighted in the documents under study are, in fact, principles that require translators to exclusively and unconditionally adhere to the client/patron's (economic) interests and/or ideology. Their effectiveness stems from the fact that they are shared beliefs. I do not claim that all principles advanced by these codes are always ethically irrelevant in themselves, but my critique is about their *a priori-ness*, unconditionality, decontextualization and, especially, their use as tools of *soft domination*, as I will discuss shortly.

The prospects for the professionalization of translation/translators, among many other occupations/practitioners (including those whose representative bodies promote complex skills and higher education), are, thus, very limited (cf. Freidson 1994). If we follow Freidson's (1994) thought, even when translators are organized in 'professional' associations and unions and claim many traits of 'professionalism', they still do not have very good prospects today,

because the domain is already well controlled by "managerial agents of either the state (in socialist nations) or corporate capital" (ibid., 116). Schinkel and Noordegraaf (2011a, 2011b) argue that managers have started to take control even over recognized professionals. Translators, of course, are not immune to these developments, which posit further challenges to their attempts at *collegiate control*.

Patronage imposition is not a new form of imposition that is characteristic of only modern control of occupations but it is as old as translation itself. Oligarchic patrons, like monarchs, princes or lords defined the paths/rules for their translators/servants in ways similar to those of today's capitalist patrons (clients, employers, publishers). The translator's 'success' in both forms of patronage (*oligarchic* and *corporate*) is conditional on their abiding by the patron's perimeters and desires. André Lefevere (1992, 6-7) writes:

> If translators do not stay within the perimeters of the acceptable as defined by the patron (an absolute monarch, for instance, but also a publisher's editor), the chances are that their translation will either not reach the audience they want it to reach or that it will, at best, reach that audience in a circuitous manner […] the Earl of Roscommon reflects a shift in patronage in his description of the (hack) translators of his own time: 'I pity from my Soul unhappy Men/Compelled by Want to prostitute their Pen,/ Who must, like Lawyers, either starve or plead,/And follow, right or wrong, where Guineas lead'.

The image of a translator as prostituting their pen reflects the very same unfortunate situation both in the past and in the present. The only difference is that *oligarchic patronage* usually worked case by case rather than as a self-imposed universal law regardless of who the patron is, as is the case today[113]. Current patronage is collectively reinforced and reproduced by the practitioners' institutions, i.e., translator associations. Another difference is that the motives of oligarchic patronage in the imposition of its terms and conditions of translation seem to be

[113] This is not to say that the religious/political institution did not influence the translators' choices and methods of translation but that the rules were not self-imposed through one's institutions the way they are today.

mainly ideological whereas modern corporate patronage seems to be driven by both ideological and economic factors.

Despite the relative awareness demonstrated in some of the studied organizations' documents regarding the power dynamics involved in professionalization when they empathize the autonomy of translators as professionals (the FIT, the SFT, the IAFET and the AUSIT), those organizations, like the ones which understand 'professionalism' in a neutral mainstream way (the SATI, the ATIO, the ATPP and the ITAINDIA), fail to secure internal self-control of their practice. All studied organizations include clauses that mainly serve external powerful agents, especially the clauses defining *translation*. The *status quo is*, of course, due to the power and concentration of many of these agents involved in translation and the fragmentation of translators and the little external support they enjoy. Next, I turn to the analysis of the translator's symbolic status as an author in the copyright law and in the documents under study.

3.2. The Translator Is (Not) an Author

Copyright attributed to translators under the *Berne Convention* as stipulated in Article 2, Paragraph 3 (cited in the Economic Capital section), may, at first glance, be seen as a sort of consecration — an international recognition of the high worth of the translator's intellectual work, and, therefore, their authorship. This law may be seen as transferring the same prestige that authors have to their translators. However, a quick, but careful, reading of the article(s) in question (mainly article II, Paragraph 3) dashes these hopes. In this article, the translator's 'gained symbolic recognition' – like their economic capital discussed earlier – is proportionate to the 'original' author's, and not, in any way, equivalent to it. Besides, this *partial* recognition cannot be acquired without the author's *will* to permit the translation, first and foremost. And once acquired, it remains subordinate to its donor, the author, because its object (translation) is

only a derivative form of the 'original' that the author owns. The translator, thus, shares ownership of their own translation with the author.

This copyright law reflects the view external agents have of the translator's cultural capital and cultural production, i.e., translation. In the eyes of the legislator and the political agent (the signatory States of the *Berne Convention*), partial copyright is proportionate to the derivative copying work translators do. The understanding of *translation* that underlies this view is reproduced and reinforced by the concerned agent themselves (the translators) through their representative bodies. Although most codes under study call for life-long learning, 'professional' development and competence as a way of showing the value of the translator's cultural capital, as I discussed in the Cultural Capital section, these same codes represent *translation* as a mechanistic and fixed practice in their definition of 'translation'. Hence their former calls for recognition remain ineffective because the definition of the practice is the site where cultural capital is mostly reflected. Worse, most of them reinforce the current copyright law as commonsensical.

Six documents out of the nine I examined reproduce the image of the translator as subordinate to the author when highlighting the question of the author's (and the translator's) copyrights. The translator's low symbolic status is reinforced by a discourse that purportedly protects them but, in fact, continuously reinforces their subordination to the author. Paragraph 5 of section III of the UNESCO *Nairobi Recommendation* entitled "measures to ensure the application in practice of protection afforded translators under international conventions and in national laws relating to copyright" and paragraph 3, section II, are examples of this paradoxical discourse.

- Member States should accord to translators, in respect of their translations, the protection accorded to authors under the provisions of the international copyright conventions to which they are party and/or under their national laws, *but without*

prejudice to the rights of the authors of the original works translated. (paragraph 3, section II, italics added).

- As a general rule, a contract governing relations between a translator and a user, as well as where appropriate any other legal instrument governing such relations, should: […]

(d) specify that the authorizations granted by the translator are limited to the rights expressly mentioned, this provision applying to possible new editions:
(e) stipulate that in the event that the translator has not obtained any necessary authorization, it is the user who is responsible for obtaining such authorization;
(f) stipulate that the *translator guarantees the user uncontested enjoyment of all the rights granted and undertakes to refrain from any action likely to compromise the legitimate interests of the user* and, when appropriate, to observe the rule of professional secrecy;
(g) stipulate that, *subject to the prerogatives of the author of the original work* translated, no change shall be made in the text of a translation intended for publication without seeking the prior agreement of the translator;
(h) assure the translator and his translation similar publicity, *proportionately to that which authors* are generally given, in particular, the name of the author of the translation should appear in a prominent place on all published copies of the translation, on theatre bills, in announcements made in connexion with radio or television broadcasts, in the credit titles of films and in any other promotional material;
(i) provide that the user ensure that the translation bear such notices as are necessary to comply with copyright formalities in those countries where it might reasonably be expected to be used.

(Paragraph 5, Section III, italics added)

While *Nairobi Recommendation* stresses the translator's right to copyright that 'resembles' that of the author, in line with the *Berne Convention* provisions, it also includes paragraphs that "seem to denigrate the translator more than other texts, precisely because they are more explicit and detailed" (Sadek 2018, 90). Sadek (2018), following Basalamah's (2004) observations[114], gives the examples of paragraph 3, subparagraphs 5 (g) and 5 (h) above as they, respectively, stress subjection to the 'original' author. I add subparagraph 5 (f) to these as it continues to overprotect the "user", i.e., the publisher/employer/client's interests unconditionally,

[114] Basalamah (2004, 71) argues, « [c]e qui est remarquable dans certains de ces articles, c'est que non seulement la mention du traducteur est, bien évidemment, souvent accompagnée de celle de l'auteur qu'il traduit, mais qu'il lui sert également de mesure de référence. » [what is remarkable in some of these articles is that not only is the mention of the translator often accompanied by that of the author they have translated, but the fact that the author also serves as a reference].

contradicting the very theme of this section, which is supposedly allotted to the 'protection' of the translator. Also, although subparagraph 5 (g) stresses that changes to a translated text cannot be made without the translator's agreement, the translator's prerogative in this matter is again "subject to the prerogatives of the author of the original work translated." Hence, the intervention of the author in the translator's work is apparently permissible[115]. Paradoxically, the translator's consent does not seem to be a requirement when the changes are demanded by the author. Besides, it seems that *only* textual changes are subject to the translator's 'agreement'. The translator's view about paratexts does not seem to be of interest[116]. In sum, these paragraphs of the *Nairobi Recommendation* are embedded in a striking ambivalence. While they claim in the title of section III to lay out the "measures to ensure the application in practice of protection afforded translators under international conventions and in national laws relating to copyright", they, in fact, overemphasize the rights of the client/publisher (subparagraph 5 (f)), or the author ((sub)paragraphs 3, 5 (f), 5 (g), 5 (h)), in the explanatory paragraphs of the section. Such paragraphs, based on international conventions, actually reinforce the secondary and submissive position of the translator. Very much the same as the *Berne Convention*, the *Nairobi Recommendation* confirms the exclusive rights of the author and/or publisher in authorizing the translation of their work, and subsequently, in holding both economic and symbolic rights in them.

Not very differently from the *Nairobi Recommendation*, the FIT *Translator's Charter* parrots the *Berne Convention* provisions on the question of copyright, but with slight

[115] The author's intervention in the translator's work may sometimes be flagrant. Marilyn Booth (2008), in her article 'Translator v. author (2007): Girls of Riyadh go to New York', published in *Translation Studies*, argues that, in many cases, the translator "may not have the final word" on their work (2008, 201) as the author claims total rights. She vehemently criticizes the author and publisher's domesticating revisions made to her translation of Raja' al-Sani's *Banat al-Riyadh* (Rajaa Alsanea, *Girls of Riyadh*, Penguin, 2007) without her consent.

[116] We know that paratextual elements play a crucial role in (re)framing texts in many different ways and, thus, in orienting reading and weaving desired narratives of the other (Baker 2005, 2006a, 2007, 2010) or the self (Boukhaffa 2018).

differences, as I explain shortly. In the very definition of *translation*, the *Charter* insists on bringing in the legal aspects of 'translation'. Articles 4 and 5 stipulate, respectively, that,

- ✓ Every translation shall be faithful and render exactly the idea and form of the original ï¿½ [sic] this fidelity constituting both a *moral and legal obligation* for the translator.

- ✓ A faithful translation, however, should not be confused with a literal translation, the fidelity of a translation not excluding an adaptation to make the form, the atmosphere and deeper meaning of the work felt in another language and country. (italics added)

Besides the problematic conceptualization of *translation* – already discussed in Chapter 3 of Part I and in Section 3.1. of the current chapter – these two articles deepen the ambiguity about the *legal* definition of *translation* and the uncertain, if not insecure, legal position of the translator because of this definition. The FIT stresses that 'faithfulness' is not only a 'professional' obligation but a moral and legal duty – as Basalamah also observes (2004, 76). The translator is, thus, continuously under legal threat if they do not transfer the ideas and forms of the 'original' 'faithfully'. The FIT, seemingly aware that 'faithfulness' is fictitious, retracts and illustrates that 'faithfulness' may imply adaptation (Article 5). Yet, the extent to which adaptation can be considered a 'modification' or 'distortion' is always open to interpretation — hence the ambiguity of the question of 'faithfulness' or 'fidelity' as a moral and legal duty. Many thorny questions issue from these two articles. To what extent is an adaptation desirable, moral and legal? When does adaptation constitute an infringement on the author's rights? How does a translator measure the limits of a 'faithful' adaptation? How can one morally and legally decide that a translation is an infringement on the author's right? Who decides the extent of the allowed adaptation? And who guarantees that an adaptation – or even a 'faithful' translation – does not unintentionally modify the 'intent' of the original work? Respecting the author's 'moral and legal right' in translation is, thus, a complicated issue and the FIT remains unclear about its boundaries or measures. It does not only severely constrain the translator's creativity

and agency but also causes perpetual legal insecurity because of a possible charge of 'unfaithfulness.' As Venuti writes,

> [d]erivative works like translations could conceivably provoke a legal action under this last right [...] In principle, legal protection against distortions endows authors with enormous power over every aspect of the translating process, permitting them to develop their own idea of what constitutes the integrity of their work in a foreign language. (1998, 52)

The translator, therefore, has to be careful not to distort the author-god image and should probably ultimately seek the author's *benediction* of their work in order to secure a moral and legal clearance. This is due to their perpetual uncertainty even when they desperately seek 'faithfulness' to the 'original' work. Being submissive to the author or faithful to their work never guarantees the translator legal clearance.

The other articles of the FIT *Translator's Charter* that address copyright are found in two different sections. The first section is about "General Obligations of the Translator" and the second about "Rights of the Translator."

> **Section I: General Obligations of the Translator**
>
> 11. Being a "secondary" author, the translator is required to accept special obligations with respect to the author of the original work.
>
> 12. He/she must obtain from the author of the original work or from the user authorization to translate a work, and must furthermore respect all other rights vested in the author. (Articles 11, 12)
>
> **Section II: Rights of the Translator**
>
> 13. Every translator shall enjoy all the rights with respect to the translation he/she has made, which the country where he/she exercises his/her activities grants to other intellectual workers.
>
> 14. A translation, being a creation of the intellect, shall enjoy the legal protection accorded to such works.
>
> 15. The translator is therefore the holder of copyright in his/her translation and consequently has the same privileges as the author of the original work.

16. The translator shall thus enjoy, with respect to his/her translation, all the moral rights of succession conferred by his/her authorship.

17. He/she shall consequently enjoy during his/her lifetime the right to recognition of his/her authorship of the translation, from which it follows, inter alia, that

(a) his/her name shall be mentioned clearly and unambiguously whenever his/her translation is used publicly

(b) he/she shall be entitled to oppose any distortion, mutilation or other modification of his/her translation

(c) publishers and other users of his/her translation shall not make changes therein without the translator's prior consent

(d) he/she shall be entitled to prohibit any improper use of his/her translation and, in general, to resist any attack upon it that is prejudicial to his/her honour or reputation.

18. Furthermore, the exclusive right to authorize the publication, presentation, broadcasting, re-translation, adaptation, modification or other rendering of his/her translation, and, in general, the right to use his/her translation in any form shall remain with the translator. (Articles 13, 14, 15, 16, 17, 18)

Consistent with the defining article 4 discussed above, articles 11 and 12 reiterate that the translator's copyright is subject to the initial rights owned by the author. The author continues to hold a symbolic power over the translator. This is manifest in the permission process through which the translator needs to secure authorization to translate 'the author's work' – in accordance with Article 8 of the *Berne Convention* devoted to the "Right of Translation"[117] – and in the extension of the latter's ownership to the translation they did *not* create. The translator, thus, is perceived as a copying/second degree author who is permanently in debt to the 'original' author, a debt they can never pay off – to use Derrida's term about 'translation'[118] – a debt that the author is entitled to (economically and symbolically), for eternity. Salah

[117] "Authors of literary and artistic works protected by this Convention shall enjoy the exclusive right of making and of authorizing the translation of their works throughout the term of protection of their rights in the original works".

[118] It is noteworthy that Derrida's (1998/1985) note about translation as a debt does not, in any way, imply that the translator is indebted to the author in the same way as copyright law advances it. On the contrary, Benjamin's text (1923), on which Derrida draws, advances that the 'original' is indebted to its translation.

Basalamah (2004, 76), analyzing the position of the translator in copyright law, as reproduced by the FIT, concludes, « [l]e traducteur, à l'image de la traduction dans les législations du droit d'auteur qui la qualifient d''oeuvre dérivée', est un auteur de second degré, voire littéralement une émanation de l'auteur, une sorte d'excrétion qui ne se suffit pas d'ailleurs d'être accessoire puisqu'il se veut 'assujetti' » [the translator, like translation in copyright law, which qualifies it as a 'derivative work', is an author in the second-degree, or literally an emanation of the author, a kind of excretion that is not enough to be an accessory as it considers itself 'subject' to the author].

In the translator's rights section – which is ironically larger in size – the FIT reiterates the position of the *Nairobi Recommendation* about the translator's right to oppose any changes to their translations (made by publishers and/or other users) without their permission (Article 17b, 17c.). But again, like the UNESCO, this seems to exclude paratexts. The difference from the UNESCO document, however, is that the FIT refrains from giving the 'original' author an exemption from this clause. Even the author is not allowed to make changes without the translator's consent, if we follow the article verbatim. One more slight difference between the FIT charter and the *Nairobi Recommendation* is that the former underlines the translator's *moral rights* in a way that may appear similar to how the author's moral rights are addressed under the *Berne Convention*[119]. Articles 16 and 17 (b) highlight the translator's moral rights as an 'author'. But again, this remains ineffective as the translator's moral rights are subject to the author's moral rights. Although the FIT elaborates on the translator's rights in a way that might astonish a hasty reader of articles 13 through 18, articles 11 and 12, in fact, make the latter articles redundant and useless, if not deceptive. This is because all the enumerated rights are

[119] Article 6*bis*, paragraph 1 of the *Berne Convention* about the author's moral right reads, "[i]ndependently of the author's economic rights, and even after the transfer of the said rights, the author shall have the right to claim authorship of the work and to object to any distortion, mutilation or other modification of, or other derogatory action in relation to, the said work, which would be prejudicial to his honor or reputation."

constrained by articles 11 and 12. In sum, both international bodies (UNESCO and FIT) reinforce the *Berne Convention* provisions regarding copyright. Although the UNESCO's position on the matter is no surprise and understandable as it represents the political field and is based on the *Berne Convention* (ratified by many of its own Member States), it is within our right to question the reproduction of a discourse that nurtures the translators' inferior status by the FIT, the translator's representative body. Basalamah (2009, 324) observes: « Le traducteur est non seulement minorisé au regard du monde du DA [Droit d'Auteur], mais il semble l'être presque plus encore par l'organisation regroupant toutes les associations de défense de ses droits » [the translator is not only minorized by the world of copyright, but they seem to be almost even more so by the organization gathering all the associations defending their rights].

National/provincial codes of ethics, as discussed in the 'Economic Capital' section, take different stances as far as copyright is concerned. The SATI code, for example, emphasizes almost everyone's right (the client's, the employer's and the author's copyright) except the translator's. It calls on the latter to "respect all rights of the author and the client/employer, and specifically copyright" (Code of ethics for individual members). Not very differently – although in vaguer terms (i.e., with no mention of beneficiaries) – the ATIO urges its members to "observe and respect copyrights and any other intellectual property rights" (Codes of Ethics, Article 3.3.2). Again, these rights do not seem to include the translator's own copyright. These two codes refrain from even reiterating a right recognized and bestowed on translators by other agents (politicians/legislators), as is manifest in the *Berne Convention* and national legislations about copyright. The SFT and the AUSIT take a middle position, similarly to the UNESCO *Nairobi Recommendation* and FIT *Translator's Charter,* by stressing both the translator's rights and their obligations. On the other hand, two codes of associations from developing countries, namely the IAFET and the ITAINDIA, refrain from urging the translator to abide by copyright

law. As already discussed, the adverse economic and cultural repercussions of the current copyright law on developing and least developed countries are significant.

It is not surprising that the documents of the UNESCO, the FIT and the associations from developed countries (AUSIT, ATIO and SFT) all stress the duty to respect the author's ownership of their material, while the codes of some associations from developing countries refrain from reproducing this as a commonsensical law. Copyright culture that sacralises the 'original' has become a solidly anchored piece of common sense in hegemonic countries, and questioning or even discussing it may be seen as nonsensical. As we know, historically, powerful countries originated and imposed the protection of intellectual property rights as they were the major exporters of 'original' cultural goods (Basalamah and Sadek 2014, 398). Because these powerful countries 'created' more and translated less (in a time of imperial expansion), they lobbied for translation to be considered as reproduction – which in turn requires that the rights owned by 'original' creators (in the 'original' First World) be secured. On the other hand, developing countries and countries whose cultures/languages are not central resisted this orientation during the meetings in preparation of the *Berne Convention*.

> During the nineteenth century, France pushed to see translation considered as reproduction because that was to its advantage as one of the rare exporters of literary works. At the same time, nations whose language was not central (such as Russia, Brazil, Sweden, India, etc.) rejected the idea and voiced considerable concerns, in light of the importance of translation for their cultural (and economic) development. (ibid., 398)

Because of (cultural, political or economic) power asymmetries, *translation* is perceived differently by these two poles. While it is seen as a 'derivative second-order' work in central cultures/countries, it is perceived of as an important source of knowledge and a means of building national literatures in peripheral cultures/countries, especially under colonial and postcolonial conditions. Venuti argues that the difference in how *translation* is perceived in

hegemonic countries and in dominated countries has metaphysical, cultural, economic and geopolitical roots.

> [T]he cultural authority and impact of translation vary according to the position of a particular country in the geopolitical economy. In the hegemonic countries, metaphysical concepts of authorial originality and cultural authenticity denigrate translation as second-order writing, derivative and adulterated, so that especially in the United States and the United Kingdom it receives relatively little attention from writers and critics, scholars and teachers. In developing countries, translation accrues cultural as well as economic capital. The need to communicate between major and minor languages has spawned translation industries and training programs. Translation is seen as a significant intervention into the polylingualism and cultural hybridity that characterize colonial and postcolonial situations, a source of linguistic innovation useful in building national literatures and in resisting the dominance of hegemonic languages and cultures.
>
> (1998, 187)

In sum, most of the documents under study reinforce the image of the translator as "a symbolic derivation" of the 'original' author – to use Sadek's (2018, 189) terminology – by reproducing copyright law unquestioningly. They reproduce the view that the translator is entitled merely to the author's *symbolic residue* or *remainder*. In such a case, the author endows the translator with a small share of their symbolic recognition for subserviently helping disseminate their work to other languages/cultures. And for that work – which requires only attention not to spill any of its content or add to it on the way – they deserve a reward that is proportionate to that little effort.

> Ainsi conçu, le traducteur ne pouvait faire autrement que devenir le produit refoulé de la boursouflure symbolique et discursive de l'auteur. Il était littéralement condamné à n'avoir de statut qu'en fonction de celui qui était promu au rang du tenant de la nouvelle sacralité (Bénichou, 1973). La valeur symbolique de la traduction et de son auteur était par conséquent devenue conforme à la portion congrue qui devait lui rester dans l'ombre de l'auteur de l'oeuvre originale : une représentation.
>
> [Thus conceived, the translator was bound to become the repressed product of the symbolic and discursive swelling that defines an author. They were literally condemned to have status only in relation to those incorporating the new sacredness (Bénichou, 1973). The symbolic value of the translation and its

> author was therefore reduced to the small portion that would remain in the shadow of the author of the original work: a representation.]
>
> (Basalamah 2004, 78)

Although the *author's* moral right argument behind the current copyright law has been 'similarly' applied to the *translator* for their authorship in the *Paris Act* – a fact which would elevate the translator to the rank of author – the translator's moral right remains utterly paradoxical and legally incoherent. On the one hand, 'translation' is protected as it constitutes an intellectual effort and involves an *original* creativity in the form/expression of a work (cf. *Berne Convention*, Article 2, Paragraph 3)[120]. On the other hand, it is seen as a *derivative* work in which the translator should do "justice to the expression of his [the author's] thinking, giving it a style and phraseology which allows the second language readers to take in as much as possible of the original" (Article 8.1). The recognition of the effort involved in creating original expressions/wording should have made translation an autonomous creation. Its original expression (i.e., different words and probably style) owes nothing to the author's expression or style. Translation owes something only to the author's content – which is not a criterion for copyright. This recognition would give translators exclusive copyright on their work, independent of the author's copyright. Venuti questions the ambiguity and contradictions in the legal definition of *translation* as both original and derivative. "In copyright law, the translator is and is not an author" (1995, 9). Venuti writes, "[t]he Berne Convention (Paris 1971) at once assigns an authorial right to the translator and withdraws it." (ibid). In a similar vein, Basalamah (2007, 122) wonders, "how can the original remain present within the translation, when the change in language constitutes a major change in form, and it is the form alone – the expression – which is protected under copyright?" Venuti argues that the recognition of translators as

[120] Of course, translation is the site where difference in form/expression is mostly evident as it is written in a different linguistic code and thus, uses a different discursive repertoire.

authors for their labour and expression coincided with the prominence of the author's *droit moral*, a fact which dooms translation to "the ambiguous legal status that it currently occupies" (1998, 58). This is because the *droit moral* consists of the obligation to respect the author's *person* by avoiding any modifications/distortions of their work, i.e., the duty to abide by the 'faithfulness' rule.

This author-translator relation in copyright law – which is based on the author's droit moral – is analogous to that of God-clergyman. The author-God is the origin who gives reward to His clergyman in the form of a small residue of their prestige if, and only if, they follow His instructions listed in the sacred book; only if they spread the word of God and His intentions/meanings sincerely, faithfully and accurately with no distortion or modification. The author's honour and reputation are as sacred as God's. The problem, however, is not simply the will to respect this reputation but the uncertainty about *how* to respect it even if one desperately wants to. The clergyman and the translator are in a position that does not allow them to know for certain God's or the author's intentions. They simply interpret their words. And interpretations are inherently subjective. We all know that most divisions/conflicts within the same religions (and the bloody wars that may follow from this as history has taught us) are due to differences on the 'right and correct' interpretations of God's words/messages.

The fact that the current copyright law is based on moral grounds makes it doubly binding — both morally and legally — and therefore unshakable. Since Jeremy Bentham (2000/1781), we have become aware that legislation is not to be equated with morals (Rosen 2010, 149). A law can be a bad or unjust law, and, therefore, changeable. As John Stuart Mill (1969/1861) argues, law is *not* the ultimate criterion of justice as there may always be unjust or immoral laws. Mill distinguishes *moral rights* from *legal rights* for there may be a bad law that gives legal rights to agents who do not deserve them and deprives others of rights they deserve (1969/1861, 241-242). Therefore, there are opinions that say bad laws should be disobeyed

(ibid., 242). But the current copyright law has a solid 'legitimacy' as it is based on a moral argument[121]. This is probably the reason why it is emphasized in some associations' codes of ethics (normally concerned with ethical rather than legal issues).

Against the moral argument, which claims that an author's work is a unique embodiment of their person and, thus, must not be distorted or modified, we now know that translation is a distinct form of creation. Every translation is a distinct form of reading; "an act of interpretation, based on individual experience and cultural conditioning" (Polizzoti 2018a, 92) and an act of transformation *par excellence* (cf. for example, Derrida 1998/1985). Reception theory has shown that the reader (in this case the translator) plays an active role in constructing meaning and supplementing text with the influence of their background and schemata (cf. for example, Hall 1980, Iser 1978, Eagleton 2008). From literary theory, we now know that meaning is unstable and uncertain, and is subject to interpretations. The ideas of the 'death of the author' (Barthes1984/1968) and intertextuality (Kristeva 1969) have shown over and over again that authorship is a *collective* endeavor. Textual creation derives from stretches of other pre-existing materials and the pre-established discourses of other people (contemporaries and past).

> The copyrightable form in a work, then, is not self-originating, but uniquely derived: the precise selection, arrangement, and elaboration of materials that already exist in a culture, not merely the lexicon, syntax, and phonology that define a particular language, but the structures and themes that have accumulated in the various cultural discourses of that language—literary, rhetorical, political, commercial, and so forth. It is from these materials, never raw or natural, always culturally coded by previous uses, that an author produces a form determined by an address to a particular cultural constituency. (Venuti 1998, 61)

If we accept that 'original' creation is a collective and derivative work from previous materials in a source language/culture that is shaped by a specific audience as is translation derivative

[121] Sadek (2018) has shown how the reasoning behind the moral argument is full of weaknesses and contradictions.

from materials in the target language/culture (in addition to materials from the source culture) to target a different audience, it follows that "the translation and the foreign text are distinct projects because they involve different intentions and contexts" (ibid.). Therefore, 'faithfulness' is neither always desirable, nor fully achievable/possible. Hence, since translations are created from different cultural repertoires/discourses and from a different language repertoire of forms, the translator should be accorded a copyright protection which excludes the author. As Venuti concludes his third chapter about 'copyright',

> [c]urrent copyright law does not define a space for the translator's authorship that is equal to, or in any way restricts, the foreign author's exclusive right. Yet it acknowledges that there is a material basis to warrant some such restriction. The collective concept of authorship outlined here puts the translator on an equal legal footing with the author of the underlying work. According to this concept, copyright would be grounded on precise formal features which show that similar procedures are involved in creating the foreign text and the translation, and these procedures occur with sufficient autonomy, in different linguistic and cultural contexts, to allow the works to be viewed as independent. (ibid., 66)

Venuti's assertion is, of course, based on empirical evidence. Caroline Summers (2017), for instance, corroborates Venuti's affirmation. Studying the translations of the East German writer Christa Wolf's novel *What Remains,* Summers shows how the translations, carried out in different discursive contexts, involve reframing and rewriting and should, therefore, be seen as new forms of authorship.

> The most recent translations therefore show how each is marked by the discourse that produces it, and suggest that while her translators have come much closer to an effective replication of her style, the framing of her authorship in translation continues to prioritise compatibility with target-culture narratives, resulting in a rewriting of her authorship. (2017, 222)

The evidence that translation is a form of rewriting in the target language is not new in TS. André Lefevere (1992) has convincingly argued that translation is a form of rewriting that is impacted by poetical, ideological, discursive and patronage factors in the target context. But,

with the understanding of intellectual property as an individual property and as a moral right of the 'original' producer, the translator may remain creatively restrained, textually and socio-politically invisible, ethically neutralized[122] and legally insecure.

The high symbolic capital of authors, in contrast to that of translators – manifest in the current copyright law, which draws on the moral argument – arises, in fact, from the historically and socially constructed difference between the two intellectual workers. The socio-historical construct (doxa) that associates authors with genius creativity and translators with *copying* and *invisible transmission* has taken centuries to be internalized as common sense. This *collective belief* has become unshakable as it hardly has any competing views (except a few publications in TS). On 16 October 2019, when the American President Donald Trump made what was widely seen as inappropriate and inaccurate remarks about Syria and Italian-American relations[123], respectively, the interpreter's facial expressions of shock went viral on social media. The interpreter's *visible* reaction was also reported by some news outlets as an unusual act that shows the absurdity of Trump's declarations (see for example Newsweek[124], National Post[125]). *Even* the *very experienced* interpreter, who is supposedly *invisible* in the people's collective expectations, showed her astonishment and discontent. But despite her 'unusual' act, the interpreter "*has won sympathy* from those who say not even a seasoned interpreter, a *neutral* professional figure *par excellence*, can refrain from being horrified by Trump's rambling speeches" (Giustini 2019, n.p., italics added). Hence, this 'unusual' act of showing one's

[122] I discuss in Part III how the translator may be ethically neutralized.

[123] In the presence of the Italian President, the American President Donald Trump said that the cultural relations between the USA and Italy "[d]ate back thousands of years to Ancient Rome" (Giustini 2019, n.p., italics added). He also said that in Syria, "[t]hey've got a lot of sand over there. So there's a lot of sand they can play with" (ibid.). It is noteworthy that Trump was defended by some historians and journalists claiming that what he meant are the cultural values that bind Italy and the U.S.A. and which go back to Roman cultural and political traditions (Brennan 2019, n.p.). Of course, whether Trump was right or not about the first claim has no effect on my argument.

[124] https://www.newsweek.com/donad-trump-translator-perplexed-comments-syria-lot-sand-italy-sergio-mattarella-twitter-1465903 / Accessed on November 2, 2019.

[125] https://nationalpost.com/news/world/donald-trumps-perplexed-italian-translator-reminded-us-why-some-jobs-are-best-kept-invisible / Accessed on November 2, 2019.

emotions on one's face was *exceptionally* forgiven and sympathized with even though it broke the rules of the game. The translator's normal and 'successful' behaviour consists of adhering to the 'collective' categories of perception 'in force' i.e., to be *invisible*, or to be more precise, to claim invisibility[126]. It is just the way it is; the *nature* of this work; there is nothing else to do (cf. Bourdieu 1998a, 103). Tim Parks (2010, n.p.) has written about this denigrating dominant view.

> The translator should do his [sic] job and then disappear. The great, charismatic, creative writer wants to be all over the globe. And the last thing he wants to accept is that the majority of his readers are not really reading him. His readers feel the same. They want intimate contact with true greatness. They don't want to know that this prose was written on survival wages in a maisonette in Bremen, or a high-rise flat in the suburbs of Osaka. Which kid wants to hear that her JK Rowling is actually a chain-smoking pensioner? When I meet readers of my own novels, they are disappointed I translate as well, as if this were demeaning to an author they hoped was "important".

This social construct, being reinforced with the complicity of translators themselves, prevents the recognition of their value (manifest in authorship) by the other agents' schemes of perception. Beatriz Zeller exclaims, "[w]hy not grant authorship of a translated book to its author *and* to the person responsible for the translation? The reason, I fear, is that translation is perceived as a mere transfer of an author's vision from his language into another language" (2000, 134-135, italics in original). This image of the translator implies that their cultural capital (and, therefore, their work) is far from being influential in the social arena. Translators, unlike the other cultural producers, who have "the power of naming, in particular of naming the unnameable, that which is still unnoticed or repressed" (Bourdieu 1990a, 149), do not name-create or enlighten the public but simply parrot other 'creators' "naming." Following Bourdieu, the authoring agents belong to the field of power, i.e., the field of dominant groups in the social field (although dominated within this field) (Bourdieu 1993, 37-38, 1998b, 44). Their power

[126] We know that many contemporary practices indeed demand the translator's visibility as I thoroughly discussed in Part I.

stems mainly from the prestige gained by 'creating' ideas, clarifying what was unclear, and, overall, orienting social action and social structure. Although Bourdieu does not mention translators as part of the category of intellectual producers, translators should supposedly be on an equal footing with other intellectual creators in the field of power since they are influential agents, as we understand *translation*/translators since the cultural turn. However, the view of *translation*/translators (as spin-off product/producers), reproduced in legal terms by international conventions about intellectual property and disseminated under 'moral' and 'professional' conduct umbrellas by translators themselves through their associations, prevents the translator from gaining any proximity to the field of power, and thus, from joining other intellectual creators, namely authors.

The translator is hardly appreciated for their own work; they are only seen in relation with the author they translate – or not wanted to be seen at all. Rare are the translators who have become known for their genius in translation as creation. And those rare ones gain their symbolic prestige not because of being great translators but because of being 'original' authors. In such cases, these translators-authors may even be more prestigious than the 'original' authors, namely when they belong to dominant languages/cultures and they translate and consecrate authors from dominated languages/cultures, as we learn from Casanova (1999, 2010/2002). Paul Bowles and Tahar Ben Jelloun, for example, became known for *For Bread Alone/Le pain nu*, published in 1972 and 1980, respectively, more than its unknown Moroccan author at the time, Mohamed Choukri, not because they are great translators but because they are prestigious authors in the Anglophone and Francophone literary fields, respectively. They are the ones who helped consecrate the 'original' author Choukri – who became known only thanks to them. The power of these two authors and the power of their languages, English and French, respectively, made their translations known even before the late success of the

'original'[127]. In such cases, copyright law does not affect these kinds of translators as much as it affects ordinary translators since the former negotiate contracts from a favorable position, and may even abuse the authors being consecrated[128]. The peripheral authors need these highly visible translators and not the other way around. But such cases are rare. Most translations today are from dominant languages to dominated languages, resulting in cultural "trade imbalance", to use Venuti's (1995) word, and a disadvantaged position for the translator and the dominated countries.

The current copyright law was originated and imposed by 'original' countries (which dominate the global political/economic scene) and 'original' creators and publishers (who dominate the cultural production field and establish its internal laws) in order to reproduce the same power relations that had existed between developed and developing countries and between the translator and the powerful agents involved in the translation industry, despite the efforts to obscure these motives by moral and legal arguments (cf. Venuti 1995, 1998; Basalamah and Sadek 2014; Sadek 2018). The law tacitly reflects the idea that 'original' developed countries and 'original' authors/publishers are the source/original divine creators and, thus, the ones that deserve better (economic, cultural and symbolic) conditions. On the other hand, it reinforces the derivative, subordinate, submissive, follower and second-copy images of translators and developing countries and therefore, further aggravates their socio-economic and symbolic vulnerability. As we learn from Bourdieu, power is used "to impose the laws of functioning of the field most favourable to capital and its reproduction" (Bourdieu 1986, 246). And despite an increasing awareness of the implausibility, ambiguity, contradictions and unfairness of the

[127] The English and French translations were published before the publication of the highly controversial 'original' novel in 1982 – which later became a classic of prose. Also interestingly, Bowles did not translate from the 'original' manuscript written in classical Arabic, a language which the author-translator could not read. The novelist, Choukri, rather told Bowles (translated) the story orally in Moroccan dialect, Spanish and French, and the latter rewrote it in English (without being 'faithful', of course) (cf. Davies 2007).

[128] Choukri (and another Moroccan author, Mohamed Mrabet) had arguments with Bowles about royalties (cf. Fries 2018, Edwards 2011).

current copyright law in regard to translation/translators and developing countries, some translator organizations seem to accept the laws (and, therefore, the translator's partial rights) as common sense. Worse, they impose it as an ethical matter in their codes of ethics. Two to three associations from developing countries refrain from reproducing this law in their codes of ethics. But unfortunately, they still reproduce the very Eurocentric premises behind the law, especially in their definition of *translation* as a faithful copy of an 'original'. From a postcolonial perspective, these associations' epistemological space has already been conquered (cf. for example St-Pierre 2000, Niranjana 1992, De Kock 1992). The apparent resistance is to the tip of the iceberg, i.e., to what is visible from the relations of exploitation but not to its roots. Therefore, their resistance using the very reasoning, ideologies and concepts that the dominator uses to disguise their domination is incoherent and, therefore, inefficient. "They're within the hegemonic discourse, wanting a piece of the pie, and not being allowed, so let them speak, use the hegemonic discourse", to use Spivak's statement in her interview with De Kock (1992, 46). For Tymoczko, this "uncritical dissemination and adoption of Western translation norms and practices in other parts of the globe becomes highly problematic; it is a prime example of a hegemonic form of knowledge" (2007, 77). This is what Susam-Sarajeva (2002: 198) calls, 'self-colonization'.

In sum, the lack of recognition of translators as cultural producers, manifest in the *partial* copyright reproduced by most documents under study, is due to the low rate of conversion of their cultural capital into symbolic capital. Their embodied cultural capital seen as mere dispositions to faithfully transfer meaning – an image reinforced by the translator themself in the definition of their practice in their associations' documents, as shown in Chapter 3 of Part I – does not prompt any admiration from the surrounding agents or the public at large. This status quo has negative effects on translators. As I already discussed in the Economic Capital section, the current copyright reduces the translator's economic revenues in favour of the 'original'

author and the publisher. The translator's 'derivative' work (insignificant cultural capital) is worth less economically and is, thus, acquired cheaply by the authoring and publishing agents, who have substantial symbolic and economic forms of capital, respectively.

> Without a greater recognition of the collective nature of authorship, translators will continue to be squeezed by unfavorable, if not simply exploitative, contracts. Individualistic notions of intellectual property will continue to seem pious fictions used by authors and publishers to add a patina of legitimacy to their money grabs. (Venuti 1998, 66)

The translator's low symbolic capital, manifest in *partial* copyright, affects their social capital as well, despite the efforts of recruiting as many translators as possible to enlarge the network[129]. Authors (with whom competition over interests is fierce), or even publishers, may have better social capital than translators because they have better symbolic capital, despite the fact that their representative bodies may be smaller in size. This is because social capital is not only about the size of the network but mostly about the symbolic 'quality' of its individual members. The individual author or publisher, member of a league/association, can mobilize more qualitative and useful relations than the translator can in their own network. More importantly, author leagues or publisher associations may have better external connections/alliances with other influential agents/networks (e.g., the political agent or the legislator), who may help them advance their agendas. In the case of author leagues, this is often the case thanks to the noble names that may be part of these leagues. If a renowned or consecrated author is leading the league, it is very likely that their reputation and name will attract better connections, and thus better prestige and more influence for their league.

An improvement of the legal status of translation and translators would lead not only to an improvement of the translator's symbolic, economic and social forms of capital but also to

[129] The policy of wide-open doors to all autodidacts (with no educational requirements), which seeks to enlarge the network and increase the social capital, may inadvertently impede the translator's symbolic recognition. The external agents and the public may perceive of all translators as not having high cultural capital.

a more open access to knowledge around the world, especially, in developing countries. This will lead to a democratization of access to information and knowledge between all countries and individuals in the digital era of Knowledge Society (Basalamah and Sadek 2014, Sadek 2018). “It is the sheer global reach of translation, its strategic and irreplaceable value in negotiating cultural differences, that lends urgency to the need for a clarification and improvement of its legal status”, Venuti writes (1998, 66). The current copyright regime that restrains translations hinders the aspirations of developing countries to catch up with scientific/economic development since translation plays a major role in these countries’ access to knowledge. The paradox of the current copyright law is that it is based on moral arguments while it may itself be unethical, preventing knowledge from reaching populations that are economically vulnerable and culturally peripheral in the least developed countries. The fact that many of these developing countries embrace the current copyright law and that such a law is reinforced in the documents of many translator associations as a moral and ‘professional’ obligation makes its subversion quite impossible unless the translator gets more external support and the views about *translation* held by the dominated and the dominator diverge substantially.

3.3. *Symbolic Violence* against the Translator and Possibilities of Liberation

Reiterating the powerful agents’ views and wishes in the translators’ own documents not only belittles the creative value of their practice and shrinks the economic and symbolic benefits they should receive but also affects their very autonomy and independence. The reproduction of the mainstream definition of *translation* as a standard routine of faithful transfer of meaning, as well as the unreflexive reinforcement of copyright law and the unconditional and rigid duties towards the other powerful agents (such as loyalty to the author and the client, detachment and

so forth) in the associations' documents lead to what Bourdieu (1998a) calls, relations of *symbolic violence*.

Freidson (1994, 124) made an excellent remark about the use of 'professionalism', protection of the public, dedication to service, work commitment, and devotion to serving clients as tools of interpellation. He writes, "[t]he ideology may be used by political, managerial, and professional authorities to distract workers from their objective lack of control over their work, to lead them to do the work assigned them as well as possible, and to commit them to means and ends others have chosen for them" (ibid., 124). Many of the rules/principles reinforced in the codes under study are indeed ideologies of distraction and/or subjugation. The protection of the public, for example, is, in fact, a protection of the client/employer, as I further explain in Part III. Indeed, it is a rule that distracts the translator from their subservience to the client/employer, whose interests actually precede the interests of the large public. The ideology of 'faithfulness' – or the "possession" by 'faithfulness', to borrow Bourdieu's term (1996, 3) – is a sort of subjugation that blinds them from seeing the complexity of their practice.

This doxa about *translation*/translators shared by both the translator and the other powerful agents remains the most important factor in the former's *soft domination*, to use Bourdieu's terminology (1990b, 128). It is a tool that undermines the value of the translator's work in the heads of all agents (including the translator themselves) and therefore facilitates exploitation. This dominant rule implies that this 'simple' and 'little' effort, that is translation, requires little pay and little recognition, if any. Some translators themselves (like their dominators) may accept the fact that they do not deserve high pay or recognition as they do a mechanical work of meaning transfer. They thus become complicit in their own domination as they help in its "efficacy" (Bourdieu 1996, 3) by reinforcing it internally. But the dominant definition is an ideological shibboleth or a myth because all these agents (including the

translator) notice that in practice translation involves transformation, as is very evident from many contemporary practices.

This low cultural self-image of the translator (as a copier) that hardly converts to any symbolic capital took centuries of fossilization to become an "ordinary evidence", in Bourdieu's terminology (1996, 3). The image of the translator has been reinforced throughout history through the practices of translators, writings about translation, translators' descriptions of their work, their biographies, translation critiques, knowledge about translation in educational and religious institutions, theories of translation, language and metaphors surrounding *translation*/translators, and the moral/legal arguments about the originality of creation. Today, this image is reinforced and reproduced in three main fields. It is reinforced internally by translator organizations through their codes of ethics, websites, publications, seminars, meetings and conferences, and externally in the field of education and the field of power. Translators are, thus, historically inclined to embrace this view as it is in conformity with their "socially constituted dispositions" (Bourdieu 1996, 3). On the other hand, they are liable to recognize and value the symbolic capital of authors/publishers, patrons/clients, legislators/politicians and scholars. Authors are admired for being 'original' creators, and their word deserves all due respect. 'Faithfulness' to their intellectual creation is a moral, 'professional' and a legal must (as is clear in most studied documents). The legislators who adopted this copyright law know what they are doing; they especially know better than the general public and their law is commonsensical and beyond discussion. Publishers, clients and patrons are also appreciated for their economic power. Translators are compelled to help them achieve their objectives and therefore 'help' themselves. They must therefore adapt to their ethical, aesthetic, stylistic and 'professional' orientations in their translations. They have to be loyal to them because they make their living thanks to them. Scholars are admired for their cultural capital. Those among them who make 'sense' endorse the commonsensical principles

underpinning *translation* in their publications and, most importantly, in their teaching and textbooks (cf. Maier and Baker 2011b, Arrojo 2005, respectively), and, thus, help translators thrive and get prepared for the market. Translators seemingly follow the latter scholars/educators' findings/teachings as they know better. In sum, the above dominant agents softly exploit dominated translators as the latter may be under the magic power of numbing. Thus, shaking this cultural image of *translation* as a mechanistic endeavour may not only be resisted by its beneficiaries, but also by its victims, who are complicit in their own submission.

In his criticism of the current copyright law, which emphasizes the derivative nature of translation, and, therefore, reinforces the subordination of the translator to the 'original' author, Gaafar Sadek (2018) criticizes the law for its external nature (as it is imposed by external international bodies). He observes the absence of any representatives of translators during the meetings of these bodies to discuss translation rights.

> The *Berne Convention* and the *Nairobi Recommendation* are both important legal documents having an undeniable role in forming the image of the translator in the collective imagination. They can be both interpreted as stemming from an external authority to the translator, which may explain, though not justify, constantly relegating the latter's status to submissiveness to that of the author. In all of the minutes of the international meetings that I studied where translation rights were discussed over the last century and a half, not once was there a mention of someone representing translators. So it may be justified to view some of the language and provisions of *Berne, Nairobi*, and other texts as the result of the absence of an agent representing the interests of translators, when they are in direct competition with other interests that are much better represented at such meetings. (2018, 191)

Sadek suggests that the *Berne Convention* and the *Nairobi Recommendation* have an important role in the current image of translators in the collective imagination of the other agents (directly or indirectly) involved in translation. He seemingly assumes that the relegation of the translator's status to submissiveness to the author is fully and *rationally/strategically* calculated and is, thus, of course, deplorable. What Sadek (and proponents of classical class conflict theory) overlook is that these organizations simply reproduce that collective *doxa* about *translation*/translators that translators themselves defend. Hence, even if translators had been

directly present or represented, things would probably not have been any better because translators do not seem to object to these international organizations' approaches to the author's and translator's copyrights. The proof is that many national/provincial associations' codes of ethics reinforce them unquestioningly. The best some other associations did was to remain silent about the issue. Also, we all know that the FIT is a counsellor to the UNESCO, and I, therefore, assume that the provisions of the latter were recommended, or at least, negotiated with them, which is quite clear from the resemblance between the FIT articles about copyright and those of the *Nairobi Recommendation*. The other reason is that none of the studied associations has a better representation of the translator's practice. Worse, the UNESCO (a representative of a different agent and itself an employer of translators) advances provisions that are seemingly more advanced than some of the latter associations (SATI, ATIO, SFT, AUSIT) in this respect and many other respects. Thus, submissiveness to the author is not *only* the result of an external imposition, as Sadek assumes, but also a result of the unreflective *dispositions* of the concerned agent, i.e., the translator, in the first place. Authors/legislators (and all the other agents) are not all and always intentionally and consciously complicit in the domination of translators. They do not meet in dark rooms to design conspiratorial plans against translators. The situation is a product of *natural* relations of power and the collective beliefs about where translators and authors belong. In sum, the symbolic imposition by dominant agents is not all rationally calculated, following Bourdieu (1996); it is merely the natural rule of the game. This is how things are! Of course, this does not mean that lobbying is irrelevant and that calculation is never on board. But rational calculation is not as efficient as the *magical power* of voluntary submission from distance (Bourdieu 1998a). It is not as decisive as the role played by interpellation resulting from the conformity of the translator's categories of perception with their dominators ideas about them and their practice. In other words, concealed *natural*

exploitation through symbolic violence (taken for granted) is cheap and much more effective; *it works by itself*.

The interpellation of translators is, of course, never complete or comprehensive. There are always resisting voices as in all relations of power (Foucault 1975). Or, there are individuals who are, at least, aware of the hegemony being imposed upon them. The fact that associations adopt the discourse of the powerful agents does not necessarily mean that this discourse is embraced by every individual member. However, in the case where a translator is aware of the complexity of their work and the power relations involved in their occupation, they may be tempted by the immediate material profit and therefore defer to the wishes of the powerful agent. On the other hand, if the dissident translator engages in resisting/subversive tactics, they may face exclusion not only by the more powerful employers/clients but by their peers. It is not difficult to find that some associations stress the fact that members who do not abide by codes/rules will be excluded (as discussed under the Social Capital section). Thus, *symbolic violence* is complemented by coercive tools. Those who evade *symbolic violence* are treated by economic deprivation (or material violence) as they lose membership in the association as well as their clients – considering that their reputation becomes 'tainted'. This is why this project of symbolic and cultural empowerment of translators can be viable only if it is a collective commitment of the entire body representing translators with the aid of the education institutions forming/training them. This is not to say that individual action is undesirable or useless. Every change starts with individual and small actions. Change within institutions starts with individual voices before they get adopted by bigger groups and before they get to "reconstitute the social", to use Inghilleri's term (2012).

> Attempts by role occupants to define or redefine their positions within a given profession are likely to be oriented toward the correction or adaptation of their individual practice rather than overt strategies designed to challenge or resist the official codes that guide them. However, the actions of individuals within an established practice can also serve to reconstitute the social.
>
> (Ibid., 2012, 57)

The reconstitution of the translator's (internal) laws can be arduous and long. The centuries-old assumptions about *translation* and translators are too fixed to be easily shaken. Their arbitrariness has been completely obliterated.

Although the role of strategic calculation to modify the conditions of the game and subvert domination is generally not stressed in Bourdieu's thought, he does not deny its relevance in moments of crisis (Bourdieu & Wacquant 1992, 131). I believe that we are in a moment of crisis in the field of translation. The mainstream definition of *translation* has been clearly shown to be fraught. The many *transformative* types of translation nowadays have unveiled the faultiness of this definition. These contemporary practices have challenged the whole law of the field, which is based, primarily, on this definition. And the role and identity of the translator have substantially changed. The new and permanently changing role(s) of the translator are now obvious to everyone. Besides, the ubiquity of translation in the "translation age" (Cronin 2012) in today's global era is more than ever before calling for an elevation of the translator's status in order for them to do their work autonomously and ethically for the welfare of the public and the planet. *Faithfulness* – if possible at all – does not always guarantee the protection of the public and our planet in the age of serious environmental, pandemic and human rights challenges. 'Faithfulness', 'detachment' or 'confidentiality' can result in the dissemination of endangering products that may have fatal consequences for the environment and humans. Such concepts can also help disseminate racist, gendered or xenophobic language in an age of multiethnic and open societies.

We are in a moment of crisis because we can no longer ignore these challenges or keep ignoring the new/old stark evidence about *translation* as *transformation*. The empowerment of translators alone prepares them to face these new challenges. But despite all the evidence of crisis, I believe gradual change that is supported from one of the agents in the *field of power* is

more secure and more realistic than calls for, or attempts at, abrupt subversion by translators alone with no external support. At the forefront of this possible change stand scholars who support the translator's autonomy. The educational/academic agent is the only one capable of shaking the current structure of the field by shaking the definition of *translation*, first and foremost. This is possible for them because they have the power of "naming"/defining and they are the translators' potential ally from the field of power. Following Bourdieu, the power to impose the laws/codes of functioning of a field rests within the powerful agents (1986, 246). The hope is that these scholars may exert more pressure and, especially, deploy more energies (i.e., recruit other colleagues and implement the newer understandings of *translation* in their own curricula) in this period of crisis so as "to mobilize the potential strength of the dominated" translators in order to "subvert the order prevailing in the field of power" (Bourdieu 1993, 44). In order to mobilize translators to shake the established rules of the game, scholars/educators especially need to train the new generations on the complexity and multi-facetedness of *translation* as well as the autonomy of translators as cultural creators and practitioners. Of course, this is not a project without its hurdles, as I explained earlier, due to the low position scholars/educators have within the field of power, compared to the agents who fund education institutions and research programs. But a realistic and gradual project of minimization of hegemony is not impossible. Educators/scholars still have enough margin of autonomy to include newer ideas in their teaching programs and research projects. Thus, the first battle to be won is within academia/education. Once this external resource is widely mobilized, the rest of the road becomes less arduous. In parallel, there needs to be internal work within translator associations. This work starts from gradually changing the self-denigrating discourse in their documentation (among them codes of ethics) and rather embrace the findings of empowering academics.

Conclusion to Part II

As cultural producers and/or practitioners of an occupation, the translator's cultural capital is the nucleus of all forms of capital – drawing on Bourdieu's thought. It feeds their social capital, economic capital and mostly symbolic capital. In the case of translators, social and economic forms of capital do not convert to symbolic capital but are rather fed by it.

All the studied organizations present translators as possessing low cultural capital. When seen as cultural producers, this perceived low embodied capital of the translator assigns them a limited copyright, subject to the 'original' author's economic and symbolic deductions. Most studied documents reinforce, in different ways, the current copyright law that is denigrating to the translator, with the exception of two codes of association from developing countries. These latter codes, nevertheless, paradoxically reinforce the derivative nature of translation that underpins the current copyright law.

Analyzed as practitioners of an occupation who seek *collegiate control* and endeavor to impose their symbolic power, translators are far from achieving this aim, following their codes of ethics. Most of these documents reiterate many of the powerful agents' demands unquestioningly and unconditionally. Translators, thus, do not have autonomy and control over their occupation. This *status quo* is due to three main reasons. First, they (inadvertently) present themselves as having low cultural capital. Second, they are internally fragmented, while the beneficiary agents are concentrated and powerful. Finally, they have few powerful external resources. Not only do translators lose control over their practice to the powerful agents but they also undergo a sort of symbolic violence. They themselves reproduce the devaluing views about their practice (shared by the powerful agents), defend the demeaning rules of their practice and their roles and take labour relations that issue from them as natural and commonsensical. They, thus, contribute to their "misfortune" – to reuse Godbout's term (2016, n.p.).

Although some associations under study purportedly defend the translator's interests and rights in some articles of their codes, they paradoxically reinforce the very principles/rules that undermine these rights/interests in other articles. Many codes under study, for example, refer to 'professionalism', which supposedly implies the autonomy of the practitioners, their high expertise and/or the claim of recognition. All of the codes, also, underline many constituents of the translator's embodied cultural capital such as competence, 'professional' development and life-long learning. Some, likewise, defend the translators' rights to reasonable economic benefits. Two codes (the IAFET's and the unionist organization, the SFT) are more translator-centred (in their articles) than outsider-centred. However, the conceptualization of *translation* – which affects the translator's perceived embodied cultural capital – and the non-requirement of high institutionalized cultural capital abort any attempts to convert these two forms of cultural capital into symbolic power.

The FIT *Translator's Charter* seems more advanced than many national/provincial codes. Adopting a mixed approach (rights and duties), it is the most explicit and detailed in laying out many of the translator's rights (of course besides duties). But like the latter associations, it fails in the main battle, i.e., the definition of the practice, a fact which makes its attempts towards *collegiate control* inefficient and vain.

The document that may be seen as representing the outsider agent (governments of the UNESCO Member States) is, surprisingly, more advanced than most associations' codes of ethics. Although adopted in 1976, much earlier than probably all studied codes/charters[130], the *Nairobi Recommendation* advances statements that are more appreciative of the translator's work. Most strikingly, this document of an organization that is itself (with its mother

[130] In the FIT *Translator's Charter* revised in 1994, i.e., 18 years later than the adoption of the *Nairobi Recommendation*, one hardly feels any tangible progress over the latter. And since 1994, i.e., 27 years later, strikingly, there has been no revision of the charter although there have been tremendous evolutions in the field, especially with the digital revolution and globalization. Hence, since 1976, there has been no advances, probably because of the continuous weakening of translators with the emergence of very powerful clients in the globalized era.

organization the U.N.) an employer of a large number of translators, and a union of most world states (which are also potential employers/clients of translators) assigns practitioners rights they themselves do not claim – or at least do not state as explicitly in their own documents. For example, the *Nairobi Recommendation* underlines the economic revenue of translators in all its forms (immediate and potential), better than many other translator documents – as discussed under the Economic Capital section. This is not to mention the fact that it is the document that mostly emphasizes high specialized training (institutionalized cultural capital) – a crucial element that is convertible into symbolic power. This demonstrates that submission is mostly voluntary and not always coerced using legal force and material violence. It is worth mentioning, however, that the *Nairobi Recommendation* is, like the other documents, embedded in ambivalence as it reinforces the reductive definition of *translation* and the *partial* copyright of the translator, a fact which may make the other provisions quite redundant. This is not to mention the mere symbolic nature of this document as it is not legally binding to signatory Member States, a fact which may make its provisions have little impact on translators in the countries that do not implement them.

In sum, despite the slight differences between the documents under study regarding the translator's rights, interests and recognition – depending on the nature, function or origin of the organization/document – they all share the same definition of *translation* that reduces their capital tremendously and that makes all the other purportedly defended rights or interests inefficient and void. In order to shake the current *status quo*, the main and first battle translators need to settle in their favour is the definition of their practice. An important reduction in the power asymmetries between the translator and the other powerful agents may follow once the definition is gradually shifted in favour of translators, and these latter are more homogeneous[131]. A recognition of the originality and creativity of the translator's work is liable to relatively

[131] The number of amateur translators will, likely, be reduced once the other agents get convinced of the complexity of translation and, thus, refrain from hiring them.

shake up the current copyright law. And a recognition of the esoteric knowledge of the translator and the importance of translation is likely to increase the chances of control over one's occupation. From this recognition of the translator's creativity and autonomy follows, of course, an increase in their economic capital (cf. Jackson 2017, 798). Also, their social capital may be influenced positively because they will be more sought after by agents in the field of power, as they will become denominators of the "unnamed" like any other cultural producers – rather than simple diffusers of others' 'naming'.

That said, symbolic violence is not something that is easy to shed as this is, I believe, nurtured by the translator's disposition towards *subservience* (cf. the discussions of Simeoni 1998; Inghilleri 2003, 2005a; Buzelin 2014 and Katan 2011 regarding the question of the translator/interpreter's subservience). And as we know from Bourdieu, the relational aspects in a field and its functioning are imposed by the powerful agents and reproduced by the dominated. That is why this project is a modest one. It only seeks a relative and gradual shaking up of the current *status quo*. The scholar, an agent within the field of power, is the potential resource of external power for the translator and may help shake up the current *status quo* and gradually inject the new visions of *translation* into the field of power (especially to policy makers) and to their curriculum, should they mobilize all their efforts. The focus is also on mainly the new generations of translators educated on the multifaceted nature of *translation* and the variety of its methods/strategies. Translator associations, once they attract these enhanced and liberated translators, will certainly start to adopt a discourse that is centred on the translator rather than one that seeks to assure the powerful agents that their interests (and even their demeaning demands or possibly unethical orientations) are unconditionally guaranteed by translators' codes of ethics. In short, although complete reshuffling of power relations can never be achieved because of the concentration and the power of the other corporate/political agents – which remain the external obstacle that neither translators nor educators/academics have control

over – power asymmetries can certainly be reduced. And the battle starts in education institutions – a topic I tackle in Part IV.

Codes of ethics do not only affect the translator's economic and symbolic forms of capital but may also affect their morality. The translator's impoverished capital may have an impact on their moral self. This is what I address in Part III.

Part III: The Translator's Morality in Codified Ethics

The third part intends to answer the question: how is the translator's *moral self* affected by codes of ethics established by 'professional' associations? It examines the extent to which the translator's *moral self* is neutralized by the principles/rules highlighted in institutionalized codified ethics. The next chapter introduces Bauman's postmodern morality, which will be used in the subsequent chapters to assess the translator's *moral self* in the documents under study and to explore the opportunities that postmodern perspectives on ethics offer, especially in the age of globalization.

Chapter 1: Bauman's Postmodern Morality

1.1. Modernity and Rational Codification

In his works on postmodernity and ethics, the Polish sociologist and philosopher, Zygmunt Bauman (1993, 1994, 2003a/1995, 2003b, 2007, 2008) presents a novel analysis of the thorny issue of ethics and morality[132]. Refuting modernity's lean towards rational 'control of chaos' and the imposition of ethical order through codified ethics and laws, he argues that postmodernity presents both a bane and a chance for the moral person (1993, 16). For Bauman, the aim of modernity and its ideological underpinnings has been the creation of a rational, flawless and efficient (social) order. Modernity has foregrounded the meta-narratives of Science, Progress, Industrialization, Enlightenment as its main guiding themes (see also Lyotard 1979, Baudrillard 2005, Somers and Gibson1994). Modernity has sought the creation of a 'commonsensical reality' using the rhetoric of these metanarratives. Rational science,

[132] In Bauman's understanding, morality stands for the personal responses/actions that are gratuitous and uncalculated towards others whereas ethics refer to those socially constructed or legislated codes and rules that people are forced to follow. In this monograph, I use the two terms with this understanding only in my references to Bauman.

bureaucratic institutions and technologies have especially served as modernity's main instruments to create the perfect ordering of reality (Bauman 1993, 1994, 2003a/1995, 2003b, 2007, 2008).

Since Kant, modern thinkers and legislators have tried to "compose and impose an all-comprehensive, unitary ethics – that is, a cohesive code of moral rules which people could be taught and forced to obey", Bauman points out (1993, 6). In the modernist project, both thinkers and legislators claim the universality of their prescriptions and rules. No law or rule is to be felt incomplete, wrong or contradictory by any rational human being (at least in the sovereign/target territory). The modern philosophical prescriptions are also presented as 'well founded' in the sense that they are based on the likeliness that reasonable persons will embrace them. The answer to the question 'why should I be moral**'** seem to underlie these rules. The heteronomous ethical prescriptions, backed and enforced by powerful social/political institutions, ultimately, 'assist' individuals in making the 'right' decisions and 'save' them from the uncertainties of hesitations and ambivalence. It is an alleviation of personal responsibility, an erasure of the pain of uncertainty, and a 'preventer of evil'. By substituting autonomous moral responsibility of the self with 'non-contradictory' ethical duties, modern thinkers and legislators have purportedly aimed at preventing wrong from happening by giving the agent an *a priori* certainty of the consequences of their actions. "[T]he moral thought and practice of modernity was animated by the belief in the possibility of a *non-ambivalent, non-aporetic ethical code*" (ibid., 9, italics in original).

The non-ambivalent, complete and rational codes of ethics that cater for both the rational individual and the whole community are the basis of the *illusion* that modernity stands on, Bauman asserts (1993). The postmodern perspective "means above all the tearing off of the mask of illusions" (ibid., 3). It has the task of revealing the cruelty of modernity, which is manifest in its elimination of the unclear, the residual, the unfit, the exceptional, the particular,

the rare, the out-of-order, in the name of perfect control and the transcendence of reason. And the task of the current project is to reveal the problems within the translator codes of ethics, embedded in this illusive discourse of modernity.

1.2. The Postmodern Ambivalent *Moral Self*

The unmasking of the illusions of uniformity, efficiency, universals and (near)completeness is exactly what is meant by postmodernity in Bauman's sense (1993, 1994, 2003a/1995, 2003b, 2007, 2008). Postmodernity is the critical reflection of modernity on itself; the realization that objectively founded universals are an unattainable myth. In other words, postmodernity is modernity that is aware of its paradoxes; it is modernity that is conscious of its own impossibility as such. Therefore, it should not be understood as an after-modernity era in a chronological sense since modernity is still around. Postmodernity is about debunking the theoretical absolutes and certainties of theoreticians, and the rejection of 'all-embracing' regulations imposed by bureaucratic institutional bodies.

> What the postmodern mind is aware of is that there are problems in human and social life with no good solutions, twisted trajectories that cannot be straightened up, ambivalences that are more than linguistic blunders yelling to be corrected, doubts which cannot be legislated out of existence, moral agonies which no reason-dictated recipes can soothe, let alone cure. The postmodern mind does not expect any more to find the all-embracing, total and ultimate formula of life without ambiguity, risk, danger and error, and is deeply suspicious of any voice that promises otherwise [...] The postmodern mind is reconciled to the idea that the messiness of the human predicament is here to stay. This is, in the broadest outlines, what can be called postmodern wisdom.
>
> (Bauman 1993, 245)

Following Bauman's argument, the postmodern individuals accept their fate and face their reality with all its contradictions, dilemmas and 'ills'. They are agents that are ready to live without or beyond the preordained rules established by superior institutional powers. Postmodern individuals are autonomous beings, ready to assume full responsibility for their

uncertain choices, willing to face the frustrations of decision making and able to renounce the 'comfort' of choices made for them.

While the modern project has aimed at sidelining ambivalence and containing the bad, from a postmodern perspective, humans are neither inherently good nor bad. They are rather *morally ambivalent*.

> [A]mbivalence resides at the heart of the 'primary scene' of human face-to-face. All subsequent social arrangements – the power-assisted institutions as well as the rationally articulated and pondered rules and duties – deploy that ambivalence as their building material while doing their best to cleanse it from its original sin of being an ambivalence. (ibid., 10)

It is clear that in postmodern thought, no code of ethics can be absolute or comprehensive. Moral ambivalence remains uncleansed of its original sin despite the modern rationalist attempt to contain it in coercive codes. Bauman argues that "morality phenomena are inherently 'non-rational'" (ibid., 11). They are beyond calculations, as they are ambiguous and unpredictable. For Bauman, moral impulse, inherently contradictory and ambivalent, cannot be eradicated, once and for all by rational codification; "at the most, it can silence it and paralyse" (ibid., 10).

Bauman rejects ethical prescriptions as they are rule-governed, uniform and bureaucratically imposed. Rational ethics that unfoundedly "shift[] moral phenomena from the realm of personal autonomy into that of power-assisted heteronomy" try to dismiss the moral impulse, and silence the *moral self*, which is, in essence, "constituted by responsibility" (ibid., 11) towards Otherness. At the other extreme from *ethics*, morality is personal and "incurably *aporetic*" (ibid., italics in original). Situational choices are ambiguous and uncertain. Most of them are made between contradictory impulses. Endemic uncertainty is, thus, a *moral condition*. "I believe that the frustration of uncertainty is morality's gain. Not the kind of gain we would wish, perhaps, and have been looking for – but the greatest gain that one can reasonably hope for, while remaining a moral person" (ibid., 223). This frustration of ambivalence is a defining characteristic of the *moral self*. The latter, 'unarmed' with imposed

regulations, is left bare to face the tyranny and burden of moral decisions. There is no guarantee that the moral impulse will always guide the individual to make the right moral decisions. The incurable ambivalence of morality as a fate of moral selves, thus, makes moral life more difficult and more complex as the self no longer hides behind legislated ethical rules.

Postmodern morality, for Bauman is, thus, "[a] jungle deprived even of the jungle law, morality without ethics" (1994, 25). It is neither a good thing nor a bad thing; it is a boon and a bane. It just puts us in front of a real (natural) reality that is far more complex than the reduced one we have been invited to think and embrace. Postmodernity has unmasked the illusions that we have lived by and that have made our lives and paths sound perfectly clear, pre-planned, unified, managed, and under control. Postmodernity does not give *one* definitive answer to moral questions. It allows us to face the unknown, the unfamiliar, the unpredictable, the unclassifiable, the uncategorizable, the unformalizable and the uncontrollable; all constituting the essence of the human moral condition. Unlike modern codified duties that target the whole, the group or society and negate difference and particularities, postmodern morality gives individuals a chance, but a chance of which the results are *never* assured in advance.

> [M]oral *responsibility* exists solely in interpellating the individual and being carried individually. Duties tend to make humans alike; responsibility is what makes them into individuals [...] One may say that the moral is what *resists* codification, formalization, socialization, universalization.
>
> (Bauman 1993, 54, italics in original)

Morality does not need ethical codes as it predates all legislation or social norms. Hence, a world without codified ethics cannot be equated with a world without morality. The latter is independent of ethical codes, which may generate immoral consequences due to their simplistic reductiveness of the moral reality.

1.3. The *Pre-social* Being FOR the Other vs The *Social* Being WITH the Other

Drawing on Emmanuel Lévinas, Bauman argues that "moral responsibility – being *for* the Other before one can be *with* the Other – is the first reality of the self, a starting point rather than a product of society" (ibid., 13, italics in original). As Lévinas (1991, 1995) conceptualizes it, morality is an *a priori* and *infinite* responsibility *for-the-Other*, a commandment to the *I*, an interruption of being, a vow, a non-indifference, an allegiance, or a hostageship to the irreducible Other, *independently of* and *prior* to any sociability, reciprocity, dialogue, or relationship. On this, Lévinas writes:

> l'altérité de l'autre homme envers un moi est d'abord – et si j'ose dire, est « positivement » - visage de l'autre homme obligeant le moi, lequel d'emblée – sans délibération – répond d'autrui. *D'emblée*, c'est-à-dire répond « gratuitement », sans se soucier de réciprocité. Gratuité du *pour l'autre*, réponse de responsabilité qui sommeille déjà dans la salutation, dans le *bonjour*, dans l'*au revoir*. Langage antérieur aux énoncés des propositions communiquant renseignements et récits.
>
> [the otherness of the other man towards the self is first of all – and if I dare say, is "positively" – the face of the other man obliging the self, which, at the outset – without deliberation – is responsive to the other. *From the outset*, that is, the self answers «gratuitously», without worrying about reciprocity; it is the gratuitousness of the *for the other*, the response of responsibility that is already present in the greeting, in the *hello*, in the *goodbye*. Such language is prior to statements of propositions communicating information and narratives.]
>
> (1991, 184, italics in original)

Lévinas conceptualizes morality as a 'gratuitous' responsibility regardless of any benefits, reciprocity, understanding, or even communication. Following Lévinas, Bauman (1993, 1994, 2003a/1995, 2003b, 2008) contends that morality has a primitive and existential status; it predates society with all its conventions, educational/philosophical discourses and legislations. It precedes imposed ethical regulations shared by society members. Morality is above and beyond rational calculations and purposefulness. It "is a mystery contrary to reason" (Bauman 1993, 13). Being *for* the other is pre-modern, pre-social, limitless and unconditional. It is driven solely by the proximity of *the Face of the Other*. Moral responsibility, for Bauman, is "absolute,

pristine, extemporal, and exterritorial, unsoiled by the products of societal cycling and unadulterated by illegitimate, heterogeneous, accidental, and dispensable admixtures" (2008, 40). The *Face of the Other*, by its uniqueness, transcends any impersonal rules or ethical codes that treat all Faces as collective abstracts, with no unique or individual traits. Otherness is also irreducible to the self. Every Other is singular and different from Self and other Others. The encounter with the Other is individual (only Self and Other) with no interference of any other (social) variable that can taint, affect, or cast a shadow over the pure uncalculated and unpragmatic meeting.

> Entering Levinas's moral space requires taking time off from the daily business of living and leaving aside its mundane norms and conventions. At the 'moral party of two', both I and the Other arrive disrobed, without our social trappings, stripped of status, social distinctions, and socially concocted or socially imposed identities, positions, or roles. (ibid., 42-43)

The problem of the *Third* that intervenes in these twosome encounters is what worries Lévinas and Bauman most. *Thirds* are parasites that are everywhere to mediate or to orient the relationship. As soon as "the 'other' appears in a plural", i.e., in a social being, the moral impulse becomes a 'poor guide'. Once it becomes disoriented by external (social/economic/ideological/cultural) variables, moral responsibility loses its unconditional essence.

1.4. Social Spaces

Bauman (1993, Chapter 6) analyzes distance/proximity between the self and the Other in the social sphere. In this space, he makes a distinction between three discrete but strongly related processes: the *cognitive*, *aesthetic* and *moral* spacings.

The ***cognitive*** space is the intellectual rational construction that seeks control, order and good structuring. Drawing on reason, it creates non-ambivalent signposts for the social behaviour that is deemed rational and acceptable by rational beings. Therefore, the stranger

who is unable to assimilate these social signposts is seen as an alien. Because, "the strangehood' has become a permanent condition" (ibid., 159) of the modern world and its urban cities (due to immigration, refuge, exile), the cognitive control over social spacing is being sought more than ever before in order "to confine and regiment freedom of the strangers and altogether 'keep them where they belong'" (ibid.). In today's cosmopolitan metropolises, the strategy of 'mismeeting' or indifference is modernity's answer to the physically close but socially distant strangers. The cognitive administration of the social space uses *proteophobia* (i.e., perceiving the other as dirty and alien) as its main resource and driving force (ibid., 165-168). This keeps the stranger at a social distance and builds an insurmountable fence that makes them inconceivable to the structured rational mind and the social/cognitive order.

Differently from the cognitive space that builds a fence between the 'rational' self and the 'alien' Other, the ***aesthetic*** space is based on the attention given to the Other. This attention is affectively driven by curiosity and pleasure seeking. "The strangers, with their unknown, unpredictable ways, with their kaleidoscopic variety of appearances and actions, with their capacity to surprise, are a particularly rich source of spectators' pleasure" (ibid., 168). Unlike the cognitive space, which draws on *proteophobia* as its main driving force, aesthetic space relies on *proteophilia*, i.e., amusement and enjoyment experienced from the presence of the Other. The cognitive and aesthetic spaces are not only interwoven, but the first is the framework under which the second exists. Unlike the cognitive space, the aesthetic is a *play* space, a spectacle and a theatre; it is not real. As far as the game is ordained by specific rules that keep the social space under control, the amusement offered by the aesthetic space continues/is allowed. Hence, the 'spectacle' of the Other that is enjoyed in the aesthetic space can take place only because the cognitive space has guaranteed the policing and administration of the social space in a way that prevents any unexpected dangers or uncontrollable rebellion that may render the game serious; a fact that may endanger the cognitive ordering. The *flâneur* "can go on

drawing the strangers around into his private theatre without fear that those drawn inside will claim the rights of the insiders. Social/cognitive spacing has created distances which aesthetic spacing can transgress only playfully, only in imagination, only inconsequentially" (ibid., 172).

At the other extreme of the aesthetic process, which cannot actually transgress social/cognitive rules, the ***moral*** spacing

> takes no notice of the rules that define the social/cognitive space. It is oblivious to the social definitions of proximity and distance [...] it engages no human intellectual capacities – such as examination, comparison, calculation, evaluation. By the intellectual standards proper to cognitive spacing, it looks abominably 'primitive': a cottage industry compared to a scientifically managed factory. (ibid., 165)

Moral space is, thus, an enemy of cognitive space in the sense that it threatens its security and non-ambivalence, and challenges its universal categorizations and established order that are based on reason. The concern of the cognitive space is, thus, the mitigation, or if possible, the effacement of the moral effects of the moral space – perceived as pathological, chaotic and scandalous. The moral spacing also differs from aesthetic spacing, which is based on mobile (and perhaps pushy) affectivity. For the aesthetic spacing, attention to the Other fades away once the enjoyment turns into boredom, novelty into familiarity (ibid.). Moral spacing, on the other hand, maintains the mystery, the difference, the unknown and the ungraspable aspects of the Other intact. The aesthetic can, however, lead to the moral spacing on condition of respecting the Other's difference and mystery for *eternity*, and moving from the space of amusement for its own sake to the moral condition of caring *for* the Other. "To accomplish such a feat, the seeker of aesthetic satisfaction must be, however, also a moral person" (ibid., 181). Bauman concludes that both the cognitive and aesthetic spaces, as such, are inhospitable to the moral space.

> In both, moral urges are alien bodies and pathological growths. In the social/cognitive space – because they sap the lofty and indifferent impersonality of rules and soil the purity of reason with unwashable stains of affection. In the social/aesthetic space – because they tend to fix and arrest

> and immobilize things which draw their seductive powers solely from being on the move and ready to disappear once commanded. (ibid., 180)

1.5. The Ethical Challenges of Globalization

If Bauman's theorization seeks to free the individual from coercive modern ethics, it, however, does not provide a viable process that individuals can embrace or base their actions and decisions upon in order to face the ethical challenges of *distance* in the new age of digital globalization. As his morality is based on *proximity,* following Lévinas, he acknowledges that "distances matter little now" as local actions may have global consequences (2008, 71). Humans, in the globalized age, need to be aware of the far-reaching repercussions of their actions not only on people's lives in other corners of the planet but also on generations to come. Bauman admits that in our contemporary technological society,

> the scale of possible consequences of human actions have long outgrown moral imagination of the actors. Knowingly or unknowingly, our actions affect territories and times much too distant for the 'natural' moral impulses which struggle in vain to assimilate them, or abandon the struggle altogether. Morality which we inherited from pre-modern times – the only morality we have – is a morality of proximity, and as such woefully inadequate in a society in which all important action is an action on distance. (1993, 217)

Bauman argues that pre-modern morality has short hands, as it is a morality of proximity. Therefore, the postmodern *moral self* is facing the challenge of stretching out their moral visualization to reach as far as possible, in the digital age. In this globalized era, humans need to adapt their moral imagination to think beyond the foreseeable, beyond the unseen, to reach far *distant* Others.

Bauman's conclusions may sound unrealistic and too abstract for those seeking grounded gradual change. Despite the pertinence of his argument regarding "gratuitous" morality devoid of economic or ideological considerations, his concept of *morality* as primitive, innate and pre-social may seem problematic. Bauman's morality as an instinctive impulse that precedes society seems too radical, and thus, difficult to be taken wholesale at the practical level. As Bos and

Willmott (2001) put it, Bauman's analysis is embedded in a sharp dualism between reason and emotion, and ethics and morality, and his absolute rejection of the interference of rationality in the moral space is quite untenable. I argue that modern citizens are embedded in modernist rational discourses and institutions that are hard to abruptly subvert in order to embrace an impulsive morality that may make very little sense to many of them (cf. Kelemen and Peltonen 2001 for a similar conclusion). I believe Bauman should have convincingly proposed how the moral individual could learn to work on themselves in order to *de-modernize*, and, therefore, recover from modernity's ills and regain their initial moral condition – if recoverable at all.

The other related issue at stake in Bauman's work, I believe, is that he does not suggest any ways to stretch moral imagination beyond its pre-modern state (of proximity) to adapt to the responsibility towards *distant* others and respond to the problems and challenges of globalization. Bauman, himself aware of this problem, does not seem very optimistic about the potentiality of this morality of *distance* when he affirms that "[i]t remains to be seen, if at all, whether the intuitively evident need for a 'morality of spatial and temporal distance' may be translated into effective social interests, and consequently into tangible political forces" (1993, 222). This is because Bauman knows that, at the end of the day, the question is whether or not the discourse of *distant morality* can attract supporters and be powerful. "Superior morality is always the morality of the superior", of the 'victor', he points out (ibid., 228). One last reservation about Bauman's thought is his silence regarding the fact that Lévinas's philosophy (on which he draws) is grounded in Talmudic teachings about the care for the Other/neighbour. He ignores this aspect of Lévinas's philosophy and concludes that "Levinas's is the postmodern ethics" (ibid., 84) without demonstrating the affinity of postmodern morality with divine moral perspectives, in which Lévinas is embedded.

Leaving aside these gaps – some of which Bauman himself admits – his work on ethics/morality presents a very interesting critical stance towards the ills of modernity and its

moral crisis. Bauman, like Lévinas, discarding all calculations or even thinking when facing the Other, rejects *rationality,* one of the main conceptual narratives of modernity. He thus debunks rational ordering of morality into the matrix of preordained and decontextualized codes that claim efficiency and control. Instead, he underlines moral ambivalence that is both a bane and a boon for the postmodern *moral self*.

Following these stated limitations and strengths in Bauman's philosophy, I draw upon his critique of modernity's rational codification of ethics, alongside TS insights, to account for the underpinnings of translators' codes of ethics. More importantly, Bauman's critical thought is used to analyze the role and place allotted to the translator's moral responsibility in these codes of ethics. His concept of *moral self* makes it possible to identify whether the translator's moral judgement can play any role at all in their choices. In other words, it makes it possible to see whether codes act as substitutes for the *moral self*. Finally, this part of my analysis explores the implications not only for the translator's *moral self* but also for various societal issues if individual morality is excluded in the name of 'professionalism'.

Chapter 2 below examines the impact on the translator's *moral self* of some highlighted principles/rules in the documents under study. Chapter 3 discusses the nature of these institutional charters/codes of ethics and their repercussions on the translator's moral responsibility. The chapter also discusses alternative postmodern ethics. Finally, it presents a brief discussion of the ethical challenges of globalization.

Chapter 2: The Translator's *Moral Self* in Codified Ethics

Throughout much of the history of Europe at least, translation has been seen as a suspicious activity and the translator as an untrustworthy practitioner. The widespread adage *Traduttore, traditore* (Translator, traitor) is an expression that attests to this mainstream view of translation/translators. "Furthering this attitude is a tenacious prejudice in favour of the original, or 'source', as undisputed master in the text-translation duo" (Polizzoti, 2018b, n.p.), as

discussed in Part II. Thus, it is not surprising that this 'copying' and 'suspicious' activity and its 'deceitful' practitioner/'copier' are subject to processes of regulation and control in modernity, the age of ordering and containment *par excellence* (Bauman 1993).

Like all modern enterprises, the codification of translator ethics claims to contain the aberrant and secure the user – or, to be more accurate, to advance the illusions of order and control. Translator associations elaborate codes of ethics and/or codes of 'professional' conduct with the aim of 'regulating' the inherently 'suspicious' nature of the translator's behaviour/conduct in their practice and towards their environment. These codes are meant to avoid and prevent chaos in practice, establish the *boundaries* of the translation *system*, and create *a code* for the system, to borrow the terminology of Niklas Luhmann (1992). Through these documents and other regulations/bylaws of associations, translation practice is purportedly self-regulated and self-governed by the practitioners themselves. The ultimate aim is to reduce the doubt and suspicion of the potential clients/employers and to advance 'professionalism'.

As discussed in Part II, the translation occupation is, in fact, not self-governed by the translator, and their capital is significantly impoverished in the studied documents. But the translator's capital is not the only aspect that may be affected by a code of ethics. Their *moral self* may also be largely impacted by the very idea of ethics codification. Next, I look back on the corpus in order to see the extent to which Bauman's view is, in fact, plausible and applicable to the translator's charters/codes of ethics. In section 2.1. of this chapter, I discuss 'public protection' as one of the main objectives highlighted by all charters/codes of ethics as well as the *Nairobi Recommendation*, its scope and the tools deployed to achieve it. Without being exhaustive, I lay out the main principles/rules that supposedly aim at 'public protection', and I show how they enable or neutralize the translator's *moral self*. In section 2.2., I reveal how the

documents tackle the issues of representation and cultural awareness and, therefore, how that impacts on Otherness.

2.1. Protection of the Public and its Means

McDonough Dolmaya (2011) rightly affirms that translation codes of ethics are similar to those of other professional associations of service providers. They advance principles (such as confidentiality, competence, impartiality, conflict resolution, respect of the profession and the association – among others) that purportedly aim at the *protection of the public*. These rules and principles are not very interesting to investigate "because they do not apply exclusively (or nearly so) to the translation profession", according to McDonough Dolmaya (2011, 32). She, thus, limits her in-depth investigation to the principles directly related to translation as *text*, namely "accuracy", "working languages", and "illegal/immoral/unethical texts", and excludes principles related to the translator's interpersonal relations with other agents. This is seemingly because she does not see the impact of the relational aspects of the translation practice on ethical decisions in the textual material. However, as shown in Part II, some of these principles have *direct* and *immediate* implications for the translating agent's autonomy, both textually and beyond. And in this section, I will show how these principles (that may seem unrelated to texts) and others that are related to text complement each other in constraining the translator's moral autonomy as well.

In what follows, I discuss the purported aim of 'public protection' (in)directly underlined by the documents under study, its scope and the principles/rules that purportedly help advance it. Ultimately, I reveal how the 'public protection' objective and these rules/principles impact on the translator's *moral self*.

2.1.1. Public Protection

Like codes of ethics of many other occupations and professions, the studied associations' codes/charters are centred on the principle of 'public protection'. The ATIO claims in the very preamble that the principles laid out in its current code aim to "protect members of the public." Section 3, explicitly devoted to this theme, contains four sub-themes as components of this protection, namely integrity, advertising one's qualifications, confidentiality and fees. As far as integrity is concerned, honesty and respect for the clients/employers' rights and interests are emphasized (Article 3.1.1). As for advertisement, the code obligates the translator to behave with integrity in advertising their qualifications and services (Article 3.2.1). The advertised qualifications should correspond to the member's actual language combination and their earned degrees from recognized academic institutions. The third principle, confidentiality, includes – beside the respect for the clients' or employers' privacy (Article 3.3.1) – respect for the author's intellectual property rights (Article 3.3.2). The last element, 'fees for services', stresses fair and reasonable' fees (3.4.1), which also means that translators should "bill clients only for services provided" (3.4.2) – and probably not for the work of editing TM products. Most other articles are also oriented towards the protection of the immediate agents. Further, the ATIO has a sub-section in its website entitled, 'how we protect the public'[133]. In this section, 'public protection' is ensured through "professional, high stakes exam" or dossier examination to ensure high qualification, "a strict code of professional ethics and conduct", and the sanctioning of members "who fail to adhere to the code of ethics or conduct." Thus, neither in their code nor in the section devoted to 'public protection' on ATIO's website is there a hint to the larger public (i.e., one's world).

In its preamble, the SFT advances that the current code « offre à *tous les intéressés, fournisseurs comme clients*, une garantie de sérieux, de compétence, d'honnêteté et de *moralité* dans leurs échanges » [offers to *all stakeholders, service providers as well as clients*, a

[133] https://atio.on.ca/about/

guarantee of reliability, competence, honesty and *morality* in their transactions] (A Propos du Code [About the Code], italics added). The code is thus presented as the means of establishing and guaranteeing a sound and ethical relationship between translators and clients. Hence, not very differently from the ATIO, the SFT limits the scope of its moral coverage to the relationship between the immediate agents involved in translation, as is even clearer in Section 3 entitled 'Respect des donneurs d'ouvrage' [Respect of Clients], where there is not a single allusion to the public interest in its wider sense. The ATPP and the ITAINDIA codes, likewise, omit any mention of the wider society. They also limit their instructions to the preservation of the immediate agents' interests, namely the interests of clients and patrons.

The SATI code, on the other hand, stresses the wider public in one of its articles. It urges translators "[n]ot to accept any work that, in their opinion, is intended for unlawful or dishonest purposes or is contrary to the public interest" (Code of Ethics for Individual Members). However, an investigation of the nine other articles of the SATI code shows that, once again, clients/patrons and authors are the main agents concerned by this protection. Clients/employers are explicitly named as beneficiaries of the required protection in five articles (Articles 2, 3, 5, 8, 9), and authors' protection is stated in one article (Article 8).

The position of the AUSIT is rather unclear. Its code, like the previously cited codes, stresses the immediate agents' interests and rights mostly and makes no explicit reference to the 'public', 'society' or 'the world' as such. However, in a few instances, it passingly alludes to larger ethical issues that concern the wider public. For example, in the explanation of article 1, the code makes a brief mention of 'cultural sensitivity' – although with no further explanation. In another article in the 'Code of Conduct/Obligations towards recipients of services', the AUSIT alludes to personal ethics and, therefore, supposedly sets up conditions for the other agents' protection. "Interpreters and translators complete assignments they have accepted, unless they are unable to do so for ethical reasons (see 3.4 and 4.2 below)" (Article

1.3). Article 4.2 further stipulates that "[w]here impartiality may be difficult to maintain because of personal beliefs or other circumstances, interpreters and translators do not accept assignments, or they offer to withdraw from the assignment." The AUSIT also refers to the question of 'discriminatory language' (among other issues) – an issue which indeed concerns the protection of the general public (T6 Conduct issues specific to translators). That said, the code does not seem to allow the 'impartial' translator to take any interventionist action regarding such language without a return to the client/patron (ibid.). Further, the AUSIT does not allow its members to express their views on any matter during an assignment. "Interpreters and translators do not voice or write an opinion, solicited or unsolicited, on any matter or person *during* an assignment" (Code of Conduct/Obligations towards recipients of services, Article 4.4, italics added). The statement, thus, allows the translator/interpreter to speak out *after* the completion of the assignment, in contrast with the 1995 version, which forbade that under all circumstances (Ozolins 2014, 363). It remains, however, that it may be too late to voice such an opinion after an assignment. In sum, although the AUSIT codes allude to some wider public issues, they still prioritize the immediate agents' interests. They allow for little margin of action for the translator.

The IAFET, on the other hand, urges its members to "[n]ot take part in practices that might favor actions which are detrimental to the public interest, the law or the interests of their profession" (Article 2.4). Most its other articles are centered on the translator and the 'profession'. They allude to the clients' interests only in relation to guaranteeing proper quality (Article 2.2) and respecting the principle of *conditional* confidentiality (Article 2.5), as I will explain shortly.

Like most national/provincial associations, the mother organization, the FIT, does not seem to orient the translator towards ethical issues/relations beyond the immediate circle of the translation transaction. In none of its articles is there a clear reference to the broader public or

society. Despite its emphasis on "the social function of translation" (Preamble) manifest in allowing the exchange of intellectual products among nations and, therefore, enriching their lives and contributing to "a better understanding amongst men [sic]" (ibid.), and its contributing "to the spread of civilization throughout the world" (Article 37), it refrains from underlining any ethical issues that may tag along these idealistic objectives[134]. The FIT underlines the translator's autonomy in regard to their production in some of its articles (e.g., Article 3, 9, 17) but remains inexplicit as to the extent of such autonomy in ethical terms and how it should be approached when the ethical orientations of the direct beneficiaries or agents contradict with the general public's interest.

The UNESCO reiterates the 'social function' of translation underlined by its counselling organization, the FIT. The *Nairobi Recommendation* stresses the role of translation/translators in promoting "understanding between peoples and co-operation among nations by facilitating the dissemination of literary and scientific works, including technical works, across linguistic frontiers and the interchange of ideas" as well as the "international exchanges in culture, art and science" (Preamble). Given the nature of the document, it is not surprising that the protection of this very exchange between nations from aberrations that may harm certain other agents or species beyond the 'professional' circle is not a concern of the *Nairobi Recommendation*[135]. Although the purported aim is the economic and symbolic empowerment of the translator in order to serve *society* in the best possible ways, the UNESCO does not show awareness of the possible harmful side effects of this service if the translator's *moral self* is not empowered in a way that serves society in all respects.

[134] We do not know what they mean by "the spread of civilization throughout the world", but this is a problematic statement as it is in a singular form.

[135] It is worth recalling that the *Nairobi Recommendation* is not concerned with ethics. However, some of its statements may have effects on the translator's *moral self*, and this is the reason for its occasional inclusion in Part III for comparative purposes.

As can be seen in the above analysis, *public protection* is approached in two different ways. For some documents, this implies mainly the protection of the clients and patrons' interests and, in some cases, authors and publishers. This is the case of the SFT, the ATPP, the ITAINDIA and the ATIO codes. Other documents (namely the IAFET, the SATI, the AUSIT, the FIT and the UNESCO's) highlight the interests of the 'public' in both a limited sense, (i.e., immediate agents), and a wider sense. However, in most of these documents, such emphasis on the 'public' is disproportionate, i.e., articles/principles oriented to the first outweigh the ones directed to the latter. Besides, responsibility to the limited circle seems to have priority over responsibility to the 'public interest' in its wider sense, as I further explain in the following subsection. It is noteworthy that neither the well-being of the translator nor their dignity seems to be respected by overemphasizing the immediate public protection. Translators continue to be represented as inherently untrustworthy tricksters. Next, I discuss how 'public protection' is reinforced through some principles/rules advanced in the documents under study. I show how some of these principles purporting to advance the protection of the public may in fact constrain the translator's ethical responsibilities.

2.1.2. Means of Public Protection

2.1.2.1. Faithfulness and Associates

One of the main purported means of 'public protection' that recurs in all the documents under study (except the IAFET's) is 'faithfulness' and its associate rules, such as equivalence, accuracy, impartiality, detachment and objectivity. But 'faithfulness' is, in fact, a crucial component of the 'protection of the public' in its restrained sense. In the folk view, *faithfulness* is meant to protect the clients, patrons and authors from unsolicited interventions of the translator who may distort the original content. Thus, according to some documents, *faithfulness* is not only a 'professional' method and an 'ethical' principle but also a *legally* binding rule, for which non-compliance may result in prosecution (e.g., FIT, ATPP).

Faithfulness in translation is based on a *specific* historical European practice and assumption that consider the word 'sacred' and the 'original' prestigious. The return to this historical concept by the studied organizations seeks the enforcement of 'order' and the containment of possible aberrations and disloyalty – objectives which are not incompatible with modern aspirations. 'Messiness' due to interventions in translation is a threat to the beneficiaries of these translations as well as their recipients and, therefore, to the social order. These translator organizations, thus, exclude other practices dating from other pre-modern eras in Europe's history and (old) practices in other parts of the world (Tymoczko 2007). Unfortunately, even associations from countries with non-European heritage have adopted this universalized definition of *translation* unquestioningly and disregard their own local/particular (historical) practices (ITAINDIA, ATPP, SATI, ATPP).

Tymoczko, Susam-Sarajeva and others (like Baker 2006a, Koskinen 2000a, Davis 2001, Clifford 2004, and Trivedi 2006) have questioned this dominant conceptualization for practical and/or ethical reasons. For some scholars, the definition is itself exclusionist and, therefore, unethical. It oppresses the multiplicity and pluralism of discourses about *translation*. Kathleen Davis writes,

> a claim to define the unique characteristics of translation (or even of language) forms a concept of "translation" – its essence and its boundaries – through the exclusion of that which is other to this essence or is outside those boundaries. An ethics of translation theorized according to such a definition would be irresponsible to that which it excluded in order to define itself. For this reason, deconstruction remains wary of 'ethics', which in many contexts implies the application or establishment of an ideal code. (2001, 92)

For Davis, an exclusionist definition has ethical repercussions as it is irresponsible to other cultures, which may have different definitions and practices. Tymoczko (2010/2003, 2006, 2007, 2009) considers the current dominant conceptualization of *translation* as being "limited and [...] also ideological", and therefore, unethical (2007, 6).

The unethical conceptualization of *translation* has, of course, unethical implications at the practical level. Faithfulness and its associates, mentioned above, imply that the translator's practice does not allow the application of any other methods known in other traditions which allow transformation. The translator's (ethical) agency is, thus, unwelcome. Ultimately, faithfulness and its associates disallow the translator's *moral self* any room for intervention to counter acts/materials they may deem inappropriate/unethical/illegal. By stressing these duties as a priori rules, the codes ignore the fact that many principles, as decontextualized as they are, may have unethical/dangerous consequences or promote/disseminate illegal practices/discourses in many contexts/situations, if applied to the letter. They may harm the wider public (humans and non-humans, in the present and in the future). Tymoczko writes:

> [s]tatements of translators' professional ethics promulgated in these contexts typically focus on *textual fidelity, responsibility to the patron* (client, employer), *legal responsibilities,* and the like. One discerns here a dispersal of ideology, a strategy to turn translators' attention away from larger ideological questions of ethical engagement and geopolitical concerns that might mobilize the translators' independent agency in activist ways. (2007, 219, italics added)

These rules may be seen as distracting tactics for the translator to ignore their ethical responsibilities, as Tymoczko rightly points out. Translation as a faithful transfer of meaning rather shelters the translator from the burdens of responsibility as their decisions are *not* their responsibility. Thus, no room is left for responsibility beyond this immediate circle of powerful agents – who impose this responsibility in the very Eurocentric definition of *translation* that denies creativity and intervention.

> Dominant Western views of translation as transfer – transfer of meaning in particular – undercut the ethical agency of the translator. The idea of transfer of the sacred Word derived from Bible translation keeps the focus on the microlevels of textual fidelity. It is no accident that professional codes of ethics also stress these microlevels, as well as the translator's immediate obligations to the employer, effacing larger spheres of responsibility to communities and the world. (Tymoczko 2009, 413-414)

From TS literature, we have learned that the Eurocentric understanding of *translation* as faithfulness has actually been used as an unethical tool of hegemony, domination and misrepresentation in the past and the present. Tymoczko writes,

> [t]his Western model of translation has been particularly useful for bureaucracies of various sorts, including commercial organizations, governments, colonial regimes and even religious institutions. The model of translation as transfer has also been enormously important since the Renaissance in disseminating scientific and technical knowledge over a large multilingual culture area. Thus it has much to do with the technical, economic, military and political supremacy of Westernized countries, driving expansionism and various other forms of dominance. (2009, 405)

In a similar vein, Baker (2010), in her paper, 'Narratives of Terrorism and Security: 'Accurate' Translations, Suspicious Frames' shows that 'accuracy' is sometimes used as a tool that helps represent the Other in negative ways. She found that the Middle East Media Research Institute (MEMRI)[136] translates various texts emanating from Arab and Muslim countries in accurate ways but uses other reframing strategies (such as selective appropriation, causal emplotment, temporality and relationality) to "generate dehumanising narratives of Arabs and Muslims" (2010, 347).

The studied translator organizations, which adopt 'faithfulness', accuracy and associate rules in their codes of ethics, simply oblige their members to respond to the whims of the powerful patrons/clients and their (un)ethical orientations. These rules may be alibis that justify or ignore unethical acts/materials. Tymoczko argues that

> [s]ocieties are deeply invested in the allegiance and loyalty of their translators and develop methods to prevent translators from becoming traitors. The most effective way to ensure the allegiance of translators is to regulate meaning, to keep translators inscribed within dominant politicized meanings and to efface this inscription at the very inception of translators' careers. That is, the most effective way to ensure translator loyalty is to efface choice, to deny the constructivist nature of meaning, to make discourse look natural, to disperse ideology and to *undercut ethical initiatives* associated with reinterpretations of meaning. Many of these modes of control in Eurocentric contexts are associated with imaging translation as a specific type of transfer. (2009, 413, italics added)

[136] https://www.memri.org/ Accessed on November 15, 2016.

Associations, thus, ignore the multifacetedness of *translation*, which allows the translator to respond to ethical matters contingently. Because of the legal, moral and 'professional' stamps attached to 'faithfulness', translators may be unable to break through and stand up against unethical practices/materials as the dogma/myth of 'faithfulness' denies them any margin of choice. It is not surprising that Kruger and Crots (2014) have found that more experienced translators tend to lean to 'faithful' translation when dealing with ethically charged texts. Over the years in the occupation, and because of the indoctrination with this hegemonic discourse of 'faithfulness' to meaning and 'impartiality' as well as the symbolic violence of employers (and perhaps of some delegate associations themselves), translators have taken on the 'impartial' position, maybe without even thinking about the consequences of their actions on others.

2.1.2.2. Quality Service

Quality is one of the main themes emphasized in all the documents under study. The emphasis of quality service is a message of reassurance to the clients/patrons. In some codes, a full section is allotted to the theme, while in others, it is tackled in various sections.

The ATIO code of ethics is one of the codes that reiterates the question of 'quality service' throughout the document. The word 'quality' appears seven times (out of 916 words). It is introduced in the very preamble section as one of the main objectives of the code. The ATIO also devotes the entire section 2.0. to "Quality of Service" – which is divided into four subsections, namely 'professional' competence, *faithfulness* and *accuracy*, responsibility and non-discrimination. 'Faithfulness' and 'accuracy' are, thus, key components of 'quality'. Therefore, transformations, adaptations, omissions and explanations do not lead to 'quality' and are, thus, categorically 'unprofessional' and immoral regardless of context, if one follows this section verbatim (cf. especially Article 2.2.1).

The SATI code stresses 'quality' in three articles out of ten. Like the ATIO, it associates 'quality' to "*accuracy* of rendering, terminological correctness, language and style" (Code of

Ethics for Individual Members). The SATI code also stresses 'self-improvement' as a way to improve the quality of the translator's work and the fact that the quality of their work does credit to both the association and the occupation (ibid.).

The SFT code approaches the question of 'quality' with the same rigour as the ATIO and the SATI. Under the section entitled 'Respect des donneurs d'ouvrage' [Respect of Clients], it explains the measures that guarantee *quality* work and, therefore, respect for clients. Article 3.a urges members to refrain from doing work for which they cannot guarantee good quality and from subcontracting work to third parties without the client's consent. Article 3.b calls for truthfulness in advertising one's qualifications and competence. In order to achieve quality work, the translator is also required to translate only to their native language or a language in which they are fluent (Article 3.c. I). They are, likewise, required to possess knowledge and competence in the specialized field of the work (c.II), and to do research and acquire information relative to the task (3.c.III). The association members are also called on to improve their 'professional' knowledge/competence through continuous training (3.c.IV). Finally, they are urged to decline any deadlines that are incompatible with the entrusted task (3.c.V). Unlike the previous two codes, which explain what quality entails by clearly associating it with 'faithfulness' and/or 'accuracy', the SFT leaves 'quality' quite undefined – which is not a bad thing. It simply lists the measures that may lead to it. However, it is unfortunate to realize that the SFT indirectly considers 'faithfulness' as a standard of 'quality', as is clear in the defining article of *translation* (Article 1b).

Not very differently, the ATPP stresses the issue of 'quality'. Related to competence, article 4 calls on translators to accept only jobs for which they are properly trained and for which they have the necessary knowledge. The ATPP also urges its members to continually strive to improve their 'professional' skills and upgrade their knowledge (Article 6). In practice, it calls on its members to "perform *high-quality* work from both a language and a stylistic point

of view" (Article 1, italics added) as part of the main "regulations that govern the profession" (ibid.). In order to achieve 'high quality', the association members are required to work exclusively into their mother tongue or into a language they command as their mother tongue, except in cases in which the non-fulfillment of this requirement does not sacrifice quality *and* accuracy (Article 3, italics added). The ATPP code does not only regard 'accuracy' as a criterion of 'quality' but also as a moral and legal obligation (as we know from Article 2).

The ITAINDIA code, similarly to the above associations' codes, highlights the question of 'quality' and 'excellence'. The preamble states that the association members commit themselves "to the *highest standards of performance*, ethical behavior, and business practices" (italics added). In order to achieve these 'highest standards of performance', the translator should "endeavor *to translate or interpret the original message faithfully*, to satisfy the needs of the end user(s)" (Article A, italics added). And "this level of excellence", i.e., translating the original message faithfully in order to satisfy the needs of the end user(s), requires mastery of the target language (Article A.1), "up-to-date knowledge of the subject material and its terminology in both languages" (Article A.2), access to resources/references, knowledge of the tools of the 'profession' (Article A.3), and continuous self-development (Article A.4). Not very differently from the previously analyzed codes, 'excellence' and 'quality' are, thus, clearly equated with 'faithfulness'. The paradox in article A lies in the fact that 'faithful' translation may be at odds with the needs of the end user(s). There are many types of contemporary translation where 'faithfulness' – if achievable at all – needs to be 'sacrificed' just to satisfy these very needs of the end user(s), as discussed in Part I.

The AUSIT mostly directs its instructions to the conduct that leads to 'quality'. The concluding part of the preamble reads,

> the code obliges members to: [...]
> - strive for excellence through continuous regular professional development
> - decline work beyond their competence

- promote working conditions, relationships and an understanding of roles that facilitate collaboration and quality service delivery [...].

These regulations are explained mainly in article 3, devoted to 'competence', especially in regard to language mastery; article 7 about the securing of satisfactory working conditions that can guarantee quality service; and article 8, devoted to 'professional development' that leads to the provision of "quality service." Like all the previous codes, the AUSIT Code of Ethics links 'quality' to 'faithfulness' and 'accuracy'. In order to achieve this ultimate purpose, the translator remains "faithful *at all times* to the meaning of texts and messages" and accurate as far as "optimal and complete message transfer into the target language preserving the content and intent of the source message or text without omission or distortion" (Code of Ethics, Article 5, italics added). Thus, like the ATIO, the AUSIT stresses faithfulness and accuracy as constant standards of quality and considers omissions as being 'unprofessional' and unethical, regardless of circumstances.

The IAFET, quite differently, calls on translators to "[o]nly accept jobs for which they are able to guarantee a *proper* standard of quality to their clients" (Article 2.2, italics added). Unlike all previous associations' codes, the IAFET defines neither *translation* nor *quality*. It does not take 'faithfulness' or any of its associated terms as standards of translation quality or translation ethics. It rather highlights 'thoroughness' and 'responsibility' (Article 2.1.), and "*proper* standard of quality" (Article 2.2.) when carrying out translating or interpreting tasks. The fact that 'quality' is without pre-established boundaries in the IAFET code – as is *translation* – can be seen as a sign of awareness about the contingency of 'quality' on many situational factors, including, of course, the client's needs. However, these encouraging signs regarding 'quality' (and many other issues) are countered by the reductive definition of *translation* in the IAFET's other internal documents, as discussed in Part I.

The *FIT Translator's Charter* addresses the question of 'quality' very briefly. The term 'quality' as such appears only once in the entire document (in Article 29). The article underlines the role of the translator associations in "watching over the quality of all works translated in their countries." For this purpose, "they shall keep in touch with cultural organizations, societies of authors, national sections of the Pen Club, literary critics, learned societies, universities, and technical and scientific research institutes." The question of 'quality' is, thus, co-determined with other social groups and agents. It is, therefore, *not* the area of expertise of the translating agents or their networks exclusively. The theme of 'quality' is also tacitly referred to in articles 6 and 7. Article 6 stresses the mastery of the target language and the possession of a sound knowledge of the source language. Article 7 highlights the possession of a broad general knowledge and sufficient knowledge of the subject matter of the translating task and calls on the translator to refrain from undertaking translations in a field beyond their competence. Although nowhere in the code is 'quality' clearly defined, it is implicitly linked to 'equivalence' and 'faithfulness' – which is not only a 'professional' obligation but also a legal and moral duty for the translator (Articles 4, 5).

The *Nairobi Recommendation,* although not a 'professional' or ethical guide *per se*, highlights the theme of 'quality' in many of its paragraphs. In order to improve translation quality, the UNESCO urges its Member States to establish and develop specialized programs specific to the field of translation (Paragraph 7h), to encourage translators' continuous education through writing programmes, seminars and workshops in translator organizations and educational institutions (Paragraph 11), to create terminology centres (Paragraph 12), and to facilitate exchanges of translators between different countries (Paragraph 13). Also, in order to guarantee quality service at the practical level, the recommendation lays out some principles and measures that should govern the relation between the translator and the beneficiary. These include the allocation of reasonable time and resources to accomplish the work, the avoidance

of retranslations as far as possible, and the translation to one's native language or a language in which one is as proficient (Paragraph 14). Also, paragraph 7 urges the UNESCO Member States to encourage the establishment of organizations of translators with the aim to

> (a) promote the adoption of standards governing the translating profession; such standards should stipulate in particular that the translator has a duty to provide a translation of *high quality from both the linguistic and stylistic points of view and to guarantee that the translation will be a faithful rendering of the original*; […]
>
> (b) set up procedures to assist in the settlement of disputes arising in connexion with the *quality* of translations. (italics added)

The UNESCO emphasizes two main standards in paragraph (7a), namely translation of high *quality* from boththe linguistic and stylistic points of view *and* '*faithful* rendering of the original'. These two standards are interlinked. Translation should be stylistically and linguistically acceptable from the TL and target audience perspective but at the same time faithful to the ST. But we know that these two standards, sought by the UNESCO, are illusionary as they are barely, if ever, achievable *together*.

All studied documents associate 'quality' with 'faithfulness' and/or 'accuracy'. Some documents are explicit in this association as is the case of the *Nairobi Recommendation*, the ATIO Code of Ethics and the ITAINDIA Code of Professional Conduct. Others tacitly link the two rules as is the case of the FIT *Translator's Charter*, the SFT code de déontologie [Deontological Code], and the ATPP and the AUSIT codes of ethics. The IAFET Code of Ethics, on the other hand, omits any definition of *translation* as 'faithfulness' or any link between this rule and quality service. However, like the other organizations, the IAFET reiterates the same mainstream definition of *translation* in its other internal documents[137] and, therefore, indirectly, links 'quality' to 'faithfulness'. *Quality* interlinked with faithfulness – if

[137] cf. Introduction to the IAFET Certification Examination.

ever achievable or even desirable – may have all the ethical problems associated with the latter principle, as discussed earlier.

But besides the possible ethical implications of equating 'quality' with 'faithfulness', such standardization of quality is also fraught for practical reasons. Ironically, 'quality' in this understanding may indeed affect *quality*. In today's globalized world, 'quality' as 'faithfulness' may be undesirable, and can, therefore, be seen as low quality, in many types of translations, which require different strategies of transformations, adaptations, omissions, additions. And these *unfaithful* translations are an important standard of quality for many clients/employers. This is not to mention that some of the latter agents may sometimes want to make do with just "good enough" translations (O'Brien 2012: 112), or "indicative translation", to use Alan Melby's words (1997).

Translation 'quality' is a *relative* and *open* principle, just like the concept of *translation* itself. It is contingent on other external/contextual variables that determine its shape and scope. It has no stable standards nor predetermined boundaries at all times, in all places and for all uses, as the studied organizations seem to imply. Translation strategies/methods that lead to high quality in one situation may lead to low quality in another, and vice versa. 'Explanations' that the ATIO code (Article 2.2.1), for example, seems to regard as symptomatic of poor quality or unethicality may be not only a quality standard but a moral one in some situations (cf. for example, Appiah 2000/1993). Adaptations, including omissions, in a commercial translation, likewise, may be seen as a standard of high quality given the nature of the material, which may require such transformations for technical, ideological or ethical reasons[138].

Quality standards, thus, fluctuate depending on the purpose of the translation, its context and its (immediate and far-reaching) consequences as judged by the translator's 'professional'

[138] Cf. Diaz-Cintas's (2012) discussion of adaptation in audiovisual translation that follow technical and/or ideological constraints.

view and *moral self*. The standardization of 'quality' as 'faithfulness' is, thus, illusionary as it leaves out or, at least, ignores many other types of translation to claim its possibility.

2.1.2.3. Confidentiality Rule

Another tool purporting to advance 'public protection' that is stressed in all documents is *confidentiality.* The documents under study differ, however, as far as its limits and conditions are concerned. While some emphasize unconditional confidentiality, others underline its conditionality. Two codes, namely the SFT and the AUSIT, clearly emphasize that 'confidentiality' excludes illegal matters (Article 1c of the Code de déontologie [Deontological Code] and Article 2.4 of the Code of Conduct/Obligations towards recipients of services, respectively). The SFT adds another interesting exception, which is the disclosure of information for the translator's self-defence (Article 1c). This is not a very surprising exception from a unionist organization, which aims, first and foremost, to defend the translator. The IAFET, on the other hand, stipulates that disclosure of information is unavoidable by "reason of force majeure" without, however, being explicit about what can constitute a "force majeure" (Article 2.5). Similarly to the IAFET, the UNESCO is not explicit as to the conditions of 'confidentiality'. It simply underlines that the rule has to be observed "when appropriate" (Paragraph 5f). It remains, however, un-understandable how 'observing the confidentiality rule' contributes to 'the legal protection of translators and translations and the improvement of the status of translators', the main objective of the *Nairobi Recommendation*.

In contrast to the SFT, the AUSIT, the IAFET and the UNESCO documents, the FIT, the SATI, the ATPP, the ITAINDIA and the ATIO documents stress the 'confidentiality' rule *unconditionally*.

- FIT: The translator shall respect the legitimate interests of the user by treating as a professional secret any information which may come into his/her possession as a result of the translation entrusted to him/her. (*Translator's Charter*, Article 10)

- SATI: […] To share their professional knowledge with other members, but to maintain a relationship of trust with their clients/employers and to treat all information that comes to their attention in the course of their work as confidential.
  Not to accept any work that, in their opinion, is intended for unlawful or dishonest purposes or is contrary to the public interest. (Code of Ethics for Individual Members)

- ATPP: […] Keep the information contained in the documents I translate or the ideas conveyed during an interpretation in the strictest confidence. (Code of Ethics, Article 5)

- ITAINDIA: […] I will safeguard the interests of my clients as my own and divulge no confidential information. (Section for service providers, Article C)

- ATIO: Members will respect the privacy of their clients and/or employers and hold in confidence all information obtained in the course of professional service.
  (Code of Ethics, Article 3.3.1)

These codes remain silent about cases where disclosure is mandated or authorized by law and refrain from encouraging the translator to speak up. Although it is not clear whether the unconditional 'confidentiality' is intentional, it remains very probable that this omission seeks to reassure the shady agents against whistleblowers, or, why does the ATIO, for example, stress the issue in its bylaws (an internal document that barely reaches the other agents) and omits it in the code of ethics (partly addressed to those other agents)? [139] Confidentiality, in the case of these organizations, is another tool that aims at protecting only the immediate public. The unconditional emphasis on this rule seems to annul wider responsibility towards one's world. The most a translator can do is refrain from accepting work that "is intended for unlawful or dishonest purposes or is contrary to the public interest", in the case of the SATI members, at least. Nowhere is there a single call, or even a permission, to report such unlawful activities.

In none of the studied documents is there an exemption from observing *confidentiality* in such cases where information in documents to be translated is unethical or harmful to others, and/or where its unlawfulness is unclear. Even the SFT, the AUSIT, the IAFET and the

[139] The ATIO in Article 12 of the Discipline Committee Procedural Code – which clarifies the grounds on which disciplinary measures may be taken – excludes the disclosure of confidential information required or permitted by law.

UNESCO documents, which conditionalize *confidentiality*, do not encourage a more proactive stance of translators beyond what is legally required (SFT, AUSIT), useful for self-defence (SFT), or required by some vague "force majeure" (IAFET). In sum, 'confidentiality' as advanced in all studied documents may silence translators from speaking about *unethical* practices/discourses of their client/patron. And if the rule is followed verbatim as it appears in some of these documents, it may silence translators even from reporting *illegal* practices/discourses.

2.1.2.4. Virtue Ethics

All associations highlight some virtue ethics tacitly or explicitly in their codes[140]. 'Trust', 'probity', 'integrity', 'commitment', 'truthfulness/honesty', 'fairness', 'good faith', 'loyalty', 'selflessness', 'solidarity', 'diligence', 'excellence' and 'respect' are some of these ethics, to name a few.

The SFT emphasizes the ethics of 'probity' and 'integrity' in regard to clients. These principles are the main ground of trust for clients, according to the French association. Also, these virtue ethics allegedly preserve the translator's dignity and the dignity of their 'profession'. Article (1a) reads, « [l]e traducteur doit exercer sa mission avec probité et intégrité, fondement de la confiance du donneur d'ordre. Le traducteur s'engage à ne pas accepter de mission qui l'obligerait à porter atteinte à sa dignité ou à celle de la profession » [the translator shall undertake their work with probity and integrity – which are the basis of the client's trust. The translator shall not accept any work that would require them to undermine their dignity or that of the profession]. This article entitled 'Probité et intégrité' [Probity and Integrity] appears, along with two other articles devoted to 'faithfulness' and 'confidentiality', in the first section entitled 'Principes généraux' [General Principles], as the four main principles

[140] Given the nature of the document, the *Nairobi Recommendation* makes no reference to virtues. Likewise, the FIT *Translator's Charter* barely touches on the issue of virtues.

that guide the translator's work. Section 3, devoted entirely to 'Respect des donneurs d'ouvrage' [Respect of Clients], again tacitly alludes to the virtues of integrity, probity and respect, which, like many other recommended principles promulgated by the SFT, seek to gain the trust of clients. At best, they seek to preserve the translator's dignity and the dignity of their occupation.

The ATIO code of ethics underlines 'integrity' as one of the principles that seeks to guarantee the 'Protection of the Public' (Section 3). "Members shall practise their profession with honesty and integrity, respecting *the rights and interests of their clients and/or employers*" (Article 3.1.1, italics added). 'Integrity' is especially required in advertising one's qualifications and services (Article 3.2.1). It is also recommended when dealing with colleagues (Article 4.2.4). In one word, integrity is directed towards the patrons and clients, and, at best, to colleagues.

'Integrity' and 'selflessness' are present in many articles of the ATPP code of ethics, as well (e.g., Articles 3, 4, 5, 7, 8). Members pledge to accept only work for which they have the right qualifications and knowledge, to not disclose or use any information for their own benefit and to provide moral and 'professional' support to colleagues. As in the ATIO code, the underlined virtues are either directed towards clients/patrons or towards colleagues.

The ITAINDIA highlights 'excellence' (Article A), 'truthfulness' in regard to one's qualifications (Article B) and 'trustworthiness' (Articles C-F). The ITAINDIA virtues are the most client-oriented of all the codes under study. They are not 'ethical principles' *per se* as they are directed merely to 'good business practices', as Chesterman observes, (2001, 151)[141]. Not even the translator's colleagues/peers are considered in this code.

[141] Chesterman's (2001) comments were in fact on the ATA Code (old version) which was, strikingly, copied to the letter by the ITAINDIA.

The SATI, in its mission statement underlines, among other things, that "the institute endeavours to: [...] Promote *excellence* in translation and related fields, as well as *clarity* of thought and expression" (italics added) – importing, thus, Chesterman's ethical ideals (2001). The code also highlights ethics of 'trust' and 'integrity' in relation to the client/employer in at least 6 out of 10 articles. On the other hand, the SATI calls on the translator to refrain from accepting "any work that, in their opinion, is intended for unlawful or dishonest purposes or is contrary to the public interest." It thus shows that the public interest in its wider sense is not completely ignored even though the virtues of trust and integrity that it pursues are exclusively directed to the client/patron. This attention to the public is, however, disproportionate to the attention paid to the immediate agents and, in the best case, limited to calling on the translator to decline suspicious work (in order to seem trustworthy to these agents) rather than inciting them to be more pro-active.

Similarly to the SATI, the AUSIT calls on the translator to "strive for *excellence* through continuous regular professional development" (Preamble, italics added). It also stresses ethics of 'honesty', 'fairness', 'diligence', 'commitment', 'respect', 'integrity' and 'empathy':

> Interpreters and translators take responsibility for their work and conduct; they are *committed* to providing quality service in a *respectful* and culturally sensitive manner, dealing *honestly* and *fairly* with other parties and colleagues, and dealing *honestly* in all *business practices*. They disclose any conflict of interest or any matter that may compromise their impartiality. They observe common professional ethics of *diligence* and *responsiveness* to the needs of other participants in their work.
>
> (AUSIT Code of Ethics, Article 1, Explanation, italics added)

Following the AUSIT's instructions, the translator should be committed to do quality work and be diligent, responsive, honest and fair with colleagues and other agents involved in their work. They, for example, have to "represent their credentials honestly" (Code of Ethics, Article 3). They also have to show disinterestedness and selflessness towards their 'profession' and their colleagues. "Practitioners have a loyalty to the profession that extends beyond their individual

interest. They support and further the interests of the profession and their colleagues and offer each other assistance" (AUSIT Code of Ethics, Article 9, Explanation). It is clear, thus, that the stated ethics are exclusively aimed at the agents in the occupational circle. That being said, the AUSIT emphasizes that members should "maintain their *integrity* and independence *at all times*" (Code of Conduct/Obligations towards recipients of services, Article 1.1, italics added). It, also, allows its members to withdraw from some assignments for "ethical reasons" (Article 1.3), such as when it is difficult to maintain 'impartiality' because of "personal beliefs or other circumstances" (Article 4.2). But the call for 'integrity' at all times remains too vague as it does not explicitly orient this virtue towards wider issues beyond the translation transaction. This is why this isolated article may be better explained by the other clearer articles that limit the scope of virtue ethics towards the immediate agents. The limitedness of the translator's agency and responsibility becomes especially clear when we know that the only recommendation made in the case of a conflict between one's ethics and the material content means withdrawal from the assignment.

Not so differently from the AUSIT, the IAFET stresses the principles of 'good faith' and 'respect'. 'Good faith' is the guiding principle of all the other obligations in the code of ethics. "It shall be the basic duty of every member to: […] Exercise the translating and interpreting professions on the basis of good faith, which encompasses, principally, the duties included in the following articles" (Article 1.3). As section 4 explains, 'respect' and 'good faith' are mostly directed towards colleagues (Section 4).

Virtue ethics as presented in this account focus on the other. They are barely centred on the self in the Aristotelean sense, except in very few instances, such as the AUSIT's and the SATI's brief calls for 'striving for excellence'. Most highlighted ethics in the codes of ethics are directly oriented towards the other, i.e., with little emphasis on enhancing oneself as a virtuous self, who seeks to attain *eudaimonia* in order to be enabled to be "more godlike to

attain it for a nation or for city-states" (Aristotle 1973, 42). This is not surprising as the value of virtue ethics towards the community or the Other are given more prominence in modern virtue ethics (e.g., MacIntyre 2007/1981, Slote 2010). Taking virtue ethics from this modern perspective, one easily discerns that all virtues underlined by the different codes are oriented mainly to the immediate circle of translation, i.e., either to colleagues and the occupation itself or to clients/patrons. Most codes orient virtues much more directly toward the clients/patrons than to the translator themself (with the exception of the IAFET, which is more translator-centered). And the wider public/community is barely within the moral coverage of any of these ethical principles.

This regulation of virtue ethics that restricts them to a certain limited point make them lose their essence as virtues that normally have an unlimited, *gratuitous* and *uncalculated* moral coverage (cf. Lévinas 1991, Bauman 1993). Following MacIntyre, a virtue is a quality that enhances social practices by enabling us to "*achieve those goods which are internal to practices"* and *not* goods which are external to them, such as money or prestige (2007/1981, 191, italics in original). But by highlighting these 'virtues' in the way they do, translator associations seem to seek goods that are external to the practice of translation (such as attracting more jobs/pay by winning the client/patron's trust), rather than internal goods i.e., excellence in the practice regardless of external variables or profits. This is not very surprising. MacIntyre has warned us that virtues are vulnerable to "the corrupting power of institutions" and acquisitiveness as modern institutions are "characteristically and necessarily concerned with [...] external goods" (ibid., 194). 'Virtues' in the studied codes are, thus, tainted by the ideological and economic calculations of the institution that is promoting them, i.e., the translators' association. They are used as tools that guarantee the translator's loyalty and dissipate the client's suspicion. Restrained ethics as such seek the success of the business transaction regardless of its consequences. Accordingly, the *moral self* becomes selective and

calculating, if not sellable. But translators are not merely responsible to clients, patrons and authors; they are also responsible to the world. They need to act responsibly as *citizens* of their world (cf. Baker and Maier 2011b). When the two responsibilities conflict, the global aspect should probably win over. And as we learn from MacIntyre (2007/1981), an apparent virtue may turn into a vice in some contexts, and vice versa. For example, the virtue of integrity towards a client may conflict with responsibility towards one's community, just as the vice of untrustworthiness (as in the case of whistleblowing) may turn into a virtue towards one's community. That is why virtues, even when gratuitous, need to be *contextualized*.

> Consider as an example such qualities as ruthlessness and relentlessness and distinguish them from the phronetic quality of knowing when to be ruthless or relentless. Clearly there are practices – the exploration of wilderness is one example – in which the ability to be ruthless and relentless in driving oneself and others may be a condition not just for achievement, but also for survival. Such an ability may require as a condition of its exercise the cultivation of a certain insensitivity to the feelings of others; caring about their feelings may get in the way of caring about their survival. Transpose that complex of qualities into participation in the practice of creating and sustaining the life of a family and you have a recipe for disaster. What seemed to be a virtue in the one context seems to have become a vice in the other. (MacIntyre 2007/1981, 275)

All studied codes highlight the idea of 'public 'protection' and adopt internal rules/principles (like faithfulness, confidentiality, quality service and virtues) that purportedly help achieve this main objective. Like other occupations and professions, they highlight disinterestedness and functional relevance of their 'profession' to society. However, allusions to responsibility to the public in its wider sense are rare and brief and present only in a minority of associations' codes (SATI, IAFET, AUSIT). Further, they come well after the responsibility owed to the immediate agents. Also, the documents emphasize decontextualized principles/rules and ignore the fact that some of them may be contradictory in many situations and that the translator may be obliged to transgress one of them in order to follow the other. We know from Paul Ricoeur (1990), for example, that deontological rules sometimes conflict and that the moral agent needs to resort to virtue ethics – which have primacy over the former – in

order to solve such dilemmas. But in the studied codes, even virtue ethics are tainted by business and ideological considerations – not to mention the possibility of their conflict, and, therefore, the obligation "to choose between their rival claims", to use MacIntyre's words (2007/1981, 202). The emphasis on the useful notion of 'public' – which for most associations/organizations refers exclusively to 'clients and patrons' – probably aims at giving this rule an acceptable moral dimension. This is because the protection of the client/patron's interests may be perceived as a billable morality, at best. But in fact, this conception of the 'public' limits 'morality' to the part of the public that pays. It is a service – and a 'morality' – that has a price. Clients not only pay the translator in order to secure their 'professional/business' loyalty but also to alienate them morally, i.e., to make them adopt the patrons/clients' moral and 'professional' orientations/agendas, or at least turn a blind eye to possibly suspect practices/materials. This is achieved through the 'professional' rules of detachment, impartiality, confidentiality and neutrality. In the name of 'professionalism', translators "are not responsible for what clients say or write", as the AUSIT bluntly puts it (in article 4.3). Unfortunately, the term 'professional' in many codes of ethics is used as a tool that legitimizes the exclusion of the translator's responsibility for any consequences their decisions might have for the world. Now that we know the ideological underpinnings of the notion of 'profession', we know this claim is fraught, and that the assumed separation between 'professional' ethics and personal ethics is untenable.

Of course, one cannot posit that the advanced principles/rules are *all* and *always completely* irrelevant morally. In the case of the documents under study, they are fraught because they are presented as *a priori* duties that serve in all situations and at all times, without taking into account the specificity of the encounter, its circumstances, the use of the translation, its possible consequences, its users, the client, its direction and the (cultural, political, social) positions of the source and target cultures[142]. The presentation of these principles as universal

[142] The AUSIT shows relative awareness of the incompleteness of the code and highlights its guiding nature. But paradoxically, this awareness/flexibility is barely reflected in the discourse of the instructive articles. Most

maxims is "an illusion and an illusion with painful consequences", as MacIntyre (2007/1981, 221) puts it, as little choice, if any, is given to the individual's moral assessment of the particular situation at hand. In Koskinen's words, codes of ethics as such "could thus be seen to consist, in short, of the requirement to refrain from choosing" (Koskinen (2000a, 13). Ironically, these codes' rules/principles allow the dissemination of any discourses or practices regardless of their immoral or even illegal content – as long as the translation is 'faithful' to the 'original' text. These principles/rules are ideologies that neutralize the translator's *moral self* regarding their wider ethical responsibilities. Next, I turn to the place attributed to cultural awareness and representation of Otherness in the studied codes of ethics.

2.2. Representation and Otherness in Codified Ethics

Some may argue that codes of ethics are mainly designed for translators of pragmatic texts, in which the impact of translation on the larger public is insignificant and the representation of Otherness is rare, limited or unimportant. They may claim that there is not much to represent as the texts are usually dry and their terminology is mainly technical and specialized. But as we all know, the range of pragmatic translation is wide and heterogeneous. It includes all types of texts that are non-fictional (from media texts to commercials to simple leaflets), which, as I have argued in Part I, also involve representation, identity and many other power issues. This is not to insist that all types of texts may involve such issues, of course with differences in load (cf. Gagnon and Kalantari 2017 for examples of such technical/pragmatic texts).

Not surprisingly, in all the documents under study, there is one brief reference to 'cultural sensitivity'. This appears in the AUSIT Code of Ethics.

> Interpreters and translators take responsibility for their work and conduct; they are committed to providing quality service *in a respectful and culturally sensitive*

importantly, it does not completely exclude punitive action (which is, of course, based on the non-compliance with the established rules/principles), as I will explain in detail under Breach of Codes of Ethics and the Adjudication Procedures section.

> *manner*, dealing honestly and fairly with other parties and colleagues, and dealing honestly in all business practices. They disclose any conflict of interest or any matter that may compromise their impartiality. They observe common professional ethics of diligence and responsiveness to the needs of other participants in their work. (Article 1, italics added)

This references to 'cultural sensitivity' and 'respect' when providing quality service is anything but clear. We do not know what is exactly intended by 'cultural sensitivity', nor how it should be approached. All we can discern is that it is linked with other ethical principles (such as honesty, fairness, impartiality and diligence) which are clearly directed to the immediate agents. The AUSIT tackles as briefly the issue of 'representation', but in a much clearer way, when it addresses the question of 'discriminatory language'.

> If the source text contains particular elements that need to be taken into account in carrying out the translation, translators use their best endeavours and apply professional judgement to bring this to the attention of the client (except where the translated document is expected or required to be an exact reproduction of all source text content, meaning, style and language and needs to be thus certified). Such elements may include ambiguities, factual inaccuracies, linguistic errors, imprecise terminology, *language that in the judgement of the translator is discriminatory*, or wording or references that would jeopardise achieving the purpose of the text in the target language culture.
> (Conduct issues specific to translators, Article 6, italics added)

Discriminatory language in the translator's personal judgement (along with the other dilemmatic problems highlighted in the article) should be brought to the attention of the client, who ultimately decides on how to address it. The translator has no word over this type of language. They cannot decide to counter it or even euphemize it unless the client demands that. Translators, thus, have simply to follow the ethical orientations of their payees. If the latter judge, for example, that the discriminatory expressions are unproblematic, the translator has no say except to "offer to withdraw from the assignment" (Article 2.4) and *let someone else do it.*

Other than the AUSIT's vague and quite disappointing statements, no other code makes the simplest allusion to otherness or cultural awareness. Nevertheless, the ATIO code raises the issue of 'discrimination' and 'cultural sensitivity' from quite a different perspective.

- Members shall approach professional services with *respect and cultural sensitivity towards their clients*. (Article 2.4.1, italics added)

- Members shall not discriminate in *the services* which they provide on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability. (Article 2.4.2, italics added)

The two articles illustrate that respect and cultural sensitivities are reserved for those who pay for it. Cultural sensitivity towards remote others (represented in the translated material), and who do not belong to the business network, are not a concern of a purely business-oriented code like the ATIO's. This position is quite untenable in a multicultural society and an officially bilingual country such as Canada, known for cultural sensitivities between its different cultural groups (mainly the two rival ones; the French and the English). Of course, the two articles make very good sense in the case of individual vulnerable clients (like immigrants, refugees, minorities and disabled). But translation transactions today are mostly with large powerful clients, who can not only defend themselves but also impose their terms on translators. Besides, the issue of cultural (discriminatory) representation in the translation field is mostly textual rather than relational.

I am well aware that some associations from non-English speaking countries (like the ATPP and the IAFET) may have omitted any mention of otherness or cultural representation because of their members' profiles, working mainly from English. But it is surprising that these issues are ignored by the FIT, whose charter lay "the basis of a translator's code of ethics" (Preamble), or the SFT, the AUSIT and the SFT, whose countries all have a growing immigrant population and a strong geopolitical presence and contact with peripheral countries and cultures. In the languages of countries where these associations are based, *pragmatic* translation projects that represent the Other negatively are not insignificant (cf. for example Baker 2006a, 2010; Rafael 2010; Boukhaffa 2017). Some of these translations demonize the Other using the

very principles of accuracy and faithfulness, preached by all studied documents, and, therefore, help shape a negative public opinion about others.

Ignoring the question of 'cultural representation' and 'cultural sensitivity' by some of the other associations is also unjustified, especially in the case of the SATI and the ITAINDIA. We all know that that South Africa is a very multilingual and a multiethnic country (with 11 official languages), a fact which requires a big number of translations and, therefore, multiplies the ethical challenges translators encounter. More importantly, this country has a painful history of racial discrimination in which English (the current powerful language and the language of the past rulers and colonizers) has been a tool of apartheid and cultural oppression for a long time. The SATI, ignoring the specificity of the country, stresses principles such as "accuracy of rendering" and "clarity of thought and expression", unconditionally. I wonder how ethical it is to follow such principles unconditionally when translating discriminatory expressions from a historical text, for example. Unfortunately, Kruger and Crots (2014) have found that experienced translators in South Africa adhere more to 'faithful' translation following the 'professional' code of ethics. "It therefore seems as if greater experience corresponds to a greater likelihood of the narrower professional, codified view of ethics being used as a frame of reference for translation decisions" (2014, 178). Regrettably, the authors have also found that that "translation strategies premised on faithful translation are by far the preferred choice of the translators [in South Africa] […] when faced with ethically challenging material" (ibid., 177). Similar concerns can be raised regarding India where the ITAINDIA operates. This very populated country is also very multilingual and multiethnic, and thus, a fertile land for translations and their inherent (ethical) challenges. And, similarly to South Africa, India has a long and painful history under British colonialism and, therefore, under the hegemony of English over local languages up to the present day.

In sum, the studied codes of ethics abstain from extending moral responsibility towards remote otherness. The principles and rules highlighted in their documents are entrenched in rational calculations and purposefulness – in contrast with Bauman's morality, which is "a mystery contrary to reason" (1993, 13). Following Bauman's distinction between being *with* the Other and being *for* the other, 'professional' relations based on respect of the other agents involved in translation – namely employers, clients, authors, publishers – are within the being *with* the other sphere. It is a pragmatic calculated respect based on 'mutual' interests. However, being *for* the other, as conceptualized by Lévinas (1991, 1995) – who Bauman (1993, 2008) draws on – is inherently *before* mutuality, reciprocity or benefits. It is even *before* society and the socialization of the self. If we follow Lévinas's (1991) *encounter with the Face of the Other* concept in translating the Other, the translator should 'disrobe' themselves of any other social dressing, norms and conventions or any economic or ideological considerations/calculations that can taint or affect the pure translation act. Socially imposed identities, positions, roles, inclinations and economic considerations are outsider variables, or 'Thirds' – in Bauman's (2008) terminology – which taint moral translation. They are parasites that orient the translation into taking a certain desired shape that may not be moral. The employer, client, consumer's orientations, norms and ethical codes of translation and pre-established discourses and concepts of *translation* are all Thirds that do exactly that in the translation act. They disorient the *moral self* of the translator. Translation as a moral task becomes conditioned by, and contingent on, these external factors, including other agents' (immoral) desires. Because the translator seeks economic profits, for example, their moral judgement may be well guided by loyalty to the paying agent's (un)ethical orientations rather than their *moral self*. The remote, absent, invisible or 'unimportant' Other that is present only through the translated texts barely finds a place in these documents – some of which reserve 'cultural sensitivity' to clients exclusively, as does the ATIO code. The individual translator, in these codes, can be seen as a *cognitive calculative*

self that focuses on the relational aspects of the translation business but not a *moral self* that is disrobed of these considerations. I argue that responsibility to Others is nowadays more indispensable than ever before. With the increasing number of movements of people in different parts of the world (especially those fleeing atrocities or dire economic conditions), the Other is now within sight in the host territories. You see Others from different races, origins and ethnicities in big numbers, on a daily basis. They are now one's neighbours and co-workers. Even where they are not physically close, they are virtually neighbours in today's global village. Metropolises as well as online platforms are now mixed. Asylum seeking, mass refuge and immigration as well as technological advancement in the age of globalization have put everyone neighbor to everyone. The other is next door disturbing and shaking one's easiness with one's frames of reference and canons. That is a relevant reason why one would expect an attention to Otherness in any association code of ethics, especially in the host countries.

Bauman presents an obstacle to loving one's neighbour. *Ressentiment*, which is nourished by the feeling of insecurity and fear of the other, who is always a suspect, and who is also a threat to one's "symbolic cohesion", to borrow Jean Baudrillard's term (2005). The situation in the host countries, nowadays, is even 'worse' than ever before. The danger is so imminent and so close. Images of destruction and human casualties we used to see on TV are no longer surreal or too remote from us to feel their impact. The perpetrators have come from far distances and 'illegally' penetrated our territories through our 'unprotected' borders. They do not have IDs; 'we do not know who they are', as the American President Donald Trump repeatedly said. We do not even know which countries they are from. They are "stateless" people as Bauman calls them (2008). And their state of being 'faceless' is enough to make them suspicious. These once distant people are now among us. We share public transportation and public squares with them. We have seen their likes on TV. The terrorist-like is our neighbour. We assume some of them may become dangerous at any moment. Even the fact that we are not sure is frustrating. In one

word, they are fearful and we feel insecure around them. From a psychoanalytic perspective, Paul Hoggett (1992) brilliantly summarizes the centrality of fear in the misrepresentation of the Other today.

> So what is it we fear? What is this catastrophe that stalks us like a crazy dog? We cannot say because we cannot name it. But it is there, right in our guts, and as soon as we find the means to do so we seek to represent it, despite the fact that it cannot be represented. We construct an endless series of misrepresentations all of which share one essential quality, the quality of otherness of being not-me. (1992, 346, italics added)

These others are a source of frustration and insecurity because they do not fit into one's rational sphere, following Bauman (1993). They are unassimilable to the modern *cognitive space*. They disturb the domestic societal order with their utmost difference and unassimilability. This is why "the ambient fears and securitarian obsessions have made the most spectacular career in recent years" (Bauman 2007, 55). Bauman argues that this situation reminds us of "just how insecure our security is, how feeble and vulnerable our comfort, how poorly safeguarded our peace and quiet" (2008, 38). The "stateless", Bauman adds, "represent every premonition and fear that haunts our sleepless nights" (ibid., 39). Translation, thus, can be, and has been a way, to pre-empt against the 'plotters.'

Translators are the agents that can decipher the presumable terrorists' whispering of the plotting in the dark nights, and warn their people before the catastrophe happens. That is why they have to listen/watch carefully and transfer the message faithfully and accurately. But the translator may be frightened or frustrated, exactly like everyone in the community – including probably some of the institutions employing them[143], and may be guided by distress in their decisions. The translator, like a journalist, having a pre-emptive responsibility towards their people and their employers may, thus, accentuate this fear and suspicion. Translation in its

[143] Of course, many institutions use 'fear' as a strategic/manipulative tool against their people and are in no way actually fearful.

pragmatic type may also turn into a demonizing tool of the Other and a way of amplifying their dangers. The MEMRI, for example, an organization devoted to "exploring the Middle East and South Asia through their media"[144] in order "to inform the debate over U.S. policy in the Middle East" (ibid.), selectively translates from 'security' languages only certain text types and extracts of texts that feed the narrative of 'terror'. These texts, or usually extracts of texts[145], are a way of warning *Us* of the 'destructive' ideologies of the Others (cf Baker 2006a, 2010; Boukhaffa 2017). Rafael writes:

> translation […] is in this sense a kind of *instrument of surveillance* with which to track and magnify the alienness of alien speech, *decoding dangers, containing threats, and planning for interventions*. Rather than dwell in the hospitality of the other, translation in this latter sense is unfaithful to the original, seeking to put the other in its putative place, apart from the self. (Rafael 2010, 386, italics added)

Thus, translation is barely an ideal encounter that concerns only the immediate agents directly involved in the transaction as the studied documents imply but it may be used as an instrument that seeks to protect the Self from the Other. In this regard, the American President George W. Bush emphasized the "dire need for translators to shore up national security" (Rafael 2010, 385). In 2006, he launched the National Security Language Initiative that aimed at the expansion of teaching critical languages such as Arabic, Farsi and Chinese (ibid.). Not only that, translation and interpreting can be "part of the *institution of war* and hence play a major role in the management of conflict – by all parties, from war mongers to peace activists" (Baker 2006a, 1-2, italics in original). Baker illustrates her argument by demonstrating how translation, for example, was an important instrument, beside the military apparatus, in facilitating the invasion of Iraq. Ironically, translators/interpreters, who do not adhere to the principles of

[144] https://www.memri.org/about

[145] Studying MEMRI audio-visual translations of Moroccan political narratives, I have found that the organization translates only extracts of texts that feed the narrative of terror (Boukhaffa 2017). Although translations of the extracts are generally 'accurate' – as Baker (2010) has also shown – narrative (re)framing is identified at the paratextual level (e.g., addition of guiding introductions) and the decontextualization/recontextualization of the videos (Boukhaffa 2017, 70).

accuracy and faithfulness in contexts of war may themselves become suspicious and traitors. They may be conspirators, especially if they belong to the invaded country/culture. Some of the NATO forces in Afghanistan, for example, looked at interpreters with a suspicious eye when they realized that they did not stick to 'faithfulness' in translating their messages. Jacques Follorou (2012) reports for the French daily, *Le Monde*, that

> [l]es militaires s'apercevaient, en effet, qu'à certains moments, les interprètes prenaient des libertés avec la traduction de leurs propos. Pour ces derniers, il ne s'agissait en rien d'une trahison mais davantage du respect de codes culturels. Il y a des choses que l'on ne demande pas à un homme âgé en Afghanistan. Il y a des questions que l'on ne pose pas à un homme devant d'autres personnes [146].
>
> [The military realized that, at times, interpreters took liberties with the translation of their statements. For the latter, this was in no way a betrayal but more of respect for cultural codes. There are things you don't ask an elderly man in Afghanistan. There are questions you don't ask a man in front of other people.]

Differences in the perception of the nature of interpreters' work caused the suspicion of the military forces. The interpreters' claim that shifts in interpreting were meant to respect certain cultural codes did not convince these fearful employers, who do not consider cultural sensitivity as part of the interpreter's job.

Overlooking otherness in codified ethics of associations from developed countries would have been relatively understandable four decades ago as the Other was still relatively distant and far. They were close only through literary translation. As such, they were not disturbing *Us* physically as they are now. They had not turned into "a crazy dog" yet – to borrow Hoggett's expression (1992, 346). They were rather still exotic and, therefore, a source of entertainment (cf. for example, Carbonell 2004, Faiq 2004, Boukhaffa 2021). In Bauman's terminology, they were within the *esthetic space*. The self would sometimes rejoice over their exoticism and strangeness while still maintaining a cognitive wall to keep separate from them. This *esthetic self* would go back to their rational modernity once the spectacle ended (Bauman 1993).

[146] https://www.lemonde.fr/a-la-une/article/2012/12/26/traducteur-pour-l-otan-un-metier-a-risques-en-afghanistan_1810352_3208.html / Accessed on February 12, 2018.

Designers of codes of ethics in developed countries have failed to adapt to the Other – once remote and undisturbing for the domestic local order and the immediate circle of translation – now too close and therefore disturbing the modern order or even presumably 'endangering' it. Some of these others are now new kinds of vulnerable agents (e.g., immigrants, asylum seekers) who seem to disturb the classical modern interrelational order of the translation/interpreting transaction. They impose unprecedented translation/interpreting meanings and strategies beyond the myths of 'faithfulness', 'completeness' and 'accuracy'. They also unveil the fragility of the discourse of modernity and its claimed universalism, homogeneity and order. No *equivalence* of their situation or of their stories, meanings, paths, tragedies and cultures exists within the domestic ways and categories of perception. They are not modern or 'civilized'. They are "*most* alien to European culture, the one most securely expelled from the name 'Man'", if I can borrow Spivak's (2005, 115, italics in original) expression — hence the impossibility of their equivalent translation.

The new vulnerable 'client', who is usually not the payer for the translation/interpreting services, is sometimes caught up in borders and zones of conflict, begging for survival. The rules of impartiality, faithfulness and objectivity in translation that codes of ethics preach may be the cause of their disastrous fate (cf. Inghilleri 2008, 2009, 2010, 2012 with respect to interpreting). These rules may result in putting them back in the hands of violent groups and, thus, in endangering their lives. The rules of codes of ethics and other legislative regulations of modernity are too rigid to allow any place for hospitality. They undermine any care for the vulnerable Other as they are too centred on the 'professional' and business interests of the immediate agents. Following these rules and legislations, hospitality may be considered 'unprofessional' or even illegal. Derrida (1997) vehemently decries such laws that criminalize hospitality. Regarding one such law in France, he writes:

> [i]l s'agissait d'une loi permettant de poursuivre, voire d'emprisonner, ceux qui hébergent et aident des étrangers en situation jugée illégale. Ce « délit

> d'hospitalité » (je me demande encore qui a pu oser associer ces mots) est passible d'emprisonnement. Que devient un pays, on se le demande, que devient une culture, que devient une langue quand on peut y parler de « délit d'hospitalité », quand l'hospitalité peut devenir, aux yeux de la loi et de ses représentants, un crime?
>
> [it was a law allowing the prosecution, and even imprisonment, of those who shelter and help foreigners in a situation deemed illegal. This "offense of hospitality" (I still wonder who dared to associate these words) is punishable by imprisonment. What becomes of a country, one wonders, what becomes of a culture, what becomes of a language when one can speak of "offense of hospitality", when hospitality can become a crime, in the eyes of the law and its representatives?] (1997, n.p.)

Hospitality – a crime in the eyes of law and potentially a misconduct from the perspective of the codes of ethics – is, however, at the heart of morality as it may save lives. In translation/interpreting, breaching the principles of 'objectivity', 'faithfulness' and 'impartiality' in order to highlight or save the vulnerable endangered Other transcends all codes or legislations. Inghilleri suggests that the decision to reject those prescribed codes and to be guided only by the ethical encounter is at the heart of ethics for interpreters, especially "in situations of considerable geo-political magnitude" (2008, 222; cf. also Davis 2001).

Moral translation in regard to otherness is a personal judgement that should also be oriented to those who are absent in the transaction and/or not paying for the 'ethical' service or too vulnerable to defend themselves. The translator's *moral self* may, in many instances, need to jump in and transgress codes of ethics to be moral. The translator may need to be 'unprofessional' or 'unethical' to be *moral*. To be able to be so, the translator's morality needs to be free and untainted by undue suspicion and constructed narratives that monger fear. It needs to pre-date all these narratives.

Following Bauman's thought, the establishment of rules and norms that follow the overarching precept of being *for* the other, are, in essence, "but a never-complete list of footnotes to that precept" (Bauman 2008, 33). The examined codes show little trace, if any, of those 'footnotes' of the principle of 'loving the neighbor or the other'. In contrast, they contain

partial rules that highlight care for the powerful neighbor for their pay, because of fear or as a result of symbolic violence, and ignore the (vulnerable) Others, who have nothing to offer in return. According to these codes, translation is successful as far as the representation is coherent and embraceable by those who pay (clients/employers), and those who read the work. Worse, any translator's inclination towards others, which may conflict with the principles established in the codes of ethics, may be subject to disciplinary measures – exactly like the French law that criminalizes hospitality – as I discuss shortly.

Chapter 3: Discussion

As can be discerned from the foregoing analysis, the documents of the various studied organizations (regardless of their origin, nature or proclaimed function) yield similar results as far as the scope of the translator's morality is concerned, though there are some small differences in their approaches. Importantly, codes of ethics of associations from developing countries (namely from Peru, India and South Africa) – but not the IAFET's code – adopt the same ethnocentric concept of *translation* as a 'faithful transfer of meaning.' These documents, thus, abandon their own (historical) local *translation* concepts, their country/history/culture's specificities and the specificities of their local relational interactions. They adopt Eurocentric ways wholesale. They copy the same Western modernist codification and structuring without successfully *translating* them into their local realities (cf. Rottenburg 1996, Sahlin-Andersson 1996 for Organizational Translation). Worse, some of them blatantly copy the associations from developed countries to the letter, as is the case of the ITAINDIA. Ethics in these codes are understood and codified in limited and vague principles that cater mostly to the dominant agents despite the claim of 'public protection'. The specificities of the different countries (cultural periphery/centrality, linguistic/cultural plurality, economic/political situation, colonial past – among other factors) are barely taken into account. All codes adopt the modernist "unitary

ethics", in Bauman's (1993) terminology, which claims stability, certainty and universalism. Likewise, the studied associations' codes (regardless of whether they are unions, orders or voluntary associations) do not establish very different relations between the translator and the other agents involved in translation. They all adopt similar ethics with limited scope and coverage. In the following section, I discuss how the collective standardized 'professional'/ethical conduct in codes of associations shifts moral responsibility from being a personal matter into being an institutional concern. In section 3.2., I discuss the universalism and 'well-foundedness' of these codes. In section 3.3., I discuss morality in post-modern ethics. Finally, in section 3.4., I explore the ethical challenges of globalization.

3.1. Moral Responsibility: An Institutional Concern

All studied associations highlight, implicitly or explicitly, and to different degrees, the act of *regularization,* high *quality service, accountability, public protection* and *standardization of practice* in their objectives. The AUSIT, for instance, emphasizes, in the very preamble of its Code of Ethics and Code of Conduct that the document is intended "to *regulate* the professional conduct of members of AUSIT" (italics added). Likewise, the ATIO emphasizes that its code of ethics "sets out ethical principles and *standards* of professional conduct, the objects of which are to ensure professional *accountability* and *quality* of service, protect members of the *public, promote the profession* and foster a spirit of solidarity and co-operation among members of the Association" (Object, italics added). In order to ensure that these objectives are achieved, translators are instructed to follow clear ethical and 'professional' principles designed by their associations. These principles spare the translator the responsibility of deciding and judging at their own discretion. The decisions are made for them as long as they follow the instructions of the codes to the letter. Decisions in practice as well as in interpersonal relations are not up to the individual translator's personal judgment. They are standardized and, hence, immune from

any personal ‘misjudgement’ or ‘misconduct’. It is the association of translators that is now responsible for the collective ethical conduct of all. The translator should follow the instructions because they do not represent themselves but the institution they belong to. Their conduct is, thus, not theirs; it is the institution’s conduct, i.e., the association’s conduct. The collective standards and institutional regulations have, thus, redefined responsibility from being an individual matter pertaining to the individual translator to being an institutional concern. The moral authority has been officially proclaimed by the codifying associations and, thus, taken away from the individual translator. The latter is simply an executing agent of the institutional policy. They have no right or need for any (moral) interventions that run counter to the teachings of the association’s code. Their voice should simply parrot the voice of the institution, i.e., the association.

Morality as a personal matter has, thus, been alienated in all studied documents in favour of institutional ethics. These ethics, however, are more concerned with translation as a business transaction – which includes the preservation of the business agents’ interests – rather than a process of decision-making that includes wider immaterial or profit considerations and may have (non-business) repercussions on species outside the business network. Of course, this is not at all surprising. Drawing on Max Weber, Bauman shows that with the birth of modern capitalism, “business ventured into a genuine frontier, a virtual no-man’s land, free of all moral concerns and legal constraints and ready to be subordinated to the business’s own code of behavior” (Bauman 2008, 74). This “unprecedented moral extraterritoriality” (or “secession”) of business matters was an exemption from morality. It was a morality-free zone. Although modern nation-states have reclaimed the ‘no-man’s land’ of business by imposing some regulations, there is, however, a form of “secession” of business matters again nowadays.

> Once more, business has acquired an ‘extraterritorial territory’, a space of its own where it can roam freely, sweeping aside minor hurdles erected by weak local powers and steering clear of the obstacles built by the strong ones. It can

> pursue its own ends and ignore or bypass all others as *economically irrelevant and therefore illegitimate*. And once more we observe social effects similar to those that met with moral outrage at the time of the first secession, only now (like the second secession itself) on an immensely greater, global scale.
>
> (Bauman 2008, 75, italics added)

The studied codes of ethics are – to be precise – located within this latter form of secession. These documents are based on economic relevance/calculations – like any other business codes – despite the specificities of the practice. They ignore the individual translator's wider responsibilities to their world as being "economically irrelevant." The institution of the translator rather makes its own calculations based on economic considerations and provides the translator with relevant and profitable ethical guidelines. Koskinen affirms that such codes and their rules are not only a "marketing gimmick" but also "a convenient way of lulling one's conscience" (2000a, 121). The *moral self* of the translator is, thus, silenced or subordinated to the codes' collective morality; the translator's moral responsibility is, at best, substantially reduced.

Unfortunately, translators evading the institution's calculating ethics are liable to punitive actions. The institution deploys disciplinary measures to coerce their members to abandon the orientations influenced by their *moral self.* All associations (except the ATPP) follow expulsion policies for anyone not abiding by the codes of ethics, though there are differences in regard to how strictly these are applied (as I showed in Part II). The ATIO, the SFT, the IAFET and the ITAINDIA have the strictest procedures of coercion[147]. The AUSIT and the SATI, on the other hand, rather stress their role as arbiters without excluding disciplinary measures altogether (cf AUSIT Board of Professional Conduct (BoPC), SATI Website[148], respectively). The inclusion of coercive measures in the case of the ATIO is not very surprising, given the nature of the

[147] Cf. ATIO Code of Ethics, Articles 5.1.2., The Discipline Committee Procedural Code (2014); SFT Réglement intérieur [Internal Regulations] 2018, Article 3.2; IAFET Code of ethics, Article 1.1, Bylaws, Article 3, Section 6; ITAINDIA Membership Information, Section B, respectively.

[148] https://www.translators.org.za/benefits-of-sati-membership/

association as an order that stresses the ideology of *public protection.* Such coercive measures are, however, less conceivable in the case of voluntary associations like the AUSIT, the ITAINDIA, the SATI or the IAFET. In the case of the SFT, they are even somewhat incoherent with a union's mission, whose main function is to defend the translator, first and foremost.

The awareness and explicit admission of the incompleteness of codes and of the transcendence of personal judgement by the AUSIT has not weakened the coercive authority of the institution, which ironically monitors and supervises 'exact' adherence to its *inexact* codes. The AUSIT has not abandoned its adjudication procedures – which are one of the major constraining means of modernity (cf. Bauman 1993) in cases where soft domination is not effective (cf. Bourdieu 1990b). Translators who do not abide by the rules of 'faithfulness', 'impartiality' and 'confidentiality', for example, are subject to expulsion. One wonders how ethical it is to expel a translator who 'violates' these pre-determined rules in order to counter unethical, illegal, threatening, polluting, sexist, discriminatory or xenophobic materials that are harmful to society or the planet. How can the association's disciplinary committee arbitrate on such a decision? Since some associations (like the AUSIT in this corpus) admit that the code is a guideline and that the translator makes decisions according to their ethical judgement of the situation at hand, I wonder how an ethical decision made by a translator following their *moral self*, devoid of mutuality or interest, would coincide with the decision of a calculating institution that takes into account mostly the business relations and the image of the network in the business milieu. I argue that in many cases the two positions/decisions will differ, given the difference in the forces driving them, i.e., the moral self and the business calculations, respectively. Besides, moral decisions are never taken with certainty or in a completely satisfactory way. We know from Bauman (1993) how ambivalent and uncertain these decisions can be. There are many instances in which a translator may breach a duty or even a virtue in order to advance a more appropriate principle for the situation at hand (cf. Ricoeur 1990,

MacIntyre 2007/1981). Some *a priori* duties like 'impartiality' or 'faithfulness'– if possible at all – may result in immoral consequences, and the translator may transgress them in many situations. Besides, interpretations of the same situation or the same principle guiding a certain decision may vary from one person to another, let alone from a person's moral judgement and an institution's calculating judgement. Thus, a translator's interpretation of a given situation may differ from that of a committee judging the former's decision, because they simply do not stand in the same position. Importantly, even the same person may sometimes be torn between two different decisions in the same situation. Moral decisions are the outcome of contradictory impulses, as we learn from Bauman (1993). All these questions and concerns show that disciplinary measures are unfounded as moral decisions are very complex and ambivalent.

As in all modern codified ethics, most designers of translator codes of ethics claim a clear cut between what is 'moral' and what is 'immoral'. Or in other words, they claim that morality is non-ambivalent, and, therefore, orderable. Codes are, thus, imposed as "all-comprehensive, unitary ethics – that is, a cohesive code of moral rules which people could be taught and *forced to obey*" (Bauman 1993, 6, italics added). At best, some designers admit their codes' incomprehensiveness without questioning their faulty premises nor their coerciveness. Translators are, thus, constrained to follow these codes in order to reap the 'benefits' of their collaboration with the established system of the translation 'profession'. Modern translator associations, like the ones studied here – I reiterate – are calculative institutions. Thus, their members are supposedly rational calculative translators who know that it is profitable to abide by their organization's calculative rules whereas non-abidance by these rules is economically self-destructive[149]. Drawing on Bauman's thought, translators as rational beings are exposed to "rationally designed external pressures which would assure that 'doing wrong does not pay' and so most individuals most of the time are discouraged from doing it" (ibid., 7). They, thus,

[149] Of course, this ideology impoverishes the translator economically and symbolically, as shown in Part II.

obey the heteronomous codes in order to gain 'legitimacy' and financial 'rewards' because they know outlaws will taste the ordeals of exclusion and sanctions[150].

This state of affairs is not only a coercive control and an effacement of the translator's *moral self* but also, ironically, a relief from moral responsibility. The translator is freed from the ordeals of decision making as moral responsibility shifts from their shoulders to their institution. Codes of ethics remove the frustrations and pains of the uncertainties they experience when they face ethical dilemmas. In short, the translator is saved from the inherent *aporia* of moral decision-making as the roadmap is already traced for them by the institution. Translation, under the studied codes of ethics, is no longer the curse or "de la dette on ne peut plus s'acquitter" [the debt one can no longer discharge], as Derrida puts it (1985, 218/174). It cannot be an "unavoidable failure", in Spivak's words (2005, 95). Once done following the codes' rules to the letter, the debt is paid in full and with complete success – following the claims of the associations. Codes of ethics purport to anticipate all misbehaviour and mistranslations. The translator is provided with the certainty of the consequences of their actions. Following the institutional rules surely guarantees the good and prevents the harm, in the institutions' claim (cf. Bauman 2003a/1995, 10). In short, like all modern enterprises, institutionalized codes of ethics ignore many ethical issues and ethical situations by applying their limited (but pretentious) regulations. Worse, they prevent the translator from responding to these unlimited issues/situations in the name of internal collective 'order'.

3.2. Universalism and Well-foundedness of Codes of Ethics

Translation codes of ethics that I examine in this research are all embedded in Western Modernity. They are all both *universalist* and *well founded*, to borrow Bauman's terms. They

[150] As discussed under Part II, the policy adopted in these heteronomous codes has adverse economic and symbolic effects on all translators.

adopt a deontological approach to ethics based on Kantian moral philosophy, which grounds morality in 'reason', with no consideration of our nature or circumstances, nor any other ends. In *Grounding for the Metaphysics of Morals*, Kant (1993/1785, 2) says:

> [e]veryone must admit that if a law is to be morally valid, i.e., is to be valid as a ground of obligation, then it must carry with it absolute necessity. He must admit that the command, "Thou shalt not lie," does not hold only for men, as if other rational beings had no need to abide by it, and so with all the other moral laws properly so called. And he must concede that the ground of obligation here must therefore be sought not in the nature of man nor in the circumstances of the world in which man is placed, but must be sought a priori solely in the concepts of pure reason.

Following Kant's morals, the studied codes are *universalist* and thus non-contingent on any contextual variables. They claim – or at least do not relativize – the applicability of their *a priori* principles/rules regardless of circumstances or conditions. They claim the clarity, the objectivity and the non-contradictoriness of their rules/principles to any rational agent involved in the translation occupation, especially to their main addressee, the translator. They reflect the concept of *translation* as a universal and objective act based on complete and impartial transportation of meaning without loss or addition. In addition, they dismiss any *other* (partial, contextual, local or particular) conceptualizations, which might unveil the fact that translation is beyond order, systematicity, objectivity and universalism. These studied codes are also presented as (near)complete[151]. They cater to the two main issues in the translation transaction, i.e, the meaning of *translation*, on the one hand, and the interpersonal (business) relations between the different agents involved in it, on the other hand. They explicitly instruct translators on how to deal with their clients/employers and give them a 'clear' blueprint on *how to translate*, i.e., to transfer meaning faithfully and impartially. Thus, in this modern order that the

[151] As already discussed, although the AUSIT's code of ethics admits its incompleteness, it, paradoxically, stresses accountability for 'non-compliance' with the code's principles, thus, ignoring the conflict of these principles in some situations, their vagueness in application (cf. McDonough Dolmaya 2011), and differences in their personal interpretations (cf. Drugan 2011).

codes represent, they respond to virtually every issue touching the translator's occupation. Almost no residuals are left in this idealistic compartmentalization. But this order ignores particularities and exceptions – which definitely disturb and unveil the impossibility of this very order. To disguise these 'flaws', the regulators/designers of code act as if nothing is left unaccounted for and hardly any newness can emerge unexpectedly.

The studied codes are also '*well founded'* in the sense that they were established on the likeliness of their adoption by the modern rational agents they target. Modern translators and external agents are likely to embrace these rules because they are compatible with their view of what *translation* is and what relations it entails as a business transaction, as discussed in Part II. These codes seem plausible to modern agents who believe in the possibility of order and the efficiency and fairness of regularization. These agents are accustomed to the comfort of simple ready-made answers. They are confident in the way reality is compartmentalized for them. As such, they are likely to feel frustrated with complexity, uncertainties and questioning. That is why they are likely to blindly follow these external answers provided by the designers of codes. Also, translators would likely abide by these codes in order to remain members of these large associations – many of which have the power to give them a legal title or a certificate. To follow the heteronymous ethical obligations of these organizations does not only guarantee 'professional recognition' of the translator member and, thus, the possibility to attract more business, but probably also a legal recognition – as in the case of the ATIO. A rational translator is not likely to reject these 'strong' foundations of codes of ethics (some conceptual and others pragmatic) or exchange them for the pursuit of a perplexing autonomous morality.

The claim that these codes of ethics are complete, ordered, objective and responsive to the major issues related to translation is, of course, fraught. These documents are never stable although they deny the possible contradictoriness, ambivalence, inefficiency, and even immorality of the principles and duties they espouse for certain translation situations. We

witness occasional revisions within them – which is an indirect admission that translation and its ethics are uncontainable and unorderable in an exhaustive list of clear rules – no matter how long that list is. In the studied corpus, the FIT, for example, adopted its *Translator's Charter* in 1963 and amended it in 1994. The ATIO also revised its code in 2009. In the associations under study, the AUSIT's revision of its codes in 2012 (first adapted in 1995) remains the most remarkable endeavour by far, in this respect. The AUSIT declaratively admits the incompleteness of its code and highlights the role of the translator in making the appropriate "judgement and balanced decision-making in context" (Code of Ethics and Code of Conduct, Preamble). It acknowledges that "changes in the translation and interpreting industry mean the requirements of a code of ethics have also changed" (Introduction). Thus, a joint committee of scholars and AUSIT members, led by Uldis Ozolin, a scholar from Monash University, was established to review the association's Code of Ethics and Code of Conduct. Suggestions/recommendations were sought from the AUSIT members as well as from "representatives of all areas of the T & I [Translation and Interpretation] industry" (ibid.). One would expect newer academic insights to be included in the revised version as scholars/educators are an important part of this committee (a committee leader and two consultants). However, the industry's representatives seem to have a major say. And some of the involved scholars' views are in line with the latter agents' and do not reflect the postpositivist views of *translation*[152]. Those who tried to suggest somewhat reflexive ideas were not heard (cf. Ozolins 2014)[153]. The process of updating the AUSIT code has led to some of the following main decisions, among others:

[152] Ozolins (2014), one of the code designers, does not question the 'conduit' model embraced in the code and its "aversion to advocacy or cultural brokering" (2014, 355). The scholar also advances that "[i]n rewriting the AUSIT code, there were no submissions from employers, agencies or third parties that demanded interpreters play different roles" (ibid., 361).

[153] For example, Ozolins (2014, 364) reports that one educator, who is a member of the committee, proposed a more open understanding of 'accuracy' but their proposition was rejected because the other members saw that the concept as such was "unhelpful" as it was "not explained."

- [...] The original principles were largely retained: Professional Conduct, Confidentiality, Impartiality, Competence, Accuracy, Professional Development and Professional Solidarity. One new principle was introduced *Clarity of Role Boundaries* – and the previous Employment principle was changed to *Maintaining Professional Relationships*. This ensures considerable continuity with the previous code.
  [...]
- On the issue of *advocacy*, while canvassing opinion and looking at possible formulations, the working group rejected advocacy as part of a T&I practitioner role.
- While the code is principally for practitioners, a formulation was found to link obligations of agencies or employers to aspects of the code [...].
- Issues of public comment and confidentiality were addressed to slightly lessen the very restrictive view encompassed in the original code.
- The wording was changed from an imperative "shall" to the RID-style [Registry of Interpreter of the Deaf style] descriptive wording, for example "Interpreters interpret in the first person".

(Ozolins 2014, 357-358, italics in original)

As is clear, the basic pillars that define the practice and its relational aspects such as impartiality and accuracy were all retained in the new version. The conduit model was preserved and intervention or "advocacy" rejected. Thus, responsibility remained limited to the immediate circle of translation, and larger societal or planetary issues were not addressed. Also, hardly any attention was paid to the new transformative types of translation despite the claim that this version of the code was written "in recognition of the significant development and diversification of the field in Australia" (Preamble). That being said, the last three points above show dissatisfaction with some of the issues in the previous code such as it not addressing outside agents' obligations to provide adequate working conditions, its restrictions on the translator disclosing information and the authoritative tone of the articles. Also, reading through the AUSIT articles, one can occasionally discern some flexibility of tone, the inclusion of explanatory sections, and awareness of contextual ethics and peculiarities of certain situations:

> AUSIT also encourages, and will assist, organisations with specific institutional or operational requirements of interpreters and translators to develop their own organisation-specific Good Practice Guides or protocols, which may usefully supplement this Code.

> The AUSIT Code of Ethics defines the values and principles guiding the decisions interpreting and translating professionals make in practice. The related Code of Conduct and Conduct issues specific to translators and interpreters provide a framework for interpreting and translating professionals to use when exercising judgment in their practice. They are not intended to be exhaustive lists of the situations and circumstances that may comprise compliance and non-compliance with the Code of Ethics. Ethical interpreting and translating practice requires judgment and balanced decision-making in context. *Interpreters and translators who commit to practise in accordance with the Code of Ethics accept that they will be accountable for their conduct under AUSIT's processes for non-compliance*. (AUSIT Preamble, italics added)

There is here a clear admission of the incompleteness of the code of ethics and its summative and general nature. That is why the AUSIT encourages the establishment of specific codes for specialized translators/interpreters working in certain specific institutional settings. The AUSIT also makes it clear that the Code of Ethics and the Code of Conduct and their supplements contain guiding principles and that they are a framework for translators to draw on when making decisions and, in no way, comprise a complete list of all situations. However, in a striking turn, the last statement is utterly disappointing. By implementing a process of coercion, the AUSIT, paradoxically, undermines the fact that its guiding principles make possible different interpretations by different individuals in different situations (cf. Drugan 2011). It also ignores the fact that some conflicts may arise between these principles in some contexts. In sum, the flexibility of tone of the AUSIT can be seen as a timid response to the wind of postmodern thought that is blowing nearby (in some academic circles), although not an acknowledgement of the faultiness of the very principle of codification as it exists today.

Following Bauman's (1993) analysis, translator institutions (i.e., translators' associations like the AUSIT and others) believe that they *can* contain morality in a *non-ambivalent* and a *non-aporetic* code of ethics and that they are only one small step away from their objective. For them, the perfect code "surely waits round the next corner. Or the corner after next" (1993, 9). Thus, minor revisions are made to fill in the small gaps, in the hope of achieving perfection. Although designers of codes of ethics, like all modern legislators/regulators and theorists, are

aware of the ‘very few’ weaknesses in their projects, they never admit them as complex and real problems that are here to stay. These ‘uninfluential’ problems are always considered as small hurdles that are easy to quickly eliminate. The current codes are, thus, not perfect but very close to that, and they are developing in the right direction towards perfection. All they need is some improvement, an expansion or slight amendments. These (near)perfect codes, thus, do not require radical changes in the very premises they are based on regarding *translation* and the interpersonal relations in the translation transaction. The cited associations claim that the foundations and basic pillars (i.e., rules/principles) are solid and true and, therefore, unshakable, while the decoration might change as new trends appear.

The universalism and well-foundedness of the studied codes make them beyond any major upheavals. Their designers, although they may admit the need for cosmetic upgrades of the documents, do not engage in any substantive changes to their framing principles, nor do they question the ideas of codification and coercion in the first place. Although they may recognize the need to revise the codes in order to cater for the newer developments, they do not admit the fact that codes of ethics are inherently unable to cater for this disordered reality – more disordered than ever before, in today’s world. They overlook the fact that these codes are not fit to address the proliferation of novel translation situations/contexts that require novel and innovative situated answers on the spot. The turn to postmodern ethics may give the translator the chance to face this ambivalence and disorder – although never with certainty.

3.3. The Translator’s *Moral Self* in Postmodern Morality

The standardization of the translator’s conduct in *a priori* and ‘clear’ rules in codes of ethics reduces translation to a simple unitary, containable and unambivalent work. The argument advanced by some is that untrained translators need clearly defined principles and applicable directives in codes of ethics (cf. for example, Ozolins 2014). Ozolins (2014, 364), for instance,

reports that the debate about the principle of 'accuracy' during the elaboration of the AUSIT code led to the explanation of the concept and the adoption of 'clear' criteria for accuracy. The adopted article reads:

> Interpreters and translators provide accurate renditions of the source utterance or text in the target language. Accurate is defined for this purpose as *optimal and complete, without distortion or omission and preserving the content and intent of the source message or text.* Interpreters and translators are able to provide an accurate and complete rendition of the source message using the skills and understanding they have acquired through training and education.
>
> (Code of Conduct, Article 5.1, italics added)

The committee rejected an earlier proposition that allowed for some adaptation to the context/situation as "being too unhelpful" (Ozolins 2014, 364). The rejected proposition reads:

> [i]nterpreters and translators shall endeavour to provide accurate and complete renditions of the original. It must be noted that *the meaning of accuracy depends on the context of the situation*; for example, the type of interpreting (conference or community), the translation brief, etc. The concept of accuracy is a *complex* one that is dealt with in detail in training. Interpreters and translators should strive to obtain formal training before practising. (ibid., italics added)

This example shows that associations such as the AUSIT make claims for the certainty of translation, the clarity of its ethics and the unproblematic applicability of codes' rules to all situations. They adopt a totalitarian approach that claims to alleviate even the burden of interpretation for the translating subject. However, as we learn from Jacques Derrida, uncertainty and confusion and the impossibility of universalization, or even of theorization, are post-Babelian phenomena that are here to stay. The deconstruction of the Tower of Babel is symbolic of the deconstruction of the universal (the one and unique way). It symbolizes the confusion and instability that are characteristic of language and translation. It is also symbolic of partiality, irregularity, unevenness and disorder. Uncertainty, incompleteness, partiality and complexity are part of the human condition since 'God' destroyed the Tower of Babel (a symbol of totalitarianism, completeness, trueness, standardization, regularization, structuring and universalization) and confused the tongues, Derrida tells us.

> La “tour de Babel” ne figure pas seulement la multiplicité irréductible des langues, elle exhibe un inachèvement, l’impossibilité de compléter, de totaliser, de saturer, d’achever quelque chose qui est de l’ordre de l’édification, de la construction architecturale, du système et de l’architectonique. Ce que la multiplicité des idiomes vient limiter, ce n’est pas seulement une traduction « vraie, » une entr’expression transparente et adéquate, c’est aussi un ordre structural, une cohérence du constructum. Il y a là (traduisons) comme une limite interne à la formalisation, une incomplétude de la structure. Il serait facile et jusqu’à un certain point justifié d’y voir la traduction d’un système en déconstruction.
>
> [The "tower of Babel" does not merely figure the irreducible multiplicity of tongues; it exhibits an incompletion, the impossibility of finishing, of totalizing, of saturating, of completing something on the order of edification, architectural construction, system, and architectonics. What the multiplicity of idioms actually limits is not only a "true" translation, a transparent and adequate interexpression, it is also a structural order, a coherence of construct. There is then (let us translate) something like an internal limit to formalization, an incompleteness of the constructure. It would be easy and up to a certain point justified to see there the translation of a system in deconstruction.] (Derrida 1985, 209-210/165-166)

Derrida, a postmodern philosopher from outside TS, has shown the flaws in principles like ‘sameness’, ‘trueness’, transparency and ‘faithfulness’ in translation. He has highlighted the issue of untranslatability, i.e., the impossibility of completeness of any translation, in the image of a debt that can never be paid off. Drawing on Walter Benjamin (1923), Derrida affirms that because of these characteristics, translation is a complex task for the *translating subject.*

> Dès son titre […] Benjamin situe le *problème,* au sens de ce qui précisément est *devant soi* comme une tâche, comme celui du traducteur et non de la traduction […] Benjamin ne dit pas la tâche ou le problème de la traduction. Il nomme le sujet de la traduction, comme sujet endetté, obligé par un devoir.
>
> [From the very title […] Benjamin situates the *problem*, in the sense of that which is precisely *before oneself* as a task, as the problem of the translator and not that of translation […] Benjamin does not say the task or the problem of translation. He names the subject of translation, as an indebted subject, obligated by a duty.] (1985, 223/179, italics in original)

Translation, according to both Benjamin and Derrida is a task, a problem, a responsibility and a never discharged debt for the *translator* because it is an *uncertain* task, for which completeness is unattainable. Derrida argues that translation is a *transformative* process as it

modifies the 'original.' He goes even further when he underlines that the 'original' is itself in constant transformation. Translation as a "debt" does not oblige the translator to faithfully transfer the ST because the latter is itself slippery, Derrida tells us. "Ensuite la dette n'engage pas à restituer une copie ou une bonne image, une représentation *fidèle* de l'original : celui-ci, le survivant, est lui-même en procès de *transformation*. L'original se donne en se *modifiant*, ce don n'est pas d'un objet donné, il vit et survit en *mutation »* [Then the debt does not involve restitution of a copy or a good image, a *faithful* representation of the original: the latter, the survivor, is itself in the process of *transformation*. The original gives itself in *modifying* itself; this gift is not an object given; it lives and lives on in *mutation*] (Derrida 1985, 226/183, italics added). This notion of 'survival' is prominent in Benjamin's 'The Task of the Translator' (1923). Benjamin affirms that the original owes thanks to its translation for the translation gives it a new life or an afterlife through transformation and renewal, thus helping it to reach maturity. "For in its afterlife – which could not be called that if it were not a *transformation* and a *renewal* of something living – the original undergoes a *change*. Even words with fixed meaning can undergo a maturing process" (2000/1923, 17, italics added). Following Derrida, Benjamin and the deconstruction-oriented scholars in TS, the ordering and bordering of 'translation' as a systematic and measurable operation is untenable (cf. for example, Davis 2001; Spivak 2000, 2005; Arrojo 2005, 2013; Wolf 2000). Not only is translation a transformative and an inherently incomplete process but also the so-called original is in a permanent state of modification, mutation and renewal as it survives. These philosophical insights raising the questions of incompleteness, transformation and change in translation – once abstract and seen as may be pertaining mainly to literary translation, far from the daily practices of pragmatic translation– have now been empirically corroborated through many non-fictional translation types, as discussed in Part I.

The associations under study, however, still follow the Babelian myth. Exactly like the Semites who sought a universal language and structure (which is at the same time, a rational transparency and a colonial violence, as Derrida puts it (1985, 218), the designers of these codes of ethics seek transparency and universalism via translation ethics. They compose and impose the universalist concept of *translation* as well as standard relational rules on all translating agents in all situations. But establishing a list of (ethical) rules and obliging the translator to live and work by them prevents the translator from carrying out the transformation and intervention that translation inevitably demands, and, therefore, from *performing their "task."* This task is, of course, a multifaceted responsibility; it is linguistic, cultural, social and moral. Not only is translation inherently uncertain as a textual/cultural operation, as we learn from the deconstruction scholars, but also as a moral/social endeavour. Translation is an "intrinsically ethical" task (Goodwin 2010, 26). And although uncertainty in morality is not specific to translation, as we learn from Bauman (1993), translation is a doubly daunting task to the translator, as it is a textual, cultural, social and moral operation at once. Thus, unlike what is proffered by contemporary codes of ethics, postmodern insights about ethics stress the *translator's* responsibility, visibility and agency. In postmodern morality, the translator is not armed with heteronomous rules they simply have to follow. They alone (and not any other institutions) are responsible for the translation outcome and its consequences. Arrojo writes,

> If translators stop hiding their authorial role behind vague notions of ethical impartiality, they will have to learn how to face the consequences of their visibility and be responsible for the choices they make and the allegiances they choose to cultivate in their work. In fact, from this perspective, it would actually be unethical and irresponsible for translators to insist on hiding behind claims of neutrality or to wash their hands of the responsibilities involved in the highly complex and influential work they do. (2013, 4)

The responsible translator may have to go beyond their institution's pre-established codes in order to act responsibly. Blindly applying the decontextualized and calculative rules of codes of ethics, on the contrary, can lead to the most unethical outcomes. Considering the rules of

confidentiality, neutrality, faithfulness and impartiality as ethical principles, the translator is *not* responsible for the material content or for what their clients do or say (e.g., AUSIT Code of Ethics, Article 4). These rules shelter the translator from responsibility and cause their job to consist of simply following the patron/client's directives. These codes make translators themselves clients of patrons/clients.

Many writings about *translation* demonstrate a growing awareness of the contradictions of modernity and the implausibility of its claim to order. Theorists from TS and beyond have unveiled the impossibility or the uncertainty of some of the framing principles that appear in modern codes of ethics under study. These insights from Derrida and his followers about 'translation' not only intersect with Bauman's ambivalent morality but also constitute an excellent case in point for his theorization. Translation, like morality, is beyond modern regularization or universalization. The ethical reality of translation consists of too much disorder to be contained, organized, or even assimilated. It is a beyond codification reality. Translation is "incurably *aporetic*", to use Bauman's term (1993, 11, italics in original). Translation decisions are made between contradictory "impulses" – to borrow Bauman's term once again. To be a moral translator is to be able to select from a number of decisions, not one of which is certain or complete. These decisions are not established before the encounter with the translated material. Translation as such is an adventure through unknown alleys of discovery, from which the exit is never easy or clear. "[T]he translator must decide the undecidable, arrive at a translation without having passed through an open, already determined passage" (Davis 2001, 94). The translator has no social or legal codes to draw on. The translator is left to their fate to face the ambiguous and the uncertain in the moral encounter. They are disarmed of references and, thus, left with the incurable pain and frustration of uncertainty in their translation decisions[154]. They make their own disposable codes for every situation and

[154] Being disarmed of points of reference does not, however, mean not making judgements based on the calculation of risks and consequences – as Bauman's radical theory may appear to connote. What I mean is the

instance. These self-made codes are in perpetual change and adaptation. They are never complete or satisfactory, nor applicable a second time. Translators have no guarantee that their *moral self* will always be guiding them towards making the right decisions, if there are any perfect decisions at all.

Despite the frustration and pain associated with uncertainty and lack of references, translators are given an opportunity — *the opportunity to be moral*. Davis writes, "[t]o say that there is an impossible aspect to ethics is not to suggest that translation cannot be ethical. Rather, it suggests that ethical translation cannot follow a pre-formulated code of ethics, which [...] would ultimately be unethical » (2001, 49). The translator's uncertainty and ambivalence constitute both a curse and an opportunity for the moral translator. Frustration resulting from uncertainty is, thus, not all negative. "[T]he frustration of uncertainty is morality's gain", Bauman tells us (1993, 223). Postmodern ethics allows the translator to courageously face the uncertain and the unpredictable – a fact which makes up the essence of the moral condition. Postmodern ethics is an opportunity– although an opportunity for which the results are *never* certain. It is the opportunity to be emancipated from the pre-ordained ethical regulations that incapacitate or paralyze the *moral self*. It is the opportunity for the moral self to restore and thrive as morality shifts back to the realm of personal autonomy from the power-assisted heteronomy that demobilizes it. It is the opportunity to respond to and care about one's world, which could not be the case under the calculative codes of ethics. Responsibility to one's world is, in the age of globalization, a more pressing task than ever for the translator.

3.4. The Translator's Ethical Challenges in the Age of Globalization

disarmament from business and ideological Thirds (predominant in codes of ethics) that may guide the translator's decisions.

Bauman qualifies globalization as "an ethical challenge" (2008, 71; 2003b). People's lives and destinies are now more interconnected and interdependent. In today's globalized world, there is "mutual dependency" between people (2008, 26). What happens in one location may affect the lives of other people in remote places (ibid.). Bauman writes,

> [w]hatever else 'globalization' may mean, it means that we are all dependent on each other. Distances matter little now. Something that happens in one place may have global consequences. […] However local their intentions might be, actors would be ill-advised to leave out of account global factors, since they could decide the success or failure of their actions. What we do (or abstain from doing) may influence the conditions of life (or death) for people in places we will never visit and of generations we will never know. (2008, 71)

Because of the far-reaching consequences of our actions, we need to adapt our moral imagination to respond to globalization challenges; to think beyond the foreseeable, beyond the unseen to reach far distant locations. We need to stretch our morality of proximity into an unlimited moral coverage. For Hans Jonas, as reported by Bauman,

> although space and time no longer limit the effects of our actions, our moral imagination has not progressed much beyond the scope it had acquired in Adam-and-Eve times. The responsibilities we are ready to assume do not venture as far as the influence that our daily conduct exerts on the lives of ever more distant people. (ibid., 73)

Although translation is an intercultural task and has, therefore, always had far-reaching consequences on others in remote places, the fact that translation has become ubiquitous in today's globalized world makes its ethical challenges even more prolific and more complex. The exchange of goods and cultures, obviously, increases the need to communicate through translation. Thus, the translator's decisions now have more wide-ranging effects on our world in the present and the future. And because of this enlarged scope of translation influence today, the moral burden on the translator is heavier than ever before. "[I]n our globalized world, ethical, socially aware translation has become a humanitarian necessity", as Gil and Guzman put it (2011, 100).

In his *Translation and Globalization*, Cronin (2003) highlights the increasing demand for translation and discusses the interconnection of translation with culture, society, economics, politics and technologies in the age of globalization. He underlines the important role a reflexive translator can play in highlighting diversity and countering hegemony in today's world.

> In reflecting on the ends of translation, it might also be possible to see translation in a reflexive as opposed to a merely reflective mode [...]. That is, translators rather than being simple accessories to the fact of information inflation (reflective mode) might consider whether it would be more fruitful on the basis of identifiable ends to take a selective approach to the information which circulates between cultures (reflexive mode). (Cronin 2003, 66)

The role of the translator in today's world is extremely important to cultural and social biodiversity, an ethical task *par excellence*. But in order to be able to play this active role, the translator needs to be visible, selective and interventionist, rather than a conduit. "[I]t is by revealing, not disguising, their identity as translators that translators can make a legitimate bid to make more central interventions in culture, society and politics" (ibid., 67). Very similarly to Cronin, Tymoczko (2009) underlines the central role empowered translators and TS scholars can play in preserving cultural biodiversity by enlarging translation to include diverse practices. Tymoczko warns us that dis-empowered translators are vulnerable to alignment with the dominant in the age of globalization.

> Translators everywhere and at all times have been vulnerable to becoming mouthpieces for the dominant regimes of their cultures. At present new forms of this type of jeopardy are emerging along with the widespread networking of the world. A chief peril posed by globalization for translators – whether they are from Eurocentric contexts or not – is that they can become vehicles for the assertion of dominant Western values around the world, ideas that serve specific corporate and military interests and that are vehicles of neocolonialism. For translators and scholars from Europe, the Americas and other Western countries, this means colluding in Western exploitation; for scholars and translators elsewhere, it means becoming classic subalterns who buy into hegemonic thinking in the service of dominant global powers. Having the broadest possible conceptualization of translation helps translators keep ethical issues in focus; it reminds translators that translation methods themselves can serve ideology. The alternative to such awareness is that the profession of translation and the discipline of translation studies – both of which are purportedly dedicated to

> cultural exchange – will instead become vehicles of cultural homogenization and even oppression. (ibid., 414)

Unfortunately, the studied codes of ethics seek to curb the translator's agency from contributing reflexively to culture, society and politics. Instead, they prepare the translator to be a "vehicle" of cultural Mcdonaldization and domination. These documents derive their rules from ideal situations, which barely exist. They ignore the diverse exchanges in which translation is needed nowadays. Translation today can be a tool of war as it can be a tool of peace. In conflict zones, like Iraq, or more recently, Syria, decisions to interpret/translate in the first place and/or the translation strategies adopted may have helped save lives or increase deaths in the immediate. Besides the local atrocities, translators' decisions may have had repercussions on the global scene as these conflicts have generated unprecedented numbers of people in refuge/exile. Unfortunately, codes of ethics that highlight impartiality (and cater mostly to the client/patron) serve as translators/interpreters' shields from moral responsibility for the consequences of their decisions in conflict contexts (Inghilleri 2010, 2012). Worse, as Inghilleri (2010, 2012) shows, interpreters in conflict zones may come to share the same 'moral' codes as the military institution they serve. Inghilleri rightly affirms that conflict zones constitute a clear context that shows how implausible codes of ethics that try to conceal the practitioner's agency are. "What makes war an important context for the investigation of ethics is that codes of ethics, if they exist at all, largely lose their significance and their power to conceal the undeniability of interpreter agency" (2010, 192).

Unfortunately, the studied codes still lay claim to the idealism of the translational encounter and ignore all these global matters, which are becoming more pressing in the age of globalization. They limit the scope of responsibility to the agents in proximity. Worse, they deem the enlargement of one's ethical imagination and the reflexive approaches that Bauman and Cronin call for 'unprofessional' and sometimes unethical, following many defining

principles/rules stressed in these documents. Thus, the studied codes and any similar codes are anything but fit to face the challenges of globalization, in which local decisions/actions may have global consequences.

Conclusion to Part III

Despite some uninfluential differences in their approaches, all studied codes yield similar results as to the status of the translator's moral autonomy. The nature, function and origin of these organizations do not tangibly affect their orientations. The *Nairobi Recommendation* and the FIT *Translator's Charter*, given their addressees (States and member associations, respectively), are less concerned with the individual translator's moral issues, although they highlight many rules that negatively affect the translator's moral autonomy.

All studied codes stress *a priori* rules that assume the clarity of ethical situations and their non-ambivalence. They all underline obligations towards the immediate agents as they are the only ones that are *economically relevant* in the translation transaction. The larger public, Otherness and our world/planet are barely concerns for the majority of these documents. The codes under study are, thus, embedded in 'mutuality of interests'[155]. They seek economic benefits for their members, although ironically in a counterproductive manner, as I explained in Part II. Ethics in these documents are neither personal nor gratuitous. They seek "external goods" to translation practice rather than "internal goods", in MacIntyre's terminology (2007/1981). The codes are exclusively oriented towards the powerful agents that influence them thanks to their economic and/or symbolic power. The fact that the translator's *moral self* is silenced is, thus, not very surprising given the impoverished capital of the translator and their lack of autonomy and control over their occupation. « La liberté est la condition ontologique de l'éthique » [Freedom is the ontological condition of ethics], Foucault (2001d/1984, 1531) tells

[155] I put this in scare quotes because as we saw under 'Capital' part, the translator does not get what they deserve. So, it is rather the interest of the powerful agents that are preserved in this relation.

us. A translator with low symbolic power and autonomy is easily alienable and can, therefore, hardly be ethical.

Many rules and principles in the studied documents are, in fact, technologies of alienation that cater to the powerful agents. Faithfulness, impartiality, confidentiality, quality and other virtue ethics that aim at 'protecting the public' are simple ideological shibboleths that actually aim at being loyal to the powerful agents. As *rigid* as they are, these rules dangerously promote limited duty-based rules at the expense of unlimited and gratuitous moral responsibility towards our world: humans and their environment, current and future generations, and close and remote others. Thus, the underlying motivation for the elaboration of codes does not seem to be moral *per se* but rather strategic[156]. These documents aim at regulating business relationships that can reassure powerful agents and dissipate their possible concerns regarding the 'quality' of translations, and probably also serve as an insurance policy against possible whistleblowing. They seek to align the individual translator's beliefs, attitudes and orientations with the collective institutional standards and guidelines of the association – which ultimately serve the powerful agents' interests. Besides facing this moral alienation, translators also face punitive measures, which purportedly establish order and prevent chaos, if they ignore heteronomous codes. These measures complement the ideologies of subjugation. The translator who escapes alienation is tempted to remain a member of the association – submitting to and collaborating with the codes – in order to preserve their clientele or their title.

The studied associations' documents replicate codes of ethics of other professionals, like doctors or lawyers. But 'professional' or ethical misconduct in the medical or legal professions usually affects only the immediate beneficiaries (i.e., the patients or those needing legal assistance), in other words, vulnerable agents. This is why 'public protection' in its limited sense is a recurrent theme in the objectives/statements of codes of ethics of many of their

[156] In Part II, we saw how these strategic calculations are, in fact, the powerful agents', who impose their views in these internal documents of translators.

associations. Conversely, translation is a practice that involves multiple agents and variables. First, translation involves many powerful beneficiary agents. Further, translation is not simply a service transaction but a complex cultural creation that influences agents beyond the immediate occupational circle and above the purely business considerations. Translators' and interpreters' responsibilities extend beyond their clients to include the wider community (Baker and Maier 2011b; cf. also Baker 2018, Boéri and de Manuel Jerez 2011, Gill and Guzmán 2011, Tymoczko 2007). This is because translation impacts agents/others that may be thousands of miles away or generations to come. It impacts humans and non-humans. It impacts space and the earth. Its ethics are, thus, much more complex and ambivalent than ethics of most other occupations[157]. The effects of translation are wider, more diffuse, more ambivalent, more unpredictable, and more dissipated over time and space. Moral actions are contingent on diverse and sometimes contradictory principles, meanings of translation and uses of translations. What is a moral action in one type of translation with one type of clients is probably *not* in others with other types of clients. Dealing with vulnerable clients or dominated cultures may necessitate different moral interventions/actions than dealing with dominant clients and/or dominant cultures. Also, moral action in an adaptation of a children's book may be different from a moral action in a media or political text. For these reasons, deontological approaches to translation ethics, based on *a priori* rules, are far from being appropriate for translation more than any other occupation. In this respect, Pier-Pascale Boulanger writes:

> [n]ous dirons de la traduction qu'elle est forte d'attitudes, de modes de penser et de comportements qui suggèrent une éthique sans toutefois énoncer de principes selon une logique aprioristique et péremptoire. C'est pourquoi nous évitons de parler d'une éthique de la traduction, foncièrement prédéterminée, à l'instar d'un code déontologique. Or, la traduction, dans sa pratique surtout, mais dans sa théorisation aussi, se fait dans l'impondérable propre à chaque nouvelle rencontre d'un corps textuel et d'un corps traduisant. Dès lors que la traduction

[157] Ironically, even some of these professions/occupations' codes show better awareness than the translator's codes of larger environmental and societal issues as well as self-care commitment (cf. for example, Canada Medical Association Code of Ethics and Professionalism: https://policybase.cma.ca/documents/policypdf/PD19-03.pdf, accessed on January 7, 2020).

> accorde une valeur aux impondérables (qu'ils soient historiques, politiques, sociaux, institutionnels, linguistiques, voire psychanalytiques) et s'engage à y réfléchir, comme le fait la traductologie avec une intensité sans cesse croissante depuis les années 1980, elle se tourne vers une éthique ouverte et renouvelable. En revanche, une éthique fermée, tel un code ou mode d'agir prédéfini, fait glisser la traduction vers une tactique d'écriture annexante et un mode de pensée dogmatique.
>
> [we will say of translation that it is full of attitudes, ways of thinking and behaviors that suggest an ethics without however stating principles according to an apriori and peremptory logic. That is why we avoid talking about an ethics of translation, which is inherently predetermined, like a code of ethics. Now, translation, especially in its practice, but also in its theorization, occurs within the imponderable space of each new encounter of a textual material and a translating subject. When translation recognizes the value of imponderables (whether historical, political, social, institutional, linguistic or even psychoanalytic) and undertakes to reflect on them, as Translation Studies has been doing with ever-increasing vigor since the 1980s, it turns to open and renewable ethics. On the other hand, closed ethics, such as a predefined code or mode of action, causes translation to shift towards an annexionist writing tactic and a dogmatic way of thinking.] (2004, 57)

Although some codes are open to revisions and updates – which is in fact an implicit admission of their incompleteness – they still claim universalism and well-foundedness. The guiding principles (such as the definition of the practice itself) remain unshaken and the changes are usually cosmetic rather than radical.

As argued earlier, Bauman's postmodern morality represents an opportunity for the moral translator, especially in today's globalized world. It frees them from pre-ordained codes and lets them face the uncertainty of the diverse translation situations. But although an outstanding approach from a critical perspective, Bauman's morality is not without its problems, as mentioned in the theoretical framework in Chapter 1. Although his concept of *moral self* is useful as a heuristic tool in analyzing and criticizing the codes embeddedness in purely economic and ideological considerations, I concede that Bauman gives very few answers as to the ways of recovering this *moral self* – which is inherently pre-modern and pre-social – or of how to adapt it to respond to diverse relational situations. I believe not all types of

calculation, which Bauman utterly refutes, are always undesirable. Cloaking the moral self in the robe of a *Resistant* calculator in an asymmetric relation, in relations of humiliation, hegemony or discrimination, is not only desirable but also morally required. The empowered translator, in such cases, becomes a calculative social subject that uses translation tactics and strategies to evade exploitation and cultural hegemony. Thus, while I reaffirm the plausibility of the notion of *moral self* as a generator of non-calculative gratuitous responses regardless of economic/ideological interests or Thirds, I, however, believe that denying all sorts of calculation in all circumstances is problematic. Beyond this reservation, however, one cannot not feel a gap in Bauman's thought regarding the restoration of one's moral self outside social settings – which are modern in essence. I rather argue that the *moral self* shapes and empowers itself in society. The translator's pre-social morality is too abstract to be conceivable or easily applicable as an alternative to codes of ethics. For this reason, I opt for Foucault's notion of *souci de soi [self-care]* – which is based on ancient ethics – as a complementary model that can compensate for this weakness. I refer to Foucault in order to complement Bauman's thought not only intellectually but also temporally, for while Bauman focuses on the modern era, Foucault starts at the roots.

In sum, I do not abandon Bauman's *moral self* concept as a non-calculative guide for an autonomous translator. What I do abandon is its instinctive nature, for which I substitute Foucault's self-formative ethics in social settings. In Part IV, I propose an alternative approach to ethics in addition to a pedagogy of ethics that can form the translator not only ethically but also intellectually, and, therefore, empower them both ethically and symbolically.

Part IV : Alternative Ethics

> La liberté est la condition ontologique de l'éthique. Mais l'éthique est la forme réfléchie que prend la liberté.
> [Freedom is the ontological condition of ethics. But ethics is the form that freedom takes when it is informed by reflection.]
>
> (Foucault 2001d/1984, 1531)

In Part IV, I propose an alternative pathway for a translator's ethical empowerment. I draw on Foucault's notion of *Epimeleia Heautou (self-care)* as well as Transformative Learning (TL) theory to propose a critical pedagogical approach that can enable the learner-translator to intellectually self-transform and ethically self-constitute. I also propose a transitional charter for ethics that can accompany this work on the self.

In Chapter 1, I present Foucault's notion of *self-care*. In Chapter 2, I propose alternative ethics in institutions. In Chapter 3, I show how Transformative Learning for Adult Education can promote the translator's *self-care* ethics in higher education institutions.

Chapter 1: Foucault's *Epimeleia Heautou*

Michel Foucault presents most of his insights on ethics and morality in his later works, mainly *Histoire de la sexualité II : L'usage des plaisirs [The History of Sexuality II: The Use of Pleasure]* (1984a), *Histoire de la sexualité III : Le souci de soi [The History of Sexuality III: The Care of the Self]* (1984b) and *L'herméneutique du sujet* [The Hermeneutics of the Subject] (2001a/1982) – in addition to other shorter texts and interviews, in which he traces the genealogy of ethics in the Greek, Hellenistic and Roman traditions. In the introductory chapter of *Histoire de la sexualité II [The History of Sexuality II]*, Foucault cautions his readers against

the ambiguity of the term 'moral/morality', which he defines as follows: « [p]ar 'morale', on entend un ensemble de valeurs et de règles d'action qui sont proposées aux individus et aux groupes par l'intermédiaire d'appareils prescriptifs divers, comme peuvent l'être la famille, les institutions éducatives, les Eglises, etc. » [by 'morality', one means a set of values and rules of action that are proposed to individuals and groups through various prescriptive apparatuses, such as the family, educational institutions, churches, etc.] (1984a, 32). By morality, he also refers to the actual behaviour of individuals, i.e., how they abide by or resist the prescribed rules and values. Foucault calls this level « la 'moralité des comportements' » [morality of behaviours] (ibid., 33). A third dimension of morality – and the most important in Foucault's work – is ethics. Ethics, for him, refers to the ethical constitution of the self as well as the personal and contingent responses to, or interpretations of, moral codes. In other words, it is the process of working on the self and caring for the self in order to transform oneself and respond to moral prescriptions contingently and differentially. Bob Robinson sums up Foucault's understanding of ethics as "a relation of self to itself in terms of its moral agency" (2011, n.p.). In one word, morality, for Foucault, consists of three dimensions: a moral code, actual acts of moral subjects, and ethics[158].

Foucault concludes this section of differentiations between the three aspects of morality by asserting that morality is not to be reduced to abiding by the rules but should rather include the relational dimension to the self, i.e., the processes of subjectivation in order to shape one's ethical being. The ethical aspect of morality that involves the ethical constitution of the self is

[158] At this stage, it is worth highlighting some differences between Foucault's 'morality/moral codes' and 'ethics', on the one hand, and Bauman's understanding of '(codes of) ethics' and 'morality', on the other hand. 'Morality' is a general term in Foucault's thought that includes the three components mentioned above. Moral codes, one of these components, do not necessarily refer to coerced regulations, while (code of) ethics, in Bauman's analysis, refer to universalized rules that are enforced through guarding/legislative institutions. On the other hand, ethics in Foucault's analysis is close to Bauman's morality, but with some differences. Bauman's morality is pre-social and impulsive (i.e., within us) whereas Foucault's ethics refer to the ethical constitution of the self. I use the same respective terminology of the two thinkers when referring to their respective frameworks. However, in my general discussions, I use the terms 'moral' and 'ethical' interchangeably to refer to personal ethics or personal autonomous responses, and 'codes of ethics' to refer to legislated/imposed ethics.

the most important facet of ancient morality. The ethical constitution of the self, or self-care, is ethical in itself in Foucault's thought (1984a, 1984b). He writes:

> [e]n somme, une action pour être dite 'morale' ne doit pas se réduire à un acte ou à une série d'actes conformes à une règle, une loi ou une valeur. Toute action morale, c'est vrai, comporte un rapport au réel où elle s'effectue et un rapport au code auquel elle se réfère; mais elle implique aussi un certain rapport à soi; celui-ci n'est pas seulement 'conscience de soi', mais constitution de soi comme 'sujet moral', dans laquelle l'individu circonscrit la part de lui-même qui constitue l'objet de cette pratique morale, définit sa position par rapport au précepte qu'il suit, se fixe un certain mode d'être qui vaudra comme accomplissement moral de lui-même; et, pour se faire, il agit sur lui-même, entreprend de se connaître, se contrôle, s'éprouve, se perfectionne, se transforme.
>
> [In short, for an action to be called 'moral', it must not be reducible to an act or a series of acts that conform to a rule, a law, or a value. It is true that any moral action involves a relationship with the reality in which it is carried out, and a relationship with the code to which it refers; but it also implies a certain relation with the self. This relation with the self is not simply 'self-awareness' but it is the constitution of the self as an 'ethical subject'; it is a process in which the individual delimits that part of themself that constitutes the object of their moral practice, defines their position with regard to the precept they follow, and establishes a certain mode of being that will serve as their moral accomplishment. And to do this, they act upon themself, undertake to know themself, control, test, improve, and transform themself.]
>
> (1984a, 35)

Foucault argues that in cases where the focus is on codes (their richness, comprehensibility, systematicity), and the institutions of power that enforce them and sanction the transgressors, little margin is left for self-constitution. « [D]ans ces conditions, la subjectivation se fait, pour l'essentiel, dans une forme quasi-juridique, où le sujet moral se rapporte à une loi, ou à un ensemble de lois, auxquels il doit se soumettre sous peine de fautes qui l'exposent à un châtiment » [In these conditions, the subjectivation takes place mainly in a quasi-juridical form, where the ethical subject relates to a law, or set of laws, to which they must submit or else they face punishment] (ibid., 37). In other words, when the subjectivation is external and imposed, ethics fail to be contingent and personal. Therefore, self-constitution is possible and successful only when the subject is not coerced by institutions and rigorous

legislation. This was the goal of ancient philosophy, he affirms, where the focus was on ethics, i.e., on the subject's self-constitution through ascetic work on the self, more than on codified morality. « [L]es réflexions morales dans l'Antiquité grecque ou gréco-romaine aient été beaucoup plus orientées vers les pratiques de soi et la question de l'*askesis*, que vers les codifications de conduites et la définition stricte du permis et du défendu » [moral thought in Greek or Greco-Roman antiquity was much more oriented toward the practices of the self and the question of *askesis* than toward the codifications of conducts and the strict definition of what is permitted and what is forbidden] (ibid., 37-38). Although respect for law and conventions was usually highlighted, the content of the codes was not as important as the subject's self-constitution and their attitude towards them. Instead of codified morality, it is the self-mastery of the subject and their power over themselves that transform them into ethical subjects. In this relation to the self, the ethical subject « est appelé à se prendre soi-même pour objet de connaissance et domaine d'action, afin de se transformer, de se corriger, de se purifier, de faire son salut » [is called upon to take themself as an object of knowledge and a field of action, in order to transform, correct and purify themself, and achieve salvation] (1984b, 56). Discussing sexual austerity in Greek thought, Foucault stresses the utterly personal and free nature of individuals' ethical responses to this issue. He reports that sexual austerity was not a coercive universal law for everyone, but rather a general precept from which some people may have wanted to derive their personal style. This choice of a moral style is singular and non-universalizable. Sexual austerity in the Greek tradition « relève d'une histoire qui est, pour comprendre les transformations de l'expérience morale, plus décisive que celle de codes : une histoire de l''éthique' entendue comme l'élaboration d'une forme de rapport à soi qui permet à l'individu de se constituer comme sujet d'une conduite morale » [belongs to a history that is more important for an understanding of the transformations of the moral experience than the history of codes: a history of 'ethics', understood as the elaboration of a relationship with the

self which allows the individual to constitute themself as the subject of moral conduct] (1984a, 275).

- *Self-care*, the heart of the predominant *culture de soi [cultural of the self]* in ancient traditions, had, thus, a purely individualistic and private nature irrespective of power/legislative institutions. In fact, it was the weakening of the socio-political framework (which may have been implemented to guard morality) that guaranteed self-care, and therefore, rigorous morality. « Ce ne serait donc pas le renforcement d'une autorité publique qui pourrait rendre compte du développement de cette morale rigoureuse, mais plutôt l'affaiblissement du cadre politique et social dans lequel se déroulait dans le passé la vie des individus » [Therefore, it was not the strengthening of public authority that could account for the development of this rigorous morality, but rather the weakening of the political and social framework in which the life of individuals used to unfold in the past], Foucault writes (1984b, 55). Personalized rules of behaviour and self-care are, thus, a sign of freedom, in the ancient traditions. Without freedom, one cannot exercise self-care and thus, cannot be moral. For the Greek Stoic philosopher, Epictetus, free humans are, by nature, devoted to self-care, which is at once a privilege and a duty, a gift and an obligation. This self-subjection is « une épreuve de pouvoir et une garantie de liberté » [a test of power and a guarantee of freedom] (ibid., 81). The ascetic practices and technologies of the self reflect the subject's sovereignty and their freedom, but also test their proper handling of this endowed power and autonomy.

Besides the general emphasis on the ethical dimension of morality (i.e., self-constitution) and the subordination of codes, there is also a tacit recognition of the multifacedness of moral issues, or any other behavioural issues (like sexuality). Foucault

affirms that « non seulement les Grecs n'ont pas cherché à définir un code de conduites obligatoires pour tous, mais ils n'ont pas non plus cherché à organiser le comportement sexuel comme un domaine relevant dans tous ces aspects d'un seul et même ensemble de principes » [not only did the Greeks not seek to define a code of conduct that is binding on all, but they also did not seek to organize sexual behavior as an area that is governed in all its aspects by a single set of principles] (1984a, 275). The Greeks were, thus, aware that the complex question of morality cannot be responded to in an exhaustive and non-ambivalent code. Also, they were convinced that its multiple facets cannot be addressed by *one* and the *same* moral principle. Therefore, unlike modern philosophers of ethics, who prescribe and recommend the rational institutionalization and legislation of ethics in universal laws/codes, as Bauman demonstrates, ancient philosophers, aware of the complexity of moral issues, did not seek legislation for their thoughts about morality.

As Foucault (2001a/1982, 1984a, 1984b) reports in *L'herméneutique du sujet [The Hermeneutics of the Subject]* and *Histoire de la séxualité [The History of Sexuality]* I and II, respectively, *Epimeleia heautou* [self-care] is a central theme and aim in ancient morality, starting from Socrates's philosophy through Christian asceticism in the fifth century, reaching its climax during the first two centuries of Roman Imperial times. « [D]ans cette pratique de soi, telle qu'elle apparaît et se formule dans les derniers siècles de l'ère dite païenne et les premiers siècles de l'ère chrétienne, le soi apparaît au fond comme le but, le bout d'une trajectoire incertaine, et éventuellement circulaire, qui est la trajectoire dangereuse de la vie » [In this practice of the self, such as it appears and is formulated in the last centuries of the so-called pagan era and the first centuries of the Christian era, the self basically appears as the aim; the end of an uncertain, and possibly circular, journey, which is the dangerous journey of life] (2001a/1982, 239-240). *Self-care* was regarded as a general attitude, a manner of behaviour, of acting and of relating to oneself and to others. « L'*epimeleia heautou*, c'est une attitude : à

l'égard de soi, à l'égard des autres, à l'égard du monde » [The *epimeleia heautou* is an attitude towards the self, towards others and towards the world] (ibid., 12). In Foucault's terms, this implies « qu'il faut qu'on convertisse son regard, de l'extérieur, des autres, du monde etc., vers: 'soi-même' » [that one must convert one's gaze from the outside, from others, from the world, etc., towards 'oneself'] (ibid.). Besides being an attitude, *self-care* constitutes a myriad of practices, activities and exercises (*askêsis*) that seek self-enhancement and self-(trans)formation. It is a real and practical endeavour, a labour on the self (cf. Foucault 2001a/1982, 1984b). This intensive work on the self is *not* a social withdrawal, however. Unlike Bauman's pre-social *moral self*, the ancient ethical subject is socially embedded. Self-care in ancient times « constitue, non pas un exercice de la solitude, mais une véritable pratique sociale. Et cela, en plusieurs sens. Elle a en effet souvent pris forme dans des structures plus ou moins institutionnalisées » [constituted, not an exercise in solitude, but a real social practice. And it did so in many ways. Indeed, it often took shape in more or less institutionalized structures] (Foucault 1984b, 67). Thus, self-care is an exchange, a reciprocal practice that privileges learning from one another. Institutions that advocate critical debate and involve symmetrical active exchange (rather than imposed knowledge) are not to be rejected but rather supported as being in the service of self-care. That being said, ethics is a personal matter and a self-constitution. It is a sort of "conversion" towards the self, in Foucault's terminology (2001a/1982). "C'est vers soi-même, c'est vers le centre de soi-même, c'est dans le centre de soi-même que l'on doit se fixer son but" [It is towards oneself; it is towards the centre of oneself, it is in the centre of oneself that one must set one's aim] (ibid., 199). In short, although ethical learning takes social forms, it remains self-transformative, self-adjusting, self-corrective and a purely personal endeavour.

Another very important aspect of *self-care* is the development of critical reflection on one's representations and thoughts inculcated and reinforced through education in schools, family or

other institutions (Foucault 2001a/1982). « Dans l'*Alcibiade*, le souci de soi s'imposait en raison des défauts de la pédagogie; il s'agissait ou de la compléter ou de se substituer à elle » [In the *Alcibiades,* self-care was necessary because of the deficiencies of pedagogy; it was a matter of either supplementing it or replacing it] (ibid., 476). Self-care is a self-reflexive work that consists of permanent examination, purification, and filtering of one's ideas and opinions (1984b, 79). Epictetus and the Hellenistic Plutarch warn that some people may be blinded and cannot see their own souls' ills. Worse, they may even perceive them as virtues. « Le grave, dans les maladies de l'âme, c'est qu'elles passent inaperçues, ou même qu'on peut les prendre pour des vertus » [The serious thing about diseases of the soul is that they pass unnoticed, or even that they can be mistaken for virtues] (ibid., 74). Hence, constant self-examination of one's thoughts, judgments, and representations is an important aspect of self-control, self-knowledge, and thus, *self-care*. According to Foucault, Epictetus, in *Discourses,* suggests that « [c]haque représentation, il faut pouvoir l'arrêter et lui dire : 'attends, laisse-moi voir qui tu es et d'où tu viens' tout comme les gardes de nuit disent 'Montre-moi tes papiers.' Tiens-tu de la nature la marque que doit posséder la représentation pour être approuvée ? » [Every representation should be subject to examination. We should be able to stop it and say, 'wait, let me see who you are and where you come from', just like the night watchmen say, 'Show me your papers'. Do you get from nature the seal of approval that a representation must have?] (ibid., 80). *Self-care,* thus, has a critical function. As Foucault reports, the ultimate aim of this reflection about one's thought is to undo bad habits, and eradicate false opinions, which may have been inculcated in us from the crowds, bad teachers, parents or surroundings. « 'Désapprendre' (*de-discere*) est une des tâches importantes de la culture de soi » ['To unlearn' (*de-discere*) is one of the important tasks of the culture of the self] (2001a/1982, 477).

As already mentioned, self-constitution implies freedom and obligation. It is the ground for testing the judicious use of this freedom on oneself and *others*. Against critiques of selfishness,

radical individualism and impracticality raised against Foucault's account on ethics[159], Nancy Luxon (2008, 397) argues that Foucault's turn to ancient ethics "reflects not a selfish interest in self-fashioning, but commitment to a set of ethical practices that would focus individuals squarely on their relations to others, and on their own words and deeds, as the necessary substance of ethical work." James Wong (2013), discussing Foucault's ontological priority of the care for the self, argues that self-care automatically requires an intensification of social reciprocal relations with others. He shows that the practice of self-care does not prevent involvement in collaborative political projects with others (cf. also Vintges 2001, Raaen 2011). Ethical subjects who take care of themselves and use their freedom appropriately are good not only to themselves but also to others. In Greek political thought, "[l]a rationalité du gouvernement des autres est la même que la rationalité du gouvernement de soi-même » [the rationality of governing others is the same as the rationality of governing oneself] (Foucault 1984b, 110). Being in a position of power, the ethical subject who is successful in self-government and self-care has the potential to extend this success to the act of governing others. « [C]'est le pouvoir sur soi qui va réguler le pouvoir sur les autres » [It is the power over oneself that will regulate the power over others] (2001d/1984, 1535). Law is not enough; the governor is more important. Plutarch affirms, as reported by Foucault, that « on ne saurait gouverner si on n'est pas soi-même gouverné. Or qui donc doit diriger le gouvernant ? La loi, c'est certes ; toutefois, il ne faut pas l'entendre comme la loi écrite, mais plutôt comme la raison, le *logos*, qui vit dans l'âme du gouvernant et ne doit jamais l'abandonner » [one cannot govern if one is not self-governed. But who, then, governs the governor? The law does, of course. However, the law must not be understood as the written law, but rather as reason, the *logos*, which lives in the soul of the governor and must never abandon them] (1984b, 110). The governor needs self-care, soul guidance and vigilance. Self-government and personal *ethos* are, thus, a crucial

[159] For example, Ella Myers (2008) argues that care for the self as a strategy to reshuffle power relations in order to make them more equitable is limited and that self-care further fosters individualism. Amy Allen (2004) refutes Foucault's claim that the relationship with oneself is ontologically prior to relationships with others. Nancy Fraser (1994) and Charles Taylor (1989, 1991) take Foucault for a moral nihilist.

ethical nucleus that guarantees responsible stances in regard to socio-political and civic issues (ibid., 116).

The ethical constitution of the self continued under the Christian tradition, according to Foucault, albeit with a radical conceptual and practical twist. In Christianity, subjection has taken the form of renunciation of the self – as a way of seeking the gratitude of the divine power. The 'Cartesian moment', which upheld *evidence* as a nucleus for any philosophical thought, and thus, requalified *gnôthi seauton* ('connais-toi toi-même' [know oneself]) and disqualified *epimeleia heautou* ('souci de soi' [self-care]) constitutes a moment of rupture with *morality* as a philosophical/knowledge form, and the moment it began to be conflated with mere spirituality (Foucault 2001a/1982)[160]. Since Descartes, scientific rationality, based on evidence, had become the only form of knowledge/philosophy. But with Emmanuel Kant, the concept of self-constitution was revived as part of knowledge. Foucault gives Kant the merit of reviving self-constitution as an ethical/philosophical attitude, by reconciling the ethical subject and the subject of knowledge (the former disqualified by Descartes) (2001b/1983, 1230). Kant's 'emancipatory' project of Enlightenment (Aufklärung) moves people from a 'minority status' to a 'majority status', i.e., from the state of 'obey, don't reason' to 'obey, and you can reason as much as you want' (Foucault 2001e/1984, 1383-1386). And in the move to a 'majority status', individuals emancipate themselves from guardianship in order to constitute themselves. Foucault seems to credit Kant for the fact that he "reorders our very ways of thinking about things" (Allen 2003, 188). This does not mean, however, that he embraces Kant's modernist project, including his 'majority status' idea. Foucault does not adhere to Kant's universalist reason. Of course, the claim that morality consists of abiding by the 'Categorical Imperative' – the supreme universal principle and *a priori* standard

[160] It is noteworthy, however, that in ancient traditions, there was no exclusionary opposition between self-knowledge and self-care. As Gros (2002, 235) explains this, « [l]'opposition entre souci de soi et connaissance de soi n'est pas exclusive ; ce qu'il s'agit plutôt d'établir, ce sont des rapports de subordination, des structures de prédominance » [the opposition between self-care and self-knowledge is not exclusive; rather, it is a question of establishing relations of subordination and structures of predominance].

of rational morality, which is compatible with rational beings' thinking (Kant 1997/1788) – would not convince the postmodern Foucault. Foucault writes: « la question critique, aujourd'hui, doit être retournée en question positive : dans ce qui nous est donné comme universel, nécessaire, obligatoire, quelle est la part de ce qui est singulier, contingent et dû à des contraintes arbitraires » [the critical question, today, must be turned into a positive question: in what is given to us as universal, necessary, mandatory, what is the share of what is singular, contingent and subject to arbitrary constraints] (2001e/1984, 1393).

Foucault's distance from the modern notion of self-constitution is not surprising to readers of his recent as well as earlier work[161]. Foucault had vehemently and lengthily argued against the modern constitution of the self reinforced through disciplinary modes of subjectivation and discourse (cf. for example Foucault 1971, 1975). Interestingly, the shock that results from the purportedly paradoxical views in Foucault's thought regarding the two modes of subjectivation (i.e., ancient and modern) is alleviated once one discerns the nuances between them. To be concise, ancient self-constitution is self-reflexive, autonomous from power and carried out for its own sake, whereas its modern form reflects the power wish and its discursive practices. Modern subjectivation of individuals is rather the product of the technologies of power and may seek what Ziguras (2004, 128) calls "the professional-institutional level of social integration."

Foucault's thought regarding ethical self-constitution reminds us of MacIntyre (2007/1981), an influential figure in contemporary moral philosophy and a fierce critique of Kant and modern moral philosophy in general. Similarly to Foucault, MacIntyre rejects all forms of modern individualism and calls for the "regeneration" of the Aristotelian ethics through ethical constitution and practices within one's community, and, therefore, the revival of ethical agency.

[161] It is noteworthy that this late reading of Kant and admiration for his project perplexed many. Habermas (1994), for example, accused Foucault of contradiction in his thought or of having two Kants. Allen rather argues that "Foucault does not reject the Kantian critical framework; instead, he takes it up in a radically *transformative* way" (2003, 190, italics added).

> When recurrently the tradition of the virtues is regenerated, it is always in everyday life, it is always through the engagement by plain persons in a variety of practices, including those of making and sustaining families and households, schools, clinics, and local forms of political community. And that regeneration enables such plain persons to put to the question the dominant modes of moral and social discourse and the institutions that find their expression in those modes. (MacIntyre 2007, xv)

Rejecting the overestimated 'rational' morality of modern thinkers, both Foucault and MacIntyre stress personal investment in enhancing oneself as in the ancient traditions. However, MacIntyre seems to be more focused on Aristotelian ethics alone and on orienting one's ethics to *communal* good, whereas Foucault's work is centred on the personal work on the self – which will, by definition, benefit the *other* as well.

Foucault's morality also compels us to contrast it with that of another distinguished contemporary philosopher, Paul Ricoeur. In contrast to Foucault and MacIntyre, Ricoeur tries to reconcile the Aristotelian and the Kantian traditions – which are irreconcilable in MacIntyre's view. He contends that morality contains three spheres: anterior ethics, i.e., « la *visée* d'une vie accomplie » [the *aim* of an accomplished life] (teleological perspective) (1990, 200); moral norms, i.e., « l'articulation de cette *visée* dans des normes » [the translation of this *aim* into norms] (ibid.), (deontological perspective); and posterior ethics; i.e., « les éthiques régionales » [regional/applied ethics], like medical ethics, business ethics, etc. (2000, 117).

> [O]n peut tenir pour équivalentes les deux formulations suivantes : d'un côté on peut tenir la moralité pour le *plan de référence* par rapport auquel se définissent de part et d'autre une éthique fondamentale qui lui serait antérieure et des éthiques appliquées qui lui seraient postérieures. D'un autre côté, on peut dire que la morale, dans son déploiement de normes privées, juridiques, politiques, constitue la *structure de transition* qui guide le transfert de l'éthique fondamentale en direction des éthiques appliquées qui lui donnent visibilité et lisibilité au plan de la *praxis.*
>
> [The following two formulations may be considered equivalent: on the one hand, morality can be regarded as the *reference plan* in relation to which a fundamental ethics, which would be prior to it, and applied ethics, which would be posterior to it, are established on both sides. On the other hand, we can say that morality, in its deployment of private, legal, political norms, is the *transitional structure* that guides the transfer of fundamental ethics into applied ethics that give it visibility and legibility at the *praxis* level.]

(ibid., 120, italics in original)

Although Ricoeur assigns moral norms a central position, he nevertheless gives primacy to anterior ethics. Ethics, for him, is a sort of meta-morality; « une réflexion de second degré sur les normes » [a second-degree reflection on norms] (ibid., 104).

> [L]a morale ne constituerait qu'une effectuation limitée, quoique légitime et même indispensable, de la visée éthique, et l'éthique en ce sens envelopperait la morale. On ne verrait donc pas Kant se substituer à Aristote en dépit d'une tradition respectable. Il s'établirait plutôt entre les deux héritages un rapport à la fois de subordination et de complémentarité, que le recours final de la morale à l'éthique viendrait finalement renforcer.
>
> [Morality would constitute only a limited – though legitimate and even indispensable – actualization of the ethical aim, and ethics in this sense would include morality. We would, therefore, not see Kant replacing Aristotle, notwithstanding a respectable tradition. Rather, a relationship of both subordination and complementarity would be established between the two legacies – which the final recourse of morality to ethics would ultimately reinforce.]
>
> (Ricoeur 1990, 201)

Ricoeur's (1989, 1990, 2000) attempts to reconcile Aristotelian *ethics* and Kantian *morality* do not coincide with Foucault's *self-care* ethics. Although Ricoeur stresses the 'primacy' of ethics (which incorporate three components: 'souci de soi, souci de l'autre, souci de l'institution' [self-care, care for the other, care for the institution]) over moral norms, he emphasizes the centrality of moral norms by « la nécessité pour la visée éthique de passer par le crible de la norme » [the need for the ethical aim to pass through the filter of the norm] (1990, 200-201). The fact that fundamental/anterior ethics may be corrupted by "Thirds", to borrow Bauman's term (1993), or by institutions, in MacIntyre's view (2007/1981), during the process of their effectuation/translation into applied/regional ethics, passing though norms, does not seem to be a concern for Ricoeur. Foucault, on the other hand, does not look for any specific applied ethics, nor does he assign any centrality to moral norms – although he does not dismiss them altogether. That being said, both Foucault and Ricoeur stress the priority of self-care and self-esteem to respecting and caring for others. Ricoeur writes, « le je et le tu s'engendrent mutuellement. Je ne pourrais pas

tenir autrui pour une personne si je ne l'avais fait d'abord pour moi-même. L'estime de soi et le respect de l'autre se produisent réciproquement, et c'est là le premier socle de l'éthique » [the I and the you generate each other. I could not consider the other as a person if I had not first done so for myself. Self-esteem and respect for the other are mutually produced, and this is the first foundation of ethics] (1989, 54).

Although Foucault refrains from prescribing ancient ethics as a wholesale solution to all modernity's moral ills when he claims to stand outside the "histoire des solutions" [history of solutions] (2001b/1983, 1205), he nevertheless argues that the moral issues that modern societies face are strikingly similar to those faced by ancient societies. Like the Greeks, many of us, nowadays, do not believe that morality should be imposed by coercive systems that interfere with personal beliefs and private lives, Foucault explains. We want a new morality but are unable to find one that is not founded in modern rationality. « Les mouvements de libération récents souffrent de ne pas trouver de principe sur lequel fonder l'élaboration d'une nouvelle morale » [Recent liberation movements suffer from not finding a principle on which to base the elaboration of a new morality], writes Foucault (2001b/1983, 1205). In view of this impasse, some of Foucault's followers and other postmodern perspectives on ethics, in general, plead for a return to ancient ethics or at least inspiration from them (cf. for example, Meijl 2000; Kelemen and Peltonen 2001; Vintges 2001; MacIntyre 2007/1981, 1988; Annas 2006; Luxon 2008; Raaen 2011, Wong 2013, among many others). And this is the perspective that the current project espouses.

From the foregoing introduction, it is clear that Foucault evokes *ethics* that do not reside in modernity – similarly to Bauman's *morality*. However, unlike Bauman's morality that is quite a primitive instinct, Foucault's ethics reside in ancient traditions. In other words, *ethics* are embedded in society while *morality* is pre-social. The main difference between Bauman's account and Foucault's is that the former highlights the morality of otherness assuming that the primitive *moral self* is able to cater to it, whereas Foucault underscores ethics of the self as a pre-condition

for ethics of otherness. Bauman's aim is the emancipation from ethical codes of modernity and the return to the morality of proximity, and of distance, adapted to the digital era, while Foucault stresses the fact that the ethical subject is freely self-constituted through *akêsis*, i.e., labor on the self in order to transform, correct and purify it. I argue that this self-care and work on the self of Foucault is what is missing in the morality of Bauman, who takes it for granted that morality is out there in everyone and just needs to be revived. But as Kelemen and Peltonen (2001, 161) argue, "the individual cannot count on moral impulses, since our experiences are often already shaped by institutional discourses such as pedagogy or psychology." The merit of Foucault's notion of *self-care* over Bauman's *moral self* is that it is socially embedded, and co-habitable with institutions – an insurmountable modern phenomenon. Also, while Bauman stresses the ambivalence of moral decisions, which is very characteristic of translation practice, Foucault underlines preparation for this ambivalence, i.e., self-formation/training to face it. Besides, Foucault's philosophy – unlike Bauman who is radical in his rejection of codes – allows some space for codes on the condition that they be stripped of their judicial trappings – an important factor for those who seek judicial and gradual change, as is the case in the current project.

In this project, Foucault's *self-care* complements Bauman's critical apparatus that I used to analyze the role of the translator's morality in these codes. I draw on Foucault's framework to propose alternative ethics to those found in current translator codes of ethics. I propose ethical undertakings that may enhance the translator's self-constitution in socio-institutional spheres. Foucault's *self-care* is a powerful concept in the sense that it may not only enhance the translator's ethical self but also their *capital.*

Following Foucault, only the institutions that support the *culture of the self* are fit to enhance *self-care* ethics. That is why there is a pressing need to foster *the culture of the self* in the various institutions concerned with translation if we want to promote the translator's *self-care*. In the meantime, non-coercive guiding charters for ethics can still exist within this framework of the

culture of the self. In section 2.1. of the following chapter devoted to 'Alternative Ethics in Institutions', I discuss how the culture of the self can be fostered in the educational institution, the translator organization and TS. In section 2.2., I propose a transitional alternative charter for ethics that consists of general guiding values that do not impede self-care ethics and are compatible with the culture of the self. In Chapter 3, I propose a critical pedagogical approach that can put into practice Foucault's *self-care* ethics.

Chapter 2: Alternative Ethics in Institutions

2.1. Enhancing the *Culture of the Self* in Translation Studies, Translation Education and the Translation Occupation

Following Foucault (1984b), self-care is not a solitary endeavour but a labour on the self within society and, often times, within its institutions. The translator can work on the self in their institutions, namely the educational institution and the self-governing institution, i.e., the translator's association. However, these institutions need to be flexible enough to accommodate such self-transformative work. The enhancement of the translator's ethical self-constitution, thus, develops by abandoning the coerciveness of institutionalized rules and enhancing the *culture of the self* in TS, translator education and the translation occupation.

2.1.1. Enhancing the Culture of the Self in Translation Studies

Baker and Maier (2011b, 7) argue that "[t]he literature on ethics, like most of the literature on translation and interpreting, has traditionally assumed that translators and interpreters are primarily responsible to their clients, or the author of the source text in the case of literary translation in particular." Things have, however, considerably changed since the cultural turn and the hermeneutics writings, as reported in the literature review in Part I. More attention has been drawn to Otherness, ethical representation as well as power issues in translation. The recent orientation in TS seems to be influenced by the emphasis put by some contemporary ethicists on ethics of Otherness as a way to distance themselves from ancient ethics, perceived

by some as egocentric practices. Regarded as an unequivocal ethical stance that needs to be fostered in TS, this move has, thus, rarely been questioned. I argue that TS literature about ethics has, however, over-emphasized Otherness at the expense of the translator's *self*. It has ignored the fact that the neglected and subjugated *self* may be unable to care for the *Other* gratuitously. I believe that responsibility towards otherness is not a principle that translators need to be reminded of outside the realm of *self-care*. Care for the self has ontological precedence over care for the others. Self-care is a precondition for any intellectual, ethical or political emancipation and is itself a political and ethical act as it liberates one from subjectivation by an external power. As Foucault (2001d/1984, 1533) tells us, self-care in ancient ethics is the nucleus of all ethics, including ethics towards otherness. « Pour les Grecs, ce n'est pas parce qu'il est souci des autres qu'il est éthique. Le souci de soi est éthique en lui-même ; mais il implique des rapports complexes avec les autres, dans la mesure où cet êthos de la liberté est aussi une manière de se soucier des autres » [For the Greeks, it is not because it involves care for others that it is ethical. Self-care is ethical in itself; but it involves complex relationships with others, insofar as this ethos of freedom is also a way of caring for others] (ibid.).

While my aims are not very different from the scholars who advocate ethics of otherness, our means are quite different. My current project aims at reorienting ethics of otherness to have *self-care* as its nucleus and point of departure. I believe that ethics of otherness has made a wrong departure and pointed in the wrong direction as it has neglected the subject, the source of the care that might be expended toward others. It is like asking translators to do what they probably do not know how to do. In order to care for others, one needs to care about oneself, for *nemo dat quod non habet*. A disempowered translator, who does not take care of themself, may never know *how* or *why* to care for others. A translator cannot take virtuous actions towards others if they are not themselves virtuous and empowered. Responsibility for others requires a

reflective, autonomous and empowered translator equipped with personalized ethical tools that allow them to deal with this complex and ambivalent task. Thus, a return to the ethics of the *self* seems necessary in TS. TS needs to support the art of critical self-reflection and the work on the self that allow a translator to find their path autonomously and without a supreme guide (of foreignization or literalism, or the like). My argument for the focus on the self, drawing on Foucault, is, thus, not a call for egoism. It is rather a call for an ethical empowerment that allows the translator to practice virtuous actions towards others. The ultimate aim of this self-empowerment is to afford some space for others from within the (cultural) self (cf. Iser 1995).

2.1.2. Enhancing the Culture of the Self in Translation Education

As discussed in Part II, the translator's embodied cultural capital is the main supply for their symbolic capital. But the translator's cultural capital does not only involve technical skills and theoretical knowledge; it needs to include ethical enhancement as well. This is because translation is not a simple technical endeavour but a moral task, *par excellence* (Baker and Maier 2011b, Goodwin 2010, Baker 2018/1992). "[E]thics is not extrinsic to translation (and interpreting), an activity that in itself is intrinsically ethical", Baker and Maier remind us (2011b, 3). Most importantly, the very conceptualization of *translation* is an ethical task, and so are the issuing practices from this conceptualization. Ethics of translation, thus, should be at the heart of the translator's education and, therefore, an important component of their embodied cultural capital.

As translation education is supposedly linked to TS research, ethics of otherness would be prevalent in translation classrooms since the cultural turn. However, ethics have had a minor position within translation curricula in many education institutions around the world (Baker and Maier 2011b, Drugan and Megone 2011). The traditional ethos of *neutrality* and *fidelity* are still prevalent in today's classrooms in conformity with the business-oriented codes of ethics. Unfortunately, many university educators still instruct their students to follow 'professional'

codes of ethics unquestioningly (Baker and Maier 2011b). Translation didactics has been working to respond to the 'practical' demands of the market and employers, thus often neglecting research about ethics in TS itself. They have been more market-centered than discipline-centred. Hence, instead of educating student-translators on how to improve their conditions, their work and their societies and empowering them ethically (which many TS scholars advocate), some translation classrooms seem to be guided by the market's internal logic, as I explained in Part II. The question, therefore, is: how ethical and how proactive is a pedagogy influenced by market orientations rather than larger social and ethical considerations?

> [I]f the goals are set by the employers and officials alone, and academics react only to the existing (technology- and economy-driven) demands set by the field, then the training institution fails in its most fundamental task of educating new generations to not only adapt to existing conditions, but also to research, develop and improve them. (Koskinen 2012, 7)

Of course, universities cannot be completely isolated from the realities of translation and the translation market. However, they need to remain immune to external impositions that seek corporate profit against ethical considerations, the larger social/planetary interests and/or the dignity of translators (cf. Kearns 2008).

Against this backdrop, many TS scholars have recently called for the integration of ethics into translation curricula. The special issue of *Ethics in Interpreter & Translator Training* (2011) is a case in point (cf. also Arrojo 2005, Koskinen 2012). The guest editors, Baker and Maier (2011b, 3) call on educators

> to engage far more directly and explicitly with the issue of ethics and build it into the curriculum. They need to offer trainee translators and interpreters the conceptual means to reflect on various issues and situations that they may be confronted with in professional life, and which they may find morally taxing, without having to fall back unthinkingly on rigid, abstract codes of practice.

Koskinen (2012) responded to this call for a more engaged classroom by proposing a framework of critical pedagogy that counters the marketization and commodification of education. While

these calls and projects are encouraging, most of them, like the theorization of ethics in TS literature in general, do not give a central position to self-care ethics[162]. The culture of the self has yet to be emphasized in translation pedagogy – although it has long been adapted by many theorists of education (cf. for example, Ball 1990, Marshall 1996, Popkewitz and Brennan 1998, Olssen 1999, Raaen 2011). I believe that ethics in translation curricula needs to centre around the learner-translator in order to best serve the aims that the mentioned scholars seek. I argue that Foucault's notions of self-care present an opportunity to translation scholars, educators and translators to help concretize the ambitious project of ethical and cultural empowerment that many TS scholars have sought.

Such a self-based pedagogy should not only seek to *train competent practitioners* but also to *educate critical and empowered* translators. Drawing on Freire (1998), Koskinen rightly argues that "education is fundamentally a matter of the formation of the self and of creating a historical and ethical understanding of both society and our own position(s) within it" (2012, 8). Translation pedagogy that is centered on the self should aim to transform the translator and make them able to think critically and to examine all assumptions they adhere to unknowingly, uncritically and blindly, such as the 'ethical' teachings of codes of ethics of associations – which are found to unethically disempower their capital and neutralize their moral self.

2.1.3. Enhancing the Culture of the Self in the Translation Occupation

As shown in Part II, the organizations representing translators instruct members to follow codes of ethics unconditionally, and, thus, neutralize the personal responsibility of the translator. At best, they admit their incompleteness (e.g., AUSIT) and/or organize workshops/training sessions to explain their rules (e.g., l'Ordre des traducteurs, terminologues et interprètes agréés du Québec [Québec Certified Translators, Terminologists and Interpreters Association]

[162] To my knowledge, Koskinen (2012) is the only scholar who shows some awareness of self-constitution that is relatively close to the one sought in this project.

(OTTIAQ)[163]). At worst, they adopt disciplinary measures in order to enforce them. And yet, one of the main aims of the ethical self-constitution of translators as subjects of their acts is that they assume the risk and the responsibility for own decisions and choices. This aim cannot, of course, be achieved by coercive codified ethics, which are mainly influenced by employers or clients' aspirations and suggestions. The precondition for the promotion of the culture of the self in the translation occupation is the elimination of the disciplinary adjudications related to codes of ethics. « La liberté est la condition ontologique de l'éthique » [Freedom is the ontological condition of ethics], as we learn from Foucault (2001d/1984, 1531). The dismantling of disciplinary committees and coercive measures of associations is the first step for the translator to (re)gain their *ethical sovereignty and autonomy*[164].

This culture of the self needs to be reflected not only in documents revolving around ethics but also in all translators' internal discourses and actions. Translator associations have to be a space that promotes self-care discourse and self-enhancement actions. The fostering of the culture of the self within these organizations includes the promotion of self-worth through raising the translator's awareness about the real value of their practice. The organizations' main mission should consist of making its members take pride in being *translators* and in belonging to the network. Members need also to find a space where they intensify social networking with peers in order to exchange experiences and information, and learn from one another. Translator organizations need to be a space for debate and interaction, rather than a body of imposition/coercion. They should be a space where equal peers gather for an evening drink to casually converse about work. Associations also need to encourage forum platforms,

[163] https://ottiaq.org/en/future-member/training-on-ethics-professional-conduct-and-professional-practice/ Accessed on December 30, 2020.

[164] For example, the American Anthropological Association (AAA), engaged in a practice close to translation, has taken a step forward by eliminating the adjudication processes and adopting a more education-centered code of ethics in its version published in *Anthropology Newsletter* of March 1998 (Meijl 2000). This can be an experience for translator associations to look into.

workshops, seminars, webinars that not only debate ethical issues *per se* but also reflect on the different linguistic, cultural, political, sociological and economic issues (in)directly related to the translation practice. Translators in these learning encounters should be given a voice in order to self-form. They should *not* be taught by 'experts'; instead, they should create and inhabit an informal atmosphere where they can express themselves freely among peers, reflect about themselves and build their own personal learning according to their style/stage of learning.

In order to pave the way for self-care ethics, institutions (both formal educational institutions and associations of translators) are not to be rejected but rather reformed and transformed in a way to advocate critical debate and foster symmetrical active exchange (rather than impose knowledge). In other words, these institutions need to be at the *service* of self-care. Morality is a personal matter and a personal constitution. « De sa moralité chacun est l'artisan » [Each one is the architect of their own morality], as Seneca put it (Foucault 1984b, 115). These institutions' roles need to be understood as facilitating and enhancing self-learning and critical thinking rather than transferring/ transmitting information or imposing/transmitting rules or principles. The teacher is an individual who facilitates and guides the debates/exchanges; the translator is the one who selects and adapts the elements that are beneficial for their self-constitution.

That said, fostering the culture of the self in these institutions may not be easy. In TS, we know that not all scholars, who are part of the field of power, will align with this culture that seeks the empowerment of the translator, as discussed in Part II. Likewise, translators themselves (represented by their organizations) may resist engaging in promoting such change. We know that the pressures from clients/employers are enormous. Hence, the central challenging work is to recruit more people in each of these two groups of agents who can resist these external pressures and embrace and work to promote a culture of the self. And the point of entry is TS. TS scholars/educators are in a position that may allow them to shake up the

current status quo if they assume “ethical positions that are not indebted to or controlled by special interests" (Tymoczko 2009, 418).

There remain two important questions. First, what is the fate of codes of ethics in such a culture of the self within translator associations? Second, what pedagogical approach is best suited to apply *self-care* ethics within educational institutions? These are the questions I try to answer, next. In what follows, I argue that charters for ethics that are non-coercive can still be viable, and even desirable, in the transitional period towards adopting the culture of the self in translation institutions. In Chapter 3, I propose a learning approach that is liable to enhance self-care ethics.

2.2. An Alternative Charter *for* Ethics

In postmodern thought, as in ancient ethics, there is a deep conviction that “a foolproof, non-ambivalent, universal and objectively founded ethical code will never be found”, as Meijl (2000, 70) rightly argues in his account on the codes of ethics of anthropological associations (cf. a similar account of ‘professional’ communication codes of ethics by Holtzhausen 2015). Thus, a radical approach would seek to abolish such codes as their defects are inherent in their nature, and, therefore, unsurmountable through revisions and updates. I share the first conviction as my study shows that codes of ethics impede the translator’s symbolic recognition and neutralize their moral self. However, as someone who has a modest ambition and seeks incremental change, I rather seek to strip codes of their judicial robes as well as to make a deep change in their nature, as a first step in the process of boosting postmodern subjective ethics. Thus, I believe that a charter for non-coercive ethics, similar to those in Foucault’s account[165], is desirable – although not necessary for all translators. It can be a judicious transitional phase

[165] It is worth reminding readers that non-coercive codes in ancient ethics constituted one of the dimensions of morality, as reported by Foucault (1984a).

from heteronomous absolutist codification to post-modern relativism. Such a charter needs, however, to be at the service of the culture of the self and compatible with its framework. The translator needs to be autonomous in determining the *ethical substance* and the contingent ethical responses to the ethical principles highlighted. This is what Foucault (1984a, 33) calls 'la moralité des comportements' [morality of behaviours][166]. Any proposal for such a charter needs to be careful as to the nature of the document, its approach and its discursive tone. I believe the document needs to have an educational nature/purpose. In what follows, I propose a draft of a charter, which does not claim to be exhaustive or perfect. It is an open and lateral platform, a trigger for symmetrical dialogue and debate among all translators. It may be a transitional phase that could lead to another more advanced platform coming from translators themselves.

My proposed draft seeks two main aims: the *enhancement of the translator's capital* (respect for their economic rights, their dignity, their autonomy and their value as cultural creators and disseminators of information and knowledge), and the *empowerment of their ethical self* – which ultimately feeds their embodied cultural capital, and vice versa. The *symbolic empowerment and the autonomy of the translator is, I believe, an ontological condition for ethical behaviour*, following Foucault (2001d/1984, 1531). Furthermore, self-care leads to self-government of the empowered and is, therefore, a regulator of the latter's conduct towards others (Foucault 1984b).

This charter, I argue, is viable and probably desirable within the culture of the self, under some conditions. First, one of the guiding principles of this charter is an *inclusive* definition of *translation* as a complex cluster concept, and a self-concept of the translator as an autonomous *creator* of materials that are related to other materials, beyond the traditional roles assigned to them as a mere transferor of others' (authors') meanings. Second, the draft stresses the

[166] It is worth reminding that this is a second level of morality, in Foucault's account. And the third and most important dimension of the translator's morality is 'self-care', which will be discussed in the last chapter.

translator's self-care, and by extension, it seeks to expand ethical responsibility beyond responsibility to those who are able to pay for it or those who have the power to seize it. The current draft seeks to "stretch" the translator's ethical imagination to go beyond catering only to those within sight (cf. Bauman 1993), especially in today's 'translation age', as Cronin (2012) has termed it, in which translation has become ubiquitous. Thus, what is generally neglected in codes of ethics — the acting agent (i.e., the translator), their dignity and rights, and the absent and invisible others — is compensated for in this proposed draft.

In sum, the interpersonal aspects of the charter seek to foster more balanced relations between all agents. Thus, ethics apply to three circles: the circle of *translators* themselves, the circle of the *other agents* directly involved in translation, and the *world-wide* circle. Responsibility to the last unlimited circle is given primacy. If responsibility to this wider circle conflicts with the smaller circles, ethics affecting the larger circle wins over. This is not to overlook the fact that responsibilities to all these circles intersect and feed into each other more than they conflict. This responsibility to the self, the peers, the business agents, and the world helps empower translators symbolically and ethically. Empowered translators as such are more equipped to serve *all* in the best possible ways. Below is the proposed draft of a translator's charter for ethics.

The Translator's Charter *for* Ethics

Preamble

Because *translation* is a complex activity, very diverse practices may fall under the umbrella term, 'translation'. It follows that ethical responsibility requires awareness of the context, the situation, the text type and the performative and discursive dimensions, outcomes, and repercussions of the translated text, among other factors, on the immediate receivers as well as the (in)directly impacted others in the present and the future. The proposed charter consists of

general guidelines rather than ready-to-implement responses to ethical matters. Translators use their ethical judgement in responding to diverse ethical dilemmas contingently.

This charter revolves around the ethics of *responsibility* to three circles within the realm of translation ethics: 1) the circle of the translators themselves, their relation to themselves, their work and their colleagues; 2) the circle of the other agents directly involved in translation transactions, mainly, the clients, employers and authors; 3) the circle of the wider society and planet that may be impacted by the disseminated discourses of translations. Responsibility to the latter, all-encompassing circle wins over when it conflicts with responsibility to the other two circles. It is noteworthy that some statements apply to more than one circle or to all three circles at one and the same time.

The overarching societal and planetary circle

Translators undertake their work *responsibly* and thoroughly.

1. Translators are gratuitously responsible agents and autonomous experts in their exercise of judgement during diverse translation practices and situations. (Ethical/cultural/symbolic capital).
2. Translators are aware of the complexity and inherent ambivalence of ethical issues in texts, paratexts, and beyond (in interpersonal relations). (Ethical imagination)
3. Translators are aware of the far-reaching consequences of their decisions and choices for others (present and future generations, humans and non-humans). (Ethical imagination)
    - Translators do not help disseminate discriminatory, harmful, polluting, dangerous, hateful, xenophobic, misogynist, or violence-inciting discourses. (Ethical empowerment)
    - Translators are aware of cultural differences and sensitivities, and adopt an *inclusive*, rather than an appropriating or excluding, mind-set. (Ethical/cultural empowerment)

The circle of translators

1. Translators practice and commit to self-care, excellence and well-being. (Cultural/ethical/mental empowerment)
2. Translators engage in a life-long learning process. They continuously and reflectively question their inherited assumptions/presuppositions in order to transform and purify themselves. (Cultural/ethical empowerment)
3. Translators engage in sharing knowledge/expertise with their colleagues (Cultural/social capital)
4. Translators are respectful, courteous and supportive of their colleagues. (Social/ethical empowerment)

5. Translators claim due recognition and respect both symbolically and economically. (Cultural/economic/symbolic capital)

    - Translators do not accept work that is demeaning to them as creative cultural producers.
    - Translators do not accept low fees for their work.
    - Translators do an important work of post-editing and revision of MT and TM outputs and therefore do not accept low fees for 'only the translated words.' (Economic/symbolic capital)
    - Translators do not accept work that is unreasonable in terms of deadline or working conditions. (Cultural/symbolic capital)
    - Translators do not accept any changes made to their translations without their approval. (Symbolic capital)
    - Translators do not accept added paratexts without their approval (Symbolic capital).
    - Translators are creators of cultural products and should have the same recognition as their counterparts in the field of cultural production.
    - Translators strive for all the same advantages granted to cultural producers, mainly, all social insurance/benefits schemes.
    - Translators are entitled to remuneration for any subsequent use/success of their translations.

6. Translators do not compromise their ethical judgements and do not adopt any agents' (un)ethical orientations. (Ethical/symbolic empowerment)
7. Translators are aware of the advantages, limitations and undesirable consequences of Computer Aided Translation (CAT) tools, and, therefore, use them judiciously and autonomously. (Ethical/cultural empowerment)

The circle of the other business agents

1. Translators foster mutually respectful relations with all agents involved in translation. Each agent has rights and responsibilities towards the other agents. (Symbolic empowerment)
2. Translators advise their clients/employers/authors about the appropriate methods to carry out tasks in hand. (Cultural/symbolic capital)
3. Translators strive to raise public awareness (including their clients'/employers') as to the complexity/specificities of their work. (Symbolic recognition)
4. Translators act with integrity, honesty, transparency and respect with all agents. (Ethical empowerment)
5. Translators keep information confidential unless it contains threatening/illegal/unethical components that may harm others or the planet. (Ethical imagination)
6. **Quality**: quality is a relative standard. Standards differ depending on the type of translation, the purpose, function and context of the translated text. The translator strives to achieve the best quality possible required for every specific assignment. (Cultural empowerment)
7. Translators do not accept work that is beyond their competence. (Ethical empowerment)

This draft of a charter allows the translator autonomy in their ethical decisions and their work, depending on the contextual factors. It frees the translator from the coercive rules that restrain their responsibility and limit it to some agents at the expense of others, including themselves. On the other hand, this charter leaves the translator unarmed with any heteronomous rules in facing the frustration and ambivalence of moral decisions (cf. Bauman 1993). It puts on them the burden of relying on their own judgement. This input may sound too general for those who seek exact and easy answers to specific issues. But every ethical situation is unique, and, therefore, escapes any a priori prescriptions. A charter like this rather aims at encouraging translators to be reflective and critical when facing charged ethical dilemmas. Thus, this document or any similar ones need empowered translators, or translators in the process of being empowered, who are able to accommodate, adapt and implement their general principles contingently. The current document will remain void unless it is accompanied with work on the self and a prevalent *culture of the self* within institutions related to translation/translators. As we learned from Foucault, such a charter could be one dimension of morality. And it could be meaningful only if it is accompanied by the nucleus of morality, i.e., *self-care*. Thus, self-care needs to be fostered in educational institutions as well as translators' representative bodies in order to self-empower translators not only ethically but also culturally. This is what I turn to in the next chapter where I propose Transformative Learning (TL) theory, which I believe complements ethical self-constitution and helps implement it at the practical level.

Chapter 3: Transformative Learning Theory for Adult Education in the service of *Self-care* Ethics

> The great obstacle to discovering the shape of the earth, the continents, and the oceans was not ignorance, but the illusion of knowledge. (Boorstin 1983, 86)

Self-care is not an abstract attitude but a range of activities and tasks that involve practical life-long *labor* on the self. Foucault reports on a myriad of activities that ancient people undertook as part of their self-constitution (1984b). However, he does not provide a precise or practical methodological path on how to apply them and, thus, achieve the best self-subjectivation outcomes, in our modern institutions – which may be resistant to such a very participant-centred orientation. Thus, Foucault's remarks about concrete activities in ancient traditions that enhance the self are not ready-to-implement exercises in modern times/institutions. The *procedural* question of *how* this self-constitution and self-care, and the activities related to them, can be pedagogically framed, approached, instantiated and implemented in tangible forms in our institutions is not, of course, Foucault's focus. This is quite understandable since Foucault was rather descriptive and did not seek to propose – or at least did not admit proposing these ancient ethical endeavours as an answer to modern ethical issues. Thus, for this self-care work to be viable, it needs to be embodied pedagogically through an approach(es) that is/are conceptually consistent with its essence and aims, and applicable in modern institutions. For this purpose, I resort to *Transformative Learning (TL) theory for adult education*, which, I believe, complements Foucault's work on ethical self-constitution, and is conceptually compatible with it. It complements it in the sense that it can frame it pedagogically and translate it into a critical pedagogical approach in today's institutions, as I demonstrate shortly. But first, let me present the main core elements and fundamental components of transformative theory as presented by Jack Mezirow and enriched later by his followers and critics.

3.1. Transformative Learning and Ethical Growth

Transformative Learning (TL) for adult education was first introduced by Jack Mezirow in the late 1970s. His theory has been critiqued, taken up and developed over the years by himself and many other researchers in the field of adult education. Mezirow (2000) defines transformative learning as

> the process by which we transform our taken-for-granted frames of reference (meaning perspectives, habits of mind, mind-sets) to make them more inclusive, discriminating, open, emotionally capable of change, and *reflective* so that they may generate beliefs and opinions that will prove more true or justified to guide action. Transformative learning involves participation in constructive *discourse* to use the experience of others to assess *reasons* justifying these assumptions, and making an action decision based on the resulting insight. (2000, 7-8, italics added)

Central to Mezirow's TL is *critical reflection* on one's *experience* and *dialogue* with others – the two aspects mostly stressed in self-care ethics. These core components lead to the transformation of one's frames of reference. "It is the revision of a frame of reference in concert with reflection on experience that is addressed by the theory of perspective transformation—a paradigmatic shift" (Taylor 2008, 5). This may happen following a major triggering event, a "disorienting dilemma", in Mezirow's terminology, as it may happen slowly and incrementally (Taylor 2008). Brock (2015) recently advanced a straightforward definition of TL. "From an educator's perspective, transformative learning is when a learner is struck by a new concept or way of thinking and then follows through to make a life change" (2015, 234).

According to transformative theory, adults' learning process consists of critically reflecting on, and understanding, the origin of one's experience and its contextual frames. It is about understanding one's values and beliefs in relation with their historical, cultural and social underpinnings. Transformation theory asserts that making meaning includes "becoming critically aware of one's own tacit assumptions and expectations and those of others and assessing their relevance for making an interpretation" (Mezirow 2000, 4). It is about putting

this experience under permanent "critical scrutiny", according to Edward Taylor (2008, 6). This involves questioning "instrumental learning" and challenging one's assumptions by exposing them to dialogue with others, or what Mezirow (2000) calls "rational discourse" – following Habermas. This dialogue is twofold. It is a dialogue with the self and with the others (Taylor 2009, 9). The ultimate aim is to arrive at a better-informed judgement (Taylor 2008, 6, Taylor 2009, 10). "Formulating more dependable beliefs about our experience, assessing their contexts, seeking informed agreement on their meaning and justification, and making decisions on the resulting insights are central to the adult learning process" (Mezirow 2000, 4). This involves not only a "critical reflection on the validity of their assumptions or premises" (ibid., 7), and awareness of the existence of more than one perspective, as well as openness to newer perspectives and categories. This is what Mezirow calls "mindfulness", as opposed to "mindlessness", which unreflectively "involves relying on past forms of action or previously established distinctions and categories" (ibid.). In one word, TL is a reflection about what made us think the way we think – a meta-reflection. Adults' reflections may lead them to discover that old assumptions are not justifiable or dependable.

Individual experience, critical reflection and *dialogue* as interdependent core elements of Mezirow's transformative theory have been supplemented by three other elements, which are no less important. These are: *holistic orientation, awareness of context,* and *authentic practice* (Taylor 2009). In later views, "there is appreciation for the role of relationships, personal contextual influences, and holistic ways of knowing in transformative learning, that have been often overlooked in Mezirow's rational emphasis on transformation (Daloz, 1986; Kegan, 1994)" (Taylor 2008, 7).

Holistic orientation tries to overcome Mezirow's view that regards critical reflection as a purely rational process to the neglect of other learning dimensions, namely the affective and the relational (Taylor 2009, 10). Taylor argues that emotions "often act as a trigger for the reflective

process, prompting the learner to question deeply held assumptions" (ibid., 11). Hence, the trigger of critical thinking is usually affective rather than rational. "[T]ransformative learning is more than rationally based; it relies on the affective dimension of knowing, such as developing an empathic viewing of other perspectives and trusting intuition" (Taylor 2000, 303). This affective dimension of learning is inextricably interconnected with the relational dimension of knowing, i.e., the role of relationships with others in the transformative journey (ibid., 306). For Taylor, "it is the affective ways of knowing that prioritize experience and identity for the learner what is personally most significant in the process of reflection" (2009, 4).

Awareness of context is another element taken into account in a later development in TL. In this development, contextual, personal and background factors (prior histories and experiences, and (socio)cultural differences) all play a crucial role in the transformative process and the readiness for transformation. They can be catalysts for transformation just as they can be barriers to it. For example, "participants with recent experiences of critical incidences in their lives seemed more predisposed to change" (Taylor 2009, 12). The contextual surrounding of the learning event itself is equally important. "The lack of or resistance to change can also be explained from a contextual perspective, particularly in terms of barriers that are in place or inhibit what is necessary for transformative learning" (ibid.). I believe this includes the autonomy and independence of both the educational institutions and the learners from imposed rules and sanctions. Related to context, or maybe even part of it, are the ('professional') perspectives for the learner during the learning event (ibid., 11). In sum, contextual factors (including, of course, the learner's style and personality) play an important role in the way and the immediacy of responding to a triggering event that may lead to *a perspective transformation*. The same triggering events for the same people may not all lead to (the same)

perspective transformation. A simple lecture can lead to a transformation for some students, while only a huge incident may do so for others.

The last core element in transformative learning is *authentic relationships*. Establishing positive and productive relations of trust and respect with others is more likely to enhance the transformative process. Taylor (2009, 13) writes:

> It is through building trusting relationships that learners develop the confidence to deal with learning on an affective level, where transformation at times can be perceived as threatening and an emotionally charged experience […] Authentic relationships also allow individuals to have questioning discussions, share information openly, and achieve greater mutual and consensual understanding. Without the medium of relationships, critical reflection is impotent and hollow, lacking the genuine discourse necessary for thoughtful and in-depth reflection.

It is only through healthy and genuine relationships that emotions and feelings can be safely handled during the transformative process (Taylor 2000, 308). Authentic relationships with the educator and with peers as well as with the extended surrounding are, thus, an important factor in the learner's transformative process.

Besides enriching Mezirow's original theory by including more factors that affect perspective transformation, later input to this theory has emphasized the social repercussions of transformative learning, beyond the individual epistemic transformation initially emphasized by Mezirow. The newer approaches to transformative theory consider that transformation is not only an epistemic shift as in Mezirow's perspective transformation but can take many other forms; it is a "multifaceted phenomenon", in Hoggan's terms (2016, 66). The latter orientation sees individual transformation and social change as inextricably linked in transformative learning. "Critical reflection in this orientation is more about *ideological critique*, where learners develop an *awareness of power and greater agency* (political consciousness) to *transform society and their own reality*" (Taylor 2009, 5, italics added). This newer perspective includes diverse views, which take into account the cultural and social context of transformation

and its social aims. The most significant and encompassing of larger contextual factors are the *emancipatory* and the *planetary* perspectives (cf. Taylor 2008 for a full review of the different approaches).

The *emancipatory* view is "a theory of existence that views people as subjects, not objects, who are constantly reflecting and acting on the transformation of their world so it can become a more equitable place for all to live. Its goal is social transformation by demythicizing reality, where the oppressed develop a critical consciousness (that is, conscientization)" (Taylor 2008, 8). Brookfield (2000, 2009), one of the proponents of conceptualizing "critical reflection" in transformative learning from a *critical theory* perspective, argues that the primary goal of transformative learning is to counter hegemonic discourses and practices. The aim is to question the apparent "commonsense wisdom", which is in fact driven by hegemonic assumptions (Brookfield 2000, 137). "The subtlety of hegemony is that over time it becomes deeply embedded, part of the cultural air we breathe […] if there is a conspiracy here, it is the conspiracy of the normal" (ibid., 138). Hence, critical reflection is about questioning the normal, the taken-for-granted, and the 'true' knowledge. Brookfield explains:

> It has as its specific purpose a focus on two main processes: power and hegemony. Critical reflection calls into question the power relationships that allow, or promote, one set of practices considered to be technically effective. It assumes that the minutiae of practice have embedded within them the struggles between unequal interests and groups that exist in the wider world…. For reflection to be considered critical, then, it must have as its explicit focus uncovering, and challenging, the power dynamics that frame practice. Critical reflection also focuses on uncovering and challenging hegemonic assumptions, those assumptions we embrace as being in our best interests when in fact they are working against us. It endeavors to make people aware of how practices that are viewed as natural, common sense, and desirable (such as assuming we show our commitment to students by being available to them 24/7) are in fact constructed and transmitted by powerful minority interests to protect the status quo that serves these interests so well. After all, if you knock yourself out by being always available to supervisors or customers and are always ready to take on more work to demonstrate corporate loyalty and effective team membership, this means employers can reduce staff and increase profit. (2009, 126)

Critical reflection as a central component/element of transformative learning in Mezirow's theory has, thus, been denied synonymy with transformative learning in Brookfield's account. According to Brookfield, Mezirow's 'critical reflection' is not sufficient for transformation and, therefore, for socio-political emancipation (2000, 125). He argues that

> the depth of a reflective effort, does not, in and of itself, make it critical. For me the word *critical* is sacred and I object to its being thrown around indiscriminately. For something to count as an example of critical learning, critical analysis, or critical reflection, I believe that the persons concerned must engage in some sort of power analysis of the situation or context in which the learning is happening. They must also try to identify assumptions they hold dear that are actually destroying their sense of well-being and serving the interests of others: that is, hegemonic assumptions.
>
> (ibid., 126, italics in original)

Thus, the ideas of *ideology critique*, for Brookfield, should be central to critical reflection and, by extension, to transformative learning (ibid., 128). Challenging dominant ideologies of oppression necessitates a critical reflection on the way(s) they sneak into one's life and are naturally embraced while they further the interests of the dominant. Most importantly for this analysis, critical reflection, when seen from Brookfield's *critical theory* perspective "focuses not on how to work more effectively or productively within an existing system, but on calling the foundations and imperatives of the system itself into question, assessing their *morality*, and considering *alternatives*" (ibid., 127, italics added).

Similar to the emancipatory approach, the *planetary* approach is concerned with the larger context of transformative learning and its global aims of socio-political change. But unlike the former, the ecological change becomes central to transformative learning.

> The goal of transformative education from this perspective is reorganization of the whole system (political, social, educational). It is creating a new story from one that is dysfunctional and rooted in technical-industrial values of Western Eurocentric culture, which gives little appreciation to the natural, or to an integral worldview. This view recognizes the interconnectedness among universe, planet, natural environment, human community, and personal world. Most significant is recognizing the individual not just from a social-political dimension but also from an ecological and planetary one.

> Transformation is not only about how we view our human counterparts; it explores how we, as humans, relate with the physical world.
>
> (Taylor 2008, 9-10)

The planetary approach is, thus, more encompassing than the emancipatory approach as it extends the aims of transformative learning to include ecological consciousness and reflection on one's relations to the physical environment.

Besides the cited critiques of Mezirow's original theory for being limited to personal epistemic transformation, i.e., self-actualization, to use Taylor's term (2008, 10), as the main goal of transformative learning, his theory is also criticized for neglecting cultural and social differences in learning (ibid.). The second perspective, i.e., social and emancipatory transformation, on the other hand, recognizes these differences and highlights the importance of taking into account the learner's positionality in regard to race, class, gender, sexual orientation, and how this affects the process and the practice of transformative learning (ibid.).

Mezirow's epistemic self-transformation has been criticized for the same reasons as Foucault's ethical self-constitution, as they both focus more on personal enhancement than on social change or the changing of one's surroundings. In transformative learning theory, the latest developments have certainly enlightened us about broader perspectives in terms of the aims and prospects of transformative learning. However, one cannot help but recognize the merits of Mezirow's original theory. Social/planetary change advocated in later writings cannot happen without epistemic change and personal enhancement. As Foucault (2001d/1984, 1533) convincingly argues, self-transformation is a way of caring for one's surroundings – if not the only way. Thus, even if one posits that Mezirow's theory has its limitations, one cannot invalidate it. And I believe this is what his critics have done. They have not dismissed his work; they rather enriched it. It is within this latter framework – which reconciles Mezirow's/Foucault's theories of self-transformation with social/emancipatory perspectives –

that my analysis is undertaken. This is because transformative learning, although self-centered, has larger social, ethical and planetary implications.

Since the aim of my work is to propose an ethical alternative – based on the *self-care* concept – to the current codes of ethics, I believe that transformative learning is a great candidate that can enhance self-care, and by implication, contribute to both the ethical and intellectual (or cultural) empowerment of the translator. Throughout this work, I have pointed out that the ethical and the intellectual/cultural are generally inextricably linked. The ethical question is a question of thought in essence, although these two components – ethics and thought – do not *always* or inevitably proceed hand in hand (cf. Gilligan 1981). Culture is not always moral (Gilligan 1981, 139). Examples from history are numerous; the latest being the cultured fascists, as Carol Gilligan reminds us. In order to be cultured, one does not necessarily need to be moral. However, in order to be moral, one needs to work on one's *thought* about oneself and others in order to enhance it, purify it and transform it.

William Perry (1970, 1981) presents the cultural and ethical growth scheme, which shows the transformative process that learners go through. The merit of this scheme is that it guides educators when designing the appropriate material content for the appropriate level of intellectual and ethical growth of their students. According to Perry, there are four stages or "developments" – Perry's preferred term as it implies movement rather than staticity – in the intellectual and ethical growth of an individual.

The first stage is *dualism*. In this phase, meaning for the learner is divided into "two realms – Good versus Bad, Right versus Wrong, We versus They, All that is not success is Failure, and the like. Right Answers exist *somewhere* for every problem, and authorities know them" (Perry 1981, 79, italics in original). At this stage, the learner is ready to get instrumental teaching, i.e., 'true' quantitative information from the source of knowledge (teacher), who knows what is right and what is wrong. Students and much of their environment conspire "to

maintain the illusion that meaning existed 'out there', along with rightness, power, and sound advice" (ibid., 90). Uncertainty and confusion at this stage are easily overcome by resorting to "external authority, secure in the expectation of an answer" (ibid.). Knowledge is stored through memorization and is, thus, easily retrievable. The learner has nothing to add, or is not supposed to add anything, beyond what authorities provided. The student is a mere empty vessel that needs to be filled with 'true' knowledge and clear ethical principles that need to be obeyed. They are responsible to follow the Authorities' instructions and follow the principles the latter *know* are ethical. Any hesitancy from these Authorities may be confusing or seen as a weakness. "Agency is experienced as 'out there' in Authority" (ibid.). This stage is excessively teacher-centered (Garrisson 1991, 297).

The second stage is *multiplicity*. "Diversity of opinion and values is recognized as legitimate in areas where right answers are not yet known" (Perry 1981, 90), although these opinions are seen as not very systematic or coherent ideas; they are seen as simple opinions. The learner, at this stage, recognizes that acute judgement is not appropriate. They become aware that "everyone has a right to his [sic] own opinion" (ibid., 80). In the middle of this stage, uncertainty is felt, but seen as temporary. At later phases in this stage, uncertainty is completely legitimate and "unavoidable, even in physics" (ibid., 82-83). The learner-authority relationship shifts. The teacher as the only source of knowledge is no longer a valid assumption. This later phase of 'multiplicity" is characterized by freedom from the tyranny of Authority, and the orientation towards embracing the idea of "uncertainty of a legitimized Multiplicity" (ibid., 83). Uncertainty may be emotionally threatening and tense especially at its beginnings as students are pulled out from their zone of "safety in dualism" (Clarkeburn et al. 2003, 445-446), and their learning is more subject-centered (Garrisson 1991, 297).

The third stage is *relativism*. "Diversity of opinions, values, and judgements derived from coherent sources, evidence, logics, systems, and patterns allowing for analysis and comparison"

(Perry 1981, 80). Knowledge itself becomes relative and diverse. Knowledge being not absolute keeps discussions, debates and disagreements open and ongoing (ibid., 90). This stage is experience-centered (Garrisson 1991, 297). Thus, "Knowledge is qualitative, dependent on contexts" (Perry 1981, 90). The introduction of thinking about one's thinking (i.e., meta-thinking) and irreducible uncertainty are the main features of later phases in this stage. Students settle with the bane of uncertainty being here to stay, as Bauman (1993) would have put it. The experienced uncertainty becomes acute and even more threatening. Students, thus, experience "distress in relativism" (Clarkeburn et al. 2003, 446).

The last stage in the ethical/intellectual development is *Commitment*. At this stage, "An affirmation, choice, or decision (career, values, politics, personal relationship) [is] made" and "[a]gency is experienced as within the individual" (Perry 1981, 80). This "*C*ommitment" is distinct from unquestioned "*c*ommitment" to beliefs in certainty, in the sense that it is conscious and questioned, and also because it issues from an awareness of *relativism* (characterized by uncertainty and ambivalence) (Perry 1981). In other words, learners self-transform and embrace their (ethical) values following questioning and uncertainty. At this stage, the intellectual, the epistemological, and the ethical coincide. "It is in the affirmation of Commitments that the themes of epistemology, intellectual development, ethics, and identity merge" (ibid., 97). The embraced values, however, are never constant and the research is never accomplished. It remains an open and ongoing inquiry. Perry argues that in the midst of Commitment, there is still pain in the orderings of priorities in respect of time, energy and action, but there are "periodic experiences of serenity and well-being in the midst of complexity and paradoxes – moments of 'getting it all together'" (ibid., 95). This stage is inquiry-centred as it involves active reasoning (Garrisson 1991, 297).

Perry's scheme may be very useful for transformative learning approaches that centre on ethical self-transformation (or self-care ethics). It can play a guiding role for educators in

designing the appropriate material for the appropriate stage in the student's ethical transformation/constitution. This is because "[a] misguided understanding of student meta-ethical development can obstruct successful ethics teaching efforts, because this understanding is a prerequisite for higher levels of moral reasoning skills and even moral sensitivity" (Clarkeburn et al. 2003, 444). The merit of Perry's scheme in identifying the stage of ethical development of learners for transformative learning approaches centred on ethical self-constitution lies in the conceptual convergence of the two approaches and the similarity of their overall aims. They both promote self-inquiry, are critically based, and open to and inclusive of other perspectives, in addition to having a focus on the individual's agency and their emancipatory aims, not to mention a focus on self ethical constitution. Next, I show how self-care can be enhanced through TL.

3.2. The Translator's *Self-care* through Transformative Learning in a Translation Classroom

Both *self-care* and *TL* seek ***self-transformation*** through *critical reflection on the self* and *dialogue with others*. The core elements of self-care, like the principles of transformative theory, include dialogue, reciprocity, and learning from others – without, however, uncritically adopting their ideas or following their paths. Both approaches stress the importance of the individual's active involvement in their learning process and their responsibility for their improvement. They also both reject instrumentalist approaches – which prescribe specific courses of action – as well hierarchical transmissionist methods – which foster the learner's dependence and passivity. Instead, they promote participant and inquiry-centred approaches and self-directed learning. Learning is a personal craft in these approaches. The educator is a facilitator, a guide, a counsellor, rather than the source of knowledge or the model to follow. Also, both approaches are about critical reflection on oneself and permanent examination, filtering and purging of one's representations and thought. They are about undoing bad habits

and cleansing incorrect opinions and folk concepts inherited from the crowd, inculcated by some educators, parents, books or one's milieu, at large. Thus, *unlearning* is one of the main tasks of TL and self-care. As far as their aims, TL and self-care converge in a very similar way. They both seek the empowerment of the individual for the ultimate aim of emancipatory/social change. As for their implementation, both approaches can be implemented only in education institutions that advocate critical reflection and encourage symmetrical active exchange. Further, they can be implemented autonomously or in other (in)formal settings. They also can start in institutions and be continued individually as a lifelong work on the self.

Self-care through TL has never been evoked in translation/interpreting pedagogy. However, to my knowledge, TL made an appearance in one single article entitled '(Trans)formative Theorising in Legal Translation and/or Interpreting: A Critical Approach to Deontological Principles' by Rosario Martín Ruano (2015). In this publication, Martín Ruano advocates a transformative approach to the training of legal translators and interpreters in order to problematize the established normative discourses of 'equivalence' and 'neutrality', prevalent in the field. The introduction of transformative theory in this text, however, lacks an in-depth literature review and an introduction to/analysis of the different core concepts that make up this theory as well as its later developments. Besides, although problematizing the issues of 'neutrality' and 'equivalence', the author is not ready to renounce these strong social myths altogether. She writes: "[r]elying on these critical approaches does not necessarily imply renouncing neutrality as it is socially understood, but helps to understand the very complex, many-sided and multi-level conflicting demands LITs [legal interpreters and translators] need to conciliate in order to adhere to it" (2015, 150). My proposal transcends this idea both in content and in scope. I already presented quite a rich literature review that can give a clear idea of the theoretical underpinnings and core components of the theory as well as its evolution. Besides, I discuss considerations regarding the effective application of TL in a translation

classroom. I also believe this approach can be applied to all ethical questions and in all contexts in translation/interpreting education, regardless of specialization. Most importantly, I stress the role of this approach in enhancing the practitioner's self-care as presented by Foucault.

Self-care through TL can be adapted in different ways according to one's objectives, students' needs, motivations and learning styles (cf. Kolb 1981). In what follows, I do not present ready-made activities nor static methodological phases but a guiding framework and suggestions that can be applied in different ways at the discretion of the educators and their learners. As an educator for 14 years, I always believed the exact procedural elements as well as the suitable material are to be co-decided by the concerned actors themselves (learners with the guidance of the educator), depending on their needs, preferences, settings and prior experiences as well as individual positionalities in regard to different issues such as race, class, culture, environment and so forth, as advocated by the emancipatory/planetary approaches to TL.

The translator's *self-care* through TL requires work on the self on at least two interrelated primary levels; the *translation* concept and the translator's *self-concept*. The first ethical and intellectual task of all (translators and academics) is to work for the transformation of the taken-for-granted definition of *translation* – reiterated in many contemporary codes of ethics and reinforced by some education institutions. Of course, this work, by definition, includes work on the transformation of the translator's *self-concept*. The second dimension of self-care ethics – or more precisely, the extension or result of self-care that follows from the first endeavour – is how to engage in the social dissemination of one's newly embraced ideas about oneself and one's practice and how to link them to the practical level, i.e., how to use them in order to provoke social/planetary change. This is very important because the personal epistemic change may not always trigger action or social change – or sometimes even personal practice, as we learn from Mezirow's critics (cf. Taylor 2008, Brookfield 2000, Biasin 2018).

And if the epistemic change does not lead to action and social change, it remains useless. This level of engagement involves socio-political awareness of the role of translation/translator in shaping one's world relations at the cultural, political, economic, and ecological levels. These latter dimensions of the translated material at hand go under scrutiny by the empowered translator in order to produce an ethical translation outcome in *action*.

3.2.1. The Translator's Liberation from the Reductive Conceptualization of 'Translation' and from their Demeaning Self-concept

As we learn from Perry's (1981) scheme, cultural and ethical growth may happen simultaneously. The two processes follow the same stages and may even overlap and coincide. What may appear as non-moral educational content can make an important contribution to the ethical enhancement of the learner by exposing them to other ways of seeing and doing things. Carol Gilligan (1981, 156) argues that "the educational experiences that foster moral development will be those that enhance the capacity to shift perspectives." The study of literature and history, for example, "take on central importance in moral education, not by virtue of the moral dilemmas that can be extracted from their texts, but because of their potential for extending experience through the study of other lives, both past and present" (ibid.). James Gibbs (1981), discussing the interplay between the intellectual and the moral in our neighbouring discipline of anthropology, argues that "[t]he same material that anthropologists use to foster the student's intellectual development – by speeding and guiding the shift from absolutistic thinking – and ego developent [sic] also can be used to foster the student's moral development" (1981, 428). Thus, several developmental objectives can be promoted simultaneously (ibid.). This is especially true in the case of translators as their practice is both an intrinsically ethical and intellectual endeavour (cf. Goodwin 2010, Baker and Maier 2011b, Baker 2018). I believe that the translator's cultural growth and ethical growth, like the anthropologist's, go hand in glove. The main task of the translator's self-enhancement, which is the critical examination of the deeply held concept of *translation* and the *self-concept* of the

translator, is both an intellectual and an ethical endeavour. By now, we know that the widely held concept of *translation* as an equivalent, faithful, neutral or subservient transfer of meaning (and the like) is problematic and unethical as it conceptualizes *translation* in a reductive and exclusionist way (Tymoczko 2007). This ethnocentric conceptualization involves the exclusion of others' concepts (cultural and historical), which is *ipso facto* immoral. Most seriously, this sole conceptualization has been used to harness, exploit and colonize others. Besides, it neutralizes the translator's moral agency, fosters their passivity and may foster their submission to other agents' (author, client/patron) wishes. Importantly, it fosters their self-neglect and undermines their self-esteem. This is not to mention the fact that it potentially inhibits their symbolic recognition. Hence, as Tymoczko (2007, 2009) implies, intellectually questioning this concept is *the heart of all ethical questions in translation*. Thus, a translator's self-care or *active* self-constitution as an autonomous ethical subject revolves around the critical examination of the taken-for-granted assumptions about *translation*/*translators* in order to adapt, transform or abandon them altogether if deemed necessary.

This work on the self involves mainly the foregrounding of the multifacetedness of the concept (Tymoczko 2007, 2009, 2010) and the complex roles the translator plays. Tymoczko's remarks are extremely encouraging for a move in this direction. By now, we have started to accumulate at least a rough knowledge about other practices and concepts in other periods/cultures. But most importantly, we have clear evidence from contemporary practices that the *one* concept is fraught and that *translation* is plural. Work on the openness of *translation* in order to make it more inclusive will reveal the ideological underpinnings of the current dominant conceptualization and will help translators "develop self-reflexivity, which is essential for empowerment and the exercise of ethical agency" (Tymoczko 2009, 414). Tymoczko further explains,

> [i]n attempting to understand the complex cross-cultural concept translation, therefore, knowledge of a broad range of translation types and a broad range

> of diverse local conceptualizations is an important factor in how people think about the subject and also in how they understand their own *creativity*, *agency*, *power*, and *responsibility* as translators." (2007, 314, italics added)

Openness to and inclusion of other practices and concepts from other times and cultures may be useful to resist exclusion, hegemony and exploitation but also to enhance the translator's intellectual and ethical agency. These other practices "underscore and legitimate the *initiative, authority* and *agency* of the individual translator" (Tymoczko 2009, 410, italics added), and "suggest a new ethical positioning for translators" (ibid., 405). Translators will be able to interfere (following other models, beyond the conduit model) to counter irresponsible/unethical content. Openness to other concepts broadens and multiplies their choices and chances to cater to different and complex (ethical) situations. In one word, "[t]he world's ideational reserves about *translation* can help translators to act creatively and powerfully and to become effective *intellectual* and *ethical* agents" (ibid., 417, italics added). At the practical level, the "cluster concept" of *translation*, if adopted, equips the translator with diverse sources, tools and strategies to face the practical challenges of today's globalized era, which require innovation, creativity and, especially, swift adaptation to constant shifts in a wide range of practices. This will, potentially, elevate translators to being authentic cultural producers, and not copiers as they are seen today.

> Many image schemas for translation worldwide release translators from the constraints of semantic transfer and a problematic quest for equivalence, offering them a great deal more freedom to create texts, to make meaning, *to be active cultural agents*. This freedom is particularly important at present in adapting to the challenges of globalization and the new demands currently being made on translators. (ibid., 413, italics added)

In sum, adopting the cluster concept enhances both the translator's cultural capital and their moral selves.

Activities in educational institutions need to revolve not only around these different conceptualizations and practices of translation but also around the historical, ideological,

political, religious and cultural underpinnings of the dominant concept. Learners need to know how this concept has been disseminated and passed down from one generation to another, and from one culture to another, i.e., how it has been universalized and accepted as a common-sense discourse – and especially what the consequences of such a discourse are. Learners need to know how this definition has transcended other competing definitions throughout history and, thus, became the only acceptable myth. What powers and conditions have helped its exclusive triumph? Learners need to know why this definition has been embraced by modern education institutions and translator associations as the only legitimate one, despite the clear evidence of its faultiness. They need to know who has had an interest in such a definition and such a role/identity ascribed to the translator, and thus, *who* may have worked to reinforce it as the only legitimate social discourse and practice as it still stands and *why*. They need to know who has given it the current legal status of a derivative creation, different from other forms of literary/artistic creations – which deny dependence on previous texts – and why. Educational activities should reveal who has benefited from the dissemination of this discourse, how this discourse has been embedded in power asymmetries and how it has been used to exploit translators and others. They should also uncover how this concept may be leading to immoral consequences nowadays. In one word, they should allow the study of this hegemonic concept from all perspectives. Like social scientists, learners-translators need to know how the contingency of the situation has been obliterated, and how this discourse around translation/translators has become the only legitimate and acceptable law/discourse.

Self-care through TL allows the learner to not only unpack all the above questions and others surrounding *translation* but to understand the frame of reference or habit of mind that is at the root of their adoption of the dominant concept. This allows the learner to reflect on the self in order to reveal what there is in their surrounding, society, culture, education and religion

that inhibits them from seeing beyond what is presented to them about *translation* and other issues. This work on the self ultimately

> exposes the social and cultural embeddedness and taken-for-granted assumptions in which the *self* is located; explore[s] the interests served by the continuation of the *self thus positioned;* incite[s] a refusal to be positioned in this way when the interests served are those of domination and oppression; and encourage[s] *alternative* readings of the text of experience.
>
> Tennant (1998, 374, italics added)

Because as we learn from TL theory and Foucault's account, in order to self-transform and adopt newer positions, it is not sufficient to reveal the implausibility of a thought. The most important thing is to reveal its sources, or in other words, how one got trapped in that thought. "Transformations involve a critique of previously unexamined premises regarding one's self" (Mezirow 2000, 22). Self-care through TL, thus, allows the translator to think about why they think the way they do about *translation* and themselves. It allows them to reflect on why/how they share the same frame of reference as others, and how they need, or do not need, to distance themselves from the mainstream understanding, and make themselves (ethically) unique. Foucault argues that the ethical subject « est appelé à se prendre soi-même pour objet de connaissance et domaine d'action, afin de se transformer, de se corriger, de se purifier, de faire son salut » [is called upon to take themselves as an object of knowledge and a field of action, in order to transform, correct and purify themselves, and achieve salvation] (1984b, 56).

Self-care through TL allows translators to engage critically with their own past experiences in order to find out how their thought has been shaped, and how their old assumptions constrain their views about *translation* and themselves, in order to achieve "perspective transformation." Mezirow defines 'perspective transformation' as

> the process of becoming critically aware of how and why our presuppositions have come to constrain the way we perceive, understand, and feel about our world; of reformulating these assumptions to permit a more inclusive, discriminating, permeable, and integrative perspective; and of making decisions or otherwise acting upon these new understandings.
>
> (Mezirow 1990, 14)

This self-questioning process ultimately allows one to purify oneself from (self)hegemonic views/representations and substitute the current views of oneself and one's work with more intellectually and ethically justified answers. In one word, self-care through TL processes liberates the learner-translator from the safety of 'dualism' offered in the current dominant definition of *translation* – which is reductive and exclusionist, by definition – to engage with a 'multiplicity' of definitions, embrace 'relativism' and, then, commit to a certain course of action for social change (cf. Perry 1981).

As importantly, self-liberation from the reductive concept of *translation* results in the transformation of the translator's *self-concept.* It awakens the translator to the value of their work and their value in society, and may, by extension, drive others to recognize them as valuable contributors to their lives. As Chesterman (2005, 208) rightly argues,

> [t]he more we understand about translation, and the more we can transmit and develop this understanding in translator training, the more it should be possible for translators to feel masters of their craft, masters of the various conceptual and technical tools that they use. It is surely this feeling of expertise – of knowing what one is doing, how to do it, and why one is doing it in that way – that brings a sense of professional dignity and human value.

The learner-translator, thus, moves from perceiving the self as a mechanical transferor of ready-made meanings to perceiving it as an intellectual creator who performs multiple complex functions, using complex critical skills depending on the situation/context of the work. Self-care ethics through TL opens the learner-translator's eyes to their mobile and constantly changing roles. They become aware that in their work, every situation is different and always new, requiring newer decisions, and, therefore, newer roles. Also, they become aware that the results of the decisions they make are never guaranteed; they are always a wait-and-see, and also probably never completely satisfying results. The new self-concept includes ambivalence as part and parcel of the translator's work. Most importantly, the new self-concept opens the

translator's eyes to the immensity and complexity of their responsibility towards many stakeholders, some of which may even be in conflict.

In sum, the new self-concept includes mainly self-awareness of the complexity of one's cultural capital. Besides being an ethical undertaking, self-enhancement and the perception of one's cultural capital as complex is also a first step to convincing the other agents of this complexity. Of course, other work is needed for that (like lobbying or highlighting higher institutionalized cultural capital), and this self-concept is only one, but a crucial, element in the process of empowerment and liberation from their dominated positioning. That being said, this work on the self is not to be understood as aiming solely at symbolic imposition but is also a necessary condition for ethical agency and awareness of social/planetary issues.

3.2.2. The practical Implications of Self-care through TL on the Translator's Ethical/Intellectual Coverage/Scope

From the above analysis, I believe that self-care through TL – which may be conceived of as only an epistemic/cultural enhancement, at the outset – is in fact threefold. First, it empowers the translator's embodied cultural capital by widening their perspectives and enlarging their possibilities and cultural resources thanks to their awareness of the plurality of the concept of *translation*. Second, it liberates the translator from their demeaning self-concept as a subservient conduit of other authors' meanings[167] – which is the nucleus of all ethics. Third, this cultural empowerment of translators is, at the same time, a liberation of otherness from cultural domination as it helps other concepts (from other cultures, times and perspectives) to re-emerge from oppression and domination/oblivion. The translator, in this way, becomes the ethical and cultural agent who makes this Otherness visible, who gives it a space within the self's space, without being appropriative. In other words, the translator becomes able to

[167] Of course, I do not mean that all translators have this self-concept nor do they embrace the mainstream definition, but the fact that this is imposed by institutions may lead to the same social/cultural-economic/symbolic position. Thus, self-care ethics can take the form of simply publicly voicing one's enhanced position (in the case of aware translators) or indeed discovering one's real position and, thus, escaping manipulative discourses.

highlight other cultures' voices, and, therefore, promote "cultural biodiversity", in Tymoczko (2007) and Cronin's (2017) terms. As importantly, self-care through TL enables the translator to extend the boundaries of their responsibility in their textual practices to include their world. A self-cared translator is more susceptible to extend this care to others. Embracing the newer self-image of an important disseminator of knowledge ultimately makes the translator aware of the important role they play in shaping their world. This latter dimension of the translator's role is what I discuss in this section.

Translation is a socially engaging work, regardless of specialization. Unlike many other occupations/'professions', the translator's work involves many other people beyond the immediate agents, beneficiaries of the practice. It involves people from at least two cultures, and sometimes from different generations if the translated text survives or affects the world for a certain time to come in a certain field. It may also concern other species and the planet at large. Translation, if misused – like the act of polluting – may affect various species in the present as well as the future of the planet. What is translated is a discourse that may promote or lead to certain actions that may be either beneficial or harmful to nature as well as to humans. This is because a translation, like any text, does not only tell us about how people live and think but also helps make people live and think in certain ways rather than others. Translation, as discourse, helps shape social practices and social relations, as we learn from critical discourse analysts (e.g. Fairclough 2003, 2010; van Dijk 1993). As discourse, translation helps reinforce or subvert relational hierarchies, blinds or opens our eyes to animal sufferings (cf. Cronin 2017), and downplays or raises our awareness of the environmental challenges to our human existence on the planet. Translation reflects and orients our life at large. Thus, translation ethics is way more complex/encompassing/consequentially far reaching, way more global than the limited ethics that see only the dry textual dimension of the practice, and ignore all its other dimensions. This is especially true as translation make up a big part of the discourse globally disseminated

today. Thus, a translation classroom needs to take account for all these socio-political and ecological dimensions. It needs to raise learners-translators' awareness of the strong link that exists between their choices at the micro-level and these complex global issues.

> Translation pedagogy should strive for a translator (whether the subject is thought about as a 'profile' or as an 'image') who is self-aware as well as skilled and competent, and one who translates with her or his "eyes open" (Barsky 2005) – i.e., able to see the context of the translation event and its historicity and be aware of the social implications of the language negotiation in which they participate.
> (Gil and Guzman 2011, 99)

Self-care ethics through TL pedagogy aims at empowering the translator in a way that they become aware of the socio-planetary effects of the discourse dynamics they are involved in and the relationships their translations are fostering as well as the future these translations are helping to shape. This pedagogy is about raising one's awareness of cultural, economic and political power dynamics in which one's own choices may be embedded, i.e., awareness of the fact that micro-decisions may reinforce or subvert certain asymmetries. A classroom of self-care through TL is, also, about making the translator conscious of their own narratives/ideologies, their sources, their consequences, their reliability and justifiability, and the narratives of the author of the translated materials as well as the narratives of the agents involved in the translation operation (especially the commissioners). This is because "[c]ultural canon, socioeconomic structures, ideologies and beliefs about ourselves, and the practices they support often conspire to foster conformity and impede development of a sense of responsible agency" (Mezirow 2000, 8). Thus, questioning the mental structures that inhibit one from seeing the problems within one's representations is at the heart of Self-care through TL.

> For students to accomplish locating the 'truth' of a translation, they must become keen observers of their own understanding of relations and narratives in the world, or to use an ecological term, their own 'connectedness' to the material at hand. Reflective consciousness is central to the learning. Students are encouraged to expose fully the narratives they perceive and how they proceed with their translation choices to re-construct narratives. (Gil and Guzman 2011, 102)

The learner-translator's self-reflexive decisions that link the instant, local verbal choices in a translation to global considerations need to be part and parcel of self-transformative classrooms. In other words, in a Self-care through TL classroom, learners become aware of *why they do what they do* and of *what their decisions do to their world*.

In a Self-care through TL classroom, learners-translators can be social scientists and critical discourse analysts, who are aware of the possible repercussions of their translated materials – and in particular their strategies of translation – on power relations, social practices, social relations and potentially environmental issues.

> In the context of teaching translation, a productive translation zone would be one of a geopolitical critique in and through language and communication. Translators formed in this critical space can also be social theorists, aware of the fluidity of the social fabric that surrounds them and of which they themselves are part and product. (Gill and Guzman 2011, 97)

Self-care through TL pedagogy empowers learners to see translation as a situational practice that entails and engage different facets of morality in different instances. It allows them to see themselves as playing an important role in knowledge dissemination and, therefore, their world dynamics. Learners-translators eventually realize the impossibility to follow a pre-determined list of stable principles/rules or strategies that may lead to breach more global/overarching/macro *planetary/human* principles. The principle of 'fidelity' pertaining to translation as a linguistic/cultural transference may contradict bigger principles like responsibility to humans and species or women's rights, as they may contradict the principle of respecting others' differences and uniqueness. 'Detachment' in translation may imply letting dangerous or illegal material circulate and thus harm others. The translator becomes aware that even notions advocated as ethical strategies to highlight Otherness may sometimes lead to unethical outcomes. For example, even *foreignization* may not always be ethical, in contrast to Venuti's generalized claim. For example, foreignization may be adopted, in some contexts, to highlight the 'primitiveness' of others (cf. Faiq 1994). Self-care ethics means autonomy from

these a priori principles and a priori codes and the freedom to choose, adapt to situations and make difficult decisions, which are never complete or certain.

Limited a priori ethics, as seen in the analyzed corpus, generally reduce the translator's responsibility to that of the client/patron and author and alleviate their responsibility in regard to wider issues. Self-care through TL broadens the translator's ethical scope. The ethical concern becomes limitless and beyond restriction to certain agents, at the expense of others. It fosters complex thinking that enables the practitioner to see far beyond their immediate circle, i.e., to extend their vision to see the unforeseeable, to think about the unthinkable, and to expect the unexpected. The empowered translator through self-care ultimately realizes that their (textual) choices are never limited to translation practice as a simple idealistic textual transfer (as the studied codes try to advance). Their view transforms to perceiving their practice as a complex activity that affects human activity, relations – or even existence. This complexity and far-reaching consequences of translation (Cronin 2017), in addition to the multi-faceted nature of the practice (Tymoczko 2007), position the translator, as a social agent, in the midst of an overwhelming and burdensome responsibility. Their work becomes highly demanding, both intellectually and ethically as their practice requires not only high skills and knowledge in many different domains but also high socio-political, economic, cultural and planetary awareness or "conscientization", to use Mezirow's term.

Self-care through TL is liable to unveil to the learner not only the narrow vision of the established rules but also the ideological and manipulative implications of some of them as they solely protect the powerful agents. It self-liberates the learner- translator from "moral ideology" to embrace "ethical responsibility", to borrow Gilligan's terms (1981, 155). Critical reflection in Self-care through TL will lead to a process of cleansing the self from inherited concepts and rules that some translators may have adopted unreflectively. This, in some cases, may imply the relativization of the business responsibility or even its annulment when it conflicts with

wider and more global responsibility to the wider community or the planet, as I already highlighted in the proposed charter for ethics. Loyalty to the 'ethical' orientations of the patron/client as opposed to one's convictions is a ground for work, in this regard. Self-care through TL enlarges the scope of the translator's work and responsibility to include *everyone*. The self-cared translator does their work as an engaged world *citizen* and not only as a simple practitioner guided by limited business regulations (cf. Baker and Maier 2011b). *Action* is the most important phase in the self-care process. The translator educated in Self-care through TL moves away from the Kantian 'minority and majority statuses' alike (i.e., from 'obey, don't reason'; and 'obey and you can reason as much as you want') (Foucault 2001e/1984) to the new autonomous practitioner who reflects and *does not obey*; a practitioner who reflects and *acts* accordingly.

In sum, there are two main levels in the work on oneself: meta-level (theorizing/thinking) about *translation* concepts and the translator's self-concept (in relation with other agents and the world), on the one hand, and practical theorizing about the cultural, political, economic, ecological dimensions of the material at hand, on the other hand. These two levels are inextricable; they can be worked on simultaneously with the same material as they inform each other. However, the latter level cannot be fully translated into one's *actual* practice unless the former work is achieved. In other words, translators cannot be alert to the extra-textual aspects of their work unless they are self-cared.

3.2.3. The Learner's Self-transformative Process

Following Mezirow's model, the learner goes through many stages of development in their process of self-transformation. This process involves a ***Disorienting Dilemma***, to start with. In the case of translators, this involves shaking off 'dualist' assumptions – in Perry's (1981) scheme of ethical/intellectual development – about *translation* as merely equivalence, fidelity and the like as well as their *self-concept* as faithful carriers/transporters of meaning. At this

stage – which is the most important in all the transformative process – the learner-translator becomes aware that the views or representations they have had are not plausible or justifiable, and the frames of reference behind them are fraught. This usually happens when they face a triggering event such as a situation that shows the sharp internal contradictions within the views they may hold. For example, a dissonance occurs in the learner-translator's mind when they become aware of other concepts of *translation* in other cultures and times; when they reflect on the different works of transformation and adaptation that translators actually do in their translations, especially nowadays; when they discover the ideological underpinnings of the dominant concept; when they discover the atrocities that have been committed in the name of the concept they adopt; when they find out how this concept demeans them and undermines the value of their work; when they discover the repercussions of this limited understanding on different ethical/societal/planetary issues. Any pedagogical materials that can unveil the implausibility of the concept they may have had can serve as triggering events for a self-transformation process.

Activities that can serve as triggering events in a Self-care through TL classroom may range from exposure to authentic translations that include *tangible*/*noticeable* traces of change and, therefore, demonstrate the transformative nature of translation to historical texts that show the religious/ideological underpinnings of the mainstream concept and to extracts from translators' autobiographies/interviews. These materials may also include reading (extracts from) texts that show the colonialist embeddedness of the dominant concept of *translation*, or (extracts from) texts that show other conceptualizations in other cultures or times, or simply texts that advocate transformation. Questions that challenge the mainstream assumptions may accompany the readings. The questions should not aim at reaching definite correct answers, but should aim at creating debate and provoking some uneasiness about the assumptions taken-for-granted. Triggering/stimulating questions could, for example, revolve around the difference

between the principles propounded by codes of ethics and the principles highlighted in the reading materials; where they intersect or diverge and what implications each principle has for practice; which principle(s) sounds more plausible and why. Questions could also trigger an examination of the marketing dimensions and alienating ideology of some rules/principles, and a discussion of how they weaken the translator's moral self and capital. This stage of critical observation/analysis can be followed up by open discussions, debates, critical essays, personal stories/anecdotes. Scenarios such as those proposed by Baker and Maier (2011b) are also interesting follow-up activities.

More practice-oriented assignments in a Self-care through TL classroom may include the review of existing translations of polemical/problematic texts (such as illegal, polluting, controversial, discriminatory or resisting extracts). An example could be translations embedded in certain political narratives that use subtle discursive elements to highlight certain views and undermine others, like the use of passive voice/nominalization (Hatim and Mason 1997, Munday 2012), or the use of extra-textual strategies in news reports/political discourses (cf. Baker 2006a, 2010; Boukhaffa 2017, 2018). Another practice-oriented activity can be the translation of new texts, in which faithfulness may clearly equate irresponsibility (cf. Gil and Guzman 2011). The work on these kinds of texts or translations can be followed by an individual commentary that explains and justifies one's choices, followed by group or class debate.

After triggering activities or *disorienting dilemmas* have allowed learners-translators to recognize how unjustifiable conventional representations or opinions can be, the phase of ***self-examination*** sets in. This stage may be characterized by fear, anger, guilt, or shame or a mix of these feelings. At this stage, the learner may question the self for being part of the conspiracy and disseminating an unjustified discourse. They may also feel guilty for having unknowingly fostered hegemony and done wrong to others by following the dictates of an unjustified concept

in their practice. They may feel ashamed that they have been blind to these incoherencies before. Finally, they may feel angry that they have helped in their self-demeaning. At this stage, the facilitator's role is very important in creating an anxiety-free atmosphere and providing counselling in order to boost the learner's self-confidence and alleviate feelings of guilt, shame and self-reproof, as later developments of TL have emphasized (cf. Taylor 2008). Learners need to get the insurance that they are not the only ones who embrace such reductive concepts unreflectively nor are they the only ones who adopt many other unjustified discourses in different areas of life.

The next stage is the ***critical assessment of assumptions***. Now, the learner-translator reflects critically on their previous presuppositions about *translation/themselves* and assesses them. They try to understand the roots of these assumptions. They probably re-examine their cultural background and their previous educational experiences in the translation field and beyond. But most importantly, they may question the very frame of reference or habit of mind that led them to adopt such conceptions from an early age, like anyone in their community. They may, thus, examine their (cultural, religious, geographic, political, historical) background that helped shape their way of thinking and the consequences of such thinking.

The ***recognition that one's discontent and the process of transformation are shared*** is the stage where the learner understands that their discontent with their old assumptions and representations of *translation/themselves* is the same for many others, especially peers – and even their previous educators. This, of course, reassures them that they are not alone in this. There are many others like them who have unreflectively adopted unjustified conceptualizations and have undergone or are undergoing the same process of transformation. Peer support and sharing is very important, at this stage. Learners share their experiences with peers, talk about the possible reasons behind such understandings. This way, they raise each others' awareness of common issues, especially if they come from the same culture. If they

have different cultural backgrounds, on the other hand, they together reflect on how this understanding has been universalized and why. Each one of them may bring in or at least speculate on how and why their respective communities/regions/countries have adopted such a conceptualization even though it does not historically or culturally belong to them. Also, they may reflect on how and why their communities have abandoned their own historical concepts.

After the invalidation of the old assumptions comes the ***exploration of options for new roles, relationships, and actions***. At this stage, the learner tries to understand the implications of each option for themselves and others, and, therefore, embrace the most justifiable, reliable and inclusive option, (and *translation* as a cluster concept seems to be the most inclusive for translators). The learner at this stage becomes aware of the diverse and shifting roles of the translator. Hence, they explore newer roles and actions. They may explore newer relations with others, and especially the other agents directly involved in the translation transaction. That being said, learners are the ones who decide which new meaning(s) they want to embrace. Educators should remind themselves that self-care through TL is not about providing answers or even finding one's definitive answers but mainly about raising questions and opening up new horizons for one's thought and releasing oneself from stagnant/static ways of thinking. As Martín Ruano (2015) rightly argues, "transformative pedagogies assume that training cannot offer answers but at best generates questions for the persistent interrogation of beliefs which is seen as the basis of all ethical action" (2015, 152). In one word, self-care through TL is about *explorative*, *active* and *constant reflective creation of thought and newer roles/positions*.

After exploration comes the ***planning of a course of action***. The learner, at this stage, decides on the path they want to follow after considering all the available options. They plan how to enact what they have learned and decided. This includes the new relations as well as the new representation of the self that the new thought entails. If, for example, *translation* as a cluster concept is adopted as an option, then the course of action may be a more active role

(agency) and autonomy in the translation process itself. This may include the decision to be more responsible for the content being translated. Thus, they may start considering using the repertoire of strategies of translation available in other cultures and times. The course of action may also include questioning the relational level with clients/patrons, authors and others. The translator may plan a better representation of themself. They may also plan to have a say on what they do, or negotiate more favourable conditions for their work (including their remuneration). Also, this may entail questioning current copyright law.

Having planned their course of action, the learner-translator, then, ***acquires knowledge and skills for implementing their plans***, which is an important stage in the self-care process. As translation, at this stage, may no longer be seen as simple 'transfer' skills, but wide general knowledge and various translation skills as well as knowledge and awareness of various issues (social, political, historical, ecological), the learner-translator may need to self-cultivate in different fields as well as dig into the repertoire of strategies that may be available in other cultures and in the different temporary types of translation. And the new knowledge to be acquired in order to implement one's plans will doubtless include an in-depth knowledge of geopolitics and the social, economic and ecological fields.

Provisional trying of new roles follows the acquisition of newer knowledge and skills necessary for the implementation of one's course of action. In Self-care through TL classrooms, learners, at this stage, should be provided with opportunities to simulate the new roles in order to see how well prepared they are and identify any possible weaknesses. They can be given different scenarios in different contexts, and see how they will implement their new beliefs and respond to ethical challenges in light of their transformed beliefs about *translation* and about themselves and the world in which they operate. Learners-translators, at this stage, try other roles beyond the traditionally assigned ones of transmitters of meaning. It is noteworthy that different learners will likely try different roles and focus on different aspects of translation.

Some of them may focus on the translation process itself (for example, they may try to be more visible), while some others may focus on the relational aspects (for example, they may try to oppose some briefs and propose alternative ways), and some others may focus on both aspects depending on the level of reflection and self-transformation they have achieved as well as on their newer orientations.

After some time of practice with the new roles adopted comes the ***building of competence and self-confidence in these roles and relationships***. The learner-translator becomes more competent and confident in applying their new assumptions about *translation* and themselves and in responding to wider and ambivalent ethical issues/situations. They also acquire practice in asserting themselves in their relationships with the other agents. At this stage, they are able to present themselves as experts in the field. However, some learners-translators, who fail to build enough self-confidence or accumulate enough knowledge, may become reluctant to move forward as they may still lack the courage to do so. Some may even go back to square one if they feel that the newer position they are about to embrace is socially objectionable. Learners-translators build confidence only if they are encouraged that their new roles and relationships are viable and justified — hence, the importance of a guiding counsellor/educator in supporting the learners who show such reluctance to move on.

The last stage of this self-transformative process is the ***reintegration into one's life on the basis of conditions dictated by one's new perspective***. The learner, at this stage, has completely self-transformed and the newer assumptions have become part of their being. New behaviour, occupational habits and practices, based on the new self, have taken over. New ethical/occupational challenges are responded to according to the new beliefs in a quasi-spontaneous manner. It is important, however, that the new frame of reference and the new perception of one's work and oneself do not turn into another set of stagnant perspectives and assumptions. They should rather remain active, mutative, open and flexible to change again.

This new perspective should not be a definitive answer but rather a permanently questioning perspective that is always uneasy with itself.

It is noteworthy that the stages described above do not (always) occur in this linear manner. Self-transformation is rather recursive. Regressions or deflections are always possible. Some learners, experiencing acute distress, may react with "postponement, apathy, or rage", as we learn from Perry (1981, 90). Perry discusses three types of deflection from intellectual and ethical growth. *Temporizing,* which implies that some learners put off decision making and reconsign "the agency for decision to some event that might turn up" (ibid.). Learners experiencing temporizing feel they are not ready or not yet able to be responsible for their decisions. Thus, they often experience a sense of shame or guilt (Perry 1981, 91). Another type of deflection is *Escape,* which is characterized by "alienation" and "abandonment of responsibility" altogether (ibid., 80). It is a sort of un-commitment or 'detachment', which "can become a settled condition" (ibid., 92). The third type of deflection is *Retreat.* It is characterized by regression to the safe zone of *dualism* – which is coloured by "moralistic righteousness and righteous hatred of Otherness" (ibid., 91) – in order to avoid complexity and ambivalence (ibid., 80, 91). Besides these possible deflections, a learner may also take longer in a certain phase than their peers while others may skip a certain stage(s). Individual learners do not all go through all stages in the same manner, nor do they experience them in the same way. These stages may take from a few months to a few years depending on individuals' learning styles, histories, needs, motivations and personalities. That is why they need to be catered to by teachers/counsellors varying activities/materials depending on learners' needs at certain stages; learners respond differently to different stimuli/materials. The educator designs their lessons following an assessment of the situation/stage of every learner and individualizes their teaching.

In sum, the prospective transformation of the *translation* concept and the translator's self-concept is the main focus of self-care through TL. It purges the self of implausible, self-

denigrating and hegemonic presuppositions. It also raises self-value for oneself and others. Ultimately, this has implications for the translator's choices – which are informed by the socio-political, ideological, ecological and economic dimensions of the task at hand.

3.2.4. The Educator's and Learner's Respective Roles in Self-care through TL

Self-care ethics is work centered on the self in order to self-transform, and the social work of exchange with others that it involves is only a means to opening up to newer perspectives and experimenting and testing the relevance of one's representations. In Self-care through TL, the learner does not passively receive knowledge from authorities (the authority of the educator, the authority of the association or the authority of some sacred dogma) but rather self-manages and self-directs their learning processes (cf. Hammond and Collins 2004/1991). Therefore, any pedagogical approach like self-care through TL, which seeks to enhance the self, is, by definition, learner-centred; it foregrounds learning/learner over teaching/teacher. This is important for two main reasons. The first is pedagogical: learners tend to remember what they have *learned* and forget what they have *been taught* – which means active learning is more efficient than passive learning (i.e., teaching)[168]. The second is strategic as this approach helps foster autonomy in learners and future practitioners.

Learning via this approach not only requires and promotes an examination of one's practical tactics in one's (future) practice but also an examination of one's inner self and how this interacts with the world around oneself. Learners-translators autonomously self-reflect on their habits of mind when encountering disorienting dilemmas or triggering events, and, therefore, become aware of the contexts and the grounds of their taken-for-granted assumptions, and ultimately embrace ideas that are more justified. Self-care through TL allows the learner-

[168] The Australian novelist, Patrick White in his novel, *The Solid Mandala* (1966), puts this statement in the mouth of one of his characters: "I forget what I was taught. I only remember what I have learnt."

translator to experiment with a myriad ethical situations and to critically assess the pros and cons of different ethical responses. While the learner-translator opens up to diverse views (peers', scholars' and educators') in order to see what others see and open their eyes to other ethical horizons, they do not embrace them wholesale and unreflectively but construct their own views. In other words, they actively and autonomously produce their ideas and knowledge. Self-care through TL fosters the idea of *learning to learn*. Its purpose is to develop life-long autonomous thinkers and practitioners. "Fostering greater autonomy in thinking is both a goal and a method for adult educators", as Mezirow puts it (2000, 29). The ultimate goal is to guide learners towards becoming liberated and responsible translators for themselves and others, "that is, to make more informed choices by becoming more critically reflective as 'dialogic thinkers' (Basseches, 1984) in their engagement in a given social context" (ibid., 30).

On the other hand, the translation educator in Self-care through TL takes the role of a counsellor, a facilitator and also of a self-learner. Foucault's self-care ethics is as relevant to the teacher's self-reflexivity, autonomy and empowerment as it is to their students', as Raaen tells us (2011). Teachers are also open to learning and self-transformation regarding their teaching and their positions about other life issues. In Self-care through TL classrooms, they turn into "a collaborative learner", in Mezirow's words (2000, 15), with a guiding rather than a teaching role. Their main and only task is *letting learning take place,* in Heidegger's words (1968, 15).

> Teaching is more difficult than learning because what teaching calls for is this: *to let learn*. The real teacher, in fact, lets nothing else be learned than – learning. His conduct, therefore, often produces the impression that we properly learn nothing from him, if by "learning" we suddenly understand merely the procurement of useful information. The teacher is ahead of his apprentices in this alone, that he has still far more to learn than they – *he has to learn to let them learn*. […] If the relation between the teacher and the taught is genuine, therefore, there is never a place in it for the authority of the know-it-all or the authoritative sway of the official. (ibid., italics added)

Thus, the educator should abandon the know-it-all mantle. They should rather *learn* to let learners learn. They also should reduce their institutional voice, the voice of power. They are, of course, initiators, sometimes sources of polemic debates, but they do not have the last word nor the 'best' final answer. Translation educators who adopt self-transformative approaches do not aim at indoctrination. They rather create a democratic atmosphere of free debate and autonomous self-enhancement. "This involves blocking out power relationships engendered in the structure of communication, including those traditionally existing between teachers and learners" (Mezirow 2000, 31). Raaen, drawing on Foucault's notions of *parrhesia* (frankness) and *self-care*, affirms that

> teachers can assure their students that they can critically reflect on their teachers' activities in public. An indication that *parrhesia* is present in the teaching context occurs when both experts and non-experts (in this context, both teachers and students) are given the opportunity to develop and practise their autonomy within a frank, argumentative conversation. (2011, 636)

The teacher, thus, not only gives learners the opportunity to reflect on and co-build their education activities, but also gives themselves the chance to move away from teaching according to the policies of an authority that may favour (commercial, political) agendas over ethical/social considerations. The educator who adopts self-care through TL, thus, does not claim to be neutral. The very adoption of this critical approach instead of another approach is already a sort of socio-political positioning. Adopting TL, educators position themselves as "cultural activists", in Mezirow's term (2000, 30) who are committed to social reform and "a greater realization of agency for all learners" (ibid.).

Because of the feeling of insecurity that self-transformation may induce, the educator in self-care through TL pedagogy provides a supportive environment that can ensure self-confidence, trust and emotional security. They support learners in order to allow them to liberate themselves from self-constraining beliefs about their abilities to take charge of their learning

and their lives. The goal of self-care through TL is the empowerment of individual learners so that they are, first and foremost, aware of their strengths and able to mobilize and make full use of their abilities in order to transform their frames of reference. In short, in order to handle the affective dimension of constructive learning, the translation educator needs to establish positive and *authentic relationships* with the learners and among learners (cf. Taylor 2000, 2009).

Although Self-care through TL is very learner-centred, the educator may need to give some background lectures adopting interactive methods. "In order to develop, critical thinking requires wide knowledge and an understanding of what others have already discovered and thought" (Koskinen 2012, 11). A little transmissionist work done in an interactive way may serve as a background for self-centred work but should cease to dominate and leave space for critical reflection work at very early stages of learning. Transmissionist work is necessary to acquire information background; transformative work is to build reflective views/knowledge.

Another very important aspect of the educator's role is the introduction of material that is appropriate to the students' levels of intellectual and ethical growth, taking into account their individual differences. The individualization of teaching/learning through a variety of activities is key to responding to the diversity of styles, experiences, needs, preferences as well as individual positionalities in regard to social issues such as race, class, gender, sexual orientation, and so forth. I believe Perry's scheme of development can serve to identify whether the learner has moved beyond the dualist stage regarding these issues and others and is, therefore, ready to engage with controversial materials that challenge the mainstream knowledge some of them may have brought to the classroom. Or they still need triggering materials that will question their dualism in thinking. In short, the self-care through TL course should be designed judiciously in a way that provokes a gradual engagement with the new approach, taking all the discussed variables into account.

Conclusion to Part IV

In Part IV, I have proposed self-care ethics through TL as a critical approach that can pave the way to the translator's empowerment both ethically and symbolically. I have also proposed a transitional charter for ethics that can accompany this work on the self within the global perspective of *the culture of the self* within all translation institutions. These subjective ethics are an alternative to codified translation ethics, which clearly undermine the translator's *capital* and *moral self*, as I showed in Parts II and III.

Self-care through TL has the potential to drive the translator to reflect critically on oneself and on ethical issues related to translation practice in a global manner. This approach allows cultural, ethical and symbolic empowerment simultaneously. It equips translators ethically and intellectually to face the uncertainties of ethical encounters and to build awareness of the power asymmetries in which their work is embedded. With the support of the scholar (an agent from the field of power), self-care through TL ultimately allows the translator to *gradually* "crack[ing] the conduit model", to use Inghilleri term (2012, 97), and act autonomously and ethically. At the centre of this work on the self is the transformation of one's self-concept through a more justified understanding of one's practice – which, by extension, enlarges ethical perspectives, and makes a translator more critical as to the extratextual dimensions of their everyday work. Within a self-care perspective, the task of the educational institution is not to teach moral principles to learners; its task is to allow them to learn how to *autonomously* learn to be ethical, how to be responsible about their path towards being a moral subject and how to be able to make the most ethically justified decisions in their practice, and, thus, exercise their full agency. Adopting this perspective in educational institutions will likely trigger an engagement from the individual translator for life-long self-transformation and especially involvement in *social change.* Following the emancipatory and planetary view in TL, the translator's active involvement in different institutions – including one's institutions –

to gradually change the current *status quo* is most important. In short, it is not only about changing one's perspective about one's practice and oneself but mainly about engaging in gradually implementing that change, voicing it and, most importantly, changing outsider's views of *translation* and translators.

As such, Self-care through TL pedagogy allows translators to deploy more energies in their struggle to gain some form of control over their work and insist that it be recognized as a valuable practice. Symbolic empowerment through self-care is interlinked with ethical empowerment and is its prior condition, and they both require intellectual empowerment and self-awareness. Collectively emphasizing one's significant knowledge/expertise and the different roles translators play may lead to a recognition that is relatively proportionate with this complex cultural endeavour. The recognition of one's cultural capital and ethical responsibility is then likely to convert into some form of external recognition of the translator as a cultural producer and/or a partitioning expert should translators have a better external support from one of the agents in the field of power and more internal unity.

The aim of the current project to empower the translator is, I reiterate, in no way original. Many other scholars have already sought the same aims (see Venuti 1998, Tymoczko 2007, Kiraly 2000). The originality of my contribution, however, lies in the pedagogical approach that combines self-care ethics with transformative learning for adult education. The advantage of this approach is that it is not revolutionary but rather evolutionary, from within society and its institutions. Importantly, self-care through TL may co-exist with reflexive, flexible and inclusive charters that are non-coercive and that foster individual responsibility, autonomy and control over one's work. It remains to be seen how this proposed pedagogy of self-care through TL will find a way into translation classrooms and how it may affect the translator of tomorrow. I am well aware, as I argued on a few occasions earlier, that this approach, like any critical pedagogical approach, may not be embraced by all educators – many of whom align with the

dominant agents and are constrained by the market forces. However, the initiatives taken in translation classrooms regarding ethics and empowerment through critical pedagogies (as we know from the publications cited earlier) remain encouraging signs of a gradual change that is taking place in many parts of the world.

Concluding Remarks

The main research question of the current project is: how are the translator's *capital* and *moral self* affected by the codes of ethics established by 'professional' associations? And if negatively affected, are there alternative ethics that are likely to enhance the translator's *capital* and *moral self*, and therefore, empower them? This project has revealed how the internal documents produced by translators' associations, namely codes of ethics, adopt a discourse that reinforce the low status of translators and cater mostly for the interests of the powerful agents. It has shown how these documents not only undermine the translator's *capital* (in Part II) but also neutralize their *moral self* in the name of ethics (in Part III). Based on this finding about the internal expressions of the low status of the translator, the study questioned the very principle of ethics codification as a coercive project based on predetermined duties for an occupation that is intrinsically ambivalent and for practitioners who have a low status and little support. Therebefore, alternative ethical pathways that may enhance the translator's capital and moral self were proposed in Part IV.

Part I of this project, entitled Professionalization, Translation Ethics, and *Translation* in Codified Ethics, has served as a background to the analysis that followed in Parts II, III and IV. In Chapter 1, I drew on the sociology of professions to explain the context of the establishment of codes of ethics. I showed how these documents that started to be established during the late twentieth century can be understood as part of a process of professionalization that seeks to control the translation occupation. I discussed how this process is, in fact, not a question of gaining some attributes that are believed to lead to professionalism, but a complex process that is embedded in power dynamics. I showed that this sought-after objective may lead to a translator's occupation either being controlled by themself or by an external agent(s) who curbs the translator's autonomy and (ethical) agency. In Chapter 2, I laid out a rich literature review

about ethics in TS and highlighted the existing gaps. I argued that generally at best, TS scholars overemphasize otherness and neglect the ethical translating agent. I also showed that the research about codes of ethics in TS has generally not paid enough attention to the power dynamics in which such documents are embedded and the fact that in the name of ethics, they may help undermine the translator both ethically and symbolically. In Chapter 3, which is devoted to the definition of *translation* in the documents under study, I showed how the presented definitions do not reflect any of the understandings of *translation* as a complex concept with no clear boundaries, as argued and demonstrated by many TS scholars in recent years. This section was used later on to show how the prevalent definition affects the translator's cultural capital and, therefore, their symbolic recognition and also how it affects their moral autonomy.

Part II, entitled The Translator's Capital in Codified Ethics, demonstrated that all organizations under study generally undermine the translator's capital in their codes of ethics and certain other documents, regardless of their different natures, functions or geographical coverage. Very small and uninfluential differences were noted in the discussion. The most important example of such small differences to reiterate here is the fact that the UNESCO, a representative of an outsider agent, ironically adopts better positions regarding the translator's rights – although far from being fair or consecrating – in its *Nairobi Recommendation* document than most associations.

In section 2.1. of Chapter 2, I analyzed the translator's cultural capital as it stands in the documents under study. I showed that the translator's cultural capital is presented as low in the studied documents, despite the fact that some articles seek to represent translation/translators as requiring continuous 'professional' development, life-long learning, competence and knowledge sharing. The main site that could show the importance of the translator's cultural capital is the definition of their practice. However, this is presented as a mechanistic practice

of faithful transfer of meaning, in accordance with the mainstream view of *translation* that is shared by the powerful agents involved in translation. Only one code of ethics (the IAFET's) presents a different definition. An examination of the association's other internal documents, however, showed that its view of *translation* is very similar to that of the other organizations. Besides the definition of *translation*, which undermines the embodied cultural capital, none of the associations require high institutionalized cultural capital (high educational qualifications) as a condition of entry – a fact which further affects the external agents' perception of *translation*/translators.

In section 2.2., I analyzed the translator's social capital. I showed that the translator's potential benefits of networking through these associations is disproportionate to their material and symbolic investments in them. Personal autonomy is the main sacrifice an individual translator is obliged to make in order to preserve their membership in such associations. Failure to abide by these association's (coercive) rules leads to adjudication procedures against the translator by most associations, while little support is provided when the translator needs it.

In section 2.3., I discussed the translator's economic capital. I showed that the translator's economic capital is low in both its immediate and potential forms. Although some documents insist on the right of the translator for fair remuneration and call on them to avoid unfair competition, certain others oblige their members to respect the other agents' rights to 'reasonable' remuneration, despite the fact that these translators are generally unable to impose their rates on powerful agents, who are the main consumers of translation today. Copyright being the main potential source of revenue for some translators is only partial and, therefore, does not yield important financial benefits.

In Chapter 3 devoted to the conversion of the three previous forms of capital into symbolic capital as well as a discussion of how the latter feeds them in return, I contended, following Bourdieu, that being an intellectual producer *par excellence*, the translator has cultural capital

as the main form of capital that can be converted into symbolic power. I set *professionalism* and *copyright* as the two main tangible forms of symbolic recognition in the case of translators as practitioners of an occupation and/or as cultural producers. I found that codes of ethics and other internal documents as well as the FIT Translator's Charter, all established as part of the process of expressing and insisting on certain aspects of 'professionalization', paradoxically undermine the sought-after objective of professionalism as understood in the power approach of the sociology of professions. Instead, they allow the (soft) imposition of the powerful agents' views into the translator's documents, leading, thus, to a patronage mode of occupational control. These documents adopt self-devaluing concepts and relations that serve the powerful agents and take them as natural, in what Bourdieu calls symbolic violence. I also found that most documents reinforce the current copyright law as based on common sense, which considerably undermines the translator's economic and symbolic forms of capital. Only two associations from developing countries do not reiterate this law. However, these associations, like all the others, emphasize the very premises behind it in their codes or in other internal documents. In sum, the non-recognition of translators as autonomous experts or original cultural producers is found to be a reflection of their low cultural capital, manifest mainly in the presentation and perception of their practice as derivative and less valuable and of their roles as mechanistic and less creative.

I have shown throughout Part II how the lack of symbolic power affects the translator's social and economic forms of capital, as well. Despite the open-door policy of translator associations, the members' low symbolic power converts at a very low rate into social power and affects the social power of their associations, compared to the organizations of other agents with whom they compete, such as author leagues or publisher associations, as I showed in Chapter 3. Likewise, the translator's economic capital is fed poorly by their low symbolic capital; they are paid less because they and their work are perceived as worth less.

I finally discussed the reasons for this low symbolic power. Drawing on the sociology of professions, I showed that this situation is due to three main factors: the fragmentation of translators, the power and concentration of the agents who need translations and the scarcity of external support. I contended that the only potential external supporting resource is to be found in academia. I showed that the situation of this source of power is complicated due to the scholars' internal fragmentation and their lower position in the field of power, compared to that of some of the other agents, with whom the translator struggles, namely the legislative/political agent, the publishing agent and the industrial agent (large clients and employers). I, however, argued that this source of power, that is the scholar, still has some room for manoeuvre to include empowering views in their teaching programs and research projects.

Drawing on Bauman, Part III entitled The Translator's Morality in Codified Ethics demonstrated how the translator's moral self is generally neutralized in all the documents under study, despite the slight uninfluential differences found between some associations. I showed that certain rules and principles highlighted by many of the codes which purportedly aim at protecting the public are, in fact, tools of alienation. They result in a limited responsibility to the immediate 'professional' context and aim at protecting the powerful agents involved in the translation circle. I showed how the virtues highlighted in some of the codes are, in fact, tainted by ideological and economic calculations and, therefore, lead to a neglect of the real and wider ethical matters that have to do with Others, vulnerable people or species outside the translation transaction circle. I argued that the relational aspects in the documents under study, which foreground exclusive respect of the immediate agents involved in translation – namely employers, clients, authors, publishers and, at best, fellow translators – are mostly embedded within the being *with* the other sphere. This respect is pragmatic as it is based on 'mutual' interests. I showed, drawing on Bauman, that being moral is being *for* the other, regardless of benefits or interests.

In my discussion, I showed how codes of ethics are, in fact, a relief from ethical responsibility for the translator as this responsibility has shifted from being an individual matter to being an institutional concern because the translator's conduct does not reflect their personal choices but the choices of the institution they belong to. Translators are seen as mere executors of the institutional policy and conduct with NO responsibility. I showed how translators face punitive measures, established by some associations, in case they fail to abide by the institution's conduct and by the calculating ethics of their codes. I argued that these measures complement the ideologies of soft exploitation. I also showed that the documents under study are embedded in rationalist and modernist discourse. They are 'well-founded' and universalist; they claim (near)completeness and non-contingency on situational variables as well as compatibility with the rationalist perspective of the modern translator. They deny the ambivalence of the moral encounter as they claim to contain and order the moral question and to unify the translation practice in a set of pre-established rigid rules as well 'rationalize' the relations within it.

I finally discussed the prospects of the moral self in postmodern ethics and the possibility of stretching it to face the challenges of globalization. I contended that in postmodern ethics, the translator regains their individual responsibility from the institution as they get rid of codified ethics and institutional/social references. Regaining responsibility, however, leaves the translator to face the bane and the frustration of the moral encounter – which is characterized by an inherent uncertainty and *aporia*. I showed, drawing on Bauman, that this bane is also an opportunity. It is the opportunity to be moral, because uncertainty is the essence of the moral condition. Regaining the responsibility of being moral is an emancipation from the institutional hegemony and its impositions that neutralize the moral self. It is an opportunity to overcome the responsibility of proximity in order to care for one's world, characterized by mutual dependency more than ever before in the age of globalization, as I discussed in section 3.4. Our

local actions nowadays may have global consequences. Therefore, moral responsibility requires the enlargement of one's ethical imagination to respond to the challenges of globalization.

The translator's neutralized moral self is a reflection of their undermined capital. The translator cannot be ethically autonomous and responsible if they are not autonomous in their work; if they do not have control over their occupation. This is why I believe that ethical responsibility passes through symbolic empowerment and autonomy, following Foucault's thought. And the key for symbolic empowerment and autonomy is self-awareness and (self)education.

In Part IV, I presented alternative ethical pathways that are likely to enhance the translator's symbolic capital and ethical autonomy. Drawing on Foucault's dimensions of morality, I drafted a transitional noncoercive charter for ethics and presented a critical pedagogy to (self-care) ethics, and I recommended that these two elements be nurtured within a culture of the self that is enhanced within the institutions concerned with the translation practice.

As part of this holistic approach, I discussed in section 2.1. of Chapter 2 how a culture of the self can be enhanced in three main institutions concerned with translation, namely Translation Studies, the translation occupation and translation pedagogy. Concerning Translation Studies, I called for a shift in focus from otherness to self-care, for one cannot care for others if one does not enact self-care. For the translation occupation, I argued that the translator organizations need to be transformed in a way to give a voice and a choice to the individual member. And for translation pedagogy, I advocated a critical pedagogy that is centered on the self and that is self-transformative and reflexive. And in order to make the transition towards ethics of the self viable, I recommended a noncoercive and open charter for ethics, in section 2.2. The proposed charter overcomes the limitations of the documents of ethics under study and eliminates the discourse and content that were found to undermine the translator's capital and moral self. In section 3.1. of Chapter 3, I discussed the core components

of transformative learning theory, which I have proposed in order to instantiate *self-care* in modern educational institutions. I argued that the epistemic enhancement and its emancipatory and planetary components complement each other in a way that self-transformation may lead to social/environmental change. I argued that this theory, which is learner-centred, intersects with *self-care* and complements it. The intersection is manifest in the fact that they both seek individual empowerment through critical reflection on the self and dialogue with others, with the ultimate aim of emancipatory/social change. They are complementary in the sense that transformative learning theory is a great candidate that can allow the implementation of Foucault's *self-care* in pedagogical settings as these are conceptually compatible. In section 3.2., I contended that the main site for the translator's intellectual, symbolic and ethical empowerment is their liberation from the reductive conceptualization of *translation* and their self-transformation from the devaluing self-concept. I then discussed the implications of self-care ethics through TL on the translator both ethically and intellectually. I argued that emancipation from the devaluing self-concept and the reductive definition of one's practice ultimately results in enlarging the translator's perspectives and raising their consciousness towards the social/planetary dimensions of their work and the complex roles they play in reinforcing or subverting relations at different levels in the world around them. Awareness of these issues empowers the translator both intellectually and ethically and makes them likely to self-emancipate and engage in gradually provoking social/planetary change through their practice. It also means trying to impose their recognition as important social agents. I then laid out the process of self-transformation that a TL learner may go through in regard to self-care. And finally, I presented the educator's and learner's roles in self-care through TL classrooms. I showed that the role of the educator is that of guide and that the learner is actively responsible for their learning.

The effective implementation and success of the proposed approach is, of course, not without challenges. Some of the dominant agents (in the field of power) will obviously resist it because of the change it is likely to bring about. The approach is viable only with a more engagement of one of the agents in the field of power, that is, scholars/educators. Translators may gather conditions of some sort of empowerment only with their support. Since the cultural turn, we have seen encouraging signs, in this respect, as more scholars line up with translators and support their empowerment, despite the fierce resistance of others, who line up with the dominant agents in the field of power. The stake is, thus, to recruit more of the former scholars and for these scholars to focus on self-care and on the elevation of the translator's self-concept. Most importantly, there must be a focus on the translation of these scholars' emancipatory concepts and pronouncements into tangible work in translation classrooms and into their (external) discourse with the other agents (especially the ones in the field of power), whenever and wherever those opportunities of communication with these agents arise.

Central to the approach suggested in this research is self-transformation and self-empowerment in order to boost one's capital and enhance one's moral self. Imposing symbolic recognition through self-care ethics may, however, seem problematic. Should professional translators become more powerful than the other agents, they may exercise hegemony and enforce relations of exploitation over them, a fact which reproduces other ethical problems. This raises the question: how ethical is a project like this, in the first place? Is the proposed ethical endeavour not a search for egocentric goals, demanding and imposing symbolic power rather than seeking ethical behaviours *per se*? Is that not simply going to reverse the power relations and have new agents at the bottom of the social order? I respond to these questions by first reiterating that my project is a modest one and far from an idealistic approach that seeks unachievable subversion. My approach rather seeks a gradual change and *minimization* of relations of dominance and ethical alienation. And to reassure those who may claim that a

project like this simply seeks to reshuffle power relations in a way that translators take a dominant position, I argue that even if the relations are reshuffled – which is far from possible anyway as dominant agents remain concentrated and powerful in today's world – an empowered translator who is self-caring cannot exercise the harshest types of hegemony or exploitation. As Foucault affirms, power relations are irradicable and, in some cases, are not even so harmful. Hence, what an *ethical* project of ethics like this seeks is not a bare violent exploitation but – in Foucault's words – seeks « se donner les règles de droit, les techniques de gestion et aussi la morale, l'êthos, la pratique de soi, qui permettront, dans ces jeux de pouvoir, de jouer avec le minimum possible de domination » [to give oneself the rules of law, the techniques of management and also the morals, the ethos, the practice of the self, which will allow, in these games of power, to play with the least possible domination] (2001c/1984, 1546). The approach of self-care adopted in this project is important because not many other forms of empowerment may lead to an ethical powerful agent. « [L]e souci de soi apparaît comme une condition pédagogique, éthique et aussi ontologique pour la constitution du bon gouvernant » [Self-care appears to be a pedagogical, ethical and also ontological condition for the constitution of the good ruler], Foucault tells us (ibid., 1540-1541). In sum, what makes a project like this ethical is that its ultimate goal is making the translator able to cater for their world.

It is noteworthy that the important insights gained from this study may not be completely generalizable, despite the fair representativity of the studied documents, and despite the obvious universalism of these codes and their instructions, regardless of the originating association's origin or function/nature. Further studies of more codes of ethics and other translator documents may reveal more findings. Studies of specialized associations' codes of ethics may follow from this study. Also, the current project's findings may not exactly reflect the actual state of affairs as they are based on the discourse in the documents of the translators' associations rather than on the individual translator's feedback or on actual occurrences. A survey of translators to see

what they think of the current codes of ethics may reveal the degree of their subjugation and, thus, enrich the studies that demonstrate their low status. Another very interesting avenue of research could be a study about who usually dominates the board of such translator organizations. Is it the category of salaried translators, freelance translators or managers/owners of (large) translation companies? How powerful is the word of the representatives of companies in the translator organizations and in their internal documents, such as codes of ethics? A study of punitive actions taken as a result of breaching codes of ethics and on what basis (e.g., breach of the rule of *faithfulness,* as I mentioned earlier about the ATA) is another important research avenue. Answers to all these questions will definitely further reveal the sources and circumstances of the disadvantageous discourse in codes of ethics, and will thus complement the current study.

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Appendices

Appendix I: Translator Organizations Websites

Asociación de Traductores Profesionales del Perú – ATPP (Peruvian Association of Professional Translators). http://www.atpp.org.pe/ (Accessed on July 5, 2018).

Association of Translators and Interpreters of Ontario (ATIO). https://atio.on.ca/ (Accessed on July 5, 2018).

Australian Institute of Interpreters and Translators (AUSIT). https://ausit.org/ (Accessed on July 5, 2018).

Fédération Internationale des Traducteurs / International Federation of Translators (FIT). https://www.fit-ift.org/ (Accessed on March 23, 2018).

Indian Translators Association (ITAINDIA). http://itaindia.org/ (Accessed on July 5, 2018).

International Association for Egyptian Translators (IAFET). https://iafet.org/ (Accessed on September 1, 2018).

Société française des traducteurs (SFT). https://www.sft.fr/ (Accessed on July 5, 2018).

South African Translators' Institute (SATI). https://www.translators.org.za/ (Accessed on October 25, 2019).

Appendix II: Codes of Ethics

Asociación de Traductores Profesionales del Perú – ATPP [Peruvian Association of Professional Translators]. *Code of Ethics*. http://www.atpp.org.pe/code_ethics.pdf (Accessed on July 5, 2018).

Association of Translators and Interpreters of Ontario (ATIO). 2009. *Code of Ethics*. https://atio.on.ca/wp-content/uploads/bsk-pdf manager/Code_Ethics_EN_(1)_19.pdf (Accessed on July 5, 2018).

Australian Institute of Interpreters and Translators (AUSIT). 2012. *Code of Ethics and Code of Conduct*. https://ausit.org/AUSIT/Documents/Code_Of_Ethics_Full.pdf (Accessed on July 5, 2018).

Indian Translators Association (ITAINDIA). *Membership Information/Code of Professional Conduct*. http://itaindia.org/wp-content/uploads/2017/03/Membership_Information.pdf (Accessed on July 5, 2018).

Société française des traducteurs (SFT). 2009.

- *Code de déontologie général des adhérents de la Société française des traducteurs (SFT).* https://www.sft.fr/code-de-deontologie-des-traducteurs-et-interpretes.html#.XEcsYlVKjIU; https://www.sft.fr/clients/sft/telechargements/file_front/58367_SFTCode_deontologie.pdf.pdf and https://www.sft.fr/clients/sft/telechargements/file_front/51907_deontologieanglaisweb.pdf.pdf/ (Accessed on July 5, 2018).

- *Code de déontologie des Interprètes adhérents de la Société française des traducteurs (SFT).* https://www.sft.fr/code-de-deontologie-des-traducteurs-et-interpretes.html#.XEcsYlVKjIU/ (Accessed on July 5, 2018).

South African Translators' Institute (SATI). 2013.

- *Code of Ethics for Individual Members*. http://translators.org.za/sati_cms/downloads/dynamic/sati_ethics_individual_english.pdf (Accessed on July 5, 2018).
- *Code of ethics for Language Agency Corporate Members*. http://translators.org.za/sati_cms/downloads/dynamic/sati_ethics_corporate_agencies_english.pdf (Accessed on July 5, 2018).
- *Code of ethics for Language Agency Corporate Members* http://translators.org.za/sati_cms/downloads/dynamic/sati_ethics_corporate_offices_english.pdf (Accessed on July 5, 2018).

International Association for Egyptian Translators (IAFET). 2017. *Code of Ethics* as sent to my email in pdf format by their Office Administrator Ms Nourhan Ahmed on September 2, 2018:

The aim of this Code of Ethics is to establish the minimal professional standards of good practice expected from **IAFET** members. All provisions herein are oriented toward promotion of and respect for the purposes of the Association, as stated in its Bylaws.

1. General Duties

It shall be the basic duty of every member to:

1.1 Comply with any and all obligations arising from the Bylaws, regulations and any resolutions adopted by the Association's bodies.

1.2 Refrain from any and all sorts of cond uct that might in any way harm or und ermine IAFET's interests.

1.3 Exercise the translating and interpre ting professions on the basis of good f aith, which encompasses, principally, th e duties included in the following articles.

2. Duties Related to the Performance of Professional Activities

All **IAFET** members shall:

2.1 Carry out translating or interpreting tas ks thoroughly and responsibly. 2.2 Only accept jobs for which they are able to gua rantee a proper standard of quality to their clients.

2.3 Keep up-to
date and well informed with regard to everything that has to do with the prop er performance of their profession.

2.4 Not take part in practices that might fav or actions which are detrimental to the pu blic interest, the law or the interests of their profession.

2.5 Respect confidentiality with regard to a ny and all materials received from their clients. This shall be taken to mean not dis closing any part
thereof without permission from the clie nt and not making use thereof in benefit or to the detriment of themselves or third parti es, except in cases in which disclosure of such information becomes unavoidable by reason of force majeure.

3. Duties Related to the Protection and Promotion of the Translating and Interpreting Professions

All **IAFET** members shall:

3.1 Enforce and defend the right to receive pay that permits their profession to be prac ticed in a decent and effective manner.

3.2 Abstain from taking part in any acti on whatsoever that might undermine the ir self-
respect or the standing of their profession.

3.3 Contribute to upholding the good stand ing of their profession by means of off ering services of the highest possible stand ards.

3.4 Not favor unfair competition by offerin g or accepting fees below those generall y considered to be proper and fair in the m arket where they practice their profession.

3.5 Neither offer nor accept jobs that a re improper in terms of deadline, environ ment or method.

3.6 In cases in which they render free servi ces to non-
profit organizations, apply themselves as if such services were a paid job. Furthe rmore, inform the non-
profit organization benefiting from these free services of the proper market value o f the job performed.

3.7 When mentioning a connection with IA FET (whether as a member or as an of ficer) or including the Association's log o or motto in advertising their services, avoid doing so in such a way that may be detrimental to the Association's good name. The use of such information shall be discontinued upon termination of me mbership.

3.8 Report to the IAFET Good Practices Commission or to any other relevant or ganization on any colleague whose conduct appears to be detrimental to the profess

ion and, furthermore, contribute toward the investigation into such conduct.

4. Duties Related to Relationships Among Colleagues

All **IAFET** members shall:

4.1 Be respectful of colleagues and of to their work.

4.2 Not seek to gain colleagues' clients by offering excessively low fees or by any sort of action carried out in bad faith.

4.3 Refrain from making statements that m ight undeservedly undermine the reputat ion of colleagues in terms of their com petence, standing, good conduct or man ner of practicing their profession.

4.4 Offer any and all cooperation within th eir possibilities to their colleagues, espe cially to those of lesser experience.

4.5 In the event of hiring another translator or interpreter as an employee or indepe ndent collaborator, guarantee that person proper contract conditions and fair pay, in accordance with the work carried out, a nd, moreover, respect the conditions agr eed to and fully abide by them.

Becoming a member of IAFET implies acceptance of this Code of Ethics and commitment to fully respect it in practicing the translating and interpreting professi ons. Any and all forms of conduct contrar y to this Code of Ethics shall be subject to the sanction deemed proper by the I AFET Good Practices Commission, depe nding on the circumstances surrounding t he case in question and in accordance with the provisions of IAFETs Bylaws.

Appendix III: FIT *Translator's Charter*

Fédération Internationale des Traducteurs / International Federation of Translators (FIT). 1994/1963. *Translator's Charter*. Oslo. https://www.fit-ift.org/translators-charter/ (Accessed on March 23, 2018).

Appendix IV: UNESCO *Nairobi Recommendation*

UNESCO Nairobi Recommendation. 1976. *Recommendation on the Legal Protection of Translators and Translations and the Practical Means to Improve the Status of Translators*. Nairobi. http://portal.unesco.org/en/ev.php-URL_ID=13089&URL_DO=DO_TOPIC&URL_SECTION=201.html (Accessed on July 5, 2018).

Appendix V: Berne Convention

World Intellectual Property Organization (WIPO). 1978. *Guide to the Berne Convention for the Protection of Literary and Artistic Works: (Paris Act, 1971)*. Geneva. https://www.wipo.int/edocs/pubdocs/en/copyright/615/wipo_pub_615.pdf (Accessed on June 13, 2018).

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