

# Beyond the Regime of Fidelity

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**Abstract:** The case of NSA leaker Edward Snowden, accused of treason by the United States, reveals its true political meaning in the context of a problem with which the traditional theory of translation is so obsessively concerned—the quasi dialectics between fidelity and betrayal. To put it more simply: to betray in translation always means to break a contract in which modern society and its political container, the nation–state, is ideologically grounded, namely the so-called social contract. It is because the commonsense concept of translation, whose meaning Naoki Sakai epitomized in the notion of homolingual address, not only conceptually parallels the social contract theory, but is, even in its most recent versions (Rawls, Habermas), directly involved in the construction of the bourgeois political sphere and the modern liberal democratic state. For the same reason, an abandoning of the regime of homolinguality—that is, traditional understanding of translation with its crude binarism and its obsession with the question of fidelity—cannot be reduced to a simple shift in the paradigm within translation theory. It implies an agonistic—and therefore genuinely political—act of challenging the very mode of sociality that is reproduced by the modern liberal democratic state. In short, it implies the traumatic betrayal of the very regime of fidelity on which it is based.

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## Treason

It didn't take long for the infamous T-word to appear. Not only were notorious American conservatives like Dick Cheney quick to accuse the NSA leaker Edward Snowden of treason, but they were promptly joined by Democrats like California Senator Dianne Feinstein and the most prominent John Kerry, Barack Obama's Secretary of State. Those rightly shocked by the use of such a scary word in a public discourse supposed to be governed by rational argument, a word that not only moralistically sabotages a possible debate on the problem but is itself heavily charged with almost mystical dimensions of guilt, crime, and punishment, just as quickly responded with a no less irrational rejection of the accusation of treason. An article in *The New Yorker* (Herzberg 2013) pro-

vides a good example of how desperate such justification strategy is: first, Snowden has committed no crime. According to the Constitution (Article III, Section 3), the treason against United States consists only in levying War against them, or in adhering to their Enemies, which, as it can be easily proved, he hasn't done. Secondly, even if he has violated a law ("he is manifestly a lawbreaker"), Snowden is not a traitor. The proof: his intentions were innocent. Not only did he never intend to damage national security, but he acted, rather, on the basis of a belief that he was serving the true interests and highest values of his country. Thus, regardless of whether he has broken the law or betrayed his country, Snowden is a true patriot. And finally, guilty or not—a lawbreaker, a traitor, a patriot or not—he has already been severely punished by sentencing himself to perpetual exile.

However helpless in its attempt to rationally reject the accusation, this argumentation succeeds perfectly in foreclosing the problem it has touched upon. It deals with the symptoms of the intoxication caused by the public use of the word "treason"—"the word is pure poison," writes Herzberg in the same article—not with the toxic substance itself. What is actually so poisonous about the word "treason" is precisely the fact that its meaning transcends far beyond the moral-judicial discourse that reigns over the public of today's liberal democratic regime. The motif of treason and fidelity—which is intrinsically tied to it—evokes fundamental questions on the formation of the social.

More than a hundred years ago, the sociologist Georg Simmel stated that society would not be able to exist for any time at all without the phenomenon of fidelity, or *Treue* (Simmel 1908). He understood fidelity as a "sociological affect" that aims to foster the persistence of social relations. His favorite example is the well-known expression "faithful love." Why is there a need for fidelity, Simmel asks, if love that once brought two people together still persists in their long-lasting relationship? Fidelity is obviously needed when the cause that initiated the relationship at the very beginning has in the meantime disappeared. It is, for instance, what makes an erotic relationship survive even if the physical beauty that brought it about diminishes and turns into ugliness. This is why Simmel suggests that the notion of "faithful love" simply be replaced by a more appropriate one: "enduring love." It is precisely because of the mat-

ter of time, or, rather, of endurance that “fidelity and its opposite become important [...] as the bearer of the existing and self-preserving kinds of relationship among members.” It is “one of the most universal patterns of action significant for the most diverse interactions among the people” (Simmel 2009, 517).

“Fidelity and its opposite,” writes Simmel, where by “its opposite” he obviously means “betrayal,” which in this context acquires an unexpected meaning. To stay within Simmel’s example: the expression “betrayal of love” makes no more sense than the already mentioned “faithful love.” Behavior that appears to us, and is often described, as “betrayal of love” is nothing other than an effect of the simple absence of love. How can we say that a person who leaves his or her partner, or begins a love relationship with another, has betrayed the love of this person, if the fact that this love vanished before is precisely what brought about the demise of the relationship? Paradoxically, one can betray only a former love, or, more precisely, one can betray what has been brought into existence by this love—be it marriage, family, children, friendship, or similar. It is in this context that Simmel questions the well-known truism “that it is easier to destroy than to build.” It doesn’t actually hold for certain human relationships. While it is true for a relationship that it requires certain conditions to come into existence, this doesn’t mean that the subsequent loss of these conditions will necessarily cause its collapse. Once it has begun, it doesn’t permanently rely on the feeling or practical occasion without which it would not have arisen in the first place—as long as it relies on the fidelity that compensates for the absence of these conditions and keeps the relation unchanged in its social structure. This is why it is sometimes harder to destroy than to build.

But what does this tell us about the case of Snowden’s “treason,” which has shocked public opinion the world over? First of all, it tells us that the whole juridical dimension of the accusation of treason, including its rejection, completely misses the point—its temporal meaning. Although juridical discourse correctly addresses the agonistic character of the problem by situating it in the relation between friends and enemies—“Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort,” states Article Three of the United States Constitution—it understands treason and im-

PLICITLY addresses fidelity primarily in terms of belonging to a friendly *inside* that automatically presupposes loyalty and is opposed to a hostile *outside* that deserves no such feelings. This quasi dialectic between fidelity and treason is based on a spatial perception of political and cultural entities. Precisely as such, it reminds us directly of the commonsense view of translation and its obsession with the same subject.

According to this view, translation takes place between two already existing languages that automatically imply two different cultures, respectively two separate social and political entities—mostly a nation and a nation–state—each enclosed in a homogeneous, often also clearly demarcated space. The task of translation in this situation is then to bridge linguistic and other differences so as to facilitate communication between the two entities. Once we have accepted this view, the proper position of translational practice becomes problematic. It can, in fact, never occupy a location equidistant from the two sides, one of which is always defined as original while the other is a sort of secondary production—that is, its translation.<sup>1</sup> This circumstance is the source of an endless discussion about which side to adhere to—either the linguistic and cultural realm of the original, or the respective one of its translation. Since in either case there is always at stake more than a simple correspondence of linguistic meaning—namely cultural but above all social and political effects of translational practice—such discussion assumes dimensions of much greater importance that go back to the very formation of the social. The already-mentioned quasi dialectic between fidelity and treason is nothing but a moralistic—and in this sense ideological—expression of a simple truth according to which translation has always been more than a purely linguistic issue, and namely a social and political act.

As in the case of the accusation of treason leveled against Snowden, this endless moralistic discussion about whom a transla-

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<sup>1</sup> One of today's widely preferred solutions to this problem is to declare "inbetweenness" as a cultural space in its own right, endowed with authentic emancipatory potential. Precisely in promising an easy escape from the crude binarism of the traditional concept of (cultural) translation, it fosters the illusion of an emancipation without a radical conflict with the powers that have themselves generated this same binarism. To challenge an imposed "either/or" implies an even more decisive "either/or," of which the case of Edward Snowden is the most cogent proof.

tor should be faithful to has an ideological function, which is to suppress the problem it tackles, and in this way support the social relations that inform the existing reality.

### **Security or Freedom**

As is well known, the public debate surrounding recent cases of leaking classified information—not only in Snowden’s case, and not only in the USA—is generally framed by the alternative “security or freedom” that is typical for the whole debate on “terrorism.” Rastko Močnik<sup>2</sup> compared it with Lacan’s concept of *vel*, or a “forced choice” (Močnik 2003, ix). Confronted with someone who says “your money or your life,” we actually have no alternative. If we choose money we lose both. So there is no other option than to choose life (without money). Something similar happens in the “security or freedom” alternative. If we choose security, we will have security without freedom; if we choose freedom, we will lose both.

In the case of Edward Snowden, it seems at first sight that he has crossed a fine line that demarcates a proper relation between freedom and limitations to this freedom imposed in the name of security. In a democratic society, such a line is supposed to be drawn as a result of a rational public debate, which cannot be decided *a priori* and is in itself endless. Yet we have seen that such a debate was quickly interrupted by the accusation of treason and deteriorated into an *a posteriori* sophistry on individual guilt and innocence.

So it seems that Snowden mistook “security or freedom” for a true alternative, while it was, in fact, a *vel*—a non alternative.

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<sup>2</sup> At this point, an editor at a typical publisher’s or journal would ask me to further specify who this name actually refers to, expecting me to provide additional information usually comprising profession and geopolitical location. In this particular case, this information would probably read “Slovenian philosopher.” This would most certainly help readers quickly orientate themselves on the map of today’s global production of knowledge, yet the question is, what sort of orientation is this in point of actual fact? It opportunisticly follows the model of representation and classification of epistemological subjects that is fully in accordance with today’s still dominant picture of the world as a colorful cluster of nations and ethnicities located in their own, clearly demarcated linguistic, cultural, and political spaces. But this is precisely the model that supports—and is supported by—the traditional concept of translation and the corresponding regime of fidelity, which are the object of criticism here. This is why I refuse—at least in the main text—to provide any such “stylistic” specification.

By choosing freedom, it had to end in treason. But why was his the wrong choice? The answer seems obvious: Snowden seems to be a naive essentialist. In his decision to reveal to the general public classified details of the mass surveillance programs put in place by the US and UK governments, he actually addressed and claimed a value—freedom manifested as civil liberty—for which he believed to be the very essence of the society and the state he served, or as we would rather put it today, an essential part of the US American identity. The fact that the addressee responded with the accusation of treason proves that this value has already evacuated its political embodiment, the institution of the state as well as the decisive part of civil society both still claiming to have originated in this value. This is the reason why there is a need for fidelity. It alone is capable of preserving the duration of a social relation beyond the presence of the values and forces that once initiated it. Fidelity assures that this social relation, including the whole institutional edifice built on it, will outlive these values and forces with the same synthesizing effect. What Snowden did not know is that by choosing freedom instead of security he has claimed a former freedom whose place within the American imaginary has in the meantime been occupied by security.

By the same token, we might say more generally that the accusation of betraying the so-called American values—or, for example, “Western values”—does not make much sense. One can only betray what has been created by and built upon those values and now persists after they have passed. The same applies to the accusations of betraying love of country as well as the attempts to justify such a betrayal—a claim, for instance, that Snowden in his “wrongdoings” was actually motivated by a genuine love for his country. The moment a patriotic feeling becomes a matter of fidelity, then the so-called love of country has already vanished.

This, however, does not mean that an endless public debate over the proper dose of love of country or a harmonic coexistence of freedom and security makes no sense whatsoever. Such discussions, as Močnik argues, have a clear ideological function—to reproduce the relation between the state and individual in the immediacy of this relation. At stake is a situation that has been conceptualized in the grounding myth of the modern bourgeois state, in the so-called social contract theory. As is well known, it explains

the establishment of political order, above all of its most important institutional form, the state, as a result of a contract among individuals. It also presupposes that these individuals, before they enter into the contract, were not bound by any social relation. They enter into the contract directly, as it were, from the state of nature, as purely natural beings, so that the social character of their mutual relations is nothing but a retroactive effect of the contract itself. There is also an element of gain and loss in the social contract, at least in its Hobbesian form, where individuals have to surrender some of their freedoms to their ruler in exchange for protection of their remaining rights, a meaning that brings us back to the topic of freedom and security, or, respectively, of treason and fidelity. Seen from this perspective, treason is simply a violation of that original contract by which an individual egoistically usurps too much freedom, thus jeopardizing the security of others. As a response, society cancels the contract with this particular individual and excludes him.<sup>3</sup>

### **Translation and Social Contract: a Parallel**

At this point, we should draw a parallel between the theory of social contract and the already mentioned commonsense concept of translation, whose meaning Naoki Sakai has epitomized in the notion of homolingual address (Sakai 1997, 1–17). Sakai shifted attention from the paradigm of communication in which translation appears as the transferring of a message from one language to another to the problem of address, which reveals the linguistic encounter that takes place in translation as essentially a social relation. What he calls the regime of homolingual address is a particular representation of translation in which one side of the translational encounter addresses the other as though both are representatives of different linguistic communities. It reduces the initial situation of not understanding, which prompts translation, to one single difference between two language societies. Thus, the already mentioned commonsense notion of translation according to which translation always takes place between two separate languages perceived as enclosed, homogeneous, internally transparent linguistico-cultural spaces—and necessarily implies the whole drama of fidelity and

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<sup>3</sup> It either prosecutes a traitor like Bradley Manning, or leaves him in a quasi-stateless limbo by canceling his travel documents, as in the case of Snowden.

treason—is in fact a retroactive effect of the homolingual mode of address.

At stake is a constellation that, as mentioned above, is reminiscent of the social contract, that fairytale regarding the formation of state and society. First of all, the relation between languages and language communities, as structured under the regime of homolingual address, resembles the relation between individuals in the social contract. As is well known, individuals enter into the original contract directly, as it were, from the state of nature—that is, as though they have never before been involved in any sort of social relation. In other words, they become social beings only and for the first time at the moment of entering into the contract. Is this not similar to the perception of languages and language communities that enter into translational encounter? It makes an impression that they have never encountered each other before and have no traces of former relations, no shared experiences, no history of mutual hybridizations, no memories of being in the past mere moments of same linguistic continuities. Like individuals at the moment of entering into the social contract, languages and language communities appear at the moment of translation in their absolute isolation and solitude, a condition that is constantly reproduced under the regime of homolingual address.

It is therefore probably even wrong to say that this regime suppresses the fact that translation is a social relation. Rather, it completely usurps and monopolizes the very sociality of linguistic practice. Translation appears as the only social relation a language is able to articulate, but as a relation between languages not between humans. Now there are languages that, as isolated monads, socialize freely among themselves thanks to translation. Humans who speak these languages, who understand, misunderstand, or do not understand them, who therefore cannot but constantly translate and hence reproduce their linguistic praxis (a praxis of which translation is an unavoidable element) and themselves through it, are supposed to socialize too—but only within the enclosed space of one single “own” language. Do they have any social life beyond that? No. Outside of this space there is nothing but a (linguistic) wilderness, a presocial state of language *qua* nature. Once again, we are describing a reality that is retroactively structured as such through a certain, historically particular, and ideologically framed perception of trans-



lation based on the paradigm of homolingual address. It would be wrong to say that it simply desocializes translational praxis. Rather, it seizes the social truth of translation and redistributes it according to its ideological function. Its *modus operandi* is dehistoricization. In order to achieve its ideological goals, the homolingual address imposes a sort of structural oblivion on the translational praxis.

It is only after having got rid of its history, which is the history of its social relations, that translation in the homolingual mode of address can feature its three main characteristics, typical of a commonsense understanding of translation. The first is its posteriority, the impression that translation enters the scene only after the two languages have already completed their development and reached their final form—that is, as though they meet for the first time without having had anything to do with each other before. This automatically has another effect: the externality of translation. It appears that it confronts an already existing, enclosed, and internally homogenous linguistic space from its outside. So the perception of such a language–space excludes translational praxis in both way temporally and spatially. Finally, these two features merge into one for the traditional understanding of translation’s essential feature, its secondary character. At stake is the notorious binary relation between the so-called *source* and *target* language, which implies a qualitative difference between the original in one language and its secondary production in another.

It is also on the grounds of this same dehistoricization that the regime of homolingual address in principle doesn’t recognize any qualitative difference between and among languages. Rather, it presupposes an abstract equality of all of them and grants each the freedom to enter into relation with any other language according to its own need or will. In this sense, too, it repeats the logic of the modern bourgeois political sphere that is imagined as emerging out of the social contract and consisting of abstract, mutually separated individuals that are all “free and equal.” In fact, we can think of the regime of homolingual address as a linguistic pendent to the bourgeois political sphere. It also creates a homogeneous space, clearly differentiated from other spheres of life, in which, instead of individuals, languages and respective language societies appear in translational encounter as free and equal—only after and because they have been radically separated from each other, which actually

means separated from their social relations and the history of their social interactions.

But beyond the abstract postulate of equality among languages, the reality of translational praxis looks quite different. The statistical data on international flows of translated books show how the world system of translation is hierarchically organized (see, on this point, Heilbron 2010). The so-called hypercentral position is occupied by one single language. Almost sixty percent of all translated books in the world are translations from English. Only two languages, German and French, have a central position each with a share of about ten percent of the global translation market. It is followed by seven to eight languages in a semicentral position, each with one to three percent of all translated books (Spanish, Russian, Italian, etc). The remainder of almost two hundred languages, among which quite large ones such as Chinese or Arabic (from which less than one percent of all translations worldwide are undertaken), are peripheral (Heilbron 2010, 2).

As in the case of the social contract, the regime of homolingual address does not simply hide the reality of hierarchies, hegemonies, and relations of domination and submission. It is, in fact, like the bourgeois political sphere that is retroactively constructed by the social contract, an institution of domination itself. The relation of domination is intrinsic to the very formation of such a separate homogeneous sphere of abstract linguistic equality, which is why there is no space for an alternative within its horizon.

### **Good, Bad, Faithful**

The conceptual and ideological alliance between the regime of homolingual address and the social contract theory can also be historically traced down to German Romantic translation theory. As is well known, it is still praised for its so-called welcoming of the foreign (see Berman 1992). In the perspective of German Romantics, the foreign (*das Fremde*), which should be clearly perceptible in translation, is a sort of added value that is supposed to refine the language of the translator and the spirit of his or her nation, or as we would say today, its culture. Concretely, in their case it was a classical quality that German originally lacks and can acquire only through translations from the classical languages—Greek and Latin. This, however, implies a certain original form of the German lan-

guage that could be imagined as a kind of linguistic state of nature, a condition of language before its first encounter with other languages. We can think of it as a state of language prior to its first translation. Precisely as such it again clearly resembles the concept of an individual existing before its first encounter with other individuals in the abstractness from any social relations, that is, before the emergence of society—a constellation akin to the concept of the social contract.

In relation to the principle of fidelity that implies a foreignizing of the language and culture of translation, both emphatically preferred by German translation theorists—in contrast to the so-called French school, which proclaimed the principle of license and domestication—the German Romantic concept of translation operates according to the following scenario: a language, respectively a language community, represented through the figure of the translator, gives up a part of its natural originality and accepts contamination by the foreign in order to achieve the state of culture. But the translator, in accomplishing this cultural mission, must therefore also sacrifice part of his or her freedom and stay faithful to a certain cultural task, which is always already a social and political one—the task of nation-building. Accordingly, the fidelity of translation is not a matter of its quality in terms of a degree of faithfulness to the original, but, rather, a matter of loyalty to the linguistic community, and, concretely, to the nation. It refers directly to a social relation that must be preserved and developed beyond any given essence, or to recur to Simmel's notion of fidelity, it refers to a social relation that must be constantly cultivated after the pre-given originality—as it is retroactively projected into the state of nature—has been replaced by culturally generated sociality. Thus, not being faithful in translation does not mean betraying the original text, or any sort of original essence, but betraying the social relation that has been cultivated upon and beyond this originality. In the final analysis, this means betraying a very specific and a very specifically binding political commitment.

The consequences of such a betrayal, of course, run far deeper than the consequences of an inaccurate or bad translation. In fact, the differentiation between a good and a bad translation is itself ultimately a political issue. So, Antoine Berman (1992, 5) defines bad translation as an ethnocentric translation that systemati-

cally negates the strangeness of the foreign work. It is clearly the fidelity to a particular political cause—here, obviously, a commitment to what we may call liberal inclusivism—that makes such an assessment possible. However, Berman cannot admit a political and ideological bias. Rather, he insists on a purely ethical position, arguing that translation gets its true sense only from the ethical aim by which it is governed. Moreover, he is convinced that defining this ethical aim will liberate translation from “its ideological ghetto,” which is for him one of the tasks of a theory of translation. For Berman, ethics is what translation is all about, not politics or ideology. What he calls the “ethics of translation” consists of determining the pure aim of translation as such. It consists, finally, “of defining what ‘fidelity’ is” (Berman 1992, 5).

That such an expansion of the ethical dimension of translation has itself an ideological function, namely to avoid confrontation with the political meaning of translational praxis and the role fidelity plays in it, is already revealed by opening the historical dimension of translation. Referring to Leonard Forster’s research on multilingualism in literature, Antoine Berman reminds us himself that the lettered public of the sixteenth century used to read a literary work in its different linguistic variants, which is why it ignored the issue of fidelity and treason (Berman 1992, 4). How, then, has this issue become, since the eighteenth century, of such crucial importance for different translation theories and is even believed to determine the very essence of translational praxis? People started to hold their mother tongue sacred, says Berman. Not only that, we can add. People began to think of the origins of their social order, the state, and their very sociality in terms of contractual relationships, which significantly raised the importance of the ethical dimension of social and political life including the issue of fidelity and treason. Moreover, people started to imagine their common being in cultural terms. They began to create nations, unique national cultures, and languages enclosed in homogeneous, clearly differentiated spaces. It was in the age of Enlightenment in the seventeenth and eighteenth century that the ground was laid for the most important political institution of our time, the nation–state, and for the political structure of the modern world, the so-called Westphalian order. Needless to say, both translation and fidelity have important roles in this process, which they have played up to the present. The best example

is one of the most prominent political philosophies of the liberal age—John Rawls’s theory of justice, a modern revival of the classical social contract theory.

### **No Justice Without Translation: a Proviso**

John Rawls introduces the notion of translation at the most traumatic point of his concept of a liberal democratic society, at the dividing line between the private and the public, which in our age of radical desecularization has become a true frontline along which today’s societies threaten to break apart and fall back into the constant war of all against all, as is the case today with the sinister aftermaths of the so-called Arab spring.

This historical event is in a way a double failure of translation. First, the translation of an allegedly universal concept of Western democracy into a local, “predemocratic” idiom of a non-Western world, supposed to be deeply contaminated by tribalism, ethnocentrism, religious fundamentalism, and authoritarianism—a translation that undoubtedly follows the track of the old imperialist expansionism—resulted in chaos and violence. It only rearticulated this particular non-Western location as historically belated, concretely, not yet mature for democracy. But at the same time the political concept of translation that was built into the very project of Western liberal democracy as the instrument of its universal translatability, designed to deal with particular claims of all sorts, especially with those of different religious communities, has also failed, revealing a corrupt element within the original itself that renders its translation impossible.

As is well known, in his conceptual reenactment of the old social contract theory, Rawls constructed the so-called original position, an imaginary standpoint projected behind what he calls “the veil of ignorance,” an imagined boundary that makes all particular facts like ethnicity, gender, class, religion, and so forth external to our reasoning that now, protected from and cleansed of all the particularities, can arbitrate between rival parties out of the only knowledge available within this sphere—the knowledge of the general principle of justice.

Rawls later revised this argument—making concessions to the ever stronger ideology of liberal multiculturalism—and included the so-called *proviso*, which allows for the expression of religious

arguments in public debates so long as they can be translated into the language of public reason (see Rawls 1997).

Thus, the bourgeois political sphere falls apart into two linguistic spaces that are at the same time separated and connected through translation, which articulates and controls the divide within this sphere and at the same time provides for its homogeneity.

In his own dealing with the problem of desecularization, Jürgen Habermas (1989) basically adopted Rawls's "translational *proviso*." He, too, believes that religious citizens—whom he calls "monolingual citizens" (!) since their religious language is the only one they understand—should be allowed to use their religious arguments in the public sphere as long as these are translated into a language that is accessible to all citizens. But he also explicitly states who is supposed to undertake this translation, namely the secular citizens, and precisely where it should occur—at what he calls the "institutional threshold," a boundary that separates the so-called informal public sphere, which allows for articulation of religious arguments and which is therefore contaminated with private reasons, from another that informs a sort of pure, or primal, public sphere, the sphere of parliaments, courts of justice, ministries, public administrations, et cetera.

Within the informal public, which we can imagine after the multicultural model as a sphere of linguistic diversity, prevails a cacophony (Habermas calls it the "babble of voices" of public communication) of mutually incomprehensible languages of different religions, or, as Rawls would put it, comprehensive doctrines. Placed on the threshold to the institutional part of the public sphere, where no religious arguments are allowed, translation, which Habermas explicitly compares with a filter, lets pass only secular inputs, cleansing the language of religious particularities and turning it into a homogenous, totally transparent language of the secular state.

The political sphere of a bourgeois democratic society is thus multilingual. It speaks many languages, of which only one is considered to be its original language—the mother tongue of a liberal secular state. From the point of view of this proper language of the state and society, all its other languages appear foreign, which is why they must be translated. And yet this translation is a one-way translation. Is the proper language of the public sphere supposed to be accessible to all, thus requiring no translation?

The source of this ambiguity actually lies in the fact that Habermas understands translation according to an *a priori*, given homolinguality—that is, in terms of a preexisting linguistic unity. He thus reduces its meaning to the function of linguistic purification and homogenization. This is only possible on the assumption of a homogenous target language, the language of a public reduced to an exclusively institutional realm. However, this language doesn't seem to preexist translation. Rather, it appears to be its product, a performative result of the homolingual address, in which Habermas's idea of translation is grounded. This is why this ultimate language of the political public—purified from any sort of religious or doctrinaire particularity, a language into which all the languages of the “informal public” can be and should be translated—itself eludes any further translation. It is a language in which all foreignness is finally sublated, which makes it the mother tongue of a society enclosed in a democratic, secular state. It alone is able to generate a total transparency of the political public in which, in the sense of an act of self-reflection, society as society is grounded. We should not forget that Habermas, in his *Structural Transformation* (1989, 24–29), already starts from the assumption that public debates are fully comprehensible and linguistically transparent.

On the other hand, the linguistic heterogeneity that is ascribed to the informal public turns out to be a mere plurality of the already existing, homogenous languages of a particular religion, a political doctrine, or a *Weltanschauung*. From the point of view of the mother tongue of the society—that is, on the part of a presumed total transparency of the proper, institutional political public—the linguistic diversity of the informal public appears as a domain of a specific clandestinity, the clandestinity of the so-called alien word.

### **Translation: a Return of the Repressed**

We should, at this point, recall the “grandiose organizing role of the alien word” of which Vološinov writes in *Marxism and the Philosophy of Language* (1973).<sup>4</sup> He defines the “alien word,” or the “foreign-language word,” primarily as a word that eludes gen-

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<sup>4</sup> In this section, I rely on Nowotny's “Kontinua der Verwandlung. Sprachphilosophische und linguistische Aspekte der Übersetzung.” See Nowotny 2008, 95–131.

eral use; it hides within itself a secret that can be deciphered and is administrated by “rulers” or “priests” who alone have at their command its “true meaning.” It is not difficult to recognize here a homogenous religious language of Habermas’s informal public. This also explains his translational *proviso*. What religion has alienated from general use must now be made “generally accessible” again through translation at the institutional threshold.

This becomes clear if we remember that Habermas, in fact, conceives of translation according to the psychoanalytic model (see Habermas 1987, and, for a more detailed consideration, Buden 2005, 85–89). Its primal task is not simply to enable understanding between two partners who speak different languages, but rather to sublimate the suppression (*Verdrängung*), which he understands as the splitting-off of one part of the language from public communication—in other words, the privatization of one part of its meaning.<sup>5</sup> The goal of psychoanalytic cure, which Freud already explicitly compares with translation, (see Freud 280) is to enable the self-reflection, that is the reappropriation, of a previously privatized part of public language—made foreign and clandestine due to mental illness—so that the self can restore itself in its totality and transparency.

This generally explains Habermas’s model of secularization: religious language is allowed to take part in the articulation of the public sphere because it is in principle understood as a split-off part of this same public sphere, a language that is alienated from society, which, precisely as such, obscures one part of the social self-formation process (*Bildungsprozess*) that is closely connected with the public sphere. Just as the patient reappropriates alienated parts of the history of her development in performing translation/self-reflection together with the analyst, so too does society reconstruct its own self-formation process in performing translation/self-reflection cooperatively via secular and nonsecular citizens, thus establishing itself in its totality and transparency.

This clearly confirms that translation for Habermas has a primarily socially formative function, concretely playing a crucial

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<sup>5</sup> Here, we should not forget that psychoanalysis is not an auxiliary means of communication for Habermas, but rather the paradigm of communicative self-reflexion.



role in the *Bildungsprozess*—not only a process of both collective and individual self-creation, but also a process in which society and culture inextricably merge.

However, precisely in fulfilling its social function, translation opens up a paradox similar to the one of the theories of the so-called social contract, in which liberal political concepts still try to ground society. Louis Althusser has pointed to this problem in dealing with Rousseau's *contrat social* concept: at the moment of the conclusion of the contract, as a contract between individuals and the community, the second contractual partner, the community, doesn't exist since it is only its product (Althusser 1987, 146 and following pages). Thus, the result of the contract—the community that does not preexist the contract—is preinscribed in the very condition of the contract.

This completely applies to Habermas's translational *provisio*, which presupposes that translation occurs between two languages—a religious language articulated in the so-called informal public and the language of the proper political public that is spoken behind the institutional threshold. Namely, at the moment of translation one of these languages, the “mother tongue” of the liberal, democratic state, does not exist yet since it should first emerge as the product of this translation. In terms of the filter metaphor—as has been said before, Habermas explicitly compares the institutional translation with a filter that extracts only secular reasons—this language has the form of a “language filtrate.” The perception that it was already there before the translation is, in fact, an effect of a particular representation of translation that necessarily compels us to the assumption of preexisting, distinct, and closed linguistic entities—in short, the performative effect of what Sakai calls the homolingual address.<sup>6</sup> So both the existence of homogenous religious communities and the existence of a secular, liberal democratic society are grounded in the ideological perception of a homogenous linguistic unity. This is the reason why we say that translation has

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<sup>6</sup> See Nakai (1997, 2): “[I]t is not because two different language unities are given that we have to translate (or interpret) one text into another; it is because translation *articulates* languages so that we may postulate the two unities of the translating and the translated languages as if they were autonomous and closed entities through a *certain representation of translation*.”

a socially formative function. It is translation that finally makes out of a diversity of different, religious, ethnic, doctrinaire, and so forth, linguistic communities a homogenous secular society.

This society, too, is a linguistic community, yet it does not originate in “natural”—or, from the perspective of the secular state, alienated, privatized—languages, but in a linguistic extract filtered out of these natural languages, which is considered the mother tongue of a liberal democratic society enclosed in the secular state. The nature–culture difference, which is clearly heard here, again evokes the theory of the social contract. One can easily imagine what Habermas and liberal theory would expect to happen to a society that ignores the translational *proviso* and does not properly guard the boundary between private and public—a regression into the state of nature, into a Babylonian confusion of tongues and linguistic communities that can no longer agree on any common interest, since they only speak languages that are foreign to one other. In short, a society without the internal border between private and public, without a borderline drawn by the translation–filter would collapse and end in some sort of Hobbesian *bellum omnium contra omnes*.

### **Come Home and Face the Consequences**

Referring to the impossibility of literally translating the famous Italian aphorism on translation *traduttore traditore* into English as “the translator is a betrayer,” Roman Jakobson suggests that this rhyming epigram be translated in the form of “a more explicit statement and to answer the questions: translator of what messages? betrayer of what values?” (Jakobson 2000, 143).

Let us avoid being seduced by the allegedly high stakes of “messages and values.” There is more at stake here: fidelity and betrayal in translation refer directly to the socially formative role of this linguistic practice. As we have tried to show here, under the regime of homolingual address—which is precisely the name for a historically contingent, ideologically functional, and politically pragmatic form of translational practice—the meaning of linguistic translation, as well as the meaning of fidelity and betrayal in translation, cannot be separated from the concept of social contract. To betray in a translation does not mean to send a wrong message or to violate a precious value but to break a social contract and in this

way jeopardize the existing form of social being—that is, concretely, a particular society enclosed in a nation–state and defined primarily through its identity that implies a unique culture, history, ethnicity, and language.

The regime of homolingual address, which almost uncontestedly dominates present-day understanding of translation, structurally and historically corresponds to the formation of the bourgeois political sphere, which still provides the backbone for the system of actually existing democracy. Moreover, the concept of translation, forged under the same regime, plays a crucial role—as we have seen in Rawls’s and Habermas’s theories of the secular state—in the way this system creates and maintains the values in which it sees itself grounded: the rule of law, civil liberties, legal equality, secularity, human rights, et cetera. In other words, what is at stake is not only how the concept of translation based on homolingual address performatively reproduces the social and political conditions of its possibility, the “objective reality” of separate languages, linguistic communities, and nation states, but rather how the system of actually existing democracy—which implies this “objective reality” of separate languages, linguistic communities, and nation–states as the condition of its possibility—ideologically reproduces itself through this same concept of translation. It plays a crucial role in the strategy of its self-legitimation. We would probably not be exaggerating if we were to say that removing this concept of translation from the ideological construction of the liberal democratic state—abandoning, for instance, the homolingual mode of address implied in it—would bring the whole edifice down. Can we imagine a secular democratic state without translation at the threshold between its separate spheres that is a necessary precondition for its values claims? Can we imagine a democracy without the claim to transparency and rationality of its political sphere that is provided through translational filtering on its boundaries? Can we imagine a society and its nation–state without its mother tongue that is created through homolingual translation, both in linguistic and political terms? And, finally, can we imagine a democracy, or whatever might replace it for the better, beyond the homosociality of the nation–state and its claims to a unique cultural, linguistic, or ethnic identity? No we cannot—as long as we obey the regime of homolingual address. It has captured our (political!) imagination, disguised

as a natural, self-explanatory concept of a relative humble form of linguistic practice called translation. It has also morally blackmailed our political will, pressing it into the irrational and terrifying limbo between fidelity and treason. There is therefore no other escape but to betray it. And face the consequences.

This is precisely what American television journalist Bob Schieffer said in his commentary on CBS News to Edward Snowden: “Come home and face the consequences.” In his view, Snowden is not a hero like Rosa Parks and Martin Luther King Jr. who led the civil rights movement, broke the law, and suffered the consequences. They didn’t put the nation’s security at risk, run away and hide in a foreign country, like Snowden did.

For Schieffer, there is no value—such as civil rights for instance—without “home.” One cannot claim one without claiming the other. His heroes of the civil rights movement sacrificed themselves for their home, or more precisely for a value they believed would make this home better. For them, therefore, the whole drama of fidelity and treason was not an issue. But it has now become an issue in the case of Snowden, where the value he claimed has detached itself from “its” home. Now fidelity is needed—to preserve a home without value, or, as Georg Simmel once put it, to preserve a social relation after the reasons that initiated it have disappeared. This is why Schieffer calls on Snowden to come home. He wants him to reconcile value and home and to revive the old harmonic unity of both from the time of the American civil rights movement. And this is also why Schieffer maliciously accuses Snowden of being motivated by his private pathology: he is “just a narcissistic young man who has decided he is smarter than the rest of us.” Not only does he deny any social relevance to Snowden’s act, he sees nothing socially relevant outside of home. So he could easily stage the drama of fidelity and treason and cast the NSA leaker in the role of repentant traitor. “Come home and face the consequences” is merely an empty, moralistic blackmailing ploy that relies on no values whatsoever, except on an equally empty appeal to honor. Yet, brought together, honor and fidelity make for a poisonous mixture: *Meine Ehre heißt Treue* (“My honor is fidelity”) was the motto of the Nazi *Waffen Schutzstaffel* (SS) organization, and was engraved on its members’ belt buckles.

## Dare to Betray!

Before bringing this story to an end, we should not forget to ask ourselves what actually made Snowden a traitor. Was he truly a freak who naively mistook public transparency for an essential American value? In fact, as a person working for state institutions (the NSA and the CIA) he occupied—in terms of the languages spoken in the public sphere—a contradictory position. On the one hand, he was clearly situated in the midst of what we have called the mother tongue of the liberal democratic state, the language of the state institutions that is, according to Habermas, supposed to be understandable by all citizens. At the same time, it was a place of total clandestinity, of a language that is completely excluded from public use since it originates in a secret that can be administrated only by the rulers themselves, regardless of whether they are democratically elected or not.

Kant was already familiar with the contradictory character of such a position. In his famous essay on the nature of the Enlightenment (Kant 1996), he states that those who occupy a civil post or office entrusted to them are actually destined to use their reason privately, meaning not freely, since they are bound by the interest of the community whose affairs they have to deal with. So it is precisely the position within a state institution that automatically prevents a person from using their reason publicly. What Kant calls the public use of one's reason takes place only when a person as a scholar (*Gelehrter*) makes use of it before the entire public of the world of readers (*Leserwelt*). Only this public use of reason is free, precisely in terms of a freedom that is required for the Enlightenment.

But the difference between private and public use of reason can also be understood in terms of a difference in the mode of address. One makes private use of reason insofar as one addresses one's own political community and its particular interests. In political terms, we might call it a homosocial mode of address, and it consequently implies its linguistic correlate, homolingual address. The use of reason in this case is limited within the scope of one particular society that is almost automatically perceived as a particular language society. So it is limited within one—mostly national—language and within the idea of its exclusive transparency as well as its exclusive political impact. In other words, one addresses the

public privately when, in doing so, one assumes a position that is representative of a particular political and linguistic community. It is this limit that not only renders our addressing the public private, but also deprives it of freedom.

A public use of reason, on the contrary, knows no such limits. We use our reason publicly when we address *the world of readers* beyond any particular society or language. And we do so, as scholars, not as representatives of this or that political or linguistic community, and not even as representatives of this or that academic community. It is the mode of address here that defines scholar, not a particular professional competence. A scholar is someone who addresses an entire world whose boundaries are drawn only by literacy. Since the literacy in this case is supposed to transcend all linguistic and cultural differences as well as political demarcations, it obviously presupposes the praxis of translation. This then also means that we have to deal, here, with some sort of translational literacy that is performatively evoked in the scholar's mode of address.

This throws new light on Snowden's treason. It certainly consists in his breaking the social contract in which today's normatively dominant political form of sociality—the liberal democratic nation–state—is still ideologically rooted. The question is, however, how has he done it? Obviously, by performing another mode of addressing the public that transcends the limits of his own political community and its interests as well as the limits of one single language. Concretely, Snowden has addressed a value, which has abandoned that particular universe called home—a transparency that has spilt over from the enclosed space of a single society, from a clearly demarcated area of an alleged cultural originality, from the conceptual frame of a democracy locked up within the container of the nation state, from the vocabulary and the grammar of a single national language and its respective community. But he has addressed a transparency, too, that has liberated itself from the quasi-dialectical clinch with its “mirror-value,” the secrecy that is constitutive of any institutional articulation of the so-called national interests; a transparency that at the same time liberates both him as the addresser and his addressee, the Kantian “world of readers” or what Naoki Sakai nowadays calls the “nonaggregate community of foreigners,” from the confines of a privately enclosed public.

In radically going public, Snowden's treason also clearly consists in his using reason publicly in the original Kantian sense. Does this then mean that precisely in committing his treason he also acted as a Kantian scholar? Why not? His treason is a political act *par excellence*, yet such that it simultaneously produces and disseminates knowledge. It implies and fosters an emancipatory hybridization of a radical democratic politics and knowledge production whose effects recall the forgotten ideals of the Enlightenment. It is a treason that performatively evokes what it normatively addresses—a translational literacy: an ability to act politically and comprehend cognitively beyond the homosociality of the nation-state, beyond the homolinguality of a language society but also beyond the gated communities of cognitive competence.

As is well known, for the Enlightenment project to work, it had to rely on what Kant called maturity (*Mündigkeit*). He defined it as the emergence from self-imposed immaturity and dependence whose cause lies not in a lack of intelligence but in a lack of determination and courage to use one's own intellect freely and independently, without the direction of another. Kant summed up this idea in the famous slogan of the Enlightenment: *Sapere aude!*, or "Dare to know! Dare to think independently!"

It is precisely in terms of Kant's maturity that we should think of Edward Snowden's treason. It presupposes his liberation from a self-imposed regime of fidelity. However, to accomplish it, determination and courage are needed. The slogan of the emancipatory transformation the leakers like Manning and Snowden have announced would therefore read: *Prodere Aude!*—"Dare to betray!" (see Buden 2008).

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