

## *The Translator's Paradox*<sup>1</sup>

ANNE-MARIE LE BAILLIF

**Abstract.** This paper will focus on the translators as their situation has proved to be more and more difficult in France. With examples, we want to consider how one's position has evolved in the publishing world from the 16<sup>th</sup> century to the present. Looking at the 16<sup>th</sup> century, we can observe a real fever for translations of ancient texts. In the Netherlands, Italy and France, printers were translators and signed their translations with their proper name. Playwrights did the same with Latin and Greek works. For example, we know *Oedipo tyranno* by Giustiniani who translated Sophocles. The name of the Greek or Latin writer was eclipsed by the translator's name such as Plantin and the *Biblia Polyglotta*, or Belleforest with his translation of *The War of the Jews* written by Flavius Josephus. The translation of the title gave the work a new specificity and was considered as the genuine work of the translator even though the name of the original author was still given. During the 16<sup>th</sup> century in France, Literary Property Laws were called "Privilège" and were attached to the author of the printed text. Later on, this law changed. We know that playwrights used translations and never mentioned the authors as they had actually never done before. Indeed, this particular type of literature often evaded the law. The publishers became more and more important and could thus decide what would be announced on the book's cover. The author is to be mentioned for legal reasons, but translators are rarely mentioned. Today, you have to search for their name inside the book despite the fact that as our world is becoming more and more global we need them more and more. To some extent, on stage, some directors plunder translations done by specialists and attribute them to themselves. Two avenues of enquiry should help us understand the French translator's paradox, which consist in the fact that the translator's status evolves from a finder and producer to an intellectual whose name is today nearly ignored – despite his/her legal status.

**Keywords:** translator's status; France; playwrights; belletristic; Christophe Plantin; Casanova de Seingalt; A. H. Tammsaare; intellectual property law

---

<sup>1</sup> I express my gratitude to Mrs Pauline Beaugé de la Roque who has helped me translate the original text from French into English.

In France and in the rest of Europe, in the second half of the 16<sup>th</sup> century, translating ancient texts from Latin or Hebrew into vernacular and vulgar languages used to be an intellectual, cultural and political activity. Authors of these works could very well be either poets and playwrights or printers and soldiers. They were called Belleforest<sup>2</sup>, Plantin<sup>3</sup>, Orsatto Giustiniani<sup>4</sup> or Virey du Gravier<sup>5</sup>. The consequences of their work were of an extreme importance both in political and social perspectives. In contrast, when I approach our century, the notion of *belletristic* is not as precise. The dictionary *Le Robert* agrees on the fact that a text is *belletristic* when the form takes precedence over the substance but also when the text takes into account a society's manners. This last point can easily be understood when considering the 16<sup>th</sup>-century translators. In this way, the 16<sup>th</sup>-century theatre was left in oblivion because it did not respect the rules of good behaviour. In contrast, rules of behaviour remain quite a question for our current world. In the field of literature, the depiction of crime or sex is welcome today.

Translation never flourished as it does today. Yet the translator's tools, programs on the internet, are starting to distance the person of the translator from his work. However, these automatic translation services are inadequate. Do we know, at first glance when looking at the cover of a book, the name of the translator of a text written by Shakespeare, Olaus Magnus<sup>6</sup> or Tammsaare<sup>7</sup> that is published in France? The translated text owes a lot to the translator's knowledge. What is his or her status? Moreover, the French reader would not have access to these texts without translation.

There are two avenues of enquiry that we are going to follow in order to understand this paradox that makes the translator's status evolve from a finder

<sup>2</sup> François de Belleforest (1530–1583) was a printer and a prolific French author, poet and translator during the Renaissance period.

<sup>3</sup> Christophe Plantin (1520–1589) was a Frenchman established in Anvers. He was extremely clever as a negotiator with Philip II, King of Spain, in the time of religion wars, publishing authors of all persuasions. His exceptional production makes him the most important publisher of the second half of the 16<sup>th</sup> century.

<sup>4</sup> Orsatto Guistiniani (1538–1603) translated Sophocles' *Oedipo Tyranno*, for the opening of *Theatro Olympico* in Vicenza.

<sup>5</sup> Virey du Gravier was a playwright from the end of the 16<sup>th</sup> century who translated a part of *The War of the Jews* before turning it into a tragedy.

<sup>6</sup> Olaus Magnus (1490–1557), Archbishop of Uppsala, produced abundant work in Latin that was translated into many languages just after its publication.

<sup>7</sup> A. H. Tammsaare (1878–1940), was an Estonian writer who wrote the novel *Tõde ja õigus* ('Truth and Justice') between 1926 and 1933. Complete French translation 2009–2010 (Tammsaare 2009–2010).

and producer to an intellectual whose name is often ignored, even though the law gives him or her a legal status. What is enough?

### The Fever of Translation

In the 16<sup>th</sup> century, ancient texts reemerged from the silence that the Church had established. *The Name of the Rose* written by Umberto Eco (Eco 1982) tells us about this incommunicability with mastery. The spiritual revolution represented by the Reformation played an active part in it.

The first work that was printed and then translated into the vernacular and vulgar language was the *Bible*. The great Christophe Plantin, a Frenchman who lived in exile in the Spanish Netherlands, proposed a complete *Bible* in five different languages – Latin, Greek, Hebrew, Syriac and Aramaic (1566–1573). Plantin's main collaborators were on the one hand his son-in-law François Rapheleng (1519–1597) who was a Hellenist, Hebraist and Arabist. Rapheleng attended the university in Nuremberg and in Paris and taught at Cambridge. On the other hand, he enjoyed the collaboration of Orientalists such as Andreas Masius, Guillaume Postel and Nicolas and Guy Le Fèvre de La Boderie, both former disciples of Postel's. Plantin's work is known under the title *Biblia Polyglotta*<sup>8</sup>. The impetus that had been given at the beginning of the century was then at its height.

This example gave rise to an immediate objection because it lacked authorial citation. It was designated by the name of the place of publication or a printer. However, Plantin's *Biblia Polyglotta* is one of best examples of the thirst for translation in the 16<sup>th</sup> century.

If religious texts were prominent, it is because their dissemination was related to some social and political goals. The Reformation, which had shaken the core of papal power, advocated education. Girls as well as boys had to be able to know how to read and comment on the Bible. For those who could not read, there was the theatre that employed biblical and ancient characters with topical references that are difficult to access today. In France, playwrights did translations of old texts and manipulated them to refer to the hidden cruelties of religious wars, conflicts between the Guise and Bourbon families or massacres of Protestants to enlighten the audience about contemporary politics.

<sup>8</sup> *Biblia sacra hebraice, chaldaice, græce et latine, Philippi II Regis Catholici pietate et studio ad Sacrosanctæ Ecclesiæ usum*. Christophe Plantin started the printing of this work in July 1568. It was finished on the 31<sup>st</sup> of May 1572. Christophe Plantin acted on behalf of Philip II of Spain.

For instance, we know that *La Machabée, tragédie du martyre des sept frères et de Solomone leur mère 1596* (Virey du Gravier 1596; 2013) is a translation, as noted by its author, Virey du Gravier, in his dedication to Madame de Matignon<sup>9</sup>. He had first translated the beginning of *The War of the Jews* by Flavius Josephus when he was a student. However, becoming a soldier during the religious wars, he put his translation into verse and when peace was restored he turned a part of his translation into a tragedy in which details recall for the spectators the religious wars. He felt he had to bear witness to his time.

This text written by Flavius Josephus (see Flavius 1858, esp. 813–827), either as a whole or some extracts of it, was translated from Greek or Hebrew into Latin or French on many occasions during the Renaissance. It was first published in 1524 by Erasmus as a Latin paraphrase. Then, in 1569, another translation was done by Jean Lefère, from Greek into French, and was printed by Nicolas Bruslé. In 1578, L’Huiller published Gilbert Génébrad’s work and in 1583, François Belleforest proposed a translation from Hebrew by David Kiber on which Belleforest had worked himself. These translations prior to Virey’s tragedy did not reach as large an audience as the reprint of *La Machabée*. It was reprinted by Raphaël du Petit Val<sup>10</sup> in each of his collective anthologies, a format that Du Petit Val himself had invented. In this anthology, nearly all the tragedies are translations but none of them mentions the author of the original text. The printing privilege was given to the author and then to the publisher by the author. This rule worked for all publishers until the French Revolution. There was no special rule for translators who were known as authors of the work they signed.

The printing privilege – because it has as a consequence to make the work reproduction or sales reserved to a single subject – is very close to the exclusive right of being entitled to make use of a work [...] It does not find its roots in the work’s creation but depends on a royal decree, a sovereign’s concession. As a consequence it can be revoked [...] Moreover, this privilege does not protect the author from plagiarism or from wrong reproductions. (Pfister 2013: 52)

The printing privilege gives the property to the printer and the problems of the translators are the same as the authors’.

The playwright’s productions test the limits of the law. Mrs Ginsburg, a specialist of Intellectual Property wrote on this question:

<sup>9</sup> Madame de Matignon was Maréchal de Matignon’s wife. He was a nobleman who was close to the Queen Mother, Catherine de Médici.

<sup>10</sup> Raphaël du Petit Val published Virey du Gravier’s works.

As in England, France had set up a system of privileges for printing houses. These privileges stopped during the night of the 4<sup>th</sup> of August 1789, when all privileges were abolished. Whatever the *de facto* Parisian [and French] Booksellers' corporation residual power could have been, that was becoming clear that now the Press was free from censors and also from privative rights [such as the ones that were granted for the exclusive printing of a work] *de jure* and politically talking. (Ginsburg 2013: 128)

France is not the only country to prefer translation, as witnessed by the opening of the *Theatro Olympico* in Vicenza. Indeed the members of the Olympic Academy decided to choose a translation of *Oedipo Tyranno* by Giustiniani rather than a dramatic composition proposed by their contemporaries. This decision had a very specific reason: the necessary distance from the political criticism of the regime that had been imposed by Venice on Vicenza (Le Baillif 2013).

For instance, as in our previous example, it was normal that Sophocles' or Flavius Josephus' name was totally erased in favour of Giustiniani's. Progressively, translation had become more common, and we can observe some noteworthy inversion. During the 17<sup>th</sup> century, the French language was stabilised by scholars such as Vaugelas<sup>11</sup> and in the theatre the Alexandrin appeared. Direct translations were less and less used to produce tragedy or comedy. The translations of ancient texts provided the authors only with their subject matter. The name of the translator gave way to the name of the author who became more and more important thanks to royal patronage.

All through the 18<sup>th</sup> and 19<sup>th</sup> centuries translators had no legal rights. Nevertheless, after the revolution, translators received honours. This can be illustrated by the memoirs of Giacomo Casanova de Seingalt (De Seingalt 1960–1962).

Written in French, the manuscript was sold to the German editor Brockhaus from Leipzig and was published for the first time in German, as it had been translated by Schütz between 1822 and 1828. As a consequence, for many years French-speakers had only access to re-translations from German into French under the author's name. The first two translators were Jung and Aubert de Vitry. This censored edition is known under the name Tournachon-Molin. Then a second edition, called adaptation by Laforgue, was published between 1826 and 1838. However, it was not until 1962 that the original text was fully returned. This quite an unusual story shows a change in the laws that no longer make impossible the translation of some texts because of mores that they

<sup>11</sup> Claude Favre de Vaugelas, 1585–1650, author of one of the first French grammar books. He was a member of Académie française.

describe, even though, in this very case, mores are not the only problem. The complete version of the original text is known under the publishing house's name: Plons Brockhaus. This text is indeed a kind of Translator's Paradox. The various avatars of Casanova's memoirs are better known under the successive publishing houses' names, rather than under the translators'.

In this way, the 19<sup>th</sup> century was a turning point for the part played by translators and publishers in literary production. Without any precise status, the translator was at the mercy of a more or less scrupulous publisher and had to remain in his shadow. The publisher, whose financial power had significantly increased, set his seal on the book's cover.

### Literature and the Translators: the Current Situation in France

In Paris, there has been since 1919 the publishing house Guillaume Budé (boulevard Raspail, Paris) whose commercial brand and editorial content are dedicated to belletristic production from Antiquity to the Italian and French Renaissance. It was at this time that the French language attained its more or less current form. A short interview taken in their office highlights Budé's ideas concerning the meaning of belletristic when the shopkeeper says:

Belletristic remains the translation of ancient text that you can sell well. We talk of translations from Greek, Latin, Hebrew. But we also talk of cuneiform writings or any writings related to archaeological findings. (Anonymus shopkeeper)

Recently two collections were added by the publishing house. The first one is *Classique du nord* ('Northern Classics'). According to its director, Régis Boyer, it brings together "many Danish, Icelandic, Norwegian or Swedish masterpieces that are waiting for recognition, into French, by the honnête homme of our time". However, the limit imposed on who is included in this collection is "authors who died more than 50 years ago" (Boyer 2004). The other collection is *Collection Japon* ('Japan Collection') and it is managed by Christian Galan and Emmanuel Lozeran. It offers translations of fiction that were composed at the end of the 19<sup>th</sup> century and in the first half of the 20<sup>th</sup> century.

In the aftermath of globalization, the translator is a major player. The diversity of languages and civilisations has made this activity critical. Indeed, belletristic translation is an essential vehicle for people's knowledge. Everybody

is aware of how, without this understanding, intellectual as well as trading relations could be impossible.

In a private interview given in *Books* in March 2011, the writer Patrik Ourednik (2011), who has translated Rabelais, Queneau, Jarry and many others into Czech, emphasized the infinite value of a good translator and observed that the translator is not as selfish as the author but certainly more pragmatic. In fact, translators are not demanding enough in the publishing industry. If you compare with what is happening in the music industry you can admit easily that their role should be reassessed.

We may wonder what a composer would be without his or her interpreters, even though the music piece is accessible to all musicians. The translators are the faithful interpreters of the authors. Nevertheless, their position is very different. We think of two examples amongst others. Let us first think of where the interpreter's name stands on the poster or the disc cover and then, let us consider their fees. The word "translator" does not have a different meaning from the word "interpreter" in the musical field. Indeed, each translation is just as unique.

The French Law, in its *Intellectual Property Code*, provides a legal status for the translator. Is it enough? While no satisfactory answer can be given, I would like to give a few examples that may provide food for thought.

The first example is *Tõde ja õigus* by Tammsaare. This work is certainly one of the founding texts of the modern Estonian literary language. The French translation of the novel (Tammsaare 2009–2010) was done by Jean Pascal Ollivry, Eva Toulouze and Jean-Pierre Minaudier, whose names only appear inside the book. We can make the same observation about Arne Garborg (Garborg 2013) and Olaus Magnus (Magnus 2004). These translators provide French-speakers with access to amazing new knowledge; they respect the translator's discreet nature as if he were a shy person and the Intellectual Property Law that recognises the translator as the author and owner of his / her work. That is what the lawyer in Intellectual Property Law Nicolas Binctin meant when he wrote: "At least since 1957 they [the translators] have been recognised as authors of the adaptation [=translation]"<sup>12</sup>

However, where theatre is concerned, it becomes much more complicated because of inadequate control of the use we make of translation.

While in the 16<sup>th</sup> century translators used to sign their translations as original work, today, stage and film directors are the ones who rob the translators. Françoise Morvan and André Markowicz are highly valued Chekov translators. They have great experience in the profession and have worked with

<sup>12</sup> The same position is adopted in Estonian law.

directors such as Georges Lavaudant and Alain Françon. They define theatre translation as:

A second writing, but a writing in every sense of the word. [...] what is really unfortunate is that, in France, it is considered secondary work, not to say a fraudulent activity [...] In this latency zone, Plagiarism enters. (Morvan & Markowicz 2012: 145)

In this way, the translation of Chekhov's play *The Cherry Orchard* was plundered to be performed in state theatres in Toulouse or Lyon. In these very examples, no name of the translator was mentioned, even though the text that was performed was for the larger part the one translated by Morvan and Markowicz. Pieces from other translations were mixed in and the stage director took all the credit. The *Société des auteurs-compositeurs dramatiques* that is in charge of checking to what an extent the authors' rights are respected thinks that all the translations are distorted. However, it lets the distortions happen despite the October 29<sup>th</sup>, 2007 Law that stipulates penalties for counterfeiting.

According to the two Chekhov experts, this contempt for translators can be explained by several factors:

Firstly, this work is not seriously taken into account at school in particular and in the society in general. To this must be added the fact that the director acts as if he / she were the lord, the owner of the ultimate power [...] (Morvan & Markowicz 2012: 153)

For these reasons, the translations of plays depend on the will of the stage director. These men try to mold the text according to their visions of the performance. Nevertheless, the translators plan to exercise their rights, even though institutions are not very helpful.

In conclusion we can observe that the more we need translators the less their work is respected, especially in the theatre. Even though the law says the translator is right, its enforcement is unsatisfactory. The discoveries of the 16<sup>th</sup> century stimulated the knowledge of fundamental texts for our Greco-Judeo-Christian civilisation. This led to the study of the appropriate languages, to the extent of forgetting the authors in favour of the translators. The following centuries forgot the translators and gave the cover and press honours to the authors and to their publishing houses according to new laws. The 20<sup>th</sup> century tried to make amends by giving translators a legal status. However, the

implementation of the law remains difficult and does not provide them with the visibility they are entitled to as major players.

May this very necessary profession that helps us maintain our linguistic and cultural roots find a more established recognition in the coming years.

**Anne-Marie Le Baillif**

am\_lebaillif@hotmail.com  
19, avenue du Général Leclerc  
75014 Paris  
FRANCE

## References

- Boyer, R. 2004. Présentation. – O. Magnus, *Histoire et description des Peuples du nord*. Paris: Belles Lettres, np.
- Casanova de Seingalt, G., 1960–1962. *Histoire de ma vie*. Wiesbaden, Paris: Brockhaus, Plon.
- Eco, U. 1982. *Le nom de la rose*. [Transl. by J.-N. Shifano.] Paris: Grasset – Fasquelle.
- Flavius, J. 1858. *Œuvres complètes*. Paris, au bureau du Panthéon littéraire.
- Garborg, A. 2013. *Hommes Las*. [Transl. and intr. by W. Fovet.] Paris: Belles Lettres.
- Ginsburg, J. C. 2013. « Une chose publique » ? Le domaine de l'auteur et le domaine public aux premiers siècles du droit d'auteur britannique, français et américain. – L. Pfister, Y. Mausen, eds., *La construction du droit d'auteur, entre autarcie et dialogue*. Montpellier : Faculté de Droit et de Sciences Politiques, 51–100.
- Le Baillif, A.-M. 2013. Côté cour, côté jardin, le théâtre permanent support ou contestation du pouvoir à la fin du XVI<sup>ème</sup> siècle. – *Teatro : Aesthetica e Poder*, colloque tenu à Faculdade de Letras da Universidade de Lisboa [forthcoming].
- Magnus, O. 2004. *Histoire et description des Peuples du nord*. [Transl. by J.-M. Maillefer.] Paris: Belles Lettres.
- Morvan, F., Markowicz, A. 2012. Traduction théâtrale et plagiat. – S. Proust, ed., *Mise en scène et droit d'auteur*. Barcelone: L'Entretemps, 142–169.
- Ourdenik, P. 2011. Traduire est un art de contrebandiers. – *Book, docs.ac-toulouse.fr/lyc-aragon-muret/opac\_css/index.php*
- Pfister, L. 2013. Particularismes nationaux et influences étrangères dans la construction du droit d'auteur français. – L. Pfister, Y. Mausen, eds., *La construction du droit d'auteur, entre autarcie et dialogue*. Montpellier: Faculté de Droit et de Sciences Politiques, 39–50.
- Tammsaare, A. H. 2009–2010. *Vérité et Justice*. Transl. by J. P. Ollivry, J.-P. Minaudier, E. Toulouze. Larbey: Gaïa.
- Virey du Gravier, J. 1596. *La Machabée, tragédie du martyr des sept frères et de Solomone leur mère*. Rouen: Raphaël du Petit Val.
- Virey du Gravier, J. 2013. *La Machabée, tragédie du martyr des sept frères et de Solomone leur mère*. [Ed. and comments by A.-M. Le Baillif.] Paris: Honoré Champion.