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Translation after 9/11

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**Abstract:**

Commenting on the judicial scandal of the conviction of Mohammed Yousry, the official translator for the mastermind behind the first World Trade Center bombing, Emily Apter argues that translators occupy an increasingly dangerous position in the post-9/11 world. Through her analysis of the trial and the accompanying controversy on translation, she shows that translators are assumed to have divided loyalties and the ability to move incognito among language communities that touch but do not cohere. Hence, Yousry's case reveals how translators become scapegoats in the culture and language wars over migration and Islam in the aftermath of 9/11. In accordance with her recently published book *The Translation Zone: A New Comparative Literature*, she pleads for an "English Plus" movement that might thwart the drive to monolingualization, cultural isolationism, and political unilateralism, which characterize current policies of the United States.



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As my book *The Translation Zone: A New Comparative Literature* neared completion, I began to notice that the topic of translation was increasingly coming out from behind the shadows of academic discussion and into the light of the cultural mainstream. Films such as Sophia Coppola's film *Lost in Translation* (in which the Japanese language is associated with a high-rise Tokyo hotel, walling the American traveler into psychic anomie), or Sydney Pollack's *The Interpreter* (featuring a translator at the United Nations entangled in a plot to assassinate an African leader), highlighted the mystery of untranslatability and the paranoia-inducing closure of "foreign" language-worlds. Books such as Gregory Rabassa's 2005 memoir *If This Be Treason: Translation and its Discontents*, Hector Tobar's *Translation Nation* (a look at the bilingual culture of Los Angeles), and Temple Grandin and Catherine Johnson's *Animals in Translation: Using the Mysteries of Autism to Decode Animal Behavior* also capitalized on the general assumption that translation carries you over to some other place, a different site of consciousness, cultural space, national or even species affiliation. As machine translation became more sophisticated, as genomic science experimented with DNA translation devices, as translation's test of truth-claims gained momentum as a topic in analytical philosophy, and as media theory (particularly the work of Samuel Weber, Avital Ronell, and Bernard Stiegler) took on the Heideggerian and Benjaminian concept of language as technics, translation theory moved beyond confines of traditional translation studies (where it was a mainstay of humanism, and the academic humanities) into new experimental territory. Translation became a site for rethinking language technologies, with important implications for the critique of mediality.

The culture wars were still raging in the late 1990s when I began working on the book, prompting my investigation of the connection between so-called minor literatures and minority languages, both at a disadvantage in claiming space in the canon or the linguistic public sphere. The notion of language wars also took on concrete urgency against the backdrop of horrific civil war and ethnocide in Bosnia, Chechnya, Rwanda, and Sudan. It was in order to enhance research on the contribution of linguistic nationalism to postcolonial language politics that I received a Rockefeller grant in 2001 to work at CUNY's Institute for Research on African and Caribbean Languages. Irvine Welsh's puns on Scottish vernacular, drug slang, and eye dialect (in *Trainspotting*), Ken Saro-wiwa's deployment of "rotten English" (in *Sozaboy*), and Raphael Confiant's mediatized creole-inflected French (in *La savane des pétrifications*) were among my select case studies. The advent of September 11, a mere ten days after my move to New York, prompted a recasting of the project's focus on translation and war. If I had begun the book with a special interest in the war among muscle languages (English, Chinese, Spanish etc), after 9/11 any working notion of the Anglophone imperium became inextricable from the formation of a "coalition of the willing" comprised at its core of Anglophone nations.

When the 9/11 tragedy was followed by the Iraq invasion and occupation, translation stories increasingly made the news, most of them covering the paucity of accomplished Arabic translators, the ouster of qualified translators from the military as a result of homophobic policy, and defense department initiatives to bolster instruction in "critical" (a.k.a. "terror") languages. Institutions such as Washington D.C.'s National Foreign Language Center or University Affiliated Research Center (UARC) at the University of Maryland became beneficiaries of government funding for development programs of language instruction and human-machine language interface. The government's language panic spilled over into articles and blogs highlighting translation as a symptom of diplomacy failure and the perils of war on the ground. I began compiling a running log, from routine articles devoted to translators killed in the line of duty, to more unusual cases, such as that of whistleblower Sibel Edmonds, a Turkish translator

fired from her FBI post after revealing the low level of professional linguistic competence at the bureau. Attorney General John Ashcroft accused Edmonds of putting diplomacy and national security at risk and subjected her to a legal gag order. Later, she became a witness in a class-action suit filed by the families of 9/11 victims against the government.

An even more disturbing case that was closer to home involved an Egyptian graduate student in Middle Eastern Studies at NYU. A professional translator and avowed anti-Islamist, Mohammed Yousry was hired to work for Lynne Stewart, the lawyer representing Sheik Omar Abdel Rahman. Rahman was on trial for masterminding the first World Trade Center bombing and for conspiring to mount attacks on other prominent U.S. institutional sites. A *Washington Post* article of Jan. 16, 2006 offered a riveting account of the drama that unfurled around lawyer and translator as they worked on his defense:

For three years federal agents trailed Mohammed Yousry. Prosecutors wiretapped his phone, and FBI agents shadowed and interviewed him. They read his books and notepads and every file on his computer. This was their conclusion: Mohammed Yousry was convicted of supporting terrorism for translating a letter from Omar Abdel Rahman. "Yousry is not a practicing Muslim. He is not a fundamentalist," prosecutor Anthony Barkow acknowledged in his closing arguments to a jury in federal district court in Manhattan earlier this year. "Mohammed Yousry is not someone who supports or believes in the use of violence."

Still, the prosecutor persuaded the jury to convict Yousry of supporting terrorism. Yousry now awaits sentencing in March, when he could face 20 years in prison for translating a letter from imprisoned Muslim cleric Omar Abdel Rahman to Rahman's lawyer in Egypt.

In June 2000, Stewart released to a reporter a version of the letter, which discussed a cease-fire between Islamic militants and the Egyptian government. Prosecutors said that the lawyer and the translator, by these acts, conspired to use Rahman's words to incite others to carry out kidnappings and killings. No attack took place.

"Kill who? What are they talking about?" Yousry asked recently as he sat alongside his wife, Sarah, an evangelical Christian, in their modest Connecticut condominium. "The words I'm looking for, it's insane."

The prosecution and conviction of Stewart, 66, on charges of aiding terrorist activity, drew international attention, overshadowing Yousry's case. But legal experts, civil liberties lawyers and a juror say Yousry's conviction raises many troubling questions, not least how a court-appointed translator working on instruction from lawyers could be held responsible for navigating complicated and dangerous legal waters.

The trial transcripts reveal that prosecutors advanced no evidence to back up certain claims, including the assertion that Yousry was in touch with Middle Eastern terrorists. ... Yousry had no legal training and translated nothing without instruction from defense lawyers. He passed rigorous federal security clearance checks. A PhD candidate at New York University, Yousry harbored no affinity for Rahman, writing that the cleric promoted "Muslim totalitarianism."

Justice Department prosecutors said secret recordings of meetings in Rahman's prison showed that Yousry crossed the line between legal and illegal

behavior. Yousry read letters to Rahman from radical supporters, even though he understood that they were violent men.

“He stuck his head in the sand and deliberately avoided knowing what would have been obvious,” prosecutor Robin Baker told the jury. “We don’t need to prove why.”

Yousry was tried alongside Stewart, who supports armed revolution, and Ahmed Sattar, a Rahman aide and sympathizer with fundamentalist causes, in Manhattan, five blocks from Ground Zero. All three were convicted. Prosecutors played a videotape of Osama bin Laden and mentioned al Qaeda attacks, even though the case had nothing to do with that group.

A month after the trial, a female juror wrote to U.S. District Judge John G. Koeltl, complaining that fellow jurors talked of terrorist attacks and their desire to teach the defendants a lesson. “They had an agenda,” Juror 39 told *The Washington Post* in her first interview. “People are so fearful that if you disagree with the government on one thing it makes you a terrorist.”

“I have to plead guilty to being a coward,” Juror 39, who spoke on the condition of anonymity, said of her vote to convict. “It doesn't feel good, but I punked out.”

In October 1995, Rahman was convicted and sentenced to life in prison. Stewart and former attorney general Ramsey Clark, a courtly Texan with decidedly left-wing politics, set about trying to persuade the United States to transfer Rahman to an Egyptian prison. They asked Yousry to return to the case in 1997.

Yousry declined – he wanted to write his dissertation and teach. His adviser, historian Zachary Lockman, suggested a marriage of academics and work. “Knowing that he would have access to the FBI tapes and to Rahman, I suggested a biography of Rahman and his movement,” Lockman said. “I guess I’m responsible in a very sad way for the trouble he’s in.”

### Indictment

A plume of black smoke rose from Ground Zero as four FBI agents knocked on the door of Yousry’s home in Queens two days after Sept. 11, 2001. Yousry said little. Two more days passed, and he thought better of his reticence. He called the agents back and talked about Sattar and the USS Cole and Rahman. He met four more times with FBI agents over six months.

In the spring of 2002, a federal prosecutor suggested Yousry testify if the government indicted Stewart and Clark. This was confirmed by a federal law enforcement source. “They wanted me to entrap Lynne and Ramsey,” Yousry said. “I said no.”

On April 9, 2002, FBI agents and helmeted police officers with high-powered rifles came to arrest Yousry while his friends and neighbors peered behind cruisers and kitchen curtains. Stewart had been arrested that morning.

The FBI ultimately recorded thousands of hours of Yousry’s telephone conversations and electronic activity over three years, but prosecutors introduced none of those tapes into evidence. Yousry never spoke to Rahman without the lawyers’ permission, even when left alone with him. Nor, transcripts show, did the prosecutors offer evidence to back up assertions that Yousry talked to militants in

the Middle East.

Prosecutors argued that Yousry metaphorically closed his eyes to the bad characters around him. They noted that he padded his résumé and suggested that he addressed Rahman as “spiritual master” to show allegiance; in fact, it’s a common Arabic honorific. Prosecutors speculated that Yousry betrayed the nation in hopes of gaining a Harvard teaching position.

The jury began deliberations in early 2005 and conversation was not friendly to the defendants. “A woman was in tears she was so scared of terrorism,” Juror 39 said. “Another kept asking why it took Yousry so long to finish his dissertation, that it was suspicious.”

On Feb. 10, 2005, the jury foreman pronounced the defendants guilty on all counts. Yousry went ashen; his daughter, Leslie, dissolved in tears.

Afterward

Judge Koeltl recently rejected Yousry’s legal appeal based on the account of Juror 39. The judge noted that juries are given great leeway. David Stern, Yousry’s lawyer, cannot quite accept that. “I’m in the habit of defending bad people, and they’ve mostly done what they’re accused of,” he said. “This guy is flat-out innocent, and it’s disgraceful he’s going to prison.”

Michael Gasper, who studied with Yousry and teaches at Yale, often visits the translator. The friends drink wine and laugh, and when Gasper leaves, Yousry presses another favorite history book into his guest’s hands. The translator will have no use for them in prison. “The way he has taken it makes me cry, he’s so gracious,” Gasper said. “I try not to talk about it, but he keeps giving me those . . . books.”

Yousry talks of hope. “I awake every morning and think: I will be vindicated,” he said. “It just hasn’t happened yet.” But he passes the days until sentencing in his book-lined study. He figures it is the size of a prison cell, and he wants to get used to it.

Yousry’s case reveals how non-translation, mistranslation, and the translator’s positioning as both enemy and friend, have figured center-stage throughout the Iraq war and the U.S. government’s domestic surveillance of terrorist suspects. In the Sibel Edmonds and Mohammed Yousry cases there are countless issues to be drawn out: the unique ability of translators to determine the course of war, the dependency of reporters and soldiers on translators for survival in risky war zones, the targeting of translators by governments and political factions alike (especially when they perceived as defectors to an enemy or whistleblowers), the impossibility of a neutral position as soon as one acts as a transmitter of information; and the rank fear of translators as potential traitors or double agents. The often-cited expression *traduttore, traditore* (translator, traitor) is relevant here in pointing to why the translator is held morally accountable beyond his or her failure to render the original with fidelity and completeness.

The Yousry conviction produced a squall of controversy in the translating and academic communities. Yousry’s advisor Zachary Lochman published an editorial in the *Los Angeles Times* (in February 2006) arguing that “If Mohammed’s conviction is allowed to stand, we may well see other translators prosecuted for doing their jobs, and other scholars facing jail terms for conducting research on controversial issues. That would undermine core values we profess to

cherish, including academic freedom and other civil liberties. It would also weaken our ability to understand Muslim extremism.” Marguerite Shore attacked the position of “neutrality” adopted by the National Association of Judiciary Interpreters and Translators (NAJIT) and the American Translators Association (ATA). Writing in the October 2005 issue of *The Gotham Translator* (the newsletter of the New York Circle of Translators, a chapter of the ATA), Shore noted:

In criminal court cases, the translator typically speaks as the voice of the accused, the voice of defense counsel, the voice of the prosecution and of the judiciary. In the course of attorney-client discussions on the political situation in Egypt, which were relevant to the defense counsel’s efforts to achieve a transfer of the prisoner to Egypt, Mohamed Yousry translated the Shaykh’s comment: “escalate the rhetoric in the media” regarding the ceasefire between the Mubarak regime and the Islamic Group. Attorney Lynne Stewart conveyed this to a Reuters news agency journalist in Cairo. The prosecution argued that conveying the Shaykh’s views to the public constituted a “jailbreak” by co-defendants of a prisoner the government thought it had “locked up and thrown away the key.”

NAJIT’s director Judith Kenigson Kristy contested Shore’s piece, claiming that the trial transcripts revealed evidence of Yousry’s unprofessionalism. Kristy alleged that Yousry emended the sheik’s words, misled the authorities, offered political advice and strategy, bought newspapers for Rahman, relayed phone messages, and transacted money. While Kristy never imputed jailbreaking intent to Yousry, she saw evidence of possible conspiracy where Yousry supporters detected glaring gaps in the protocols for politically sensitive cases. Michael Cole, writing in *The Nation* (May 15, 2006), argued:

The government’s theory was that by translating the sheik’s words, which Stewart eventually issued in the press release, Yousry was a co-conspirator in the crime. But the notion that Yousry was a conspirator is belied by the record. Unbeknownst to Yousry, the government taped the prison meetings with the sheik, as well as Yousry’s phone conversations. In the prison meetings, Yousry and the sheik were often the only ones in the room who spoke Arabic. Had they truly been co-conspirators, they could have plotted all sorts of illicit activities without the lawyers or the guards knowing. Yet the tapes show that Yousry never talked to the sheik about anything that was not approved in advance by the lawyers, and never communicated the sheik’s words to anyone other than the legal team. Yousry consistently sought advance approval from the lawyers as to what he could discuss with the sheik and adhered to their instructions at every stage.

Following the lawyers’ lead would not be a defense in every situation, of course. Had Stewart told Yousry to shoot one of the guards to assist in a jailbreak, it would be no defense that he followed her instructions. But translating the sheik’s words was exactly what Yousry was hired – with government approval – to do. The lawyers then decided what to do with that information. It was not Yousry’s decision. But it is Yousry’s freedom that will be taken away.

Marguerite Shore, like Cole, deemed Yousry’s conviction on conspiracy charges a throwback :

to the dark ages and the origins of the term “conspiracy” (from the Latin *conspirare*-literally “to breathe together.”) He did nothing more than breathe and speak in the same room as the Shaykh and the Shaykh’s attorneys. .... The conviction of Mohamed Yousry sets a terrible precedent: that translation in a criminal may itself be judged criminal activity, and even material support to terrorism.

Shore illuminates how translation can be criminalized. Criminalization is the logical endpoint of suspicious affective ties; ties of sympathy and reciprocal understanding that naturally develop between speakers communicating in a first or common language in a space outside their native land. The translator – with native-speaker levels of skill in at least two languages – is dangerously “bi” – bilingual, bicultural, binational – and thus assumed to have divided loyalties. Or, the translator may be dangerously “di” (as in “diglossic”). Diglossia has been defined by Hana Wirth-Nesher (relative to Henry Roth’s code-switching in *Call it Sleep*, between Yiddishized English and phrases in Yiddish, or his play on homonymic slippages between words like “altar” and “alter,” the Yiddish for “old man”), “as the existence of complementary varieties of language for intragroup purposes (...) bilingualism is essentially a characterization of individual linguistic versatility whereas diglossia is a characterization of the societal allocation of functions to different languages.” Diglossic skill signals not only the translator’s allegiance to more than one language, it implies a higher power of discernment, a discretionary sorting of lexemes and expressions into coded social contexts, a play between valences (ironies of idiolect, homonymic puns) not discernible to the monolingual ear. Diglossia suggests the ability to move incognito among language communities that touch but do not cohere.

One of the earliest terms for the translator was the *dragoman* – a diplomat/middle-man, often Greek, Albanian or Italian, who was charged with translating Arabic, Turkish, or Persian for foreign legations in Turkey and the Middle-east. The *dragoman* was often accused of being a spy or depicted as a shady character. Yousry’s conviction looks in many respects like a classic frame-up of the *dragoman*, based on a refusal to see any difference between the Arabic language and terrorism. The erroneous interpretation of Yousry’s honorific address of Rahman as “spiritual father,” coupled with resistance to recognizing that American cultural mistranslation might, in this instance, have been a factor in weakening Yousry’s defense, indicates an overall “guilt by association with Arabic.” In this context Yousry became a scapegoat in a war on Arabic linking Arabophobia to anti-Islam, anti-immigration, and English-only policies.

The Yousry case, and similar trials-by-language, confirm one of my book’s central arguments: namely, that the current drive to monolingualization in the United States serves to consolidate the ideological pairing of cultural isolationism and political unilateralism. Recently, the English language has been conscripted yet again in a litmus test of patriotic citizenship. The amendment introduced in May 2006 by Oklahoma Republican Senator James M. Inhofe as part of the “Immigration Reform Act,” calls for the *nationalization* of English in order “to promote the patriotic integration of prospective U.S. citizens.” How “patriotic” is defined remains unclear – some see it as an anthemization of English – but what comes through perfectly well is an anti-immigrant, anti-Latino agenda designed to give legal bite to reduced funding for bilingual education and public services. A competing amendment sponsored by Senator Ken Salazar declaring English the “common and unifying language of the nation” garnered more votes in the

Senate vote, but its English-only message hardly differed in ideological substance from the Inhofe measure.

The U.S. already has, de facto, two official languages – English and Spanish – so why not declare both “unifying languages?” Or more reasonably still, why not make English, Spanish and French official languages of the Americas? “Euro-babies” are increasingly receiving multilingual instruction from birth in childcare facilities and schools, so why should this model not be adopted for Spanish throughout the U.S, (thereby circumventing the often-justified concern of Spanish speakers that bilingual education programs lead to tracking, lower standards of education, and impediments to advancement)? As Henry Fountain’s *New York Times* editorial (May 21, 2006) reminds us, the fear of “English-plus” is a peculiarly American phenomenon. He insists that in countries like Australia the whole idea of hostility to multilingualism seems counterintuitive, socially, economically, and politically. Conservation of immigrant languages coupled with inducements to language learning for English speakers are far from being considered a threat to citizenship (*pace* Fountain and his source James Crawford, I’m not convinced that the Australian case is quite that exemplary, especially if one historically examines the erosion and censorship of Aboriginal languages).

As many have noted, the “right to English” embodied in Inhofe’s legislative initiative operates as code for anti-immigration politics, and it tallies with the goals of a xenophobic, culturally parochial “English only” movement whose base of support is particularly strong in states like California, Texas, and Florida that have significant Hispanophone populations. For my part, I would like to see a continental counter-movement develop, one that rejects “English Only” as linguistic racism. “English Only” weakens America’s standing in the world by fostering cultural parochialism, shortchanging the education of non-Anglophones and Anglophones alike, quarantining Latinos, and aggravating political and economic divisions with Canada and South America. An “English Plus” movement of the Americas would not necessarily resolve such problems for languages other than Spanish or French (How would Asian languages fare? What would be the fate of native American or minority languages?), but at the very least, such an initiative might curb the drive towards monolingualization.

Though the United States is a country in which hundreds of languages are spoken, official language policy remains profoundly Anglocentric, honoring sacred tenets of assimilationism inherited from the days of Ellis Island immigration. This monolingualism has only been helped by much of the world’s apparent willingness to learn English, though Mandarin Chinese is rapidly challenging this linguistic hegemony especially as pinyin becomes a user-friendly form of Internet Chinese. With the reduction of languages to Basic English or “Globlish” and major advances in machine translation on the horizon, one might well ask whether translation will become superfluous. Despite evidence that many languages have become endangered species or altogether extinct, I don’t believe that translation will become obsolete any time soon. If anything, the explosion of multiple language usage on the net has made translation theory newly serviceable not only as textual pragmatics but also as a medium that extends the range and definition of aesthetic practices.

Translation studies, in the aftermath of 9/11, should engage language politics not in the spirit of reducing the aesthetic, but rather, in the cause of revealing how aesthetic notions of fidelity, betrayal, and treason are marshaled in actions of political targeting. The current atmosphere of conspiratorialism and fear-mongering has put translators themselves on the line: who speaks together, who breathes together, who translates? As the nation gears up to dedicate itself more vigilantly to the business of risk management and security, translators beware!

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