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Discernement, Procédure and the Careful Procedures Required for Cultural Translation

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1. This contribution was written in English in response to a CFP that was written in French. The writer is a native speaker of American English with a high-level command of French. These points are noted as a caveat and as a prelude to the analysis of the problematic nature of the relationship between culture, language, *procédure* and *discernment*. These points need be noted because the analysis is not only an analysis of translation, but also an analysis in translation, an analysis across cultures and which of necessity places a great deal of stress on the very notion of translation and translatability. This text operates on the explicit assumption that any giving account of an action will be inflected by the language of that accounting to the point that certain actions will, at least from the perspectives of the actors, be unavailable in some languages. This is another way of saying that whatever *procédure* and *discernement* might mean in French to French speakers, they do not, or even more strongly, cannot mean the same thing as discernment and procedure when reflected upon in English in the minds (or mouths) of English speakers. The descriptions that would likely be felt adequate would differ, the norms of accounting for each would differ, as would, I would wager, the ways of performing each action. That is well and good, since it is at least in part irrefutable from a purely semiotic point of view (it is clear that what is said in English is different than what is said in French), and likewise highly probable from a sociological point of view (differences in cultural attitudes and values are widely agreed upon), it is nevertheless not evident whether there differences in articulation (with both speech and action being considered articulations) are meaningful and to what degree. Giving some account of this is the task of what follows.
2. As a prelude to most analysis, one is drawn to define one's terms and explain one's methods. This will be undertaken, but in a highly problematic way, and this is due to the somewhat mysterious nature of the objects that we are undertaking to analyze. We cannot easily say of the actions of someone "here he is discerning" or "here he is following procedure" without projecting upon that which we are observing a conceptual web that may or may not adequately describe the action being thus described. We can, of course, ask a subject whether they are undertaking the action in this way, and they can or might respond to us affirmatively or negatively. Nevertheless, this negative or affirmative action might not tell us what we wish to know, and this being because by explicitly posing a question or a description in such and such a form we may be predisposing the subject to offer such and such an answer, giving them an interpretative framework that they might not otherwise have applied. I say framework

with the explicit understanding of it as a metaphor relating to sets of relation, and with the intentional desire of evoking the idea that when we say a word we do not merely name a thing (or an action) but we articulate something from within an entire system of names and actions, what Wittgenstein would call a “form of life.” [PI §23] Before explaining this point (which is evidently crucial to my propos) I want to also note the fact that this framework, this form of life, this set of associations linked to any word, is not ideal or fixed but rather constantly moving, with the rules being made up as speakers play, and not the opposite. Which is another way of saying that it is fully possible to ask someone: “are you discerning” and to have them agree to this description of their action even if they would have not understood their action in this way previously, in the same way that one might now say that one “googled” something while before one would have said that one “did a web search” for that thing. Both mean something similar enough to confuse us when we reflect upon their differences. Yet whatever we do think about their similarity or difference, we must admit that the prerogative of native speakers of a language is such that they are permitted to arrogate words in this manner, to use them as they will, recognizing the fact that they have, in a certain sense, the authority to make sense. A somewhat ironic proof of this point is the mini-industry that has grown up around giving sense to Noam Chomsky’s exemplary non-sense phrase: “Colorless green ideas sleep furiously.”¹ Let it be noted that one of the primary moves in the language game that is philosophy appears to be just such an action of sense-giving. Philosophical problems arise (Wittgenstein says) when “language goes on vacation [*Ferien*]” [PI §38]. While we can take this phrase and figure in many ways, its applicability here might be said to refer literally to linguistic border crossing, namely the moment when a French word, *discernement*, is taken for an English word, discernment, and vice versa. Which is not (of course) to say that there are other, less “literal” ways of undertaking philosophico-linguistic voyages or of understanding the vacation of language. But what I do want to emphasize is that we habitually do traverse linguistic frontiers in ways that change our sense of ourselves, our actions, and our making sense of these actions, and which consequently make us lose sight of what we would otherwise have said and done. (As Wittgenstein once said (*aber auf Deutsch*): “One is reminded of when philosophers use a word -- “knowledge”, “being”, “object”, “I”, “proposition”, “name” -- and try to grasp the essence of the thing, one must always ask oneself: is the word ever actually used in this way in the language which is its original home?”)²

3. I take the importance and the difficulty of these remarks to be as follows. As a native English speaker, it is quite simple and even tempting to grab hold of the conceptual couple discernment and procedure dialectically, which is the way that I believe this

¹ <https://linguistlist.org/issues/2/2-457.html#2>

² Wittgenstein, Ludwig. *Philosophical Investigations*, London, Wiley Blackwell, 2009.

couple (or rather the couple *discernement et procédure*) appears to French speakers. But in doing so I believe that I am tempted (let us say by philosophy) to take language on vacation, or to give sense to otherwise “colorless green ideas.” Speaking carefully, hewing as much as possible to what I take to be ordinary language and usage, it strikes me that people (in this case engineers) do not either act discerningly or according to “the” procedure (more on this “the” later). As I will try to suggest in the following, what Anglophones (or more precisely Americans) would most likely do is wisely, carefully, or critically follow (or not) procedures. But before I arrive to this point, which of course will take us deep into the question of cultural difference, I want to dwell a bit more deeply on the challenge or question of ordinary language, or more specifically the question of what hewing to ordinary language might mean, if only with the aim of offering my readers some clarity about my method (which it bears being noted, must also be understood as a performance, and that is to say as a careful (*ou discernant*) attempt to articulate a procedure for thinking about the impact of culture on the performance of *discernement* and *procédure*. After all, it will have doubtless occurred to many to wonder what this obscure thing ordinary usage might be, who speaks it, and with what authority. I have suggested that there is something wrong with what might seem empirical good sense—namely asking people questions about their activities, and that the fault of this empiricism lies in the ways in which language can reach out to us for agreement, effectively plastering over nuances. One way around this objection is a survey of what people actually do say, a cross section of the actual uses of words within discourse. If this is in some not much different from looking up words in the historical usage section of the OED, it is true that recourse to this kind of exploration has been of late facilitated by the growth of big data and the easy access to broad data bases like Google. Yet even if I do in the following refer to what people say with most statistical frequency according to data bases, there is always some level in which I am saying that they would say this, that they would use words in the way that I say they would. One might thus say that recourse to this procedure, uncoupled with the careful application of critical judgement (*discernement?*) might well lead one astray. Of course, this is an intellectually hazardous situation anyway, because there is no guarantee that any other speaker will agree with my weighting of the words. As Stanley Cavell explains:

“We learn and teach words in certain contexts, and then we are expected, and expect others, to be able to project them into further contexts. Nothing insures that this projection will take place (in particular, not the grasping of universals nor the grasping of books of rules), just as nothing insures that we will make, and understand, the same projections. That on the whole we do is a matter of our sharing routes of interest and feeling, modes of response, senses of humor and of significance and of fulfillment, of what is outrageous, of what is similar to what else, what a rebuke, what forgiveness,

of when an utterance is an assertion, when an appeal, when an explanation—all the whirl of organism Wittgenstein calls “forms of life.””[must we mean, p.53]

This whirl of organism that is not just us but also the others with and for whom we might speak express varying views and use words in varying ways. What ties these usages together, what differentiates right from wrong is rarely true and false but rather their stakes in a common moral imaginary or a sense of shared feeling and values. This means that any expression or claim to ordinary as opposed to ‘philosophical’ sense is a kind of plea for agreement rather than logical consistency, an attempt to find agreement in common values and feelings that themselves might apparently rest on nothing (“If I have exhausted the justifications, I have reached bedrock and my spade is turned. Then I am inclined to say: ‘This is simply what I do.’” [PI § 56]).

To speak a bit more *frankly* (if such a thing is possible *en anglais*), my intention here is to demonstrate an American (and that is to say my own, but in speaking of my own, I intend, following Emerson, to speak for others, and perhaps—according to some common modes of feeling—for all: (“To believe your own thought, to believe that what is true for you in your private heart is true for all men, — that is genius. Speak your latent conviction, and it shall be the universal sense; for the inmost in due time becomes the outmost.”)³ sense of what I take the French to be referring to when they speak of *discernement* (I am doing this while following a kind of procedure (and *concesso non dato a procédure*), and my aim is to find the proper words to express or articulate what it is that I am doing (that it is not discernment I will illustrate in what follows.)

4. *Conceptual Couples, Comparability*. In the above I have been largely theorizing or at least performing a dialectical dance around what in French is a coherent conceptual couple. Within ordinary American usage my sense is that this couple is improper, though that there does exist an analogous couple, let us say (to refer again to Wittgenstein) a couple that bears a “family resemblance” to the French couple, that might function in the same way, that is to say resonate with common sense when applied to the ethical pro-attitudes and values of engineers navigating between the Scylla of proceduralism and the Charybdis of chaotic unpreparedness. Because the French and the English terms really do have family resemblances, stemming from the common Latin and Greek roots of both languages as well as from the twinning of their history over the course of the Plantagenet rule of England, both languages possess both terms, though their senses and meanings in common parlance vary widely. This common presence of identical phonemes allows us to establish comparisons, but it also easily misleads us by supposing comparability equals equivalence. What I am feeling around for is a better articulation of the couple based upon structural

³ Emerson, Ralph Waldo. “Self-Reliance,” *Essays and Lectures*, New York, Library of America, 1983.

comparability, in essence asking not what is the English equivalent for *discernement* and *procédure*, but rather what is the conceptual couple that most functions like this one within American English. In this way we hope to articulate what an Americanophone sense of what ethical attunement to method or a wise and caring antidote to proceduralism might look like. Our effort is not theoretical but descriptive, what Wittgenstein might describe as “surveying.” Or, to utterly change registers but not metaphors, what I am attempting to do is sketch the topography of what the cognitive scientist Mark Johnson [1993] calls the moral imagination, the non-theoretical or perhaps pre-theoretical picture of moral action that underlies and motivates most of our moral comportments. That said, I want to repeat a caveat, namely that just as procedure and *procédure* differ, just as discernment and *discernement* differ, so too do whatever conceptual couples that I may present as alternatives to *P & D* must also in any case, be merely comparable.

5. Let us turn now from a discussion of method to the analysis of the various terms in French and (American) English, always angling towards the articulation of the impact of these differing senses on the ethics of engineers. I will start with the French terms then move to the English terms, taking the former definitions from the dictionary, and the latter from dictionaries, Google searches, and my own sense of the words and their ordinary usages.

Discernement. The *Larousse* gives the following definitions: *Littéraire. Action de discerner, de distinguer, de discriminer : Le discernement du vrai du faux. Faculté d'apprécier sainement les choses ; intelligence, sens critique : Agissez avec plus de discernement.*⁴ Without engaging with this definition, laying out the lines in which it is opposed to the notion of procedure, let us immediately explore how the English discernment can't be an adequate translation for *discernement* (assuming the definition above is even moderately acceptable to most French speakers.)

6. Discernment. The *Merriam Webster* dictionary defines this term as follows: “1: the quality of being able to grasp and comprehend what is obscure: skill in discerning. 2: an act of perceiving or discerning something.” Comparing the two definitions, it is clear that the French term has a distinctively moral sense—it seems to be linked to right reason and properly attuned moral and critical faculties. The American term seems to be more properly limited to the visual field, either you see something... or you don't. Moreover, what is seen in the French term is implicitly the right or the good, meanwhile the English version suggests that what is discerned is obscure or difficult to grasp, but it does not affirm that this difficult to grasp thing is the right or the good. Considering the results of Google searches for the word discernment and discerning adds another nuance to this difference. The top hit in my search was an article entitled:

⁴ <http://www.larousse.fr/dictionnaires/francais/discernement/25811#2mzqfXMQOLczjCMG.99>

“Identifying and Catering to the Discerning Consumer: Quality and Service Above All.”⁵ In this article the author explains how to please buyers of Mega-yachts and Maseratis, with the implied meaning of discernment or discerning consumer in this case suggesting that the content of the “obscurity” to be discerned is the difference between “real” luxury and “superficial” bling. As a native speaker this association between discernment and the aesthetic preferences of the extreme upper class hardly strikes me as an alea or error of the search engine, but rather quite close to my own feel for the word as intrinsically linked to nobility or highly cultivated aesthetic preferences. The picture called to mind of the discerning engineer is slightly comic. I do not imagine with a healthy attitude towards procedure, but rather someone immaculately coiffed and mustachioed wearing a tuxedo—as if an esthete has somehow stumbled into a factory and begun to play engineer, making a mockery of procedure as he orders others about in posh-sounding tones. This image, while slightly ridiculous, is not unfounded given the history of the English language and the fact that many words entered the English language via French (or more precisely via an ancestrally French speaking nobility). Put otherwise, what would have appeared an expression of justice and a healthy understanding for a nobleman appeared to the majority of English speakers as a kind of affectation wherein obscure reasons were proffered as the foundations for healthy moral decision making, and that is why we imagine the possessor of discernment as a kind of arrogant buffoon. Doing a Google search for “discernment” and “ethics” yields a bit more perspective on the ways and reasons for English speakers’ critical distance towards discernment, though it also offers some ordinary language arguments for keeping discernment as our translation of *discernement*. What comes up in this search are multiple pages discussing pastoralism and the moral theory associated with the theology of Saint Ignatius. Within the context of these ethical theories, which largely borrow themes from Aristotelian virtue ethics also present in French theorizations of the term, we see the obscure understood as the good or just, or more specifically, that which can bring about salvation. Someone who possesses discernment in this sense would possess a form of moral wisdom opposed to procedure, one often associated with the ability to read divine messages or to properly interpret the moral injunctions in ambiguous biblical passages. Ordinary English might express this as “divining” the meaning of these passages. But given the Protestant origins of most of the United States as well as the anti-papist sentiments rampant in England since the Reformation, it is hardly surprising that anyone claiming to possess such skill in divination would be looked upon with suspicion. As Luther put it in the *Heidelberg Disputation* (1517): “That wisdom which sees the invisible things of God in works as perceived by man is completely puffed up, blinded, and hardened.”

⁵ <https://www.linkedin.com/pulse/identifying-catering-discerning-consumer-quality-all-roumeliotis/>

To sum up these observations, Americans don't regard the opposite pole to procedure as discernment, and they may even look upon claims to possess discernment with suspicion and contempt. But if discernment can't properly function as a conceptual partner to procedure in English, then what might? We will turn to this presently, but first let us consider more closely the translatability of *procédure* and procedure.

7. *Procédure and Procedure*. Procedure is almost unquestionably the right, or best candidate for translating *procédure* from French to English. But this does not mean the two are identical. This becomes clear by merely comparing the dictionary definitions, which despite being very close, exhibit specific grammatical preferences (as Cavell writes, "it is grammar which tells what kind of object anything is.")⁶

Procédure. Larousse: 1) *Forme suivant laquelle les procès sont conduits, instruits et jugés ou les actes d'exécution forcée accomplis*. 2) *Ensemble des règles qui doivent être respectées pour la reconnaissance de certains droits ou le règlement de certaines situations juridiques (successions, partages, licitations, etc.)*. 3) *Marche à suivre, ensemble de formalités, de démarches à accomplir pour obtenir tel ou tel résultat : Procédure à suivre pour obtenir un passeport*. 4) *(d'après l'anglais procedure) Processus suivi pour conduire une expérience, succession d'opérations à exécuter pour accomplir une tâche déterminée : Procédure d'approche*. Consider now the Myriam Webster on procedure: "1 a: a particular way of accomplishing something or of acting b: a step in a procedure. 2 a: a series of steps followed in a regular definite order legal procedure a surgical procedure b: a set of instructions for a computer that has a name by which it can be called into action. 3 a: a traditional or established way of doing things." While it is clear that both definitions are close, one grammatical difference is striking. The English definition uses the indefinite article "a," while the French uses no articles at all. The presence of the indefinite article in English (and likewise the emphasis upon the "particular" within definition 1a) suggests the idea that procedures are plural or that any procedure is one among many, while the absence of the article in the French (according to the testimony of native French speakers) implicitly seems to suggest the definite article and the substantial claim that there is but one procedure. Evidently, it is a grammatical fact that both languages are capable of expressing either case, but each authoritative text's grammatical choice is nevertheless. To say that a procedure is a universal (as does the *Larousse*) implies a certain estimation with regard to the value of any procedure. It suggests (as we have suggested that *discernement* suggests) that a *procédure* stems from deep insight into the truth of things. The suggestion that any procedure is one among many (as does the *Myriam Webster*) implies not so much a devaluation of each particular procedure as a degree of distance

⁶ Cavell, Stanley. *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy* (p. 16). Oxford University Press. Kindle Edition.

towards its generality. One might say that the English procedure to a certain degree implies an absence of *discernement*, and so may end up being compensated for this with an excessive production of procedures and proceduralism aimed at remedying this lack of substantial insight, a point brought to the fore in Sophie Mano's contribution to this colloquium. Summarizing these remarks, we might say that ordinary English speakers have a tendency to view procedures pragmatically, with an eye to whether they work or not, while French speakers may have a tendency to view procedures ontologically, that such that they can be followed correctly (with discernment) or not (without it.) With this in mind, then, what is the proper concept to be opposed to procedure in English? Let us consider some candidates, based upon the kinds of discourses presented by American engineering schools and educators relative to the moral aims of education.

8. *Wisdom, Critical Thinking, and Care*

A good of place as any to look for an articulation of the moral character that American institutions might wish to instill in their future engineers is mission statement presented on the MIT web page. MIT is generally considered the top engineering school in the country, and as such it not only leads much of the nation in advanced research, but also in terms of its advanced thinking about the education of engineers. The MIT mission statement announces: "We seek to develop in each member of the MIT community the ability and passion to work wisely, creatively, and effectively for the betterment of humankind." If we are looking for a term that might be used to express something like a capacity for a healthy appreciation of things (*capacité de apprécier sainement les choses*) we might seize on this notion of wisdom. But what is wisdom? Without excessively extending our discussion, it seems useful to at least in part suggest that wisdom has less to do with seeing what is obscure, and much more with possessing a sensibility honed through an appreciation of what is brought to light by experience. A wise usage of procedure would thus be sensitive not to the truth or falsity of the procedure, but to whether or not it has worked in the past (with the idea of a non-binary result being wholly possible). That said, it seems impossible to speak about the moralizing aims of American education without discussing critical thinking. James Henderson, for example, explicitly opposes "unthinking proceduralism" (which is to say that bad application of procedures) to "critical thinking, creativity, and caring."⁷ Critical thinking here represents the mental action that one would use to think about the weaknesses in a procedure (or in proceduralism, and that is to say the generalized recourse to procedures). We might thus understand critical thinking as working in tandem with wisdom, such that an engineer would summon up all of his or

⁷ Reconceptualizing Curriculum Development: Inspiring and Informing Action
<https://books.google.fr/books?isbn=1317648765>
James Henderson, and Colleagues, - 2014 - Education

her experiences to think critically about whether or not to apply or follow a procedure. Significantly, this critical thinking (as in Kant's critical philosophy) does not imply or demand any insight into a noumenal dimension of things in themselves. It leaves the obscure as obscure, and merely demands a heightened attention to that which actually appears. Meaningful too is the fact that critical thinking here is coupled with creativity, with the obvious implication being that the proper attitude to have towards procedures is a constant readiness to replace one procedure with another one (and so a standing skepticism towards any particular procedure as such, but not necessarily towards procedures as such). Yet if wisdom and critical thinking might well be opposed to blind proceduralism, perhaps the best candidate to replace *discernement* in English is the third term mentioned by Henderson—care. What does it mean to care? The term has been much theorized recently, both by students of Heidegger and by followers of the pioneering works in the ethics of care by Carole Gilligan, Nel Noddings, and others. Like *discernement*, care is a form of moral sensitivity. Like *discernement*, it ultimately refers to something that is phenomenally obscure—in this case, the pain or suffering of the other. To apply a procedure carefully would be to do so with highest attention, with great concern to the ways that it might be obscurely causing harm to others, with an awareness of the dangers and limits of procedures. Care is deeply opposed to adjectives like mechanical which could very well be employed pejoratively to describe procedure. The formal opposition of care to procedure is particularly strong within (the term most commonly used to describe medical interventions is procedure, and a good doctor or care giver would be one who is capable of carefully carrying out procedures, capable of employing procedures carefully. Nevertheless, care is more like an attunement or mood than a faculty, and in this it seems to differ from *discernement* (speaking of carefulness does not change this). Care is likewise non-visual, and perhaps even anti-intellectual or conceptual (we might say that someone's hands are careful, or even that a dog or other animal is careful). Also, unlike *le discernement*, which is masculine, care calls to mind (and is often explicitly theorized as relating to) feminine virtues such as empathy and kindness. This all being the case, it does seem that the right moral orientation to teach our future engineers to take relative to procedures is carefulness.

9. *Conclusions.* Perhaps the most forceful conclusion that can be made from the above is to exhort French engineers working within American firms to try to understand what it means to be caring. We might likewise suggest that American teachers (like myself) working in French institutions ought to try to instill caring in their students—while all of the while expecting a certain degree of incomprehension and even kickback. To draw a few broader, more theoretical conclusions from the above, I take myself to have demonstrated ways in which a French speaker's and an American speaker's attitudes towards criticizing and performing a procedure may differ based upon the

values and metaphysics implied in the ways that they use words as well as in the ways that they themselves relate to these words (the metaphysics of the obscure side of appearance also bears on pro-attitudes towards the relating of signifiers and signifieds). In closing I want to reiterate that I do not wish to draw a stark opposition between the French and American ways of seeing, but rather to open up space for thinking productively about this cultural difference. I would hope too that the reader recognizes this to be not only a discussion about procedure and *discernement*, but also a performance of a certain procedure of translation undertaken with what I would call caring and which I take to embody something not too far from what I suppose a French speaker might mean by *discernement*. I do not expect one to feel compelled to imitate my procedure or agree with my critical or moral sense regarding the wise application of procedures. But I would, on the other hand, be quite happy if my French readers were able merely have understood my cares.