

**The Term Competence in Official Documents that Standardize the
Tilsp's Performance: From Hierarchization to Specialization / *O termo
competência nos documentos oficiais que normatizam a atuação de Tilsp:
da hierarquização à especialização***

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ABSTRACT

This work proposes reflections on possible meanings constructed in the circulation of discourses that refer to the meaning of the term 'competence,' present in official documents that regulate the performance of Tilsp (Tradutores e Intérpretes de Libras e Português [Translators and Interpreters of Libras and Portuguese]). We start from the assumption that the meanings of a word are not completely static, but shift depending on the concrete situation and the interlocutors who use it. As a methodology, excerpts from official documents that regulate Tilsp's activities were analyzed. By surveying possible interlocutors brought into the documents, we were able to verify that the meaning of 'competence' slowly shifts as the documents are produced in their respective times. Firstly, the use of the term points to a hierarchy, later, this meaning undergoes another shift towards the construction and delimitation of Tilsp's professional work field. Finally, 'competence' moves to the labor market in the relationship between supplier and customer.

KEYWORDS: Tilsp; Official documents; Competence discourse; Active responsiveness; Neoliberalism

RESUMO

Este trabalho propõe reflexões acerca de possíveis sentidos construídos na circulação de discursos que se referem ao sentido do termo 'competência', presente em documentos oficiais que normatizam a atuação dos Tilsp (Tradutores e Intérpretes de Libras e Português). Partimos do pressuposto de que os sentidos de uma palavra não são completamente estáticos, mas deslocam-se dependendo da situação concreta e dos interlocutores que a utilizam. Como metodologia, foram analisados excertos de documentos oficiais que normatizam a atuação dos Tilsp. Por meio do levantamento de possíveis interlocutores trazidos para os documentos, pudemos verificar que o sentido de 'competência' vagarosamente desloca-se à medida que os documentos são produzidos em seus respectivos tempos. Primeiramente, o uso do termo aponta para uma hierarquização, posteriormente, esse sentido sofre outro deslocamento para a construção

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e delimitação do campo de trabalho profissional dos Tilsp. Por fim, 'competência' se desloca para o mercado de trabalho na relação entre fornecedor e cliente.

PALAVRAS-CHAVE: Tilsp; Documentos oficiais; Discurso da competência; Responsividade ativa; Neoliberalismo

Introduction

Understanding someone else's speech implies an orientation towards it in an uninterrupted flow of verbal responses and resonances (Vološinov, 1973).¹ The possible materialities for carrying out these discursive interactions occur through texts in their various forms: vocal, signed (in the case of Libras [Brazilian Sign Language]), visual and written. When circulating in chains of discourse, texts bring with them social and historical themes arising from the moment of their production, interacting with themes at the moment they circulate, producing meanings with them. In a continuous chain of production of meanings and knowledge, these same texts thematize our becomings, allowing us to reflect on the future. According to Bakhtin (1986, p. 106),² "the reproduction of the text by the subject (a return to it, a repeated reading, a new execution quotation) is a new, unrepeatable event in the life of the text, a new link in the historical chain of speech communication."

Texts produced at the upper limits of "behavioral, or life, ideology" (Vološinov, 1976, p. 14), that is, those generated in the formal spheres of life in society, such as institutional, legal, and academic texts, have a special capacity to perpetuate values generated by a given space-time *locus*, acting significantly on the way we organize the world. This is the case of the documents we propose to observe here. In this sense, we establish as the main objective of this article to reflect on the meanings produced based on the term 'competence' circulating in the official documents that standardize the performance of *Tradutores e Intérpretes de Libras e Língua Portuguesa* [Translators and Interpreters of Libras and Portuguese Language] (hereinafter Tilsp), in a responsive movement towards the meanings produced by the analyzed excerpts. We justify this focus due to the recent expansion of studies around the field of activity of Tilsp, especially in

¹ VOLOŠINOV, Valentin N. *Marxism and the Philosophy of language*. Trad. Ladislav Matejka and R. Titunik. Translator's Preface. Cambridge: Harvard University Press, 1973.

² BAKHTIN, Mikhail. The Problem of the Text in Linguistics, Philology and the Human Sciences: An Experiment in Philosophical Analysis. In: *Speech Genres & Other Late Essays*. Translated by Vern W. McGee and Edited by Caryl Emerson and Michael Holquist. Austin: University of Texas Press, 1986. pp. 103-131.

the last two decades of this century, which calls for more analytical views on this professional sphere and the subjects included in it.

The insertion of Tilsp in distinct social layers has provided linguistic accessibility and interlocutory-interactionist processes between deaf and hearing people (Oliveira; Stella, 2022). This movement towards accessibility through translation and interpretation brings deaf people and hearing people closer together, expanding the possibilities for social, cultural, and professional interaction between them. However, there still seems to be a gap between legal determinations and social reality, allowing us to think about a certain maintenance of inequalities in the relations between deaf and hearing people. Albres (2015) highlights the existence of many social and cultural sectors in which we do not see the presence of Tilsp professionals for the possible mitigation of language barriers through translation and interpretation processes. Although we know that the inclusion of Tilsp does not imply the complete resolution of all linguistic barriers between deaf and hearing people, we affirm that the work of these professionals is part of a set of linguistic accessibility policy actions that are essential in combating inequality.

According to Rosa (2005, p. 113), “in Brazil, the activity of interpretation occurs more frequently in religious institutions.”³ In these spaces, Tilsp’s activities have “been a practice for decades” (p. 113),⁴ with the most notable period starting in the 1980s. However, it is only since the 2000s that an expansion of scientific-academic studies about the translation process involving the linguistic pair Libras and Portuguese has been observed. Research on translation and interpretation moved Tilsp’s perspective from socially less valued or peripheral⁵ places to more central places considered worthy of theoretical-practical reflections.

Furthermore, it was also at the beginning of this millennium that we witnessed the promulgation of legal apparatuses that began to regulate the activities of Tilsp professionals, such as *Decreto Federal nº 5.626/05* [Federal Decree nº 5626/05] (Brasil,

³ In Portuguese: “no Brasil, a atividade de interpretação ocorre com maior frequência nas instituições religiosas.”

⁴ In Portuguese: “tem sido uma prática há décadas.”

⁵ Assuming here that social positions are not endemically peripheral and/or marginal, but are configured as results of investments and oppressive actions by hegemonic and dominant groups in marginalizing, peripheralizing and subordinating those who do not fit into certain standards. Those standards are set mainly based on the paradigm established by the idea of the cis-straight man, white, upper middle class, Christian and, for the purposes of this study, considered non-pathological.

2005)⁶ and *Lei Federal nº 12.319/10* [Federal Law nº 12319/10] (Brasil, 2010),⁷ and *Lei Federal nº 14.704* [Federal Law no. 14704].⁸ Still in this direction, it is worth highlighting the founding, in 2008, of the *Federação Brasileira das Associações dos Profissionais Tradutores e Intérpretes e Guia - Intérpretes de Língua de Sinais* [Brazilian Federation of Associations of Professional Translators and Interpreters and Guide-Interpreters of Sign Language] (hereinafter Febrapils).⁹ This Federation has contributed greatly to the field of translation and interpretation in Libras through actions that seek to improve the professional qualifications of Tilsp, for example, the publication of documents that guide and orient the work of both Tilsp professionals and Guide-Interpreter professionals.¹⁰ The *Código de conduta e ética* [Code of Conduct and Ethics]¹¹ becomes an important document among those produced and published by Febrapils, as it is an important guide for action for Tilsp.

We highlight that, among these various orderings that compose the documents mentioned, the term competence draws our attention as it appears both in the decree, in the law, as well as in the code, highlighting an apparent importance of this term in the three documents. We understand that the production of meaning is the result of a tense (Stella; Brait, 2019) interaction process involving interlocutors in different spatial-temporal positions. That is,

Meaning does not reside in the word or in the soul of the speaker or in the soul of the listener. *Meaning is the effect of interaction between speaker and listener produced via the material of a particular sound complex.* It is like an electric spark that occurs only when two different terminals are hooked together (Vološinov, 1973, pp. 102-3).¹²

⁶ Available at: <https://legis.senado.leg.br/norma/566431/publicacao/15727237>. Access on November 1st, 2023.

⁷ Available at: <https://legis.senado.leg.br/norma/585316/publicacao/15747036>. Access on November 1st, 2023.

⁸ Available at: https://www.planalto.gov.br/ccivil_03/_Ato2023-2026/2023/Lei/L14704.htm. Access on November 1st, 2023.

⁹ Available at: <https://febrapils.org.br>. Access on November 1st, 2023.

¹⁰ According to Almeida and Souza (2017, p. 69), the guide-interpreter professional is the one who works to promote and mediate the accessibility of deaf-blind people, “not only in the communicational aspect, but also in the structural didactic-methodological aspects in the education deaf-blind people” [In Portuguese: “não apenas no aspecto comunicacional, como também nos aspectos estruturais didático-metodológicos na educação da pessoa com surdocegueira”].

¹¹ Available at: <https://febrapils.org.br/wp-content/uploads/2022/01/Codigo-de-Conduto-e-Etica.pdf>. Access on November 1st, 2023.

¹² For reference, see footnote 1.

It is in this tense space of production and circulation of meanings that this work is positioned. To this end, we have organized this article into four sections, in addition to this introduction, final considerations and references at the end. The section following this is entitled *Theoretical-Methodological Places* and justifies the selections made for this work. The subsequent section, entitled *Discourses on Competence in Translation and Interpretation: Voices of Neoliberalism*, brings some biases in meaning to the term competence based on authors who, for some reason, have already dealt with this topic. The section entitled *Responding to Voices in Tension: From Hierarchical Competence to Specialized Competence*, proposes reflections on the meaning of competence based on the use of this term in the excerpts highlighted for analysis.

1 Theoretical-Methodological Places

Bakhtin (1986)¹³ teaches us that the text in all its forms must be the object of study for researchers in the human sciences, because “where there is no text, there is no object of study, and no object of thought either” (p. 103). In other words, the text, a privileged object of the human sciences and the only source of access to others, implies “thought about others’ thoughts, wills, manifestations, expressions, and signs” (p. 103). The text becomes the point from which meanings are produced, because they circulate, demand responses from interlocutors and become objects of discursive tension.

In this way, the thinker places the text at the center of dialogical relationships established between interlocutors positioned in their own times and spaces. In other words, dialogical relations must “clothe themselves in discourse, become utterances, become the positions of various subjects expressed in discourse, in order that dialogic relationships might arise among them” (Bakhtin, 1984, p. 183).¹⁴

The analysis of documents regarding the functioning of Tilsp’s work allows access to the production of meaning, as the documents are fully functioning and circulating in a responsive concrete context, allowing them to dialogue not only with each other, but also with us. Based on this premise, this research aligns with the understanding that the three documents (the decree, the law, and the code) discursively reflect a legal,

¹³ For reference, see footnote 2.

¹⁴ BAKHTIN, M. *Problems of Dostoevsky’s Poetics*. 8th printing. Translated by Caryl Emerson. Minneapolis, MN, University of Minnesota Press, 1984.

ethical, and moral position regarding Tilsp's work on the one hand. On the other hand, they also refract "another reality" (Vološinov, 1973, p. 9),¹⁵ making it possible to produce meaning in observing the interaction among the three documents themselves and among the documents and discourses circulating in currents of discourse, some of which we are part of.

The justification for the selection is due to the importance of these documents for the field of *Libras*-Portuguese translation and interpretation. They constitute the only parameterized set of Tilsp's work currently in Brazil. We can, therefore, state that any other documents produced locally respond actively to this set of texts under analysis at this time.

2 Discourses on Competence in Translation and Interpretation: Voices of Neoliberalism

The discourse of competence has been gaining centrality in the field of translation and interpretation, mainly because it offers two biases. The first bias defines competence as "a set of work activities that the individual must be able to carry out when responsible for a certain function or job" (Rubega, 2004, p. 16).¹⁶ The second bias points to "a set of underlying knowledge and skills necessary to carry out a translation task" (Pacte, 2003, p. 47).¹⁷

These meanings have been disseminated, (re)produced, nurtured, and also fought against within the field of translation and interpretation. According to Campos and Leipnitz (2017, p. 1728), discussions about the "skills and competencies to be developed by future professionals in the field are gaining more and more space, as well as the way in which these competencies and skills are developed."¹⁸ The discourse of competence, associated with the idea of good professionalism, produces a sense of irrefutable truth by establishing points of contact with truths already circulating in other professional areas that point to the need to acquire knowledge to carry out certain activities.

¹⁵ For reference, see footnote 1.

¹⁶ In Portuguese: "um conjunto de atividades laborais que o indivíduo deverá ser capaz de realizar quando responsável por uma determinada função ou posto de trabalho."

¹⁷ In Portuguese: "um conjunto de conhecimentos e habilidades subjacentes necessários para realizar uma tarefa de tradução."

¹⁸ In Portuguese: "habilidades e competências a serem desenvolvidas por futuros profissionais da área vêm ganhando cada vez mais espaço, assim como a forma como essas competências e habilidades são desenvolvidas."

Vološinov (1973, p. 19)¹⁹ alerts us to the fact that “countless ideological threads running through all areas of social intercourse register effect in the word.” Thus, it is important to note that ideological threads weave a complex network of discursive practices, shifting meanings along the axes of space and time that can both hide certain intentions and maintain and reinforce certain discursive practices. In this sense, especially regarding the association of competence with the acquisition of capabilities, Sfredo and Silva (2016, p. 5) emphasize that this discourse promotes the “commodification of knowledge, since the idea is to empower subjects to become part of a flexible economy.”²⁰

Caetano (2019, p. 229) also highlights that the word competence “is one of the terms used in discourses referring to employability and professional careers, originating from the business field.”²¹ According to the author, the discourse of competence sees and constructs individuals as laborers that always need to be in the process of training to meet increasing new demands “for the production and commercialization of goods” (Caetano, 2019, p. 230).²² The author observes that the competence discourse appears as another tentacle of the neoliberal discourse and integrates a pernicious logic of maintaining inequalities.

Vološinov (1973, p. 113) observes that the “ruling class strives to impart a supra class, eternal character to the ideological sign, to extinguish or drive inward the struggle between social value judgments which occurs in it, to make the sign uniaccentual.” In this sense, the neoliberal discourse, when disguised as the discourse of competence, tries to hide the engine of competition present in the world of work. In other words, the measure of competitiveness occurs through the greater or lesser acquisition of skills and knowledge in a given area. This implies that the competence discourse moves towards the individual, attributing to them the responsibility for success as a consequence of good performance and acquisition of knowledge necessary for a satisfactory performance.

Caetano (2009, p. 234) argues that the competence discourse has as its motto “passing the burden of training and professional updating from institutions to the individual, where competence and the need for training keep on being the duties of

¹⁹ For reference, see footnote 1.

²⁰ In Portuguese: “mercadorização do conhecimento, uma vez que a ideia é capacitar os sujeitos para que se tornem parte de uma economia flexível.”

²¹ In Portuguese: “é um dos termos utilizados nos discursos referentes à empregabilidade e carreira profissional, oriundos do campo empresarial.”

²² In Portuguese: “de produção e comercialização de bens.”

workers.”²³ It is understood, therefore, that the discourse of competence individualizes training paths, erases collective private and public responsibilities, shifting to the individual the direction of the origin of the need for investments in training. Bendassolli (2001, p. 64) agrees with this thought, noting that such speeches are “alleviating the State from having to invest resources in this sense (who today would expect an initiative from the State to ameliorate one’s own profession? This, from different points of view, and under various justifications, is completely out of the question!).”²⁴

Lazzarato (2014) calls the economic context in which we live a neoliberal machine, because, composed of gears, this machine’s mode of operation is based on the constant incorporation and adaptation of ways of working within its space of economic production. Any modification that may occur in the economic process, for example, with the appearance of a new work activity, the machine immediately makes its detours and incorporates this activity into its machinery like a new gear.

Capitalism betrays a twofold cynicism: the “humanist” cynicism of assigning us individuality and pre-established roles (worker, consumer, unemployed, man/woman, artist, etc.) in which individuals are necessarily alienated; and the “dehumanizing” cynicism of including us in an assemblage that no longer distinguishes between human and non-human, subject and object, or words or things (Lazzarato, 2014, p. 17).

Tilsp does not seem to escape this individualization promoted by the competent discourse, this cynicism of capitalism. Somehow, the discourses of competence seem to move it further and further away from the idea of a mediator in promoting inclusion, constantly bringing it closer to the market economy and machinery.

3 Responding to Voices in Tension: From Hierarchical Competence to Specialized Competence

Medvedev (1978, p. 3)²⁵ states that “each specific ideological phenomenon” must be studied within its specific fields of circulation and production of meanings, in the space

²³ In Portuguese: “repassar o peso da formação e atualização profissional das instituições para o indivíduo, onde a competência e a necessidade de formação continuam sendo deveres dos trabalhadores.”

²⁴ In Portuguese: “alijando o Estado de ter de investir recursos nesse sentido (quem hoje esperaria do Estado uma iniciativa para incrementar a própria profissão? Isso, sob diversos pontos de vista, e sob diversas justificativas, está completamente fora de questão!).”

²⁵ BAKHTIN, Mikhail /MEDVEDEV, Pavel N. *The Formal Method in Literary Scholarship. A Critical Introduction to Sociological Poetics*. Baltimore/London: Johns Hopkins University Press, 1978 [1928].

and time in which it is concretely inserted, as the phenomenon “is always material and historical” (p. 4).²⁶ Vološinov (1973, p. 91)²⁷ expands this point of view through the concept of “behavioral ideology,” understood as “that atmosphere of unsystematized and unfixed inner and outer speech which endows our every instance of behavior and action and our every ‘conscious’ state with meaning.” Considering that “the established ideological systems of social ethics, science, art, and religion are crystallizations of behavioral ideology,” the observation of voices that intersect in the term competence can give us clues not only about some possible meanings of the term in circulation, but also about the scope of action of the documents, constitutive of the established ideological systems. Vološinov (1973, p. 91)²⁸ still goes further, pointing out that ideological systems fed by this behavioral ideology “exert a powerful influence back upon behavioral ideology, normally setting its tone.”

Competence in Decreto Federal no. 5626

With this in mind, we begin our reflections with items I and II of Article 19 of *Decreto Federal* no. 5,626 (Brazil, 2005) which deals, among other matters, with the qualification of Tilsp. The decree establishes as Tilsp’s operating space primary, secondary, and higher education institutions, depending on its own training. There is, therefore, reference to competence, associated with the fluency of Tilsp as a measure of quality of these professionals’ interpretation. According to the clauses, a qualified professional to interpret Libras-Portuguese and Portuguese-Libras is a

I – hearing professional, with higher education, with competence and fluency in Libras to interpret both languages, simultaneously and consecutively, and with approval in a proficiency exam, promoted by the Ministry of Education, to work in secondary education institutions and higher education;

II – hearing professional, of secondary level, with competence and fluency in Libras to interpret both languages, simultaneously and consecutively, and with approval in a proficiency exam, promoted by the Ministry of Education, to work in elementary education (Brazil, 2005, our emphasis).²⁹

²⁶ For reference, see footnote 25.

²⁷ For reference, see footnote 1.

²⁸ For reference, see footnote 1.

²⁹ In Portuguese: “I - profissional ouvinte, de nível superior, com *competência* e fluência em Libras para realizar a interpretação das duas línguas, de maneira simultânea e consecutiva, e com aprovação em exame de proficiência, promovido pelo Ministério da Educação, para atuação em instituições de ensino médio e

It is understood that competence is inseparable from good translation and interpretive practice, as it is a mandatory requirement for becoming Tilsp. We know, according to Volóchinov (1973),³⁰ that every word has two levels of meaning, a lower level, corresponding to technical, static, and repeatable meanings and another higher level, only possible to be accessed in concrete situations in which these words gain authorship, orientation and become answerable. Bakhtin (1984, p. 183)³¹ corroborates this question about meaning, saying that “dialogic relationships are reducible neither to logical relationships nor to relationships oriented semantically toward their referential object, relationships *in and of themselves* devoid of any dialogic element.”

Through the term competence, voices intersect that construct meaning for the term beyond staticity. Firstly, we hear the voice of the author of the statement, made present by the decree itself that establishes competence associated with fluency as a determining skill “to interpret both languages, simultaneously and consecutively.” This voice places the Ministry of Education as one of the intended interlocutors to whom Tilsp will have to respond. This happens because the Ministry of Education put itself as responsible for certifying Tilsp’s quality in relation to translation competence. In other words, Tilsp is considered competent to carry out their activity if it is officially certified “with approval in a proficiency exam, promoted by the Ministry of Education.”

Freire (2001, p. 14) teaches us that “there is no education without educational policy that establishes priorities, goals, content, means and is infused with dreams and utopias” (p. 14).³² The decree apparently promotes a qualitative differentiation in competence of Tilsp regarding translation and interpretation in elementary education and secondary and higher education. This may entail voices that point to a certain devaluation of the elementary level of education, reflecting or refracting a possible lack of interest in serious public policies aimed at this educational level. In other words, the differentiated competence of Tilsp in relation to educational levels not only implies a certain devaluation of Tilsp’s own interpretation work with the possible and consequent salary

de educação superior; II - profissional ouvinte, de nível médio, com *competência* e fluência em Libras para realizar a interpretação das duas línguas, de maneira simultânea e consecutiva, e com aprovação em exame de proficiência, promovido pelo Ministério da Educação, para atuação no ensino fundamental (Brasil, 2005, grifos nossos).”

³⁰ For reference, see footnote 1.

³¹ For reference, see footnote 14.

³² In Portuguese: “não há educação sem política educativa que estabelece prioridades, metas, conteúdos, meios e se infunde de sonhos e utopias.”

differentiation, but also a decrease in the value of the fundamental education itself where Tilsp with lower degree of linguistic competence can act.

By dialoguing with the market through the voice that classifies and hierarchizes Tilsp's work, establishing two types of skills to carry out the activity of translation and interpretation in Libras, that is, one type of Tilsp certified "to work in secondary education institutions and higher education" and another certificate "to work in elementary education," the decree responds to demands of the job market in two ways. On the one hand, the establishment of different levels of competence measured by certification allows Tilsp to orient themselves towards possible jobs to be applied for. On the other hand, as certification informs the job market about the professional's competence, it determines possible differences in Tilsp's remuneration as a result of measuring their qualifications.

Medvedev (1978, p. 130)³³ reports that any genre "has a twofold orientation in reality." On the one hand, the genre is oriented towards "the listener and the perceiver, and toward the definite conditions of performance and perception" (p. 131), which allows us to consider that distinct genres circulate in distinct spheres of knowledge. On the other hand, genres are oriented "in life, from within one might say, by its thematic content. Every genre has its own orientation in life, with reference to its events, problems, etc." (p. 131). We may now understand that the different contexts in which genres circulate thematize the meanings produced, guaranteeing the plasticity of speech genres, allowing them to adapt and develop within the varied fields of human activity.

This means that, on establishing that the lower educated professionals may have the competence to work at fundamental level and the higher educated professionals may have the competence to work at the higher levels of education, we may hear a commonsense voice. That voice says that the genres that circulate in fundamental level of education at schools require less knowledge of languages compared to those at secondary and higher education levels. Considering that teaching spheres constitute distinct fields of educational activity in which different modes of knowledge production circulate, establishing a distinction of competence for Tilsp goes against what Bakhtin (1986, p. 61)³⁴ says, as

³³ For reference, see footnote 25.

³⁴ BAKHTIN, Mikhail. The Problem of Speech Genres. In: *Speech Genres & Other Late Essays*. Translated by Vern W. McGee and Edited by Caryl Emerson and Michael Holquist. Austin: University of Texas Press, 1986, pp. 60-102.

The wealth and diversity of speech genres are boundless because the various possibilities of human activity are inexhaustible, and because each sphere of activity contains an entire repertoire of speech genres that differentiate and grow as the particular sphere develops and becomes more complex.

In relation to the decree, we can now bring a brief conclusion about possible meanings that circulate in the term competence which construct the meaning of the term beyond staticity. The decree, through the term competence, dialogues, firstly, with Tilsp's demands regarding the regulation of their work, establishing different levels of competence associated with fluency so that Tilsp can guide their work. The decree also dialogues with official institutions when it hierarchizes competence according to Tilsp's educational level, at the same time that it dialogues with the Ministry of Education demanding two types of certifications for Tilsp depending on the educational level. The term competence interacts with the labor market, offering the possibility for this market to create different forms of remuneration for the two levels of Tilsp. Furthermore, the term also brings society by means of commonsense discourse that say that professionals working at elementary level of education may be less qualified than those working at other levels of education.

Competence in Lei Federal no. 12319/10

It is important to highlight that at the time of the regulation of the federal decree there was no specific higher education course aimed at educating Libras translators and interpreters, with the first course only being offered in 2008 by the Federal University of Santa Catarina (Oliveira; Stella, 2022). It was precisely in light of this that the exams on *Proficiência de Tradução e Interpretação de Libras e Língua Portuguesa* [Libras and Portuguese Language Translation and Interpretation Proficiency] (Prolibras) emerged, which lasted about ten years after the decree was sanctioned. Thus, Tilsp should individually seek ways to qualify, to acquire skills, as the State did not offer qualification spaces. Prolibras only measured interpretive skills, not offering a space for reflection and learning about doing.

Five years after the sanction of the federal decree, Lei Federal no. 12319/10 was promulgated, which began to arbitrate on the actions of Tilsp. The law recovers the term competence, but this time in the plural, as can be seen in Article 6:

Art. 6 The duties of the translator and interpreter, in the exercise of their competencies, are:

I - carry out communication between deaf and hearing, deaf and deaf, deaf and deaf-blind, deaf-blind and hearing, through *Libras* to the oral language and vice versa.³⁵

Bakhtin (1986, p. 88)³⁶ establishes three moments relating to the process of active and creative assimilation of other's discourses. Firstly, words (discourses) are neutral and serve all those who belong to the same linguistic community. From this point of view, the "neutral dictionary meanings of words of a language ensure their common features and guarantee that all speakers of a given language will understand one another." In a second moment, as an alien word "filled with echoes of the other's utterances," the word gains meanings beyond its lexicographic and stable meaning. Finally, in a third moment, the word, full of nuances of meaning as a result of the displacements it goes through with its use by others, becomes "my word, for, since I am dealing with it in a particular situation, with a particular speech plan, it is already imbued in my expression." According to Bakhtin (1986, p. 89),³⁷

[o]ur speech, that is, all our utterances (including creative works), is filled with others' words, varying degrees of otherness or varying degrees of "our-own-ness," varying degrees of awareness and detachment. These words of others carry with them their own expression, their own evaluative tone, which we assimilate, rework, and re-accentuate.

In federal law, the term competence, now "competencies," seems to promote an expansion of meanings to other horizons of professional inscription, in addition to the educational one. Depending on their own competencies and unlike the federal decree, the law opens up space for Tilsp to act in other fields of human activity. In other words, the law now governs Tilsp's activities throughout the labor market. It is undeniable that the

³⁵ In Portuguese: "Art. 6º São atribuições do tradutor e intérprete, no exercício de suas competências: I - efetuar comunicação entre surdos e ouvintes, surdos e surdos, surdos e surdos-cegos, surdos-cegos e ouvintes, por meio da Libras para a língua oral e vice-versa."

³⁶ For reference, see footnote 34.

³⁷ For reference, see footnote 34.

approval of the law was an important achievement for the Tilsp, as it is a nationwide legal document guaranteeing rights and duties. A document resulting from tense socio-political clashes, which sought, among various interests, to prevent people without specific education from acting as Tilsp, postulating the minimum elements for this action.

Thus, the text of the law seems to shift the meaning of the term competence through the plural and syntactic positioning together with the possessive. Thus, “their competencies” dialogue both with the job market and with Tilsp themselves, as we clearly perceive the contours that delimit the sphere of professional activity, that is, Tilsp are responsible for carrying out “communication between deaf and hearing, deaf and deaf, deaf and deaf-blind, deaf-blind and hearing, through Libras to the oral language and vice versa.” Furthermore, other interlocutors appear in the dialogue: deaf and deaf, in addition to hearing people.

We also consider it necessary to note that, while in the federal decree there is a distinction between the fundamental and higher levels for Tilsp’s performance, this differentiation does not appear in the law in question. The art. 4 of the federal law disregarded the determination of the decree, demanding education in:

- I - professional education courses recognized by the System that accredited them;
- II - university extension courses; and
- III - continuing education courses promoted by higher education institutions and institutions accredited by Education Departments.³⁸

In this way, we can hear another possible interlocutor, who refers to studies on translation and interpretation, a field of knowledge opened by the document (Araújo; Santos, 2022). The document allows professionals to enter schools at undergraduate and postgraduate levels with the aim of specializing in their profession, “professional education courses recognized by the System that accredited them;” “university extension courses;” “continuing education courses promoted by higher education institutions and institutions accredited by Education Departments.” We consider this movement extremely necessary, as it creates a field for the circulation of discourses about Tilsp’s work. According to Bakhtin (1986, p. 63),³⁹

³⁸ In Portuguese: “I - cursos de educação profissional reconhecidos pelo Sistema que os credenciou; II - cursos de extensão universitária; e III - cursos de formação continuada promovidos por instituições de ensino superior e instituições credenciadas por Secretarias de Educação.”

³⁹ For reference, see footnote 34.

A clear idea of the nature of the utterance in general and of the peculiarities of the various types of utterances (primary and secondary), that is, of various speech genres, is necessary, we think, for research in any special area. To ignore the nature of the utterance or to fail to consider the peculiarities of generic subcategories of speech in any area of linguistic study leads to perfunctoriness and excessive abstractness, distorts the historicity of the research, and weakens the link between language and life.

To close this section, it is worth remembering that in 2015 *Lei Federal* (Federal Law) No. 13146⁴⁰ was sanctioned, establishing the *Lei Brasileira da Pessoa com Deficiência* [Brazilian Law for Persons with Disabilities], also known as the *Lei da Inclusão* [Inclusion Law]. In art. 28, Tilsp's profile for action in the educational sphere, recovers the meaning arising from the federal decree, once again establishing a split between Tilsp who can work in basic education and at higher education:

I - *Libras* translators and interpreters working in basic education must, at a minimum, have completed secondary education and have a certificate of proficiency in *Libras*;

II - *Libras* translators and interpreters, when directed to the task of interpreting in the classrooms of undergraduate and postgraduate courses, must have a higher education degree, with qualifications, primarily, in Translation and Interpretation in *Libras*.

Despite the absence of the term 'competence,' the text of the *Lei da Inclusão* resumes the division and notion of Tilsp's performance competencies for work in basic education and in "undergraduate and postgraduate courses." If, on the one hand, there is a requirement for undergraduate level education to translate and interpret at higher education levels, the permission to work at the basic level with only secondary level education dialogues with the voices of common sense which, as in the federal decree, understand that fundamental levels of education do not require specialized professionals.

Competence in the Código de conduta e ética da Febrapils

Four years after the sanction of *Lei Federal* no. 12319/10, the *Código de conduta e ética da Febrapils* (CCE) was published in 2014. According to Santiago (2021), this

⁴⁰ Available at: <https://www2.camara.leg.br/legin/fed/lei/2015/lei-13146-6-julho-2015-781174-norma-actualizada-pl.pdf>. Access on November 1st, 2023.

document is an update of a first text produced in 2011, which was based on the code published by the *Associação dos profissionais tradutores e intérpretes de língua de sinais brasileira no estado do Rio de Janeiro* [Association of Professional Translators and Interpreters of Brazilian Sign Language in the State of Rio de Janeiro] - APILRJ. In 2014, the text approved and published in an assembly “with the participation of deaf and hearing people” (SANTIAGO, 2021, p. 158).⁴¹ When dealing with the defining principles for professional performance, Article 5, in its section II, and Article 8, establish that:

Art. 5th. The FEBRAPILS CCE has the following defining principles for the professional conduct of TILS⁴² and GI:⁴³

I. Confidentiality.

II. Translation Competence.

III. Respect for those involved in the profession.

IV. Commitment to professional development.

Art. 8 - TILS and GI must accept services according to their level of translation competence and the circumstances and needs of Requesters and Beneficiaries.⁴⁴

When dealing with the relationship between locutor and interlocutor in speech communion, Bakhtin (1986, p 68)⁴⁵ establishes the important role of the interlocutor as an active respondent, as their participation in this communion begins even before actually responding, that is, it begins with the understanding. When the locutor speaks, the interlocutor immediately, “perceives and understands the meaning (the language meaning) of speech, he simultaneously takes an active, responsive attitude toward it. He either agreed or disagrees with it (completely or partially), augments it, applies it, prepares for its execution and so on.” The locutor has a real or imagined audience in mind when preparing for the speech communion process. Therefore, words are oriented to the

⁴¹ In Portuguese: “com participação de pessoas surdas e ouvintes.”

⁴² *Tradutor e Intérprete de Língua de Sinais* [Sign Language Translator and Interpreter] (TILS). This is another nomenclature (Tils) used by some authors to refer to those professionals. However, we do not use it in our text, as we follow the position of Albres (2015) by adding the letter P (referring to Portuguese) in the constitution of the nomenclature, that is, Tilsp, highlighting the importance of the role/ place of Portuguese in the work of this professional.

⁴³ GI stands for *guia-intérprete* [Guide-Interpreter], that is an specification for interpreters who accompany deaf-blind people.

⁴⁴ In Portuguese: “Art. 5th. The FEBRAPILS CCE has the following defining principles for the professional conduct of TILS and GI: I. Confidentiality. II. Translation Competence. III. Respect for those involved in the profession. IV. Commitment to professional development. Art. 8 - TILS and GI must accept services according to their level of translation competence and the circumstances and needs of Requesters and Beneficiaries.”

⁴⁵ For reference, see footnote 34.

interlocutor, because “he does not expect passive understanding that, so to speak, only duplicates his own idea in someone else’s mind. Rather, he expects response, agreement, sympathy, objection, execution, and so forth” (p. 69). The CEE Febrapils actively responds to the decree and laws, when it brings about two terms used in previous documents: “level” and “competence.” As occurs in every process of understanding and active responsiveness, the terms are creatively assimilated and point both to the meanings already constructed in the federal decree and federal law and to other interlocutors present in the time and space of the CEE’s production, for example, the GI.

This leads us to reflections on the production of meaning, through three aspects that constitute pillars on which textual construction is supported: the use of a common, neutral language with mutual understanding; the discursively constituted object of meaning and the expressive intonation of the speaker towards the intended audience. The first pillar is the guarantee of simple mutual understanding of what is said or written through the speaker’s appropriation of the formal aspects of language (*langue*), that is, the use of the formal linguistic system guarantees that the text is constituted “within an abstractly unitary national language” (Bakhtin, 1981, p. 288).⁴⁶

The second pillar is constituted by the discursively constituted object of speech, which implies that this object “has already been articulated, disputed, elucidated, and evaluated in various ways. Various viewpoints, world views, and trends cross, converge, and diverge in it” (Bakhtin, 1986, p. 93).⁴⁷ When appropriating an object of speech, the locutor begins to respond to other interlocutors, located in other times and spaces, who have already dealt with that same object of meaning.

The third pillar can be understood as the insertion of the intended interlocutor into the locutor’s utterance through the intonation given to the text, that is, the speaker calls the interlocutor to his text aiming for a possible response. When dealing with the relationship between speaker and interlocutor in the process of interpreting a text, Bakhtin (1981, p. 281)⁴⁸ states that speakers expect their interlocutors to understand and respond to what it is being said through the insertion of the text “in the consciousness of the

⁴⁶ BAKHTIN, Mikhail M. Discourse in the Novel. In: *The Dialogic Imagination: Four Essays*. Translated by Caryl Emerson and Michael Holquist. Austin: University of Texas Press, 1981. pp. 259-422

⁴⁷ For reference, see footnote 34.

⁴⁸ For reference, see footnote 45.

listener, as his apperceptive background, pregnant with responses and objections.” According to Bakhtin (1981, p. 282),⁴⁹

[a]n active understanding, one that assimilates the word under consideration into a new conceptual system, that of the one striving to understand, establishes a series of complex interrelationships, consonances and dissonances with the word and enriches it with new elements. It is precisely such an understanding that the speaker counts on. Therefore his orientation toward the listener is an orientation toward a specific conceptual horizon, toward the specific world of the listener, it introduces totally new elements into his discourse

In Article 5 of the CEE, “Translation Competence” seems to limit competence only to the field of Translation, excluding Interpretation. Furthermore, it places competence as an intrinsic element of Tilsp’s “professional conduct,” alongside other human principles, such as “confidentiality,” “commitment,” and “respect.” Furthermore, when informing that Tilsp can accept work according to their “level of translation competence,” the CEE returns to meanings related to levels of aptitude for translation: basic level, on the one hand, and higher, on the other, depending on the education of each Tilsp.

Although the temporal shift involving previous documents and the CEE also shifts meanings, the CEE text clearly dialogues with the semantic field in which the term competence is included in the federal decree and law. The decree establishes that competence occurs according to the Tilsp’s formal education, while the law constructs and delimits the field of competence within which the Tilsp’s translation and interpretation activity takes place. When using the term competence, the CEE is accompanied by traces of previously constructed meanings, in direct and responsive dialogue with the two documents. In addition to the issue of levels, there is also mention of “Requesters and Beneficiaries,” which moves the meaning of Tilsp activity to an apparently altruistic basis, hiding a possible business relationship that may be established in economic terms.

In other words, the CEE establishes as interlocutors Tilsp themselves, who “must accept services in accordance with their level of translation competence.” On using the modal “must,” the document puts the burden of the acceptance of translations and interpretations on the Tilsp themselves, who may voluntarily or on a paid basis accept

⁴⁹ For reference, see footnote 45.

works from “Requesters and Beneficiaries.” This discursive movement in a way tries to avoid putting Tilsp’s activity in the scope of the job market, which may apparently be a good thing, as it tries to distant them from the neoliberal competition. On the other hand, it also provokes a kind of damage in the professional sense of the activity, as it tries to erase the relationship between clients and suppliers, which may weaken any possible labor revindication from those professionals.

Competence in Lei Federal no. 14704

Recently, on October 25, 2023, *Lei Federal* [Federal Law] No. 14704 was promulgated, which amended Federal Law No. 12319/10. The Sole Paragraph of art. 4 is our the subject of analysis. It says that:

The responsibilities of the translator and interpreter, in the exercise of their competencies, are in compliance with the provisions of the *caput* of this article:

I - mediate communication between deaf and hearing people through *Libras* into oral language and vice versa;

II - mediate communication between deaf and deaf people through *Libras* to another sign language and vice versa;

III - translate written, oral, or signaled texts from Portuguese to *Libras* and other sign languages and vice versa (Brazil, 2023).⁵⁰

The word “competencies” in the paragraph assumes the contour of a locus from where the “responsibilities of the translator and interpreter” seem to emanate, that is, “competencies” can be understood as a kind of responsibility management region. These are specifically skills that allow “intermediating communication,” “translating written, oral or signed texts.” There seems to be a shift in meaning that delimits, specifies, and at the same time expands Tilsp’s work, “translating written, oral or signed texts from the Portuguese language to Libras and other sign languages and vice versa.”

We understand, therefore, that the meanings of competence shift towards specialization. These displacements, necessary for the construction of Tilsp’s professional path, point to two interlocutors present in the process. The first of these refers

⁵⁰ São atribuições do tradutor e intérprete, no exercício de suas competências, observado o disposto no caput deste artigo: I - intermediar a comunicação entre surdos e ouvintes por meio da Libras para a língua oral e vice-versa; II - intermediar a comunicação entre surdos e surdos por meio da Libras para outra língua de sinais e vice-versa; III - traduzir textos escritos, orais ou sinalizados da Língua Portuguesa para a Libras e outras línguas de sinais e vice-versa (Brasil, 2023).

to Tilsp themselves and the demands that the category requires in the construction of their professionalization space. A recent area of assessment that dialogues, through the discourse of competence, with the experience of contact with deaf people; with education and the specificity of areas of knowledge; and with translation studies arising from oral languages.

The other interlocutor seems to be specialization of the area, related with the world of work and, therefore, with neoliberalism. In other words, the laws and decrees seem to place Tilsp, by means of the meanings arising from competence, on paths that lead towards the neoliberal world through the process of specialization and individualization of work. This operationalization may imply the construction of a liberal and autonomous professional, integrating Tilsp into the job market through the attribution of responsibility for self-training, guaranteeing the individual success or failure in this economic context. Furthermore, it can also, as a consequence of individualization and specialization, disarticulate class sentiment in favor of individual work relations, which could in the near future, be detrimental to the construction of public policies related to translation and interpretation work in situations in which the market may not be interested in, for example, volunteering.

Final Considerations

We have established as the main objective of this article to reflect on the meanings circulating in the term competence present in the official documents that regulate Tilsp's actions. We understand that the texts analyzed are populated by voices inscribed in a constant flow of dialogue. Regarding the term competence, in and from it the voices of Tilsp are mobilized and articulated, who are called to interact "with the many other voices of society" (Pires; Tamanini-Adames, 2010, p. 68),⁵¹ where they are inserted. These other voices were perceived as coming from the deaf community, voices from the State and the voices of neoliberalism, establishing links directly with formal education, with Tilsp's field of activity and with the job market.

The word competence moves longitudinally in the observed documents, carrying traces of previous meanings, reinforcing them; at the same time that it promotes openness

⁵¹ In Portuguese: "com as outras tantas vozes da sociedade."

to the establishment of new updated meanings, “in a pendulum movement between the singular and the universal, the individual and the collective” (Brait, 2019, p. 255).⁵² The meanings produced point to a type of hierarchy of Tilsp, distinguishing them between those whose qualifications allow them to work only in basic education and those, with undergraduate degree, therefore able to work in higher education. We understand that this distinction can lead to a disarticulation of the category, regardless of the field of activity. This could also have negative consequences in the construction of Tilsp’s work space in relation to better working conditions, more dignified salaries, in addition to devaluing the work of those who work in basic education, reflecting common sense discourses that lead to the dismantling of basic, public and quality education.

Furthermore, the term competence also points to the meanings arising from work relations present in the neoliberal world. On the one hand, there seems to be a tendency to favor individual specialization, characteristic of neoliberal movements towards the individualization of work relations. At the same time, there also seems to be an erasure of work relationships, through terms and expressions that place Tilsp work as volunteer work, in an attempt to distant such an activity from relationships constituted in any professional activity.

The chosen path of observation demonstrates a constant movement towards reducing the responsibility of public and private institutions in the education of Tilsp, while transferring to them the responsibility for their own survival in the economic sphere. This article puts this situation in focus and proposes to problematize Tilsp’s field of action from a perspective other than that of competence. This is done as a result of the possible meanings constructed in the dialogical relationships established between the various interlocutors foreseen by the documents. We highlight, however, that this work does not aim to solve the problem but seeks to problematize language issues “so that alternatives for such contexts of language use can be envisioned” (Moita Lopes, 2006, p. 20).⁵³

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⁵² In Portuguese: “num movimento pendular entre o singular e o universal, o individual e o coletivo.”

⁵³ In Portuguese: “de modo que alternativas para tais contextos de usos da linguagem possam ser vislumbrados.”

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We state that the authors had access to the research corpus, actively participated in the discussions of results, reviewed, and approved the preparation of the final version of the article.

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The contents underlying the research text are included in the manuscript.

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