

Ethical aspects of running a translation agency

For any profession, ethics is an important aspect that is always considered. This is because ethics is used to create principles of various fields and focuses on having ways to show what good or bad conduct is. As such, translation as a profession also has its principles to protect the legitimacy of the profession and has various ways to handle various things. Aspects such as informed consent have cropped up, and more and more issues affecting this profession have led to different ethical discussions on how to manage translation and translators (Chris, 2006). Factors such as pay, quality of the translator and needs of the client have been taken into account, and this has helped make the profession grow considerably (Steiner, 1998). However, many issues still affect the legitimacy of this profession due to the weak nature of its growth as an industry. This is because of the laws and guidelines guiding translators worldwide have poor structure, implementation, and management and thus lack to protect the ethical aspects of translation efficiently. On this premise, this essay discusses the translation and informed consent, code of conduct as well

as ethical issues affecting the translators.

Informed consent is a major aspect in the field of translation, among other professions like medicine. Indeed, the major definition used for informed consent is that it is an agreement a patient and doctor sign to participate in an experiment which may have fatal results that the patient is made fully aware of beforehand. This is not to be mistaken with simple consent, which is an agreement where a patient agrees to undergo a procedure or treatment program. In translation, the informed consent involves protecting the information of the documents between the translator and the client. These documents usually carry important and private information, including the risks that will be faced in the procedures, the purpose of the study, the compensation and the consent of the client. As such, there are different ways these documents should be treated, meaning there are different ways that ICFs are translated depending on the factors involved. These factors focus on the linguistic, functional and cultural components of the source and target texts

(Mukhtarov, de Jong, and Pierce, 2017).

When translating the consent forms, the translator focuses on the language equivalence first, which is the matching of the target language words with the source text. This is usually the part of the translation process where most of the transition from one language to another happens. The translator usually has to watch how the transition is interpreted since some words usually have different meanings when interpreted. After this, the functional equivalence is then looked into. This process is where the translator begins to research on the meaning conveyed by the source text and how the target language should be structured to convey meaning properly. The third factor, cultural equivalence, focuses on how the society receiving the translation will interpret it based on their customs and beliefs (Drugan, and Tipton, 2017).

When interpreting for such people with ICFs, the translator has to consider a lot of who these people are. Some of the clients usually have poor education, meaning that they may have problems understanding different translations. As such,

the translator needs to know the target audience that is being translated for. This affects the consent aspect of the document, which in turn may cause other problems for the translator. If the patient is ignorant about the risks of the procedures, the legality of the ICF may be void, and certain legal actions may have to be carried out (Purtilo and Doherty, 2016). Therefore, the register of the translation should consider the cognitive ability of the receiver of the translation. Sometimes this translation process requires another translator to translate it back into the source text to assess the validity of the translation. This is regarded as a back translation and is mostly used by internal review boards (IRBs) which create guidelines for translation. These boards usually make the translation process have a standard way of operations and ensure that the practice of translation has improved in quality.

The International Federation of Translators (IFT) is an association that focuses on the codes of conduct of online social media translators. It is an international group with more than 50 member states from all over the world. This platform has enabled people to discuss more aspects of the translation field in ethical matters and the professional view of translation field. These platforms for translators are joined by many other types of professions from universities and other fields which require translation services in their day to day business (Flanagan, 2016). By creating a way for translators and other professionals to discuss what the translation field needs, the various translation networks have created ways to uphold their professionalism.

The codes of conduct created are usually very similar despite the many languages involved when translating. However, most of the codes are not on every network, with some huge differences in some of these similar ones. The different translation associations all have different stipulations that sometimes differ on a huge scale among their codes of conduct. One of the aspects that are largely in question is the accuracy of the translator. Many of the different codes of conduct do not have a uniform description of what this stipulation means, with many only lightly describing how the accuracy should be upheld correctly. For example, one issue is the accuracy of the source text. Some still have an issue with whether the validity of the original text should be reviewed, or if the translator should translate it just as is. Some of the codes of conduct, like the Irish and Australian one, have this stipulation of direct translation with no change of the source text. This move may cause some of the translators to relay wrong information to the target language readers who will be receiving false information. Some of the codes of conduct usually provide for the customer to be notified of the error, while some give the translator leeway to express the communicative situation of the source text as the target readers should understand it. This code should be worked on to ensure the accuracy of all translators is uniform all over the translation field (Kafi, Khoshsaligheh, and Hashemi, 2017).

Another code that has great variation is the working languages aspect. Many translators usually speak two languages; the mother tongue, and the learned language. As such, most translation

associations have highly restricted this code, with most only allowing the translator to translate to a language he has been certified of (Jamali, Karam, Yin, and Soundararajan, 2017). However, the Irish Association has a stipulation that provides for a translator to translate to another language as long as the client is informed and agrees. This could cause the quality of the target language to be poor if the translator is not good enough. Another aspect is the language pool allowed for translators to work in. Some codes do not allow certain languages to be translated into or from. This means that some associations cannot be used to translate certain languages. These differences can cause the quality and professionalism to be called into question. For example, a client receiving a substandard job due to the translator's poor translation skills makes the association's quality decrease, which is not considered professional.

As the internet has grown, the translation services outreach has spread, and it has been affected by immoral and illegal services that are online. The issue of cyber-crime is getting bigger and bigger, and it has also been found in translation services. Many translator associations forbid translators from taking jobs that they believe have an illegal or immoral motive. The Austin Area and the Guatemalan association advise the translators to stop working on an assignment that has illegal content. They also stipulate that jobs that may affect the public interest, a third party, or the translation profession are among those they are forbidden to work on. The Quebec Association does not forbid its members from doing this job but allows

them to cancel a contract if the client wants them to perform an illegal task. The Guatemalan code of conduct also states that the translators should not ask the clients what their motive is. Despite all this restrictions, few of the codes of conduct inform authorities of these illegal activities (Naderi, and Farahzad, 2016). Many of the associations give their translators the power to decide whether an article is being used for illegal or immoral deeds, meaning they have the power of a security official in such a matter. As much as the confidentiality of translation is important, the state of security may be jeopardized if an aspect such as this is not regulated. Translators should be trained on how to detect potentially harmful messages that are illegal, and the steps of handling this information should include the authorities. By doing so, the profession will be safeguarded from cybercrime, and there will be measures set in place to control the information passing through translator's hands. Also, the composition of these rules in the codes of conduct should be reviewed, since some of the laws protecting security seem to only protect the translator rather than the security of the transaction. Illegal messages can be passed since the laws conflict each other, with one stating that illegal translations are not permitted and another saying the translator should decide which assignment is illegal and which is not.

As in any business, the translators are the highest number of employees in translation agencies. They are the major labour force and are also affected by ethical issues that affect other fields. One major ethics issue that has always been discussed all over the business world is pay. There

have been instances where translators are not paid, while some are paid poorly (Jenner and Jenner, 2010). Most of the associations have controlled this aspect, with minimum wages being set for translation agencies that are registered with them (Biel and Sosoni, 2017). This means that each association acts as a national representative of this workforce, with some of these minimum rates being regulated by the governments of the resident states of these associations. They also incorporate the international labour standards to streamline services. The concept of reconciliation is also another factor, with associations having different ways of resolving them. The American Association usually addresses the issue of unpaid translation assignments and provides other ways to resolve conflicts between the translator and the client. Some codes offer discounts for poorly done jobs, forcing the quality of the translators to be upheld. Most of these associations act as the arbitrators of these disputes and oversee that the code of conduct is maintained.

Another aspect of the labour force that should be considered is the quality of the work output. (Proksch, 2016). Different issues arise when this issue is looked into. One of this has been the accuracy of the translation to meet the client's needs. A poor translation is usually determined by the person who was translated for since they are expected to have better knowledge of the target language. Other aspects that affect the quality is the issue of subcontracting, where a translator takes a job from a client's client. This is usually a problem when there is disagreement between the three parties, and the quality may be

affected by this. Many of the codes prohibit subcontracting for this reason. The associations that do not have this restriction have created ways to regulate subcontracting by prohibiting the use of information gained by the translator on the client's client to their advantage. They should not communicate with the client's client directly but should rather communicate with the client about the assignments problems. There is also the issue of professional development of translators. Many of the codes do not discuss how the translator can have their professionalism improved as they continue having experience in this field. Many translators find the improvement of translation skills should be paramount to their development, rather than the more known education continuance. The professionalism is also considered, with the behaviour of the translators in question. The ability is also focused on since a translator who keeps needing the client's help to make the work better is most likely not qualified to do the job. This type of translators may make the translation service providers have low ratings in the market, and may affect the translation company's image greatly.

Another issue is the technological aspect of the ethics. The cybercrime issue of translating illegal or immoral jobs has been discussed in the codes of conduct, but more needs to be done to safeguard the profession. The issue of having translators decide what is illegal and what is not should be discussed to ensure they are rightly trained to know what material had illegal content that may harm others (Jamali, Karam, Yin, and Soundararajan, 2017). Technology should be created to detect such activities to aid

the translators themselves, with advancements in technology in this field capable of incorporating it practically. Issues with the competence of the translators can also be controlled using technology. Many translators require certification to do translators jobs, and this process can be fastened by using technology to assess the competence of translators by adding aspects like ratings. The codes of conduct may be trying to solve the problems but need to pay more attention to the translation itself, rather than the translation service providers.

All in all, translation as a profession has some way to go when it comes to controlling the ethical aspects of the profession. Many of the codes of conduct that are created by the national translation associations have addressed important issues but have not handled them critically. The issue of informed consent shows how it is important to pay attention to the methodology of translating by focusing on the language, functional and cultural equivalence since it helps see the ethical issues affecting the major steps of translation processes. (Durban, 2010) Also, the codes of conduct created principles that fail to address the real translation processes and rather focus on the service providers. Very few of the guidelines are the same, and the failure to have equal laws means there is an uneven way of conducting translation services. They fail to address the problems of translator's head on, meaning the professional nature of the industry may be in jeopardy. If they plan on having a way to mend this, they should incorporate online forums and hold intense discussions on how to streamline the business for all. One good example is the TranslatorsCafe.com

network that is a practice-oriented forum where stakeholders of the translation profession including translators, service providers, and clients from universities and other professions. By focusing on the translator's needs also, the associations can find new ways to improve the translation field by creating better ethical guidelines that would standardize all translators and improve the profession.

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