Non-Maleficience: Professional Practice in Poland

Józef Bohdan Lewoc*, Marion Hersh**, Mike Fitzgibbon***.

* BPBIT Leader LLC, Wolbromska 12/4, 53-148 Wroclaw, Poland. (email: jblewoc@wroclaw.home.pl).

**University of Glasgow, Glasgow G12 8LT, Scotland. (email: m.hersh@elec.gla.ac.uk).

***The O’Rahilly Building, University College Cork, Western Road, Cork, Ireland (email: m.fitzgibbon@ucc.ie).

Abstract: This paper discusses professional practice with regards to the role of translators and interpreters in contemporary Poland. One of the significant changes currently taking place in Poland and many other countries is increasing integration with Europe and the world as a whole. Translators and interpreters have a very important role in this integration process. They are at the forefront of talks and discussion about integration and increasing interaction between Poland and the rest of the world, including in technology development and transfer. Ethical behaviour by both translators and the organisations that employ them, whether on a short or long term basis, is very important. Unfortunately, unethical behaviour by translation agencies, including non- and under payment, is not uncommon and has, for instance, led to translators blacklisting some of them. There are also codes of ethics for translators, for instance from the American Translators Association. However, further work is required in the area. In particular, there is a need for case studies to examine issues arising in practice and how best and most ethically they can be dealt with, as well as to learn from past mistakes and develop good practice for the future.

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1. INTRODUCTION

This paper discusses professional practice with regards to the role of translators and interpreters in contemporary Poland. One of the significant changes currently taking place in Poland and many other countries is increasing integration into Europe and the world as a whole. Translators and interpreters have a very important role in this integration process. They are at the forefront of talks and discussion about integration and increasing interaction between Poland and the rest of the world, including in technology development and transfer and are often irreplaceable components of the process.

Ethical behaviour by both translators and the organisations that employ them, whether on a short or long term basis, as agencies, clients or employers, is very important. Unfortunately, unethical behaviour by translation agencies, including non- and under payment, is not uncommon and has, for instance, led to translators blacklisting some of them e.g. http://translationethics.blogspot.co.uk/p/blog-page.html.

Codes of ethics have been developed for translators, for instance from the American Translators Association (https://www.atanet.org/governance/code_of_ethics_commen tary.pdf), but to the knowledge of the authors not for translation agencies.

However, further work is required in the area. In particular, there is a need for case studies to examine issues arising in practice and how best and most ethically they can be dealt with, as well as to learn from past mistakes and develop good practice for the future.

The paper makes the following contributions:

- A brief overview of the existing literature on translation and interpretation ethics.
- The presentation of case studies based on the real experiences of an engineering translator in Poland.
- Discussion and evaluation of the potential of ethical approaches based on non-maleficence (Clinfield, 2016; Hersh, 2015a).

2. BRIEF OVERVIEW OF THE EXISTING LITERATURE

There is a relatively small body of literature on ethical issues in the field of translation and interpretation and the overwhelming majority of it relates to translators and interpreters rather than for the organisations that employ, either directly or as subcontractors from agencies, or act as agencies for their services. Much of the literature is in the form of internet reports (Anon, 2016; Baker, 2013 Lorda, 2016). However, there are also books and journal papers e.g. (Jun, 2007; Tymochko, 2006, 2009) several in Chinese, including a survey of ethical issues in translation (Xianfeng, 2009) and an overview of the research on the ethical issues in translation (Dahzi, 2005).
The focus of professional ethics is often on doctors, lawyers or judges, but that ethical issues are equally important for translators and interpreters, who may face several ethical dilemmas during their careers (Lorda, 2016). Discussion of translation ethics has often on the duties or rights of translators (Chesterman, 1997). Both are important, with a need for both the ethical treatment of translators and translators themselves to behave ethically. Many of the ethical principles stated can be considered basic good practice and are equally relevant to engineers and other professionals. They include completing all work by the agreed deadline, not undertaking projects for which they are not properly qualified and certified, not overcharging and keeping client information confidential. However, as has been discussed in the literature on codes of ethics for professional societies (Jamal and Bowie, 1995), client confidentiality may itself raise ethical issues and potential conflicts of interests between duties to the public interest confidentiality to the client. This could include cases of, for instance, clients discharging toxic waste or engaging in tax fraud. The literature is less clear about appropriate action in such cases. Discussion of particular issues includes the ethics of translation by people who are not professional translators (Drugan, 2011) and the political context in which translation takes place and the associated power issues (Hermans, 2009). The latter shifts translation from the purely faithful reproduction of text or speech to consider the responsibility of the translator in a particular situation and how their work influences this situation. This translation is not apolitical and does not purely 'copies' of the original work or speech. A related approach is taken by Venuti (1998) who considers that translation is significantly affected by the culture and needs of the translator's society.

References to ethics for the translation agencies largely responsible for the working conditions of freelance translators and interpreters are sparse. The lack of other recourse has led to the drawing up of blacklists of agencies (Anon, 2015). While the use of black list is problematical, there could be great value in the provision of websites which allow translators and interpreters to provide scores and comments on the performance of different agencies under a number of different criteria. There is also a large body of literature on different theories and approaches to ethics, which are discussed in (Hersh, 2015a).

2.1 Non-maleficience and Collegiality

While there is value in considering a range of different approaches to obtain as full a picture as possible, there is also a need for simpler approaches which can be easily applied. The approach considered here is based on the following two principles:

1. Avoiding harm to colleagues
2. Treating everyone everywhere as a colleague.

The first principle is just a reformulation of the principle of non-maleficence, which is generally accompanied by the principles of beneficence, justice and autonomy (Hersh, 2015a). It is therefore fairly weak as an ethical statement and indicates a minimum rather than being aspirational and inspirational. However, as discussed in the examples in the following section, even this minimum is not always obeyed and can, in some circumstances, form a suitable basis for ethical action. The second principle implies avoiding othering, stereotyping and prejudice and recognising the humanity of others, however different they are from you. This considerably extends the first principle and is also an important ethical principle in its own right, as othering and stereotyping play an important role in many ethical problems (Hersh, 2013, 2015b). This second principle is also related to the ethics of care, which is about maintaining and developing relationships (Gilligan, 1982) and can usefully be explored using narrative ethics (Hersh, 2015b).

It also relates to a principle of loving or treating others as yourself, ascribed to various sages, but probably originating with Rabbi Hillel (first century BCE). He was asked if he could teach the Torah while standing on one leg and replied that you should not do anything hateful to you to your neighbour, the rest is commentary, go and learn it (Talmud, shabat 31a). Summarising and encapsulating ideas is important, but you need to be able to also have a deeper understanding and be able to put them in context.

3. CONTEXT

Poland was one of the COMECON (Council for Mutual Economic Assistance) countries between 1945 and 1989. During this period the industrialized countries of the West used embargoes to restrict access to many modern industrial products, including hardware, software and scientific and technical knowledge about computers. Consequently Poland had to develop its own new industrial products rather than importing them from the industrialized countries of the West. Paradoxically, this was probably beneficial to Poland, since it resulted in the development of independent Polish high tech and other industries, with a number of advantages for the country. In theory availability of state of the art technology from the west could have speeded up development of these industries in Poland. However, In practice, these developments would probably not have occurred if these technologies have been available from outside. Consequently, Poland ended up in a much stronger economic position than if it had been able to purchase and import computer and technologies.

The firm Elwro was established in Wroclaw in 1959 to manufacture the computers required by modern industry, since they could not be purchased from abroad. The concentration of computer production in Wroclaw and the fact that these computers were applied in industry (Zuber, 2008), rather than being used in theoretical studies, as in the other research centre in Poland (Marczyński 1990, private communication) soon resulted in Wroclaw becoming the capital of ICT development in Poland. In 1989 the existing socio-economic and political system broke down, leading to the introduction of more pluralistic government and a break up of COMECON. While certain freedoms, such as the freedom to travel abroad for those with
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