Chapter 27
Translation Industry Ethics

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1. Introduction

Ethics are of growing academic interest in Translation Studies, as is the case in many fields. However, few publications directly address industry ethics, and none yet with academia/industry collaboration. Ethics help us to look at what is good or bad, right or wrong, and to guide our choices accordingly. This may be based on normative theories of ethics, such as deontology, which follow a set of rules of ethical behaviour, consequentialism, looking for the best result for most people, or perhaps virtue ethics, aiming to embody a set of virtues that will help us to flourish as human beings, or for our company to be admirable and worthy. Applied ethics help us to consider how this might work within a specific field, such as computer and information ethics, data ethics, business ethics, or, more recently, translation ethics. Koskinen & Pokorn (2020, p.3) define the latter as "[t]he subfield that aims to understand what is good and bad, right and wrong in translatorial praxis". They consider this a particularly fruitful field for ethics, as "translatorial activities are by definition located in an intersection, in transit areas between entities, and they involve more than one language, culture, readership and interlocutor, they are ripe with bigger and smaller ethical dilemmas" (ibid., p.4).

This chapter begins by reviewing the historical arc of related work, as the purview of ethics in translation has broadened over time to take in translators, companies, institutions, and their relationships with the wider world. I discuss key issues and topics, then look at some emerging areas of interest. The translation industry is multifarious; a single chapter could not hope to cover it adequately. The focus in this chapter is to a great extent on business ethics and the increasing use of technology. This is particularly because the advent of generative artificial intelligence (Gen AI) based on large language models (LLMs) means that this is also written at a time of flux, as organisations scramble to add AI to their products and to broaden what they can offer commercially in order to secure their bottom line. During this chapter, I often refer to a company's stakeholders and its purpose. The following section explains these terms before we move on to some key issues.

2. Key concepts and definitions

This chapter draws from business ethics, the area of applied ethics dealing with ethical questions relating to the sale or exchange of goods and/or services, and the related concept of corporate-social responsibility (CSR), which for Carroll (1991) means abiding by the economic, legal, ethical, and philanthropic expectations of society at a given point in time. The concepts of stakeholders and company purpose are key for this chapter, and thus worth describing in detail.

Stakeholders: It is common for applications of business ethics to identify stakeholders. These can be "any group or individual who can affect or is affected by the achievement of the organisation's objectives" (Freeman, 2010, p.46). In Moorkens and Rocchi (2020), we identify stakeholders within a translation business, such as owners, project managers, and in-house translators, then externally, software developers, freelance translators, clients, end users, and society in general. Phillips (2003) extended stakeholder theory to include derivative stakeholders, who have an indirect connection in the organisation, such as people living in the area where business is conducted or journalists who report on an industry.

Company purpose: Many large companies and organisations will publish a statement of their mission, vision, or purpose, and language service companies are no different. Looking at the largest language service providers (LSPs) by turnover, according to Nimdzi (2024), we see examples from Transperfect[1] (their "vision is to be the world's premier provider of global language and business solutions") and RWS[2] ("Our purpose is unlocking global understanding"). These mission statements, according to Melé (2009), represent different ways of looking at the purpose of a company. So, for example, a company may take a shareholder approach, with the ultimate missions to satisfy shareholders' interests; it may take a stakeholder approach, acting to the benefit of the many different people, groups, and organisations that have an interest in the company's activities; or it might take a common good approach, aiming to make a positive impact on society as a whole. Historically, there has been little published about translation companies taking a common good approach, but there are sporadic attempts to build translation companies on ethical foundations, as discussed in Section 5.4.

3. Historical trajectory of the subject area

The first LSPs appeared in the 1990s, alongside – and facilitating – the growth of globalisation in a period of unprecedented international trade and connectivity (O'Hagan, 1996). At that time, Translation Studies was moving from a focus on text to research on translators: Chesterman (2000) and Pym (2012) addressed issues from the individual translator's perspective, concerning the text itself, cultural and (limited) interpersonal interaction, and trust. However, there was little mention of industry ethics. Chesterman (2009) noted the absence of ethics from Holmes' map of Translation Studies and pondered briefly on translation employers' ethics. Research on translators' job satisfaction (as reviewed by Ruokonen, Svahn and Heino, 2024) and agency necessarily began to draw attention to translation employers. The work of Abdallah (2010) built on the importance of trust and documented how translators struggle to maximise their agency (or decide not to) in the context of disparities of power.

Moorkens and Rocchi (2020, p.320) directly addressed ethics in the translation industry, using stakeholder theory (Freeman 2010) and the work of Melé (2009) to analyse the industry, concluding, on the

[1] https://www.transperfect.com/about/core-values
[2] https://www.rws.com/about/

whole, that translation industry production networks are "highly transactional" with little attention paid to business ethics. While it will be clear from this handbook that the industry is large and diverse, our conclusion regarding the major, publicly-funded companies that are most visible in the translation industry was that ethics and CSR were very much of secondary concern, and that translation was somewhat behind other industries in moving away from the pursuit of pure profit. We felt that the industry "needs to be sustained by the development of an ethical reflection which is specific to the multifaceted reality of this rapidly changing and global sector" (Moorkens and Rocchi, 2020, p.321).
While, largely, this appears to still be the case, it is not true of all parts of the industry.

4. Key issues and topics

4.1 Corporate-social responsibility and company mission

In other fields and domains, businesses have begun to take CSR and their effects on society more seriously. Carroll (1991) proposed a pyramid of CSR with four areas or responsibilities in descending order of importance (based on his previous empirical research with business leaders), wherein economic responsibilities are most important, although limited by legal responsibilities and the spirit of the law. Ethical responsibilities are subordinate to legal limits, subordinate to which are philanthropic responsibilities to society. Carroll (2016) later argued that ethics permeates all areas, as responsibilities should change according to the legitimate expectations of the contemporary society and business culture. We might argue that this hierarchy fits many LSPs, with economics and legal responsibilities taking the lead in mission statements, and ethics and philanthropy rarely mentioned (for example, RWS state that their services and technology help clients to "comply with regulatory requirements").

In light of growing consideration of sustainability more widely, Elkington, in his book Cannibals with Forks (1997) proposed a 'triple bottom line' of people, planet, and profit (each of equal importance), not just for a company's mission, but in how they evaluate their success or failure. When considering people, an organisation should consider all stakeholders associated with the company and not exploit them, but rather contribute to their wellbeing. For the planet, the company needs to measure its impact across the full life cycle of products and cause no ecological harm. Elkington's view of profit (1997, p.74), meanwhile, includes the economic sustainability of an organisation, expanding the remit beyond economic capital to human capital, comprising the "experience, skills, and other knowledge-based assets of the individuals who make up an organization", along with intellectual capital, social capital, and natural capital. This view of profit stretches to incorporate all of society. Elkington (2018) later argued that the revolutionary intent of the triple bottom line has been misunderstood, as companies balanced one bottom line against another, whereas he had hoped to foment genuine system change.

When a company sets its mission in accordance with the triple bottom line, or follows Melé's stakeholder or common good approach, this does not mean ignoring the interests of shareholders. Both Elkington and Melé argue that there could be a real business benefit in going beyond the focus purely on profit. It can create what Porter and Kramer (2011) call shared value, contributing to society in a way that all stakeholders and customers can feel a part of. It can also help to envisage a company as a community of

people working together for a shared mission rather than just a set of contracts to be respected. This is the vision that some in the translation industry have for their companies, as we see in Section 5.4. The argument made by Moorkens and Rocchi (2020, p.323) is that translation organisations are inherently ethical, because they allow people to "understand each other and to extend the use of goods and services to populations where these goods and services would not be able to circulate without a common language". By extending this to take Melé's (2019) virtue ethics approach, a translation company may make its purpose to achieve human excellence in a business organisation by, through its activities, contributing to the good of society.

4.2 Disparities of power

The reality is that few LSPs take a common good approach, nor really consider their relationship with translator workers to be one of partnership. Most translators work on a freelance basis, from contract to contract, many on a part-time or paraprofessional basis, with few opportunities for collective action (Moorkens, 2017; Pym et al., 2012). This arrangement gives translators autonomy, but little leverage with employers, whereas it saves employers statutory costs such as holiday or sick leave, training, and office costs such as light, heat, hardware, software, desks, seating, and office space (Campbell et al., 2004). In the introduction to the book *Translators' Agency*, Kinnunen and Koskinen (2010, p.6) write about the "intrinsic relation between agency and power". They note rather hopefully that, although one partner in a relationship may be subordinate, the fact that they share a relationship will give them some power over the other. Later in the book, Abdallah (2010) documents translator workers' feelings of powerlessness, and their acts to maximise their agency. However, as noted by Moorkens and Rocchi (2020), Lambert and Walker (2022), and others, the disparity of power between translators and their employers can make this difficult.

The extent of the disparity is likely to vary depending on the company purpose, as noted previously, and the organisation size, varying from sole traders, cooperatives, or small-to-medium enterprises to large LSPs and conglomerates. These two factors may be interlinked; for example, a publicly traded company's main fiduciary responsibility will usually be to reward shareholders. From a position of little power, freelance workers may struggle to control rates of pay or payment terms, or to advocate for fair conditions, for example regarding contracts or representation. Many large LSPs have moved to create their own digital platforms, often with limited capacity to communicate across production networks and with automated or semi-automated project management and job allocation (see Herbert et al., 2023). Based on a survey with platform workers, Fırat (2024) associates digital platforms with conditions that fail to conform to the International Labor Organisation's (ILO) Decent Work agenda, regarding fairness in employment opportunities, earnings, working time, work/life balance, job security, equal opportunities, social security, and workers' representation (see also Fırat et al., 2024). The Oxford University linked Fairwork project (2024) measure online translation and transcription services and found that only one of ten services evaluated achieved their minimum standards for pay, contracts, management, representation, and conditions. Based on a quantitative study of 45,000 translation workers on Upwork (and a somewhat problematic use of face recognition to infer demographics), Horan (2024, p.99) concluded that translation platforms "often

mirror, and sometimes even exacerbate existing social, economic, and demographic disparities". Amidst this rather grim outlook and projections about job displacement from AI (see Section 5), we have reason to worry about the sustainability of the translation industry. It's also worth considering the larger context of profitability struggles among many LSPs and the apparently fading value of 'traditional' human translation, although according to CSA Research (Lommel, DePalma and Bouhafs, 2024, p. 14), increasing implementation of automation in the form of "machine translation-based services" has not halted the downturn. However, Lambert and Walker (2022, p. 296) also find "encouraging signs of push-back from certain LSPs who are working to protect stakeholders' interests in the face of the growing price pressure", which will also be considered in Section 5.

4.3 Sustainability of employment

The translation industry is dependent on three resources in particular: people, energy, and data (Moorkens and Guerberof Arenas, 2024). The next three sections will consider these resources in order. In recent years there have been two main types of discourse around the sustainability of the translation profession (see Chapter 27 "Global sustainable development and well-being"). The first, from translators, relates to flatlining or decreasing payment rates (see do Carmo, 2020; Vieira, 2020), often alongside complaints of technologies imposed as an excuse to push rates further down, and limited agency. We referred to this in Moorkens and Lewis (2019), but there have been no concrete, empirical reports of numbers leaving the profession (or occupation – Katan (2009) suggests the latter as professions are usually protected). The second, from employers, relates to a 'talent crunch' (Bryant, 2021), shorthand for their inability to attract enough translators. According to translator organisations such as Audiovisual Translators Europe, this "brain drain" is down to "professionals quitting in search of better working conditions" (Deryagin, Pošta and Landes, 2021, p.11). Both parties agree that workers are leaving, but their solutions differ: better pay and conditions versus more and better new entrants. As Deryagin says in Bryant's (2021, np) article, with the numbers currently consuming translated media this should be "a golden moment. We have insane volumes of work". Instead, he reports "widespread stress and burnout as subtitle translators try to make ends meet" (Bryant 2021, np).

While the talent or conditions crunch affects many parts of the translation industry, Durban (2022) says that there is still a need for high quality translators at the premium end of the market. Durban, Jemielity (2018), and others have continually advocated for specialisation and direct client work as a route to success in translation. Rothwell et al. (2023) and others have highlighted the large and growing range of available roles relating to translation. In Moorkens (2020), I argued for sustainable work systems, drawing on work from Docherty et al., (2008), that looks for long-term, mutual benefits to all stakeholders rather than a short-term focus on profit. This requires a constant rebalancing of efforts, making sure to monitor the effects of changes in the work system on workers' job satisfaction and motivation. Proposals from translator associations and organisations have pushed back against short-sighted use of AI and advocated for the value added by translators. One example is the 'slow translation manifesto' from the Institute of Translation and Interpreting (ITI; 2024) in the UK. They highlight the risks of mistranslation and instead argue for slow

translation as a “human process thoughtfully carried out by people who care about words and meaning, and who value the time needed to research and understand the intricacies of the source text before translating it into the target language with precision, skill and artistry” (Institute of Translation and Interpreting, 2024, p. 1).

4.4 Environmental sustainability

The translation industry should also be concerned about environmental sustainability. Translation has a key role in the communication of material regarding sustainability (Todorova, 2022), but is also driver of globalisation and increased consumption (Cronin, 2017). Individual translators are required to use more and more technologies, often cloud-based, as part of what Doğru (2024) terms “technological inflation”. At the industry level, there are environmental costs in the manufacturing, use, and disposal of information and communications technology (ICT), in addition to the costs of training and inference for machine learning (these days synonymous with AI) for MT and LLMs.

According to an OpenAI blog post by Dario Amodei (at the time of writing, CEO of Anthropic AI) and Danny Hernandez (2018), the largest AI models increased in size by 300,000 times from 2012 to 2018. Strubell et al. (2019) estimated that graphic processing units for the largest transformer neural models emit the same amount of carbon dioxide as five cars would over a 20-year lifetime, although these figures were subsequently contested (for example, by Patterson et al. (2022, p.9), who call this a “faulty estimate”). The difficulty here is that calculating carbon output is not straightforward, as developers tend to use remote cloud-based clusters of ICT to train AI; the ratio of fossil fuels to renewables will differ based on location, energy provider, and timing; and the additional outputs for manufacturing and disposal across the life cycle are impossible to guess. Schwartz et al. (2020, p.59) argue that developers need to move on from a focus purely on performance to more holistic measures, producing “novel results while taking into account the computational cost, encouraging a reduction in resources spent”. Similarly, Patterson et al. (2022, p.10) argue that machine learning developers should “publish their energy consumption and carbon footprint, both in order to foster competition on more than just model quality and to ensure accurate accounting of their work”.

The proposal for a triple bottom line for translation technology in Moorkens et al. (2024) draws from Elkington’s original triple bottom line (see Section 4.1), and argues for measuring the effects of technology on people and the planet alongside performance, considering the effects on stakeholders, and both work system and environmental sustainability alongside evaluation of technology effectiveness and efficiency. As of yet, there is little evidence that this call has been taken up by the translation industry, where instead the focus of technological development has moved almost exclusively to LLMs, which require many times more energy than task-specific systems like MT, particularly for training (Luccioni et al., 2023). As we shall see in Section 5.1, translation companies are scrambling to offer AI-related services and these are usually outsourced via Big Tech providers. These providers may claim to be carbon neutral, but this is often on the basis of purchases of renewable energy certificates or RECs (that do not in fact lead to more renewable energy production) to offset fossil fuel origin energy, a process permitted through outdated greenhouse gas

accounting (Bjørn et al., 2022). According to Bloomberg, Amazon, the leading cloud services provider and a major provider for LLMs, "obscured" 8.5 million of a total 11.4 million tonnes of carbon emitted in 2022 via the use of RECs (Rathi and White, 2024). This makes it more difficult for a company aiming towards carbon neutrality as part of its mission or purpose. I will come back to LLMs in Section 5 but will first look at the growing need for (and risks related to) data.

4.5 Data, confidentiality, and privacy

Neural MT (NMT) relies on high-quality parallel translation data. Publicly available repositories are the basic building blocks of most systems, augmented with domain-specific, privately-owned translation data and/or data crawled from the web. This augmentation is particularly necessary for the many languages that are not well supported with publicly available resources (Rehm and Way, 2023), but introducing a high proportion of webcrawled data is likely to cause some problems. Shumailov et al. (2023, p. 755), for example, highlight quality issues ("model collapse") when machine learning systems are trained on their own output, what Moorkens (2023) called the "ouroboros effect". According to Thompson et al. (2023), a large amount of webcrawled bilingual data – and the majority for low-resource languages – has itself been machine translated, a problem particularly for webcrawled multidirectional translation. Additionally, researchers have reported gender and racial bias from NMT systems, linking this to bias and toxicity in webcrawled data (Ciora et al., 2021; Vanmassenhove, 2019). The challenges with webcrawled data are similar but scaled up for LLMs, and the use of copyrighted data has already led to legal action (e.g. *The New York Times Company vs Microsoft Corporation and OpenAI*, 2023). This adds some uncertainty for companies who use LLMs, in the unlikely event that services will have to be discontinued for legal reasons. Data scarcity means that an increasing proportion of language data will not be human created. Back-translated (by MT) data is often used to supplement NMT training data, and bespoke automatically-created synthetic data is now used to supplement LLM training data, effectively part-automating the production of automation services (Steinhoff, 2024).

Another data source for LLMs is user input. These are the prompts, supporting documents, sources pointed to as part of retrieval augmented generation, all saved and used as training data. Balloccu et al. (2024, p.2) believe that a huge amount of data from the web interface of GPT tools has been used for system training, and that "the data leaked by users is treated as an in-domain corpus (and thus given more influence than pretraining data)". There are thus risks of pollution from prioritised data, and this data is more likely to be reproduced as output. With targeted prompts, Nasr et al. (2023, p.8) were able to extract LLM training data that included personally identifying information, URLs, user IDs, and account details from major LLMs at rates that were "exceptionally high for these state-of-the-art models". Even the use of LLMs as part of internal tools may be risky: AI summarisation was found to allow communication from private channels in the Slack tool to be accessed from public channels (PromptArmor, 2024). This poses a security risk for companies, one that is perhaps given little consideration in the rush to deploy AI, as discussed in Section 5.

5. Emerging debates and future outlook

5.1 Deploying Gen AI/LLMs

Looking back to the largest LSPs discussed in Section 4.1, each of the top companies listed by Nimdzi (2024) has a dedicated landing page on their website about their use of AI, illustrated with a fitting stock image. Keywords Studios[3] believes "AI is a creative collaborator and performance enhancer that has the potential to transform the future of our industry", LanguageLine[4] will revolutionise operations "through advanced AI and GenAI technologies". FOMO – fear of missing out – abounds when it comes to AI, and no organisation wants to be seen to be left behind. In a blog post, Transperfect (2024; Nimdzi's top-ranked LSP) highlight the push to implement AI due to the level of AI hype: "[c]ompanies are pressured by leadership to implement AI solutions. But they may not know how to do it, or what it will mean for operations". A global survey of 10,000 desk workers by Slack's Workforce Lab (2024) reported that 96% of executives "feel an urgency to incorporate AI into business operations", whereas only 7% of workers "consider the outputs of AI completely trustworthy for work-related tasks". Many computer-aided translation/translation management system tools have integrated Gen AI in one way or another, such as with memoQ's integration of GPT for contextualised MT proposals, Trados Studio's AI plugins, or Lilt's option to fine-tune and customise standard LLMs (served via Amazon's Bedrock[5] platform) to generate content. At the time of writing, it is not yet clear what the most effective or profitable way to integrate LLMs into a business, a translation workflow, or a translation tool is, or even a clear indication that this whole effort is worthwhile. The suggestion from the previously mentioned CSA Research report is rather to expand into "compelling new services" in order to increase profit, as Gen AI drags the effective price of translation downwards (Lommel, DePalma and Bouhafs, 2024, p. 17).

The reported difference of opinion between workers and executives in the Slack Workforce Lab report suggests a misalignment between workers and management when it comes to working with Gen AI. So far, most of the material that advocates the use of AI in work focuses on productivity benefits (e.g. Dell'Acqua et al., 2023). Of worker respondents to the Slack (2024) survey, 81% of those who work with AI say that it improves their productivity, but workers who use AI also "show higher employee engagement and experience scores across the board, including 22% higher overall satisfaction". This suggests that it might be possible to satisfy the 'people' part of the triple bottom line while introducing Gen AI, although this will have to be done carefully. Cadwell et al. (2018, p.317) warn of the danger, when adding MT to translation workflows, of workers feeling that the technology "gets precedence and is inevitable, no matter how unfitting it might be for the task at hand". That danger must be more acute with Gen AI amidst a public discourse that is "so vociferous, so polarized, so ill-informed, so removed from empirical assessment that, in the space of public discourse, the technology has assumed messianic or demonic proportions" (Pym, 2024, p.2).

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[3] https://www.keywordsstudios.com/en/innovation/ai-technology/
[4] https://www.languageline.com/content-solutions/ai-translation
[5] https://aws.amazon.com/bedrock/

The chances of satisfying the 'planet' part of the triple bottom line while deploying Gen AI is probably slimmer. Section 4.4 details the growing levels of consumption and emission related to LLMs, although this is difficult to separate from our huge and growing reliance on cloud services. At the time of writing, big tech companies are buying up larger and larger proportions of new energy capacity, particularly in renewables. For example, Amazon's renewable energy capacity could power 7.2 million US homes annually.[6] Data centres' use of water for cooling and humidification is likely to become a serious issue in the context of UN predictions of global freshwater demand exceeding capacity by 40% by 2030 (Hemingway Jaynes, 2023). Hyperscale data centres (with power capacities of between 10 to 100 megawatts) are reported to use an average of 2.1 million litres of water daily and the largest data centres are approaching 1000-megawatt capacity (Zhang, 2024). Big tech companies are huge consumers of water globally, but are generally secretive about their management of water resources (Mytton, 2021).

5.2 New technologized business models and processes: digital platforms, algorithmic management

Gen AI can produce useful results for translation and quality evaluation, but has been found less useful for other steps in translation workflows (Sánchez-Gijón and Palenzuela-Badiola, 2023). However, companies have used other forms of AI, such as job recommendation or job allocation systems based on machine learning, often within the sorts of digital platforms discussed in Section 4.2. and in Chapter 17 "The platform economy". Metadata such as information on the job and domain type, translation quality scores, timeliness of the delivery, work volume, adherence to instructions, reliability, accuracy of layout and formatting, ratings of friendliness and communication skills, and project management feedback are often used to recommend or, in some cases, automatically choose a freelancer for a translation job. While this sort of metadata is available to platform managers, it is rarely accessible to translators (Fırat, 2021). Many of these attributes are used to compute, for example, Translated's T-Rank score based on over a million previous jobs (Cattelan, 2017), and although the system outperforms 54% of project managers and only *recommends* a course of action, project managers may tend to follow this recommendation rather than taking responsibility for ignoring it. In some companies, job allocation is wholly automated (Herbert *et al.*, 2023).

I argued against this, as the stakes for validity should be higher when a score is used as a basis for action (Moorkens, 2024), proposing that the need to reverse-engineer the algorithm, maximising scores in order to get more work, may become more important for a translator than to produce quality. Thus, algorithmic norms – repeatedly following the steps to satisfy the algorithm – may in time supersede translation norms – p roducing a translation that will satisfy the expectations of the end reader/user. More generally, books such as O'Neil's (2016) Weapons of Math Destruction demonstrate the potential for bias when using machine learning based on previous data for major decisions using concrete examples. These examples may have

[6] https://www.aboutamazon.com/news/sustainability/amazon-renewable-energy-portfolio-january-2024-update

been an inspiration for the European Union (EU) AI Act. We look at the effects of recent legislation on the uses of technology in the following section.

5.3 Recent legislation: GDPR and the AI Act

The General Data Protection Regulation (GDPR; European Parliament, 2018), enacted in May of 2018, restricts the use of personal data in, or passing through, the EU and European Economic Area (EEA). Because it covers transfer from the EU and EEA, and has influenced similar laws in many other jurisdictions, the effect of the GDPR was felt globally, and at this stage the translation industry has reacted to these changes, updating how sensitive personal and pseudonymised files and data are transferred. Anonymisation for MT training was already difficult to achieve, but now that LLMs have been found to leak training data (see Section 4.5), this has become a bigger issue. While there have been lawsuits taken against companies that train LLMs internationally, there is no clear resolution to training data anonymisation problems at the time of writing, with clear differences between jurisdictions. In the United States, Nvidia argues that the contributions of copyrighted books should be permitted as they are only "statistical correlations in the aggregate" (*Abdi Nazemian, et al. vs. NVIDIA Corporation*, 2024). In Japan, the government has said that training of copyrighted material is permitted, no matter the source (Kii, 2023).

The EU's AI act classifies uses of AI based on levels of risk – unacceptable, high, general-purpose, limited, or minimal – with exceptions for systems used only for military, national security, research, and non-professional purposes (European Parliament, 2024). The act requires copyright compliance, although as many publishers (including the publisher of this handbook) move to normalise relations with Gen AI developers through licencing, perhaps this will become less of an issue. Automated work allocation and performance management, which we know from Sections 4.2 and 5.2 takes place within the translation industry, is considered by the AI Act to be high-risk, thus requiring transparency and human oversight. If this was not already an ethical concern for companies active in the EU, it now becomes a matter of legal compliance.

5.4 Ethics as a business model

A small but growing selection of companies and organisations foreground ethics and the common good as part of their mission. If successful, these could improve the outlook for the translation industry by being powerful exemplars of ethical behaviour for others to follow. The challenge for these companies and organisations will be to balance financial sustainability with ethical behaviours. To publicly espouse these behaviours also leaves them open to challenge if they fall below their own standards. In this final section, we look at companies' externally validated ethical credentials, such as B Corp certification and Fairwork evaluation.

B Corp certification is administered by B Lab, a global non-profit with an explicit common good mission.[7] To become B Corp certified, a company must score over 80 points (from a possible total of 200) in

[7] https://www.bcorporation.net/en-us/

an impact assessment, making the scores publicly available, meet legal requirements for governance, and pay a fee (every three years) based on annual turnover. The impact areas for assessment are governance (company mission, practice, and transparency), workers (conditions and positive impacts), customers (adding value, providing critical services, and behaving ethically), environment, and community (philanthropy and positive impacts). A quick and inexhaustive search in September 2024 found 14 translation companies with B Corp certification. The hope is that these companies will set a positive example.

At present, the example is a little mixed. One UK-based company, AJT, was prominent in contributing to the national translation community, giving talks and seminars for the ITI, but announced their impending closure at the end of August 2024, citing "challenging economic conditions" that made it "increasingly difficult to run the company sustainably and profitably […] while also staying true to our core values and principles around fair pay".[8] Powerling, a B Corp headquartered in France, attracted controversy and official censure from VViN (the Netherlands Association of Interpreting and Translation Companies) when, after acquiring the Dutch LSP the WCS Group, they reportedly failed to honour outstanding invoices from freelancers.[9] This led some in the translation industry to join a wider debate, asking whether B Corp certification is a form of ethics-washing (Bennett, 2024) and criticising the low barrier to entry and reliance on self-reporting. In practice, certification scores for translation companies can differ a great deal, from a passing score of 80 to 119.7 (for TP Transcription in the UK), meaning that one certificate is not quite the same as another.

As mentioned in Sections 4.2 and 5.2, many translation companies are moving to digital platforms, but this does not necessitate unethical behaviours or a focus only on shareholders. Fairlingo, for example, are cloud-based and B Corp certified. Fairwork has evaluated translation and transcription platforms for minimum standards of fair work regarding pay, conditions, contracts, management, and representation since 2022. Companies such as Creative Words and Translated worked with Fairwork, updating their practices, contracts, and conditions in order to achieve a level of compliance, scoring 10 and 8 out of 10 respectively (Fairwork, 2024). Despite this, Fairwork conclude that the "translation sector still largely fails to provide workers with basic safety and decent working conditions" (Fairwork, 2024). Beyond certification, other companies and organisations are foregrounding ethics as part of their mission. The Association of Translation Companies (ATC) and the EU-ATC have incentivised this with awards for ethical translation businesses.

Another ethical business model that has a long history but appears to have become more popular in response to the platform economy is cooperatives. Fırat (2024) interviews members of 21 member-owned, democratically-run translation cooperatives. Workers chose cooperatives to maximise control and flexibility at work (63%) and to share in ownership and management (50%). Fırat (2024, p.281) highlights benefits such as health insurance, social security, paid leave, and voting rights, along with their "deep integration

[8] https://www.linkedin.com/feed/update/urn:li:activity:7234938005646458881/
[9] See https://slator.com/powerling-buys-wcs-group-out-of-bankruptcy/ and public apology at https://powerling.com/blog/press-statement

within local networks and commitment to community-driven initiatives". Cooperatives are not without their complications: there may be problems of scale, internal politics, and difficulties with decision-making, along with the gender disparities and regional economic challenges found by Fırat, but he concludes that the cooperative model's "supportive structures and equitable practices align closely with the ILO's and Fairwork's standards for adequate earnings and productive work, providing a viable path to improved job security and satisfaction for translators" (2024, p. 285).

6. Conclusion: Summary and implications

This chapter has covered translation industry ethics from the perspective of translation businesses and organisations, looking in particular at a company's mission or purpose and the effects of technology. I have considered whether the focus is on the best results for shareholders in the company, for stakeholders whose financial, personal, or group wellbeing is tied up with the fortunes of the company, or for society in general – the 'common good' approach to running a company. While the topic of ethics in the translation industry is under-researched, the few publications in this area and numerous translator surveys suggest that ethics are not a high priority for translation companies in general, reporting poor pay and conditions and disparities of power between employers and workers. In many of these surveys, technology has appeared to exacerbate these problems, often used as an excuse to cut rates and limit translators' autonomy. The concern, with the advent of Gen AI based on LLMs, is that a race to the bottom will gather speed.

However, some of the pre-existing problems of bias and of excessive automation without oversight may be limited with incoming legislation aiming to mitigate the more damaging effects of AI. Another promising development is the small but growing number of translation businesses with a 'common good' mission, foregrounding ethical behaviours, although there are sometimes legitimate doubts over their sincerity, how rigorously ethical certification is enforced, and, worryingly, how viable it is to maintain an ethical approach to business in today's industry climate. For these ethical organisations to grow and make a positive influence on translators and the translation industry, they will need to present a compelling business case while building trust among their stakeholders by acting according to their mission and ideals.

7. Further reading

Abdallah, K. (2010) 'Translators' agency in production networks', in T. Kinnunen and K. Koskinen (eds) Translators agency. Tampere: Tampere University Press, pp. 11–46.

As above, there has been little published about ethics in the translation industry, but the work of Abdallah has been pivotal in examining the translator perspective.

Moorkens, J. and Rocchi, M. (2020) 'Ethics in the translation industry', in K. Koskinen and N.K. Pokorn (eds) The Routledge Handbook of Translation and Ethics. Abingdon: Routledge, pp. 320–337.

In our contribution to the *Handbook of Translation and Ethics*, Marta Rocchi and I provide an overview of ethics in the translation industry.

Ruokonen, M., Svahn, E. and Heino, A. (2024) 'Translators' and interpreters' job satisfaction – a multi-faceted object of study with far-reaching implications', Translation Spaces, 13(1), pp. 1–6.

Ruokonen, Svahn, and Heino summarise many years of research and surveys of translators' agency and job satisfaction.

8. Related topics

Automation, machine translation, and post-editing

Business models

The platform economy

Professionalisation and status

Trust and risk

Translator ethics

9. References

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