

Report on the Situation of Literary Translators in Poland

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Abstract: The purpose of this paper is to present the study of the mechanisms that affect the status of a literary translator in Poland. Factors presented here are grouped into several major topics, which include: economic and social status, visibility, education, relationship with the market, copyright and cultural policies concerning literary translation. This report is based on: data collected from state institutions, the literature related to the topic, interviews conducted by the author with participants of the literary translation market (translators, publishers, publishing editors, academics, scientists involved in translation studies, representatives of associations representing literary translators, booksellers, etc.) and on the author's own analysis and observations. The article also presents the influence of the political and economic transitions in Poland after 1989 on the change in the status of a literary translator and the level of literary translation in general. The text ends with a SWOT analysis and a formulation of recommendations that could lead to a real change in the situation of literary translators in Poland.

Keywords: economic and social status of literary translators; literary translation; Poland; visibility; cultural policy; copyright

1. The legal and social aspect of the translator's work

Before discussing the situation in Poland, it is perhaps worth quoting a section from *The Translator's Charter* (*Translator's Charter* 2010) of the International Federation of Translators, which, in the chapter devoted to the economic and

social status of the translator, sets out the international standards towards which we ought to be striving in Poland and thus endeavoring to provide translators of literature with due status:

20. The translator must be assured of living conditions enabling him/her to carry out with efficiency and dignity the social task conferred on him/her.

21. The translator shall have a share in the success of his/her work and shall, in particular, be entitled to remuneration proportional to the commercial proceeds from the work he/she has translated.

22. It must be recognized that translation can also arise in the form of commissioned work and acquire as such rights to remuneration independent of commercial profits accruing from the work translated.

23. The translating profession, like other professions, shall enjoy in every country a protection equal to that afforded to other professions in that country, by collective agreements, standard contracts, etc.

24. Translators in every country shall enjoy the advantages granted to intellectual workers, and particularly of all social insurance schemes, such as old-age pensions, health insurance, unemployment benefits and family allowances. (*Translator's Charter*: 14)

The situation of the literary translator in Poland does not differ significantly from that prevailing in the majority of European countries, where “the earnings of recognized, professional translators of literature are to be found at or below the poverty threshold set for any given country” (Fock 2010: 45). The majority of Polish translators, for financial reasons, do their translating in the free time left over after they have performed the work duties of their primary occupation or they combine jobs at various institutions or companies (universities, publishing houses, the media, literary agencies, translating offices, etc.). This makes it difficult to define the occupation of translator and to collect statistical data, which, in any case, no Polish institution to date has been interested in doing. It is difficult to determine even the approximate number of so-called “professional translators” – according to the CEATL definition (Fock et al. 2007/2008: 6) – living only or mainly from literary translation in Poland (it is known only that there are relatively few of them), nor is it known how many so-called “active translators” (Fock et al. 2007/2008: 6) there are, in other words, those who translate regularly (with at least one publication every two or three years). There is a lack of GUS (Central Statistical Office) statistics or data. It is also impossible to determine the total number of literary translators in Poland on the basis of, for instance, membership of professional organizations, since the majority of translators are unaffiliated. Only a small group of translators belong to any of the organizations currently

in existence, namely the Association of Polish Translators and Interpreters, the Polish PEN Club, the Union of Polish Writers, as well as the recently established Polish Literary Translators' Association.

1.1. Definition of the profession of literary translator

By the notion of literary translator we mean, in this study, **a translator of works of literature**. Under literature we consider all the universally recognized literary genres, meaning novels, short stories, novellas, fairy tales, dramas, poetry, satire, epigrams, fables, aphorisms, literary sketches and so on, as well as anthologies in which several genres appear. The extremely abridged definition given above causes most problems in practice with respect to translations of works that are on the border between journalism, literary non-fiction and literature, such as, for example, memoirs, reminiscences, and reportage, which are classified according to the principles of the Publisher Statistics Unit of the National Library either as literature or as literary non-fiction. Each case is separately examined.

1.2. Legal underpinning of the profession, level of required qualifications

In Polish legislation there is no act or article defining the conditions for and mode of acquiring or losing rights to work in the profession of literary translator, as is the case, for instance, with the profession of sworn translator. Therefore, in the Polish provisions, there are no legal or professional instruments defining the criteria that a translator of literature should fulfill. The only verifiers of professional abilities seem to be the publishing market, readers of translations, and occasionally reviewers.

The only document defining the level of required qualifications essential to performing the tasks and duties of a translator of texts (including literary translator), as well as professional objectives, is the "Classification of Occupations and Specializations for Labour Market Needs" introduced by the ordinance of the Minister of Labour and Social Policy on April 27th 2010 with later amendments (Republic of Poland: 2010). In this document the occupation **translator of texts** is mentioned and given the code 264315. Under the number of this code a broad description of the occupation follows, mentioning, among other things, that the translator of texts

"produces, for the needs of publishing houses, academic institutions, social organizations [...], the press, theaters, radio and television, as well as private persons, translations of texts representing particular genres of literature [...] placing particular emphasis on rendering all the substantive and technical contents of the translated materials in the spirit of the language into which he is translating" (Klasyfikacja zawodów... 2010: 76).

Most significant is the fact that the occupation of translator of texts is placed in the fourth, and highest, level of classification, which refers to the fifth level of education of the International Standard Classification of Education (ISCED), attained through higher professional studies, masters studies and postgraduate studies, as well as to the sixth ISCED level of education, attained through doctoral studies. This indicates the assumption that a translator of texts, including literary texts, has a high level of education and belongs to the group of highly-qualified specialists.

1.3. Social insurance status of author

In Poland, translators of literature were acknowledged as authors by the act on pension plans for authors and their families of 27 September 1973 and in connection with this they have been included under the legal protection associated with social, pension, taxation and other entitlements. These entitlements have lost much of their appeal over the years. Until 1991 the pension fund contribution payment within the framework of insurance for authors was lower than in the case of sole proprietorship. Today the status of literary translator allows persons not employed full time to pay pension fund contribution payments independently without needing to establish sole proprietorship.

Despite the fact that very few translators take advantage of this privilege, since the majority of them gain the right to a pension from their positions as full time employees in various industries of the economy, this minor easement should be acknowledged as a kind of distinction granted by legislators, taking into account the fact that the remaining non-literary translators, that is, scientific and technical, conference, sworn, and others, are not included in the pension plan by virtue of working in their occupation.

It should be emphasized that simply doing literary translations is not sufficient for coverage by the compulsory social insurance of this title. Recognition of the translator's activities as creative takes place in the form of a decision by the Commission for Authors' Pension Plan Affairs, acting under the appropriate minister for cultural affairs. Therefore, a person who is a literary translator, but does not have additional status conferred by decision of the aforementioned Commission, is not considered an author from the perspective of social insurance purposes.

1.4. Copyright protection

Copyright protection in Poland is regulated by the "Act of 4 February 1994 on copyright and related rights" along with subsequent amendments.

In accordance with the articles of the act, **authors who are considered translators of literature are entitled to author's moral rights (art. 16).**

Moral rights shall protect, without limitation in time and independent of any waiver or transfer, the link between the author and his/her work. They include, among other things, the right to: be an author of the work; sign the work with the author's name or pseudonym, or to make it available to the public anonymously; have the contents and form of the author's work inviolable and properly used; to decide on making the work available to the public for the first time; to control the manner of using the work.

The next category of rights to which translators of literature are entitled are author's economic rights (art.17).

Economic rights gives authors an exclusive right to use the work and to manage its use throughout all the fields of exploitation and to receive remuneration for the use of the work.

The act also regulates the claims that authors may make against those who violate their rights (payment of double or even triple remuneration, damages, compensation – **art.79** of the Copyright Act as well as criminal liability for illegal use of the works of others (art.115 and following of the Copyright Act). Thanks to copyright law, the author has control over his work, has the right to obtain remuneration for the use of his creativity, and has at his disposal both civil and criminal sanctions for the protection of his rights.

1.5. Types of contracts with a publisher

In Poland, publishers enter into around 2778 (Seroka A. et al. 2013: Table 20) contracts annually with literary translators, having as their object the copyright associated with translations of literature into Polish. The contracts entered into by Polish translators are either contracts definitively transferring economic rights or license contracts, which are usually exclusive.

Very experienced translators with many years of practice and greater legal awareness more and more frequently do not agree to the contractual transfer of economic rights, but agree only to license contracts for a period of several years. However, the majority of contracts are those definitively transferring proprietary rights. At this point it should be emphasized that many contracts for a translation, even those entered into by reputable publishing houses, constitute a particular hybrid of the two forms. In addition, many contracts contain ambiguous clauses, which are internally contradictory, grossly unfavorable to the translator, or simply contrary to the law. Publishers often present translators with contracts containing incorrect clauses as their standard contracts, while implying the impossibility of negotiation. Unfortunately, acquaintance with copyright law and civil law among translators is too limited for them to conduct independent analysis of the contract or to pick out the often basic errors or obviously unfavorable clauses. Moreover,

translators who are aware of errors often do not attempt to negotiate the contract or to enforce the clauses contained in it, providing the publishers with more space for abuse. Benefiting from consultation with a lawyer or commissioning the paid analysis of a contract are very rare practices, partly on account of the relatively high cost of legal services. Therefore, the lack of professionalism or plain dishonesty of publishers – or, alternatively, their greater experience and business competence – comes into contact here with the translators' lack of preparation to function on the book market in the form of independent subjects, especially with respect to unfamiliarity with the law and lack of negotiating skills.

Perhaps the solution in this situation might be a standard contract, developed and signed by organizations representing translators on the one hand and publishers on the other (this solution is in force, among other places, in France, Finland, Spain, Sweden, Holland, Norway and Germany). An indirect means of legal assistance for the translator might also turn out to be the creation of a model contract, comprising the standard for a contract suggested by a given translators' organization for its members (such model contracts are in use, among other places, in Austria, the Czech Republic, Spain, Switzerland and the United Kingdom). However, Polish organizations from the book industry, such as the Polish Chamber of the Book or the Polish Society of Book Publishers as well as translators' and writers' associations, have not thus far undertaken any action aiming towards the creation of a standard for a translation publishing contract or a model of a contract which could become, if not the prevailing norm, then at least a model and point of reference both for publishers and translators.

1.6. Financial situation, remuneration and payment dates

1.6.1. Remuneration

In Poland remuneration of literary translators is calculated in three different ways. The first and most frequently encountered form is a fee calculated from the size of the text measured in computer pages (1800 characters) or publisher's sheets (40 000 characters). The next model is a percentage of the retail price of the book (royalties) or a set fee (usually depending on the size of the work) along with a percentage of the retail price. Other sources of income for literary translators besides the above are:

- royalties (for the staging of theatre plays, the broadcast of fragments or a whole work on radio or television, and so on, regulated in Poland by the Polish Society of Authors and Composers, ZAiKS),
- percentage of fields of use other than paper print (audiobooks, e-books, and so on),
- remuneration upon reissue of a work (new contract).

Rates for literary translators are highly variable, depending on the popularity of the language and number of translators, the level of difficulty of the translation, the predicted market potential of the title, the time available for the translation, the reputation of the translator, the prestige of the publishing house, as well as the chances of obtaining financial subsidization for the publication.

It's difficult to determine earnings with any precision as the variances are enormous and depend on a great number of factors. For example, even translation rates per computer page of 1800 characters fluctuate over a range of around 23 to 32 zł, while for a printer's sheet they range from 500 to 700 zł. Exceptions include situations in which the translator receives 1100 to 1400 zł per printer's sheet from the publishing house. This usually happens in the case of bestsellers or translations of books that were supported by foreign foundation or cultural institutes. Only very rarely do contracts provide for additional percentage remuneration for the translator once the book exceeds a defined number of copies sold. (Paszkiet 2012: 11)

The situation is made worse by the fact that translators usually hand over the rights in the contract to all fields of use other than print, in spite of the dynamically developing market for audiobooks and e-books, as well as other forms of text utilization. In practice, translator remuneration usually comes down to a one-off basic payment calculated from the size of the text, while translators for the most part definitively sell the rights to a translation without any chance of drawing any income from it in the future.

1.6.2. Payment dates

Basic remuneration is paid around 1 to 3 months after submission, receipt, or even publication of the text. Sometimes the payment is divided into several installments (a down-payment, for example, 30 days after the signing of the contract, and the remaining portion at a defined later date, after the submission of the translation or the publication of the book in print). Remuneration is often paid with delays and translators rarely exact the statutory interest payments owed to them or make use of the available forms for collecting arrears, such as, for instance, a simplified writ of payment.

1.6.3. Remuneration for additional activities or work on behalf of the publisher associated with translated texts

More and more frequently it is the case that publishers contractually (or verbally) obligate translators to carry out duties once belonging exclusively to scientific and technical editors, proofreaders, and so on. Unfortunately, these additional activities are usually unremunerated. An exception here, though not always, are

internal reviews, for which some publishers pay translators a flat-rate payment of around 150-200 zł gross on average. In Poland it is also not the generally accepted practice to add supplementary payments to the translation fee for the conduct of research and other time-consuming tasks by translators of creative non-fiction, for example.

1.7. Support of translators by the state

The most important subject of the Polish state's cultural policy in the area of developing the status of the literary translator is the **Book Institute (Instytut Książki)**, which has played an enormous role in raising the prestige of the literary translator. Unfortunately, until recently its activities have been concentrated solely on strengthening the position of translators of Polish literature into other languages. The Book Institute runs a range of programs addressed to translators of Polish literature. In Poland there are few awards and state stipends aimed at translators of foreign literature into Polish. The only prestigious state award for which a translator of Polish literature into foreign languages may become a laureate is *Transatlantyk*, the Book Institute award for eminent ambassadors of Polish literature abroad. Its aim is the promotion of Polish literature in the world market, as well as the integration of different circles of translators of Polish literature and its promoters (literary critics, historians of literature, cultural organizers).

1.8. The role of local governments

In recent years the influence of local government on the development of the country's cultural policy, including the social prestige of the translator, has become much more pronounced. Some important examples of this are the annual literary prizes awarded by the cities of Wrocław, with the ANGELUS Literary Prize of Central Europe, and Warsaw, with the Ryszard Kapuściński Prize for literary reportage. Both of these prizes are awarded not only to the authors of the prizewinning books, but also to their translators. In a situation where the state provides only minimal financial and promotional support to translators through stipend programs and awards, local initiatives of this kind continue to gain more significance.

2. Social status

2.1. Awards and competitions for literary translators

In a situation whereby there is a lack of clear indicators for judging the level of translations, such as substantial reviews in the press, media visibility, etc.,

awards play a particular role in raising the prestige of the literary translator. Below is a short list of the most important awards for literary translators (both explicit and implicit):

- Transatlantyk Award – Book Institute,
- Literatura na Świecie Translation Prize – an award given annually by the *Literatura na Świecie* monthly for the best translation from a foreign language into Polish,
- Polish PEN Club Award for translations of Polish literature into foreign languages,
- Polish PEN Club Award for translations of foreign literature into Polish,
- Found in Translation Award – established by the Book Institute, the Polish Cultural Institute in London, the Polish Cultural Institute in New York, as well as the W.A.B. Publishing House,
- Karl Dedecius Award of the Robert Bosch Foundation – for Polish translators of German-language literature and for German translators of Polish literature,
- ANGELUS Literary Prize of Central Europe,
- Ryszard Kapuściński Award for literary reportage,
- Warsaw Night of Literature Award for translation,
- Cervantes Institute Prize in Poland for Literary Translation,
- Polish Society of Authors and Composers (ZAiKS) Award for Translators,
- Competition for translation from German-language literatures – Austrian and Swiss – organized as part of the Pulse of Literature Festival,
- The new Nagroda za Twórczość Translatorską im. Tadeusza Boya Żeleńskiego [The Boy Żeleński Award for Translators], established by the City of Gdańsk in 2013. The award (50 000 PLN), will be granted every two years from 2015.

2.2. Translation criticism

This issue is best apprehended by the well-known translator of Dutch literature, Professor Jerzy Koch: “Just as in many other countries, there is a lack here of thoroughgoing translation criticism. The author of a translation, in the best-case scenario, must resign himself to a few mentions in literary periodicals, or be satisfied with the remarks of petty nit-pickers who write disapproving critiques on the basis of particular wordings that might, in their opinion, be problematic” (Koch 2003: 5).

2.3. Visibility in the media and recognizability

The translator’s name is often absent in critical, informational and advertising materials, even in those prepared by the publisher. One of the first tasks taken

on by the newly-established Association of Literary Translators was a campaign of writing letters and emails to the editorial staff of periodicals and internet sites omitting the names of translators in their discussions of books. It must be admitted that in some cases this undertaking has met with success. Generally it must be accepted that with few exceptions a translator's name and person rarely break through into the media or into the consciousness of the broader public. The exceptions are translators with names famous for their own creative work, such as Stanisław Barańczak, or translators of popular literature, often best-selling novels from the fantasy genre, such as Piotr Cholewa (translator of Terry Pratchett's books) or Andrzej Polkowski (translator of *Harry Potter*). It is precisely the milieu of fantasy lovers that is in a most extraordinary way capable of appreciating favorite translators or tearing to shreds authors of translations whose translation choices have met with their disapproval. However, for the average reader, the translation is not an essential quality of the text and the translator's name has no influence whatsoever on his reading choices.

3. Position in the publishing world, policy of publishing houses

The position of literary translators in the publishing world, along with the policy of publishing houses with respect to translators, has changed diametrically over the course of the last twenty years as a result of the transformations that have taken place throughout the entire Polish economy.

Until 1989 there were around a hundred state publishing houses printing literary fiction in Poland, often in what were enormous print runs for the conditions of the time, as well as a small group of the Church, cooperative and other publishing houses publishing in limited print runs. After the political and economic changes of the 1990s the market began to rule the book industry. The result was the emergence of hundreds of new publishing houses, as well as a veritable flood of translations, often hurriedly and unprofessionally done, since the growth in the number of publishing houses went hand in hand with a deterioration in the quality of translation and editing. As a result of these transformations, many previously reputable publishing houses found themselves on the verge of bankruptcy, which led to limitations on production, the dismissal of many experienced editors, and the resignation of many distinguished translators. Through either the disappearance of certain publishing houses from the market or the change in their position or profile, many translators were not paid for books that had been ordered earlier by publishing houses and even for books already translated. New private publishing houses rapidly filled the gap

left by the state-owned leviathans, publishing books more quickly and achieving profitability through smaller print runs. After more than twenty years of market policy it's difficult to unequivocally judge the balance of losses and gains on the side of literary translators. One thing, however, is clear: it will be difficult for literary translators to regain the prestige they enjoyed in the 1970s and 80s, when "in a situation of rationed access to print, exceptionally weak translations had no chance of being published. Young and inexperienced adepts first had to serve a suitable apprenticeship and prove themselves with a certain number of samples and publications in periodicals before they attained the honor of translating their first book at a reputable publishing house" (Brzozowski 1997: 46). We may certainly say that the book market has solidified and stabilized after the turbulence of the early years of the free-market economy. Publishing house bankruptcies, which only a decade and a half ago were the translator's nightmare, are becoming less and less frequent.

Currently in Poland an average of around 34 thousand book titles come out annually, of which 30 thousand are new titles. According to the National Library's data (Seroka A. et al. 2013), in 2012 a total of 6688 books were translated into Polish, of which 3245 titles were translations of belles-lettres¹ (including: 2195 titles – literature for adults², 941 titles – literature for children³ and 179 for youth⁴). In regard to literature, in 2012 the greatest number of items were translated from English, with 1910 titles, followed by 248 titles from German, and, in third place, French, with 207 titles. On top of that, 181 items were translated from Norwegian, 101 from Italian and Japanese, 93 from Spanish, 79 from Russian, 78 from Swedish, 28 from Czech, 16 from Dutch (only from Netherlands), 18 from Ukrainian, 12 from Danish and Hebrew, 7 from Hungarian.

3.1. Cheaply, quickly, and well

To sum up the policy of publishing houses with respect to literary translators it suffices to cite a joke circulating among translators about the ideal translation assignment in the eyes of many publishers: "With an impossible deadline, for a fee on which you can't make a living, produce for the publishing house a beautiful translation of a book, which ideally renders the qualities of the original."

It might seem, in a situation where so many translations are appearing on the Polish market, that recognized and distinguished translators would be highly sought-after and bombarded with proposals. However, this is not the

¹ 2778 – first editions.

² 1772 – first editions.

³ 855 – first editions.

⁴ 151 – first editions.

case and the large printing houses not only refrain from fighting over them, but treat such translators with reserve, as they are often meticulous, responsible, and demanding people. They won't agree to any half-measures, they demand a deadline appropriate to the difficulty and size of the work, as well as a suitable payment. Furthermore, they expect professional collaboration with a publishing house employing specialist editors and proofreaders.

Many publishers, in order to save time and minimize expenditures, consciously renounce good quality in the interests of cost savings and thus commission translations with inexperienced and incompetent persons. The result is clearly lamentable. Many books are sloppily translated, while factual, grammatical, stylistic and even orthographical errors are frequently encountered, with typographical errors widespread. Frequently, aside from the translation, the translator himself must see to the editing and proofreading, since the majority of publishing houses no longer hire full-time editors and proofreaders. Even if they commission editing and proofreading outside the publishing house, the result of this work is often unsatisfactory as a result of short deadlines and low pay, as well as the variable professional standards of the editors.

At present, the main criterion for publishers ordering a translation is price. The majority of publishing houses expect the translator to complete the work quickly, well, and for little money, but because these three demands are mutually exclusive the price criterion prevails. As much as the economic crisis and troubles in the publishing market explain a great deal, the practices of certain publishing houses on account of cost savings or haste are horrifying, particularly when they resort to such methods as dividing a text (even a novel) among several translators, shortening the editing process to the bare minimum (one revision, skipping the stage of author's revision), or even assembling a 'translation' from samples produced for free by naive candidate translators.

Fortunately, one can still find a small group of elite publishing houses on the market for which quality and prestige still count and which are able to ensure fair conditions of work for the translator and professional collaboration. These are the publishing houses thanks to which our literature is not enriched only by important new titles. These publishers also decide on new translations of the classics of world literature, which usually become immediate literary events. Examples of these in recent years include new translations of: Joseph Conrad's *Lord Jim* in Michał Kłobukowski's updated translation (Znak 2001), Fyodor Dostoevsky's *The Brothers Karamazov* in Adam Pomorski's translation (Znak 2004), Hans Christian Andersen's *Fairy Tales and Short Stories* in a translation from the original Danish by Bogusława Sochańska (Media Rodzina 2006), Franz Kafka's *The Trial* in Jakub Ekier's translation (Świat Książki 2008), Jaroslav Hašek's *The Good Soldier Švejk* in

Antoni Kroh's translation (Znak 2009), Jacob and Wilhelm Grimm's *Children's and Household Tales* in Eliza Pieciul-Karmińska's translation (Media Rodzina 2010), William Shakespeare's *Macbeth* in Piotr Kamiński's translation (W.A.B 2011), Joseph Conrad's *Heart of Darkness* in Magda Heydel's translation (Znak 2012), F. Scott Fitzgerald's *The Great Gatsby* in Jacek Dehnel's translation (Znak 2013).

3.2. Lack of share in publishing house success for the translator

In a situation where a work becomes a bestseller it should be expected of the publisher that it share the profits equally with the author of the book as well as its translator. Due to the fact that royalties are still a rarity, the translator in fact has no share in the market success of the book and as a result he feels no obligation, for instance, to promote it.

3.3. Contracts with translators, the weak position of the translator in conflicts with the publisher

Contracts are subject to the law of the jungle and not copyright law. The main problem here is that the publisher has a much stronger negotiating position than an individual translator, on the side of whom there is usually no industry organization. Moreover, the position of the translator is not strengthened by any standard contract that he might refer to when demanding more favorable conditions for himself. In the majority of cases the publisher dictates to the translator the conditions of the contract, to which the translator frequently agrees without any negotiation.

Among various negative traditions in Poland are the renunciation by the translator, in favor of the publisher, of all proprietary rights, as well as the practice of paying translators only after the release of the book, which becomes extremely problematic if the book comes out, for instance, three years after the signing of the contract or if it is not published at all.

Sometimes, in spite of correctly and clearly formulated contracts as well as a copyright law that protects the interests of translators relatively well, the protection of translators' rights in practice turns out to be only ostensible, if only by reason of the disproportion in access to financial and legal resources between a large publishing house and an individual translator. The hopeless position of the translator is further aggravated by the inefficiency of the Polish court system, which successfully discourages aggrieved translators from filing cases for legal action. It should be mentioned here that in many cases it isn't necessary to roll out the big guns. Sometimes a better knowledge of the law on the side of the translator would come in handy, particularly in cases where it might suffice to make use of the above-mentioned writ of payment, which works relatively quickly (a few months) and does not bear with it any high costs for the translator.

3.4. Accommodation of the translation to a target group

Sometimes translators encounter interference from editing staff, who aim to accommodate the translation to the lexical level and taste of the average reader, as defined by the publisher. This is not a question of localization. Unfortunately, this approach to translation does not only affect so-called popular literature, but also applies to highly ambitious literary works, which in the opinion of a publisher guided by the laws of the market rather than the principles of faithfulness to the original text should be made more accessible to a less sophisticated reader. It also happens that the publisher, for reasons known only to himself, abridges the work without the prior permission of the copyright owner.

3.5. Publishing houses consciously investing in translators and raising their prestige,

Happily, we can also list a few good practices in our publishing market with respect to good treatment of translators, though with the caveat that the noble actions listed below do not at the same time exclude the use of less praiseworthy practices by the very same publishers. One of the Polish publishers that is able to look after the prestige of its leading translators is, for example, Znak, which publishes large print runs of books written by Elżbieta Tabakowska, the translator of Norman Davies' works, about her translating work for the same publishing house (*O przekładzie na przykładzie. Rozprawa tłumacza z „Europą” Normana Daviesa*, Znak 2008; *Tłumacząc się z tłumaczenia*, Znak 2009). This not only raises the prestige of the translator's work, but constitutes proof of the publishing house's exceptional attitude towards the translator's work, which it values, is clearly proud of, and in which it recognizes the possibility of promoting its brand. There are also publishing houses that submit the work of their translators to competitions and make use of their potential in promoting the books translated by them, thereby giving them the opportunity to gain recognition in the media. Many publishing houses realize that translators are, in the words of Ryszard Kapuściński, the best ambassadors for the author.

3.6. Reasons for the low quality of translations

The above-mentioned phenomena associated with the position of the translator in the publishing world and policy of publishing houses have a big impact on the quality of literary translation. A poor publishing policy affects the low quality of the translations, the main factors are:

- lack of professionalism among publishers and the drive towards cost savings,
- hiring of cheap and less competent translators,
- constraints of novelty, haste, short translation deadlines, shortening of the editing process,

- weak factual knowledge of editors coordinating the publishing process as well as an excessive burden of duties,
- weak preparation of editors working on commission, haste, low rates of pay for editing,
- lack of sufficient communication between persons working on a book, in general a weak culture of collaboration,
- lack of feedback (weak translation criticism, low presence of books in the media)

4. Strengths and weaknesses in the status of the translator, as well as associated opportunities and threats, January 2014 – SWOT analysis

Strengths:

- relatively large translation market,
- relatively high prestige of the profession of literary translator,
- copyright law favorable to translators of literature.

Weaknesses:

- lack of standard or model contract,
- low level of acquaintance with copyright law among literary translators,
- problems associated with enforcement of copyright and related law in Poland, along with excessively lengthy legal proceedings and incommensurately lenient punishments for crimes and offences committed,
- lack of strong industry organization,
- the lingering conviction in the social consciousness of the low harmfulness, or rather the harmlessness, of piracy associated with the illegal circulation of translations in every form. In popular opinion, proprietary copyright is not treated as the property of the author or translator and therefore individual acts of copyright infringement are not considered reprehensible and do not merit particular condemnation.

Opportunities:

- the possible introduction by Poland of the Public Lending Right programme (the implementation of the Directive on the Rental and Lending Right and Certain Related Rights – 2006/115/EC)⁵,

⁵ At the moment Poland is one of three EU countries, which have not yet implemented the rules of Directive 2006/115/EC, source: Centrum Cyfrowe Projekt:Polska. *Monthly report on copyright reform in Poland- October*. 2013. 13 Jan. 2014 <<http://centrumcyfrowe.pl/monthly-report-on-copyright-reform-in-poland-october-2013/>>

- the development by the Polish Literary Translators' Association (STL) of a standard or model contract, the development and publication by the Polish Literary Translators' Association of recommendations concerning the conditions for producing literary translations and the principles of remuneration,
- raising by all means (training, the development of counselling) the legal awareness of the translator and the development of business skills as an element of professional competence,
- aiming to supplement academic programs of education in humanities disciplines with preparation for functioning on the market (foundations of copyright and civil law, negotiation, etc.),
- supplementing the promotion of reading by building awareness of the role of translations for culture,
- strengthening translation criticism.

Threats:

- the possible liquidation of the author taxation benefit of a fifty-percent rate of tax-deductible expenses. This issue boomerangs back every time the Ministry of Finance (of various governments) attempts to introduce cost savings or uniformity to the tax system,
- the constant growth in the scale of piracy, most often perpetrated via the Internet.

5. Summary

To conclude, one can say that the issue of literary translation (along with the situation of a translator, which is connected with it) is in Poland a no man's land: despite its significant role in culture, it is not investigated enough in the philology studies (both Polish and foreign), the translation criticism is relatively poor developed and not present in the general discourse. Cultural institutions promote Polish literature abroad, but neither education nor readership promotion emphasises the role of translation.

Due to the lack of the state sponsorship, the translators themselves are the greatest translation sponsors, since they quite often see their activity as a luxurious hobby, which they can afford thanks to their work in other fields, or as a source of additional income.

Therefore, it is high time for translators to take matters into their own hands. It will not be easy, but instead of complaining that their situation is undoubtedly

bad, the translators have to show their professional solidarity and persuade the Ministry of Culture to introduce appropriate instruments of cultural policy in order to improve their situation. However, the only way to deal with the often scandalous contracts with publishers is their multiple reading, negotiating and – in more difficult cases – consulting lawyers. The latter is expensive, but can save you from being deceived and this should never spoil the pleasure of a close intercourse with the translated work and the creation of “new forms and meanings.”

*Translated by Stanley Simon Bill
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