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BYLAWS AND TAX LAWS  
by Patricia Newman

Just like tax laws, bylaws are dull but vitally important. The bylaws of ATA were very well written to begin with, but the organization has grown much larger, and its needs have changed. The bylaws are currently undergoing extensive revision to accommodate this growth and development, and every member should be aware of the impact these revisions can have on his profession and himself. This is the first in a series of articles (I'll try to keep them from being too dull!) that will explore some of the issues we are discussing in the Bylaws Revision Committee. Our proposals for revision will be presented to the Board of Directors, and if they are approved by the Board, they will be presented to you, the members, for ratification.

When the time comes for you to vote on the proposed revisions, you will only be able to say "yes" or "no," but right now you can be more creative than that. My name, address and phone number are given at the end of this article; please write or call to express your opinions on any aspect of the bylaws, and I promise to listen with an open mind. If you need a copy of the current bylaws for a little light reading before bedtime, ask Staff Administrator Rosemary Malia at the Ossining office for a copy. There is no charge.

This first article will take up the thorny issue of membership. (Incidentally, the views expressed here are my own and do not necessarily reflect those of the committee or the Board of Directors; I'm out here in my bare all by myself.) Since an association is defined by the people who belong to it, we need to consider very carefully whatever qualifications we set up for membership in ATA and why it is important to restrict membership.

The purposes for which ATA was established include: "to advocate and promote the recognition of translating as a profession" and "to formulate and maintain standards of professional ethics, practices, and competence." (This is in Article Two, if you are following along in your well-thumbed copy.) Membership should be restricted to people who truly believe that those are noble purposes well worth supporting. Unfortunately this excludes a fairly large part of the population already, but are all the remaining people appropriate members of ATA?

We are an association of translators, and we associate because we have common interests, common problems and sometimes uncommon solutions. We want colleagues who understand why we feel that we should be treated as skilled professionals, who are passionately convinced that the only topic more interesting than a new dictionary is the latest survey on translator incomes. Because we want ATA to be run by and for translators, we have established several classes of membership, each with different qualifications and different rights.

Active members have, among others, the rights to vote and to hold office. (This is in Article Three, Paragraph IV, if you're still doggedly following along.) No other members have those rights, so if you want to take an active part in ATA, you should know what it takes to be an active member.

Current bylaws require, among other things, that active members be endorsed in writing by two active ATA members (or submit evidence of three years' professional experience) and be a citizen or permanent resident of the United States. This is in Article Three, Paragraph II.

Endorsement by two active members, can present a problem for those of us who live in isolated areas (my local Chamber of Commerce would be distraught at that description of Albuquerque!) and it seems to me to make ATA appear a bit like a country club. It was originally written into the bylaws in a laudable attempt to assure that only professional translators known to at least two other members as having a reputation for ethical conduct and integrity would be able to join. In recent years the passing of a basic level ATA accreditation test has been considered as equivalent to this endorsement.

Suppose every new member were required to pass a basic level accreditation test to "earn" the rights to vote and hold office. In other words, the options of endorsement by two active members or evidence of three years' professional experience would no longer be accepted. Exceptions would of course have to be made in those cases where there is no accreditation test in the applicant's language specialty, and currently active members would be exempt from this provision. Accreditation tests can be administered by the Testing Office of any college or university, so in theory they would be available even in remote areas when the applicant cannot attend a convention, workshop or chapter testing session. Requiring certification by ATA as a prerequisite to active membership would demonstrate the commitment of the Association to those standards of professional competence that figure so prominently in our purposes. Is this a reasonable way to revise this requirement?

The second requirement, citizenship or permanent residence in the US, was included back in the mists of time in order to prevent a threatened take-over by nonresidents of the United States. It has been retained for several reasons, one of them being the somewhat tricky problem of representation to the Federation Internationale de Traducteurs. If ATA has a large number of Canadian or Mexican members, for example, and then tries to speak for them in the councils of FIT, the Mexican and Canadian translators' associations may feel we are trying to usurp their prerogatives. This provision does not prevent French citizens, say, from belonging to ATA as associate members, whether they live in France or the US. They may even become active members, thereby gaining the rights to vote and run for president of ATA if they are permanent residents of the US.

There have been arguments on both sides of this question, some maintaining that we should open active membership to any translator anywhere in the world since international boundaries are only props for nationalism, and others equally firmly maintaining that this is the American Translators Association and it should be run by and for Americans. There are many other national groups of translators and interpreters, and foreign citizens may join and govern their own groups. We in ATA will not be cut off completely from our colleagues in foreign countries, because associate membership is open to them. Our foreign colleagues who reside in the US would be eligible for active membership and consequently the rights to vote and hold office. But I might argue that the President of ATA should be a US citizen, not a foreign citizen who is a permanent resident. It is after all the president who represents the Association to the outside world, e.g. the US government and other professional associations, and who in a sense embodies the Association. However, we have many active members who are not US citizens and who are extremely capable administrators; perhaps it is an injustice to deny them the right to hold that office.

Ultimately we must decide these issues one way or the other, just as tax laws are eventually passed and signed. I would like to use your opinions to help guide the committee and the Board of Directors in the direction that will most benefit the Association itself and the individual members. If you have comments on the membership questions, I urge you to address them to me at the address given below -- soon, because this topic will be discussed at the January meeting of the Board of Directors.

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