

TRANSLATION

News

No. 5

TWO DIRECTORS ACCUSE ATA BOARD OF PROMOTING CENSORSHIP; CHRONICLE EDITOR ATTACKED; BOARD REJECTS ANTI-CENSORSHIP RESOLUTION

Austin, Texas.- In what appears to be growing concern over the ATA Board's policy to curtail publication of "sensitive" news about the Association, and its support of the ATA Chronicle editor, Jane Morgan Zorrilla, over her alleged truncation or suppression of member views critical of ATA management, two Directors directly accused the Board at a meeting held in this city on July 21st of engaging in and promoting censorship.

Director George Kirby of San Francisco presented what he referred to as concrete evidence of censorship of news and member opinion by the Chronicle. In support of his allegations, Mr. Kirby showed the Board several letters which had been severely edited or abridged by Ms. Zorrilla, ostensibly with approval from ATA officials. Director John Bukacek of Chicago, echoed Mr. Kirby's sentiments and presented for consideration a resolution reading, "Resolved that the Chronicle be a free and open forum for members to express their views. All letters shall be printed in their entirety. No letter shall be abridged or altered without the approval of the author."

According to Mr. Bukacek, the resolution was "roundly" defeated by the Board. However, neither Bukacek nor Kirby was willing to elaborate on the Board's deliberations or give any further details about their charges. President Deanna Hammond was attending the F.I.T. Congress in Belgrade, Yugoslavia, and was unavailable for comment.

Ms. Zorrilla, who has come under fire on the censorship issue since assuming the editorship in November 1989, has continually denied engaging in censorship. She has, however, admitted to editing certain letters from members because of space considerations. Nevertheless, letters obtained by TRANSLATION NEWS from several members indicate a certain pattern of omission of what might be construed as pointed criticism of management policies.

[see "CENSORSHIP", Page 2]

MASSACHUSETTS LEGISLATURE ENACTS SERVICE TAX; TRANSLATION SERVICES INCLUDED

BUT THERE IS CONFUSION ON EXEMPTIONS AND ASSESSMENT ON OUT-OF-STATE SERVICES; IMPACT ON TRANSLATION INDUSTRY NOT CLEAR

Boston.- In the face of a shrinking manufacturing tax base, and a growing service industry, the Massachusetts legislature last month enacted a broad-based 5% tax on various services, including professional services. In addition to taxing such services as engineering, accounting and legal, the new law will also cover translation services, among others. According to a report published in the Wall Street Journal, the Massachusetts sales tax will apply to 594 services - everything from car repair to commercial photography.

However, the legislature also granted an exemption on the tax for professional bills of less than \$20,000, thereby allowing small businesses and private clients to be excluded from taxes for using a lawyer, accountant, architect, engineer or translator. Nevertheless, it was not clear whether this exemption would be applied on an accrued basis or a one-time basis. Also adding to the confusion surrounding the law was whether the tax would be assessed on services rendered to out-of-state clients or customers. The WSJ originally reported that out-of-state business would have to pay the tax, but this was later denied by State officials. Nonetheless, it was impossible to secure an official determination on the out-of-state aspect.

The impact of the tax on the translation service industry is far from clear. Rudy Heller, a free-lance translator in Brookfield, commented that if the \$20,000 exemption remains, then most freelancers would hardly be affected. However, Mr. Heller also added that translation companies in Massachusetts could be severely affect-

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"CENSORSHIP" [cont'd from Page 1]

In a somewhat related development, President Deanna Hammond recently told TRANSLATION NEWS that the format of the Annual Business Meeting (traditionally held at the ATA Conference) this year will be modified to allow members to ask questions and discuss with ATA officials subjects that concern the management of the Association. For over a decade, the Annual Business Meeting has been characterized by the reading of reports by ATA officers and committee heads, with no time allotted for questions or comments by members.

"SERVICE TAX" [cont'd. from Page 1]

ed by the tax, even with the \$20,000 exemption, and said that may might have to "eat" the tax in order to remain competitive, especially with out-of-state translation firms.

Governor Michael Dukakis has already signed the law, following a 4-to-3 ruling on its constitutionality by the Massachusetts Supreme Court.

Even if the \$20,000 exemption remains firm, and the out-of-state assessment does not apply, both freelance translators and translation companies in Massachusetts will ostensibly be burdened with additional record-keeping chores, including the filing of appropriate reports.

Many observers see the events in the Bay State as the "handwriting on the wall". Clearly, Massachusetts is not the first to assess a sales tax on services. Last year, Florida enacted a sales tax on advertising, but after heavy lobbying by the advertising industry, including threats by many advertisers to boycott the advertising of their products and services in the State, the tax was repealed. Earlier this year, the New York State legislature considered a bill to levy a sales tax on a more restricted range of services, but again pressure by affected industry groups and New York City, in particular, helped to kill the bill before it got out of committee.

LETTERS TO THE EDITOR**PhD (ABD) ???**

We received many letters from readers about the "mystery" of PhD (ABD). Because of space limitations, we cannot print all of them. However, the following letter summarizes what most of the letters - and telephone calls - said. We apologize to those whos letters are not printed, and hope that they will understand.

To the Editor.

When I first worked for the Federal Trade Commission, which is full of economists at various stages of specialized education, an economist explained to me that Ph.D (ABD)

LETTERS TO THE EDITOR (continued)

meant "Ph.D. (all but dissertation)." I was incredulous. But I asked several others -- each time asking, "Are you putting me on?" The answer continued the same -- and some of those economists were not known for their funny bones.

An abbreviations dictionary I have lists "abd... all but dissertation." So it must be true, and only the capping is debatable.

Cary C. Hoagland
Takoma Park, MD

To the Editor.

I have read with interest your June TRANSLATION NEWS and congratulate you on a very informative issue. Both your lead article "Challenge" and the interview with Ted Crump are noteworthy for their factual treatment of two delicate issues.

If I may, I would like to use the words chosen by Bernie Bierman in praise of the Capital Translator to apply to your present issue: "...it sets the highest standards of reporting in the translation community."

Edith Fried
Editor, TRANSLORIAL
San Francisco, CA

**COMING IN THE NEXT EDITION OF
TRANSLATION NEWS**

- * THE CANDIDATES' FORUM:
Candidates for ATA office
debate the issues.
- * TRANSLATION IN THE UNITED STATES:
An Underdeveloped Industry.
A thought-provoking article by
Jonathan Slater with some novel
innovations about expanding the
scope of the translation business.
- * THE ORIGINS OF ANTITRUST
LEGISLATION.

J. Henry Phillips takes an in-depth
look at the origins of legislation of
concern to today's translators.

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you've been missing the news"

 *
 THE TRANSLATION NEWS INTERVIEW
 *

WITH TED CRUMP,
 FORMER EDITOR, ATA CHRONICLE

(Part 2 of 2)

In October 1989, Ted Crump was suddenly, and without explanation, dismissed as editor of the ATA Chronicle. In a letter circulated by him at the 1989 Annual Conference of the ATA, and subsequently published in the Capital Translator, Mr. Crump alleged that it was a growing element of censorship that had led to his dismissal. In part 1 of this interview, Ted Crump recounted his early days in the ATA, from an active participant in the Association's Washington Chapter, to editor of the Capital Translator, to member of the ATA Board of Directors, and finally to the editorship of the ATA Chronicle. TRANSLATION NEWS is now pleased to bring you the second part of this provocative insight into the inner workings and politics of America's largest organization of translators.

TN: Let's turn for a moment to the related question of purported Board secretiveness. Although as Chronicle editor, you had no hand in preparing the so-called "communiqué" which the Board would submit to you to indicate what items on its agenda it wanted published, did you at any time believe or suspect that the Board was withholding certain information from the membership? If so, did you ever ask for more particulars about Board meetings?

TC: I knew long before I became editor that the Board spoon feeds information to the membership. The members are entitled to pay their dues, and are promised rolls and butter at the convention, but they don't need to know everything, poor dears. However, during the first year of my tenure as editor, I attended three of the four Board meetings held and didn't feel that anything terribly urgent was being withheld from the membership (apart from an item at the Seattle meeting, which to publicize I thought would be akin to yelling "Fire!" in a crowded theater). That changed with the next meeting (which I did not attend), the one in New Orleans in March 1989, at which the Board decided to ban all letters, articles and advertisements from Bernard Bierman (and his company) from the Chronicle, but made no mention of it in their "communiqué".

TN: In fact, in our research into Chronicle editions previous to 1984, we found that synopses of Board meetings were far more detailed. Could you comment, or at least speculate on what might have occurred after 1984 to reduce those synopses of essential ATA business to something just slightly more than a Henny Youngman one-liner.

TC: In fact, although I am missing some issues, it looks as if synopses of Board meetings totally dropped out of the Chronicle from the March 1983 issue until the November 1984 issue when the first "communiqué" under the present system appeared. This resulted from legislation which I introduced while on the Board and which was passed at the ATA Board meeting in New York in September 1984, the crux being to release newsworthy decisions and events of the meeting at once to all the "media" -- not only the Chronicle, but also local newsletters and newsletters of other translator associations. I personally wrote the ATA Communiqué while a Board member from 1984 through 1986. This was based on notes that I had taken during 1-2 days of meetings, and had to be approved by the Board members as the last thing before they bolted out the door to catch their planes. Then, as now, great hunks of information were lined out: "Don't tell them that." "They don't need to know that." Why didn't I yell? I guess "evolution" would be as good an answer as any. In retrospect, my speculation would be that the Board was still licking its wounds from the TIES wars, plus the fact that for a time the Association was left wide open by the insurance mess. The necessity to sit on the facts seemed very evident, and the less the members knew, the smoother the sailing for the Board.

TN: You yourself have openly and publicly admitted to having engaged in censorship when you were editor of the Capital Translator. You will no doubt recall that in

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CRUMP INTERVIEW [cont'd. from Page 3]

the early Spring of 1987, you initially refused to accept advertising for Bernard Bierman's book, "A Translator-Warrior Speaks". What caused you to make that decision (which, of course, you later reversed)?

TC: Again, I'll use the word "evolution". My thinking has come a long way since that time. At that time, I really ran head on into the curious mentality of the ATA leadership and the essential conflict with which I would eventually have to come to terms. This took some time to work through: The Bierman book is a history of the author's experiences in ATA from the association's founding in 1959 up to the arrest of Dale Cunningham (the then-President-elect of ATA). While it presents much-needed documentation, especially in view of the absence of any other history of this period, the author has some very derogatory things to say about many ATA officials, past and present. Then-ATA President Patricia Newman ordered then-Chronicle editor Lee Wright not to publish a full-page advertisement announcing the book's publication (even though "teaser" ads for the book had already been published), and the author then asked me to run the advertisement in the Capital Translator.

I found myself in a conflict between the principle of freedom of the press and my friendship and loyalty to some of the people attacked in the book, and long debates ensued with members of the Board, during one of which I was told that if I wanted freedom of the press, I should work for the Washington Post. I could not understand why anyone in the midst of a democracy would deny a basic freedom to himself or anyone else when there was no compelling reason to do so, but I did understand clearly that I was not in tune with the ATA leadership. This was at a time when I was scheduled to become editor of the Chronicle in the Fall. Although I had been around the leadership for several years, I was quite unprepared for the level of emotionality that this issue stirred up. I backed off and declined to run the ad. But I wasn't very happy with the decision, and I decided to obtain the book and review it in the Capital Translator (edition of June 25, 1987).

What I had come to realize is that ATA does not function like a political entity, even though it has elected officers, written by-laws for everyone to read, and all the trappings of a democratic association. ATA is run by a clique - call it a "Royal Family", an "Inner Circle", "Politburo", or however you see it; it is for real, and I'm not the first nor will I be the last, to point this out. The membership of this "Inner Circle" can be approximately

determined if you take a list of the people still active in ATA politics and underline those who have served more than six years at the top, i.e., either on the Board of Directors or on the Executive Committee. This inner circle, rightly or wrongly, thinks of itself as the "keeper of the keys", who have held ATA together for 31 years and who have the sacred duty and right to keep it on course. Granted, any one of them has probably logged in more hours of ATA service than a thousand ordinary members combined, because the vast majority of members do nothing. However, there are two sides of the coin. In return, they feel that ATA belongs to them, and not to the inert horde. Result: (1) a cult/family mentality in which any criticism is reacted to like a deadly heresy or an insult to the family (although it may be called "denigration of a colleague", or even of ATA itself), (2) an absolute requirement for consensus and conformity, where breaking the ranks can lead to loss of communion; (3) careful control of information as a means of power and liberal use of gossip and slander to thwart and isolate those judged not to be "team players". Ravings of a lunatic? I really don't think so.

TN: It appears that your dismissal as Chronicle editor might not have been as sudden as it seemed. In fact, one might say that it was a culmination of various events. So, let's talk about some of those events.

First, in the May 1989 edition of the Chronicle, you published a letter from one-time President-elect, Dale Cunningham. The letter itself was an innocuous account of how one could obtain information under the Freedom of Information Act. However, the letter was signed, "Dale Cunningham, Past President". Please fill us in on the details.

TC: I knew of Dale Cunningham during my years in Philadelphia; in fact, I used to edit his translations for the Franklin Institute pesticide project. He was one of the better translators on the project. But I never met him. Early in 1989, out of nowhere, he gave me a call. He said that he had seen some of my issues of the Chronicle, and had gotten the impression that perhaps ATA had changed, since it was allowing a free forum for opinions in its newsletter. He told me how he had been stripped of his presidency in 1971, how he had gone to court and won, but that the ATA leadership had nevertheless disregarded the judge's order to reinstate him as President. Two ideas hatched in my mind: (1) to test the waters whether this kind of "Trot Down Memory Lane" was possible in the Chronicle - an historical piece in depth, with no bias, to see if ATA, like the present Communist Party of the Soviet Union, was

CRUMP INTERVIEW [cont'd. from Page 4]

prepared to look at its past without rose-tinted glasses; and if ATA proved to have been at fault; (2) to propose that the Board make good in some way; at the very least, to list him as an ATA Past President. That's why I got him to write the F-O-I-A article (to resurrect his name) and why I gave him the byline, "Dale S. Cunningham, Past President, ATA" (to raise the issue of whether he can be recognized as such). It seemed to me, after I read his documentation, that he had a good case. However, when I requested further documentation from ATA headquarters, the response was swift. Karl Kummer called me to say that there would be absolutely nothing about Dale Cunningham in the Chronicle, adding that there had been enough "yellow journalism". Rosemary Malia called me to say that a correction would be drafted which I was to insert in the next issue. The correction stated that he was not to be found on any list of ATA Past Presidents. I fumed for awhile, then faxed my resignation to Karl Kummer, pending retraction of the remark about "yellow journalism". He did so, and we patched things up for the moment. Shortly afterward my enthusiasm for championing Dale Cunningham faded out when I concluded that he was not interested in justice, but revenge. In the meantime, we are still awaiting the history of ATA, which is supposed to be a volume in the "ATA Series". Can it ever be written?

TN: *Revenge? Don't you think that 19 years of non-recognition of what are unimpeachably major contributions to ATA constitute a form of revenge, say nothing of total and complete banishment? Do you really believe that what happened to you at the 1989 Conference wasn't revenge?*

TC: Maybe, but two wrongs don't make a right.

TN: *Second, in early September 1989, it was brought to your attention that the data given in a letter from Vivian Yu (which you published in the Chronicle) was deceptively and deceitfully gathered. Indeed, Ms. Yu's published letter began to stir a storm, and it is our understanding that you were asked by the Board to turn over Ms. Yu's correspondence, which you allegedly refused to do. What is your side of the story?*

TC: This is total baloney. I absolutely was never asked to turn over Vivian Yu's correspondence. In fact, her first letter was initially sent to ATA headquarters, opened and read by Rosemary Malia, who then sent it on to Steve Sachs, then a member of the Board, because she thought it fell under the area of interest of the Rate Guidelines Committee.

Sachs faxed a copy to Karl Kummer, and I believe that Deanna Hammond also saw it, before I even knew of its existence. I discussed the letter with Sachs, who felt that it unfairly singled out four bureaus out of the many which probably do the same thing. I had some ambivalence about publishing it, because I didn't want to hair out three bureaus which accounted for more than a third of our advertising revenue. I decided to publish it, but with the bureaus labeled, "A, B, C and D", and so informed Ms. Yu. She protested in a subsequent letter, and demanded that the bureaus be identified. After the letter was published (with names disguised), Robert Addis of AD-EX Translations International/USA (Menlo Park, California), one of the companies involved, informed me that the data had been gathered under fraudulent circumstances. I contacted Ms. Yu for a clarification, but she blew me off. At that point I backed off from the whole affair, including my published promise to provide a copy of the original to anyone who requested it. Although (ATA Director) William Bertsche later said in public at the 1989 ATA Conference that many bureaus, including his own, engage in trickery to learn the rates of their competitors, apparently a double-standard exists for freelancers. Bernie Bierman and Robert Addis went after Vivian Yu like a pair of wolves after a Peking duck, with the ATA leadership trailing behind like yelping Pomeranians. She blew them off as well.

TN: *Oh? You might get some debate on just who blew off whom. But never mind. Let's go back for a moment to this double-standard. Bertsche and doubtless others use "trickery" to obtain price information from competitors. Any price information thereby obtained is used ostensibly to gain a competitive edge, and that is verified by the fact that the information remains private. Even disallowing the fact that Ms. Yu concocted a phony company and stationery and made unauthorized use of the product literature of the Dental Research Corporation, the information used was not for competitive purposes, but rather to paint a picture that would hopefully convince her audience that agencies were engaged in widespread exploitation of freelancers. Indeed, Ms. Yu never bothered to find out how much it actually costs an agency (including fees to translator) to produce a translation. Hence, the question: do you make any differentiation between the type of "spying" engaged in by Bertsche and other agency people, and the type (and method) of so-called "research" conducted by Ms. Yu?*

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CRUMP INTERVIEW [cont'd. from page 5]

TC: Spying is spying, and in both instances the perpetrator feels an economic necessity to do it. Both need to know the market realities. An uninformed freelancer, just like an uninformed bureau owner, may be charging too little or too much, and this business is too precarious to leave to guesswork. Some bureaus announce their final charges to the client in a brochure, and presumably there is no necessity to trick them (I haven't made an attempt to see if any of these show up on Yu's "hit list"). If everything were more out in the open, labor could argue with management over shares of the pie.

The double-standard is in the reaction to the separate instances. Bill Bertsche feels free to admit such activity in a public meeting, knowing the worst that will happen is that the ATA leadership will say "boys will be boys". But Vivian Yu stirred up a hornet's nest, and the ATA leadership went to great lengths to smooth the feathers of the "injured" bureaus.

TN: *Third, another supposed element in your dismissal dealt with a possible relationship you had with Mark Homnack, President of American Translators International, Inc., a major Chronicle advertiser. It was rumored that the Board demanded clarification of that relationship and that you, again, refused to answer its demands. Did you have some kind of relationship with Mr. Homnack that would have caused the Board to make such a demand? And did the Board, in fact, make that demand?*

TC: Are these the "elements in my dismissal"? It's nice to find out at last. Jane Maier said they were pretty humdrum; maybe she was right. American Translators International, Inc. (ATI) began to advertise in the September 1988 issue. ATI President Mark Homnack requested that page 3 be indefinitely reserved for a full-page ad. I saw no reason to refuse this request, so he got it. This irked his arch-rival, Robert Addis, who called me to complain about it (his ad appearing on page 5) and asked for page 2. I assured him he was being silly, and that readers could see his ad just fine on page 5. Then in April 1989, Homnack contacted me to see if I had any copies remaining of my book, "Translation in the Federal Government: 1985". When told that I was down to one or two and didn't wish to run off any more, he asked for authorization to reproduce, advertise, sell and distribute the book as a service to translators. We signed a contact giving him permission to do so until perpetuity or the Eagles win the Super Bowl, whichever comes first. He agreed to see it for \$10.00 each, paying me a royalty of \$7.00 per copy. Thus far I have realized a total \$21.00 from this deal. In

return, Homnack received no advertising discounts or special treatment of any kind in Chronicle matters. He paid the same rate any other corporate member would; this was documented every month in the advertising accounting that I sent to ATA headquarters. Then about August 1989, I received a call from Gabe Bokor, Chairman of the ATA Ethics Committee, to inform me that Addis had complained about my business relationship with ATI, in which he saw a conflict of interest. I responded to Bokor that we would gladly suspend sales of the book until after I left the editorship. In fact, Homnack even offered to alternate page 3 with Addis, but I decided to leave this up to my successor. The current editor seems to stick their ads where it is convenient, and it appears as if Mr. Addis has cancelled his full-page ad. But that could be in pique over the President's (reportedly) ordering the editor not to publish his letter to the Chronicle relating to the antitrust matter.

TN: *And finally, we come to the letter which you published from John Bukacek, an ATA Board member himself, a letter in which he pointedly criticized ATA management over the policies of the Chicago Area Interpreters & Translators Association (of which Bukacek is the Chairman) to exclude translation agency owners and employees from that organization. It is now a matter of record that the ATA Board demanded that you publish its response alongside Mr. Bukacek's letter, something that you reportedly refused to do. Did you in fact refuse to publish the Board's response in the same issue? And if so, why? Did you offer to publish the Board's response in the following edition?*

TC: You mean "That John Bukacek". This is how he is referred to in the fishwife gossip from which you probably heard the story. When someone is perceived to be "not one of us", he becomes a "That".

Specifically as regards Bukacek's letter, I was never ordered not to print it, because no one else on the Board knew anything about it. By this time, I had learned not to ask questions about what was permissible. Anyway, Bukacek's letter was a complete surprise to the Board members, and anyone who tells you that I was ordered not to print it or to print a rebuttal in the same issue has been sniffing airplane glue. (Where this comes from is that I was expected to give someone on the Board an opportunity for rebuttal in the same issue if a critical letter came in. The problem with that is I was afraid that letter "A" would simply be suppressed, and that would be the end of it.) No, there were no demands or refusals in the case of the Bukacek letter because no

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CRUMP INTERVIEW [cont'd. from Page 6]

one in the Inner Circle knew the letter was going to be published. If the October issue had not been torpedoed, and someone had wished to respond in it, he could have done so.

TN: In your published account of the events immediately preceding your dismissal, you said that Deanna Hammond, who was President-elect at the time, urged the other Board members to quash the October issue, which was to be your last. However, according to you, the Board did not support Ms. Hammond's recommendation, but President Kummer nonetheless fired you by invoking certain Presidential powers granted under the Chronicle charter. Now, there is a certain credibility at test here, for it is difficult to believe that a President-elect, a traditional muscle-less position, could wield such raw power. Your comments, please.

TC: Since that time, I have learned that Deanna Hammond was extremely concerned about what I might pull off in my last issue as early as the July meeting of the Board, where she expressed this concern to some other Board members in the hallway during a break. Also, when Jane Zorrilla, the editor-designee, met with me for a briefing in September, she was under the impression that she was going to do the October issue. While pondering these facts, let's re-read Hammond's fax of September 28, 1989, which speaks for itself.

"Dear Fellow Board Members:

"I am writing to you out of concern over the latest issue of the Chronicle. Typos and missing pages (in my case) aside, I am particularly distressed by Ted's refusal to follow instructions to allow a response in the same issue as an article disparaging of the Association is to appear. (In this case, more than one article, as I am sure you will agree.) I see no reason for us to look forward to a final issue by Ted, which would come out just after the Conference but before Jane's post-convention issue.

"My suggestion is simple: allow Jane to do a double issue, for regular Chronicle matters as well as a post-convention write-up, and to inform Ted that his term is now over. It would be worth the money we might lose for work already done on the October issue. Most articles could be forwarded to Jane in any case.

"Since time is of the essence, I would appreciate hearing your views on the matter no later than tomorrow. If you simply wish to agree to disagree, please return this FAX as soon as possible. If you wish to discuss the matter, feel free to call, but don't expect a long conversation since I am overwhelmed by pressing Conference details right now.

"Thanks for your cooperation. [sgd] Deanna.

" Yes, I support the cancellation of an October issue of the Chronicle, with the understanding that the November issue will be lengthened.

" No, I do not support the suggestion and wish T. Crump to do one more issue.

" Comments: "

I learned of the President-elect's move almost immediately, when I was called by John Bukacek and then by Patricia Newman. However, I was not contacted by any of the other 11 members of the administration, notably President Kummer. Finally, the following Monday, having heard nothing, I asked Newman to use her good offices to find out whether I should proceed on the October issue or hit the tennis court. She called back to tell me that the vote had been split, and that I was to interpret the silence as a go-ahead to do the October issue. As she signed off, she added that she hoped there would not be anything too controversial in the issue. Actually, the October issue was shaping up as rather bland. However, the following day, Kummer first faxed a note to my printer to say that if I brought in the Chronicle, he was not to run it off, because ATA would not pay for it. Then he faxed me a letter to the effect that he had invoked Article 2 of the Chronicle charter, "Frequency of Publication", which allows the President to make temporary variances in the number of issues, to cancel the October issue. My tenure was not affected, and I was to be paid the honorarium. I responded something like "Very clever. Keep the honorarium." The honorarium check came anyway, as well as \$1800 for mailing, both of which I turned back.

Now as to the power of the President-elect: This is not the Vice-Presidency of the U.S., which I believe John Nance Garner once described as "not worth a bucket of warm spit." The office itself is many times tougher than that of the President, because the President-elect has to plan and run two conferences; it is to the presidency what boot camp is to beer-drinking corporals at the motor pool. In any event, there has been at least one precedent for a strong President-elect and a weak President: Patricia Newman and Eva Berry, respectively. Newman's grasp of the details of ATA business, Robert's Rules of Order, and how to get things done, were vastly superior to Berry's, and she would sit at Berry's side and coach her through the meetings. In the case of Hammond and Kummer, it appears that Hammond must have been champing at the bit to get into power. Why was it the President-elect, and not the President, who initiated the purge? Jane Maier, in her letter to the March edition of the Capital Translator, would have us believe that Hammond was acting in Kummer's name. Yet you can see for yourself that this is not mentioned in her fax. Since coming to power, Hammond has reportedly given a new wrinkle to Robert's Rules by

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CRUMP INTERVIEW [cont'd. from Page 7]

refusing to call on the two "Thats" - That John Bukacek and That George Kirby - when she knows they oppose her on a particular issue.

TN: Apparently, you had made many close friends with various Board members during your years of involvement in ATA official circles. In fact, you once said that you held many of these people in great affection. Did the events of October 1989 sour some of those friendships?

TC: Well, friendship is a two-way street. Patricia Newman and I used to argue until we were blue in the face, but she picked up the phone and called me that day in September. Probably the friendship just wasn't there in some cases. It reminds me of a family split by religion. As far as I am concerned, I don't care; I'll still talk to someone on the other side of the fence, invite them for Christmas dinner, and try to get along. But some mothers would rather see their sons dead than not of the faith.

TN: At the business meeting held at the 1989 ATA Conference, both Mr. Kummer and Ms. Hammond expressed their thanks, on behalf of ATA, to those many persons who had worked selflessly for the Association throughout the year. What was remarkable was that your name was never mentioned. Even to those who are not up-to-date on ATA "politics", this seemed to be most unusual. What are your honest-to-goodness feelings about this apparent banishment to ATA's land of oblivion?

TC: That was pretty tacky, the instant unperson. However, let's not forget that I was given tribute in subsequent issues of the Chronicle by the new editor and in a couple of letters. I did not attend the business meeting, but some people were acting very strangely throughout the conference. One member of the Board came up to me and asked me if I was trying to "shoot myself in the foot" with my news release about the October Chronicle. I could never figure that one out... Was I supposed to have kept quiet about it? Another prominent member of the Inner Circle rushed up to me and kissed me, without saying a word, and then dashed off, as if afraid of being seen in my vicinity. How close did she come to being cut off from communion? A confidante of the President looked at me as if I were standing on the gallows. I might as well have been wearing a Hare Krishna suit.

TN: Moving to the post-editorship period, your recent writings seem to indicate a certain tilt in the so-called agency-freelance debate. Indeed, it appears that you and Mr. Bukacek... sorry, That Mr. Bukacek, an uninhibited translation agency critic, have become somewhat close. In a recent edition of

the Capital Translator, you wrote in connection with ATA's policy of curtailing discussion of translation rates (in the light of possible antitrust violations) that the policy represented "a black day for freelancers." Could you elaborate on that?

TC: Call it Affirmative Action. ATA is obviously in the pockets of the bureaus. The freelancers need a friend. As for That John Bukacek, I'm proud to say that he has been my good friend for a number of years. John is truly a good person, intelligent, able, and is not two-faced. He has been labelled by the gossip sisters as "anti-agency", which apparently is enough to make him a That. He opposes corporate membership in CHICATA, as well as personal membership of bureau owners, because he has seen, as have I, that freelancers can be intimidated into silence by bureau owners, which brings up the final point: The directive sent around to the ATA chapters entitled "Procedures Relating to Gathering and Publishing Information on Rates". This is one of the most incredible concoctions I have ever seen. It strikes at the very heart of ATA's reason for existence. Freelancers comprise perhaps two-thirds of the membership, and many joined ATA in the hope that being in the organization might bring about a substantive improvement of their economic lot. When they got to know other freelancers, some of them found out that they had been working for peanuts, when it was not necessary to do so. The directive reads, "Without the prior approval of the Board of Directors or the President of ATA, no ATA member, committee, Division or Chapter shall take any steps to gather information on rates or to publish such information." Bureau owners must have rubbed their hands in glee with the prospect of sliding rates back down, while their freelancers are forbidden by their own association to make it known. In my letter, I called for a second opinion. Even before that, the Northern California Chapter of ATA (NCTA) had consulted with an attorney. NCTA points out that the antitrust law is not intended to deprive people of their freedom of speech, and reprimands the ATA Board of Directors for dictating to that chapters. Translators are going to continue talking rates whenever they get together, and the Board by telling them not to is just making itself, and ATA membership itself, all the more irrelevant. I'm not so wise as the lawyer guys, but I have eyes, and, for example, I read the following in American Jurisprudence (54 Am Jur 2d Supp): "Exchange of price information does not by itself establish violation of 15 USCS § 1, and further evidence of actual fixing effect on prices must

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be adduced before antitrust violation is established..." Greenhaw v. Lubbock County Beverage Asso., 1983.

TN: OK, let's first take up this antitrust issue. Evidently, you've done some homework. And let's say, for argument's sake, that mere discussion and publication of rate subjects is permissible. But what about the issue of a trade association actually recommending rates or prices?

TC: Price fixing is illegal per se under the Sherman Act, except as permitted by fair trade laws; the question is whether recommendation of rates or prices by a trade association constitutes price fixing. Again, I don't want to play antitrust lawyer, but according to American Jurisprudence (54 Am Jur 2d:47-8), while price uniformly, accidental or conscious price parallelism, or a competitor's sole decision to follow price leadership is not outlawed, a price-fixing conspiracy does not necessarily involve an express agreement, oral or written. "It is sufficient that a concert of action is contemplated and that the defendants conform to the arrangement...A car dealers' association engages in a per se violation of 15 USC Sec. 1 by agreeing on a fixed uniform price and sending it to the association members, even though the uniform price is only a starting point for negotiations, there is no agreement among dealers to adhere to it, the association does not enforce it, and dealers cut prices in bidding against each other" (Plymouth Dealers Asso. v. U.S. (CA9 Cal) 279 F2d 128).

TN: Next, let's touch on ATA being agency-dominated. Currently, there are only two agency people (Bokor and Bertsche) on the 13-member Board. The last agency-associated President was Eva Berry in 1984, and she was kicked out of office precisely for zilching quite a few translators (forget about the "official" face-saving reasons). And over the past decade or so, agency people have constituted a tiny minority. How does such a tiny minority exercise such muscle? Do the 80-some-odd translation agency corporate members have some magical pipeline to the Board?

TC: The muscle is economic and cancels out the numerical superiority of freelancers over bureau or agency owners on the Board, just as it makes some members "more equal than others" in the membership at large. There is a network of economic relationships on the Board and in the Inner Circle. Freelance Board member Nicholas Hartmann, for example, works for Bokor (Accurapid Translation Services) as well as for Patricia Newman (Sandia National Laboratories). Bokor works for Henry Fischbach (The Language Service). Fischbach and Ben Teague work for Newman. And so on. This is natural enough, especially in those cases where the persons involved have reputations for excellence. But is a freelance Board member likely to go against someone giving him work on a crucial vote? Shouldn't these members declare possible conflict of interest as long as they are on the Board? As to the second question, we saw how quickly the Board jumped when some bureaus complained about Vivian Yu, and how it is leaning on CHICATA to allow bureau owner membership. No, I don't think there is a pipeline; it's not needed.

TN: From what you said before, the implication can be drawn - an implication also made by Mr. Granich in his "ATArashii" editorial and others, that ATA's antitrust policy resulted from a complete collapse before the three bureau members who raised the antitrust issue. Could you comment or elaborate on this?

TC: The directive on avoiding antitrust violations was a hasty overreaction. What the three bureaus pointed out appears to be true, but why the pell-mell rush to print with this hysteria? In February of this year, it was intimated to members of the Board by the President that the three bureaus were going to sue ATA if a notice did not appear in the February Chronicle instructing members to back away from the rate guidelines until further notice. Later, at the March Board meeting, the President denied that any such threat had been made. I don't blame the three for ATA's having to retreat from recommending rates; it should have been checked out more thoroughly before going to all that work.

TN: In your letter entitled "Don't Wait Up for the October Chronicle", you seemed to be saying that Ted Crump is retiring from active participation in ATA. Yet, a subsequent letter published in the Capital Translator indicates that you are still very much interested in ATA affairs, and may want to influence those affairs in some way. So, is your "retirement" as final as you seemed to say it was last Fall, or are you, like many of us, "ATA addicts", who've been hooked on the "drug"?

TC: At this point in time my interest in ATA ebbs and flows: My writings of last Fall were an effort to set the record straight for the benefit of the membership, as in this interview. My subsequent letter to the Capital Translator resulted from a development about which I felt strongly enough to respond. It's true, I didn't go cold turkey, but if I was addicted at some point, the withdrawal symptoms have disappeared. At the time I wrote the "Don't Wait Up" piece, I was disgusted enough to walk out of ATA entirely, but I renewed my membership for 1990, and don't wish to rule anything out at this point. If the climate should ever change, I might be interested in holding a chapter position again or running for the national Board of Directors, but never again will I allow association work to eat up my evenings and week-ends to the extent that it was doing in the late 80's.

TN: An association is, legally-speaking, a "personne juridique". However, this does not make it inorganic. An association is composed of people, and it is people, or at least some of them, who place their imprimaturs on the association. People espouse philosophies, make policies consonant therewith, set directions and priorities, and so forth. It is no different in ATA. Would you care to comment about the people or personality factor in the Association's scheme of things?

TC: I'd rather talk about policies and tendencies rather than personalities, although sometimes these are inseparable. My first

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exposure to ATA was in reading Isabel Leonard's Chronicle in the late 70's. I remember being struck by the liveliness of the debates and the frankness with which nitty-gritty matters of translation survival were treated. Ms. Leonard at times demonstrates a streak of independence, yet I've never known her loyalty to be questioned; perhaps I should contribute another verse to "We are the ATA". If ATA could get out of the family/clan rut, the concept of a loyal opposition (i.e., loyal to the membership and the stated goals of the association, not necessarily loyal to the Inner Circle) might finally be recognized and exercised. All the people closely involved with ATA are well-blessed with intelligence and talent, and they have contributed enormous amounts of time and energy to the organization. They still can contribute, but those who are in office should step aside.

TN: You have observed the ATA from both inside and out. What do you believe are its strengths and weaknesses, and how do you see the future of the organization?

TC: ATA is a veritable Comstock Lode of brain cells; it is a matter of constant amazement at ATA meetings to strike up conversations at random with people you've never heard of and may never hear of again and discover how much they know in the most infinite detail on any subject you want to get into. There is a tremendous amount of expertise and talent behind those 3000 names in the Directory; yet, as far as the dynamics of ATA are concerned, the overwhelming majority remain just that - names. And this is the greatest weakness of ATA: apathy or just the lack of aptitude for political activism. As I mentioned earlier, ATA does not have a real political life. The bottomless apathy of the membership has resulted in the abdication of power to the handful with the interest and ambition to work, and these people have formed themselves into a close-knit clan which regards itself as the owners. So I have a couple of utopian proposals:

The President has called for suggestions for changes to the ATA by-laws. I have two: (1) a sunshine law - the deliberations of the ATA Board of Directors and Executive Committee would be recorded in full, with transcripts published in the Chronicle, in 6-point type if necessary, but complete and unedited; (2) each ATA member would be limited to a maximum of ten years total service as an officer on the Board of Directors and/or the Executive Committee. This would allow an individual to serve two three-year terms as Director, one two-year term as President-elect, and one two-year term as President. No one would be allowed to recycle, as has been and continues to be the case with the Old Guard. Those presently in office would be allowed to finish their current terms, otherwise would not be excepted from the rule. I believe that these suggestions might do much to stimulate more member participation in ATA affairs. Also it might encourage persons with independence and backbone to run for office and stay more than one term, thus breaking the stranglehold of the present clique.

Without these changes, I expect the future of the organization will be much like the present. If there ever was much thought that ATA

would develop into an organization in which translators could band together and exercise some economic clout, those hopes now seemed dashed. Judging from the new Chronicle, the future is now: we could look forward to linguistics and platitudes. Many working translators will continue to see ATA as irrelevant, or will get disgusted as leave, so we will continue to have a turnover of members. Most of the people who responded to Patricia Newman's survey indicated that they are content with what they are getting from ATA in return for their dues, but many of these only translate part-time, have staff jobs, or are involved in academia. ATA meets a certain need for some people who seem to have nothing else. Many members plan their annual vacation around the Conference; they may gripe about their hotel accommodations, or not enough rolls and butter, but they never question the power system. The freelancers, however, must realize sooner or later that they are wasting their time in ATA as it is presently constituted, with management and labor under the same umbrella, and the leadership catering to management. They will get tired of their dues money going into the pockets of lawyers to find ways to work against their interests, or to foot the bill for nice junkets for the party faithful to Belgrade and elsewhere. They must organize as a union; then they will be free not only to discuss and advocate rates, but also to use their combined clout to get them! But I don't see this anywhere on the horizon.

TN: And finally, do you see Ted Crump in ATA's future?

TC: If it should ever come to pass that ATA politics becomes more like the U.S. Congress, where members from opposite sides of the aisles are actually known to speak to each other, and some are even good friends, I might get back into it. But the way things are now, I am about as likely to be nominated for national office as Dale Cunningham, or if I wedged my way in by means of petition, I could look forward to nothing but fighting with them. But I'm sick of the whole thing, anyway. I'd rather be playing tennis.

TN: And while you're playing tennis, we'll be going to press. Thank you very much for your time and your views.

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