Translation Status – A Professional Approach

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ABSTRACT

Translation plays a crucial role in today's globalised and interconnected world. Yet, it seems that no one can prevent an unqualified person from translating (Pym *et al.* 2012). This situation raises a number of fundamental questions: is it a problem that anyone can translate and, if so, to whom and how?; is translation a formal profession and, if not, should it become one?; if it is a formal profession or if it becomes one, should it be regulated and, if so, why and how? Before answering these questions, mostly by the affirmative, this article examines the current status of translation as a profession as well as the main causes and effects of this status. It shows that the concept of risk of prejudice due to incompetent translation should be at the heart of the positioning of translation as a profession. It also shows that prejudicial texts (see definition) must imperatively be translated by qualified translators and that social interest, namely ensuring public protection against erroneous translations, should take precedence over professional interest, i.e., the promotion of translators, for the full recognition of the translation profession.

KEYWORDS

Translation, profession, professionalisation, professional status.

Definitions

Amateur translator: person doing translation without professional skills and on a casual basis

Client: Translation services requester

End-user: Reader and user of a translation

Occupation: Work to support livelihood

Prejudice: Damage, injury or harm caused by action or inaction of others

Prejudicial text: document or content likely to cause severe, irreparable, or hardly reparable prejudice due to an erroneous translation

Professional (noun): A specialist earning a living from a profession

Professional (adj.): Indicates a high degree of expertise

Professionalisation: Process of building the social and symbolic status of an occupation (Siegrist 2001)

Regulated profession: a profession whose exercise and/or use of the title is managed by a recognized organisation and is conditional on the holding of a certificate or permit issued according to specific criteria, qualifications, and diplomas

1. Introduction

The importance of translation for society is well documented. Among other things, it makes international trade possible, and more specifically trade between countries with different languages, and it "is the channel through which all concepts, ideas or notions transit" (Barabé 2013: 4; my translation), thus contributing to the democratisation of knowledge and, consequently, the evolution of humanity.

The Internet age has created an insatiable demand for translation services that is increasing at a faster pace than global economic growth (DePalma 2017) and that current business models in translation cannot meet (Drugan 2013).

Despite the explosion of training programs, translation is regulated almost nowhere in the world (Drugan 2013). In fact, there is nothing to prevent an unqualified person from translating (Pym *et al.* 2012). As a result of this non-regulation, most clients have difficulty finding competent translation service providers (Drugan 2013) and the translation market is akin to the used cars market before its regulation (Pym *et al.* 2016).

The consensus among both professional translators and academics and the general public is that translators' professional status is low (Dam and Zethsen 2009). While translators see themselves as true experts, for the public they are only one notch above secretaries (Dam and Zethsen 2014).

This raises a number of fundamental questions: is it a problem that anyone can translate and, if so, to whom and how?; is translation a formal profession and, if not, should it become one?; if it is a formal profession or if it becomes one, should it be regulated and, if so, why and how?

Before answering these questions, it is important to take stock of the status of translation as a profession.

2. Professional status of translation – situational analysis

Translation and its oral counterpart, interpretation, are among the oldest human activities. The former goes back more than 5,500 years (Delisle and Woodsworth 2007). The latter, much further back, even though anthropologists, ethnologists and linguists are unable to specify when human language first appeared, or whether the advent of languages was the result of monogenesis or polygenesis (Hombert 2005).

Paradoxically, it is not until a few decades ago, after the end of the Second World War, that both professions began to be of real interest to academics and theorists (Holmes 1988) and to show signs of professionalisation (Delisle and Woodsworth 2007).

As is the case for all professionals, translators' status reflects society's perception of the value of their work (Pym *et al.* 2012). An individual or group enjoys a high status if they enjoy a certain level of trust, prestige, authority, and compensation as well as professional exclusivity (Pym *et al.* 2012). These characteristics largely elude the translator profession (Dam and Zethsen 2016).

There are two types of professional recognition: that granted by the public, which has mainly a symbolic value, a kind of respect or regard; and that granted by government authorities, a legal recognition that comes with duties and obligations, and also privileges (Siegrist 2001).

The type of services provided influences the status and prestige of an occupation (D'Amours 2014: 36-37). From the user's point of view, a service is either generic, i.e., designed for a group of people, or dedicated, i.e., intended for a specific requester. From the provider's point of view, the service is either specialised, i.e., based on the specific knowledge that a professional possesses, or standardised, i.e., independent of the professional. Specialised and dedicated services are provided in the context of an interpersonal relationship with a specific requester by a professional who has specialised qualifications that make him or her difficult to replace. Standard services are provided within a transactional relationship, involving only a few interpersonal contacts, and making providers interchangeable. In an interpersonal relationship, competition is about quality; in a transactional one, it is about price and immediate adaptation to demand.

Translators work mainly in a transactional environment and provide mostly standard services (D'Amours 2014). Normally, information asymmetry, i.e., the opacity surrounding the specialised knowledge needed to provide a service, favours the professional (Rapelli and Piatecki 2011). This does not seem to be the case in translation (Chan 2008), which is perceived as a standardised service. Translators are therefore mostly considered interchangeable (D'Amours 2014).

The market in which an occupation is carried out is also an important marker of status. The more closed a market is, the higher the status. Engineers and lawyers, for example, operate in a mostly closed market, where they have a monopoly on certain activities. Translators work in an open market, where there are no real barriers to entry and where their products are seen as standard (D'Amours 2014). No country requires specific qualifications to use the title of *translator* per se, nor does regulate this title (Pym *et al.* 2012). Some jurisdictions regulate the title of *certified translator* (Québec Professional Code 2020, sect. 36.t), others the title of *sworn* or *authorised translator* (Pym *et al.* 2012).

Due to the high demand for translation services and the largely unregulated title, an offer of all kinds abounds, undermining the status of professional translators in society. The following factors also contribute to the deficient status of translation.

"Asymmetrical" relationship

Even though translator and client are equally dependent on each other, the relationship between them seems to be "regulated by a certain asymmetry: one translates, the other pays" (Pym 1997: 79; my translation). In fact, clients do not pay, they buy. They buy an expertise that they do not have and that they need. Clients are often experts in their field, and so are professional translators: experts in interlinguistic and intercultural communications in a particular field (law, medicine, administration, etc.). The client-translator relationship should be a relationship between experts, therefore taking place on an equal footing.

Billing method

Translators do not translate words or lines, let alone characters. They translate the meaning of words and more precisely the notions, ideas or concepts conveyed by these words. Yet, word-based pricing is standard practice in the profession. In other trades or professions, access to expertise is billed in three ways: by the hour, by fixed price or by retainer. Most translators do not routinely use these three billing methods, thus marginalising translation from other professions and lowering themselves to the level of word processors/transcribers.

Lack of knowledge of the expertise involved

Society does not know the expertise that professional translators must have in order to competently practice their profession (Dam and Zethsen 2014). Too often, professional translators themselves seem not to be fully aware of it, saying that it consists mainly in transposing texts into another language (Barabé 2014). This is tantamount to saying that an engineer's expertise is to produce plans and specifications. In fact, it is because of their specialised engineering knowledge that engineers produce plans and specifications that meet the standards of their profession. The true expertise of professional translators is interlinguistic and intercultural communication. Thanks to this specialised knowledge, combined with an in-depth knowledge of the subject matter of the text to be translated, professional translators can not only produce translations that meet end-users' and clients' expectations, but also advise clients on how to adapt their communications to the target audience.

Lack of organisation

Disorganisation characterises the occupation of translator: no agreed upon theory (Guidère 2016); lack of a definition of quality with widespread acceptance (Drugan 2013); lack of barriers to entry into the profession, which attracts a great number of charlatans (Rapelli and Piatecki 2011); multiplicity of certifications and variety of training, thus competition and weakening of professionalisation markers (Pym *et al.* 2012; Chan 2008).

Self-centeredness

Most organisations of translators and interpreters around the world seemed dedicated to promoting and defending the interests of their members (e.g., *ATA – The Voice of Interpreters and Translators*). Their primary function is not to look after the interests of society as a whole. However, we will see in section 5.B that social interest should take precedence over professional interest for the full recognition of the translation profession.

Underuse of metalanguage

Translation metalanguage does not make consensus (Pym 2018: 41). Yet, metalanguage contributes significantly to demonstrate the foundations of a profession and to illustrate the knowledge and expertise necessary for competent practice.

3. Impact of the deficient status of translation on professional practice

Status has a direct impact on the conditions under which a profession is practiced (D'Amours 2014). The key is who has control over the following conditions:

- deadlines;
- working methods and techniques;
- work schedules;
- work tools;
- productivity standards;
- rate setting (D'Amours 2014: 45; my translation).

Let us take a brief look at these elements.

As far as deadlines are concerned, professional translators tend not to control them as fully as members of other trades and professions, who tell their clients when they are available and clients have to adapt. In translation, it is usually clients who tell translators when they wish to have their translation back and translators have to either adapt or negotiate a different date.

As professional translators do not fully control deadlines, it impacts their work schedule and productivity standards (e.g., 10,000 words to be translated in two days instead of ten). As for work tools, particularly language technologies, they are increasingly determined and controlled by translation agencies and employers.

Professional translators do control their working methods and techniques, as long as those governing the other elements allow them room for maneuver. A translator may have to adapt his/her working methods and techniques to meet a short deadline, by translating more literally for instance.

Finally, rates are often conditioned by clients' practice of favouring calls for tenders, where price is often a key factor. The marketplace controls them more than professional translators. Whoever controls rates controls compensation.

Status deficiencies impact professional translators' control over the conditions of practice of their own profession and over their compensation. This can in turn lead to competent translators leaving the profession due to low professional recognition and poor compensation (Pym *et al.* 2012), resulting in a decline in quality in the marketplace.

We can now move on to the questions raised in the introduction.

4. Anyone can translate. Is this a problem and, if so, to whom and how?

There are some 7,100 modern languages in the world (Ethnologue 2019). Many of the speakers of these languages speak at least two of them. All these polyglots translate, but only a small number of them, between 200,000 and 700,000, make translation their profession (Pym *et al.* 2012; DePalma 2019). Not many, clearly. In fact, according to DePalma (2019), it would take no less than 2 billion translators to translate only 0.01% of all the multilingual content generated daily in the world (my emphasis).

In this effort, professional translation, amateur translation, collaborative translation, community translation and machine translation (MT) are performed simultaneously and, very often, are confused with one another by the public. This is one of the reasons why "the translation market is characterised by a wide variety of product qualities" (D'Amours 2014: 252; my translation).

For professional translators, the common belief that anybody can translate is the root cause of most of the problems afflicting the profession: low status, unequal quality, unfair competition, low prices. As for amateur translators, none of these problems seem to affect them: professional

recognition, or lack thereof, does not bother them as they translate mostly on a casual basis; quality does not overly concern them since they consider themselves sufficiently competent; competition is not really an issue since the practice is open to all; and rates seem to suit them. The answer to the question is therefore affirmative for professional translators, negative for amateurs.

However, we believe that a more fundamental question arises. Both professionals and amateurs do not translate for themselves, as their translations are made to be read and used. They translate for the society to which they belong and, more precisely, for the members of that society, i.e., end-users and clients whether they are natural or legal persons, or members of the public or private sector. It is therefore crucial to put society – and its members – at the heart of the issue of translation professionalisation, as it is not only the true recipient of translation, but also the sole and unique decision-maker on the status of a profession (Siegrist 2001).

Therefore, the real question is:

5. Does translation by an unqualified person create a problem for society and its members?

To answer this question, it is first necessary to look at the issue of qualifications and then to analyse the problems caused by incompetent translation.

A. Qualifications

For society, proper qualifications for translators are important, as we can see in the various circumstances in which it is a professional requirement.

For instance, in order to establish common minimum rules to be applied for the translation of criminal proceedings, the European Union recommends that its Member States establish one or more "registers of independent freelance translators and interpreters who are appropriately qualified..." (Directive 2010/64/EU of the European Parliament and of the Council, Article 5(2)) (my emphasis). In addition, to avoid comprehension errors in operating instructions for consumer technical goods, it "requires that translations are done by suitably trained experts who share the language of the consumers that the product is aimed at" (Council Resolution 98/C 411/01, Annex, section 5) (my emphasis).

In addition, in its rules on access to medical services for persons with limited English proficiency, the US Department of Health and Human Services requires that the content of medical documents be translated by a qualified

translator (US Government Regulations, title 45, section 92.201) (my emphasis). Similar provisions likely exist elsewhere in the world.

However, these provisions do not specify who meets the definition of *qualified translator* or what qualifications should a qualified translator possess. This is due to the fact that society is not in a position to determine the expertise required to practice any profession for basically two reasons (Desharnais 2008). First, members of a profession possess a complex knowledge that is difficult to assess by people other than members of the same profession. Second, professionals are best able to control the competent exercise of their profession. Society delegates to professionals the responsibility of defining the qualifications necessary for the exercise of a profession and identifying who holds them. That is why physicians identify who is qualified to practice medicine, and lawyers who is qualified to practice law. The same applies to other professions.

In these EU and US directives and regulations, European and American authorities have gone to the limits of their competence: they have defined the documents requiring a qualified translator. They have not specified the qualifications required to be recognized as a qualified translator because they do not have the competence to do so. For this, they rely on professional translators. Some work has been done in this regard in ISO 17100:2015 (ISO 2015) and other similar standards.

B. Problems caused by incompetent translation: concepts of risk and prejudice

The above-mentioned EU and US legal provisions inform us on two crucial points. First, the nature of the problems arising from an incorrect translation: they put at risk the health and safety of the public and the respect or exercise of fundamental rights. Second, society's reaction to these problems: they are unacceptable, to such an extent that society has deemed it necessary to regulate the translation of the documents provided for in these legal acts, although it has done so incompletely due to its lack of expertise in professional translation.

The severity of a translation error is often seen as the impact of the error on the communication function of the text (Scarpa 2010), and the main risk in translation is often viewed as the loss of credibility for the translator (Pym 2015).

In professional translation, the risk is that first the end-user and second the client may suffer prejudice, i.e., harm caused by a translation error made by the translator. The notion of prejudice and, above all, protection against such prejudice is the key to the professionalisation of translation.

As we have seen earlier, translation demand far exceeds qualified supply. It is therefore crucial that qualified resources be put to the most efficient use. Using professional translators to translate elevator notices announcing corporate events would not meet the efficiency criterion.

Due to the scarcity of qualified resources, it is crucial in my view to distinguish between two types of texts in professional translation: prejudicial and non-prejudicial. This distinction is both fundamental and foundational. Prejudicial texts are texts for which an incorrect translation, or the certification of an incorrect translation, is likely to cause severe, irreparable or hardly reparable physical, moral, financial or material prejudice. All other texts are non-prejudicial. Prejudicial texts *must imperatively* be translated by a qualified translator; non-prejudicial texts should ideally be translated by one. We will propose later in section 7 a typology of prejudicial texts.

For example, instructions for installing a home theatre system are not prejudicial. If poorly translated, they will certainly cause inconvenience, but not severe or irreparable prejudice: the house is not likely to burn down and its inhabitants to perish. The instructions for installing a child car seat are prejudicial: translation incompetence can lead to serious injury or even death.

A physical prejudice affects the health and safety of natural persons. Moral prejudice affects the reputation of natural or legal persons or the respect of their rights; financial prejudice affects the financial health of these persons. Material prejudice results in a major deterioration of the property of these persons.

In professional translation, there are two types of prejudice: direct and indirect. Direct prejudice is the harm suffered by the end-user of an incorrect translation. Indirect prejudice is the harm suffered by the client. In the example of the incorrectly translated car seat installation instructions, the direct prejudice is suffered by the child and his or her parents in the event of an accident. The indirect prejudice is suffered by the translation client in the event of a lawsuit by the child's parents. Due to a prejudice suffered as a result of an incorrect translation, the end-user may sue the client, who may in turn sue the translator, i.e., the person who caused the direct and indirect prejudice through the faulty translation. End-user and client are the true victims of the prejudice suffered and may claim compensation (Lavault-Olléon and Allignol 2014). The onus is then on the prosecution to demonstrate the harm caused by the incompetent translation (Byrne 2007).

For prejudicial texts, translation cannot consist in "betting on the accuracy of what you think you understand" (Froeliger 2004: 3; my translation) or engaging in informed speculation (Pym 2015). For professional translation

of prejudicial texts, one cannot bet or speculate. Public protection cannot be random or speculative. In addition, the end-user of the translation should not be subject to a greater risk of prejudice than the end-user of the original (Drugan 2013). The same is true for clients.

We are now able to answer the question: does translation – or certification of a translation – by an unqualified person create a problem for society and its members? The answer is yes when it comes to prejudicial texts. As proof, society, at least in the two largest translation markets in the world, i.e., Europe and the USA (Nimdzi 2020), requires that the translation of these texts be done by a qualified translator. Obviously, the translation of non-prejudicial texts by an unqualified person can also be a problem, but not of the same severity.

In that respect, an interesting parallel can be drawn between translation and a well-recognized profession: accounting. Both share two fundamental characteristics. First, the basic qualifications for practising them – writing and counting – are acquired in elementary school. Second, they are practised by just about anybody. All bilinguals translate orally or in writing, and anyone who keeps a family budget, fills out his or her tax returns, or does bookkeeping for his or her business does accounting. If "translation skills are not the most widely shared thing in the world" (Pym 1997: 70; my translation), it is safe to say that the same is true of accounting skills.

To get their profession formally recognized, accountants had to demonstrate which accounting activities would likely cause serious prejudice if carried out by an unqualified person. Society essentially recognized one, financial auditing. For non-regulated accounting activities, professional accountants help establish benchmarks to make sure they are not carried out in a haphazard manner. Among other things, they do so in contributing to the design of accounting software available to the general public. Professional translators should do the same regarding non-prejudicial texts by joining MT design teams so that translation of these texts could be done adequately without their involvement.

We can now deal with the next question.

6. Is translation a formal profession and, if not, should it become one?

A profession is an occupation that enjoys a prestigious status, including special conditions leaving room for the autonomy of the individual practicing it (Martineau 1999: 9). It also has a strong knowledge and expertise component and generally requires a university degree (D'Amours 2014: 15).

According to Martineau (1999), there is a consensus in the sociology of professions on three criteria for defining a profession. It is based on "specialised knowledge, making it possible to state precisely and autonomously the rules of practice of the occupation. It requires a high level of training (most often at university level) provided in schools or faculties recognized by the government and the public. It promotes a service ideal, embodied in a code of ethics" (Martineau 1999: 16-17; my translation). Let us see to what extent translation meets these criteria.

As far as specialised knowledge is concerned, translation, especially translation of prejudicial texts, requires a double knowledge: on the one hand, mastery of the source and target languages and cultures; on the other hand, a thorough knowledge of the field of the text to be translated (law, chemistry, finance, medicine, etc.). However, "as no one can stop an unqualified person from working as a translator" (Pym *et al.* 2012; 3), it is difficult for clients, who are mostly laypersons in translation, to ascertain that a "person working as a translator" has the required specialised knowledge.

As far as high-level training is concerned, there are more than 300 higher education institutions offering translation training programs around the world (Pym *et al.* 2012; 14). However, in view of the conflicting theories in translation, their content tends to differ fairly widely.

Finally, regarding the code of ethics, while they do exist, they also vary, as seen with these examples from AUSIT (https://ausit.org/code-of-ethics/), SFT (https://www.sft.fr/code-de-deontologie-des-traducteurs-et-interpretes.html) and ATA (https://www.atanet.org/about-us/code-of-ethics/).

Translation's foundations as a profession are weak. Bell (2000: 147) identifies three types of semi-professions: the pseudo-profession, which imitates another; the para-profession, which is the auxiliary of an established profession; the proto-profession, which is in the process of professionalisation. Translation seems to fall into this third category. For my part, following the example of Pym *et al.* (2012: 94), we prefer the term emerging *or* "fledging profession", i.e., in the process of being structured and seeking status and recognition.

So, the answer to the question is that translation is not yet a formal profession. If so, **should it become one**?

We have seen that a professionalised occupation enjoys status. Clearly, from the point of view of those who practice it professionally and derive their livelihood from it, translation has every interest in becoming a profession.

On the other hand, we have also established that society is at the heart of the professional recognition of any occupation. So, the real question is not whether translation should become a profession, but rather:

Is it in society's interest for translation to become a formal profession?

The answer is yes and comes from society itself. Indeed, we have seen in the European directives and US regulations that there are circumstances in which translation competence matters: when the health and safety of people and respect of their rights are at stake, translation must be entrusted to a qualified translator. Society has also recognized that it is in its best interest to have a register of qualified translation professionals able to deal with these circumstances. It has therefore recognized the need for a translation profession made up of qualified translators. It has also recognized the need for the profession to structure itself to be able to maintain a register of qualified translators and therefore to define the proper qualifications needed to be registered as such. ISO 17100:2015 and other similar standards help in that regard.

We can now move on to the last question.

7. Should the translator profession be regulated and, if so, why and how?

Society regulates a profession when it deems necessary to regulate the practice of that profession in order to protect the public against a significant risk of serious or irreparable prejudice. Regulating a profession does not mean that society values that profession, but rather what that profession brings: public protection.

Public trust in an occupation is a necessary condition for regulation, but it is not sufficient. Ambulance attendants enjoy public trust, as do nurses; however, their profession is not always regulated (Desharnais 2008), as opposed to nurses' profession.

In regulating a profession, society takes four critical actions. First, it determines that there is a risk of serious harm to the public and that it is necessary to act by regulation to protect the public from such risk. Second, it identifies the group of professionals best able to protect the public from that risk. Third, it assigns to this group specific responsibilities for the protection to be provided and gives them the authority to carry out these responsibilities adequately. Fourth, it confers on this group a status, which gives prestige to the occupation. This status, and the prestige that flows from it, is in fact a consequence of the first three actions taken by society. One might argue that professions seek primarily to protect and promote the interests of professionals (Siegrist 2001: 12157). In practice, the

maintenance of status depends on the constant demonstration of the legitimacy of the profession (Martineau 1999: 19). Such legitimacy is based on the constant demonstration of public protection from severe or irreparable harm.

The answer to the question is therefore yes: the profession of translator needs to be regulated.

Why regulate the translator profession?

Because public protection is at stake with respect to the translation and certification of the translation of prejudicial texts, i.e., texts that may cause serious or irreparable harm if poorly translated.

How to regulate the translator profession?

Regulating a profession is essentially the result of two types of intervention. Either the public complains about prejudice caused by unqualified service providers. Or professionals themselves make society aware of the high risk of prejudice if the activity is not entrusted to qualified persons.

The scarcity of public complaints about inadequate translations puts the responsibility on professional translators to make society and its members aware of the potentially serious consequences of lack of qualification in translation.

Every country in the world regulates professions, some more than others. The case of Québec is interesting here. It has legally regulated the professions of *certified translator, certified terminologist* and *certified interpreter* (Québec *Professional Code*, section 36.t) This *de jure* recognition came about following representations made by the then Québec translators association to public authorities.

The Québec Government has defined in a single statute, the *Professional Code*, the criteria in determining whether a profession should be regulated, as well as the responsibilities and obligations incumbent on regulated professions and their members. One can safely say that similar criteria are generally used in other jurisdictions.

These criteria are as follows (OPQ 2010):

- the seriousness of the prejudice that could be suffered by the client of a professional whose competence or integrity is not regulated;
- the knowledge required to carry out the professional activities; "these activities are taught as part of a structured program leading to a diploma" (2010: 12; my translation);
- the degree of autonomy of the professionals;

- the asymmetry of information, i.e., the difficulty for the client to make a judgment on the actions taken because he or she has neither the appropriate training nor the required competence;
- and professional secrecy, i.e., the confidential information about the client needed in order to practise adequately.

Once the need to protect the public against risks of serious prejudice due to the practice of a specific profession has been established, the government identifies the group of professionals to whom it delegates the power to regulate access to and practice of that profession (OPQ 2010).

However, before being delegated any responsibilities, the group of professionals must have done some structuring work. It must first have constituted itself into a body capable of fully respecting three principles: self-regulation, self-management and self-discipline (OPQ 2010 and 2014). Recognition of this body is facilitated when it is requested by "a group that brings together a large proportion of the people [practising the profession] and that has already sought to give itself a framework based on the professional model" (OPQ 2010: 19; my translation).

The principle of self-regulation means that government "delegates to [recognized] professionals the power to regulate access to and practice of their profession. This regulatory power involves the development and adoption of mandatory by-laws" (OPQ 2014: 10; my translation). Among other things, such by-laws prescribe the qualifications required to practice the profession, set out the code of ethics professionals must abide to, and require them to take out liability insurance.

The importance of liability insurance in the professionalisation of an occupation should not be underestimated, as public protection includes the possibility for a member of the public (end-user or client) who feels aggrieved by a professional's performance to seek legal recourse against him or her. By taking out liability insurance, the professional acknowledges the need to assume full responsibility and accountability for his or her professional activities.

The principle of self-management implies that the organisation has adopted by-laws and has established a board of directors accountable to the general meeting of members and has created various committees: professional inspection, discipline, appeal and review, and continuing education (OPQ 2010). It also implies that the organisation is self-financing.

The principle of self-discipline implies that the organisation has "put in place mechanisms to ensure discipline and compliance to professional obligations [so as to] ensure that its members act with integrity" (OPQ 2014: 11; my translation). This is done through the establishment of a code of ethics and the creation of a professional inspection committee (OPQ 2010).

As we can see, in order to get their profession regulated, professional translators must take two major initiatives. First, they must alert society to the risks of serious prejudice due to inadequate translation of prejudicial texts. To do so, they must clearly identify these prejudicial texts and the risks of prejudice that may arise. The EU directives and US regulations cited above provide useful guidance in this regard.

Prejudicial texts basically fall into the following four types:

- texts produced by members of regulated professions and engaging their professional responsibility (e.g., medical documents, engineering plans and specifications, audit reports);
- documents from regulated industries (e.g., the automotive industry or the pharmaceutical industry), whose translation poses acute challenges for companies (Sprung 2000);
- official documents, i.e., those on which government authorities base their decisions (e.g., documents presented in court and immigration documents);
- instructions for the use of products that may endanger the health and safety of persons (e.g., medication, machinery, toys, low-voltage equipment, gas appliances, high-voltage equipment) (EU Resolution 98/C411/01).

Second, professional translators must demonstrate that they are able to ensure appropriate public protection against risks of prejudice because they have structured their profession in a way that is similar in all respects to already regulated professions in the jurisdiction. To do so, they must show that they have established an organisation – no more than one per jurisdiction – based on the specific model of already regulated professions in that jurisdiction and that they have assumed the same responsibilities and obligations as those regulated professions.

In other words, they must behave individually and collectively as if they were regulated.

8. Conclusion

Language belongs to everybody. It would therefore be an illusion to think that society is willing or able to prevent all bilingual persons from engaging in any translation activity.

While language belongs to everybody, mastery of a language belongs to few people, and mastery of two languages as well as the cultural systems that underlie them to even fewer. If one adds to this linguistic and cultural mastery a thorough knowledge of the subject matter to be translated, it is not surprising that demand far outpace qualified supply in translation.

In such circumstances, it is crucial that qualified resources be put to the best use possible.

Society has adopted various laws and regulations providing for the use of qualified translators for specific texts, as we have seen in Europe and the USA. Through these legal provisions, society has established that not all texts are equal in translation. Prejudicial texts, those for which an incompetent translation may cause serious prejudice, must be translated by qualified translators.

As far as non-prejudicial texts are concerned, it is the ethical duty of professional translators to establish benchmarks regarding their translation so that it is not done in a haphazard manner. This implies contributing directly to the development of language technologies, especially machine translation. In other words, professional translators must stop being technology driven (i.e., mere technology users) to become technology drivers.

The status of a profession is proportional to the value of that profession in the eyes of society, and this value is based on the perceived importance of the contribution of that profession to society.

To enhance the status of translation, professional translators must structure their professional practice along the lines of already regulated professions and base it on public protection.

In short, they must professionalise themselves and professionalise their profession.

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Biography

Donald Barabé is a certified translator and President of the Ordre des traducteurs, terminologues et interprètes agréés du Québec (OTTIAQ). He had a long career within the Canadian Government Translation Bureau, first as translator, then as reviser and finally as manager of translation services, in particular for the Department of Justice and the Department of Foreign Affairs. For the last ten years of his career, as Vice-President, Professional Services in the Translation Bureau, he was responsible for translation services provided to all federal government departments and agencies. He also taught translation at Ottawa University School of Translation and Interpretation and has given numerous talks at conferences on the translation profession. He also authored or co-authored a number of articles on the profession and its development.

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