Just a Pair of Hands: The Stories of Lillian Beard
Directed by Bill Moody, Produced by Dan Veltri
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TEACHING GUIDE
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(additional articles by Dennis Cokely are included at the end of the document; see p. 5)

INTRODUCTION

Lillian Beard is a treasure, plain and simple. I can't thank Bill Moody enough for capturing her stories so we can share in her wisdom. As a fellow interpreter, who also has Deaf parents, Lillian's stories resonate deeply, not only on a personal and experiential level, but also on a professional one. Her personal narrative is in many ways the narrative of our profession. Through her anecdotes we can uncover the underlying values that were the cornerstone of the interpreting profession. In a field that is rapidly changing and moving away from Deaf community ties, collective culture values, and becoming solely an economic relationship, her journey and its lessons are of even more importance now.

Lillian's reminiscences are a call to remind us of the values that **RID** were founded on, to remind us of the importance of community, (in its broadest sense as well as its specific connection to the Deaf community), to remind us to honor those who gave us the language, to honor the value of interpreting as a *service* to fellow human beings, to remind us that there is nothing nobler than to *help* another human being. These values were the foundation of our field. As we have become more 'professionally' oriented, we have lost some of the sentiments and values that shaped our community ethic, motivations that shaped our field. Lillian's stories are a way to return to our origins and reflect on what we need to re-examine and reclaim as we move forward.

To me, as a fellow coda interpreter, Lillian's message evokes the same feelings as George W. Veditz, and that is quite simply, hope. I can almost hear her say and sign, "As long as we have people who are friends of the Deaf community, we will have interpreters." Not just people who learned sign language to earn a living, but those who bring their heart and spirit to a community to help the world be a better place.

How to incorporate this DVD into your teaching curriculum:

There are several ways to use this DVD as a teaching tool. I have found it to be a very powerful resource to use when teaching Ethics. This DVD along with Dennis Cokely's *Exploring Ethics: A Case for Revising the Code of Ethics,* and *Shifting Positionality: A Critical Examination of the Turning Point in the Relationship of Interpreters and the Deaf Community* [1], and Lou Fant's *Silver Threads* are resources that help us frame Lillian in a larger political context. These readings along with Lillian's stories lead us to re-examine the origins of our field and help us critically examine our current position.

Lillian's stories help us uncover some of the values that were the foundation of our profession. Her anecdotes are also a window onto the past, and help us see what Deaf life was like in the early 1900's. Her recollections of how she began interpreting are a great roadmap of nascent interpreter strategies and tools, a look at the beginnings of sign language interpreting as a field. What are the strategies she used? How did she mentor? How did she choose future interpreters? She clearly had a triadic approach and included the hearing person in building the interpretation as much as the Deaf person. What values guided her decision making?

Like Danica Seleskovitch, Lillian, without formal training or access to research in the field, clearly understood "speech, thought, speech" to be an essential part of interpreting.

But there was a time when she realized she needed "mentoring" from the Hearing community. This revelation is a great prompt we can use to explore our own personal and social filters and think about what we need to strengthen in our own work. And it is a reminder of the lengths to which the non-codas must go to seek and obtain mentoring from the Deaf community, including even finding a Deaf family to live with for a certain time to really enter the Deaf World.

Lillian's Stories can be used as a historical document to look at changes not only in the profession, but in the society at large, and the shifts in relationships between interpreters and the Deaf community. They also constitute an ethical treatise. In the past, how did we evaluate if we were successful as interpreters or not? Who had the power in determining who entered the field and if the interpretation was successful? Who were our teachers? These are just a few ways this DVD can be used to spark inquiry along these lines. Below I have listed a few other ways you can use this DVD as a teaching guide.

1 – Note, these articles are included at the end of this document.

1. Examining values

Bill Moody said when he was working on this DVD he was struck with the fact that Lillian was constantly trying to make people happy: making sure the Judge was satisfied with her work and the illiterate Deaf defendant felt that he was 'heard', opening up new vistas for her Deaf friends through interpreting but only when they wanted it, etc. Though we smile at the sentiment, and think how quaint, and then quickly discount 'happiness' as non-'academic', it was a pillar of Lillian's practice and is in fact central to the idea in HH Dali Lama's, Ethics of the New Millenium. "We all desire to be happy and avoid suffering. Our every intended action, in a sense our whole life – how we choose to live it within the context of limitations imposed by our circumstances – can be seen as our answer to the question, 'How am I to be happy?'"

In a culture that prides itself on being "me" oriented, we often see helping another, or considering another's happiness, as a concern for religion, not for our profession. Many codas have expressed feelings of losing themselves because they grew up feeling that they always put others first. (Lillian also alludes to this in her stories when she talks about the need to find a balance of caring for one's self and for others.) This call to thinking about other's happiness, may be very charged indeed. But what if we were to explore in context, what the expectation of happiness would be in an interpreted interaction. It seems to me, at its most basic level, it means an interpreter who is fluent, capable, culturally facile and knowledgeable, respectful of the individuals and the exchange between the individuals.

This right to happiness then is an element that can be explored with more or less refinement in an ethics course.

2. History of our field

Lillian's recollections, along with Lou Fant's *SIlver Threads*, are invaluable resources to help us examine our roots. You can delve into issues about how interpreters were chosen and groomed. Not all codas were or became interpreters, contrary to popular belief, so what criteria did Lillian use when she recruited interpreters? Who chose the interpreters? How were they taught? How were they groomed, and by whom? Who inevitably decided if an interpreter stayed in the field or not? Compare this with today. Has the power shifted in the field? How is recruitment of interpreters done today? What are some of the benefits and drawbacks to these changes?

What kind of attributes did Lillian look for in an interpreter? Do you think these are valuable attributes to have? Why? Make a list of attributes you think are important for an interpreter to have. Do you think Deaf people would identify the same traits? If yes, why are these important attributes? If no, what kind of attributes would the Deaf person want an interpreter to have? If they are different, what does this say about our values and vision of the field?

How were the first members of RID recruited? How did RID get its name? What was the impetus for making a registry? Before we had specialized fields, Lillian already recognized that interpreters had more expertise or interest in certain areas than others, and developed her list accordingly. What do you think about that? What does this indicate about our field even at the onset? How many interpreters today consider themselves 'generalists' as opposed to 'specialists?'

In the early days of interpreting, codas and community interpreters grew together. Often codas taught new interpreters and welcomed them in the field. Stories of growing up with deaf parents and the experiences of a coda were commonly shared, and part of the fabric of our cultural knowledge. Do you think this is still true? Are coda stories shared within interpreting circles like before? When they are, how are they received? If you think there has been a shift, why do you think it has changed?

3. Value of community relationships

In describing our current culture, HH Dali Lama points out, "in place of our dependence on one another for support, today, whenever possible, we tend to rely on machines and services... Modern organized living demands the least possible direct dependence on others... With these developments (reliance on paid help, technology) there has arisen a sense that my future is not dependent on my neighbor...This in turn, encourages us to suppose that because others are not important for my happiness, their happiness is not important to me." Lillian's journey as an interpreter illustrates many ways communities worked together, and how membership was defined. Even her emergence as an interpreter in church, devising strategies for interpretation point to an intuitive understanding of the need to build communities. She also saw herself as a link to communities, a community builder, as it were. Do we still see ourselves that way? Do you think that this particular view is only relevant in religious interpreting or does it extend beyond that?

Dennis Cokely's article, *Shifting Positionality: A Critical Examination of the Turning Point in the Relationship of Interpreters and the Deaf Community* is also a great resource to use along with this DVD. Cokely's article is particularly valuable in exploring the shift in our values in the field and how that, in turn, affects the political relationship between interpreting and the Deaf community. Did the calling of interpreter begin more deaf-centric and have we moved to be more hearing-centric in our approach? If so, what are the consequences of this ideological shift?

Because Lillian is so open and vibrant she welcomes introspection. We can use her stories as a guide to look at our own process of interpreting. How do I build a team? What do I do when I don't understand the content? What values guide my decision-making process? Why am I an interpreter? There are, I am sure, many more areas to be mined for discussion from this treasure. Have fun with it, the journey to the past with Lillian as a guide is quite tender, insightful and thought provoking.

Articles by Dennis Cokely in this document:

Exploring Ethics pp. 6 – 22

Shifting Positionality pp. 23 - 36

Exploring Ethics:
A Case for Revising the Code of Ethics

Dennis Cokely, Ph.D., CSC

The real voyage of discovery consists not in
seeking new landscapes, but in having new eyes.
—Proust

ABSTRACT

The purpose of this paper is to examine some of the funda-
mental assumptions and perceptions underlying current Codes of
Ethics that have been put forward for Sign Language
Interpreters/Transliterators. While the hope is that the discussion
and analysis that follow may be applicable to all such codes, the
specific focus will be the Code of Ethics put forward by the
Registry of Interpreters for the Deaf, the professional organization
of Sign Language Interpreters and Transliterators in the United
States of America. Specifically, this paper questions whether the
assumptions and principles that were at work in formulating the
current Code of Ethics continue to hold validity for the profession
and the communities that interpreters and transliterators seek to
serve. This paper also suggests that, in contrast to the current
Code's focus on the interpreter's duties, a fundamentally different
approach to developing a Code of Ethics might more appropriate-
ly recognize and acknowledge changes in the social milieu in
which interpreters and transliterators now work. This paper sug-
gests that rather than a duty-based approach to our Code of
Ethics, interpreters and transliterators and the communities with
which they work might be better served by adopting a rights-
based approach to our Code of Ethics.

INTRODUCTION

As the oldest national organization of Sign Language
Interpreters and Transliterators, the decisions and programs of
the Registry of Interpreters for the Deaf (RID) have often served as
models (both positive and negative) for other national organiza-
tions of interpreters/transliterators. Perhaps nowhere is this more
apparent than the manner in which RID's's Code of Ethics has been

emulated and imitated (see, for example, the codes of the Scottish Association of Sign Language Interpreters [1994], the Association of Visual Language Interpreters of Canada, and the Massachusetts Medical Interpreters Association [1996]).

Although re-examination of our professional (and, to the extent that they can be different, our personal) ethical foundations should be an unheralded and routine ongoing process, a number of developments make such re-examination especially timely. Among these developments, perhaps the most striking is the dramatic shift in the routes by which individuals now enter the profession. Whereas two and a half decades ago the vast majority of interpreters/transliterators entered the profession via an interactional route, today the vast majority enters via an academic route. The differences between the two are non-trivial. At the risk of over-simplifying, one could characterize the differences in terms of invitation and offer. In the past, an individual would acquire skills in Sign Language by virtue of association with members of the Deaf Community (parents, relatives, friends). At some point after demonstrating a level of communicative competence and social trustworthiness, the individual would be asked, encouraged, and even cajoled to interpret; the invitation to interpret was issued from within the Deaf Community. In stark contrast, however, a growing number of individuals now enter training and education programs never having met a Deaf person (one of the programmatic disadvantages of open enrollment institutions). There they spend two, three, or four years developing and honing skills in an academic environment and then, upon completing their program, offer themselves as interpreters/transliterators to the Deaf Community.

Note that this generalization is not at all focused on differences in skill, competence, knowledge, or, for that matter, attitude. Neither an interactional nor an academic footing can serve as a warranty for competence. Indeed, it is safe to say that the skills and attitudes of some individuals in the former group are quite lacking when compared with the skills and attitudes of some in the latter group, and vice versa. The sole distinction being made concerns one's initial footing with regard to the Deaf Community and the profession of interpretation—interactional or academic.

Not only is it not the purpose of this paper to assert the superiority of one footing over the other, it is quite clear that such an assertion would be unjustified in any event. Each has its distinct advantages and shortcomings. The difference in professional footing, the route by which practitioners enter the profession, is raised

here as only one of the reasons why a re-examination of the ethical foundations of the Code of Ethics is in order. The philosophical underpinnings of the current Code of Ethics originated with and reflect the assumptions, concerns, and perceptions of individuals whose entree to the profession was based largely on an interactional footing (Fant, 1990). Perspectives within and toward the Deaf Community and toward the practice of interpretation/transliteration, as well as the route by which the majority of practitioners now enter the field, have changed to such an extent that a re-examination of the Code of Ethics is warranted at this time.

A second reason why a re-examination seems warranted is the emergence of interpreters/transliterators whose work is predominantly in specific arenas, e.g., legal, medical, mental health, and education. The fact that, at least in larger metropolitan areas, there is sufficient demand to enable such specialization has led to formal and informal affiliations of interpreters/transliterators based upon the setting in which the interaction occurs. These groups of interpreters/transliterators, particularly the formally recognized Special Interest Groups of RID, have often questioned whether RID's current Code of Ethics does, can, or should apply in setting-restricted work arenas. Over the past dozen or so years, for example, interpreters and transliterators working in educational settings have suggested that a separate Code of Ethics needs to be developed specifically for the educational arena. A re-examination of the assumptions and perceptions underlying the current code of Ethics may shed new light on such discussions. At the very least, until the ethical foundations of the current Code of Ethics have been examined carefully, we are unable to state with any level of confidence whether separate setting-specific Codes of Ethics are warranted.

A final, and arguably the most important, reason for re-examining the ethical foundations of the current Code of Ethics stems from the very nature of our role as interpreters/transliterators. As individuals, and certainly as interpreters/transliterators, we face choices that can have profound effects on other people and their lives—choices of how we will act in certain situations. The choices we make, and the actions that follow from those choices, can uphold or deny the dignity of other people, can advocate or violate the rights of other people, and can affirm or disavow the humanity of other people. Given the potential consequences of our choices and resultant actions, it is reasonable to expect that we constantly re-examine those values, principles, and beliefs that

underscore and shape the decisions we make and the actions we undertake.

ETHICS IN GENERAL

In keeping with a longstanding tradition of ethics that dates back to Socrates and Aristotle, ethics can be defined as purposeful action-focused reflection (Vlastos, 1971; Hardie, 1980; Finnis, 1983). Ethics is reflection because it requires conscious contemplation and questioning. Of course any number of academic and real-world domains require contemplation and questioning. What sets ethics apart from these domains is the specific object of contemplation and reflection. In doing ethics we contemplate and question the very values, principles, and beliefs that influence our judgments and guide our actions in routine, unexceptional matters as well as in those issues that we often label as moral questions.

However, the heart of ethics is not mere philosophical inquiry, contemplation, and reflection simply for the sake of contemplation and reflection. We reflect in order to be able to act and in order to be able to identify those actions that are consistent with, and faithful to, our values, principles, and beliefs (Singer, 1979; 1993). Ethics is and must be viewed as action-focused.

Ethical reflection is purposeful because the reason we contemplate and question is precisely to expand, refine, improve, or modify those values that form the basis of our actions. In engaging in this purposeful reflection, we seek a structure of principles that underlies those beliefs and actions about which we have strong convictions, and that provides guidance in situations about which we have no convictions or weak or contradictory convictions.

If ethics is purposeful action-focused reflection, then it seems clear that ethics is not something one has, rather ethics is something one does. Accepting such an action-oriented view of ethics, i.e., ethics as purposeful action-focused reflection, may not only alter our view of what it means to act in an ethical manner but also raises a number of questions. Our action-oriented view of what it means to be acting ethically might lead us to conclude that means to be acting ethically might lead us to conclude that unquestioning obedience to a set of precepts, principles, laws, or rules developed by someone else or by some committee is the very antithesis of ethics. (Or, put another way, we might ask whether someone could claim to be acting ethically if one's actions are unreflected upon). If we conclude that such unhesitating conformity is, at the very least, avoiding the act of ethics, then among the issues we might also question is the extent to which ethics can be codified.

Let us begin by examining why it is that codification of ethics is essential to professions.

PROFESSIONS AND CODES OF ETHICS

Among the factors that separate a profession from an occupation is that a profession, through organizations composed of practitioners, consciously adopts a code of ethics. These practitioners, acting in concert, publicly affirm that as a group they pledge to uphold a set of agreed-upon values and principles that will guide their work (Ladd, 1980). Most often the code is written down and formally adopted ("our code of ethics"); however, there are instances when formal adoption of a code occurs well after generally accepted norms or expectations of the profession have emerged ("one of us wouldn't act like that"). This explicit or implicit collective agreement among practitioners is one of the necessary components for the "becoming" of a profession.

Our perception of lawyers, doctors, social workers, or accountants is that these are groups of individuals who have agreed to approach their work within certain publicly proclaimed boundaries or according to certain guidelines. However, our perception of plumbers, electricians, mechanics, manicurists, or basketball players is quite different. We do not perceive that the same type of collective agreement (explicit or implicit) or public proclamation of boundaries or guidelines exists within these groups. Rather, we perceive that the boundaries within which individual practitioners within these groups approach their work vary greatly, or perhaps that there are no clear boundaries or guidelines for individuals of such groups.

Certainly individuals within these groups may refer to themselves as professionals. However, this term usually refers to the fact that they render a service in return for monetary compensation. And certainly individuals within these groups may even act in what we commonly refer to as a "professional manner." There are, after all, "professional" exterminators, salesclerks, landscapers, and soldiers. What is intended by the (mis?)appropriation of the term "professional" is a level of trustworthiness and of quality in the service that will be rendered in exchange for monetary compensation. However, merely calling oneself a professional or acting in a professional manner does not and cannot make one a member of a profession (Newton, 1982). It is the collective and publicly proclaimed agreement of principles and guidelines, not individual determination, that forms one of the primary differences between a profession and an occupation.

Ultimately, for an occupation to become a profession, it must establish within the general public a "perception of difference." The general public must perceive several things before it is willing to grant an occupation the status of a profession. Among the things that the public must perceive are that there is a complex body of knowledge to be mastered by practitioners, that specialized training and education are necessary, and that the members of the would-be profession have acted collectively to establish the context in which they wish the general public and each other to perceive their work. Establishing this context creates the boundaries and guidelines within which members agree to perform their work and to which members pledge to be held accountable. These boundaries and guidelines must be perceived as somehow different from those that would be adhered to by individual practitioners acting without such a collective agreement. If society perceives these differences and chooses to support and accept the collective approach to the work, then it will accord the occupation the special privileges and status of a profession. Clearly one way to assist society in identifying and accepting a defined work context is to codify the boundaries and guidelines within which the work is to be performed.

A profession's code of ethics, then, provides a means of identifying practitioners in the eyes of society. In this way the code separates the profession from other occupations or in some instances from other practitioners. However, by the very act of separating and defining the profession, a code of ethics can also serve to unite its members. Thus, a code of ethics can be viewed as a profession's threshold. Janus-like, the same codified collective agreement not only sets members apart from society at large, but also links those members together.

The collective agreement proclaimed in a profession's code of ethics is essentially a statement by the profession that its members, acting collectively, can accomplish their profession's mission better than if its members were to act individually. The code stipulates common ideals professionals are to strive to attain and the manner in which each professional can do so without inflicting harm on those whom the profession seeks to serve or on other members of the profession.

It is common to view a profession's code of ethics as a set of expectations that the profession requires its members to adhere to. It is less common to think of a code as an explicit measure of protection that members of a profession extend to each other. However, when members of a profession bind themselves to a code of ethics, then its members should be reasonably well pro-

tected from inappropriate forms of competition, from having one's good conduct taken advantage of, and from widely varying behavioral and performance expectations on the part of members of the profession. Members of a profession, bound to a code of ethics, pledge to one another that in treating the general public according to agreed-upon principles, they also treat each other, the profession, and the work according to certain principles. In short, a code of ethics is a guide for the expectations that professionals have of each other.

If we understand this notion of a code of ethics as a contract that members of a profession enter into with all other members of the profession and with the general public, we better understand why individual members of a profession cannot totally rely on their own individual preferences in determining how to practice the profession. It is this predictability and generalizability of practice and principles that distinguishes a profession from an occupation.

Given this discussion of professions and the role of codification of ethics, it is now appropriate to examine the development of RID's's Code of Ethics.

BACKGROUND OF RID's CODE OF ETHICS

The establishment of the Registry of Interpreters for the Deaf was, according to Fant (1990), who was present at the organizational meeting, an unforeseen event. The idea for an organization of interpreters came during a workshop on interpreting for the Deaf held at Ball State Teachers college in Muncie, Indiana, on June 14-17, 1964. However, the idea did not emerge from practitioners who wished to establish interpretation as a profession. The organizational impetus came, in fact, not from a group of individuals seeking to set themselves apart, but rather from two administrators. One, Edgar Lowell, "knew no sign language and nothing about interpreting" (Fant, 1990). The other, Ralph Hoag, was the son of Deaf parents and an accomplished interpreter. Lowell was the administrator of the John Tracy Clinic, long a bastion of oralism; Hoag was an administrator in the U.S. Office of Education. The two of them, in response to the growing need for interpreters, conceived the idea of an organization that could recruit new interpreters and somehow assess interpreter competence, thus providing a measure of quality control for consumers.

The creation of RID (or, as it was called for its first year of existence, the National Registry of Professional Interpreters and Translators for the Deaf) came about not as result of practitioners

wishing to distinguish their occupation as a profession, but rather as an administrative resolution to a supply and demand problem. Creation of the organization was so unexpected that, according to Fant, "Lowell ... said jokingly that 'If it hadn't been raining, or if there had been something else to do, RID might not have started at that time.'" Further evidence that organizational impetus came from outside the field can be found in the fact that Lowell, who was not an interpreter, presided over the initial organizational meeting. As Fant rightly points out, if an organization of interpreters had been formed at that time, it likely would have been formed not long afterwards. This is underscored by the fact that the idea of creating an organization was strongly endorsed by all of the participants at the initial organizational meeting.

During the meeting, it was decided that the organization's purpose was to " ... promote recruiting and training of more interpreters ... ." (Quigley & Youngs, 1965, p. 3). Recruitment of new interpreters was to prove especially challenging for the organization given the absence of interpreter education or training programs and, perhaps more important, the prevailing views of Deaf people about the task of interpreting itself.

The view of most Deaf people at that time has been well documented and need not be recounted in detail here. The preamble to the original Code of Ethics will, however, serve as a reminder of this view. According to the preamble, the Code of Ethics " ... will protect both the deaf person and the interpreter in a profession that exists to serve *those with a communication handicap.*" (emphasis added) (Quigley & Youngs, 1965). The preamble also states that while the ethical self-regulation of interpreters is the same as that governing any business or profession, with interpretation there is " ... the addition of stronger emphasis on the high ethical characteristics of the interpreter's role in *helping an oftentimes misunderstood group of people.*" (emphasis added) (Quigley & Youngs, 1965). The purpose of this reference to the prevailing view of Deaf people at the time is not to denigrate it in any way, or compare it to the standards of contemporary "enlightened" perspectives. Rather it is to serve as a reminder of the general perceptions of Deaf people that were commonplace at the time and which formed a significant pattern in the societal fabric from which RID's Code of Ethics was woven.

The prevailing view of interpretation at the time begins with the fact that practitioners themselves viewed interpretation simply as a voluntary task or service to be rendered. Interpretation was not even viewed as an occupation. Indeed, the predominant view of interpretation was that it was a service to be rendered only at

times when one's full-time job would permit. This is borne out by the fact that at the original organizational meeting of RID, more than 90 percent of the participants held full-time jobs. Participants were administrators, teachers, or in some way affiliated with educational programs serving deaf children (the strong ties to education continued for the first 15 years of RID's existence and formed another pattern in the background fabric of the Code of Ethics). None of the participants held the job title of "interpreter" (Fant, 1990). Prevailing societal views supported monetary compensation for individuals whose profession or occupation involved trying to "normalize" deaf people (e.g., teachers, social workers, counselors). However, society made little or no allowances for monetary compensation for individuals whose objective was providing communicative access. This meant that, for all practical purposes, any monetary compensation for interpretation services would come directly from deaf people, not from public agencies or institutions. Understandably, the individuals providing interpreting services, because of their close ties to the Deaf Community, were reluctant to violate the trust of the community and abandon their perceived duty to the community by seeking compensation.

Without wishing to place too much emphasis on the issue of compensation, we must acknowledge, however, that it does remain a significant factor in the public perception of occupations and professions. When a task or service is voluntary and unpaid, society is unwilling to grant occupational or professional status to the activity. For instance, we do not think of "parents who volunteer to help in school classrooms" or "individuals who volunteer to help at the local homeless shelter" or "parents who volunteer to coach the youth basketball team" as engaging in occupations, much less professions. Although there are, for example, professional coaches, they are differentiated from "parents who volunteer to coach the youth basketball team" in large part because the professional coach is monetarily compensated for the service. In fact it is difficult to imagine a professional organization with a code of ethics that would bind together a group of volunteers (e.g., a professional organization for parent classroom volunteers, or for homeless shelter volunteers). Clearly there are organizations of such volunteers (e.g., parent organizations), but those organizations are not perceived as representing a profession, and the members do not refer to themselves as professionals, nor do they have a code of ethics.

The public perception of such volunteer activity generally has little to do with the complexity of the service being volunteered or the skill of the person rendering the service. Note also that the

public perception of such volunteer activity is quite different from that of professionals volunteering in the area of their professional expertise. When professionals undertake *pro bono* work, the expectation is that they will perform the work as if they were being paid. *Pro bono* work can be described as, "Do the work you do to earn a living, do it just as well, but just don't get paid for it this time."

At the time the RID Code of Ethics was adopted, there were few interpreters employed on a regular basis and most were employed in postsecondary institutions. The overwhelming majority of interpreters held full-time jobs as teachers, counselors, clergy, or administrators, or were women who worked in the home caring for their families. Given the fact that most individuals entering the field received little or no formal training and received no monetary compensation for interpreting, it seems reasonable to conclude that at the time of the founding of RID and the adoption of the original Code of Ethics, the practice of interpreting was very much considered an unpaid volunteer activity. As such, it had not yet reached the stage of public perception or acceptance where it could even reasonably be called an occupation, much less a profession. In fact, the information available from that time indicates that the general expectation in recruiting new members was that they also would hold full-time jobs and thus would be able to volunteer their services as interpreters.

RID's original Code of Ethics was adopted at a specific point in time and within a specific milieu. With the clarity of hindsight, we can characterize the salient points of that milieu as follows:
- American Sign Language was not yet recognized or accepted as a valid and legitimate language by the general public, the Deaf Community, or practitioners;
- Deaf Culture, as distinct from the cultures of non-deaf groups, was not yet recognized or accepted as valid and legitimate by the general public, the Deaf Community, or practitioners;
- in the eyes of the general public, the Deaf Community, and practitioners, interpretation was strictly a voluntary, unpaid activity;
- there were no formal interpreter training or education programs where new recruits to this activity could learn skills, techniques, or attitudes;
- new recruits were not expected to earn a living by, or regularly receive payment for, doing this activity;
- new recruits were expected to interpret only as their full-time work schedules permitted;

- the organization of interpreters saw its members as having some responsibility for "helping" deaf people; and
- the organization of individuals performing this activity saw its members as having some responsibility for "protecting" deaf people.

It is against this background that the original RID Code of Ethics was developed. It should not be surprising that three of the strongest influences on those who developed the original Code of Ethics were a sense of duty and protectionism toward deaf people, the lack of formalized training opportunities, and the general public's discriminatory perceptions of deaf people.

THE ORIGINAL RID CODE OF ETHICS

The original Code of Ethics adopted by the Registry of Interpreters for the Deaf and under which the organization functioned for 13 years is as follows (Quigley & Youngs, 1965):

1.   The interpreter shall be a person of high moral character, honest, conscientious, trustworthy, and of emotional maturity. He shall guard confidential information and not betray confidences which have been entrusted to him.

2.   The interpreter shall maintain an impartial attitude during the course of his interpreting, avoiding interjecting his own views unless he is asked to do so by a party involved.

3.   The interpreter shall interpret faithfully and to the best of his ability, always conveying the thought, intent, and spirit of the speaker. He shall remember the limits of his particular function and not go beyond his responsibility.

4.   The interpreter shall recognize his own level of proficiency and use discretion in accepting assignments, seeking for the assistance of other interpreters when necessary.

5.   The interpreter shall adopt a conservative manner of dress upholding the dignity of the profession and not drawing undue attention to himself.

6.   The interpreter shall use discretion in the matter of accepting compensation for services and be willing to provide ser-

vices in situations where funds are not available. Arrangements should be made on a professional basis for adequate remuneration in court cases comparable to that provided for interpreters of foreign languages.

7. The interpreter shall never encourage deaf persons to seek legal or other decisions in their favor merely because the interpreter is sympathetic to the handicap of deafness.

8. In the case of legal interpreting, the interpreter shall inform the court when the level of literacy of the deaf person involved is such that literal interpretation is not possible and the interpreter is having to grossly paraphrase and restate both what is said to the deaf person and what he is saying to the court.

9. The interpreter shall attempt to recognize the various types of assistance needed by the deaf and do his best to meet the particular need. Those who do not understand the language of signs may require assistance through written communication. Those who understand manual communication may be assisted by means of translating (rendering the original presentation verbatim), or interpreting (paraphrasing, defining, explaining, or making known the will of the speaker without regard to the original language used).

10. Recognizing his need for professional improvement, the interpreter will join with professional colleagues for the purpose of sharing new knowledge and developments, to seek to understand the implications of deafness and the deaf person's particular needs, broaden his education and knowledge of life, and develop both his expressive and his receptive skills in interpreting and translating.

11. The interpreter shall seek to uphold the dignity and purity of the language of signs. He shall also maintain a readiness to learn and to accept new signs, if these are necessary to understanding.

12. The interpreter shall take the responsibility of educating the public regarding the deaf whenever possible, recognizing that many misunderstandings arise because of the general lack of public knowledge in the area of deafness and communication with the deaf.

This Code of Ethics was adopted in 1965 and remained unchanged until the 1978 RID convention that was held in Rochester, New York. At that convention the membership recommended to the Board of Directors that a revised Code of Ethics be adopted. The code was revised because it was felt that a number of the original items properly did not belong in a code of ethics. In addition it was felt that the code should be presented as specific points with guidelines for each (Caccamise, Stangarone, & Caccamise, 1979). The specific points of the proposed code of ethics, reported in the minutes of the business meeting, were as follows:

1. Interpreters shall keep all interpreted and assignment related information strictly confidential.
2. Interpreters shall render a faithful interpretation, always conveying the content and spirit of the speaker using the communication mode most readily understood by the persons for whom they are interpreting.
3. Interpreters shall not counsel, advise, or interject personal opinions.
4. Interpreters shall use discretion in accepting assignments with regard to skills, setting, and the persons requesting the service.
5. Interpreters shall deal with the matter of compensation for services in a professional and judicious manner.
6. Interpreters through the national organization and state chapters shall seek to uphold the integrity of the profession by encouraging the use of certified interpreters in order to achieve the highest standards.
7. Interpreters shall continue to develop his or her interpreting skills and keep abreast of developments in the field.

Two items were referred back to the Code of Ethics committee for further refinement:

1. Interpreters shall behave and dress in a manner appropriate to the specific situation.

2. Interpreters shall not personally profit from any information gained in the course of interpreting.

The Code of Ethics committee was charged with completing revisions and guidelines. Allowing for some wording changes that resulted from changes in terminology, the Code of Ethics has

remained essentially unchanged since it was finally adopted in October 1979. The main tenets of the current code are quoted below. Those items in boldface are the changes made to the items quoted above:

1. **Interpreter/Transliterators** shall keep all interpreted and assignment related information strictly confidential.
2. **Interpreter/Transliterators** shall render **the message faithfully**, always conveying the content and spirit of the speaker using **language** most readily understood by the person(s) for whom they are interpreting.
3. **Interpreter/Transliterators** shall not counsel, advise, or interject personal opinions.
4. **Interpreter/Transliterators shall accept assignments using discretion** with regard to skills, setting, and the persons requesting the service.
5. **Interpreter/Transliterators shall request** compensation for services in a professional and judicious manner.
6. **Interpreter/Transliterators shall function in a manner appropriate to the situation.**
7. **Interpreter/Transliterators shall strive to further knowledge and skills through participation in workshops, professional meetings, interaction with professional colleagues, and reading of current literature in the field.**
8. **Interpreter/Transliterators, by virtue of membership in or certification by RID Inc., shall strive to maintain high professional standards in compliance with the code of ethics.**

Status of the Current Code of Ethics

Although the current RID Code of Ethics has been much debated during the past 20 years, the discussion is usually focused on the behavioral implications of one or more specific guidelines within a specific setting. The guideline that is most often discussed is the first, that pertaining to confidentiality. Generally the debate centers around whether the demands, constraints, or conditions of a particular situation could ever be such that a practitioner would be justified in making known information revealed during an interpreted/transliterated interaction. One side holds the view that no set of conditions could supersede the professional's duty to maintain confidentiality at any and all personal costs. According to this view, the tenets of the Code are absolute and inviolable. The other side maintains that there are situations when the professional's specific role (e.g., as a member of a team) or per-

ceived call to a "higher" duty (e.g., knowledge of impending bodily harm or planned criminal activity that was gained while interpreting) mandates that confidentiality be set aside and information gained during an interpreted/transliterated interaction be shared or acted upon. Those who hold the latter view maintain that it is precisely the inflexibility of the current Code of Ethics that compels them to suggest a more situationally sensitive or flexible code of ethics. And yet, allowing individual practitioners to define their behavioral expectations in a situationally variable manner seems to fly in the face of the predictability and generalizability of practice and principles that is essential to a profession.

The differing perspectives just described are, in their strongest forms, irreconcilable. According to one perspective, the duty to maintain confidentiality is more fundamental than any duty or obligation that might be imposed by one's job description or an employer's expectations. The other perspective maintains that in certain situations the positive or negative consequences of maintaining confidentiality (e.g., failure to fulfill one's duty to the employer or the team or failure to fulfill one's duty to maintain safety and welfare) outweigh the duty to maintain confidentiality.

What is troublesome for professionals (and for public perception of those professionals) is the continued coexistence of these differing perspectives. There are those who hold that the current Code of Ethics fails to provide meaningful guidance in some very critical areas. These professionals are prepared to act in ways that other professionals would classify as unethical and in violation of the Code of Ethics. If a Code of Ethics is a set of agreed-upon values and principles that guide the work of members of a profession, then these diametrically opposed views (absolutist versus situationalist) suggest that the current Code of Ethics does not represent such a set of fundamental values and principles.

If this conclusion is valid, then only one of two solutions is possible. Either we accept that there are two quite different approaches to the work guided by different sets of values and principles (two professions?), or else we begin to search for a set of guiding principles that will enable us to reconcile these differing perspectives. The balance of this paper offers the beginnings of such a search.

Re-constituting the Code of Ethics

The fundamental ethical approach of the current Code of Ethics can be characterized as deontological. Deontological approaches to ethics hold that certain acts or behaviors are inherently wrong

or unacceptable and thus are always prohibited. (In contrast, teleological approaches determine the acceptability of actions based on their consequences). Deontological approaches to ethics usually involve a set of rules or constraints on behavior (MacIntyre, 1981; Rawls, 1971). The various tenets of the current RID Code of Ethics can be thought of as limitations, prescriptions, norms, or deontological constraints.

Deontological constraints are usually negatively formulated restraints on behavior in general or some specified type of action (e.g., "Thou shall not kill."). The tenets of the current Code of Ethics, with the exception of the third tenet, are all positive formulations. Nevertheless, it is not difficult to construct negative formulations of each tenet (e.g., "Interpreter/Transliterators shall not divulge interpreted and assignment related information."). Thus, while the intent of the Code of Ethics is clearly deontological, the written format of the Code is quasi-deontological.

Like other deontological approaches to ethics, (e.g., the Ten Commandments) the current Code of Ethics places limits on behavior. Because it allows for no exceptions (i.e., the Code does not state: "Interpreter/Transliterators shall keep all interpreted and assignment related information strictly confidential *except when their job requires disclosure of information shared during an interpreted/transliterated interaction.*"), the current Code is like other deontological views that require individuals to refrain from certain behaviors even when doing so might result in some greater harm. As with other deontological approaches, the Code is also non-consequentialist. That is, positive or negative consequences of not adhering to the Code are never a sufficient reason to violate the Code (for example, the Code does not state that "Interpreter/Transliterators shall keep all interpreted and assignment related information strictly confidential *unless it is likely that someone will suffer mental or bodily harm if the information shared during an interpreted/transliterated interaction is not disclosed*"). It is precisely this disregard of consequences that results in the ongoing debate described in the previous section.

In search of a resolution to these differences, it would seem that there are two alternatives: either attempt a reformulation of the existing Code (as was done with the 1979 revision) or adopt an entirely new approach to creating a set of agreed-upon values and principles. At the risk of seeming fatalistic, a reformulation would likely yield yet another set of deontological constraints, albeit perhaps more finely tuned. But because the fundamental approach would remain deontological, it would result in continued disagreements over situations in which the deontological constraints do not seem to apply.

One of the other reasons why another deontological reformulation would be unsatisfactory is that, like the present Code of Ethics, it cannot move the profession closer to identifying and agreeing upon fundamental values and principles to guide the conduct of the professional lives of interpreters and transliterators. Yet it is precisely those underlying fundamental values that must form the basis for any resolution to the differing deontological and teleological perspectives. In other words, we can no longer simply postulate behavioral prescriptions (e.g., "Interpreter/Transliterators shall keep all interpreted and assignment-related information strictly confidential") in an effort to reconcile these differing perspectives. We must rather address the deeper issues (e.g., why should interpreter/transliterators keep all interpreted and assignment related information strictly confidential?), which will force the identification and formulation of the fundamental values and principles that should form the heart of a Code of Ethics for interpreters and transliterators.

In search of resolution to the deontological dilemma presented by the existing Code of Ethics, this paper suggests that what is needed is an entirely new paradigm for constructing the Code of Ethics. Justification for adopting a new paradigm comes, in part, from recognition of the fact that interpreters and transliterators operate now in a milieu that is quite different from the one in which the original Code of Ethics was adopted or the one in which it was revised. In contrast to former milieus, some of the salient points of the current milieu are as follows:

- American Sign Language is widely accepted as a valid and legitimate language by the general public, the Deaf Community, and practitioners;
- Deaf Culture, as distinct from the cultures of non-deaf groups, is widely recognized or accepted as valid and legitimate by the general public, the Deaf Community, and practitioners;
- In the eyes of the general public, the Deaf Community, and practitioners, interpretation and transliteration are no longer viewed primarily as voluntary, unpaid activities;
- The presence of interpreters and tranliterators is mandated by state and federal legislation in a wide range of settings;
- Because of state and federal legislation, the Deaf Community has a right to expect that interpreting and/or transliteration services will be provided in a wide range of settings;
- There are a growing number of postsecondary programs offering degrees in Deaf Studies and Sign Language;

- There are more than one hundred formal interpreter/transliterator training or education programs at the postsecondary level where students can learn the skills, techniques, and attitudes of the field and of the profession;
- Individuals are able to interpret or transliterate as a full-time job and can be reasonably well compensated for doing so;
- A growing number of practitioners see themselves personally and professionally as having some responsibility for empowering Deaf people; and
- A growing number of practitioners see themselves personally and professionally as allies of Deaf people.

Another salient point of the current milieu is the renewed interest in and commitment to human rights we have witnessed in the second half of the twentieth century. Indeed, the notion of rights and the language of rights permeates our daily personal, national, and international interactions (Almond, 1993). Virtually every controversial domestic issue is framed, not in terms of duties or obligations, but rather in terms of conflicting or competing rights: abortion (the rights of the woman vs. the rights of the fetus), gun control (the right to safety vs. the right to bear arms), euthanasia (the right to die). International policy discussions and conferences focus on topics such as human rights, the right to secure borders, fishing rights, or oil rights. And finally we have witnessed different groups of individuals seeking to claim their human and legal rights (e.g., women's rights, minority rights, gay rights, disability rights, victims' rights).

It is against the backdrop of changes in milieu, field-specific and societal, that a new paradigm for formulating a Code of Ethics can be proposed. The paradigm shift being suggested can trace its origins in part to the ethical reasoning of antiquity—Greek Stoicism and the Romans' *jus gentium*—and calls for the profession to adopt a rights-based approach to developing its Code of Ethics. This approach would require that the profession formally acknowledge the existence of essential human communicative rights and use those rights as the fundamental, motivating force in developing its Code of Ethics.

A shift to a rights-based perspective results in a fundamental difference in orientation toward those values and principles that serve as guidelines for the profession. Such a shift is not mere semantic word play or logomachy. A central factor in this paradigm shift is recognition of the fact that the functioning of interpreters and transliterators derives from the basic human and communicative rights of those involved in the interaction. A primary

and motivating force in this paradigm shift is understanding and acceptance of the fact that one can neither easily nor practically derive rights from a deontological approach to a code of ethics.

Consider the consequences and implications of the statement, "I have a duty to do X; therefore you have a right to Y." One clear implication of this statement is that your right to Y exists only in relation to my duty to do X; indeed your right is dependent upon my duty. Suppose I decide that, in a particular instance, my duty no longer obtains or, if it does, I determine that it should be carried out in a manner unlike what you have come to expect based on past interactions with other professionals or with me. In either case my duty, and the manner in which I choose to fulfill it, takes precedence over your right and may even determine the scope of or fundamentally alter your right. In fact, I need not even be cognizant of your right to Y in determining how I decide to fulfill my duty to do X. In essence, this formulation ("I have a duty to do X; therefore you have a right to Y") implies that my understanding of and execution of my duty determines the extent to which your right will be acknowledged and respected. Another not-so-subtle implication is that my needs and the conduct of my affairs are of paramount import; your needs and the conduct of your affairs are in a subservient position.

In contrast, however, it is possible, once rights have been acknowledged, to derive duties and obligations from those rights. Consider now the implications of the statement, "You have a right to Y, and because you have a right to Y, I have an obligation to do X." Here it is clear that my duty to do X exists only because you have a right to Y. This means that any determination of my duty requires that I be fully cognizant of your right to Y. Another implication is that your right is of greater import than my duty. In fact, my duty, and the specific conduct of that duty, is determined only by reference to your right. In order for me to carry out my duty, I must acknowledge and accept the fact that your right to Y is the raison d'etre for my duty to do X. In short, your right is of paramount import and my duty exists in a subservient position to that right.

Before pursuing the discussion further, it may be helpful to consider briefly the nature of rights. At the risk of oversimplifying an extremely complex topic (see e.g., Dworkin, 1977), rights can be identified as being either active or passive. An active right is the right for you to do a certain thing while a passive right is the right to have a certain thing done for you or to you. Every right, whether active or passive, expresses and establishes a relationship between two parties, the right-holder and the right-observer.

Right-holders are entitled to act, to exist, to enjoy, to demand, and to claim whatever is accounted for or guaranteed by the right (Nozick, 1974; Feinberg, 1980). However, exercising a right may also place certain responsibilities on the right-holder before that right can be exercised or while that right is being exercised.

Regardless of what other factors might define their relationship, right-holders and right-observers are bound in a specific relationship that can be described in terms of a specific right or set of rights. Whenever a right-holder claims or exercises a specific right, a complementary duty or obligation is imposed upon the right-observer. Just as there are two types of rights, active and passive, so too there are two types of obligations placed on the right-observer. The right-observer's duty will be either positive (to assist the right-holder in successful exercise of the right) or negative (to refrain from interfering in the exercise of the right). It is the latter sense that is most often referred to in popular discussions of rights: "I have a right to do X and your obligation consists of not hindering me from doing X."

Although a right-holder is entitled to a particular right, this does not automatically mean that exercising the particular right is the correct or "right" thing to do. Thus, just as every right obligates a right-observer to specific duties, so too every right requires of the right-holder the responsibility to employ judgment—what can be called the test of practical reasonableness—in the exercise of that right. For instance, you may have a right to drive your car, but if you are extremely sleepy or have had too much to drink, then exercising that right would be the wrong thing to do.

If we are to consider a rights-based approach to the Code of Ethics, we must first identify the potential claimants or right-holders that exist in any interpreted or transliterated interaction. This requires an examination of the various claimants that are entitled to claim specific rights. Minimally, these claimant-roles are: the active participants (the two individuals or groups of individuals who do not share a common language or who, for a variety of reasons, have chosen to conduct this interaction as an interpreted or transliterated interaction), the interpreter/transliterator (the individual or team of individuals who have agreed to render a specific service in order to facilitate communicative interaction between the active participants), the client (the individual, organization, or agency that is ultimately responsible for making payment for services rendered), and the referral source (the individual, organization, or agency that made initial arrangements with the interpreter/transliterator).

One of the primary reasons for identifying these distinct

claimant-roles is that each can assert entitlement to specific rights. The rights that an individual can claim are directly related to, and inherently a function of, the specific role that an individual is fulfilling in a given interaction. In certain instances a single individual might fulfill multiple roles (e.g., an insurance agent who contracted directly with an interpreter to interpret for a meeting between the agent and a Deaf couple would fill the roles of referral source, client, and active participant). The rights that an individual is entitled to claim are thus a function of the specific role or roles that the individual is fulfilling in a given interpreted or transliterated interaction. It is this role-related specification that enables identification, predictability, and generalization of rights, distinct from any prior or special relationship that may exist between individuals. Individuals fulfilling specific roles are not entitled to more or fewer or different rights because of any non-generalizable attributes or preferences they may possess such as whom they are (e.g., child or adult, male or female, Deaf or non-Deaf) or what language they might use (e.g., ASL or English).

Likewise, an individual's rights are not abridged, extended, or enhanced solely by virtue of some relationship that exists with the interpreter/transliterator outside of the interpreted/transliterated interaction. For example, a person in an interpreted/transliterated interaction who is a friend of the interpreter/transliterator cannot, by that fact alone, be entitled to additional or different rights than can be claimed by someone who is not a friend of the interpreter/transliterator. The fact that the friend might lay claim to certain other rights on the basis of friendship is certainly a topic for fruitful discussion.

Just as entitlement of rights does not vary on the basis of whom individuals are, so too the vigor with which interpreters/transliterators must strive to acknowledge and support those rights must not vary on the basis of whom individuals are. If, as interpreters/transliterators, we accept that role-specified rights form the "moral minimum" in interpreted/transliterated interactions, then we are *de facto* obligated to act in such a manner that the moral minimum will be satisfied and honored. Acceptance of role-specific rights also compels interpreters/transliterators to become ethically proactive instead of reactive. A case can be made that perhaps it is this very dynamic defense of impartial entitlement to role-specific rights that characterizes the notion of "interpreters as allies," another topic for fruitful discussion.

What follows is a preliminary attempt to develop a rights-based approach to a Code of Ethics which, for each claimant-role, specifies fundamental values, rights, and implications for the professional conduct of interpreters.

A Rights-Based Approach to the Code of Ethics

Preamble

This Code of Ethics is predicated on the fact that individuals who are directly or indirectly involved in any interpreted/transliterated interaction possess certain fundamental rights not only by virtue of their status as human beings but also by virtue of the distinct role they assume in the realization of an interpreted interaction. Professional interpreters/transliterators have the primary obligation of upholding and supporting the rights of all individuals who are directly or indirectly involved in any interpreted/transliterated interaction. These rights not only embody certain values but also mandate, *per force*, certain responsibilities and obligations. It is recognition of the rights of individual claimants and the values they manifest which, in turn, yields the essential principles that guide the work of interpreters/transliterators and form the standard against which interpreters/transliterators can be judged.

A. Active Participants' Rights (the rights of individuals or groups needing to, or choosing to, conduct an interaction as an interpreted or transliterated one):

1) Right: Participants have the right to be treated with dignity and respect.
> **Value:** Worth of the Individual
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to conduct themselves in a manner that recognizes and accepts individual differences, as well as cultural and ethnic diversity.

2) Right: Participants have the right to be treated as competent individuals capable of making informed decisions and acting on their own behalf and in their own best interests.
> **Value:** Self-Determination
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to respect the independence and intelligence of participants and shall not usurp or appropriate a participant's right to make decisions or knowingly take part in any attempt to do so. Interpreters/Transliterators shall also refrain from counseling, interjecting personal opinions, or advising participants. In instances where participants may lack the capacity for self-determination, Interpreters/Transliterators should uphold the individual's right of self-determination by requesting or seeking

the services of a third party who can proactively act in the interests of the participant.

3) Right: Participants have the right to expect that information exchanged during an interaction will concretely and materially benefit only the active participants in that interaction.
> **Value**: Interactional Ownership
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to respect the privileged and private nature of interpreted/transliterated interactions. Although, in the abstract, Interpreters/Transliterators do gain knowledge and information from such interactions and thereby benefit by improving their intellectual and world knowledge, they may not act on such knowledge in any manner that might be construed as furthering their own self-interests or in any manner that would result in personal material gain. Interpreters/Transliterators shall not in any manner usurp or appropriate ownership of information exchanged during an interpreted/transliterated interaction or usurp the use of such information.

4) Right: Participants have the right to expect that their interaction will be conducted with the same level of privacy as would exist if their interaction did not have to be interpreted.
> **Value**: Privacy
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to protect the right of conversational and personal privacy by maintaining the confidentiality of interpreted interactions. Interpreters/Transliterators shall not disclose any assignment-related information unless participants have authorized such disclosure.

5) Right: Participants have the right to know in advance whether the client may require the Interpreter/Transliterator to disclose information gained or perspectives formulated during interpreted/transliterated interactions.
> **Value**: Informed Consent
> **Inherent Obligation**: Interpreters/Transliterators and clients have an obligation to inform participants in advance that the Interpreter/Transliterator may be required to disclose information or perspectives resulting from the interpreted/transliterated interaction or, if an ongoing arrangement, resulting from any interpreted interaction in which this Interpreter/Transliterator is

involved. Should Interpreters/Transliterators be required by law or by the client to disclose information, they have an obligation to disclose the minimum amount of confidential information necessary to satisfy the disclosure requirements.

6) Right: Participants have the right to expect that in all respects Interpreters/Transliterators will conduct themselves in a fair and impartial manner.

> **Value**: Interactional Impartiality
>
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to make known any conflicts of interest that may arise before, during, or after the conduct of an interpreted interaction. Interpreters/Transliterators have the obligation of seeking to resolve any such conflict in a manner that protects participants' rights to the greatest extent possible and that makes the material and interactional interests of participants the primary concern.

7) Right: Participants have the right to expect clear and unencumbered access to the language or variety of language they most clearly understand or prefer and have a right to express their needs and preferences to the referral source and to the interpreter/transliterator.

> **Value**: Linguistic Access
>
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to identify the language or variety of language to be used in the interpreted/tranliterated interaction, which shall be the language or variety of language preferred by, or required by, the participants. Interpreters/Transliterators also have an obligation to ensure that there are no environmental or interpreter-induced obstacles that would make problematic the unambiguous perception of the interpretation/transliteration by the participants.

8) Right: Participants have the right to expect that messages will be rendered in a linguistically and culturally competent and coherent manner in the language or variety of language they most clearly understand or prefer.

> **Value**: Linguistic and Cultural Integrity
>
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to develop and maintain competence in the languages or varieties of language in which they work.

Interpreters/Transliterators shall render their work in a manner that adheres to expected linguistic and cultural norms and rules of those languages or varieties of language. Interpreters/Transliterators also have the obligation not to accept or proceed with assignments in which they feel they may be unable to competently and coherently use the language or variety of language most clearly understood or prefered by the participants.

9) Right: Participants have the right to expect that interpretations/transliterations will be linguistically, culturally, and interactionally equivalent to the message being interpreted.

> **Value**: Linguistic, Cultural, and Interactional Accuracy
>
> **Inherent Obligation**: Interpreters/Transliterators have an obligation to ensure that their interpretations/transliterations accurately convey the linguistic and cultural meaning of the message/interaction being interpreted/transliterated. While Interpreters/Transliterators cannot guarantee that their work will be accurately and equivalently understood, they do have responsibility for ensuring that their work makes possible accurate and equivalent comprehension of the original message/interaction. Interpreters/Transliterators also have the obligation to refuse to accept or proceed with assignments in which they feel they may be unable to convey accurately the linguistic and cultural meaning of the message/interaction being interpreted/transliterated.

10) Right: Participants have the right to know of any modifications to previously agreed upon service arrangements.

> **Value**: Interactional Integrity
>
> **Inherent Obligation**: The Referral Source has an obligation to inform participants should the original contracted Interpreter/Transliterator(s) be unable to provide interpretation/transliteration services or should there be any modifications to or deviations from the agreed-upon interactional arrangements (e.g., change of time, place, or date). The Referral Source shall, whenever practically possible, consult with participants in the identification and selection of a substitute Interpreter/Transliterator.

11) Right: Participants have the right to expect that Interpreters/Transliterators are aware of current trends in the profession and are familiar with agreed-upon standards and

conditions for "best practice" in providing services.

Value: Professional Standards and Expectations

Inherent Obligation: Interpreters/Transliterators have an obligation to further their knowledge and skills through a variety of means including, but not limited to, interaction with professional colleagues and activities such as professional training and education. Interpreters/Transliterators also have a responsibility to advance the profession through their attendance at professional conferences

B. Interpreters'/Transliterators' Rights (the rights of the individual or team of individuals who agreed to facilitate the interaction between the active participants):

1) Right: Interpreters/Transliterators have the right to be treated with dignity and respect.

Value: Worth of the Individual

Inherent Obligation: Interpreters/Transliterators have a right to be treated in a manner that recognizes and accepts individual differences, as well as cultural and ethnic diversity.

2) Right: Interpreters/Transliterators have the right to know of any modifications to previously agreed-upon arrangements for interpreting services

Value: Interactional Integrity

Inherent Obligation: The Referral Source has an obligation to inform Interpreters/Transliterators in advance should there be any modifications to or deviations from the agreed-upon interactional arrangements (e.g., change of participants, time, place, or date). The Referral Source also has an obligation to inform the Client if there are any financial implications resulting from such modifications.

3) Right: Interpreters/Transliterators have the right to expect reasonable compensation for services rendered.

Value: Business Integrity

Inherent Obligation: Participants, referral sources, and clients shall not routinely expect Interpreters/Transliterators to provide services on a *pro bono* basis. Clients shall expect to compensate Interpreters/Transliterators for services rendered. The decision of whether to provide services on a *pro bono* basis or to provide service according to some reciprocal arrangement rests exclusively with

Interpreters/Transliterators. The right to accept a fee for service that is below prevailing local rates shall rest solely with the Interpreter/Transliterator.

4) Right: Interpreters/Transliterators have the right to receive compensation for interpretation services rendered in a timely manner.

Value: Fiscal Integrity

Inherent Obligation: Clients shall process all requests for compensation as soon as reasonably possible after invoices have been received unless other billing arrangements have been made.

C. Clients' Rights (the rights of the individual, organization, or entity responsible for payment for services rendered):

1) Right: Clients have the right to be treated with dignity and respect.

Value: Worth of the Individual

Inherent Obligation: Interpreters/Transliterators shall treat Clients in a manner that recognizes and accepts individual differences, as well as cultural and ethnic diversity.

2) Right: Clients have the right to know of any modifications to previously agreed-upon arrangements for services and if there are any financial implications resulting from such modifications.

Value: Interactional Integrity

Inherent Obligation: Interpreters/Transliterators have an obligation to inform the Client should they be unable to provide services or should there be any modifications to or deviations from the agreed-upon interactional arrangements (e.g., change of participants, time, place, or date). Interpreters/Transliterators shall, whenever practically possible, assist in the identification and selection of a replacement.

3) Right: Clients have the right to expect that fees and other terms and conditions of interpretation/transliteration services will be negotiated in good faith.

Value: Business Integrity

Inherent Obligation: Interpreters/Transliterators shall honor the terms and conditions of agreements made for

rendering services and shall not use their position to extort additional or unreasonable or inappropriate fees or conditions. Interpreters/Transliterators shall accept generally prevailing local rates for services or shall inform the Client of the reasons for any differences between requested rates and prevailing rates. Interpreters/Transliterators shall refrain from making unfair and unreasonable wage or compensation demands.

4) Right: Clients have the right to be invoiced for interpretation services rendered in a timely manner.

Value: Fiscal Integrity

Inherent Obligation: Interpreters/Transliterators shall submit all requests for compensation to the Client as soon as reasonably possible after services have been rendered unless other billing arrangements have been agreed upon.

D. Referral Sources' Rights (the rights of the individual, organization, or entity that made initial arrangements with the Interpreter/Transliterator):

1) Right: Referral Sources have the right to be treated with dignity and respect.

Value: Worth of the Individual

Inherent Obligation: Interpreters/Transliterators shall treat Referral Sources in a manner that recognizes and accepts individual differences, as well as cultural and ethnic diversity.

2) Right: Referral Sources have the right to know of any modifications to previously agreed-upon arrangements for interpreting services.

Value: Interactional Integrity

Inherent Obligation: Interpreters/Transliterators have an obligation to inform the Referral Sources should they be unable to provide services or should there be any modifications to or deviations from the agreed-upon interactional arrangements (e.g., change of participants, time, place, or date). Interpreters/Transliterators unable to comply with agreed-upon obligations shall, whenever practically possible, assist in the identification and selection of a substitute Interpreter/Transliterator.

3) Right: Referral Sources have the right to determine the level

of satisfaction with the interpretation/transliteration services rendered.

Value: Participant Satisfaction

Inherent Obligation: Interpreters/Transliterators shall, when asked, have an obligation to cooperate with Referral Sources in providing accurate and appropriate information regarding the logistical and interactional success of the interaction. Interpreters/Transliterators shall not exert undue or inappropriate influence on participants to alter information that participants might provide the Referral Source regarding the logistical and interactional success of the interaction and/or participants' satisfaction with the interpretation/transliteration services.

As stated above, this is a preliminary attempt to develop a rights-based approach to a Code of Ethics for interpreters/transliterators. As such, wider discussion among various individuals and groups of right-holders may yield role-related rights, values, and inherent obligations that have been overlooked in this effort. The formulation of a specific set of rights is, at this point, perhaps not as significant as the fundamental shift in thinking and perspective required by this approach to a Code of Ethics for interpreters/transliterators. By moving toward a Code of Ethics with a focus on the *rights* of those involved, we place the attendant obligations and duties in proper perspective. A shift toward a rights-based code in no way reduces the duties or obligations that interpreters/transliterators bear. On the contrary, when we acknowledge the role-related rights that obtain in any interpreted/transliterated interaction, we not only increase the obligations and duties of interpreters/transliterators, but we are able to be more specific in articulating those obligations and duties.

A shift to a rights-based perspective also brings with it several advantages not currently available under the traditional deontological approach to our Code of Ethics. First, as noted above, the notion of and the language of rights has become quite pervasive in society in general. Indeed, in the latter half of this century, the notion that rights are somehow essential to our individual and societal well-being has become well established. One aspect of the commonly held view of rights is that they establish a minimum acceptable and appropriate standard for our interactions with people. A rights-based Code of Ethics would provide a vehicle for clearly articulating such a minimum standard for interpreted/transliterated interactions.

Second, adopting a rights-based approach to the Code of Ethics

serves to empower all those involved in interpreted/transliterated interactions. The essence of empowerment lies in an understanding of the fundamental rights that can be claimed in a given situation. In legal settings, for example, it is my knowledge of and understanding of my legal rights that empowers me, not simply an awareness of the specific duties or obligations of my attorney. Awareness of the duties of the other, devoid of an understanding of my own rights that propel those duties may, in fact, ultimately be the most dis-empowering state of affairs. What is needed for true empowerment is an understanding of the rights to which I am entitled and that, when claimed, obligate right-observers in specific ways and require of them specific behaviors. In the absence of a clearly articulated set of rights and awareness of those rights, traditional deontological approaches are only able to create a semblance of empowerment.

Third, there has been discussion (in the United States at least) of the concept of "interpreters as allies" and what this means in concrete terms. It may well be that a rights-based approach to a Code of Ethics helps to shed new light on this discussion. Adopting such an approach would commit interpreters/transliterators to uphold the rights of all who are directly or indirectly involved in an interpreted/transliterated situation. As professionals (in the truest sense of that word) who have adopted a rights-based Code of Ethics, upholding the rights of Deaf participants (given our understanding of the Deaf Community as an historically oppressed, un-entitled minority) may, in some instances, require a different set of behaviors from interpreters/transliterators than would be required were the Community not historically oppressed and un-entitled. It is not that members of the Deaf Community (or any oppressed, minority community for that matter) are entitled to a different set of rights. It is, rather, that in upholding the basic rights to which individuals are entitled, interpreters/transliterators may need to act in ways that might not be accepted under traditional deontological approaches. Acting to uphold the rights of all of those directly or indirectly involved in interpreted/transliterated interactions serves to empower all who are involved. As such, interpreters/transliterators can truly seen as allies—allies of the interpretation/transliteration process and of the interaction.

Fourth, while a rights-based Code of Ethics will not eliminate discussions of ethical conflict, it will provide a more reasonably structured framework within which such discussions can occur and from which resolution can emerge. Currently much of the ethical discussion surrounding interpreted/transliterated interac-

tions is beyond satisfactory resolution because there is neither shared perspective nor a shared metric for determining the ethical viability/acceptability of certain behaviors. While a rights-based approach will not bring with it easy resolution to ethical conflicts, at the very least, those ethical issues can be debated on the basis of conflicting rights, not the basis of "my duty" versus "someone's right." A fundamental reason we are unable, in many instances, to resolve ethical dilemmas is that, as a profession, we have not resolved the issue of which has primacy—duties or rights—nor with the current deontological approach will we ever be able to do so. However, adopting a rights-based Code of Ethics may move us closer to resolution of such issues by framing our ethical discussions in terms of competing or conflicting rights or, when conflicts do arise, in terms of negotiable and non-negotiable rights.

SUMMARY

The purpose of this paper has been to examine the RID Code of Ethics for interpreters/transliterators and to propose an alternative to the current deontological approach. The alternative that has been suggested here is adopting a rights-based approach to the Code of Ethics. The initial step consists of identifying those roles that obtain in any interpreted/transliterated interaction and then specifying the rights to which each role can lay claim. This role-related specification underscores one of the common and essential ingredients contemporary society has come to expect of professions, i.e., an unbiased approach to providing services.

As interpreters and transliterators we are, perhaps more than we are comfortable with, occasionally confronted by Deaf people who tell us "If it weren't for us Deaf people, there wouldn't be any interpreters!" Without debating the accuracy of the statement, we should minimally appreciate the attitudes motivating the statement. It may well serve us better if we understand this statement as a response to a profession whose Code of Ethics fails to grasp, or at least acknowledge, some fundamental realities. One of those realities is that we can no longer define and present our profession in Ptolemaic terms, espousing a deontological Code of Ethics with all ethical decisions being made in an interpreter/transliterator-centered relationship. The time has come to view our profession in more Copernican terms, adopting a rights-based Code of Ethics that results in decisions being made from a perspective that is decidedly more participant-centered.

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1

Shifting Positionality: A Critical Examination of the Turning Point in the Relationship of Interpreters and the Deaf Community

Dennis Cokely

Interpreters have always occupied a unique social and cultural position relative to the communities within which they work. It is they who are positioned "between worlds" and who make possible communication with "outsiders." While there is emerging literature on the positionality of those who provide access to another spoken language world (e.g., Karttunen, 1994; Valdes, 2003), there is surprisingly little literature in this regard on sign language interpreters/transliterators.[1] Given that sign language interpreters/transliterators are positioned between sign language and spoken language worlds, there are critical aspects of their social and cultural positionality that have no counterpart among interpreters who are positioned between two spoken language worlds. Although this chapter focuses on the shifting positionality of sign language interpreters/transliterators in the United States, the observations developed here will, I believe, hold relevance for Deaf Communities and sign language interpreters/transliterators in other countries.[2]

OUR HISTORIC FOOTING

In order to fully appreciate the dramatic shifts in positionality that have occurred, it is important to understand that the roots of the practice of sign language interpreting/transliterating lie squarely within the aegis of Deaf Communities. Before the early 1970s, interpretation/transliteration was seen as a voluntary and charitable activity that fell to those non-deaf persons with some level of competence in sign language. This

usually meant that the pool of prospective interpreters/transliterators consisted of the daughters, sons, siblings, or extended relatives of deaf adults or those who lacked any blood ties to the Deaf Community but who were engaged in an occupation that placed them in regular interaction with members of the Community (e.g., teachers, social workers, ministers).[3]

Ultimately, however, members of the Community would determine for themselves whether and when someone possessed sufficient communicative competence and had also demonstrated sufficient trustworthiness that they would be asked to interpret/transliterate. Absent any external, objective criteria that might serve to validate someone's competence as an interpreter/transliterator, the Community relied on the judgment and experience of its members to determine who could function effectively as an interpreter/transliterator. This judgment, it would appear, was based more on one's overall fluency in sign than one's technical skill at interpreting/transliterating (Fant, 1990) and, perhaps more important, a sense that the individual would act in the best communicative interests of the deaf individual. This resulted in a rather limited pool of prospective interpreters/transliterators.

Thus, it is no wonder that as the communicative needs of the Community increased, the number of those judged capable was insufficient to meet the Community's needs. The notion of Community selectivity raises an interesting series of questions about those who presumably would be judged most trustworthy by the Community: children of deaf adults (CODAs). One wonders, for example, what were the factors that led some CODAs to shun the Community and avoid interpreting altogether, and what were the factors led the Community to choose some CODAs but not others. For their part, those individuals, both CODAs and non-CODAs who were asked (or, given the times, perhaps "chosen" better captures the reality) to function as interpreters/transliterators perceived their work as "just another way of helping deaf family members, friends, co-workers, or complete strangers. It was a way of contributing to the general welfare of deaf people...." (Fant, 1990, p. 10).

This view of "interpretation/transliteration as my contribution" is certainly in keeping with the Community's expectations of reciprocity (Smith, 1983) and the characterization of the American Deaf Community as a collectivist culture (Mindess, 1999). Interpreters and transliterators not only became part of the fabric of the Community, but advice on who was considered a competent practitioner or a promising interpreter/transliterator-in-the-making was part of the received wisdom of the Community passed along by older Deaf adults to younger members in much the same way advice was given about "Deaf friendly" doctors, dentists, or other needed service providers.

Fant (1990) also asserts that this view of "interpretation/transliteration as my contribution" was in keeping with societal norms of the time in which good deeds were a matter of private, and not corporate, concerns. It is probable that such a view of "interpretation/transliteration as my contribution" has existed since there have been Deaf people with non-deaf relatives and friends. However, in the United States at least, during the decade of the sixties, this view of interpreter/transliterator volunteerism occurred within a wider societal context of Kennedy's Camelot and Johnson's Great Society. It is not too farfetched to believe that the "ask what you can do for your country" infectious spirit of the times contributed to the founding of the organization that is now known as the Registry of Interpreters for the Deaf (RID).

In this view of "interpretation/transliteration as my contribution," few people actually called themselves interpreters or transliterators. They were asked to do the work, but the work of interpreting did not define them or their relation to the Community. Individuals who worked as interpreters or transliterators were employed as schoolteachers, educational administrators, rehabilitation counselors, or religious workers; many worked as housewives. The assumption was that no one earned a living by doing the work of interpreting/transliterating, largely because there was no expectation of compensation. "We did not expect to be paid, we did not ask to be paid, because we did not do it for the money. We felt it was our obligation, our duty to do it, and if we did not do it, the deaf person would suffer and we would feel responsible" (Fant, 1990, p. 10).

Interpreting/transliterating was not even viewed as an occupation, much less a profession. This was underscored, even in the midseventies, when individuals were expected to volunteer their services as interpreters/transliterators at local, regional, national, and international conferences and conventions. A case in point that demonstrates the expectation of "interpretation/transliteration as my contribution" is the Seventh Congress of the World Federation of the Deaf, held in 1975 in Washington, DC. At that Congress, sign language interpreters/transliterators were expected not only to volunteer their services but also to register for the Congress and pay for all of their own expenses. Spoken language interpreters (Spanish, French, and German), however, were well compensated and given working conditions in accord with prevailing international conference standards.

That interpreting/transliterating was viewed neither as occupation nor profession was evident at a 1964 meeting that would result in the founding of the organization that is now known as the Registry of Interpreters for the Deaf (RID).[4] Of the 73 participants (15 of whom were deaf) and 6 observers at that meeting, 90% were actively engaged in the field of education. Most of the non-deaf educators present could

and did interpret/transliterate, but "they did not think of themselves as interpreters" (Fant, 1990, p. 7). It is noteworthy (and serves to underscore the discussion thus far) that only two of the participants even called themselves "interpreters." Typically, professionals come together to create an organization that will serve their goals and needs. In the case of interpreters/transliterators, this sequence was reversed and the organization appeared before there was a commonly recognized understanding of the work of interpreters/transliterators and certainly before practitioners thought of themselves as "professionals."

"At a workshop on interpreting for the deaf conducted at Ball State Teachers College, June 14–17, 1964, in Muncie, Indiana, the National Registry of Professional Interpreters and Translators for the Deaf was organized"[5] (Quigley & Youngs, 1965). However, within 6 months of the organizational meeting, the name had been changed to the Registry of Interpreters for the Deaf. Fant states that dropping the word "professional" better expressed the organization's intent to recruit, train, and maintain a registry. There were eight stated purposes of the organization, the third of which was to recruit "qualified interpreters and translators." According to Fant, "We were eager to recruit, train, and verify the competence of interpreters, but I do not believe that we thought they would become full-time interpreters. It is my opinion that we perceived the new interpreters functioning in much the same way as we had, that is, holding full-time jobs and interpreting on the side" (1990, p. 7).

It is quite likely, however, that another, perhaps more significant, force contributed to the name change. I believe a compelling case can be made that at the time the notion of a "professional interpreter" was, for the Community, the antithesis of "interpretation/transliteration as my contribution." If the prevailing view of "interpretation/transliteration as my contribution" rested on an assumption of Communal proximity, perhaps the notion of "interpreter/transliterator as professional" was seen as the embodiment of distance and detachment. Although it seems clear that the original intent of including the word "professional" was to reflect individuals who were skilled and competent, perhaps it was felt that the popular understanding of a "professional" (well compensated and aloof) would be perceived negatively by the Deaf Community which, after all, had a centuries-old history of being maltreated by "professionals."

This name change, a generally unheralded event, can be seen as the organization's first collective response to a shift in positionality of interpreters/transliterators vis-à-vis the Community. The name change was certainly influenced by the fact that the work was seen as only a part-time endeavor. However, in light of the well-documented historic oppression experienced by the Community at the hands of "professionals," and given the importance of social proximity to the

Community, the original organizational name may have been perceived as too dramatic and negative a shift away from the Community. Creating an organization was one thing; creating an organization of "professionals" was something quite different.

SHIFTING PLATES OF POSITIONALITY

Just as the earth's tectonic plates move uncontrollably and alter the relationship of landmasses to each other, so too events within society at large, the Deaf Community, and the newly formed organization altered the societal and Community positionality of interpreters/transliterators. While the Ball State organizational meeting is often viewed as a critical turning point in the positionality of interpreters/transliterators and the Deaf Community (e.g., Stewart, Shine, & Cartwright, 2004), there is compelling evidence that subsequent events, and not the founding of the organization, would irrevocably alter the social and cultural positionality of interpreters/transliterators as a group.

The organizational event that occurred in 1964 marked the beginning of a shift away from the relationship that interpreters and transliterators had enjoyed with the Community. However, events that occurred between 1972 and 1975 marked a pivotal period resulting in an irreversible widening of the fissure between interpreters/transliterators and the Community that had begun to appear in 1964. In 1972, the grant that had provided organizational support for RID ended. That grant was prepared by the National Association of the Deaf (NAD) and submitted to the Vocational Rehabilitation Administration of the Department of Health, Education, and Welfare. The grant provided funding to hire RID's first executive director (a Deaf man, Al Pimentel) and support staff. The grant also made it possible to house the organization's home offices within NAD's home offices. Thus, on an organizational level, the grant made possible the symbolic realization of the prevailing relationship between interpreters/transliterators and the Deaf Community.

When the grant expired in 1972, RID had a membership of fewer than 400 members. Many did not contribute to the Community as interpreters/transliterators but were supporters of the idea of an organization of practitioners. Thus, membership dues were insufficient to sustain salaries and rent. RID was forced to reduce its staff to only part-time (non-deaf) secretarial support, move out of the NAD home offices, and relocate to available, rent-free space at Gallaudet College. In hindsight, the physical relocation away from NAD, the inability to renew the Deaf executive director's contract, and the retention of non-deaf support staff were signs of growing separation from the Community. The organizational separation and attendant decisions represented a type of "separation by proxy" of interpreter/transliterators and the

Community and would be widened and reinforced by other events that also occurred that same year.

1972 also marked the beginning of RID's program to test and certify the qualifications of interpreters/transliterators. In October, a workshop was held in Memphis, Tennessee, to launch the certification system. Its primary motivation was the fact that an alarmingly high number of members did not possess what was felt to be minimally acceptable skills, and yet they were card-carrying members of RID. At that time, membership was gained simply by having two RID members sign an application that they would vouch for the applicant's abilities. In its early stages, this procedure may have had some validity since, according to Fant, "most of the members were skilled interpreters and quite adept at spotting other skilled interpreters, or they were consumers who were sophisticated at identification of skilled interpreters" (1990, p. 41).

In one sense, this process might be viewed as an organizational attempt to mirror the Community's "received wisdom" practice that had served it well for many years. However, as the number of new RID members grew over a relatively short period of time, it became clear that more and more of these newer members were unable to sustain a level of quality that was acceptable to the Community. As a result, the number of RID members with marginal skills (and no vested support from the Community) increased, and RID became quite suspect in the eyes of the Community. While the crucible of Community work attested to an individual's competence, in the eyes of society at large, mere membership in the organization of practitioners became a sufficient testament to one's competence.

This practice of RID members vetting new members represented another subtle shift in positionality vis-à-vis the Community. It is understandable that this vetting model would have elements of the prevailing model used by other certifying bodies (i.e., only members of the organization are able to vet those who would be certified) and of the model used by the Community (membership based on judgment of and acceptance by the members). However, the lack of overt, research-based criteria meant that intuitive judgments, which formed the original basis for membership and certification decisions, could neither be uniformly applied nor sustained. Consequently, a growing number of individuals were deemed worthy of RID membership and of holding its certification but who did not or could not conform to the Community's notion of competence. RID certification was, after all, only the organization's certification; it was not an independent, research-based, Community-validated assessment of an individual's competence. By joining the RID one could, without having the Community's imprimatur, have membership within the organization of interpreters and thus claim the title of "interpreter."

For society at large, the issue of qualifications of RID members was not a matter of question. "State officials, knowing little about deafness and less about interpreting, were easily convinced that everything was in order, simply because there was a registry of interpreters" (Schein, 1984, p. 112). It seems quite clear now that, from the perspective of government agencies, the *fact* that RID conducted testing and certification was of far greater significance than questions about its validity and reliability. This is clear from reports of pressure exerted on RID by the Vocational Rehabilitation Administration to begin a national certification program immediately after the RID grant ended in 1972. As will be addressed later, the research basis upon which to build a valid and reliable testing and certification system was simply not available at the time, and yet this seemed not to be a matter of concern.[6]

With the 1972 implementation of a national testing program aimed at certifying interpreters/transliterators, the processes involved in weaning and vetting practitioners were removed from the Community. What had essentially been a process of demonstrating competence and trustworthiness *over* time (control over which was vested in the Community), became a process of demonstrating competence at a single point in time (control over which was vested in examination boards). Given the absence of an adequate research base in the field, the now-predictable result was a great variability in the judgments of evaluation teams. The initial evaluation design called for Deaf people to be represented on evaluation teams. This, no doubt, was an acknowledgment of the importance of the Community's judgment in qualifying interpreters/transliterators. However, those Deaf people who agreed to serve on evaluation teams (and who were also RID members) were placed in the untenable position of upholding the standards of the Community in a testing situation that did not well reflect the expectations of the Community.

The position of and pressures on these representatives of the Community should not be discounted lightly. Lacking an empirically supported base for their work, they could not be the successful distillate of the Community's wisdom on evaluation teams. Some local evaluation teams gained a reputation for being stricter than others; as a result, it was not unusual for candidates to take the test in areas where teams were reputed to be more lenient. The critical issue then became one of credentialed incompetence. Individuals who otherwise would not be deemed qualified by the Community could, in effect, be credentialed in the eyes of society. This perception became more critical given other events begun in 1972.

The widespread proliferation of Manual Codes for English began in the United States in 1972. These artificially created systems of signing (e.g., Anthony, 1971; Gustason & Zawolkow, 1972) not only purported

to represent English manually, but also claimed to be easier to learn than American Sign Language (ASL).[7] Given the historic oppression of ASL and the long-standing failure of educational systems to create appropriate environments in which Deaf students could become fluent in reading and writing English, it is not surprising that these systems would gain popularity. Unfortunately, such coded systems appealed to administrators faced with research demonstrating that the use of manual communication (i.e., signing) in the classroom is not detrimental to a Deaf child's educational experience.[8] They also appealed to parents who, in their naiveté, believed the advertising campaigns that using a system that purports to manually mirror spoken English will result in academic success, and to those individuals who were seeking an easy way to "learn to sign."[9]

At the time, RID's testing and certification system was not sufficiently sensitive to the differences between the signing of the Community and signs that were English-like. It is my belief that the early failure to capture this difference led to heightened dissatisfaction within the Community with services rendered by RID members. For example, an increasing number of RID members were certified who were unable to sign using the language of the Community, but who could sign using English-like signs. The early RID testing system tried to capture this dichotomy by establishing two certificates—one a certificate of interpretation and one a certificate of translation (later renamed transliteration)—but in many overt and subtle ways seemed to place greater value on the latter. The directions given to candidates taking the certification test are revealing. Before being given the testing materials for the certificate of interpretation, individuals were often instructed to "sign like you would for Deaf children or Deaf people with limited language skills." But before being given the testing materials for the certificate of translation, individuals were instructed to "sign like you would for the Deaf people on this panel." The difference is non-trivial. ASL, the "other language" used in interpretation, was thus characterized by the organization of interpreters as infantile, fit only for children and those without language; use of more English-like signing would be the behavior appropriate for those who were adults, those "without language problems," and those sitting in judgment of a candidate's skills.

However, while individuals could be certified for using English-like signing only, prevailing hiring and referral practices of the day were largely insensitive to the differences that mattered to the Community. Thus, for example, referral agencies often failed to solicit the interpreting or transliterating needs and preferences from members of the Community who were requesting services. This situation was exacerbated by the failure of RID and its members to be explicit in their use of terminology in order to differentiate between the tasks of interpreting

and transliteration. In addition, the widespread use of the terms "interpreter" and "interpreting" as generic terms to refer to any facilitation of communication involving a Deaf person did not serve the Community well (Cokely, 1982).

The unwillingness or reluctance to be precise in this area is rather ironic given that the work of interpreters is fundamentally concerned with precision of meaning and intent. Partially as a result of this lack of clarity around the type of services that an "interpreter" could provide, the number of Community complaints regarding interpreter/transliterator incompetence began to increase. It is true that as the sheer volume of interpreting services being provided increased, one would expect an increase in the number of complaints. However, one has only to read the Community publications of the day and the issues raised by Deaf RID members at its conventions to realize that the type and volume of complaints cannot be accounted for solely by an increase in volume. Not only was there a lack of a solid research foundation upon which to base practice, including such critical questions as Community need and satisfaction, but the general reluctance to at least communicate with precision about distinctions in the work would prove problematic. The lack of a solid research foundation on interpretation and transliteration that would serve to enlighten and frame the issues loomed large and, in fact, this lack remains largely unaddressed to this day (see Marschark et al., this volume; Napier, this volume).

Ironically, 1972 also marked the first instructional text designed to teach ASL—Lou Fant's *Ameslan*. This text, which was a significant departure from previous picture books of signs, represented the first attempt to popularize learning the syntactic structure of the language of the Community. Even though Bill Stokoe's pioneering work in ASL was published in 1965, Deaf people, particularly at Gallaudet, who were the classic victims of prevailing hegemonic views on language and signing, initially resisted his work (see, e.g., Baker & Battison, 1980; Maher, 1996). Until the late 1970s and early 1980s, it would be safe to say that Stokoe's work was viewed largely as the province of researchers. In another ironic twist, 1972 would also mark the first year of publication of *Sign Language Studies*, a publication intended to disseminate research on the Community and its language. It also marked the first year that colleges and universities accepted ASL in fulfillment of their language requirements.[10]

Thus, during this period, there was movement on several fronts toward recognition of the language of the Community and acknowledgment of the status of the Community as a linguistic and cultural minority.[11] However, the popular appeal of Manual Codes for English served to reinforce for those unacquainted with the Community the historic pathological views of the Community and its language as deficient, deviant, and defective. This popular appeal was, in large measure,

based on the perception that these codes were easier to learn than the language of the Community. In a very real sense, philosophical camps were drawn at this time and the general inability or unwillingness to be clear and definitive in this area would create further divisions between interpreters/transliterators and the Community—divisions that continue to this day.[12] This issue, perhaps more than any other, symbolizes the divide that had begun and would widen over the next decade or so. Would interpreters/transliterators accept the Community by embracing its language or would they inadvertently further oppress the Community by rejecting its language?

INTERPRETATION BY LEGISLATIVE FIAT

Legislative institutionalization of interpretation and transliteration began between 1972 and 1975. Section 504 of the Rehabilitation Act Amendments of 1973 would prove to have far-reaching implications for the Community and interpreters/transliterators. Although it was not immediately implemented,[13] this piece of legislation provided "handicapped individual[s]" with access to any "program or activity receiving federal financial assistance." For members of the Community, this meant increased access to aspects of society in general that had previously been denied or unavailable to them. For example, attending public colleges and universities was possible to a far greater extent than ever before. Importantly, such access could only be made possible if these colleges and universities employed interpreters/transliterators. While the Community generally viewed this piece of access legislation as a positive step forward, another piece of legislation passed during this period would not be so positively received.

The Education of All Handicapped Children's Act (P.L. 94-142) was passed in 1975 and was seen by many in the Community (and continues to be, even in its present iteration as the Individuals with Disabilities Education Act) as a piece of oppressive, normalization legislation. The effects on the Community—oppression by separation, communicative insensitivity, and the slow decline of residential schools for deaf students—have been discussed elsewhere (e.g., Lane 1992; Wrigley, 2002). While promoted by society in general as educational access legislation, many in the Community have concluded that in reality only the illusion of access and equality has been created. Given the value of cohesion to the Community,[14] this view of illusionary access should not be surprising. For interpreters/transliterators, this legislation would further alter their relationship with the Community. Interpreters/transliterators had now, albeit unwittingly, become the very instruments used to oppress the Community by creating and fostering this illusion of educational access and equality.

The passage of P.L. 94-142 and, to a lesser extent, Section 504 of the 1973 Rehabilitation Act also meant that for the first time on a wide scale, national-level control over who would be employed and retained in the position of interpreter/transliterator no longer rested in the hands of the Community. Prior to the passage of these pieces of legislation, members of the Community would typically arrange for interpreters/transliterators for activities or events. During the era of "interpretation/transliteration *as my contribution*," the Community had some control over who would be asked to interpret or transliterate, given the restrictions of individuals' availability. The Community also had control over whether and when it would accept a would-be interpreter/transliterator. However, that vetting process would change with the era of "interpretation/transliteration *as legislative fiat*."

In this new era, people who were not Community members (and who were unaware of reasonable expectations for practitioners' skill sets) were responsible for the hiring and supervision of interpreters/transliterators. One striking consequence of "interpretation/transliteration by legislative fiat" was that the demand for interpreters/transliterators quickly outpaced the supply. Nowhere was this more apparent than in K–12 educational settings where "interpreters" were, and often continue to be, hired and "supervised" by individuals who know nothing about the Community and its language and where deaf children are often isolated from the Community.

The explosion in the number of individuals claiming the title of interpreter or transliterator was nothing short of staggering. In 1974, RID had approximately 500 members; 6 years later well over four times that number held one or more forms of certification (Rudner, Getson, & Dirst, 1981). It must be borne in mind that the RID membership numbers do not include the many so-called interpreters who were hired by K–12 schools but who had no form of certification. This almost fivefold increase in the number of interpreters and transliterators could only come as a result of significant changes in the Community's relation to interpreters/transliterators. The era of "interpretation/transliteration as legislative fiat" brought with it full-time employment opportunities that had not previously existed. Slightly more than 10 years after the founding of RID and the prevailing view of "interpretation/transliteration as my contribution" to the Community for which no monetary compensation was expected, it was now possible for individuals to earn a living by interpreting or transliterating. Not only was monetary compensation possible, but it was becoming the norm. Ironically, legislation would begin to evoke the very result that founding RID members sought to avoid when they changed the organization's name: interpreters and transliterators were moving toward becoming "professional." While practitioners viewed this shift

positively, members of the Community were considerably less enthu-siastic. One has only to read the national and local Community pub-lications (e.g., *The Deaf American*) and the RID newsletters of the time to gain an appreciation of the differences in how various issues were viewed—for example, rates of payment, ethical conduct, diminished sense of loyalty to the Community, and deteriorating quality control in certifying interpreters/transliterators.

ACADEMIC INSTITUTIONALIZATION

Another change that began during this era was a dramatic increase in the academic institutionalization of the language of the Community. The instruction of "sign language"[15] began to shift from churches and community centers, where it had been largely situated, to colleges and universities. This was partially a result of changes in the prevail-ing educational methodologies of the time. An increasing number of schools and programs for deaf children began to encourage and expect that "sign language" would be used in classrooms. Schools and pro-grams began to expect that teachers would use "simultaneous com-munication," and a number of schools and programs adopted "total communication" (Holcomb, 1973). As a result, teacher preparation programs began to revise their curricula to include "sign language" classes. That led to an increase in the number of colleges and univer-sities offering "sign language."

In many colleges and universities, instructors who were not Deaf were hired to teach because Deaf people often lacked the necessary academic credentials. Academic institutionalization was a significant change in how people who were not members of the community could gain access to the language of the Community. Up until this era, access to language of the Community had generally been by legacy or reward (Cokely, 2000). Individuals came to the language through blood ties (Deaf parents or siblings) or because they had learned the language directly from members of the Community (in nonacademic settings). The academic institutionalization of the language of the Community, while positive in many respects, brought with it another level of loss of Community control. The Community attempted to exert some measure of control in this regard through the 1974 founding of the Sign In-structors Guidance Network (SIGN) organization that is now called the American Sign Language Teachers Association (ASLTA). In an inter-esting case of history repeating itself, SIGN/ASLTA (like the RID be-fore it), was closely linked with the NAD and established itself as the certifying body for sign language teachers. (SIGN/ASLTA has disaf-filiated with the NAD and is seeking recognition on its own as an independent professional organization of sign language teachers.)

Given the precedent of academic institutionalization of language access, it is not difficult to understand how academic institutiona-lization would be seen by society at large as a viable response to the widespread increase in demand for interpreters/transliterators. Sensing the growing demand for interpreters/transliterators, the Rehabilitation Services Administration (RSA) created and funded the National Inter-preter Training Consortium (NITC) in 1974. This consortium, which consisted of six colleges and universities,[16] was created to address the shortage of interpreters/transliterators. Among the consortium's goals was the development and implementation of 3-month training courses for individuals without prior interpreting experience. It is again note-worthy that, as was the case with development of the RID certification test, there was no meaningful research base upon which to properly understand the linguistic, cognitive, and sociolinguistic demands of interpretation and transliteration. Thus, not only the initial instructional premise, but also the curricula that were developed by the NITC, lacked the level of rigor that would be needed to replace or even to approxi-mate the results produced by the experiential education that a pro-spective practitioner received from within the Community.

By 1980, the number of colleges or universities with interpreter training programs throughout the country had grown to over fifty, in-cluding the six original NITC members (Schein, 1984). Most of these were housed in community colleges and had grown in response to non-deaf students who wanted more advanced sign language courses. Since there was a growing demand for interpreters/transliterators, and since existing extensive language curricula were non-existent, sign language programs responded by adding "interpreting" courses. These interpreter training programs often were based on the only material available—the 1965 report of a Workshop on Interpreting published by the U.S. Department of Health, Education, and Welfare (Fant, 1990).

Partially in response to the need to gain information about pre-vailing practices, the National Academy of Gallaudet College convened a 1979 meeting of individuals with "experience and expertise in interpreter training" (Yoken, 1979). At the conference, participants identified topics related to interpreting and transliterating as well as pertinent publications. Sixty-three publications or initiatives were lis-ted. An indication of the lack of basic research that existed at the time is that fewer than six of the listings directly related to the tasks of in-terpreting or transliterating. Following the 1979 "state-of-the-art con-ference," a second conference was held about a year later. At that conference, participants (again, individuals with "experience and ex-pertise in interpreter training") identified over 100 specific topics for research that they felt were critical in order to inform training and education programs as well as certification and testing procedures. The

primary recommendation was that the federal government fund co-ordinated, focused research in interpreting and transliterating. In 1980, the federal government announced that it would replace the NITC with ten federally funded programs and would greatly increase the funding level.

Conference participants recommended that one of these newly authorized programs be devoted to research. Nothing came of the recommendation, and to date there continues to be a lack of coordinated, basic research that can inform the practice of interpreting and transliterating and the preparation of interpreters and transliterators. It is unfortunate that current funding agencies fail to realize the critical need for basic research in order to effectively execute the very activities that their funding supports. Indeed, some of the available funding for interpreting and transliterating (e.g., the current RSA grants) expressly forbids research in grant activities. The lack of a research base to shape training and education programs and to inform assessment meant that the Community was becoming functionally marginalized as a locus of quality control in terms of the competencies of those who would interpret and transliterate. This marginalization was further increased by the fact that few Community members held faculty positions within training and education programs.

With implementation of this era's legislation, it was now increasingly possible in the eyes of society at large for individuals to earn a living by interpreting or transliterating without having been involved with or vetted by the Community. This meant that students with no prior contact with Deaf people could undertake a course of study to become an interpreter or transliterator. Prior to this time, as a result of one's "interactive" footing in the Community, "interpretation/transliteration as my contribution" was the orientation to the task. During this new era, however, the collective relationship continued to change from one based on communal obligation to one based on economic opportunity; from one based on personal relations to one based on business relations.

A gap had formed between the Community and interpreters/transliterators that could perhaps best be characterized as an emergent crisis of identity. As interpreters/transliterators began to forge an identity that was distinct from the Community, and one viewed by many as independent of the Community, it became increasingly easy for society and the Community to view them as service providers *for* the Community instead of service agents *of* the Community. In the now burgeoning era of academic footing, "interpretation/transliteration as compensated service" was becoming the primary orientation to the task. Prospective students were recruited into training and education programs because of growing demands in the "job market." As a result, members of the Community were no longer friends for whom one

interpreted or transliterated; they were now "consumers" or "clients." Certainly this change in orientation contributed to the shift in prevailing "models" of the task—that is, from helper to machine. Since many interpreters/transliterators were no longer from the Community, the Community sought protection in urging ersatz interpreters/transliterators to function in more of a mechanistic manner because they had not yet proven that they were trustworthy.

As "interpretation/transliteration as compensated service" became the norm, issues of compensation became yet another facet of the "love/hate" relationship between the Community and interpreters and transliterators. Members of the Community resented the fact that interpreters and transliterators now routinely expected to be compensated for their services even though members of the Community were unemployed or underemployed. The Community also feared that rising hourly fees demanded by interpreters and transliterators would result in a denial of access and services because agencies and service providers would resist paying these fees.

The academic institutionalization of the Community's language as well as a shift in the process by which interpreters and transliterators would be trained and employed marked a significant loss of control for the Community. Certainly there were, and continue to be, significant advantages to the academic acceptance of the language of the Community, but those advantages carry with them a significant cost to the Community. Legislation had appropriately mandated societal access for Deaf people, but the gate-keeping function that the Community had long held in shaping the pool of individuals who would interpret or transliterate no longer resided within the Community. Employment opportunities for interpreters/transliterators were increasing dramatically. In yet another significant shift and loss of control, it was no longer the Community that was requesting interpretation and transliteration services. In fact, by 1980, most interpreters/transliterators were being requested by and employed by non-deaf people (LaVor, 1985), further underscoring the view of interpreters/transliterators as being *for* the Community. A survey of 160 certified interpreters and transliterators at the 1980 RID convention (Cokely, 1981) revealed the extent of this shift. Ninety-eight percent of the respondents reported that they interpreted regularly on a paid basis, those with Deaf parents for an average of 9.5 years (i.e., since 1970) and those whose parents were not Deaf for an average of 4.5 years (i.e., since 1975) with educational/classroom work being the most frequent setting by a margin of five to one.

Given the increase in academic footing as an entrée to interpretation and transliteration and the fact that would-be practitioners often have no requisite connections to the Community, the responsibility for ensuring that the Community is not merely an object of study and

theoretical curiosity rests with those responsible for an education or training program. Programs bear the burden of seeking out a variety of ways in which their students can become actively involved with the Community. Activities that provide avenues of Community connectedness are quite varied, but as Monikowski and Peterson (this volume) point out, there is a critical issue that must be considered with any such activity: The Community must perceive that it is being served by the activity rather than being taken advantage of by the activity. The activity must be such that it directly benefits the Community; benefits to the students should be viewed as by-products of the activity. This is particularly crucial given the shift in positionality of interpreters/transliterators. If these would-be practitioners are no longer perceived as "of the Community," then it is essential that programs begin to be perceived as "of the Community." If would-be practitioners no longer view "interpretation/transliteration as my contribution," then it is essential that programs begin to seek ways that they and their students can contribute to the Community. Programs unable or unwilling to be "of the Community" and unable or unwilling to contribute to the Community should examine their raison d'être.

ACTIVITY QUA ACCOMPLISHMENT?

As one reviews the events during the pivotal 1972–1975 period, and the consequences of those events, it seems clear that activity was mistaken for accomplishment. When one examines the initiatives of the era, one is struck by the virtual absence of research upon which to base those initiatives. Clearly there is value in the anecdotal experiences of practitioners of the day and the received wisdom of the Community in shaping interpreter/transliterator assessment and training programs. Clearly there is value in federal legislative and programmatic initiatives that increase societal access for the Community. However, without the prerequisite research base, necessarily rooted in the Community, it is unclear whether such initiatives can truly be effective.

Unfortunately, it seems clear that this pattern of mistaking movement as a measure of success continues. It is now 40 years after the founding of RID and the rejection of calls for conducting research before implementing a certification process. It is almost 25 years after leading practitioners of the day were ignored in their request for significant federal funding for research into interpreting and transliterating. Nevertheless, legislative and programmatic initiatives continue without the necessary research base upon which to develop those initiatives in order for them to be successful.

One need only consider the early RID evaluations to realize the shortcomings of well-intentioned activities that were uninformed by research. Consider, for example, that "Speed/Time lag" was among the

rating criteria used in RID evaluation process from 1972 until 1983 (Rudner et al., 1981). This rating category meant that candidates were penalized if, in rendering their interpretations or transliterations, they lagged behind the stimulus test material. This directly influenced interpreter training programs (ITPs) and resulted in notions of accuracy that were quantitative, not qualitative. In fact, early interpreter training programs, such as the Gallaudet College ITP, developed and purchased materials that were "speed graded," and individuals were judged competent if they could "interpret" audiotaped material at speeds approaching 120 words per minute. As one practitioner put it, "I was brainwashed to believe that accuracy was in volume of information and if it took seven hundred and fifty words to say this, then it should take seven hundred and fifty words to sign it and if it didn't then somehow I was jeopardizing accuracy" (*Interpreters on Interpreting*, 1989). As a result, synchrony of interpretation and source message became highly valued, and candidates were marked down if their performance did not maintain temporal synchrony with the original message. This meant that evaluation candidates were penalized if they did the very thing (i.e., seeking to increase comprehension which often is in an inverse relationship with temporal synchrony) that subsequent research would show was necessary for more accurate work (Cokely, 1986).

Another more recent movement that poses interesting questions for the relationship between interpreters/transliterators and the Community is the emergence of certified deaf interpreters (CDIs). As Forestal notes in this volume, Deaf people were originally certified by RID in order to function as evaluators in the RID testing system. Within the past two decades, however, there has been a growing demand for and presence of Deaf individuals working in a team with non-deaf interpreters/transliterators in a range of dialogic interactions (e.g., mental health and medical settings) and at a limited number of conferences. In a clear case of history repeating itself, RID has recently implemented a national certification test for these Deaf individuals and yet there is virtually no research that investigates what it is Deaf people actually do when they work with a non-deaf colleague in facilitating communication.

On the surface, it appears that the cognitive, linguistic, and communicative processes that are at work in such interactions are fundamentally different for Deaf people and for their non-deaf teammates. Anecdotal evidence to support this comes from a series of meetings held during the 2001–2002 academic year. During that year, I was fortunate enough to meet 1 day a month with a dozen Deaf people from all over New England, all of whom worked as CDIs. During the course of these meetings, it became clear that excepting those rare platform opportunities, their regular work as CDIs occurred whenever there was a perceived "language problem" such as an immigrant Deaf person or

a Deaf person with minimal communication skills. None of the Deaf persons ever recalled working in a situation in which there was no perceived language or communication "problem." This reality also conditions how the Community perceives CDIs. A perfect example is an incident related by one of the Deaf people in the group who was sent to work at a Deaf child's Individualized Educational Program (IEP) meeting. When the CDI entered the meeting room, the Deaf child's mother, who was herself Deaf, turned to the CDI and signed, "We don't need you here. My child doesn't have any communication problems."

During the yearlong series of meetings with this group of Deaf people, it also became clear that the linguistic and communicative strategies that CDIs commonly employ are markedly different from what has become expected, conventional practice among non-deaf interpreters/transliterators. These observations suggest that there is much about the work of our Deaf colleagues that we do not yet understand and that they may not be able to fully articulate. One wonders then how it is possible to assess and certify competence in the absence of such fundamental research. Our history of presuming we know what to do despite the lack of research has not been positive.

Another interesting question that emerged from this series of meetings with CDIs is the wisdom of using the job title "Certified Deaf Interpreter." The job title "CDI" attempts to frame the communicative work of Deaf people by linking it to the communicative work of non-deaf interpreters/transliterators. However, Deaf people reported repeatedly that it was often difficult to convince employers or clients of the need for two "interpreters," particularly when one of them is Deaf. This is made doubly difficult since the view of the general non-deaf public is that interpreters are "for" Deaf people. The group of Deaf colleagues also reported significant resistance from non-Deaf interpreters and transliterators who felt that the presence of a Deaf teammate called into question their own skills and ability to do the task at hand. If, however, as I believe to be the case, the tasks are different, then framing the task differently can bring a greater level of respect for the task and an increase in the job market for Deaf colleagues. A differently framed and more precise job title, such as "Visual Language Specialist," automatically creates new expectations within which differentiated tasks can be more readily understood and accepted by society in general. This "frame differentiation by title" might also assist non-Deaf interpreters/transliterators who feel that the presence of or need for a Deaf colleague is somehow an affront or challenge to their own competence.

Job market cultivation is essential, but it can only occur with a clear notion of what it is Deaf team members actually do. Ultimately, however, the value in more accurately reflecting the communicative work of our Deaf colleagues can only happen in a meaningful way if it

is rooted in descriptive and empirical research. In the absence of descriptive and empirical research on the communicative tasks performed by CDIs, we are unable to address successfully the economic objections of employers who see the presence of a second interpreter as unnecessary and the presence of a CDI as impractical or inconceivable. Unfortunately, as Forestal notes in this volume, there is presently little support for developing careers for Deaf people in this area.

Perhaps nowhere have the consequences of mistaking activity for accomplishment and proceeding without a sufficient research base been more glaring and more devastating than the decades' old movement to mainstream Deaf students begun with passage of P.L. 94-142. Not only did this movement alter the relationship between the Community and interpreters/transliterators, but it also radically altered the social and cultural nature of the Community. From the Community's perspective, P.L. 94-142 (and its later incarnations) is a prime example of the legislated consequences of hegemony and the implementation of views proffered almost a century earlier. Mainstreaming legislation, which passed by appealing to the values of democratic inclusivity and maximizing one's potential, failed to consider properly and fully the linguistic and communicative demands of interpreted/transliterated education as well as the social and psychological costs of mainstreaming deaf students. Ironically, while the integrationist rhetoric of the day obscured the social and psychological costs, the very presence of an organization of interpreters/transliterators and growing national certification of its members served to minimize concerns about linguistic and communicative demands of mainstreaming Deaf students.

In a relatively short period of time, K–12 settings became, and remain, the most frequent employment opportunities for interpreters/transliterators. The fact that interpreters and transliterators, as a group, did not take a strong stand against this disabling legislation may have been seen by some in the Community as self-serving, because of the very increase in employment opportunities. The employment impact on practitioners can be better understood when one considers the fact that at the present time, it has been estimated that 60% of interpreters and transliterators work in K–12 settings (Burch, 2002). Mainstreaming legislation that was, and is, viewed as a symbol of destruction for many in the Community (e.g., Jankowski, 1997) had co-opted interpreters/transliterators into enabling this destruction and thus further distancing them as a group from the Community.

Once again, activity, absent fundamental research, was taken as the measure of success. The illusion of access had been created, and the symbol of that illusion for many was, and remains, interpreters/transliterators. RID, acting on the premise that the organization should adhere to the same expectations of neutrality and impartiality it expected of practitioners, took no significant stand. School districts and

individual schools, compelled by force of law (and with little desire to or knowledge with which to fight for meaningful changes in the law), coupled with a rapidly shrinking supply of "qualified" interpreters/transliterators, had no choice but to hire anyone that they felt could function as an interpreter/transliterator, including those that the Community felt were "signers" but clearly not interpreters/transliterators. To the uninformed and uneducated educational establishment, these were "prima facie interpreters," but they often had no affiliation with the RID and thus were neither vetted by the organization nor compelled to abide by its Code of Ethics.

Beginning in the mid-seventies, the number of Deaf students who were thrust into mainstream educational programs began to increase exponentially. This "legislatively forced Deaf diaspora" yielded nothing short of catastrophic consequences for residential schools for Deaf students and, as a result, the Community, its language, and its culture (see, e.g., Lane, 1992; Lane, Bahan, & Hoffmeister, 1996; Wrigley, 2002). In a relatively short period of time, a sizeable number of individuals were employed as interpreters/transliterators in K–12 settings who were even further removed from being vetted to any degree by the Community. That the majority of these individuals lacked RID certification or any other competency credentials led to a perception that those working in K–12 settings represented the least competent among us. This perception is only strengthened by surveys that reveal that a large number of individuals view working in K–12 settings as a "stepping stone" until they become state screened or nationally certified and thus are able to work in other venues.

For example, a 2002 survey of K–12 interpreters/transliterators working in Massachusetts revealed that fully two-thirds envision themselves working in the K–12 setting for 5 years or less, with almost a third envisioning their K–12 careers lasting 3 years or less.[17] Another significant finding is that fully one-third of those surveyed had been working as interpreters/transliterators for 2 years or less. If these data can be generalized nationwide, then not only is a significant portion of the K–12 interpreter/transliterator population rather inexperienced, but the K–12 establishment confronts a significant work force turnover and an extremely high level of instability on an annual basis. So too, then, they reveal that the least experienced among us and, to the extent that there is a correlation, the least competent among us are working in settings that have significant consequences for the future of deaf students and the Community.

Given that the educational lives of so many Deaf students were, and are, determined by what in some cases can best be described as "ersatz practitioners," it is astounding that we continue to have such little research on the work of those who function as K–12 interpreters/transliterators. Consider, for example, that in a review of almost sixty

refereed research articles dealing with interpretation and transliteration from 1986 to 1996, only five studies are focused on the actual working of interpreters/transliterators in K–12 settings.[18] Beginning with the passage of P.L. 94-142, we have been witness to a legislative initiative based on a series of presumptions, none of which has been empirically supported. Three decades later not only do we still lack empirical research that can address essential questions regarding mainstreaming of Deaf students and the work of interpreters/transliterators in K–12 settings, but we lack any concerted and coordinated effort that can address these questions (Marschark et al., this volume).

The explicit and implicit research questions in this volume stand not only as a chronicle of what we do not know about interpreting and transliterating in general, and about interpreting and transliterating in K–12 settings in particular, but they also serve as suggestions that might guide a research agenda. Clearly a systematic, coordinated program of research, properly involving members of the Community and other stakeholders, would reveal additional areas of critical inquiry. Unfortunately, the reality is that we have not had a nationally coordinated, properly supported and sustained research initiative that can inform practice in these critical areas. Undeterred by our lack of knowledge, society continues to place Deaf students in mainstream settings, often in isolation from other Deaf peers. A cynic would hold that this educational "integration by separation" of Deaf people has been a deliberate maneuver to further marginalize Deaf people and foster the dissipation of the Community. The same cynic would also hold that the hegemonic "powers that be" see little value in seeking answers to necessary and fundamental research questions because the answers would only challenge the status quo and upset the illusion that access has been created. Finally, the same cynic would hold that schools and school districts faced with legal mandates, and yet realizing the true cost of integrating Deaf students into their programs, have responded by spending the minimum amount necessary to create the illusion of access and compliance.

As a society we invest far greater resources in researching initiatives that are hardly as valuable to our future as the educational lives of children of the Community. It is certainly perplexing and troubling that, given the educational and life-trajectory stakes for Deaf children, there has not been more of an outcry for such bedrock research from the Community, including parents, practitioners, administrators, legislators, interpreters/transliterators, interpreter educators, and those who have been the victims of the illusion of educational access. Individual practitioners surely bear some responsibility for challenging the historic pattern of practice that has used the mere physical presence of an interpreter/transliterator as an indication of the likely success of an interaction. Ultimately, however, the decisions surrounding educational

placement for Deaf students rest with parents. It is they who, in their desire to seek the best for their children, need to make the best-informed decisions possible. Their quest to make these decisions must necessarily seek to address the questions of whether an interpreted education is an equivalent and appropriate education; whether the choice of an interpreted education is more a parent-centered or a child-centered option; and, of utmost importance, whether the interpreters/transliterators and, of the school have been independently qualified and provided by the school have been independently qualified and credentialed. The lack of fundamental research in this area should be of paramount concern to parents, and the demand for such research should be spearheaded by parents.

Programs designed to train and educate interpreters/transliterators also bear significant responsibility in this regard. Clearly both programs and practitioners have an obligation to question activities within the field that are not supported by solid empirical and theoretical research. But programs bear a heavier responsibility since it is they whose perspectives and actions will shape the future interpreters/transliterators. Just as programs should seek to be "of the Community" and should seek opportunities to create Community connectedness for their students, they also have an obligation to demand a greater theoretical and empirical research foundation within the profession and education and training programs. In short, programs bear the responsibility for challenging the historic pattern of practice that has valued action over evidence and has viewed activity as accomplishment.

SUMMARY AND CONCLUSIONS

This chapter has examined the relationship between interpreters/transliterators and the Community and the forces that altered that relationship. Although the 1964 creation of an organization of interpreters/transliterators might be seen as a pivotal event, this chapter suggests that a series of events between 1972 and 1975 would irrevocably alter the position of interpreters/transliterators vis-à-vis the Community. What began as a relationship largely evolved from personal connections with members of the Community became a relationship based on commerce and often rooted in detachment. The shifted positionality was heightened by the exponential growth of employment opportunities brought about by federal legislation. The most significant consequence of this shift was a loss of Community control over who would be viewed as interpreters/transliterators. Ironically, the presence of the organization of interpreters and transliterators and its certification system served as evidence to society at large that competent interpreters and transliterators existed in sufficient number to implement legislation passed during this period.

From 1972 to 1975, interpretation and transliteration as an occupation clearly moved from an activity in which the time-tested imprimatur of the Community was of paramount importance for practitioners to an activity in which legislatively mandated employment for practitioners required little or no involvement from the Community. Of particular significance was the large-scale employment opportunity for interpreters and transliterators created by P.L. 94-142, the very legislation that would bring about a forced deaf diaspora. From the Community's perspective, the relationship was altered even more by the academic institutionalization of its language and the subsequent institutionalization of programs designed to train and educate interpreters and transliterators. The academic institutionalization has further exacerbated the shifted relation in large measure because most members of the Community lack the academic qualifications required to work at academic institutions.

Underscoring and enabling each of these position-altering events has been a persistent lack of empirical research; fundamental research necessary to inform practitioners and the programs that seek to train or educate them. While individual practitioners bear some responsibility for questioning practices that are not rooted in research, programs bear a much heavier burden of responsibility. The greater burden arises from the position that programs now occupy as the primary source of Community connectedness for would-be interpreters/transliterators. As the gate keeping for interpretation and transliteration becomes more rooted in academia and further removed from the crucible of Community interaction, programs have the responsibility to be "of the Community" rather than "for the Community." In large measure, discharging this responsibility requires that programs not only demand a greater level of research to guide their educational activities, but also that they question practices not substantiated by research. Ultimately, it means that action absent empirical evidence can no longer be taken as accomplishment.

NOTES

1. I have chosen to use the terms "interpreter/transliterator" and "interpreting/transliterating" throughout this chapter. While this may be slightly more cumbersome than the generic "interpreter" and "interpreting," I believe that the generic terms not only fail to accurately capture differing skill-sets required of practitioners, but also fail to capture the competencies required by different members of the Deaf Community.

2. I am keenly aware that dealing with issues of positionality and identity relations is incredibly complex and prone to overgeneralizations. These issues are made even more complex when one of the groups involved, the Deaf Community, is a historically oppressed minority. Clearly I make no claim to speak for the Deaf Community in offering these observations, and I also fully

recognize that it is often difficult to distinguish "speaking about" from "speaking for." My "knowledge claims" in this arena stem from my own experience of almost four decades of interactions with Deaf people and interpreters at local, regional, national, and international levels.

3. I use the term "the Community" in the full knowledge that the Deaf Community is not, by its very nature, monolithic and that there is wonderful linguistic, social, ethic, socio-economic, and other diversity within the Community.

4. The notion of an organization of interpreters did not occur in a vacuum; in 1963, the Texas Society of Interpreters for the Deaf (TSID) was established. TSID would become the first local affiliate chapter of RID.

5. The actual organizational meeting took place the evening of June 16, 1964.

6. Interestingly, Fant (1990) notes that in January of 1965, at a Follow-Up Workshop on Interpreting, the vice president of The Psychological Corporation, a company specializing in the development of certification programs, made a presentation to the participants. According to Fant, "He made it abundantly clear that much research must precede any attempt to construct an instrument for certifying competence" (p. 44).

7. A growing body of literature has not only revealed linguistic and performance problems with these Manual Codes for English (e.g., Cokely and Gawlik, 1973; Marmor and Petitto, 1979), but has also failed to substantiate causal claims of improved academic performance of students using these codes (see, e.g., Lederberg, 2003; Schick, 2003).

8. Most notable among this research were Meadow (1968) and Schlesinger and Meadow (1972). The latter work was quite prominent in the proceedings of the 1972 Special Study Institute on "Psycholinguistics and Total Communication" held at Lewis and Clark College, Oregon.

9. In fact, in their advertising, several of the authors made clear their belief that learning their system was far easier than learning ASL, and this was used as a primary selling point.

10. Among the first were American University, New York University, and the University of Minnesota.

11. It is worth remembering that this positive movement toward acceptance of the language and recognition of the community occurred within a wider social context in which traditionally oppressed groups were beginning to claim recognition and empowerment.

12. I firmly believe that the pervasive notion that RID and its members have to be "all things to all people" has negatively impacted testing, certification, and licensure issues; access legislation issues; the efficacy of referral agencies; and the curricula of interpreter training and education programs.

13. It would take 2 years and several protests, culminating in a sit-in at the offices of the Secretary of Health, Education, and Welfare in 1975, before the federal government finally released implementation rules and regulations.

14. Mindess (1999) discusses the idea of the Community as a collectivist culture in which the group and the received wisdom of the group is held in high regard.

15. The term "sign language" was, and still is, often used in academic settings to refer to any means of manual communication, including American Sign Language or one of the Manual Codes for English.

16. New York University, Gallaudet College, the University of Tennessee, the California State University at Northridge, the University of Arizona, and St. Paul Technical Vocational Institute.

17. This survey was conducted under the auspices of the Interpreter Education Project at Northeastern on behalf of the Massachusetts Commission for the Deaf and Hard of Hearing and the Massachusetts Department of Education.

18. See Seal (2004) for full details; of the 60 articles, 21 focus on the need for and characteristics of K–12 interpreters/transliterators, 15 focus on the work of interpreters/transliterators (but only 5 are in the K–12 setting), 18 focus on interpreters/transliterators working in postsecondary settings, and 7 focus on miscellaneous aspects of interpreters/transliterators.

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