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Definitions and dilemmas

edited by

Carmen Valero-Garcés
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Crossing Borders in Community Interpreting

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Volume 76

Crossing Borders in Community Interpreting. Definitions and dilemmas.
Edited by Carmen Valero-Garcés and Anne Martin

Crossing Borders in Community Interpreting

Definitions and dilemmas

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Table of contents

| | |
|---|-----|
| List of contributors | VII |
| Introduction | 1 |
| 1. Interpreting as mediation <i>Franz Pöchhacker</i> | 9 |
| 2. The role of the interpreter in the governance of sixteenth- and seventeenth-century Spanish colonies in the “New World”: Lessons from the past for the present <i>Cynthia Giambruno (Miguélez)</i> | 27 |
| 3. Role definition: A perspective on forty years of professionalism in Sign Language interpreting <i>Laurie Swabey and Paula Gajewski Mickelson</i> | 51 |
| 4. Evolving views of the court interpreter’s role: Between Scylla and Charybdis <i>Holly Mikkelson</i> | 81 |
| 5. Controversies over the role of the court interpreter <i>Sandra Hale</i> | 99 |
| 6. Interpreting in police settings in Spain: Service providers’ and interpreters’ perspectives <i>Juan M. Ortega Herráez and Ana I. Foulquié Rubio</i> | 123 |
| 7. The role of the interpreter in the healthcare setting: A plea for a dialogue between research and practice <i>Claudia V. Angelelli</i> | 147 |
| 8. Hospital interpreting practice in the classroom and the workplace <i>Carmen Valero-Garcés</i> | 165 |
| 9. Intercultural mediation: An answer to health care disparities? <i>Hans Verrept</i> | 187 |
| 10. Community interpreter self-perception: A Spanish case study <i>Anne Martin and Isabel Abril Martí</i> | 203 |

| | |
|--|-----|
| 11. Sign Language interpreters and role conflict in the workplace <i>Jules Dickinson and Graham H. Turner</i> | 231 |
| 12. Migration, ideology and the interpreter–mediator: The role of the language mediator in educational and medical settings in Italy <i>Mette Rudvin and Elena Tomassini</i> | 245 |
| 13. Perceptions of a profession <i>Heidi Salaets and Jan Van Gucht</i> | 267 |
| Index | 289 |

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Introduction*

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In their introduction to the proceedings of the conference held in Forlì, Italy on *Interpreting in the 21st Century*, Garzone and Viezzi state that : “[...] the most single element of novelty in the field [of interpreting studies] [is] the recognition that interpreting is not only conference interpreting” (Garzone and Viezzi 2002:5). Indeed, the last decades of the twentieth century saw an unprecedented increase in publications on interpreting in community settings: police and courts, hospitals, schools and social services. Catalyzed by the Critical Link conferences which began in 1995, there has been an exponential increase in studies of various types, ranging from the *status quaestionis* of countries where community interpreting is a recently-discovered reality to the in-depth corpus studies of interpreting in situated interaction.

It is in this context that the 2nd International Conference on Public Service Interpreting was held at the University of Alcalá de Henares, Spain, in April 2005 under the title “Translation as Mediation or How to Bridge Linguistic and Cultural Gaps”,¹ bringing together researchers, educators and practitioners from Spain and abroad. One of the many events that took place during the conference was the presentation of the Comunica Group: a permanent observatory on community interpreting needs and responses to those needs in Spain. The idea to compile this volume began as an offshoot of that conference, initially inspired by the lively debates and excellent papers presented, and resulted in an invitation to scholars around the world to reflect on this topic more specifically or to report on empirical and other research projects in this area. It is also a result of the University of Alcalá’s cooperation with the University of Granada, where research into community interpreting has been a major feature for several years now, thus bringing together the two main focal points of research into this field in Spain.

* We have received the support of many people in this endeavour and it would be impossible to name them all. We should like to say thank you to them all whether they have contributed directly or indirectly to this project, and very specially, to Franz Pöchhacker for his encouragement and enthusiasm from the onset and his support during the whole process.

1. The proceedings of this conference are available on CD-Rom. Valero-Garcés, C. (ed.) (2005). *Traducción como mediación entre lenguas y culturas/Translation as Mediation or How to Bridge Linguistic and Cultural Gaps*. Alcalá de Henares, Madrid: Universidad de Alcalá.

At the conferences mentioned above and in most of the publications on community interpreting, there is one burning issue which reappears constantly. It is that of the interpreter's role. And it is logical that this should be the case if we think of the ingredients included in the cocktail that makes up community-based interpreting: wide cultural gaps, power imbalance, urgent communication needs, lack of resources, lack of professional profile, face to face interaction during situations which are often dramatic. However professionalised community interpreting becomes, the interpreter is always liable to find herself in delicate, uncomfortable situations, the results of which are manifested in many, often subtle ways. She is frequently party to circumstances in which it would be difficult for any human being to remain unperturbed. In countries where a certain degree of awareness has been reached, there would seem to be a polarization — at least on paper — between the “impartial model” and the “cultural advocate model”. However, research has shown that the situation is much more complex than it may seem. The seminal works of Berk-Seligson (1988), Roy (1993, 1996) and Wadensjö (1998) amongst others have demonstrated that interaction involving an interpreter is not simply a monolingual interview with an interpreter grafted on as a sort of code-switching machine. The question is not whether the presence of the interpreter changes the interview, but how. The complex issues that come into play as one attempts to answer this question warrant the attention of the community interpreting research community. In countries where this form of interpreting has been professionalised, do codes of ethics, interpreters' guidelines and standards of practice take account of the kind of dilemmas community interpreters are coming up against every day? The distinction between “impartial model” and “cultural advocate” is not a compartmentalization but rather a cline, a continuum. There is no clear dividing line indicating where one model ends and the other begins, but rather it is a question of degree. Widely differing national contexts and needs, together with the infinite range of potential situations mean that it is extremely difficult if not impossible to establish across-the-board solutions which will always be applicable. Response to changes and new needs provoked by migratory flows has come in different forms and at a different pace depending on the country concerned and the social, historic and cultural factors involved, such as its language and immigration policy.

In many countries, guidelines or models (however limited they may be) do not even exist, as community interpreting is not a recognised activity or such recognition is in a very incipient phase. It just “happens” spontaneously. In these cases, this kind of interpreting is undertaken by volunteers or family members who have no professional training and are not aware of the need for it. Many of the service providers involved are even less aware of the delicate and difficult situation these untrained, well-intentioned volunteers are often placed in. The fact that interpret-

ing is a complex cognitive cross-cultural activity with a distinct professional profile simply does not enter into the equation.

Indeed, perhaps community-based interpreting is one of the fields in which the contradiction between the practitioners' view of the translation process—understood in its widest sense—and society's view, comes most clearly into focus. Professional translators and interpreters have been facilitating cross cultural communication for many years, fully aware that it is impossible to separate language and culture, that both are inextricably intertwined. However, for many in society at large, translation and interpreting are unfortunately considered as mechanical, code-switching operations in which literalness is equated with fidelity and for which knowledge of the languages concerned is sufficient to guarantee quality. There is a total lack of recognition of interpreting as a complex cognitive activity with a distinct professional profile and the need for specific training. This view is presumably also held by some of the untrained volunteers acting as interpreters as well as by public service providers and policy planners. In countries like Spain, this has even led to a reluctance to call interpreters by their name and recognise the skills involved in such an activity. In a situation in which public policy is shaped by people who hold such views—and it must be remembered that community interpreting is an institution-driven profession (Ozolins 2000)—it is logical that distortions will result and professionalisation will be hampered, to say the least.

What are the norms by which the facilitators of communication shape their role in these circumstances? Is there indeed only one role for the community interpreter or are there several? Is community interpreting aimed at facilitating communication, empowering individuals by giving them a voice or, in wider terms, at redressing the power balance in society? Perhaps it is necessary for the objectives of such mediation to be clearly defined beforehand, and yet, who is to define them? We may find that the different parties involved define the objectives in different—and sometimes conflicting—ways and that those objectives mutate from encounter to encounter.

These are some of the reflections that led us to begin this book project. The fact that we live and work in Spain has also influenced our approach and indeed is no doubt at the heart of our interest in this matter. Spain almost overnight has shifted from being a country whose nationals have traditionally emigrated to Latin America and the rest of Europe, to being a net importer of immigrants from less-developed countries. This development has occurred much more recently than in the rest of Europe. Spain is also characterized by the fact that its foreign-born population can be divided into two very distinct groups: on the one hand, tourists coming mainly from the developed world and on the other, economic immigrants and refugees, coming from the less developed countries. The pace at which this devel-

opment has occurred means that all manner of ad-hoc solutions and models have been adopted which are a reflection on the ground of what in academic terms is the debate about the role of the interpreter. It is therefore no surprise that the contributions to this volume dealing with the situation in Spain deal essentially with research attempting to explore exactly what the status quo actually is.

In this volume, different approaches to this issue are explored in the various settings associated with community interpreting, and we have grouped the contributions in loose thematic sections. In the introductory chapter **Franz Pöchhacker** (University of Vienna) establishes the wider contextual and theoretical framework for the debate at hand, analysing the complexity of this issue and exploring the different meanings of the word “mediation” and the interface with interpreting. The focus of this chapter is on the semantic and terminological issues that arise when interpreting is characterised as mediation, but also on practical examples.

The following chapters deal with codes and standards regulating the interpreter’s work. The debate on the interpreter’s role and its limits is not only a current concern but one which has been in evidence throughout the ages, as is shown by **Cynthia Giambruno**’s (University of Alicante) review of the role prescribed for interpreters by the Laws of the Indies during the Spanish colonisation of Latin America. Thus, Giambruno demonstrates that many of the issues at stake in the sixteenth and seventeenth centuries are still a matter for debate today. The following chapter focuses on sign language interpreting, which has long been ahead of spoken language interpreting in so far as professionalisation is concerned, and many lessons can be learned from its development. Since 1965, sign language interpreters in the United States have had a code of ethics, published by the RID (Registry of Interpreters for the Deaf) and reviewed on three occasions. On each of these occasions the issue of role has been addressed and in this chapter **Laurie Swabey** and **Paula Gajewski** (College of St. Catherine) discuss the forces behind these changes from a systems approach.

The next section deals with interpreting in legal settings, an area most would agree is probably the most clearly regulated. From the lessons of the past we move very firmly into the present day, specifically to the United States, with one of the most established systems for the provision of professional court interpreters. In this chapter **Holly Mikkelson** (Monterrey Institute of International Studies) explores the dichotomy between the need for interpreter neutrality in an adversarial court setting and the limitations this imposes on the interpreters’ ability to convey the full meaning of culture-bound terms. This chapter links up to the previous section and directly addresses one of the questions posed earlier in this introduction, namely, to what extent do codes of ethics help the interpreter? The

following chapter is a written version of the excellent keynote speech given by **Sandra Hale** (University of Western Sydney) during the Alcalá 2005 conference. Authentic material is used to examine five court interpreter roles that have either been openly prescribed or deduced from the performance of practising interpreters. The merits and pitfalls of each role are discussed in some detail. The final chapter in this section deals with interpreting for the police. **Juan Miguel Ortega** and **Ana Isabel Foulquié** (University of Granada) report the findings of questionnaire-based research aimed at determining how police interpreters in Spain perceive of their role. The difficulties experienced by these authors in accessing the respondents for their survey are in themselves an eloquent comment on the lack of official recognition of this type of interpreting in Spain. The questionnaire designed by these authors could usefully be applied in other settings.

The dichotomy between codes of ethics and everyday professional practice is an issue which has been acknowledged much more openly in healthcare settings than in legal circles. The next three chapters of this volume discuss interpreting in health settings from different standpoints. The section begins with a plea from **Claudia Angelelli** (San Diego State University) for greater dialogue between research and practice, arguing that professional practice would seem to follow its own course, regardless of the very relevant findings of research in this field. If taken on board, such research findings could signify a qualitative leap for both training and professional practice in healthcare, and indeed other, settings. Following on along those very lines, the chapter by **Carmen Valero-Garcés** (University of Alcalá de Henares) explores how theory can be integrated into practice through research. We have now moved to Europe where the professionalisation of healthcare interpreting is, for the most part, at a much more incipient stage. This chapter explores teaching practices by reporting on a corpus of simulated role plays during the training of student healthcare interpreters at the University of Alcalá. The section ends with a report from **Hans Verrept** on the Intercultural Mediation Program in Belgian hospitals. Intercultural mediation would seem to be increasingly considered as a valid option for bridging the cross-cultural communication gap in healthcare settings in Europe and the Belgian program was a pioneer. In this chapter, the author reports on the results of two evaluation studies of the program offering interesting insights into its functioning.

The final block of contributions deal with interpreting in educational, occupational and social services settings. These are settings which, up to now, have not been so widely covered in the literature. **Anne Martin** and **Isabel Abril** (University of Granada) report on the findings of a survey amongst interpreters working in health, social services and educational settings in Southern Spain. This survey was carried out using the University of Granada's self-perception questionnaire

(see Ortega and Foulquié, above) which attempts to determine how (in this case) essentially non-professional interpreters understand their role and functions.

The following chapter takes us into the workplace as **Graham Turner** and **Jules Dickenson** (Heriot-Watt University) explore the strong normative expectations about role and specifically interpreter neutrality that still exist out in the field. Sign language interpreters in the UK were surveyed with regard to their practices when working with deaf clients in the workplace and the results are reported here.

Mette Rudvin and **Elena Tomassini** (University of Bologna) deal with intercultural and language mediation in health and education settings in Italy, reporting on surveys which reveal different aspects of role confusion due, amongst other things, to the wide range of tasks that such mediators are required to perform. These authors highlight the complexity of this issue and wonder whether this does not indeed signal the need for a totally different professional profile.

Finally, **Heidi Salaets** (Lessius Hogeschool) and **Jan Van Gucht** (Central Support Unit for Community Interpreting and Translation, Brussels) describe questionnaire-based research amongst community interpreters working in social services settings in Belgium which, in addition to exploring the perception these interpreters have of their role, also approaches the complex issue of quality.

All in all, we feel that this volume offers a representative sample of ongoing research into community interpreting in the Western world, highlighting similar issues and concerns with regard to the interpreters' role, albeit within different national and regional contexts and that, as such, is a reflection of the dynamic level of research activity in this field. The question we would pose now is how to transpose all of this into practice. In his opening speech at the Alcalá conference in 2005, Professor Pöchhacker suggested that the impressive amount of research activity in community interpreting did not appear to have a bearing on professional practice and that this question needed to be addressed. To reverse that trend is perhaps the biggest challenge that remains for the future.

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CHAPTER 1

Interpreting as mediation

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Addressing the theme of the Second Alcalá Conference on Public Service Interpreting and Translation, “translation as mediation”, this paper discusses whether and how the notion of mediation applies, or should be applied, to interpreting. The semantic and terminological complexities involved in the view of interpreting as mediation are illustrated with two ‘case studies’ — two versions, one German and one Italian, of ‘linguistic mediation’. As a result of the conceptual analysis ‘mediation’ is modeled in its three inherent dimensions: cognitive (mediating conceptual relations); cultural/linguistic (mediating intercultural relations); and contractual (mediating social relations). Based on this tripartite model it is argued that characterizing interpreting as mediation carries a considerable risk of ambiguity and misunderstanding and may play a role in the very practical difficulties that appear to hamper the professionalization of community interpreting in many countries. It is therefore suggested to distinguish as clearly as possible between the professional function of cross-cultural mediation (in the contractual, conciliatory sense) and that of interpreting in community-based settings, considering that there is ample scope for the professionalization of either.

Introduction

The Second Alcalá Conference on Public Service Interpreting and Translation (Valero-Garcés 2005), from which this volume originated, had as its overall theme the relationship between translation and mediation. The title of this contribution directly reflects the conference theme, “translation as mediation”, and aims to specify whether and how it applies, or should be applied, to interpreting. Thus, the basic thrust of this paper would be reflected more precisely if its title were followed by a question mark, as my aim in addressing “interpreting as mediation” is not to defend this conceptual proposal and suggest that this is how interpreting *should* be viewed. Rather, my intention is descriptive, with a focus on the semantic and terminological issues that are raised when we attempt to characterize interpreting in this manner and make use of such a conceptualization in professional practice as well as research. Indeed, I will argue that the conceptual issues underlying the view of interpreting as mediation are in large part responsible for the controversy surrounding the community interpreter’s role, which is the ques-

tion this book seeks to address. It should therefore be useful to describe some of the implications of relying on the notion of mediation for a better understanding of interpreting.

This descriptive focus notwithstanding, the conceptual analysis will ultimately be shown to bear directly on normative issues and on the very practical difficulties that appear to hamper the professionalization of community interpreting in many countries, suggesting the need to harmonize concepts and practices on an international scale. Using two ‘case studies’ — two versions, one German and one Italian, of ‘linguistic mediation’ — I will illustrate the terminological complexities involved when we broadly adopt the view of interpreting as mediation. But first I will explore the conceptual complexity of ‘mediation’, both in its broader lexicographic dimensions and its role in translation studies.

Mediation

It seems to be a deeply rooted, if largely unspecified assumption among those working in the field of translation (and interpreting) that what they do is a form of ‘mediation’. But what *is* mediation? What does it mean, especially to someone not necessarily sharing this intrinsic translation-related assumption, such as an interpreter’s employer or client?

If we accept Webster’s (1986) Dictionary as an authoritative source, we find three major senses in which ‘mediation’ can be understood: The first is “intervention between conflicting parties or viewpoints to promote reconciliation, settlement, compromise or understanding”. This is closely related to the third, more specific meaning of ‘mediation’, glossed as pertaining to the field of international law: “intercession of one power between other powers at their invitation or with their consent to conciliate differences between them”. Only the definition listed in second place is free of keywords like conflict and intervention and refers, rather vaguely, to “the function or activity of an intermediate means or instrumentality of transmission”. It appears to be this relatively abstract sense of ‘something in between by which something is transmitted’ that serves as the semantic template for equating translation and mediation.

Scholars of translation have indeed tended to think of their object of study as mediation in this general sense, most commonly as mediation *between* languages, or “interlingual mediation” (Viaggio 2006). Otto Kade (1968), one of the pioneers of translation studies as an academic discipline, used the German term *Sprachmittlung* (‘language mediation’, or linguistic mediation) as the most comprehensive designation of his object of study, and defined translation and interpreting as the principal conceptual subdivisions thereof. For either form of trans-

lational activity, this foregrounds 'linguistic mediation' as a paraphrase of almost definitional force.

Linguistic/cultural mediation

Departing from this prototypical characterization of translation as interlingual or linguistic mediation, the right-hand side of the equation can be used to modify and enrich our understanding of translation. This has been done especially by adding the dimension of culture to that of language, that is, by defining translation as cultural as well as linguistic mediation. It is beyond the scope of this discussion to describe how this extended view came about and how translation studies came to take its 'cultural turn' (cf. Snell-Hornby 1990). Suffice it to say that a number of authors in the field came to reject a purely linguistic view of translation as too narrow, and foregrounded the cultural dimension of language, or language as part of a culture. These insights can be traced at least to the seminal work of Nida (1964) but emerged most visibly in the 1980s, not least in Gideon Toury's (1980) target-cultural approach to the study of translation and in the 'functionalist' translation theory developed by German scholars such as Katharina Reiß and Hans Vermeer (Reiß and Vermeer 1984).

Against this theoretical background, translation as mediation between languages and cultures, or between cultures and 'their' languages, is probably the default sense in which translation is equated with mediation, even when no modifier is used or when the idea of mediation is itself used as a qualifier, as in 'mediated communication' or "interpreter-mediated encounter" (Wadensjö 1998). Kade (1968) had introduced the expression "bilingual mediated communication" to refer most generally to the object of translation studies; nowadays, some four decades later, one would expect a more explicit reference to culture, as in expressions like 'mediated intercultural communication'.

It may be of interest to note, parenthetically, that the trend towards broadening the concept of translation to include the cultural dimension, and towards widening the scope of translation studies, has manifested itself in various ways. For example, "translation as intercultural communication" was the title of the 1995 Congress of EST, the European Society for Translation Studies. Interestingly, IATIS, a similar scholarly association, founded more recently, named itself by complementing 'translation' with 'intercultural studies'. This is also true of a number of academic centers in the field of translation, such as Anthony Pym's "Intercultural Studies Group" at the University of Tarragona. (A Google search for the phrase "translation and intercultural" produces over 20,000 hits.) The implication of this juxtaposition may be that wherever there is 'translation', there is also 'culture'. On the other hand, it might also be construed as an expression of doubt whether the term

‘translation’, traditionally centered on the core concept of ‘language(s)’, is strong enough on its own to convey the inseparable linkage and interdependence of language and culture assumed in modern theories of translation.

Be that as it may, we can safely assume that the association between ‘translation’ and ‘culture’ is at least as strong as that between ‘translation’ and ‘mediation’ (and, by default, ‘language’), so that we can represent the conceptual relationship(s) very simply as shown in Figure 1.

| | | |
|-------------|----------------------------|-----------|
| TRANSLATION | = linguistic + cultural | MEDIATION |
|-------------|----------------------------|-----------|

Figure 1. Translation as (linguistic/cultural) mediation

To the extent that we adopt Kade’s (1968) conceptual proposal that interpreting is a hyponym of translation in the wider, generic sense, i.e., that interpreting is a particular manifestation of translational activity, the basic characterization of translation as linguistic/cultural or interlingual/intercultural mediation automatically applies to interpreting. In this general sense, adopted also in Pöchhacker and Shlesinger (2002: 3), characterizing interpreting as mediation actually seems rather bland and uncontroversial. As indicated above with reference to lexicographic sources, however, there is more to the notion of ‘mediation’ that may have a bearing on the concept of interpreting.

The interpersonal mediator

Compared to (written) translation, the concept of interpreting clearly foregrounds the *interpersonal* dimension of the translational process. This is reflected in most definitions, which usually describe interpreting as enabling communication between persons or groups who do not speak the same language. Rather than an abstract intermediate position between languages (and cultures), mediation in interpreting thus relates also to the position of the interpreter between the communicating parties. This intermediate position is at the heart of the Latin expression underlying the term for interpreter in English and in many other (Romance) languages. The origins of the word ‘*inter-pres*’, though not conclusively established, have been associated with ‘*inter partes*’, designating the human mediator positioned between two sides or parties (Hermann 1956/2002: 18).

In the case of mediated face-to-face communication, or dialogue interpreting, the intermediate position is evidently physical: the interpreter is the person in the middle. This image is in turn highly suggestive of the interpreter’s position in the interactional sense: we might think of the interpreter’s ‘distance’ or proximity to

either party, or ask whose ‘side’ the interpreter is on — which would land us right in the middle of the controversy surrounding the interpreter’s role.

It is also here, in connection with the interpreter’s role in the interaction, that terminological preferences are likely to shift from mediation as an activity to the ‘mediator’ or agent. This focus on the human agent in-between has generated a number of labels for designating various kinds of intermediaries or ‘mediators’. The list, as reviewed in Wadensjö (1998: 62–68), includes ‘middleman’, ‘broker’, ‘go-between’ and ‘gatekeeper’, and could be extended by such terms as ‘facilitator’, ‘agent’, ‘advocate’ or ‘conciliator’ (cf. Roberts 1997: 13–14). These and other terms are not easily distinguished and exhibit considerable conceptual overlap. Typically, though, there is an assumption that different kinds of intermediaries can be posited along a continuum of active involvement and intervention, ranging from the least involved, such as a neutral messenger, to the most involved, such as a negotiator. This view implies a complementary continuum which reflects different degrees of an intermediary’s authority and power in — and effect on — the interaction, ranging again from messaging to, say, binding arbitration.

The terms used here for illustration make it fairly easy to see how a conceptual focus on mediation between two (or more) parties rather than two languages and cultures foregrounds a much more complex and dynamic understanding of ‘mediation’. In contrast to the simple image of a ‘from-to’, or ‘back-and-forth’ movement between language systems and cultures (however defined), interpersonal mediation cannot be discussed without reference to such features of human interaction as intentions, objectives, expectations, attitudes, status, power or conflicts. Though not inconceivable for the analysis of (written) translation (e.g. in an exchange of translated correspondence), the interpersonal mediation perspective seems much more relevant and revealing for real-time interaction that is not based on (‘finished’) texts but evolving as a dynamic discursive process with an open outcome — as aptly captured in Wadensjö’s (1998) distinction between “talk as text” and “talk as activity”. Since an interpreter’s actions have a much more immediate effect on the progress and outcome of the interaction, it has become increasingly common to construe the interpreter’s mediation activity as one of ‘moderating’ or ‘managing’ the interaction to guide it toward a felicitous outcome. This seems acceptable enough in the case of the interpreter resolving overlapping talk, for instance by intervening to stop simultaneous talk, asking for repetition, or choosing which utterance to interpret, and how (see e.g. Roy 1996, Zimman 1994). But mediating interactive discourse would of course go further than that and include actions designed to overcome obstacles to communication such as ‘cultural differences’ (cf. Kondo and Tebble 1997: 158–163; Jones 1998: 4). Examples include explanatory additions, selective omissions, persuasive elaboration or the mitigation of face-threatening acts, all of which give the interpreter’s mediation a con-

ciliatory orientation and thus bring it closer to the more active sense of ‘mediation’ quoted at the outset, that is, intervening to reduce differences and promote understanding. This is what would be expected also of a mediator in the more strictly defined legal sense — a third party called upon to resolve a conflict, as in the case of mediation for labor disputes, marital problems and certain types of criminal offenses (e.g. Bush and Folger 1994, Folberg and Taylor 1984).

It is at this point that the notion of *communicative* mediation between languages and cultures links up with what I would call *contractual* mediation for the resolution of (intercultural) conflicts or differences. The interface between these two dimensions is formed by the concepts of ‘understanding’ and, in particular, ‘culture’: intercultural mediation, in the inherent sense assumed by translation theorists, merges into mediation by a third party contracted to facilitate cross-cultural understanding.

Given these two different perspectives on mediation in the context of interpreting, it is not surprising that the interpreter’s role, construed as that of a ‘mediator’, should be fraught with controversy. While the general sense of linguistic/cultural (communicative) mediation derived from translation theory would apply to interpreting by definition, the realm of contractual mediation is so broad as to include distinct professional profiles that go far beyond translational or communication-enabling activity. To put it more pointedly: Every interpreter is a mediator (between languages and cultures), but not every mediator is an interpreter.

While the tension arising from the two dimensions of mediation discussed above seems problematic enough, the conceptual complexity of ‘mediation’ is not limited to a bipolar opposition with some shared middle ground. This at least emerges from the work of Hatim and Mason (1990), who devote the final chapter of their influential monograph to “the translator as mediator” and explore the notion of mediation particularly in a cognitive dimension.

Cognitive mediation

As in the discussion above, Hatim and Mason (1990) make a two-fold distinction to explain translation as mediation. The first, not surprisingly, relates to language and culture: “Translators mediate between cultures (including ideologies, moral systems and socio-political structures), seeking to overcome those incompatibilities which stand in the way of transfer of meaning” (1990: 223). This obviously draws on the default sense of something being transmitted between languages and cultures, but it also points to a certain degree of intervention to reduce differences.

The second sense in which the authors explain ‘mediation’ is explicitly defined in their Glossary (1990: 242) as “the extent to which text producers and receivers feed their own beliefs into their processing of a given text.” While Hatim and Ma-

son (1990:223) see the translator as standing at the center of the communicative process, “as a mediator between the producer of a source text and whoever are its TL receivers”, their definition of mediation is centered on the cognitive dimension of knowledge use in comprehension, without special reference to the translator/interpreter as a special kind of text producer and receiver.

As they go on to show this process of mediation at work, they reveal the crucial contradiction arising from the fact that the translator/interpreter’s comprehension is cognitively mediated. They first state a fundamental fact about translation as follows: “Inevitably, a translated text reflects the translator’s reading”. At the same time, and in the same paragraph, Hatim and Mason (1990:224) assert that cultural nuances in the source text “have to be relayed untainted by the translator’s own vision of reality.” At issue here is the notion of ‘faithful transmission’, or neutral messaging, which is at the same time a principal expectation of the interpreter’s communicative mediation and an impossibility, given the inevitably personal (subjective) cognitive mediation of what the interpreter needs to understand and make understood. This is of course not specific to interpreting but is a fundamental, if not *the* fundamental paradox of translation.

The crucial tension between the expectation of ‘similarity’, or faithful representation, and the inescapable ‘difference’ of translation has been discussed also by Theo Hermans (2000), who pointedly refers to the translator’s and interpreter’s “margin of visibility” as a “gap”, characterized as “a matter of voice, of the discursive presence and the subject-position that inevitably enters translation, as it enters every form of speaking, from the moment text production begins.” (2000:6–7) Whether couched in terms suggestive of spoken discourse or of written translation, Hermans (2000) makes this point about translation in general (as do Hatim and Mason in the statement quoted in the previous paragraph):

The translator’s textual presence cannot be neutral, located nowhere in particular. The way a translation overwrites its original may be deliberate and calculated on the translator’s part but as often as not it is unconscious, or barely conscious, dictated by values, preferences, presuppositions and perceptions built into the individual and social beings that we are. (Hermans 2000:7)

‘Triangulating’ mediation

The three dimensions of mediation discussed above — cultural/linguistic, contractual, and cognitive — can be viewed as interrelated, and Figure 2 is an attempt to suggest how they form the conceptual complex that we expect to guide our understanding of interpreting.

As indicated by the triangular shape, the conceptual space of mediation extends into all three ‘corners’ or dimensions. The act of mediating (in interpreting)

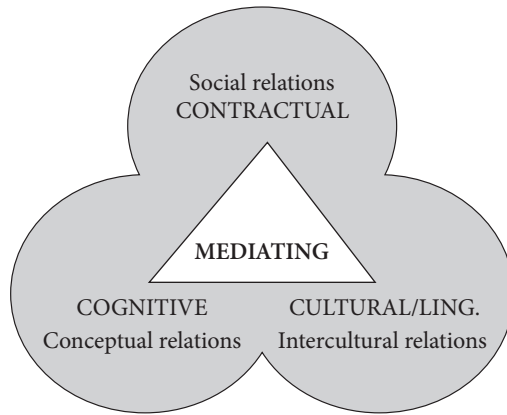


Figure 2. Three dimensions of (interpreting as) mediation

always involves a cognitive aspect, a cultural/linguistic aspect, and a contractual aspect, and mediation is therefore set in the overlapping contexts of conceptual, intercultural as well as social relations. Along the base of the triangle, in particular, one can conceive of a continuum extending between and connecting the cognitive and the (inter)cultural. Likewise, intercultural mediation by an interpreter is necessarily a matter of social relations — an interpersonal interaction for which the interpreter is contracted to mediate.

This interplay of the cognitive, linguistic, cultural and interactional dimensions is also reflected in the following quote (attributable to Helle Dam) from the chapter by Kondo and Tebble (1997) on intercultural differences in interpreting:

If the ideal function of the interpreter is to ensure smooth communication between the primary parties, then his role is to remedy this potential *cultural noise* on the channel by adjusting the culturally determined peculiarities of the source text to the culturally determined expectations of the receiver (Kirchhoff 1976: 24). Thus the ideal role of the interpreter is to serve not only as a linguistic but also as a cultural mediator.

... or interpreting?

Having analyzed the concept of mediation and pointed to the various ways in which different dimensions of mediating can be related to interpreting, I would now like to review some influential positions in the theoretical and professional literature on interpreting with respect to the (community) interpreter's role description as including mediation. I will begin with the German concept(s) of '*Sprachmittler*', in which the problem of defining interpreting is compounded by ambiguous and competing terminology.

Sprachmittler

In the German-speaking part of the translation/interpreting community, the term *Sprachmittler* ('language mediator') is commonly used and understood as one of the basic terms in this professional domain. It is also more semantically transparent than the word *Dolmetscher* ('interpreter'), which has a long history in the German language and has been used also in the wider sense (including written translation). But *Sprachmittler* is in fact a twentieth-century neologism. It was proposed in 1940 by the head of the translators and interpreters association in the German Reich as a catch-all term for what in English might be called 'professional linguists'. The concept of *Sprachmittler* is thus an abstraction to cover various domains of the (foreign-) language professions.

The generic notion of *Sprachmittler* seems to have spread quite fast. Wirl (1958) used it throughout his early monograph on 'fundamental issues of translation and interpreting', and Feldweg (1996:20–21) expresses his preference for the term, not least from a professional interpreter's perspective. Despite its origins in the Nazi era, *Sprachmittler* was also widely used in East Germany (the former German Democratic Republic), where Kade introduced '*Sprachmittlung*' to denote the activity as such, or rather, any concrete activity involving mediation between languages. *Fremdsprachen*, the East German journal for language professionals founded in the 1950s, defined itself as a journal of *Sprachmittlung* as late as the 1980s and had a section on news for *Sprachmittler*.

It was not until the 'cultural turn' in German translation theory in the 1980s (Snell-Hornby 1990) that the term *Sprachmittler* came to be questioned on account of its ostensible focus on language rather than culture. Authors wishing to stress this point would use '*Sprach- und Kulturmittler*', or adopt Kade's neologism *Translator* in this comprehensive sense.

It was also in the 1980s that Karlfried Knapp, extending his background in German language and linguistics into the emerging field of intercultural communication, began to investigate the mediating behavior of people with some level of bilingual competence in everyday situations of intercultural face-to-face communication. As a label for this type of lay interpreting, or "natural translation" (Harris and Sherwood 1978), he proposed *Sprachmitteln* ('linguistic mediating'), a term whose subtle morphological distinction from *Sprachmittlung* disappears when using the corresponding word for the person performing this activity (*Sprachmittler*).

Knapp (1986) defined *Sprachmittler* in contradistinction to professional interpreting, where the interpreter is supposedly invisible ('behind the scene') and can be considered "a non-party in the interaction" (Knapp-Potthoff and Knapp 1986: 152). No doubt thinking in particular of simultaneous conference interpret-

ers working in the booth, Knapp-Potthoff and Knapp (1986: 152) suggest that “the interpreter’s function in general is comparable to that of a machine, giving a more or less literal translation of what is said in language A in language B”. Professional interpreters are thus “a mere medium of transmission” (ibid.: 153) working to a high standard of accuracy, whereas a (linguistic) mediator would content her/himself with rendering the sense of what the speaker intends to convey. Crucially, the role of a *Sprachmittler* is seen as two-fold, including the transmission of the interlocutors’ utterances as well as mediating communication as a “true third party”. This dual function also implies the use of reported (third-person) speech to distinguish what is relayed between Speaker A and Speaker B from interventions that emanate from the mediator’s ‘I’ — a discursive practice that is generally viewed as characteristic of non-professional interpreting (e.g. Harris 1990).

The dual concept of the (non-professional) interpreter’s role is summarized as follows:

The non-professional interpreter at the same time functions as a *transmitter* of the messages of S_A and S_B and as a *mediator* between conflicting viewpoints, assumptions, and presuppositions. (Knapp-Potthoff and Knapp 1987: 183)

Aside from the duality of roles, this quotation also reflects the duality, or trinity, of mediation discussed above: In a scenario of intercultural communication, the ‘(linguistic) mediator’ actively deals with conflicts, as would a mediator in the contractual sense, while at the same time effecting the necessary cognitive adjustments based on his/her knowledge of either culture. In the latter sense, Knapp-Potthoff and Knapp’s (1986, 1987) view of translatorial mediation is in line with what is postulated by Kirshoff (1976) — and Dam (in Kondo and Tebble 1997), among others — for professional conference interpreters, that is, the need to adjust the source-cultural features of the input text to the target-cultural expectations of the audience. Mediation thus cannot be considered an exclusive domain of non-professional interpreting, not even when comparing untrained bilinguals and conference interpreters.

Knapp and Knapp-Potthoff are in fact aware that their categorical distinction is difficult to maintain, particularly in relation to (professional) liaison interpreting. They acknowledge “situations in which the professional interpreter has a much larger scope, allowing him to deviate from a ‘near-literal’ translation and to become more of a third party in the interaction” (Knapp-Potthoff and Knapp 1986: 153) while at the same time conceding that in some situations a ‘mediator’ will function as ‘a mere medium of transmission’ (cf. Knapp 1986: 5). The difference, it seems, is a matter of degree, and Knapp-Potthoff and Knapp (1986: 153) indeed envisage a mediator’s role as “located somewhere on a continuum between that of a mere medium of transmission and that of a true third party.” Since this

is also where we would position a professional dialogue interpreter, thanks to Wadensjö's (1998) empirical findings on the interpreter's intertwined functions of "translating" as well as "coordinating others' talk" (1998:18), the distinction between a (non-professional) *Sprachmittler* and a (professional) interpreter, at least with regard to the 'defining feature' of the mediating function, proves to be of limited use. Indeed, the alleged distinction, based on and reinforcing the channel or "conduit" metaphor of linguistic communication (Reddy 1979), perpetuates the myth of professional interpreters always achieving — or aspiring to — a word-perfect rendition, which ultimately reduces the professional to "an asocial information-processing system" (Linell 1997:61).

Mediazione linguistica

My second conceptual case study centers on the notion of linguistic (and cultural) mediation as established in Italy in the course of the 1990s and referred to as *mediazione linguistica* as well as *mediazione linguistico-culturale* and *mediazione interculturale*. As in the case of *Sprachmittler*, there is again a fundamental duality and ambiguity surrounding the concept of linguistic mediation. In the Italian case, this is linked — fittingly, but purely coincidentally — to the so-called Bologna Process in European higher education, which envisages a uniform three-tier structure of university studies, with three- to four-year programs at the bachelor level followed by one to two years of study at the postgraduate (master's) level. In many countries, including Italy, this has meant changing from single-tier (usually four-year) programs leading directly to the 'graduate' (master's, licentiate) level to a two-level structure.

In the case of translator and interpreter education, the need to create an undergraduate level where none had existed before was met in different ways, even within European schools joined together in CIUTI, the International Conference of University Institutes for Translators and Interpreters. The Italian curriculum was restructured at the national level by the introduction of a three-year undergraduate degree (*laurea*), optionally followed by a two-year postgraduate degree (*laurea specialistica*). For the undergraduate level, the government decreed a total of 42 courses of study, one of them being *Scienze della mediazione linguistica*, which might be rendered in English as 'linguistic mediation studies'. Since this is the (only) *laurea* in the area of translational activity, the term *mediazione linguistica* — much like Kade's *Sprachmittlung* — serves as the hyperonym for (professional) translation and interpreting. In this sense, Garzone (2001) paraphrases 'interpreting' as 'oral linguistic mediation' when she speaks of "mediazione linguistica orale, di norma designata con il termino specifico 'interpretazione'."

Under the broad curricular designation of (*scienze della*) *mediazione linguistica*,

Italian universities are free to offer specific (three-year) courses of study. Leaving conference interpreting to the postgraduate level, a number of schools, such as the long-established ones at the universities of Trieste and Bologna, have launched *laurea* courses that offer training in liaison interpreting (though this is cautiously obscured by the new designation ‘applied interlinguistic communication’). A particular focus of interest of such programs would be international business communication, for which Garzone (2001) describes the interpreter’s role as (also) that of an ‘intercultural mediator’.

As in the German example above, the terms described here for one context — in this case, university-level training of interpreters (and translators) — are used also in a different social sphere within the same national and even regional environment, and with a rather different meaning.

As the need for what we call community interpreting became more pressing in the 1980s and 1990s in Italy and elsewhere — a need that remained uncatered for by the established (conference) interpreter training institutions, the communication needs of immigrants (and of public institutions serving immigrant clients) were typically attended to by members of the respective ethnic groups, some of which at considerable ‘cultural distance’ from the host society. Offered through migrant-oriented NGOs (such as COSPE) or community associations and agencies, these services, required in particular in the field of health care, were typically conceived as ‘intercultural mediation’.

Not surprisingly, considering the vast cultural differences and potential for inter-ethnic misunderstanding, the role envisaged for such ‘(inter)cultural mediators’ includes much more than enabling linguistic communication, even though ‘translation’ (or, rather, interpreting) usually tops the often extensive list of tasks. Phrases like ‘more than just translating’ or ‘not only linguistic but also cultural mediation’ would be typical of such definitions, developed by practitioners and service providers ‘on the ground’ rather than scholars of translation in academia.

With reference to the various senses of mediation discussed above (Fig. 2), the role description of a ‘cultural mediator’ would usually combine mediation in the cultural/linguistic and the contractual sense. Depending on the setting (such as health care or education) and the local or regional institutional context, a large number of cultural mediation initiatives emerged, along with their own approaches to training, if any, and standards of practice. One such conception, which has also been laid down in regional legislation, is the intercultural mediation project in the province of Reggio Emilia, located in the Northern Italian region of Emilia Romagna, which was also featured in a large-scale European project on “Migrant-Friendly Hospitals” (MFH 2004). (This regional initiative is also studied and discussed by Tomassini and Nicolini 2005, who render the concept of *mediazione linguistico-culturale*, MLC for short, more closely as “linguistic and cultural medi-

ation”.) With reference to the regional decree enacted in November 2004, Antonio Chiarenza (2004) offers the following description:

An intercultural mediator:

- is able to accompany relations between migrants and the specific social context, fostering the removal of linguistic and cultural barriers, the understanding and the enhancement of one’s own culture, and the access to services.
- assists organisations in the process of making the services offered to migrant users appropriate.

Complementing this description is the following set of four skills required of the intercultural mediator:

- Understanding of different migrant needs and resources
- Linguistic mediation: interpreting & translation
- Intercultural mediation: culturally competent communication
- Orientation of relations between migrant users/services

Without going into a detailed analysis of the above list of skills, which is in fact a description of the mediator’s four-fold role, it is clear from the juxtaposition of key terms and from the rather abstract functional description that the notions of ‘mediation’ and ‘interpreting’ in this conception are inextricably intertwined. Maintaining a distinction between ‘interpreting’, as (linguistic) mediation, and ‘intercultural mediation’ as including interpreting is possible here only by limiting the notion of interpreting to language; as soon as interpreters are assumed to mediate between cultures as well as languages, the distinction breaks down and any definitional boundaries become blurred.

There is no doubt that this and other conceptions of cultural mediation (such as those developed and described by Hans Verrept, in this volume) would merit further analysis and discussion. However, the point I am trying to make, or illustrate, with the two case studies of the notion of ‘linguistic mediation’ is of a more general, conceptual nature for the international community of practitioners and researchers of interpreting in community-based settings. It is to draw attention to the inherent ambiguity and confusion that may result from the equation of ‘interpreting’ and ‘mediation’, and to the consequences of this indefiniteness for progress in the field of community interpreting. Even within a particular language — such as English — it is difficult, if not impossible, to ensure a common understanding (in the broader social rather than the academic sphere) of concepts like translation, language and culture as well as mediation. But beyond this inherent conceptual

complexity, a broader, international consensus on ‘interpreting as mediation’ is greatly at risk from linguistic traditions, legal dispositions and even group-based preferences in various sociocultural contexts that may take shape as conflicting terminological choices.

Recapping this development over the past one or two decades, and using several additional examples, I hope to bring the fundamental tension, or gap, into focus with special reference to the professionalization of community interpreters (rather than mediators) in the following, concluding section of this paper.

Bridging the gap?

The unclear and sometimes uneasy relationship between interpreting and mediation, reviewed here in line with the theme of the Second Alcalá Conference, reflects a tension that can be traced back to the very beginning of the international debate on community interpreting in the mid-1990s. The traditional, if idealized view of the (professional) interpreter as a highly skilled (and specially trained) information or message transmitter between speakers of different languages is contrasted with the figure of the culturally competent intermediary who acts to promote mutual understanding between communicating parties at a level beyond that of language. The latter concept came to be expressed, rather famously, by the term ‘cultural interpreter’ as promoted in Canada in the late 1980s — and questioned by Canadian translation scholar Roda Roberts (1993) in no uncertain terms.

This basic antithetical pattern seems to have been replicated, with variations, in a number of European countries. More often than not without any link to (or support from) the interpreting profession and its training and research institutions, community-based, or service-based initiatives were launched to meet the newly arising cross-cultural communication needs resulting from massive (voluntary and forced) migration. A few additional examples may serve to illustrate this point:

- In France, Inter-Service Migrants built up an infrastructure for *interprétariat*, using the very term that Danica Seleskovitch (1985), the leading representative of interpreting theory at the time and head of the dominant ‘Paris School’ of interpreting studies, had rejected as a ‘barbarism’ associated with the practice of untrained bilinguals.
- In Austria, an initiative in the late 1980s to offer native-Turkish ‘language assistance’ in municipal hospitals deliberately avoided any reference to ‘interpreting’ for fear of encroaching on an established professional domain.
- In Italy, as described above, the ‘linguistic and cultural mediator’ (*mediatore linguistico-culturale*) became enshrined in immigration legislation in 1998, with

no immediate relation to the newly reformed university curriculum for *mediazione linguistica*.

– In Spain, home to over two dozen university faculties for translator and interpreter training, numerous municipalities have created positions for, or outsourced ‘(inter)cultural mediators’, whose primary tasks have been described as ‘linguistic translation’ and ‘interpretation of cultural clashes’ (Carrasco 2004), while the *Escuela de Mediadores Sociales para la Inmigración* in Madrid (EMSI 2005) trains ‘social mediators for immigration’ with a much broader remit.

Most of these initiatives involve some form of cultural mediation, whether by definition or design, and suggest a departure from the notion of ‘interpreting’, for which professional associations and training institutions exist in all the countries mentioned above. Where this departure is marked terminologically by the use of ‘mediation’ rather than interpreting, the issue of professional qualifications and training is raised — and often remains unresolved. Whatever the training envisaged, it is far from any international or even national consensus of the kind largely established for interpreters. This is by no means surprising, given the strikingly heterogeneous concepts of mediation, institutional settings and employment situations involved. Indeed, many of the discrepancies regarding the role of such mediators are derived from the variable combination of these factors. Minimally trained community volunteers helping migrants communicate with counselors; specialized staff offering language assistance (and more) in hospitals; or trained mediators called into schools to resolve situations of cross-cultural misunderstanding or conflict — all of these would seem to have little in common, too little at least to feel part of a single community of professional practice. And yet many of these individuals or groups working bilingually and biculturally may typically spend much of their time enabling communication between two interacting parties, with information, orientation, conciliation or educational tasks added as extra responsibilities, few of which would normally be construed as mediation in the specific, legal sense of conciliation and informal justice (cf. e.g. Bush and Folger 1994, Folger and Taylor 1984).

Against this background, the notion of ‘professional licence’ may help to put the issue of interpreting vs. mediation into focus: Based on the conceptual structure established for either in their respective domains of scholarship, it would seem fairly easy to distinguish (contractual) mediators, with their set of training-based qualifications and role description, from interpreters (as linguistic and cultural mediators by definition), again with their typical and widely understood function of enabling intercultural communication by relaying and coordinating others’ talk. The fact that the community interpreter’s role continues to be debated among researchers (as in this volume) should not be seen as casting doubt on whether

such a basic consensus exists. On the contrary, it seems to be a sign of maturity for a professional discipline to keep engaged in reexamining and fine-tuning standards of practice, including the extent and manifestations of ‘cultural mediation’, or management of culture-bound and context-dependent meanings. With regard to the triangular structure shown in Figure 2, this would mean deciding on the cut-off point towards the top corner, thus consolidating a ‘base’ of interpreting as inherently cognitive and communicative (linguistic and cultural) mediation. While accepting that community-based interpreting is a complex and interdisciplinarily engaged domain, the dimension in which it seems justified to consider a measure of interdisciplinary *disengagement* is that of (contractual) mediation: With ample scope for the professionalization of both intercultural/social mediators and community interpreters, it may be wise to promote either intermediary activity in its own right, distinguishing as much as possible the professional function of cross-cultural mediation (in the contractual, conciliatory sense) from that of professional interpreting in community-based settings. The two can be expected to coexist — side by side, most likely in a constructive, complementary relationship, and even in the same person, provided that the dually qualified professional and his or her clients are aware that the service provided in a given interaction is either interpreting or mediation, and in either case founded on a state-of-the-art model of professional practice.

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CHAPTER 2

The role of the interpreter in the governance of sixteenth- and seventeenth-century Spanish colonies in the “New World”

Lessons from the past for the present

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The fourteen laws found in Title 29 of Book Two of the *Leyes de las Indias* which governed the selection, procurement, role and compensation of the interpreters used in the governance of the New World by the Spanish Crown provides rich fodder for present days dilemmas. Each of these laws addresses an issue that continues to be a point of debate in the legal interpreting community. Detailed development of each law adds insight into specific problems and offers guidelines for dealing with the challenge presented. These laws constitute one of the most interesting, yet surprisingly unknown, sources of historical thought on the role of interpreters in society. In this paper, each law and its detailed development will be presented in both Spanish and English, and their application to contemporary society explored.

Introduction

The apostle Paul when he appeared before King Agrippa to answer the charges which were brought against him, wishing to use language intelligible to his hearers and confident of the success of his cause, began by congratulating himself in these words: “I think myself happy, King Agrippa, because I shall answer for myself this day before thee touching all the things whereof I am accused by the Jews: especially because thou art expert in all customs and questions which are among the Jews.” He had read the saying of Jesus: “Well is him that speaketh in the ears of them that will hear”; and he knew that a pleader only succeeds in proportion as he impresses his judge. (St. Jerome. To Pammachius on the Best Method of Translating. AD 395. Letter 57.1)

In Letter 57.1, Saint Jerome, accused of falsifying an original text and harshly criticized for his philosophy on translating, answers his critics and defends what has become a universally accepted tenet in translating and interpreting today: “*give sense for sense and not word for word*”. This great translator of the Bible and Father of the Church begins his letter by recounting the apostle Paul’s sense of satisfaction at being heard in a tribunal by someone “expert in the customs and questions” of the accused (himself) and states that Paul was familiar with the

words of Jesus who recognized that advantage is to be had when speaker and listener share the same language. St. Jerome tells us that Paul knew that success was proportionally related to the impression the “pleader” made upon the judge. Of course, this is a truism that is as applicable in the courts of law today as it was in the times of the apostles. Human communication, the basis for human interaction, is a complicated undertaking. Culture, in its broadest sense, informs messages that are emitted and received, and signs, linguistic or otherwise, are the means by which information is conveyed. The accurate and complete transfer of meaning from one code to another can be a daunting task, which becomes even more challenging when the consequences of error or lack of diligence are serious. Such is the case with legal interpreting when not only are an individual’s rights, reputation, economic well-being and freedom at stake, but the broader issue of ensuring that justice is done is also in play. Thus, the ongoing debate as to the role of interpreters in court or legal interpreting venues is a valid one. An examination of certain historical precedents can enlighten us and enhance that debate.

A brief overview of the role of interpreters throughout history

A look back through history shows us that language mediation has existed for millennia and that interpreters have played pivotal roles in not only the important but also the mundane interactions of peoples throughout the ages. Interpreters have been at times held in high esteem and at others looked upon with disdain, have often been forced into the role of interpreter against their wishes, have sometimes been recognized for their contribution but have also been unjustly blamed for matters clearly beyond their control. Interpreters have been essential to the success of military conquests, the dissemination of holy scripture, the expansion and governance of empires, the administration of justice and the social and economic commerce of everyday life in virtually any spot and at any time that peoples who did not share a common language had the need to interact.

There is evidence of the use of interpreters that dates as far back as 3000 BC in Egypt (hieroglyphs and tomb inscriptions) and documentary references to the important role interpreters played in ancient Greece and the Roman Empire. The writings of Caesar, Cicero, Horace, Pliny and Valerius Maximus all allude to language transfer (see Delisle and Woodsworth 1995 for more complete information on the history of interpretation). Using interpreters to spread the word of God was a common practice during the Islamization of Africa which began in the seventh century and in the oral conveyance of public readings of the Torah, written only

in Hebrew, to speakers of Aramaic, Greek and Arabic from the sixth through the twelfth centuries.¹ European clergy also began to spread Christianity in keeping with the Biblical mandate *eunte et predicate*, and by the thirteenth century they had traveled to Asia through southern Russia and the Urals and eventually covered Persia, Cyprus and Tripoli. In Al-Andalus, the *mozárabes*² were the go-betweens in the very diverse society of the Iberian Peninsula during the eight centuries of Moorish occupation.

The interconnection of peoples, languages and religions was so great in the known world by the twelfth century that the School of Toledo was created to translate works from Arabic to Latin. However, it was Alfonso X the Learned in the thirteenth century who instituted the practice of translating works not only into Latin but also into the Castilian Spanish of the time. One of the most fascinating aspects of the work done at the School of Toledo was the method used for transferring texts from one language to another. For example, an Arabic text would be read aloud to a “translator” who would then render it orally in Spanish to another “translator” who dictated its Latin equivalent to a scribe who recorded it in writing. The innovation Alfonso introduced was to add a scribe who actually wrote down the intermediate oral version given in Spanish.³ As can be seen, the entire process depended heavily on the oral transference of information.

The multiple invasions and incursions into Asia, Africa and the Americas that took place during the period of European colonialism propitiated language contact and required language mediation. The French depended upon interpreters for their exploration of what is today the northern and southern fringes of the United States, and George Washington used interpreters to communicate with both the Indians and the French during his years as an officer in the British colonial army and as a civilian surveyor. Finally, the Spanish and Portuguese, the great explorers, conquerors and settlers of the New World in the fifteenth to eighteenth centuries, also depended greatly upon interpreters as language and cultural intermediaries to achieve their goals and change the face of the world as it was known prior to that time.

1. Hutzpit Hameturgeman, known as Hutzpit the Interpreter, is one of Judaism’s Ten Martyrs. His tongue was said to have been pulled out and dragged in the dust for the crime of teaching the Torah. He and many other “interpreters” from the sixth to the twelfth century were put to death by the Romans for such activities.

2. Mozarabic was the Ibero-Romance language spoken by the Christians in the Muslim possessions on the Iberian peninsula during the period of Muslim occupation (711–1492).

3. Petersen, Suzanne. *Alfonso X, el Sabio Escuela de Traductores [1252–1277]* [Online] <http://faculty.washington.edu/petersen/alfonso/esctra13.htm> (Accessed March 12, 2006).

Interpreters in the “New World”⁴

The exploration, conquest and settlement of the New World hinged upon interaction between Europeans and the indigenous peoples they encountered. Whether a military conquest, the spread of religion, or the exploration of territories that had not yet been charted, language mediators were pivotal to the success of any type of mission that was undertaken. The realities of communication were complex, and often interpreting “teams” were used. For example, until La Malinche learned Spanish, communication between the Mayans in Mexico and Hernán Cortés was achieved using two interpreters: Doña Marina translated from Nahuatl (Aztec) into Mayan and Jerónimo de Aguilar, an interpreter who accompanied Cortés from Spain, translated from Mayan into Spanish. Likewise, during the Lewis and Clark expedition in the early nineteenth century, Sacagawea, a Shoshone Indian who spoke Shoshone and Hidatsa (the language of the Hidatsa–Mandan tribe of what is today North Dakota) formed part of an interpreting team with her husband, Toussaint Charbonneau, who spoke Hidatsa and French and another expedition member, Francois Labiche, who spoke French and English. Thus, during the expedition, the chain of interpretation when Shoshone were encountered was Sacagawea — Charbonneau — Labiche — Lewis and Clark.⁵

It is important to remember, however, that these interpreters did not only serve as language mediators. Metcalf (2006) reminds us of the important role they played as “go-betweens” who often affected the course of relations. Sacagawea served as a guide as well as an interpreter, and according to an annotation in Clark’s journal, her presence on the expedition was seen by the Indians as “a token of peace.” In Brazil in the early seventeenth century, the French Jesuit historian Pierre de Jaric writes of a woman from the feared Aimoré tribe who had been “domesticated” by the Portuguese and had learned their customs and language. She was sent by her master to offer gifts and persuade the Aimoré to live peacefully with the Portuguese. Because of her knowledge of both languages and cultures, she was able to bring about peaceful encounters between two groups that until that time had feared and mistrusted each other.

4. In “Language and Empire” La Rosa reminds us that words such as “New World”, “America” and “Indian” were, of course, all European inventions with no meaning whatsoever to the indigenous peoples encountered when Columbus and other conquistadors arrived. Naming peoples, places and things was an important aspect of claiming land and peoples for the Spanish Crown and therefore much importance was given to actually stating aloud the names conferred in the presence of Spanish witnesses and having the naming ceremony recorded in writing by the expedition’s scribe or chronicler.

5. Anderson, Irving. (1997) Lewis and Clark. Inside the Corps. Sacagawea. *PBS Online*. <http://www.pbs.org/lewisandclark/inside/saca.html>. (Accessed March 12, 2006).

The Spanish had a three-fold purpose in the New World: to spread Christianity, to claim territory for the Spanish crown, and to find riches and wealth to take back to Spain. All depended upon communication with the indigenous peoples. Christopher Columbus took two interpreters with him on his original voyage, Rodrigo de Jerez and Luis de Torres. Of course, their language skills were of no help to him in the New World, but their inability to bridge the communication gap made it quite clear that “interpreters” would have to be found or “made”. Thus the practice of capturing a few Indians to be trained as language intermediaries whenever the Spanish planned to enter a new territory was instituted. It became such a routine part of expeditionary life that the policy was codified into law in 1573 in the *New Ordinances of Discovery and Population* (La Rosa 1995). Law 15 of these ordinances related the ways “interpreters” could be used to the advantage of the Spanish not only by serving as language bridges, but also by becoming familiar with all facets of life of the indigenous peoples they were encountering:

Try to bring some Indians for interpreters to the places you go, where you think it will be the most fitting. [...] speak with those from the land, and have chats and conversations with them, trying to understand their customs, the quality and way of life of the people of that land, and disperse yourselves, informing yourselves about the religion they have [...] if they have some kind of doctrine or form of writing; how they rule and govern themselves, if they have kings and if they are elected as in a republic or by lineage; what taxes and tribute they give and pay and in what way to which persons [...] And in this way you will know if there is any type of stones, precious things like those which are esteemed in our kingdom. (de Solano 1991:72)

Some fifty years after the arrival of Columbus to the New World, entire societies had been conquered and nations such as the Aztecs and the Incas had been greatly diminished. European culture began to replace Indian cultures through aggressive evangelization by Catholic missionaries and generous land grant programs instituted by the Spanish government. Church officials debated the nature of the Indians’ souls and tried to determine if the natives had the intelligence and wherewithal to conscientiously choose to convert to Christianity or if they should simply be baptized *en masse* by throwing a bucket of holy water on them. Meanwhile, many of the Spaniards who decided to stay in the New World argued that the entire colonizing effort was in danger of failing if the Indians were not forced to provide the manpower that they needed. Therefore ways were sought to provide the *mano de obra* that was needed. In the early sixteenth century, systems of forced servitude based on European feudal practices were established. Through the *encomienda* system, the Spanish crown granted large landowners (called *encomenderos*) the rights to a free workforce for which they, in return, were to provide protection and instruction in Christianity for the natives assigned to them. The *mita* (Quechua

term for turn or shift) was used extensively in Peru and required each indigenous group to send a certain number of workers to Spanish enterprises (mines, farms, public works, etc.) for a specified period of time, although in this case, these workers were to be compensated for their labor. The *repartimiento* system was another way in which *hacendados* used Indians in situations of “forced” labor. A petition was made by a local landowner and a grant was proclaimed that specified the number of Indians to be assigned, the specific objectives of the *repartimiento*, and the salary and compensation that was to be provided to the “workers”. (González Navarro 1953: 15).

Many abuses occurred under these systems. Bartolomé de las Casas, a Dominican friar who had held Indians in *encomienda*, took up the cause of the Indian peoples and denounced the abhorrent treatment to which they were subjected. Charles I of Spain (Charles V of Germany) set up the Council of the Indies in 1524 and passed what has come to be known in English as the *New Laws of the Indies for the Good Treatment and Preservation of the Indians*.⁶ This compendium of laws covered a wide variety of topics related to the administration and governance of the colonies and included several key provisions meant to protect the indigenous peoples. Among these were the prohibition of enslavement and the abolishment of the forced labor systems. Unfortunately, the laws provoked a very strong negative reaction from the “settlers” in the New World and a struggle ensued between those who defended the interests of the Spanish colonizers and those who defended the Indians’ right to human dignity and reasonable treatment.

The New Law of the Indies (*Las Leyes de las Indias*)

The *New Law of the Indies* is a series of royal decrees, ordinances and laws written and enacted over several decades in the sixteenth and seventeenth centuries, which Charles II ordered compiled and printed in 1681. The 218 titles found in the books that comprise the four volumes of the *Leyes* cover an amazingly broad range of issues related to life in the Spanish colonies. For example, Book Two includes 34 titles on the administrative and structural aspects of colonial governance. A great deal of detailed attention is given to the judicial system, and Title 29, entitled *De los intérpretes*, specifically addresses issues of communication between the governing institutions and the native peoples. It includes fourteen laws that set out in some detail the rights and responsibilities of the interpreters who worked in the

6. *Recopilación de Leyes de los Reynos de las Indias. Mandadas Imprimir, y Publicar por la Majestad Católica del Rey Don Carlos II.* Madrid: Por Ivlian de Paredes, año de 1681. <http://www.congreso.gob.pe/ntley/LeyIndiaP.htm>. Full text facsimile copy online. (Accessed December 2005).

judicial system. It is important to realize that these interpreters, or *lenguas*, as they were called, did not enjoy high prestige or recognition for the service they provided. They were not trained or instructed in any way and were often drawn from the domestic staff of the *conquistadores* or were held in *encomienda*. However, the promulgation of these laws does attest to a recognition of the problems involved in interaction between linguistically different peoples and the need to define and regulate the role of language mediators in the governance and administration of colonial society.

The laws are succinctly written and address topics such as the qualifications, skills and traits an interpreter should have, how interpreters should interact with the parties to judicial or administrative proceedings, what rights interpreters have as regards the workplace, work hours, and remuneration, and what constitutes ethical behavior. Each is accompanied by a detailed explanation of the reasoning underlying it and instructions for implementation, including penalties and consequences for infringement. These explanations provide important insights into the day-to-day functioning of the judicial system and the problems inherent to language mediation. A close analysis of their content shows how pertinent they are to the realities of court interpreting in many countries today, and in some cases it could be argued that the laws in the sixteenth and seventeenth centuries were more progressive than the ones that currently regulate language mediation in many modern societies.

Book Two, Title 29: *De los intérpretes*

The fourteen laws found under this heading are an interesting compendium of regulations which seem to reflect concerns based on real experience. They were promulgated between the years 1529 and 1630, with the bulk of them coming as a set of ordinances proclaimed in 1563. In the compilation ordered to be printed in 1681 by Charles II, the laws are gathered and published, although not in chronological order according to their issuance. For example, the earliest “law”, dated 1529, is the last one listed in the compilation (Law XIV). Next came Law XII, promulgated in 1537, and then Laws II through XI in 1563. The first law listed in the compilation came in the middle chronologically speaking, being issued in 1583 and “updated” or amended in 1619. The last law to be promulgated was Law XIII, dated October 16, 1630, which in the compilation ironically comes between the two earliest dicta. Furthermore, the ten ordinances that are dated 1630 are numbered, but do not appear in the compilation in numerical sequence. These chronological or sequencing irregularities are probably due to the fact that the compilation process took more than a century to complete given the numerous laws,

decrees and ordinances that had been issued and the difficulties involved in identifying, classifying and ordering all of the legislation that had been passed. Whatever the historical reasons for the final presentation of the laws in the 1681 compilation, today these laws are usually read and studied in order. However, there is some insight to be gained by looking at them chronologically. By doing so, we see that the earliest concerns regarding interpreting had to do with ethics given that the first law to be promulgated prohibited interpreters from accepting any kind of compensation from the Indians. Consequences for infringing this law were quite extreme and even included exile. However, the wording of the law also tacitly recognized the abuses that were taking place in the *encomienda* system by alluding to limits on the Indians' obligations to their *encomenderos*, thereby reflecting one of the purposes of the *Leyes* themselves which was to ensure the "preservation and good treatment of the Indians."

The second law to be promulgated (Law XII in the compilation) was the lengthiest and most complex in terms of content. It refers to reports of irregularities, enumerates the kinds of assistance interpreters provided the Indians, and states that Indians' rights were sometimes violated due to faulty interpreting. An attempt is made to find a solution to the problem of misinterpretation, whether intentional or unintentional, and although the solution provided is one of the few concepts found in these laws that would not be accepted or supported in most countries nowadays,⁷ it does show that efforts were made to find a way to deal with a very complex problem.

It took another 25 years before a more comprehensive set of ordinances was formulated to regulate interpreting in colonial society. By this time, experience had shown what some of the problems were. Nevertheless, it is interesting to note that several of the laws had to do with functional or organizational issues such as workplace, time schedules, travel, compensation and so on, or with proper comportment, providing an early "code of ethics". Punishment for misdeeds was also stipulated in most of the laws. Professional and ethical oversight and fair consequences for malfeasance is an issue that many feel needs continued examination even today.

The final law, dated one hundred years after the first, is quite interesting in that it shows that perhaps the most basic issue related to interpreting, namely how interpreters should be chosen and qualified, still had not been resolved. It called for structured "hiring" practices and fair dismissal procedures.

7. For example, California State regulations stipulate that only the interpreter's version of court proceedings is official and should be considered by jurors and jurists, even when they speak or understand the language being interpreted. This standard has been sometimes tacitly and sometimes explicitly accepted in several U. S. jurisdictions for many years. See Giambruno (2007).

As mentioned earlier, the laws speak for themselves and a careful reading provides an excellent overview of the problems, issues and attempts to deal with the realities of interlingual communication and human interaction in the sixteenth and seventeenth centuries.

Although occasional reference has been made to the laws on interpreting from the *Leyes de las Indias* by translating and interpreting scholars in publications and scholarly presentations, a complete translation of the laws into English with an analysis of the content of each has yet to be published. Therefore, in this section, an English language version of each law will be presented in its entirety side-by-side with the original Spanish version. The translation has been done to facilitate understanding and applicability to today’s realities rather than to conserve the style and conventions of sixteenth- and seventeenth-century legal or administrative writing, and some consolidation of terms has been used in order to enhance comprehension. A brief comment is provided for each law which highlights content that is particularly relevant to the realities of court or legal interpreting in modern day society.

Terminology

There are a few terms used repeatedly in the original laws that merit a brief explanation. They are:

Audiencia: Once the conquest was complete, the new territories had to be governed. Over the course of two centuries, thirteen administrative divisions called *Audiencias Reales* were established. In reality, these *audiencias* were tribunals covering a defined geographic jurisdiction, with political, judicial and administrative duties including enforcing the wishes of the Spanish monarchs, collecting tributes from the *encomenderos*, establishing *encomiendas*, *mitas* and *repartimientos*, addressing any abuse or injustice committed against the Indians, overseeing the conduct of the colonial governors and serving as consultants to the Viceroy and other officials. As regards their judicial functions, these tribunals were the first level trial courts for some civil and criminal cases, and the court of appeals for decisions made by colonial officials. While their rulings in civil matters could be appealed to the *Consejo de Indias* if they involved large sums of money, the judgments issued in criminal cases were final.

Escribano: Named by the Crown, this colonial functionary was responsible for certifying all legal acts within the *audiencia*. The English-language term most frequently used for this figure when translating historical documents is “notary” (although in some contexts “scribe” is also found). However, a more functional

equivalent nowadays, based on the true duties and responsibilities of *escribanos* in this period of time, would be “clerk of court” or “judicial secretary”.

Gastos de justicia, estrados o penas de cámara: These terms refer to both taxes levied by the colonial government on local communities and to monetary damages and fines imposed by judges and other officials. No monies from the royal coffers could be dispensed unless specifically ordered by the King. Thus, Law I of Title 29, which regulates interpreting, stipulates that interpreters’ salaries will be paid from these taxes and fines.

Ladino cristiano: This term was used in Spain, often pejoratively, to refer to both Africans living in Spain who had been baptized Catholic, spoke Castilian, and knew Spanish customs, and to Sephardic Jews who were also able to cross the language and culture barriers. There were large numbers of *ladinos* living in Spain after the Reconquest and many participated in expeditions to New Spain during the fifteenth and sixteenth centuries. The term came to be used in Spanish colonies to refer to natives who could speak Castilian, had converted to Catholicism, and knew the ways of the Spanish.

Presidente y oidores: In each of the *audiencias*, there was a President and several ordinary judges (*oidores*) to hear cases in the tribunals.

Residencia: This was one of the most important mechanisms of the colonial system to guarantee proper conduct on the part of functionaries. Special judges, called *jueces de residencia*, were assigned to scrutinize the official actions of agents of the Crown and hold them responsible for any damage or harm that they may have caused the people under their jurisdiction. Likewise, recognition was given for exemplary service. This was a common tool used in the oversight of correct governance.

Setenas, cuatro, pena doblada: Often times the fines that were assessed for infringement of the laws or ordinances were based on multiples of the actual damages that could be determined for a specific act of wrongdoing. The expression *pagar con las setenas* referred to paying a fine seven times the amount of the actual damages. Likewise, *pena de pagarlo con el cuatro tanto para nuestra camara*, refers to a four-fold fine and la *pena doblada*, to a two-fold increase.

Tomines, pesos: Several of the laws regulating the work of interpreters stipulate pay scales and/or specific fine amounts. It is difficult to know the impact of these amounts without understanding the value of units of currency in that period of time. The main Spanish coin was the “8 Reales” piece which later came to be called the *peso*. *Tomín* was an alternate term used for *real*. Historical documents tell us that forced laborers under the *mita* system earned one to two *tomines* a day at the end of the sixteenth century, while free laborers in the mine system earned seven (Hylton 1998), and that workers assigned through the *repar-*

timiento system were paid *uno o dos reales* per day depending upon the type of work done (González Navarro 1953: 20). Some insight as to the relative importance of the interpreter in the administration of the colonies can be obtained from comparing the wages they received and the fines levied against them in cases of misconduct to the wages or compensation paid to others during the same period of time.

De los Intérpretes. The Fourteen Laws.

Law I. His Majesty Phillip II in Aranjuez, May 10, 1583

Que los intérpretes de los indios tengan las partes y calidades necesarias, y se les pague el salario de gastos de justicia, estrados o penas de cámara.

Muchos son los daños e inconvenientes que pueden resultar de que los intérpretes de la lengua de los indios no sean de la fidelidad, cristiandad y bondad que se requiere, por ser el instrumento por donde se ha de hacer justicia, y los indios son gobernados y se enmiendan los agravios que reciben, y para que sean ayudados y favorecidos. Mandamos que los presidentes y oidores de nuestras audiencias cuiden mucho de que los intérpretes tengan las partes, calidades y suficiencia que tanto importan, y los honren como lo merecieren, y cualquier delito que se presumiere y averiguare contra su fidelidad, lo castiguen con todo rigor, y hagan la demostración que conviniere.

Interpreters for the Indians shall be skilled and qualified, and their wages paid from court revenues.

Much harm and prejudice can be caused if the interpreters of Indian languages do not possess the loyalty, faith and good will that are required of them as instruments by which justice is done and by which the Indians are governed and their grievances addressed. Therefore, and so that the Indians may receive assistance and favorable treatment, we do hereby order our court officials to take great care to ensure that interpreters have the skills, qualities and abilities that are deemed important, that they be treated with the respect that they deserve, and that any alleged breach of their trustworthiness that is proven to be true, be punished appropriately.

Comment: The most relevant point of this law is the explicit recognition that poor interpreters can cause grievous harm and that it is the responsibility of court officials to ensure that interpreters have the skills and personal qualities needed to guarantee quality and reliability. This goal is one that is still not fully recognized in many judicial systems in which the use of virtually anyone perceived to be even minimally competent in the language pair involved is condoned. Secondly, and just as important for the well-being of the profession, this law recognizes that interpreters should be respected and compensated. A review of the professional status of court interpreters in many countries today shows that court interpreters are often grossly underpaid and woefully treated. Gaining full respect and recognition for interpreters as vital members of the judicial team in any legal proceeding has yet to be achieved.

Law II. His Majesty Phillip II in Monzon, October 4, 1563. Ordinance 297

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| <p><i>Que haya número de intérpretes en las audiencias, y juren conforme a esta ley.</i></p> <p><i>Ordenamos y mandamos que en las audiencias haya número de intérpretes y que antes de ser recibidos juren en forma debida, que usarán su oficio bien y fielmente, declarando e interpretando el negocio y pleito que les fuere cometido, clara y abiertamente, sin encubrir ni añadir cosa alguna, diciendo simplemente el hecho, delito o negocio, y testigos que se examinare, sin ser parciales a ninguna de las partes, ni favorecer más a uno que a otro, y que por ellos no llevarán interés alguno más del salario que les fuere tasado y señalado, pena de perjuros y del daño e interés y que volverán lo que llevaren, con las setenas, y perdimiento de oficio.</i></p> | <p>There shall be an adequate number of interpreters in the courts, and they shall take the oath stipulated by this law.</p> <p>We do hereby order and command that there be a sufficient number of interpreters in the Courts and that before they assume their duties, they take an oath to correctly and faithfully carry out the duties of their profession by stating and interpreting the legal matter or complaint at hand in a clear and open manner, without omitting or adding anything, and by simply stating the facts, offence or matter and the testimony given by witnesses. [They will] remain impartial and not favor one party over the other, will not accept any type of gratification other than the salary they are due under penalty of breach of oath and damages, and will return anything improperly received sevenfold and be banished from the profession.</p> |
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Comment: This law is surprisingly detailed in setting guidelines for correct interpretation. It stipulates coverage of court needs, establishes an interpreter's oath, and lists specific interpreting practices that are to be followed. It also addresses ethical issues such as impartiality and not accepting improper compensation of any kind. These elements are virtually identical to the ones still found in modern day codes of ethics. However, what is not found nowadays is the stipulation of specific consequences for incompetence or improper acts, especially ones as severe as those established here.

Law III. Ordinance 301. 1563.

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| <p><i>Que los intérpretes no reciban dádivas ni presentes.</i></p> <p><i>Los intérpretes no reciban dádivas ni presentes de españoles, indios ni otras personas que con ellos tuvieren o esperaren tener pleitos o negocios en poco o mucha cantidad, aunque sean cosas de comer o beber, y ofrecidas, dadas o prometidas de su propia voluntad, y no lo pidan, ni otros por ellos, pena de que lo volverán con las setenas para nuestra cámara, y esto se pueda probar por la vía de prueba que las leyes disponen, contra los Jueces y Oficiales de nuestras Audiencias.</i></p> | <p>Interpreters shall not accept gifts or presents.</p> <p>Interpreters shall not accept gifts or presents from Spaniards, Indians or any other person with whom they have or expect to have legal cases or matters, regardless of the amount involved, whether food or beverage, and even when these are offered, given or promised freely. They will not request such things nor ask anyone else to request them on their behalf, under penalty of being required to return anything so obtained sevenfold to the Court if proof of such a deed is provided as stipulated by law.</p> |
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Comment: This ordinance further addresses the issue of compensation and the impropriety of interpreters accepting gifts of any kind from individuals involved in judicial matters. The admonishment mentioned briefly in Law II is developed more fully here by emphasizing that any kind of recompense, including something as seemingly innocent as food or beverage, would be improper, and that the indirect solicitation of any type of compensation through other individuals would be considered as serious as the interpreter being directly involved. The ordinance also stipulates a rather stiff fine for such inappropriate acts, setting clear consequences for what is considered unethical behavior. However, it is worthy of note that the law also stipulates that misdeeds of this sort must be proven, thereby providing some basic due process rights to the interpreters.

Law IV. The same. Ordinance 298. 1563.

Que los intérpretes acudan a los acuerdos, audiencias y visitas de cárcel.

Ordenamos que los intérpretes asistan a los acuerdos, audiencias y visitas de cárcel cada día que no fuere feriado, y a lo menos a las tardes vayan y asistan en casa del presidente y oidores. Y para que todo lo susodicho y cualquiera cosa, y parte, se cumpla, tengan entre sí cuidado de repartirse, de forma que por su causa no dejen de determinarse los negocios, ni se dilaten, pena de dos pesos para los pobres por cada un día que faltaren en cualquier cosa de lo sobredicho, además de que pagarán el daño, interés y costas a la parte o partes que por esta causa estuvieren detenidas.

Interpreters must be present at all proceedings, hearings and prison visits.

We do hereby order that interpreters be present at court proceedings, hearings and prison visits every work day and that in the afternoon they render service at the home of the president or the judges. And so that this may be so, [interpreters] must carefully divide and assign their duties so that they cause no legal matter to be delayed or left pending, under penalty of two pesos for the poor for each day that they do not meet the aforementioned obligations, as well as damages, interest and costs to be paid to the party or parties who were detained as a result of their absence.

Comment: This law recognizes the pivotal role that interpreters play in the judicial process. It acknowledges that without the interpreter, cases cannot be heard. It penalizes interpreters for not being available when their services are needed, and it places the responsibility on them as a group to make sure that all services are covered. It also recognizes that the services of an interpreter are not only needed in courtrooms but also in other judicial proceedings, and that individuals suffer and their rights are violated when interpreting services are not available to them. The penalty for infringement is stated with a specification that the fine be given to the poor, an interesting detail that is included in some of the other ordinances as well.

This ordinance seems particularly relevant today as the provision of interpreting services still represents a significant challenge in many judicial systems. As was the case in the sixteenth century, court procedures are sometimes delayed or

postponed because an interpreter is not available due to the lack of a workable structure or protocol for identifying cases in which an interpreter is needed and an efficient system for procuring interpreting services in a timely manner. Perhaps it is unrealistic to think that nowadays this responsibility should fall to the interpreters themselves, especially in large jurisdictions with very busy court calendars. However, it is not unreasonable to expect that an effective system be put into place to avoid the delays and damages caused by the absence of a qualified interpreter.

Law V. Ordinance 306. 1563.

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| <p><i>Que los días de audiencia resida un intérprete en los oficios de los escribanos.</i> <i>Mandamos que un intérprete resida por su orden los días de audiencia en los oficios de los escribanos a las nueve de la mañana para tomar la memoria que el fiscal diere, y llamar los testigos que conviniere examinarse por el fisco, pena de medio peso para los pobres de la cárcel por cada día que faltare.</i></p> | <p>An interpreter must be present in clerk of court's office on court days. We do hereby order that an interpreter, by turn, be present in the clerk of court's office at nine o'clock in the morning on court days in order to receive the prosecutor's report and to summon any witnesses that the prosecutor may wish to call, under penalty of one-half peso per day absent to be paid to the poor in jail.</p> |
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Comment: This ordinance, like the previous one, recognizes the importance of interpreters to the smooth running of the judicial process in general. It broadens the role of the interpreter by stipulating a service that seems to be secondary to interpreting itself, i.e. ensuring that witnesses are notified and present in court. While in this case it seems reasonable for the interpreter to be involved given that language barriers do exist, the specification of this ancillary role does bring up the still controversial issue of delimiting the role of court interpreters.

Interpreters are routinely asked to perform functions that fall outside of the purview of their profession as defined by their codes of ethics and professional good practice. What is expected of interpreters varies greatly from one judicial system to another, and often even from one courtroom to another in the same system. It is widely accepted that the judge in a courtroom establishes how that courtroom will function. However, it is also true that the level of awareness of how to best incorporate an interpreter into the proceedings varies greatly among the members of the judiciary. Therefore, one of the challenges that still faces court interpreters and the professional associations that represent them today is how to educate and inform the judiciary at large as to the appropriate use of interpreters within the legal system.

Law VI. Ordinance 298. 1563.

Que los intérpretes no oigan en sus casas ni fuera de ellas a los indios, y los lleven a la audiencia.

Ordenamos que los intérpretes no oigan en sus casas ni fuera de ellas a los indios que vinieren a pleitos y negocios, y luego sin oírlos los traigan a la audiencia, para que allí se vea y determine la causa conforme a justicia, pena de tres pesos para los estrados por la primera vez que lo contrario hicieren; y por la segunda la pena doblada, aplicada según dicho es; y por la tercera, que demás de la pena doblada, pierdan sus oficios.

Interpreters shall not discuss [legal matters] with Indians in their homes or anywhere else, but rather shall bring them before the courts.

We do hereby order interpreters to refrain from discussing legal cases or matters with Indians in their homes or anywhere else, and require that they [the interpreters] bring them [the Indians] to court so that the matter can be resolved in accordance with the law, under penalty of three pesos to be paid to the court for the first infraction, twice that amount for the second infraction, and the fine doubled and banishment from the profession for the third infraction.

Comment: It is interesting to note that the fines for infringing this law are quite substantial as compared to those for infringing some of the other laws. Repeat offenses are treated severely, and a sixteenth century three-strike rule is in place. This law speaks to the issue of confidentiality and inappropriate contact between interpreters and anyone who may have a matter that should be heard by a judge. It prohibits interpreters from discussing legal matters with “clients” and instructs them to direct anyone who has a legal issue to the courts. If the modern-day issue derived from the previous ordinance was limiting what court officials should expect from interpreters, the issued derived here is interpreters themselves not overstepping their professional boundaries by entering into improper contact with parties to a case. Interpreters are often approached by participants in legal proceedings and asked for legal advice, suggestions for comportment in court, or information about the judge presiding over a case. They are often seen by the language-limited defendant or witnesses as an ally or confidant, the one person with whom communication is possible. This fact often puts the interpreter in an untenable situation in which professional ethics and human emotion are at odds. Codes of good practice have been designed so that interpreters learn to recognize and handle situations in which contact with an involved party would not be ethical.

Law VII: His Majesty Phillip II, Ordinance 300. 1563.

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| <p><i>Que los intérpretes no sean procuradores ni solicitadores de los indios ni les ordenen peticiones.</i></p> <p><i>Los intérpretes no ordenen peticiones a los indios, ni sean en sus causas y negocios procuradores ni solicitadores, con las penas contenidas en la ley antes de ésta, aplicadas como allí se contiene.</i></p> | <p>Interpreters shall not serve as counsel or represent Indians in legal matters nor encourage them to file complaints.</p> <p>Interpreters shall not encourage Indians to file complaints nor represent or serve as counsel for them in legal matters, under the same penalties as stipulated in the previous law, applied as indicated therein.</p> |
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Comment: This relatively short law is closely related to the previous one and addresses similar issues. While the previous ordinance prohibited interpreters from “hearing” the Indians, i.e., discussing legal matters with them, this ordinance specifically prohibits them from entering into a more structured legal relationship with the parties to a case, and establishes the same rather stringent consequences for doing so.

While it is widely accepted today that interpreters should refrain from giving legal advice, there is less consensus on just what the nature of the relationship between interpreters and individuals involved in court proceedings should be. Many interpreters report situations in which they are expected or asked to take on roles that go beyond being linguistic or even cultural mediators. Judges often depend on interpreters to explain courtroom practices and procedures directly to defendants or witnesses, and defendants who do not share the language of the court often view the interpreter as their one link to a system that they are not familiar with and cannot successfully navigate. Studies on actual interpreter performance show that interpreters sometimes function as advocates for one of the parties and at others as gatekeepers who wield a significant amount of power in the courtroom. They try to faithfully render what is being said, but sometimes filter, embellish and clarify utterances, as pointed out in the articles by Hale and Ortega and Foulquié in this volume.

Law VIII. The same. Ordinance 301. 1563.

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| <p><i>Que los intérpretes no se ausenten sin licencia del presidente.</i></p> <p><i>Mandamos que los intérpretes no se ausenten sin licencia del presidente, pena de perder el salario del tiempo que estuvieren ausentes, y de doce pesos para los estrados por cada vez que lo contrario hicieren.</i></p> | <p>Interpreters shall not be absent without permission of the president of the tribunal.</p> <p>We do hereby order that interpreters not be absent without the permission of the president of the tribunal, under penalty of loss of wages for time missed and a fine of twelve pesos for the courts for each occurrence.</p> |
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Comment: Laws II, IV and V partially or totally address the issue of the availability of interpreters in different legal and administrative proceedings. Law VIII further develops this issue by stipulating that interpreters shall report for work unless permission is granted by the highest judicial authority. Nowadays, in some systems, interpreters who do not report for scheduled work or who in some way do not comply with the requirements of their profession are held in contempt of court. However, in many venues, the only consequence of an interpreter not appearing when called is that the proceeding is delayed or even rescheduled. Perhaps the most noteworthy aspect of this law, however, is the amount of the fine that is levied for non-compliance. While there are certainly some consequences that are much more serious than a monetary penalty (banishment from the profession or exile), it is also true that most of the laws that specify a fine, set the amount of the fine at two or three pesos. Thus it is significant that the fine for failing to appear for work is several times more than the fines for other types of misconduct.

Law IX. Ordinance 303. 1563.

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| <p><i>Que cuando los intérpretes fueren a negocios fuera del lugar, no lleven de las partes más de su salario.</i></p> <p><i>Ordenamos que cuando los intérpretes fueren a negocios o pleitos fuera del lugar donde reside la audiencia no lleven de las partes, directé ni indirecté, cosa alguna más del salario que les fuere señalado, ni hagan conciertos ni contratos con los indios, ni compañías en ninguna forma, pena de volver lo que así llevaren y contrataren, con las setenas, y de privación perpetua de sus oficios.</i></p> | <p>When interpreters work outside of their normal workplace, they shall not accept from the parties any compensation other than their regular wages.</p> <p>We do hereby order that when interpreters work in a place other than the established courts, they shall not directly or indirectly accept compensation from any of the parties other than their normal wages, nor will they enter into any kind of agreement or contract with the Indians or any one else under penalty of having to return that which they received sevenfold and being permanently banished from the profession.</p> |
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Law X. Ordinance 304. 1563.

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| <p><i>Que se señale el salario a los intérpretes por cada un día que salieren del lugar y no puedan llevar otra cosa.</i></p> <p><i>Cada un día que los intérpretes salieren del lugar donde residiere la audiencia por mandado de ella, lleven de salario y ayuda de costa dos pesos, y no más, y no comida ni otra cosa, sin pagarla, de ninguna de las partes directé ni indirecté, pena de las setenas para nuestra cámara.</i></p> | <p>The wages interpreters shall receive for each day they work away from their normal workplace will be stipulated and no other type of compensation allowed.</p> <p>For each day that interpreters are required to travel to a location other than where the court is located, they will receive two pesos as wages and expenses and nothing more. They will not receive food or anything else free of charge either directly or indirectly from any of the parties involved, under penalty of <i>setenas</i> paid to the court.</p> |
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Comment on Laws IX and X: These two ordinances reflect the fact that judges and court officials, including interpreters, often traveled to small towns to hold hearings and resolve cases. They once again touch upon the issue of compensation, one that is amply covered in these 14 laws. Law IX reiterates the prohibition on interpreters accepting any type of compensation other than salary while Law X establishes a wage and daily stipend for interpreters required to work outside of their normal place of residence.

Law XI. Ordinance 305. 1563.

Que de cada testigo que se examinare lleve el intérprete los derechos que se declaran.

De cada testigo que se examinare por interrogatorio que tenga de doce preguntas arriba lleve el intérprete dos tomines: y siendo el interrogatorio de doce preguntas y menos, un tomín, y no más, pena de pagarlo con el cuatro tanto para nuestra cámara; pero si el interrogatorio fuere grande, y la causa ardua, el oidor o juez ante quien se examinare lo pueda tasar, demás de los derechos, en una suma moderada, conforme el trabajo y tiempo que se ocupare.

The interpreter shall receive a set fee for each witness that is questioned.

For each witness whose interrogation consists of more than twelve questions, the interpreter will receive two *tomines*. If the interrogation consists of twelve questions or less, the interpreter will receive one *tomín* and not more, under penalty of paying four times that amount to the court. However, if the interrogation is long and arduous, the magistrate or judge hearing the case may award [the interpreter] a moderate sum in addition to regular wages, commensurate with the work and time involved.

Comment: This law is the only one that gives us minimal insight into the “pay scale” established for interpreters. Compensation seems to be based on a per-witness basis, but a two-tier system is established which sets a limit for what might be considered the “standard” interpreting situation. When examination of a specific witness is longer than usual, compensation is doubled and there is even a provision that allows a judge to use his discretion to award greater compensation for particularly long or challenging interpreting sessions. It is difficult to know how the compensation of interpreters compared to the compensation given to other types of functionaries or just how much an interpreter might really have earned. As mentioned in the terminology section, there were approximately 8 or 9 *tomines* to a *peso* so interpreters could conceivably have interpreted up to 100 questions for each *peso* they were paid. When sanctions were set for wrongdoing, they were usually based upon the damages assessed in each case, but in a few instances specific monetary fines were set. These ranged from one-half peso to twelve pesos for unauthorized absences (Laws IV, V, and VIII) and from three to six pesos for improper contact with Indian clients including encouraging them to file complaints and providing legal advice (Laws VI and VII). Thus the fines that might be imposed on an inter-

preter for wrongdoing were equivalent to the compensation they would receive for interpreting anywhere from 50 to 1200 questions and answers.

Law XII'. Proclaimed by Charles in 1537.

Que el indio que hubiere de declarar, pueda llevar otro ladino cristiano que esté presente.

Somos informados que los intérpretes y naguatlatos que tienen las audiencias y otros jueces y justicias de las ciudades y villas de nuestras Indias, al tiempo que los indios los llevan para otorgar escrituras o para decir sus dichos, o hacer otros autos judiciales y extrajudiciales, y tomarles sus confesiones, dicen algunas cosas que no dijeron los indios, o las dicen y declaran de otra forma, con que muchos han perdido su justicia, y recibido grave daño. Mandamos que cuando algunos de los presidentes y oidores de nuestras audiencias u otro cualquier juez enviare a llamar a indio o indios, que no sepan la lengua castellana, para les preguntar alguna cosa, o para otro cualquier efecto, o viniendo ellos de su voluntad a pedir o seguir su justicia, les dejen y consientan que traigan consigo un cristiano amigo suyo que esté presente, para que vea si lo que ellos dicen a lo que se les pregunte y pide, es lo mismo que declaran los naguatlatos e intérpretes, porque de esta forma se pueda mejor saber la verdad de todo, y los indios estén sin duda de que los intérpretes no dejaron de declarar lo que ellos dijeron, y se excusen otros muchos inconvenientes que se podrían recrecer.

Any Indian who is required to give testimony is allowed to bring a person who speaks Castilian and knows the customs of the Spanish to be present at the hearing.

We have been informed that when interpreters and speakers of Nahuatl who work in the courts or for the judges and jurists of the cities and towns in the Indies have been taken by the Indians to authorize writs, interpret their words, facilitate other judicial and extra-judicial acts, or take their confessions, they sometimes say things that the Indians did not say or state things in a different way, thereby preventing justice from being done and seriously harming the party involved. We do hereby order that when any of the presidents or judges in our courts, or any other judge, summons an Indian or Indians not able to speak the Castilian language to answer questions or for any other purpose, or when they come to the courts of their own accord to initiate or follow up on a case, they be allowed to bring with them a friend who will be present to ensure that their answers are transmitted correctly by the interpreters and speakers of Nahuatl. In this way the truth will better be known and the Indians will harbor no doubts as to whether or not the interpreter said what they had said, and thus many other problems that might arise will be avoided.

Comment: As mentioned earlier, this was one of the earliest of the laws and could arguably be called one of the most significant. It recognizes not only that faulty interpretations do occur, but also that errors in interpreting often harm individuals and prevent justice from being done. It also tacitly recognizes the importance of maintaining the trust of those who use the system. However, the solution that is proffered in this law — to allow individuals who do not speak the language of the court to bring along someone who does to “monitor” the interpreter’s output — would be greatly questioned today on the grounds of impartiality and competence.

Law XIII. His Majesty Phillip IV in San Lorenzo. October 16, 1630.

Que el nombramiento de los intérpretes se haga como se ordena, y no sean removidos sin causas y den residencia.

Nombran los gobernadores a sus criados por intérpretes de los indios, y de no entender la lengua resultan muchos inconvenientes. Teniendo consideración al remedio, y deseando que los intérpretes, demás de la inteligencia de la lengua, sean de gran confianza y satisfacción. Mandamos que los gobernadores, corregidores y alcaldes mayores de las ciudades no hagan los nombramientos de los intérpretes solos, sino que preceda examen, voto y aprobación de todo el cabildo o comunidad de los indios, y que el que una vez fuere nombrado no pueda ser removido sin causa, y que se les tome residencia cuando la hubieren de dar los demás oficiales de las ciudades y cabildos de ellas.

Interpreters will be appointed in accordance with the law and will not be discharged without cause and without an evaluation of their service.

Governors appoint their servants to be interpreters for the Indians, and if they do not understand the language, many problems arise. In considering possible solutions, and with the hope that interpreters, in addition to having a good knowledge of the language, are also trustworthy and competent, we do hereby order that interpreters not be simply appointed at will by the governors, chief magistrates and mayors of our cities, but rather that they be tested, voted upon and approved by city representatives or the Indian community, and that once appointed, they not be dismissed without cause and that their professional activities be examined in the same way and at the same time as those of other local officials.

Comment: This last law, promulgated in 1630, sets standards for the selection of interpreters which preclude government officials from arbitrarily appointing interpreters and establishes a testing and approval approach which includes the participation of local officials and community members. It also confers certain employment rights on interpreters and prohibits their dismissal without proper evaluation and just cause.

Establishing performance criteria and qualification standards continues to be one of the major challenges facing judicial systems today. Even the most conscientious find themselves up against a myriad of situations that are extremely difficult to address properly. In most countries where training and certification have been established, training courses and certification procedures are available for only a limited number of languages. Less stringent and less reliable methods are used to “qualify” individuals in what are commonly called more “exotic” languages. Even when interpreters in a specific language have been qualified in some way, they may not be available for a specific proceeding or in a specific location, making it necessary for the judicial system to resort to other means such as telephone interpreting or the use of family members or friends who accompany one of the parties to the case. Even when an interpreter has been “qualified,” actual performance is very difficult to monitor, and therefore standard levels of quality assurance are difficult to achieve. In most countries, expert oversight committees do not exist, and it is

often almost impossible to know if errors are being made. In spite of this, there has been an increase in some countries in the number of cases that have been appealed on the grounds of faulty interpreting, indicating that some type of ad-hoc monitoring is being done.

In the sixteenth century, there was already a call for independent, transparent and professional qualification procedures and for evaluation of interpreter performance. Just as importantly, there was recognition of interpreter rights and of measures for ensuring fair treatment.

Law XIV. Charles in Toledo, August 24, 1529.

Que los intérpretes no pidan ni reciban cosa alguna de los indios, ni los indios den más de lo que deben a sus encomenderos.

Mandamos que ningún intérprete o lengua de los que andan por las provincias, ciudades y pueblos de los indios a negocios o diligencias que les ordenan los gobernadores y justicias, o de su propia autoridad, pueda pedir, ni recibir, ni pida, ni reciba de los indios para si, ni las justicias, ni otras personas, joyas, ropas, mantenimientos ni otras ningunas cosas, pena de que el que lo contrario hiciere pierda sus bienes para nuestra cámara y fisco, y sea desterrado de la tierra, y los indios no den más de lo que sean obligados a dar a las personas que los tienen en encomienda.

Interpreters shall not request or receive anything from the Indians, nor Indians give more than required to their *encomenderos*.

We do hereby order that no interpreter assigned to work in Indian provinces, cities or towns by the governors or courts, or any interpreter working of his own accord, request or receive from the Indians for himself, for judicial officers or for any other person, any jewelry, clothing, support or item of any kind, under penalty of forfeiting all of his assets to the court and state treasury and being exiled from the territory. The Indians will not give more than required to their *encomenderos*.

Comment: Although this is listed as Law XIV, it was promulgated in 1529 and was the first law related specifically to interpreting. It prohibits interpreters from accepting any type of compensation from the Indians, but equally as important, it also stipulates that Indians should not give more than required to their *encomenderos*. This reflects the fact that one of the main reasons the *New Laws of the Indies* were written and proclaimed was to help protect the rights of the Indians and ensure a dignified existence for the indigenous peoples of the New World.

Conclusion

In the sixteenth and seventeenth centuries, the Spanish Crown sought to ensure competence, fair play and equality in the governance of the colonies in the New World. Many of the issues addressed in Title 29 of Book II of the *New Laws of the*

Indies are still being addressed today. Recognition of the importance of the interpreter in seeing that justice is done is patent in both periods, but so is the fact that limits must be set and malfeasance avoided. Four hundred years have not altered the basic facts, and goals remain essentially the same. The challenge, then, is not only to define the role of the interpreter, but rather to continue to raise the awareness of all of the parties involved in the judicial process about the issues involved in order to gain their assistance in ensuring that these canons of judiciary interpreting are respected. In today's world that means that court interpreters must be properly trained, the difficulty and importance of their work fully recognized, their pivotal role in the judicial process acknowledged and accepted by judicial authorities, and their compensation established in accordance with their responsibilities. Moreover, interpreters must be constantly vigilant of their own performance and professional behavior and take on the responsibility of monitoring other members of the profession so that the high standards justice demands are always met. The laws found in Title 29, *De los Intérpretes*, prove that this was known to be true in the sixteenth century. We would do well to heed the lessons that history provides.

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CHAPTER 3

Role definition

A perspective on forty years of professionalism in Sign Language interpreting

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Since 1965, Sign Language interpreters in the United States have had a code of ethical behavior that has been published and promulgated by the RID, the national professional organization of Sign Language interpreters. The code has undergone three major revisions, and in each iteration the role of the interpreter has been addressed. This chapter looks at the forces behind these changes, and the lack of agreed upon best practices related to role, from a systems approach. The analysis includes an overview of the various ways interpreters have been viewed in the field including helper, conduit, communication facilitator, bilingual-bicultural specialist and co-participant. (Witter-Merithew 1986; Roy 1996; Metzger 1999). From there, legislative influences are discussed, followed by the influence of professional organizations and ethical codes/codes of conduct on role definition. An overview of interpreter education is given, related to the teaching of role to students in interpreter education programs. Implications for the systems approach are discussed and the chapter concludes by raising questions about the impact of technology on the role of Sign Language interpreters and the ability of interpreter practitioners and stakeholders to influence policy-making regarding role and best practices.

Introduction

Interpreting is a complex linguistic, social, cognitive and cultural process. Often the interpreter is the only bilingual/bicultural individual present in a situation. Interpreters have the potential to impact peoples' lives on a number of different levels. In legal, medical, work and educational settings, the choices and actions that interpreters take, or do not take, have the potential to influence the lives of the people involved

The role of the community interpreter is challenging because it involves human interaction, which can be unpredictable. Although many students and new interpreters would like to have a black and white set of rules clearly explaining the interpreter's role, the definition of interpretation implies that decision-making

skills and critical analysis of text, context and interaction are required. The following definition of interpreting is used for the purposes of this chapter.

The competent and coherent use of one naturally evolved language to express the meanings and intentions conveyed in another naturally evolved language for the purpose of negotiating an opportunity for a successful communicative interaction in real time within a triad involving two principal individuals or groups who are incapable of using, or who prefer not to use, the language of the other individual or group. (Cokely 2001)

In situations that involve interpreters, there is always potential for role conflict. By the mere presence of the interpreter, it is evident that all of the consumers don't speak the same language or share the same cultural norms. In many situations, consumer(s) may have never used an interpreter and may be unfamiliar with the role. Conflict may occur when one or both of the consumers do not understand the interpreting process or the interpreter's function in that setting, when the consumers' and interpreter's expectations are incongruent, or when the interpreter does not have a clear understanding of his or her primary function in that setting. If the interpreter lacks this clear understanding and, as a result, makes decisions inconsistent with standard practices in the field, role conflict occurs.

But, has the Sign Language interpreting profession agreed on best practices regarding the role of the interpreter? Do interpreting practitioners, educators, researchers, consumers and employers have a similar understanding of the interpreter's role? How does the theoretical framework from which interpreting is viewed influence the understanding of role? Who defines the interpreter's role? Is the definition imposed externally by a governing or legislative body, or is it based on consensus from within the profession? How do stakeholders, particularly Deaf consumers, contribute to describing best practices in interpreting? Do interpreter education programs and professional development seminars teach role from a similar perspective? Given changing legislation, new technology and the variety of settings in which interpreters work, is consistency desirable and, if so, attainable? This chapter addresses these questions by examining the challenge of role definition from a systems perspective and taking a closer look at the influence of legislation, professional organizations, ethical codes/codes of conduct and interpreter education. We begin with an overview of the definitions of role used during the 40-year history of the field.

The challenge of role definition

The interpreter's role has been viewed from various perspectives over time. Witter-Merithew (1986) has named four roles and ordered them to correspond

with the development of the interpreting profession. She begins with the helper role, which was in existence before the national professional organization for interpreters, the Registry for Interpreter of the Deaf (RID) was formally established in 1964. The first RID Code of Ethics was drafted in 1965 and certification testing began in 1972. Before RID was established, most of the individuals functioning as interpreters were friends or family members, without any formal training in interpreting. They were often taught informally by Deaf people and this connection to the community provided these interpreters an insider's perspective of the language and culture that has been difficult to maintain as education moved to formal academic programs. However, in their role as helpers, these interpreters often made decisions for deaf people and shared information without regard to confidentiality. The role of the interpreter as helper perpetuated the myth that Deaf people were not able to conduct their affairs without assistance.

The role of the interpreter as a conduit is identified as emerging in the early 1970s as the number of interpreters needed grew rapidly due to legislation mandating access for Deaf people. Interpreters viewed their role as neutral, functioning in a machine-model. The goal of the interpreter was to be 'invisible', believing that the maxims 'interpret everything' and 'only interpret' would empower deaf people and promote the professional status of the interpreter as having a role distinct from other professionals. Although many interpreters viewed this change as positive, believing it reversed a paternalistic viewpoint and gave Deaf people control over the interpreted interaction, there was widespread consumer dissatisfaction with interpreter services. The conduit role could be taken to extremes, as when interpreters would refuse to speak in their own voice, interpreting a question directed to them on to the consumer to answer.

The RID Code of Ethics, with its rule-based approach, was often taught and applied literally. It was common to hear interpreters use misguided phrases such as "breaking the code of ethics" if a tenet was not followed specifically as written. Interpreters usually worked in isolation, taking half-day and full-day jobs without a team member. Practitioners who had no formal background in teaching translation and interpreting often taught interpreting coursework. Without a formal background in teaching or a standard set of competencies or curriculum, instructors taught what they knew from experience. Often the emphasis was on sign-word equivalence and production speed, with little attention to the purpose of the communicative event, situational factors or dynamic equivalence. The education was far from ideal on many levels: programs were short in length (two years or less); there were no standards for exit or entrance; fluency in two languages was not required for program entry or graduation; there was a lack of curriculum materials and textbooks; there was no standard agreement as to what interpreters

needed to know in order to graduate as competent entry-level practitioners and there were no programs to prepare instructors to teach in these programs.

The role of the interpreter as communication facilitator followed, with the interpreter taking responsibility for such areas as lighting, positioning and other environmental factors, as well as preparing for assignments and, in introductions, describing their role. It became more commonplace for interpreters to work in teams as the cognitive and physical demands of interpreting became increasingly recognized. However, the more significant change in the role occurred with the advent of the bilingual/bicultural model, which identified more clearly the cultural and linguistic tasks required in meaning transfer. Baker-Shenk (1991) argued that there is no position of 'neutrality' for interpreters and that interpreters do in fact make decisions that impact interpreted encounters. She stated unequivocally that this role needed to be acknowledged, both in terms of making ethical decisions and taking responsibility for them.

Although the role of the interpreter has been variously defined since the advent of RID, Roy (2000) observed that even the bilingual/bicultural perspective of the role of the interpreter did not take the field away from the "basic conceptual notion of interpreting as relaying text that can be judged as correct, appropriate and equivalent". Roy proposes that the role and function of the interpreter can best be described from the theoretical frameworks of discourse analysis and social interaction. In this view, interpreting is described as an active process of communicating, with the interpreter making informed choices based on knowledge and understanding of language, discourse processes and social interaction. Conduit metaphors, either for communication or interpreting, are not sufficient to describe the complexity of interpreting (Wilcox and Shaffer 2005).

Although Witter-Merithew originally proposed the roles of helper, conduit, communication facilitator and bilingual-bicultural specialist as a historical perspective, Sanderson and McIntire (1995) lament that consumers have yet to see consistency in the way interpreters perceive and enact their role. And even in 2005, Witter-Merithew and Johnson claim that "the absence of well informed and agreed upon best practices regarding the complex and evolving role of interpreters places both consumers and practitioners at risk."

Taking a systems approach to analyzing role development and clarity for Sign Language interpreters in the U. S.

It is important to look at interpreting and the process of role clarification from a systems approach. A system is defined as "a group of individual parts pursuing a common objective, either self-defined or defined by the system's creator, this quest re-

quiring interdependence and integration of effort if the objective is to be achieved.” (Roth 2005) A systems approach looks at the interconnectivity of the various parts of the whole, how they interact, and the identity, characteristics and strength of the whole achieved by this interrelationship. In addition, the approach includes an examination of the relationships between the system as a whole with other systems, and the larger system of which it is a part.

Based on Roth’s work, there are four key characteristics possessed by systemic organizations. The first is that the system is fully *participative*, meaning participants in the system have input into all decisions directly affecting them. They also possess the authority to make decisions necessary to improve their work. Second, all participants understand how their individual actions and decisions sustain and affect the whole; the system is *integrated*. Third, systemic entities encourage participants to seek better ways of doing their work and improving their processes; the entity is *designed to deal with constant change*. Finally, these systems *encourage continual learning* (Roth 2005). While the interpreting profession in this context is not a business as Roth’s framework implies, these characteristics still offer a valuable perspective when addressing the interpreting profession as a system, and how the various parts of the system have influenced how the role of the interpreter is understood.

The interpreting profession is a complex social system. Inherent systemic elements include: consumers, policy-makers, employers, and interpreter education programs (Witter-Merithew and Johnson 2005). This system is heavily influenced by organizational systems such as the Registry of Interpreters for the Deaf (RID), the National Association of the Deaf (NAD), the Conference of Interpreter Trainers (CIT) and the ASL Teachers Association (ASLTA). The systems in which interpreters work, including legal, education, business and health care also have a strong influence on the profession, as does the legislative system that mandates the provision of interpreting services and seeks to regulate service quality.

Taking a holistic, systems approach to the interpreting profession with a focus on the evolution of the interpreter’s role is an important step in recognizing the patterns and the interconnectedness of events as they have influenced how the work of interpreters has been perceived and how inconsistencies in that understanding have occurred.

Legislation, professionalism and role of the interpreter

One of the most influential systems with which the interpreting profession must interact is the legal system, specifically in regard to the legislation passed in the United States on local, state and national levels that mandate access for Deaf consumers and/or regulate the provision of interpreting services.

The Rehabilitation Act of 1973 was one of the first substantial laws mandating access and recognizing interpreting services as a means to that end. Title V of this Act prohibited discrimination and required accessibility in employment, education, health, welfare and social services. Interpreters are listed as an auxiliary aid option when addressing communication access in these areas.

In 1990, the Americans with Disabilities Act (ADA) was passed. The ADA is described as the most sweeping civil rights legislation for people with disabilities in the United States, prohibiting discrimination in almost every aspect of society. “Qualified” interpreters are listed as an auxiliary aid option to address communication access. The Department of Justice defines a qualified interpreter as one who can “interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary” (Charmatz, *et al.* 2000).

Since the 1970s, several laws have served as important catalysts that have led to a dramatic rise in the demand for interpreters in educational settings. In addition to the Rehabilitation Act of 1973 and the ADA, PL 94–142, the Education of All Handicapped Children Act of 1975 was passed, which was later amended and renamed the Individuals with Disabilities Education Act (IDEA). These laws sought to improve educational opportunities for all children with disabilities by, among other things, mandating a free and appropriate public education in the least restrictive environment. Today this effort is referred to as inclusion, and for Deaf children this often means the provision of interpreting services in classrooms with Deaf and non-deaf students. Also noteworthy is the Federal Bilingual Education Act 1968–2002, which has indirectly influenced the acceptance of interpreters in the educational system (Seal 2004). Educational interpreters are most often hired as staff members in the school district and are becoming more widely regarded as members of the education team. While their primary responsibility is interpreting, non-interpreting tasks such as tutoring, notetaking and other duties may also be a part of their positions within the schools. These other duties, coupled with specific expectations as employees in a school environment with children, have historically been sources of angst and conflict in clarifying the role of the educational interpreter.

This legislative activity, along with subsequent laws, has dramatically increased the need for interpreters in a variety of settings. Each of these settings has challenged interpreters to clarify and define their role and function. The 1970s was a critical time in the development of the interpreting profession, as several of these laws were being formulated and passed. During this time, the interpreting profession was in its infancy and met very few of the criteria Mikkelsen (1999) identifies to professionalize community interpreting. Based on the work of Roberts (1994) and Tseng (1992), Mikkelsen identified the following criteria: the need for interpreter practitioners to reach a consensus of their role and function; the provision

of training for interpreters and interpreter educators; public education about the role; and establishment of accreditation for community interpreters. Very few of these elements were solidly in place in the 1970s, and as a result, the individual practitioners were disadvantaged when trying to consistently define the role in response to the demands of the settings.

Since the ADA was passed in 1990, further impact on the profession has been realized, particularly with the dramatic increase in state regulations addressing minimal qualifications of interpreters. In 2000, the National Association of the Deaf (NAD) documented quality assurance legislative activity in 49 of the 50 states plus the District of Columbia (www.nad.org). Ben Hall, then president of RID, addressed the impact of this activity on the profession: “This landmark legislation (ADA) transformed the face of professional interpreting and caused the demand for interpreting services to soar to unprecedented heights” (Hall 2001).

While interpreters and Deaf consumers have been involved in the development of much of this legislation, the conundrum caused by the irregularities found in these regulations indicates a shortcoming in the broader system, particularly in regard to achieving consistent integration of service quality. These inconsistencies in turn hinder efforts in achieving congruous role clarification on a broader scale.

Role, decision-making and ethics: From a Code of Ethics to a Code of Professional Conduct

The relationship between role definition and ethical decision-making is integral. In *Ethics and Decision Making for Interpreters in Health Care Settings* (1990), Sandra Gish writes:

Professional ethics are standards or behaviors that have evolved over time to *reflect the profession's desire to insure the well-being of its clients*. They are expressed in a formalized code of behavior which describes the principles that are important to the profession. More importantly, they define the forms of behavior that are *morally desirable* by the profession in its service to consumers. (Gish 1990:21)

The professional ethics that guide an interpreter's decision making process also help clarify the role by communicating a set of guiding principles and standard of behavior that can be expected by consumers of the service. The system in which the professional ethics have been developed, are communicated, and are modified is the Registry of Interpreters for the Deaf.

The Registry of Interpreters for the Deaf (RID) is a national professional organization for Sign Language interpreters in the United States. Established in 1964 and incorporated in 1972, the core of RID has been the desire to improve communication access for Deaf, hard of hearing and DeafBlind individuals through excellence

in interpreting services. This desire is evidenced in the organization's philosophy, mission and goal statements. (See Appendix A for RID philosophy, mission and goal statements)

The RID organization has a short yet progressive history of change and development. During the first eight years, the foundation of the organization was put into place, including the publication of the first code of ethics for Sign Language interpreters. Revisions to the code were infrequent, with a major revision adopted in October 1979, and then not again until the code of professional conduct was adopted by the membership in July 2005. The new "NAD/RID Code of Professional Conduct" now serves as the guide for decisions made by professional interpreters.

Historically, the Code of Ethics, and now the Code of Professional Conduct, has served as an important document, used to communicate guiding principles and expectations regarding ethical behavior not only for professionals in the field, but also to consumers of the service. As such, it has also served as an instrumental and consistent reference for clarifying the role of interpreters in a variety of settings.

Even though the code had been infrequently revised, the profession was progressively moving forward and developing. By 2000, however, a paradigm shift was becoming evident. Cokely (2000) documented the historical framework for codes of ethics and identified the heart of the long-held debate in the field regarding the usefulness (or not) of the code as written. Cokely explains this dichotomy using the tenet regarding confidentiality as an example:

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 perceived 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 later 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. (Cokely 2000:38)

Cokely argued for reconciling these fundamental differences by taking a rights-based approach in the code, centered on the premise that first and foremost, interpreters have an obligation to uphold and support the rights of all consumers involved in the interpreted event:

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/transliterated and form the standard against which interpreters/transliterated can be judged. (Cokely 2000:46)

Also in 2000, the RID Board of Directors approved the establishment of a task force to review and update the Code of Ethics. At this time, the National Association of the Deaf (NAD) also certified interpreters and published a code of ethics for interpreters. The NAD is the oldest advocacy organization for Deaf and hard of hearing people in the U.S. Its mission is to promote, protect, and preserve the rights and quality of life of deaf and hard of hearing individuals in the United States of America (<http://www.nad.org>). At that time, the NAD was in the process of working collaboratively with the RID to join forces and develop one national certification exam for interpreters. The RID Board approached the NAD to work collaboratively on the code of ethics revision project as well.

From an historical and systems perspective, it is important to note this collaboration. While the NAD was instrumental in establishing the RID and supporting its development, the relationship between the two organizations became increasingly strained in the 1980s. The depth of this discord could be seen in the late 1980s when the NAD began implementing certification testing, something the RID had exclusively done for years. The RID and NAD Boards worked very hard at bringing the two organizations together to work collaboratively on the development of the new certification test and within the code of ethics review committee. These two efforts are noteworthy, not only historically from an organizational perspective, but also because they exemplify a significant interrelationship between a professional organization and its consumers or primary stakeholders.

There are several clear differences between the original Code of Ethics (Appendix B), the revision of 1979 (Appendix C), and the current Code of Professional Conduct (Appendix D). The first difference is the more formalized involvement of stakeholders in the process of revising the code. Hoza (2003) noted that the original RID code consisted of eight one-sentence tenets covering the following: (1) maintaining confidentiality; (2) rendering the message faithfully, using the language most readily understood by the person(s) whom they serve; (3) not counseling, advising, or interjecting personal opinions; (4) using discretion in accepting assignments; (5) requesting compensation in a professional and judicious manner; (6) functioning in an appropriate manner; (7) furthering knowledge and skills; and (8) maintaining high professional standards in compliance with the Code of Ethics. The NAD code covered the same areas using different verbiage, but also included the following points:

- Information on the role and appropriate use of interpreting services shall be provided to the consumers when necessary.
- Information on available resources as appropriate should be provided.
- Respect of and for the deaf person's rights must always be evident (Hoza 2003).

It is interesting to note the additional tenets of the NAD code identify the interpreter as a resource person (and expect that he/she will share information as needed — in addition to maintaining confidentiality) and the importance of respecting the rights of the Deaf consumer. The participation of NAD has been a significant factor in the development of the new code. The stakeholders not only brought personal experiences, but also well-formulated and documented expectations for professional behavior.

Hoza also notes that the 1979 version of the RID code and the NAD code have a common, authoritative air, reflecting a duty-based approach to ethics in which certain acts or behaviors are prescribed as “right” and practitioners are expected to feel obligated to do only what is right as identified in the code (2000). The members of the joint RID/NAD task force came to the table with a very similar approach to documenting ethical guidelines, yet differing perspectives and expectations.

Another significant change in the code is the change in the name — from a Code of Ethics to a Code of Professional Conduct. To understand this change, it is important to look more broadly at the development of codes of ethics across disciplines. Olson (1998) makes several observations about the development of codes and patterns that emerge in format and structure. He identified three commonly occurring categories for format: brief, descending form, and relational.

The brief codes are just that — brief, consisting of a short list of statements that provide guidance to members. This is likely where the original RID and NAD codes would have been placed, as they listed short sentences addressing each tenet.

The codes that fit into the second category, descending forms, generally have the following format: Preamble / Statement of Intent, Fundamental Principles, Fundamental Canons, and Guidelines for the Principles and Canons. The third category highlights relationships between the members of the group and/or other groups in society, such as the public, clients or employers.

With some slight variations, the NAD/RID Code of Professional Conduct fits into the category of descending form. This Code contains sections addressing Scope, Philosophy, and Function of Guiding Principles, in addition to other logistical information. Each of the 7 tenets is listed, with the Guiding Principle explained and several examples of “Illustrative Behavior” given. Clearly, in this code, the descending format is much more holistic in nature and moves from an overarching scope and philosophy, to each tenet, to examples (not all inclusive) of how this tenet may be applied on the job or in a real-life situation.

The code moves from the duty- or rule-based perspective to a more rights-based approach, and includes underlying values and guiding principles with examples of how each principle may be applied. Given this change, it seems appropriate to change the name from a Code of Ethics to a Code of Professional Conduct.

This name change implies movement from merely stating the ethical guidelines toward a more holistic look at the guiding principles, application and decision making, which the new code embraces.

Measuring the effectiveness of codes

There are mixed reviews in the field of ethics about the effectiveness of codes of ethics or professional conduct. Some would argue that the codes are futile attempts at articulating what a profession or organization professes and aspires to do, while others maintain that codes of ethics and conduct are critical documents that communicate deeply held beliefs about what can and should be appropriately expected from professionals in a given field.

Several authors offer measures or guidelines to use when determining the effectiveness of codes. Rushworth Kidder (1995) characterizes a code of ethics as follows:

1. It is brief. A Code of Ethics normally focuses on the core moral values and is concise and easily memorized. This, unlike rule books, law codes or policy manuals that address detailed points of operational values.
2. A code is not really explanatory. Occasionally it can become wordy, but a code's brevity requires condensation to get to the main points.
3. A code can be expressed in many different forms (positive, negative, definition or exhortation, a set of single words or series of sentences).
4. Centers on moral values. Sometimes they will include values that are more instrumental than ultimate, its focus is on the morally neutral realms of human experience (Kidder 1995).

Considering Kidder's measures, the current RID code has been appropriately renamed as it has grown from eight brief tenets to five pages with the additions of the Guiding Principles and Illustrative Behaviors. Kidder also states that codes take on various forms and address moral and instrumental values, which the current code does well.

Olson (1998) suggests that authors of codes must maintain a balance between general, guiding principles to allow room for a variety of situations and being specific enough to give readers the appropriate amount of information to provide guidance in their decision making process and in how to resolve conflicting principles. Authors of codes must also be acutely aware of how they organize a code and the language they use in the code, so that it will be well-received and accessible to its intended audience. The Code of Professional Conduct addresses both of these concerns successfully, although time will tell how effective the code truly is

since it has only been in effect since July 2005.

Johnson (2005) noted the work of communication ethicist Richard Johannsen in regard to evaluating the effectiveness of a code. Johannsen suggests that many objections to formal codes could be addressed if the authors considered the following guidelines:

1. Distinguish between ideals and minimum conditions. Identify which parts of the statement are goals to strive for and which are minimal or basic ethical standards.
2. Design the code for ordinary circumstances.
3. Use clear, specific language.
4. Prioritize obligations.
5. Protect the larger community.
6. Focus on issues of particular importance to group members. The code should address the group's unique moral issues.
7. Stimulate further discussion and modification.
8. Provide guidance for the entire organization and the profession to which it belongs.
9. Outline the moral principles behind the code.
10. Encourage widespread input.
11. Back the code with enforcement (Johnson 2005: 258–259).

Nearly all of these points are addressed, to some degree, by the authors of the NAD/RID Code of Professional Conduct. The sections offered before the tenets are listed and explained, include the Scope, Philosophy, Voting Protocol, Adoption of this Code, and the Function of the Guiding Principles, which give the reader a broader understanding of the underlying principles and the “why” behind the tenets and illustrative behaviors listed. The authors covered a wide range of potential questions and addressed them thoroughly. Each of the tenets, with their respective guiding principles and illustrative behaviors explained, give the reader a broader understanding of the underlying values as well as specific examples for application.

The concept of encouraging widespread input is one that the RID/NAD Task Force embraced in their process of developing the code. The fact that stakeholders were equally represented during the process also illustrates the commitment to input and integration. Olson (1998) addresses the need for organizations to take on the arduous task of seeking and garnering input and buy-in. In the short term, it can be painstakingly difficult. In the long run, however, it is well worth the effort. There is a deeper sense of buy-in and commitment to the code when the input is secured during the development process.

When reviewing the most recent Code of Ethics review process, several of

Roth's characteristics for systemic organizations are evident. With regard to participation, perspectives from practitioners and consumers were garnered through the joint task force with equal representation from both RID and NAD. In addition, the task force members hosted several meetings across the country, seeking input from their respective membership. This element of participation closely relates to the concept of integration and seeking buy-in from practitioners and consumers alike. The true measure of this characteristic will not be fully realized until time has passed and further research is done on the application and effectiveness of the new Code. While the system was historically slow in revising the codes, it could be argued that by undertaking the task of revising the code in the manner in which it did most recently, the system does have the capacity to embrace and work with change. The element of life-long learning Roth also notes can be seen in another aspect of the RID organization — the triad of services that support interpreting credentials.

The RID established and maintains a triad of programming that supports certification of Sign Language interpreters. The three areas covered by these services include the National Testing System, the Certification Maintenance System and the Ethical Practices System (EPS) (Appendix E). Respectively, these services provide a testing mechanism for obtaining national certification, an avenue for maintaining certification through continuing education, and a process for review when concerns regarding ethical behavior and/or quality of service arise. The EPS includes a mediation program as the first step toward resolving disputes regarding ethical issues. Combined with the next level (adjudication), “the EPS is designed to provide opportunity for resolving differences and fairness and the means for appeals to all parties involved” (www.rid.org). The Code of Ethics, and now the Code of Professional Conduct, serves as the primary document to refer to when ethics-related complaints are filed against interpreter practitioners. Finally, the Professional Standards Committee works within the EPS to provide the framework, structure and supports on which to place the direct services of the EPS.

This collection of services embodies strong characteristics of a systems organization, including participation and integration, with particular emphasis on life-long learning and embracing change. The change in the Code of Ethics and the incorporation of those changes into this system provide a secure foundation for the continued development of professional practices and role clarification. The RID provides an organizational means through which the profession develops, matures and advances. It is also the system the profession must rely on to help communicate the professional role of interpreters.

Teaching role: Interpreter education

The inability of interpreter education programs to graduate interpreting practitioners who are competent to enter the workforce was mentioned in a previous section. Given the many advances in the field, interpreter education programs have the potential to positively influence the larger system of the interpreting profession. This section gives an overview of the evolution of interpreter education as well as a context for understanding the documented inability of interpreter education programs to graduate work-ready interpreters (Witter-Merithew and Johnson 2005).

Initially, interpreter preparation programs were short, often only 6 to 8 weeks in length, and situated in community colleges or vocational technical post-secondary schools. By the late 1970s, there was a proliferation of two-year associate degree programs across the country. Interpreter education programs continued to open and attract students despite the lack of curriculum and instructors. Faculty were often hired as adjuncts and were usually hired because they were competent practitioners. Without formal knowledge of pedagogy, they often taught from their experience. Absent from most of these programs were Deaf instructors and strong ties to the Deaf Community. In the transition to formalized academic training, this very important connection to community was lost.

Most programs required no entry exams or pre-requisites and students would often start two-year interpreting programs without knowledge of American Sign Language (ASL). English, the native language of the majority of students, was generally not assessed. Typical programs of that era taught ASL in the first year, adding interpreting skills courses in the second year. Information about role and ethics was a small part of these courses, with little or no time allotted to explore the complexities. Interpreting programs taught role predominantly from a rule-based paradigm, with the RID Code of Ethics providing the rules. There was an absence of theoretical models or frameworks used to teach students about the complexities of interpreter's role. Little emphasis was placed on analysis or decision-making. The students were often passive receivers of information and knowledge about ethics and role, accepting the 'truth' handed down by their teachers. Given the complexities of human interaction that interpreters encounter, this approach did not prepare interpreters to handle the situations they would find in the world of work. Moreover, students didn't have effective strategies to assess their work or ways to talk about what they did.

As is still true in many programs today, the two year timeframe did not allow for students to master the body of knowledge or the necessary skills to interpret

effectively. As a result, students often entered the workforce woefully under-prepared to cope with the complexities of the interpreting task.

During the mid-to-late 1980s, the first bachelor (four-year) degree programs in interpreting began to emerge. Educators began to use frameworks for teaching ethics and decision-making, incorporating a wider variety of texts and articles. Interpreters and interpreter educators began to see opportunities in the field for graduate studies, including the development of the first master's degree program in teaching interpretation at Western Maryland College (now McDaniel College). In the 90s, Gallaudet University offered the first MA degree in Interpretation.

Sandra Gish, an influential interpreter educator in the 1980s and early 1990s, wrote a textbook on ethics and decision-making that was widely used in interpreter education programs in the early 1990s and brought a new perspective to the interpreter's role. Her text "Ethics and Decision Making for Interpreters in Health Care Settings" (1990) included values clarification, decision-making skills and case studies, in an easy to understand and accessible framework. Although the text primarily focused on health care settings, educators and practitioners found it useful when applying it to the broader profession as well as to other specialized settings. Incorporating theory on functional leadership, Gish also introduced the idea that interpreters were leaders, defining leadership as occurring when one person influences another person. She claimed that interpreters had always been leaders even though this role had never been acknowledged. Based on functional leadership, any member of a group may become a leader by helping the group complete its goal and interact effectively. The interpreter is involved in the group process (interaction and maintenance of relationships in the interaction), although not in the content (topics discussed). Emphasis was placed on the idea that this view of leadership in no way takes away from the power or self-determination of Deaf or hearing clients.

This provided interpreting students and interpreters a formal way to talk about aspects of the interpreter's role that previously had been minimized in interpreter education classrooms, due to the perception by many interpreters that invisibility was a key component of the interpreter's role. Even with the increasing recognition of the complexities related to role, ethics and decision-making, by 1996 most programs still did not have a separate course that incorporated these topics (Witter-Merithew and Stewart 1998). Instead these concepts were taught as part of other interpreting skill courses.

Meanwhile, in scholarly works, Roy (1996), Wadensjo (1992) and Metzger (1999), published evidence from a discourse perspective that interpreters are co-participants and emphasized the need to more accurately describe the work of interpreting. The evidence indicated that interpreters influence discourse interac-

tions and do alter the renditions, usually for specific reasons related to achieving the goals of the interaction. Metzger's (1999) study also indicated that "some interpreter generated contributions are an essential part of the interpretation of interactional equivalence". Although this type of research and approach clearly has implications for interpreters and interpreter education, many interpreting programs have been slow in applying theoretical frameworks of social interaction and discourse analysis to understanding and teaching interpreting.

The work of Dean and Pollard (2001, 2005) related to the application of the demand-control schema to interpreting constituted a major paradigm shift in the way that interpreters and interpreter educators talk about the complexities of interpreting work, related to role, responsibilities and decision-making. Their framework provides interpreters a way to critically analyze and reflect upon the demands of their role and the implications of their actions and decisions. In terms of interpreter education, Dean and Pollard situate interpreting among practice professions and use an approach that relies on case studies, observation and the implications of decision-making.

Finally, Winston (2005) provides insights into the systemic problems with interpreter education. She states:

In spite of years of teaching interpreting, in spite of curriculum changes, in spite of a recognized failure to adequately educate interpreters, we continue to do what we do. We accept students into interpreting programs because we are told to, ignoring evidence that this does not result in competent interpreters. We graduate students into the community, acknowledging that they are not qualified, that there is a gap, and that they need at least a year or two to achieve even 'entry-level' competence. We recognize that we do not provide enough relevant opportunities for the Deaf Community to influence our work, nor do we provide enough relevant opportunities for interpreting students to learn through and from the Deaf Community. (Winston 2005)

Implications

The field of Sign Language interpreting in the United States has some strong foundational components and a forty-year history of professionalism. As evidenced by the list below, there have been many positive develops in the short history of the profession. These include:

- a strong member-driven professional organization
- an ethical practices system
- a national certification testing system
- a certification maintenance system requiring professional development

- the inclusion of courses in IEPs devoted solely to teach interpreter role, responsibility and ethics
- a professional organization of Interpreter Educators (CIT) that has held regularly scheduled conferences for the past 25 years
- a growing but strong relationship with ASLTA (American Sign Language Teachers Association)
- a strong, politically involved Deaf consumer organization (NAD)
- biannual regional and national professional conferences
- a wide variety of online and face-to-face workshops and professional development opportunities
- federal funding for regional interpreter education centers for the past 25 years

In addition, there are some new developments that should positively influence the development of best practices related to role including:

- an online master’s degree program in Interpreting Pedagogy (Northeastern University)
- a requirement that interpreters have a bachelor’s degree to sit for the certification exam
- a recently revised national testing system with an interview portion that examines the candidate’s ability to analyze a situation, make a decision and provide a well-supported and clearly articulated argument to support his/her decision
- a self-study accreditation program for interpreting education programs (www.ccie-accreditation.org)

Why then, hasn’t there been agreement on best practices regarding the complex and evolving role of interpreters? Following systems theory, we can see that the interpreting profession has not been well prepared to deal with the constant and rapid change that has swept through the field over the past 40 years. The profession developed quickly in order to respond to a burgeoning need without a solid foundation in place, and the various parts of the system have not worked in tandem to achieve specific goals.

Although we have a national testing system, there are still far too many practicing interpreters that are not yet certified. By not proactively and clearly defining best practices, we may portray the idea that all models for role have equal validity in terms of describing our work accurately. Instead of presenting a consistent message to employers about our work, we continue to use inaccurate metaphors that perpetuate misconceptions about what we do. Interpreter education programs continue to graduate under-prepared interpreters even though it is clear to practi-

tioners and Deaf consumers that these new interpreters have not developed entry-level competencies. Furthermore, these programs need to re-establish authentic connections with the Deaf Community. There is little recognition outside the field of interpretation for the complexity of interpreting and we have not adequately educated the public about our role or our profession.

Laws and technology have greatly expanded education and employment opportunities for Deaf people and thus employment for interpreters. However, in the interpreting field we have a pattern of being reactive, not proactive. Some additional factors that may have influenced the lack of clarity around best practices related to role include:

- issues of power dynamics have not been adequately addressed in the field
- demand for interpreters outstrips supply, so it is a challenge to maintain quantity, quality and an acceptable standard of service
- interpreters still are graduating from programs and entering the profession without language competence, impacting their ability to function appropriately
- interpreters entering the workforce often are not supervised on-site by certified interpreters
- students often lack adequate opportunities for directed observation, discussion of case studies, and supervised internships in interpreting programs
- students often lack adequate opportunities for authentic language experiences within the Deaf community, hindering the development of fluency and cultural competence
- interpreting as a discourse process is not adequately addressed in most interpreting programs
- programs may place insufficient emphasis on a solid liberal arts education that provides breadth as well as depth and promotes critical thinking and lifelong learning

Professionalism is not a linear process, but a spiral, with each developing stage influencing the one that comes next (Tseng 1992). Being a part of a system that embraces and responds to change is critical in this development. Now the interpreting field has another opportunity to respond to a change either proactively or reactively. Video Relay Services (VRS) are irrevocably changing the way interpreters work. This new and fast-growing industry of interpreter service provision via video telephone services has raised new questions about the interpreter's role, including that of operator, particularly since the Federal Communications Commission (FCC) regulates this service. Will interpreters actively define our role in this new venue or will it be imposed on interpreters by the FCC? How do VRS interpreters integrate the tasks of operator and interpreter, particularly when deal-

ing with consumers who may never have had to navigate automated phone trees? Additionally, VRS call centers bring together several interpreters working in the same room. Although they may give up some autonomy, interpreters will have the opportunity to benefit from working regularly in an environment with colleagues. Video relay interpreting might serve as a catalyst to push interpreters, educators and stakeholders to work productively together to define best practices related to role.

Conclusion

The purpose of defining role includes setting a professional standard and provides consistency for those working with interpreters. It also insures the dignity and well-being of all involved when there is agreement on how the interpreter functions. The values and standards of the field are then consistently perpetuated as they are taught to students and reinforced as new interpreters enter the profession.

For many years, interpreters have too often hidden behind the cloak of neutrality, avoiding the realization that taking no action can be as harmful as an inappropriate action. It will only be possible to develop best practices related to role when interpreters recognize and accept responsibility for the power they have as participants and co-constructors of meaning in an interpreted interactive event. Wilcox and Shaffer (2005) propose that as interpreters we need to “become aware of our biases, aware of our power, and aware of our creative acts of meaning co-construction, and in so doing move towards an active and conscious neutrality”.

In the United States, the ASL-English interpreters who are graduating from interpreter education programs in 2006 are entering a profession that looks quite different than the one graduates entered even a few years ago. Today’s graduates, will be taking a new certification test that requires demonstration of decision-making skills related to role, responsibilities and ethics; the requirement of a bachelor’s degree to sit for certification; the preponderance of work in video relay centers; and the opportunity to work with Certified Deaf Interpreters (CDIs).

The role of the community interpreter is complex and requires interpreters to have critical thinking, self-assessment and reflective skills (Winston 2005). Despite many advances in the field and a strong history of legislation to support interpreting service provision, there remains today a lack of agreed-upon best practices related to the role and responsibilities of Sign Language interpreters. By taking a systemic integrated approach when addressing the gaps and inconsistencies in our systems, it may be possible for interpreter practitioners, educators and stakeholders to define best practices related to role.

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Appendix A

National Registry of Interpreters for the Deaf (RID)

Philosophy, Mission and Goal Statements

Philosophy Statement The philosophy of RID is that excellence in the delivery of interpretation and transliteration services among people who are Deaf, or Hard of Hearing, and people who are hearing, will ensure effective communication. As the professional association for interpreters and transliterators, the RID serves as an essential arena for its members in their pursuit of excellence.

Mission Statement It is the mission of the Registry of Interpreters for the Deaf, Inc., to provide international, national, regional, state, and local forums and an organizational structure for the continued growth and development of the professions of interpretation and transliteration of American Sign Language and English.

Goal Statement It is the goal of RID to promote the profession of interpreting and transliterating American Sign Language and English.

(Retrieved from <http://www.rid.org/about.html>, March 20, 2006)

Appendix B

The Original RID Code of Ethics (adopted in 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 services 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.

(Cokely, 2000)

Appendix C

RID Code of Ethics (As revised and adopted in October, 1979)

1. Interpreters/transliterators shall keep all assignment-related information strictly confidential.
2. Interpreters/transliterators shall render the message faithfully, always conveying the content and spirit of the speaker using language most readily understood by the person(s) whom they serve.
3. Interpreters/transliterators shall not counsel, advise or interject personal opinions.
4. Interpreters/transliterators shall accept assignments using discretion with regard to skill, setting, and the consumers involved.
5. Interpreters/transliterators shall request compensation for services in a professional and judicious manner.
6. Interpreters/transliterators shall function in a manner appropriate to the situation.
7. Interpreters/transliterators shall strive to further knowledge and skills through participation in work-shops, professional meetings, interaction with professional colleagues, and reading of current literature in the field.
8. Interpreters/transliterators, by virtue of membership or certification by the RID, Inc., shall strive to maintain high professional standards in compliance with the Code of Ethics.

(Cokely, 2000)

Appendix D

NAD – RID Code of Professional Conduct, 2005



CODE OF PROFESSIONAL CONDUCT

Registry of Interpreters
for the Deaf
333 Commerce Street
Alexandria, VA 22314
703/838-0030 (V)
703/838-0459 (TTY)
703/838-0454 (Fax)
www.rid.org

NAD-RID CODE OF PROFESSIONAL CONDUCT

Scope

The National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID) uphold high standards of professionalism and ethical conduct for interpreters. Embodied in this Code of Professional Conduct (formerly known as the Code of Ethics) are seven tenets setting forth guiding principles, followed by illustrative behaviors.

The tenets of this Code of Professional Conduct are to be viewed holistically and as a guide to professional behavior. This document provides assistance in complying with the code. The guiding principles offer the basis upon which the tenets are articulated. The illustrative behaviors are not exhaustive, but are indicative of the conduct that may either conform to or violate a specific tenet or the code as a whole.

When in doubt, the reader should refer to the explicit language of the tenet. If further clarification is needed, questions may be directed to the national office of the Registry of Interpreters for the Deaf, Inc.

This Code of Professional Conduct is sufficient to encompass interpreter roles and responsibilities in every type of situation (e.g., educational, legal, medical). A separate code for each area of interpreting is neither necessary nor advisable.

Philosophy

The American Deaf community represents a cultural and linguistic group having the inalienable right to full and equal communication and to participation in all aspects of society. Members of the American Deaf community have the right to informed choice and the highest quality interpreting services. Recognition of the communication rights of America's women, men, and children who are deaf is the foundation of the tenets, principles, and behaviors set forth in this Code of Professional Conduct.

Voting Protocol

This Code of Professional Conduct was presented through mail referendum to certified interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf. The vote was to adopt or to reject.

Adoption of this Code of Professional Conduct

Interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf voted to adopt this Code of Professional Conduct, effective July 1, 2005. This Code of Professional Conduct is a working document that is expected to change over time. The aforementioned members may be called upon to vote, as may be needed from time to time, on the tenets of the code.

The guiding principles and the illustrative behaviors may change periodically to meet the needs and requirements of the RID Ethical Practices System. These sections of the Code of Professional Conduct will not require a vote of the members. However, members are encouraged to recommend changes for future updates.

Function of the Guiding Principles

It is the obligation of every interpreter to exercise judgment, employ critical thinking, apply the benefits of practical experience, and reflect on past actions in the practice of their profession. The guiding principles in this document represent the concepts of confidentiality, linguistic and professional competence, impartiality, professional growth and development, ethical business practices, and the rights of participants in interpreted situations to informed choice. The driving force behind the guiding principles is the notion that the interpreter will do no harm.

When applying these principles to their conduct, interpreters remember that their choices are governed by a "reasonable interpreter" standard. This standard represents the hypothetical interpreter who is appropriately educated, informed, capable, aware of professional standards, and fair-minded.

Appendix D (cont.)



CODE OF PROFESSIONAL CONDUCT

Registry of Interpreters
for the Deaf
333 Commerce Street
Alexandria, VA 22314
703/838-0030 (V)
703/929-0450 (TTY)
703/838-0454 (Fax)
www.rid.org

CODE OF PROFESSIONAL CONDUCT

Tenets

1. Interpreters adhere to standards of confidential communication.
2. Interpreters possess the professional skills and knowledge required for the specific interpreting situation.
3. Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.
4. Interpreters demonstrate respect for consumers.
5. Interpreters demonstrate respect for colleagues, interns, and students of the profession.
6. Interpreters maintain ethical business practices.
7. Interpreters engage in professional development.

Applicability

- A. This Code of Professional Conduct applies to certified and associate members of the Registry of Interpreters for the Deaf, Inc., Certified members of the National Association of the Deaf, interns, and students of the profession.
- B. Federal, state or other statutes or regulations may supersede this Code of Professional Conduct. When there is a conflict between this code and local, state, or federal laws and regulations, the interpreter obeys the rule of law.
- C. This Code of Professional Conduct applies to interpreted situations that are performed either face-to-face or remotely.

Definitions

For the purpose of this document, the following terms are used:

Colleagues: Other interpreters.

Conflict of Interest: A conflict between the private interests (personal, financial, or professional) and the official or professional responsibilities of an interpreter in a position of trust, whether actual or perceived, deriving from a specific interpreting situation.

Consumers: Individuals and entities who are part of the interpreted situation. This includes individuals who are deaf, deaf-blind, hard of hearing, and hearing.

1.0 CONFIDENTIALITY

Tenet: Interpreters adhere to standards of confidential communication.

Guiding Principle: Interpreters hold a position of trust in their role as linguistic and cultural facilitators of communication. Confidentiality is highly valued by consumers and is essential to protecting all involved.

Each interpreting situation (e.g., elementary, secondary, and post-secondary education, legal, medical, mental health) has a standard of confidentiality. Under the reasonable interpreter standard, professional interpreters are expected to know the general requirements and applicability of various levels of confidentiality. Exceptions to confidentiality include, for example, federal and state laws requiring mandatory reporting of abuse or threats of suicide, or responding to subpoenas.

Illustrative Behavior - Interpreters:

- 1.1 Share assignment-related information only on a confidential and "as-needed" basis (e.g., supervisors, interpreter team members, members of the educational team, hiring entities).

Appendix D (cont.)



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- 1.2 Manage data, invoices, records, or other situational or consumer-specific information in a manner consistent with maintaining consumer confidentiality (e.g., shredding, locked files).
- 1.3 Inform consumers when federal or state mandates require disclosure of confidential information.

2.0 PROFESSIONALISM

Tenet: Interpreters possess the professional skills and knowledge required for the specific interpreting situation.

Guiding Principle: Interpreters are expected to stay abreast of evolving language use and trends in the profession of interpreting as well as in the American Deaf community.

Interpreters accept assignments using discretion with regard to skill, communication mode, setting, and consumer needs. Interpreters possess knowledge of American Deaf culture and deafness-related resources.

Illustrative Behavior - Interpreters:

- 2.1 Provide service delivery regardless of race, color, national origin, gender, religion, age, disability, sexual orientation, or any other factor.
- 2.2 Assess consumer needs and the interpreting situation before and during the assignment and make adjustments as needed.
- 2.3 Render the message faithfully by conveying the content and spirit of what is being communicated, using language most readily understood by consumers, and correcting errors discreetly and expeditiously.
- 2.4 Request support (e.g., certified deaf interpreters, team members, language facilitators) when needed to fully convey the message or to address exceptional communication challenges (e.g. cognitive disabilities, foreign sign language, emerging language ability, or lack of formal instruction or language).
- 2.5 Refrain from providing counsel, advice, or personal opinions.
- 2.6 Judiciously provide information or referral regarding available interpreting or community resources without infringing upon consumers' rights.

3.0 CONDUCT

Tenet: Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.

Guiding Principle: Interpreters are expected to present themselves appropriately in demeanor and appearance. They avoid situations that result in conflicting roles or perceived or actual conflicts of interest.

Illustrative Behavior - Interpreters:

- 3.1 Consult with appropriate persons regarding the interpreting situation to determine issues such as placement and adaptations necessary to interpret effectively.
- 3.2 Decline assignments or withdraw from the interpreting profession when not competent due to physical, mental, or emotional factors.
- 3.3 Avoid performing dual or conflicting roles in interdisciplinary (e.g. educational or mental health teams) or other settings.
- 3.4 Comply with established workplace codes of conduct, notify appropriate personnel if there is a conflict with this Code of Professional Conduct, and actively seek resolution where warranted.
- 3.5 Conduct and present themselves in an unobtrusive manner and exercise care in choice of attire.

Appendix D (cont.)



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- 3.6 Refrain from the use of mind-altering substances before or during the performance of duties.
- 3.7 Disclose to parties involved any actual or perceived conflicts of interest.
- 3.8 Avoid actual or perceived conflicts of interest that might cause harm or interfere with the effectiveness of interpreting services.
- 3.9 Refrain from using confidential interpreted information for personal, monetary, or professional gain.
- 3.10 Refrain from using confidential interpreted information for the benefit of personal or professional affiliations or entities.

4.0 RESPECT FOR CONSUMERS

Tenet: Interpreters demonstrate respect for consumers.

Guiding Principle: Interpreters are expected to honor consumer preferences in selection of interpreters and interpreting dynamics, while recognizing the realities of qualifications, availability, and situation.

Illustrative Behavior - Interpreters:

- 4.1 Consider consumer requests or needs regarding language preferences, and render the message accordingly (interpreted or transliterated).
- 4.2 Approach consumers with a professional demeanor at all times.
- 4.3 Obtain the consent of consumers before bringing an intern to an assignment.
- 4.4 Facilitate communication access and equality, and support the full interaction and independence of consumers.

5.0 RESPECT FOR COLLEAGUES

Tenet: Interpreters demonstrate respect for colleagues, interns and students of the profession.

Guiding Principle: Interpreters are expected to collaborate with colleagues to foster the delivery of effective interpreting services. They also understand that the manner in which they relate to colleagues reflects upon the profession in general.

Illustrative Behavior - Interpreters:

- 5.1 Maintain civility toward colleagues, interns, and students.
- 5.2 Work cooperatively with team members through consultation before assignments regarding logistics, providing professional and courteous assistance when asked and monitoring the accuracy of the message while functioning in the role of the support interpreter.
- 5.3 Approach colleagues privately to discuss and resolve breaches of ethical or professional conduct through standard conflict resolution methods; file a formal grievance only after such attempts have been unsuccessful or the breaches are harmful or habitual.
- 5.4 Assist and encourage colleagues by sharing information and serving as mentors when appropriate.
- 5.5 Obtain the consent of colleagues before bringing an intern to an assignment.

Appendix D (cont.)


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6.0 BUSINESS PRACTICES

Tenet: Interpreters maintain ethical business practices.

Guiding Principle: Interpreters are expected to conduct their business in a professional manner whether in private practice or in the employ of an agency or other entity. Professional interpreters are entitled to a living wage based on their qualifications and expertise. Interpreters are also entitled to working conditions conducive to effective service delivery.

Illustrative Behavior - Interpreters:

- 6.1 Accurately represent qualifications, such as certification, educational background, and experience, and provide documentation when requested.
- 6.2 Honor professional commitments and terminate assignments only when fair and justifiable grounds exist.
- 6.3 Promote conditions that are conducive to effective communication, inform the parties involved if such conditions do not exist, and seek appropriate remedies.
- 6.4 Inform appropriate parties in a timely manner when delayed or unable to fulfill assignments.
- 6.5 Reserve the option to decline or discontinue assignments if working conditions are not safe, healthy, or conducive to interpreting.
- 6.6 Refrain from harassment or coercion before, during, or after the provision of interpreting services.
- 6.7 Render pro bono services in a fair and reasonable manner.
- 6.8 Charge fair and reasonable fees for the performance of interpreting services and arrange for payment in a professional and judicious manner.

7.0 PROFESSIONAL DEVELOPMENT

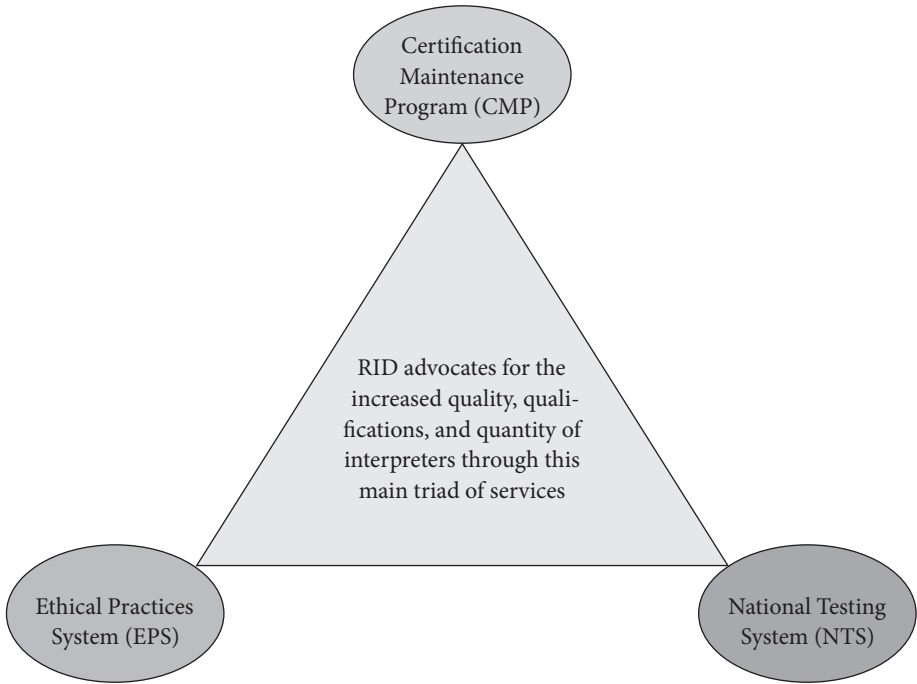
Tenet: Interpreters engage in professional development.

Guiding Principle: Interpreters are expected to foster and maintain interpreting competence and the stature of the profession through ongoing development of knowledge and skills.

Illustrative Behavior - Interpreters:

- 7.1 Increase knowledge and strengthen skills through activities such as:
 - pursuing higher education;
 - attending workshops and conferences;
 - seeking mentoring and supervision opportunities;
 - participating in community events; and
 - engaging in independent studies.
- 7.2 Keep abreast of laws, policies, rules, and regulations that affect the profession.

Appendix E



CHAPTER 4

Evolving views of the court interpreter's role

Between Scylla and Charybdis

Holly Mikkelson

Monterey Institute of International Studies

The role of the court interpreter in the United States, as in many other countries, has been defined by the legal profession in light of important precepts of the adversarial justice system. Interpreters, who are considered officers of the court, are strictly forbidden to give advice or provide explanations to clarify intended meaning, and are often instructed by judges to provide a “verbatim” interpretation. However, scholarly research on the role of the interpreter has revealed the shortcomings of the argument that interpreters are mere conduits transferring verbal messages from one language to another. This paper will examine the dichotomy between the need for interpreter neutrality in an adversarial setting and the limitations this imposes on their ability to convey the full meaning of culture-bound terms. It will conclude with some suggested guidelines for navigating the treacherous waters between the Scylla of literal interpretation and the Charybdis of active intervention in the communicative event.

1. Current definitions of the court interpreter's role

Interpreters have become increasingly ubiquitous in the courts of the world (see, for example, Hertog 2001; Moeketsi and Wallmach 2005; Tsuda 2002; Valero-Garcés 2003). Though definitions and standards vary considerably from one place to another depending on factors such as the legal system and prevailing attitudes towards immigrants and minority groups, the overall purpose of providing interpreters is viewed similarly. The Model Code of Professional Responsibility for Interpreters in the Judiciary developed by the National Center for State Courts in the United States frames the role of the court interpreter in typical fashion:

Many persons who come before the courts are partially or completely excluded from full participation in the proceedings due to limited English proficiency or a speech or hearing impairment. It is essential that the resulting communication barrier be removed, as far as possible, so that these persons are placed in the same position as similarly situated persons for whom there is no such barrier. As officers of the court, interpreters help ensure that such persons may enjoy equal access to justice, and that court proceedings and court support services function efficiently and effectively. Interpreters are highly skilled professionals who fulfill an essential role in the administration of justice. (Hewitt 1995:199)

As the court interpreting profession has developed, standards have been adopted to govern the conduct of interpreters in the judiciary setting. The Grotius project sponsored by the European Union stated, “Without competent qualified and experienced legal translators and interpreters there cannot be an effective and fair legal process across languages and cultures. ... Reliable standards of communication across languages are therefore an essential pre-requisite to deal effectively with this increasing number of occasions when there is no adequate shared language or mutual understanding of legal systems and processes” (Hertog 2001: 11–12). These standards vary somewhat from country to country, but they all have certain universal features.

Most of the norms governing court interpreters in different countries (indeed, most codes of ethics for interpreters in general) emphasize the requirement for messages to be interpreted faithfully and completely. For example, Canon 1 of the U.S. Model Code cited above states:

Interpreters shall render a complete and accurate interpretation or sight translation, without altering, omitting, or adding anything to what is stated or written, and without explanation. (Hewitt 1995: 200)

The assertion that an accurate interpretation is one that contains no alterations, omissions, additions or explanations is common in writings on the role of interpreters in the judiciary. As Morris (1995, 1999) has pointed out, it is lawyers and judges who have defined the functions of interpreters in the legal sphere. Language is one of the main tools used by legal professionals, especially in adversarial legal systems, and they are understandably concerned that interpreters might interfere with the outcome of a case by distorting meaning. To be sure, an interpreter who edited out offensive language, added explanatory phrases, or volunteered background information could have a disastrous impact on a court case.

Many discussions of what constitutes an accurate interpretation do caution that a literal interpretation may not adequately convey the sense of a message, and that interpreters should give priority to meaning over form:

Interpreters are obligated to apply their best skills and judgment to preserve faithfully the meaning of what is said in court, including the style or register of speech. Verbatim, “word for word” or literal oral interpretations are not appropriate when they distort the meaning of the source language, ... (Hewitt 1995: 200)

Unfortunately, this caveat seems to be lost on a large number of monolingual judges and attorneys who lack sufficient understanding of linguistic theory and interlingual message transfer. They assume that interpreting is a mechanical process requiring automatic responses rather than judgment or discernment, and they

compare the interpreter to a phonograph, a transmission belt, and other mechanical devices (Morris 1999). This misconception of interpreting creates a moral dilemma for judiciary interpreters, as they are bound by their code of ethics to be faithful to the intended meaning of the message while at the same time the judge instructs them to “just translate verbatim” (Morris 1995). Moeketsi and Wallmach (2005) also highlight the conflict this creates for interpreters:

One of the thorniest issues in court interpreting is clearly the requirement to interpret *verbatim*. Court interpreters often feel that they lack sufficient status in the courtroom to countermand what often amounts to explicit instructions by the bench to interpret literally. At the same time, they have a duty to ensure that the accused understands the proceedings. (Moeketsi and Wallmach 2005: 87–88)

It should be noted that, ironically, the “duty to ensure that the accused understands the proceedings” is not universally accepted (Mikkelson 1998). However, the dilemma faced by court interpreters even in proceedings where they are not expected to guarantee understanding is no less real. As interpreters perform their function from day to day they are constantly making decisions and solving problems, navigating between the Scylla of slavish, literal interpretation and the Charybdis of free translation that distorts meaning and thereby perverts justice.

Another major feature of ethical codes for court interpreters, particularly in adversarial justice systems, is the idea of impartiality or neutrality. For example, Article 4 of the Code of Conduct for Court Interpreters published by the International Federation of Translators (FIT) provides:

The court interpreter shall at all times be neutral and impartial and shall not allow his/her personal attitudes or opinions to impinge upon the performance of his/her duties.

No one would want a biased interpreter rendering services in a court proceeding, yet the nature of the interpreting process requires that the interpreter establish a rapport with the individuals with whom she is working. Morris (1999), Witter-Merithew (1999) and others have pointed out that there is a natural tendency for defendants and witnesses to develop a dependency on the interpreter, who is their only link to the other parties in the proceedings. Gile (1995) discusses the shifting loyalties of interpreters, using the term “rotating side-taking” to describe the interpreter’s relationship to the clients in bilingual interpreting. Fowler (1997: 196) highlights the conflicting expectations imposed on interpreters, who are instructed to remain impartial but are also envisaged as having a “warm” and “helping” relationship with the defendant. It is sometimes difficult if not impossible for interpreters to maintain both actual and perceived neutrality when they are working in the highly-charged atmosphere of an adversarial proceeding, in

which power imbalances are heightened (Brennan 1999; Witter-Merithew 1999). Moeketsi and Wallmach (2005) cite a number of works on attitudes about translation when noting:

It is precisely to eliminate the ever-present danger of transgression that translation and interpreting practices assume the absolute sovereignty of the original and the subservience of the translation, the necessity for faithfulness to the original and, of course, the necessity for the translator or interpreter to remain invisible in the translation or interpreting process. (Moeketsi and Wallmach 2005:79)

The authors go on to point out that “an ethics of anonymity would have the translator remain an essentially passive entity with no identity beyond his or her professional identity” (2005: 79). Indeed, court interpreters are often admonished that they should be unobtrusive (e.g. Gonzalez *et al.* 1991), though it is also acknowledged that there are times when they need to intervene to protect the interpreting process by requesting clarification, for example. Frishberg (1986), who writes about sign language interpreting, recognizes that it is a “fiction maintained by the interpreter and the clients that the clients are directly interacting” (Frishberg 1986: 62). Fiction or not, the legal professionals in the courtroom consider the interpreter to be “a reluctantly accepted practical necessity” who should fade into the background and allow the parties to conduct their business undisturbed (Morris 1999).

Such negative attitudes are gradually changing, however, and there are enlightened members of the bar and the bench who have grown to appreciate the skill involved in interpreting as they have been exposed to more professional interpreters. Fenton (2001) lauds the judiciary in New Zealand, for example, for the “general acceptance that a verbatim interpretation even in a strict courtroom setting is an uninformed requirement and only justified on rare occasions.” What is needed is a concerted effort to spread the word throughout the legal profession to help them develop a more nuanced understanding of the role of the interpreter. This effort can draw on recent research on interpreting in a variety of settings — not just the judiciary — which shows that the invisible interpreter is a myth.

2. Interpreting research: The visible interpreter

A number of scholars have taken a sociolinguistic approach to interpreting and examined the impact the interpreter’s presence has on communicative events, particularly dialogues and interviews. Cokely (1992) was one of the first to develop a sociolinguistic model of interpreting, in his case looking at the work of sign

language interpreters. More recently, Cokely (2001) has defined interpreting as:

the competent and coherent use of one naturally evolved language to express the meanings and intentions conveyed in another naturally evolved language for the purpose of negotiating an opportunity for a successful communicative interaction in real time within a triad involving two principal individuals or groups who are incapable of using, or who prefer not to use, the language of the other individual or group. (Cokely 2001:4)

Whether examining signed or spoken languages, researchers have found that the presence of the interpreter significantly alters the way the parties interact. For example, Wadensjö (1998) has portrayed interpreted communication as “a peculiar type of three-party talk” in which the interpreter is an active participant. Roy (1989, 2000) has examined turn-taking activities by interpreters and concluded that interpreters are essential partners in the interaction. Angelelli (2001) looked at the presence of the interpreter in a healthcare setting and found that interpreters are not nearly as invisible as the traditional models portray them. Other researchers have made similar findings in medical and mental health settings (e.g. Metzger 1999; Bot 2003). One of the key conclusions of these studies is that “Interpreters are not merely impartial intermediaries facilitating dyadic interaction” (Metzger 1999:23).

It can be argued that medical interpreters should be held to a different standard than their counterparts in legal settings, given the collaborative nature of most healthcare interactions. Nevertheless, the notion of invisibility has been challenged in other types of interpreting as well. Angelelli (2003) surveyed conference, court, medical/community and over-the-telephone interpreters in three different countries to explore practitioners' perceptions of their function, and found that interpreters “did not consider their role to be invisible in any of the settings” and that they felt “they played a role in building trust, facilitating mutual respect, communicating affect as well as message, explaining cultural gaps, controlling the communication flow and aligning with one of the parties in interactions” (Angelelli 2003:26).

With specific reference to court interpreting, Jacobsen (2003), following up on previous studies of how court interpreters actually behave in the courtroom (Berk-Seligson 1990; Jansen 1995; Morris 1989; Shlesinger 1991), found that Danish court interpreters “are especially preoccupied with pragmatics, that is, with conveying their perception of speaker meaning to end-receivers” (2003:223), and therefore are prepared to include certain additions in their target texts. She concluded that in the legal setting as well, “the pretence of the court interpreter's invisibility cannot be sustained” (2003:224).

3. Interpreters as advocates, cultural intermediaries, allies?

Vilela Biasi (2003) is another scholar who has examined the work of interpreters in the judiciary, particularly in countries where legal reforms are dramatically changing the way proceedings are conducted. In Vilela Biasi's case, the country is Venezuela, which has introduced adversarial proceedings including jury trials in its justice system in recent years. She notes that amid the turmoil of instituting new procedures, the rights of minority-language speakers are often overlooked, and she calls for interpreters to take a more active part in ensuring due process under these circumstances:

Within this uncertain scenario (in which training programs and regulatory frameworks do not exist) Venezuelan court interpreters can take on a dual role: facilitating communication within the legal system on one hand, while serving as social actors on the other hand. Thus, they not only face the intellectual challenge of understanding the new system in force, but must also accept the practical challenge of adapting to, controlling, or helping to guide changes that may be required. (Vilela Biasi 2003: 244)

This is hardly the passive role envisioned by the framers of legislation and regulations governing interpreting in the courts. It is worth noting that even in the United States, where court interpreters are governed by some of the strictest rules on impartiality and non-intervention, the National Association of Judiciary Interpreters and Translators (NAJIT) has formed an Advocacy Committee to respond to issues of concern to the profession and promote public awareness (NAJIT, 2002). Thus, a distinction is drawn between the advocacy efforts of a professional organization and actions by an individual interpreter to champion the cause of an oppressed minority. Fenton (2001), writing about community and court interpreting, differentiates interpreting from advocacy in this manner: "Interpreting in this context means a close rendering of what was heard with cultural adjustments strictly limited to linguistic elements, while advocacy includes interventions by the interpreter on behalf of the clients and for their perceived benefit."

Fenton wrote her 2001 article partly to refute a minority position taken in academic quarters, expressed most notably by Barsky (1996), that interpreters should be "legally recognized as active intermediaries between the claimant and the adjudicating body," and should intervene with questions and clarifications, even to the extent of "compensating for the claimant's errors of judgment" and "improving the narrative" (Barsky 1996: 46, 52, 56, quoted in Fenton 2001). Fenton points out that such an approach would "open the door to dangerous and unsafe practices for the interpreter" by creating a perception that the interpreter is "part of the decision making personnel." Her survey of interpreters revealed that "they wanted

to be as invisible and unobtrusive as possible.” Other writers (Morris 1999; Fowler 1997) agree that it is unfair to interpreters to place such burdensome demands on them.

On the other hand, it is widely accepted that interpreters can and should act as advocates *for the interpreting process*, as they are encouraged to do in Canon 8 of the NAJIT Code of Ethics and Professional Responsibilities:

Court interpreters and translators shall bring to the Court's attention any circumstance or condition that impedes full compliance with any Canon of this Code, including interpreter fatigue, inability to hear, or inadequate knowledge of specialized terminology, and must decline assignments under conditions that make such compliance patently impossible. (NAJIT, 2005)

In the middle of the spectrum between what is deemed by most as unacceptable advocacy for individual clients and what most consider acceptable advocacy for the interpreting process is a range of options for interpreter intervention that has yet to be fully defined. Clearly there is some appreciation for interpreters' ability and willingness to provide cultural information if it is necessary for full understanding of the message (e.g. Mildren 1999). As Keratsa (2005) points out,

The role of interpreters as agents of culture and negotiators of alien elements and meaningful information is underestimated and reduced to that of a translation device. The deficiencies of the legal norms in this field places [sic] emphasis on the need for a formal system that will establish clearer patterns of interpreting behaviour and allow legal interpreters to play an active role in court interactions. (Keratsa 2005)

Fenton (2001) alludes to a distinction between linguistic elements that reflect culture, which interpreters can and should account for, and broader, more abstract aspects of culture that also impede understanding but are much more difficult to explain without going beyond the normal responsibilities of the interpreter. This issue lies at the crux of the interpreter's dilemma, and more light needs to be shed upon it. An example of a culture-bound behavior that can lead to serious misunderstanding in the courtroom is the avoidance of direct eye contact by Aboriginal speakers, cited by Mildren (1999). Mildren does not suggest that interpreters should intervene to explain such behavior, but rather places the burden on the legal profession to become more familiar with the culture and customs of the peoples they encounter in the court system.

An example of a more language-oriented problem that illustrates the difference between form-based and meaning-based interpreting is provided by Moeketsi and Wallmach (2005:88), who report a wrongful acquittal based on the erroneous interpretation of a term that literally means “arrow” in an African language but actually meant “gun” in the context. The linguistic adaptations that interpret-

ers appropriately make when bridging two languages representing very distinct cultures are also discussed by Brennan (1999), who observed a British Sign Language (BSL) interpreter working between witness and lawyer who behaved differently than two proceedings interpreters serving the defendant in the same case:

The most important point to stress here is that major differences can be noted between the interpreter working between witness and lawyer and the other two interpreters. The witness-lawyer interpreter uses the resources of BSL more fully, including non-manual elements, referencing and some, though limited, spatial grammar. She is clearly influenced at times by the witness's own usage — picking up signs and signed expressions from him. It appears that the demands of ensuring that the witness has fully understood the question make themselves felt in the interpreter's signing. For the other two interpreters there is no such immediacy: they do not expect their interpreting to be interrupted by the accused, or indeed the lawyers. They tend to use much more English-based structure, fingerspelling and mouth pattern, with very little use of non-manual components. This suggests that the interpreter's usage is not influenced simply by the nature of the language, but also by the nature of the client demands. The interpreter for the witness appears to use whatever is available to ensure that the witness has understood the message; the others may see themselves as serving a wider role in the court. (Brennan 1999:243)

It is the ability to “use the resources [of the target language] more fully” that interpreter trainers attempt to impart in their classes by heightening awareness of interlingual differences and exposing their students to basic translation theory, among other subjects (Moeketsi and Wallmach 2005). This is how interpreters develop an understanding of the spectrum of possible interpretations of a term, from one extreme of form-based, word-for-word interpretation (usually meaningless) to the other extreme of loose, free translation. In some cases the appropriate solution is a mere change in syntax, in others a modulation of an idiomatic expression, and in still others a more esoteric cultural equivalent.

In her observations of working interpreters, Brennan (1999) has also noticed something that other writers have alluded to but has not been examined thoroughly: different standards of accuracy for proceedings interpreting and for witness interpreting (Mikkelson 1998, 1999). Proceedings interpreting is provided for an accused so that he or she can hear what is being said, but there is no expectation that the accused will respond or participate actively, and the interpreting is generally provided in the simultaneous mode. Witness interpreting is performed in the consecutive mode, and bears more resemblance to the dialogue interpreting that has been studied by researchers with a sociolinguistic approach (Wadensjö 1998; Roy 1989, 2000; Jacobsen 2003).

Brennan (1999) also emphasizes the power disparities in the court setting, an issue that forms the basis of the argument for interpreter advocacy propounded by Barsky (1996). The power differential has been raised by a number of schol-

ars, however, not for the purpose of promoting a more active role by interpreters but to examine the interactions that take place in the legal setting. This question has been examined in particular by researchers studying sign language interpreting, but it has also been addressed in countries with a history of oppression (e.g. Moeketsi 1999). For example, Witter-Merithew (1999) traces the evolution of views of the role that interpreters play from that of “machine” and “conduit” to one in which interpreters “more actively engage in creating successful communication events” (Witter-Merithew 1999: 57). She calls this the Facilitator Model, and describes how it has further shifted to what is known as the Allies Model, in which “the interpreter makes a conscious effort to recognize power imbalances and strives to create greater balance in power” (Witter-Merithew 1999: 58). Witter-Merithew cautions, however, that the interpreter should not be seen as a crusader or champion.

The goal of the Interpreter as Ally is to contribute to the goals of the Deaf Community in positive and supportive ways. It is not intended as a model of leadership, where interpreters “take control” of the deaf agenda and fight to gain rights for the Deaf Community. Rather, it focuses on understanding the nature of oppression, and how interpreters can work to eliminate oppression and power imbalances. (Witter-Merithew 1999: 59)

The author warns that interpreters should not fall into the trap of playing what is known as the Benevolent Caretaker role, which deprives clients of their autonomy. As an example of an appropriate action taken by a legal interpreter adhering to the Ally Model, Witter-Merithew reports on a case in which an interpreter provided a defense attorney with resource information on laws protecting deaf people’s civil rights and experts in the field of deafness, in view of the fact that the attorney “would not have known where to go to get appropriate resources without the interpreter’s assistance” (Witter-Merithew 1999: 61). It is significant that the incident in question involved an attorney–client relationship, which can be viewed as a more collaborative situation than an adversarial court proceeding. The purpose of the communicative event being interpreted is an extremely important consideration in analyzing the role of the interpreter. If the goal of the communication is to help someone solve a problem or to ask them to recount their version of a sequence of events, the expectations of the interpreter are quite different than if the goal is to catch someone in an inconsistency or confuse them (as is often the case in cross-examination of witnesses).

4. Evolving standards

The role conflicts encountered by interpreters as they struggle with competing expectations for accuracy, fidelity, impartiality and invisibility have made it clear

that ethical decision-making is not a mere mechanical process of applying rules or formulae but is in fact a treacherous journey fraught with peril. Scholars such as Dean and Pollard (2001) and Witter-Merithew and Johnson (2004) have turned their attention to the stress this creates for practitioners and the confusion that is sown among consumers of interpreting services. Fortunately, they have also applied work being done in other fields to help interpreters sort out the conflicting demands and engage in more productive problem-solving. For example, Hoza (2003) explores the difference between ethical decisions and moral temptations, pointing out that sometimes interpreters face clear-cut right vs. wrong decisions (e.g. a defendant offers a “reward” after being acquitted in a criminal case), but often the decisions are right vs. right, as in the case of a conflict between the duty to interpret the message faithfully and completely, and the duty to refrain from expressing opinions. It is the latter type of dilemma that creates the most stress for interpreters and requires the most expertise to resolve.

In an effort to address evolving ideas and controversies surrounding the role of the interpreter, some professional associations have reexamined their standards of practice with a view to more accurately reflecting what interpreters are actually doing (and should be doing) in the field and to provide more meaningful guidance to practitioners. A good example of this thoughtful approach can be seen in the revised Code of Professional Conduct recently adopted by the National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf (RID) in the United States, after extensive consultations and research over a four-year period. The revision committee examined hundreds of ethics codes from other professions, studied journal articles and consulted specialists, and the resulting draft was submitted to both practicing interpreters and consumers of their services for detailed feedback (Shuey-Morgan 2005).

The introduction to the revised NAD-RID code states, “It is the obligation of every interpreter to exercise judgment, employ critical thinking, apply the benefits of practical experience, and reflect on past actions in the practice of their profession” (RID, 2005). To help interpreters apply the principles set forth in the code, it introduces the concept of the “reasonable interpreter standard” as a way to “broaden interpreters’ thinking about the choices they make.” A reasonable interpreter is defined as “an interpreter who is appropriately educated, informed, capable, aware of professional standards, and fair-minded” (Shuey-Morgan 2005).

Newer professional organizations are also benefiting from the enhanced understanding of interpreting that has been gained in recent years, and they have developed robust standards to reflect a more nuanced view of how interpreters should conduct themselves. The National Council on Interpreting in Health Care, for instance, commissioned an “environmental scan” of interpreter standards of practice around the world with a view to developing national standards for

the United States, which it issued in late 2005 (NCIHC, 2005). The author of the scan, Marjory Bancroft, makes an important distinction: "Documents about ethics or conduct serve to regulate interpreter behavior and address issues of 'right and wrong,' whereas standards of practice typically offer practical strategies to promote quality interpreting" (Bancroft 2005: vii). In contrast to the mere listing of "shalls" and "shall nots" that many professional associations have adopted, the NCIHC standards explain the objective of each standard and present examples of practical situations to which the standards apply. They also link each standard to a related principle contained in the Code of Ethics, which is a separate document. Interpreters in the legal setting would benefit from a similarly comprehensive set of standards to accompany their codes of ethics.

5. Implications for interpreter education

Guidance from professional associations is important for practitioners striving to follow best practices. It is also essential that student interpreters learn about the complexities of the role they will be playing when they embark on their careers. Witter-Merithew (1999) points out in her discussion of the Allies Model that interpreters must have "self-awareness and adequate bilingual-bicultural competence" (Witter-Merithew 1999: 59), and laments that "the degree of competence required exceeds the amount of time available in the interpreter education programs in America" (Witter-Merithew 1999: 62). This sentiment is echoed by Moeketsi and Wallach (2005), who emphasize the importance of establishing a solid educational foundation for court interpreters to be able to exercise the judgment required in this complex role. They argue that this level of expertise can only be acquired in a full-fledged university degree program. Others contend that only in graduate degree programs can interpreters develop sufficient professional competence (Benmaman 1999; Hertog 2001).

At the same time that increased attention has been given to the complexity of ethics and decision-making by interpreters in the field, researchers (Ericsson 2000/01; Moser-Mercer *et al.* 2000) have been looking at how novice interpreters gain expertise after they leave "basic training" and begin practicing the profession. Does improved proficiency come automatically with time, or do some individuals become adept at making decisions and exercising professional judgment more easily than others? If so, what aptitudes are involved in this process, and how can interpreter education programs be adapted to make sure that the acquisition of expertise is not a haphazard experiment but a deliberate path upon which their training prepares them to embark as soon as they leave school? These questions are important for court interpreter educators, who must help their students devel-

op that ineffable quality, professional judgment, that will help them navigate the shoals of adversarial legal proceedings while remaining true to their role.

Authors writing about court interpreter education programs agree that no matter how comprehensive or superficial the training, instruction in standards of conduct and good practice is essential (Mikkelson and Mintz 1997; Hertog 2001; Moeketsi and Wallmach 2005). Many of the basic textbooks on interpreting contain chapters on ethics that can be used in teaching student interpreters to apply critical thinking (cited in Mikkelson 2000/01), and articles such as the excellent one by Hoza (2003) can help instructors flesh out their own ideas about ethical decision-making with a view to developing appropriate teaching materials. The most effective way to help students acquire the critical thinking and decision-making skills they need to interpret interactions in the legal setting is by creating realistic scenarios in which they must act out the roles of the different parties involved and then discuss the issues raised. As they play the roles of the interlocutors, they must solve both linguistic and cultural problems that arise in the communication process. This gives them personal experience with the dilemmas they are likely to face in the field, and allows them to rehearse possible responses in a safe environment.

The scenarios can range from straightforward situations that test the students' understanding of concepts such as confidentiality and impartiality (e.g. a defendant asking the interpreter what she thinks of his defense counsel) to more complicated circumstances that pose difficult linguistic and/or ethical conundrums (e.g. kinship terms for which there is no equivalent, attitudes about sex roles that differ greatly, or gestures that are easily misunderstood). Examples of scenarios can be found in Mikkelson (2000). As the students perform the role-play exercises, they realize that applying ethical principles is not a matter of blindly applying rules memorized by rote learning, but rather a thoughtful selection from a range of choices along a continuum. Their choice will be influenced not only by the ethical principles and standards of practice they have learned about in the course, as well as their enriched understanding of the languages and cultures in question, but also by their personal moral code.

They will also discover that the appropriate solution will vary depending on the circumstances of the interpreted communication. In a setting where the goal of the communication is collaborative, such as an attorney–client conference, the interpreter might take a more active role and provide a culturally equivalent interpretation or suggest questions that can be asked to elicit a more comprehensible answer. The interpreter may even feel it is appropriate to suggest other resources, as in the case reported by Witter-Merithew (1999). By contrast, in an adversarial setting such as witness testimony in a jury trial, it will probably be more suitable to render a conservative interpretation that adheres closely to the form of the ori-

ginal. In some cases it may be acceptable to leave the term in the source language and allow the attorneys to ask follow-up questions, or to simply alert the court to the fact that a misunderstanding has occurred and allow the parties to decide how they want to proceed (Gonzalez *et al.* 1991).

6. Handrails for the slippery slope

When the issue of cultural mediation arises, some veteran court interpreters will acknowledge that they occasionally depart from the strictly neutral role of the judiciary interpreter and offer to provide suggestions or explanations when communication breaks down or misunderstandings occur. This type of intervention is a slippery slope, they caution, and it takes expertise to know how to navigate that slope. They express strong reservations, therefore, about even broaching the subject with novice interpreters, out of fear that they will fail to exercise good judgment and lose their impartiality. Witter-Merithew (1999: 56–57) has commented on the guilt that interpreters may feel when they move beyond the “narrow and rigid definition of role and responsibility of the Interpreter as Conduit” model, even though they feel it is the right thing to do at the time because of their duty to interpret faithfully. Stepping outside the bounds of an established pattern of behavior is always scary, and most interpreters feel safer in the dispassionate and unbiased role they have been trained to fulfill (Fenton 2001).

Keeping the subject of interpreter interventions in the shadows does the profession a disservice. It is time to acknowledge that interpreters do depart from the conduit role and are justified in doing so under certain circumstances. Shedding light on what those circumstances may be (and, conversely, making clear when intervention is not justified) will make the decision-making process more transparent and accessible to the uninitiated, that is, newly minted interpreters who have not yet developed the expertise that their more experienced colleagues seem to think comes automatically with time in service. To that end, the following questions may be useful as “handrails for the slippery slope” to help students decide how to respond to a misunderstanding or communication break-down:

1. What is the nature of the interpreted event?
2. Do the interlocutors have a collaborative or an adversarial relationship?
3. What is the goal of the communication (determining the truth, solving a problem, sowing confusion, winning a case)?
4. What if the interlocutors shared the same language and there were no interpreter present — would there still be misunderstanding?
5. Is the misunderstanding related to language or culture?

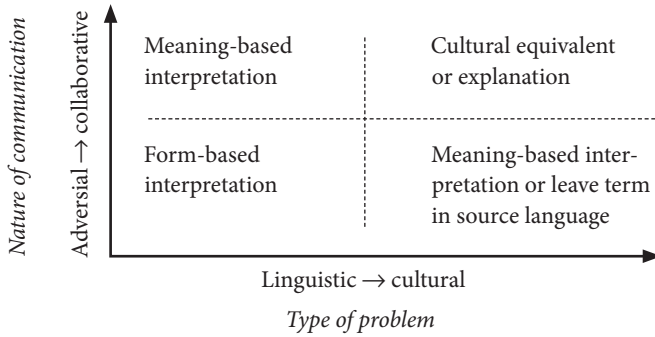


Figure 1. Matrix of the interpreter's role

6. What would happen if the interpreter did not intervene?
7. Is the interpreter the only one who is aware of the problem?
8. Who else is in a position to solve the problem?

Another aid for making the appropriate choice along the continuum of form-based vs. meaning-based interpretation is to visualize the factors that need to be considered in a matrix, with the x axis being the type of misunderstanding or problem (ranging from purely linguistic to purely cultural) and the y axis being the nature of the communication (ranging from adversarial to collaborative) (see Figure 1).

7. Conclusions

As scholars and researchers reveal more about the dynamics and implications of the interpreting process, and as practitioners' and clients' views of the interpreter's role evolve, professional standards and training programs must adapt. Ultimately, the real problem-solving will be done by interpreters themselves on a daily basis as they venture out into the world of interlingual, cross-cultural communication.

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CHAPTER 5

Controversies over the role of the court interpreter

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Role definition in Community Interpreting in general remains a controversial issue. The different levels of development of the profession across the world, make consensus on this issue even more difficult. Different roles have been proposed and practised. However, a multiplicity of conflicting roles leads to confusion among users of interpreting services and to insecurity among practising interpreters. The consequences of each of the suggested roles have not yet been fully investigated, with personal opinions and ideology forming the basis for the selection of roles. This chapter will deal specifically with Court Interpreting, as a specialised branch of Community Interpreting. It will outline and analyse each of the most commonly practised and proposed roles, providing examples of each from authentic data based evidence. It will then speculate on the consequences of the application of each role and provide the reasons behind the adoption of a particular role for court interpreters as the most appropriate.

1. Introduction

The first step to attain recognition is that of providing a better understanding of the role(s) of the community interpreter, both to service providers and to individual clients (i.e. the minority language speakers). (Roberts 1997:20)

Roberts' quotation above implies two important points: that there is confusion about the role of the community interpreter among those who use their services, and that rectifying this problem will lead to a higher professional recognition of the interpreter's work. Gentile *et al.* (1996) support Roberts' comment, stating that:

A kaleidoscope of roles ... is not conducive to the creation of professional identity, ethical standards and esprit de corps amongst interpreters... We regard it as axiomatic that clarification of the role of the interpreter will lead to increased professionalism and a better service to clients. (Gentile *et al.* 1996:32, 38)

Berk-Seligson, in speaking about court interpreters, agrees that those who speak through interpreters have "conflicting notions of what her role should be. It is

recognized that this conflict has unwanted consequences both for the interpreter and for the other parties involved, especially the defendants and lawyers for whom she is interpreting” (Berk-Seligson 2002:219).

A number of questions are generated by these quotations which this chapter will address making specific reference to Court Interpreting, which is a specialised branch of Community Interpreting. These questions include:

1. Why is there confusion about the role of the community interpreter, not only among users of the services but also among practising interpreters and academics?
2. What are the current roles that are being prescribed or adopted by interpreters?
3. Why is role definition so important in the establishment of professional recognition, professional identity and professionalism and quality of services?
4. What needs to be considered when choosing a particular role for community interpreters?

2. Reasons for the confusion over role

Numerous factors contribute to role confusion in this discipline. Hatim and Mason comment that “it seems that liaison interpreting is the one area where each individual defines her or his own procedures on an *ad hoc* basis” (Hatim and Mason 1990: 90). This is due to the lack of uniformity in the entry requirements to the profession. Whereas for other professions, pre-service training and membership of a standard-setting professional body is required, for Community Interpreting such requirements do not exist. The profession is at different levels of development across the world, but even in countries where the profession can be seen to be better established, confusion still exists. Such a situation is due to the fact that not all who practice as interpreters (including friends and family) have received the same preparation and training, leading to a discrepancy in performance and greater confusion for those who use their services. The code of ethics cannot be of much use without proper reflection and explanations of the very difficult concepts it presents in concise, and often simplistic ways, due to the very nature of a code. Adequate training is necessary to elaborate on the meaning and implementation of the code. Untrained interpreters often learn these codes mechanically and are later unable to apply them to the practice. The unstructured nature of the profession is another major factor. In most countries, the majority of Community Interpreting work is conducted on a contractual, free-lance basis, is poorly remunerated and receives little recognition, forcing many who have trained and have acquired a good understanding of their role, to leave the profession for more rewarding career paths (Ozolins 2004).

Another major and very important factor is the lack of research into and critical and analytical study of Community Interpreting. As Gentile *et al.* state:

Since the operations of liaison interpreters have been little studied, and not much interest has been shown in the social dimension of liaison interpreting, the construction of the role has occurred in a fairly haphazard and uncoordinated manner. This has created significant professional and ethical problems for the interpreter.

(Gentile *et al.* 1996:31)

Another reason, which is further elaborated in a previous paper by Hale (2005), is a general professional identity crisis for the discipline. The different role expectations of those who speak through interpreters, be it the legal practitioners or the minority language speakers, could be counteracted by a strong, unified professional identity that imposed its own role on those who require their services, with obvious consideration to the needs of the institution and the services they provide.

The majority of the views proposed on the interpreter's role are based solely on personal preferences and ideologies, some on descriptive studies of the current state of affairs, but very few on research that looks at the consequences of each of the roles proposed. As Jansen states:

It is striking again that these instructions, codes, laws, etc., which prescribe how an interpreter should or should not act, seem to be based on mere impressions of individuals, no matter how experienced. The fact that these views are hardly neutral or independent and that they themselves reflect the values of one particular moment in time, is either overlooked or suppressed. (Jansen 1995: 18)

There is no escaping prescription as far as a professional role or code of ethics is concerned. By its very nature, a code of ethics needs to be prescriptive. As some have stated, an ill-defined, confusing role or an absence of a clear, prescribed role, leads to negative consequences (Berk-Seligson 2002; Gentile *et al.* 1996). Whether the mandate is to be an advocate or to be a faithful renderer of the utterances, it is equally prescriptive. What is necessary, however, is to move away from prescriptions based merely on personal opinion and towards prescriptions based on consequences. It is also essential to understand that interpreters will always need to resort to their discretion and better judgement to make the appropriate decisions for each situation, led by the general guidelines of the code of ethics.

3. Current roles prescribed or adopted by interpreters

Although much has been written about interpreter roles and a multiplicity of definitions has been provided (see Anderson 2002; Chesher *et al.* 2003; Rudvin 2004), this chapter will concentrate on only five court interpreter roles that have either

Table 1.

| Description of task | Role identity | Accuracy requirement | Impartiality requirement |
|--|---|-------------------------------|---|
| 1. To help the minority language speaker present his/her case in the best possible way | Advocate for the powerless participant | Medium | Nil. Partial to the minority language speaker |
| 2. To help the service provider/institution . To serve as an institutional assistant | Advocate for the powerful participant | Medium | Nil. Partial to the mainstream language participant |
| 3. To be an active third participant in the interaction and decide on what should and should not be uttered | Gatekeeper. The interpreter becomes the only powerful participant | Low | No partiality to either party — power to the interpreter |
| 4. To ensure effective communication between the participants | Filter, embellisher, clarifier, speech assistant | Medium to High. Content alone | Impartial. Both parties “helped” by the interpreter |
| 5. To remove the language barrier and place the minority language speaker in as similar a position as possible as someone who speaks the mainstream language | Faithful renderer of the original utterances | High. Content and manner | Impartial. Responsibility for communication left to authors of the utterances |

been openly prescribed or that have been deduced from the performance of practising interpreters.

3.1 Role number 1: Advocate for the minority language speaker

Kaufert and Koolage (1984) argue for this role when discussing the role of native American interpreters in the medical setting, representing the view of interpreters as cultural brokers and patient advocates. Barsky also supports this role for interpreters working in refugee claims tribunals and suggests that interpreters should be allowed “...the latitude to assist by intervening with questions and clarifications that are pertinent to the case and likely to improve the claimant’s chances of obtaining refugee status” (Barsky 1996: 46). The argument for this role is based on the premise that minority language speakers (MLS from now on) are at a disadvantage, not only because they do not speak the language, but also because they are unfamiliar with the culture and the system. This view, especially in the legal

context, also assumes that the minority language speaker is always right, always truthful and always discriminated against by the powerful institutions. In order to redress the imbalance, it is suggested that interpreters become their advocate, and rather than interpret the utterances faithfully, speak on their behalf. This would imply changes to the original such as adding additional information to the questions if the interpreter feels the service provider did not explain adequately or did not provide sufficient information, changing the tone of the utterances to make them less aggressive, changing the style of the answers to make them more coherent, more logical and more credible, omitting swear words, and so on.

Legal professionals are often quoted as demanding a mechanical performance from interpreters. Interestingly, however, members of the judiciary have also been supporters of the role of cultural broker or assistant for the MLS. Kadric (2001, quoted in Pöchhacker 2004) in her survey of Austrian judges found that a high percentage of such judges accepted interpreters simplifying their utterances to the defendants and explaining cultural references to the court. It is also common to find references to the judiciary instructing interpreters to help or assist the defendant in courtroom data, as in the example 1:

Example 1

“Magistrate (to interpreter): Uh... Would you assist the defendant please.”
(NSW Local Court Case)

This may reflect a pervasive attitude that it is the MLS who needs the assistance in order to communicate, rather than all the participants involved in the interaction.

As for the expectations of the minority language speakers, Hale and Luzardo (1997) in a survey of 685 Arabic, Spanish and Vietnamese speakers who used the services of interpreters, found that 56 % perceived the interpreters as compatriots who were there to help them, rather than independent professionals, although this expectation changed according to the setting. In the legal setting interpreters were expected to act as independent professionals more than they were in the medical or welfare settings. Hale and Luzardo conclude that “...acting ethically becomes a moral dilemma” as “interpreters run the risk of being rejected by their clients if they do not measure up to their expectations, which, as evidenced by this study, may clash with the interpreter’s code of ethics” (Hale and Luzardo 1997: 16). Morris also comments that the minority language speakers have a propensity to “cling” to interpreters “as their potential saviours” (Morris 1999: 9). Similarly in Sweden, an interpreter interviewed by Wadensjö comments on the tendency for patients to chat with the interpreter in the waiting room and expect them to be advocates and friends (Wadensjö 1998: 177). We therefore find that the role of advocate for the minority language speaker may be expected by some of the judiciary, by some of

the MLS and by some interpreters. The conflict arises when different participants in the interaction expect the interpreter to adopt different roles.

The following are examples of this role, which will be discussed in light of their consequences for the courtroom.

Example 2

Father: *Digli che è un imbecile!* (Tell him he's an idiot)

Daughter: My father won't accept your offer

(Mason and Stewart 2001:52)

Example 2 shows a clear instance of an advocate in the daughter whose interest it is to protect her father. She is not an interpreter, therefore she is under no ethical obligation to interpret, although those who rely on her may expect her to do so. She is there to speak for her father, and because she knows his case, she can respond for him. She knows that by calling the other party an idiot her father is implying a rejection of the offer. He uses an indirect speech act which is converted by his daughter into a direct one, changing an offensive remark into a polite statement. Her father's real voice is not heard, however. He is silenced by his daughter's response. Mason and Stewart (2001) comment, based on Harris and Sherwood's (1978) concept of "natural interpreters", that the daughter's desire to save face for everyone present, is the natural inclination expected of untrained bilinguals acting as interpreters. It can be argued that the daughter helped her father in avoiding a confrontation. She had his best interests at heart. By doing this, though, she took on a superior, patronizing attitude, assuming she knew better than her father. This is a case of role reversal, where the daughter treats the parent like a child. We can assume an independent interpreter who adhered to the advocate role, would have acted in the same way if placed in this position.

Example 3

Counsel: So, did you complain about your wife never being home?

Interpreter: (Interprets accurately)

Witness: No porque ella hacía sus tareas en casa, yo sé que en casa estaba

(No because she did her housework, I know that she was home)

Interpreter: No because I know she was at home she used to do her home duties

Witness: "She did the clean up" ella cocinaba y entonces estaba, pero no sé durante el día lo que pasaba porque estoy muy]

(She cooked so she was there, but I don't know what happened during the day because I'm very]

Interpreter: [(interrupts and whispers to the witness "esa no es la pregunta que le han hecho" That's not what they asked you)

(To the court) Uh, I know that she was at home because the home duties were done.

(NSW Local Court case)

In example 3 the interpreter interprets accurately when she feels the answer is responsive to the question. When, in her opinion, the witness begins to digress from the question, she interrupts him, tells him he's not answering the question and repeats his first answer, which in her opinion was the only one worth listening to. Here too we can assume that the interpreter is trying to help the witness save face. She may consider that if she allows the witness to continue answering in the way he wanted, counsel would reprimand him and tell him to just answer the question. She reprimands him instead, but in a more subtle and gentler way. However, the words uttered by the witness were never heard by the court, and they may have been of relevance to either case.

Example 4

Witness: Yo solamente le vi la hojita, que, o sea como, como brillante, no más, y eso.

(I only saw the little blade, that, I mean, like like it was shiny, that's all, and that)

Interpreter: I just saw the shiny blade of the knife.

(Hale 2004: 109)

In example 4, the interpreter polishes the witness's answer, by converting a very hesitant, repetitive, powerless answer, into a direct, concise, coherent powerful one. In an indirect way the interpreter is helping the witness present his case in a more assertive and convincing way. Research has found that witnesses who answer questions in a concise, coherent, direct way, without hesitations, repetitions, hedges, fillers and backtracking, are assessed by jurors and judicial officers as more credible, intelligent and trustworthy (see O'Barr 1982, Berk-Seligson 2002, Hale 2004). It is unlikely that this interpreter would have been aware of the implications of her changes. She did what is the natural inclination, to scan for the content of the message, without paying attention to the way it was delivered.

Authentic examples of interpreters providing cultural brokerage in the courtroom were unable to be found. Such a role may be more applicable to cases where the two cultural groups meeting are vastly different from each other, such as aboriginal communities. In such cases the interpreter may be required to interrupt the proceedings and explain a cultural difference that would make cross linguistic communication impossible. In cases such as these, it may be a challenge for interpreters to avoid stereotyping.

Therefore, the majority of the representations of the advocate role do not relate to cross-cultural differences, but rather to the interpreter attempting to help the MLS express themselves more efficiently, answer the questions more relevantly or to clarify confusing questions from the lawyers. The possible consequences of this role in the courtroom can be summarised as follows:

Lack of impartiality: This is especially relevant in the adversarial system, where two opposing sides have the same opportunity to present their case in a positive light and challenge the other side's case by using linguistic tactics that will damage witnesses' credibility, and consequently the consistency and strength of a case. If interpreters "help" the MLS witnesses, they may be interfering with this delicate balance (see Berk-Seligson 2002; Hale 2004).

Are they really "helping"?: The most important consideration here is that the interpreters' best intentions to help may very well backfire. The legal notions of relevance differ from the lay person's, and what may be omitted by interpreters as irrelevant and superfluous, may have been a very relevant aspect that would have favoured the defendant they are attempting to help. With regards to improving on the coherence, style and register of the answers, for the most part it has been shown that such changes contribute to a higher evaluation of credibility, competence and intelligence of the witness. However, in some jurisdictions, such as the compensation court, a more competent applicant would generally be awarded a lower sum for damages, as they are considered by the court to be more capable of retraining in jobs that require more mental skills rather than physical skills. Dueñas González *et al.* (1991), refer to a Florida case that was retried based on the interpreter's misrepresentation of a witness as a refined old lady by omitting her vulgar language and refining her answers.

Assumption that all MLS are uneducated and the only ones who would have difficulty expressing themselves and understanding the courtroom procedures: The level of education of the MLS will differ from individual to individual, and different trends will be found across languages and migration groups. Such a condition is not exclusive to minority language speakers. A number of studies have shown that the courtroom can be a terrifying experience for any lay person who speaks the same language as the court (Wodak-Engels 1984; Conley and O'Barr 1990).

Assumption that the MLS always deserves to win: The assumption that all migrants and refugees or asylum seekers are truthful, honest and deserving is as patronizing as to assume they are all liars. There is no rational justification for such an assumption.

3.2 Role number 2: Advocate for the institution or the service provider

Some studies have provided examples of interpreters taking on this role in the

legal setting (see Berk-Seligson 2000 in relation to interpreting for the police and Kolb and Pöchhacker, forthcoming, in relation to asylum hearings). This is where the interpreter is more concerned with the needs of the institution or service provider than the needs of the client. Such concern is manifested in their attempts to save time by omitting what they believe to be irrelevant chunks from the MLS's utterances; in their reluctance to challenge lawyers when they ask them to exceed their brief by taking the client to lunch, or convincing them to accept an offer; in their failure to perform whispering simultaneous interpreting in the courtroom to make the MLS linguistically present for the entire case or trial; or in their failure to interpret when a question has been objected to. There is no doubt sometimes implicit and even explicit pressure on interpreters to ensure that they do not waste the service provider's or institution's valuable time, which leads them to adopt this role (See Davidson 2000; Angelelli, 2004 in relation to the medical setting; Morris, forthcoming, in relation to the courtroom). The following example is one where the defence attorney in a United States courtroom expects the interpreter to adhere to the role of advocate for the institution.

Example 5

Judge: Culpable [said in Spanish], excuse me,...guilty or not guilty?

Interpreter: [slowly and distinctly] ¿culpable o no culpable?

Defendant: Sí, porque yo lo traía.

Interpreter: Yes, because I had it.

Judge: See, you must either tell me you are guilty or not guilty. Do you plead guilty?

Interpreter: (interprets accurately).

Defendant: Sí, porque lo tenía. ('Yes, because I had it.')

Interpreter: (interprets accurately).

Defence attorney: Judge, can I me-, merely tell her, she doesn't seem to explain it to her, she must say it out loud to the judge that she is guilty or not guilty.

(A number of interpreted exchanges ensue eliciting the same answer)

Defence attorney (to the interpreter): So she's gotta say it, tell her to say it.

(Berk-Seligson 2002: 62).

After a number of failed attempts to have the witness verbalise the word "guilty", the defence attorney implies that it is the interpreter's fault (although she is interpreting faithfully throughout), because she is not "explaining it to her". He then asks her to explain it, which she does, receiving the same answer. He again asks her to "tell her to say it". This lawyer believes it is the interpreter's responsibility to ensure that the witness answers according to their wishes. Whereas the judge and the lawyer both failed to ask effective questions that would elicit the desired

answer, they expect the interpreter to do it. A similar situation is present in the Australian Social Security offices, where at the end of each interpreted interview, interpreters are asked to sign a statement to guarantee that the client understood the contents of the interview, something the interpreter cannot possibly do. As Wadensjö states:

One perhaps likes to think that good interpreting should guarantee full understanding. I may experience full understanding of others' talk, and give the primary interlocutors a similar sense of completeness. Yet complete understanding cannot be found except in a complete world. (Wadensjö 1998:200)

The following three examples show instances where the interpreter attempts to help the lawyer and is at times thanked, at times rebuked and at times ignored.

Example 6

Counsel: ...did you see the doctor's wife, Mrs Garcia, in the surgery?

Interpreter: Mrs Garcia?

Counsel: Yes

Interpreter : That's the name of the doctor]

Counsel: Sorry, that's Mrs Barrientos, Mrs Barrientos

Interpreter: Oh, I'm sorry

Counsel: Sorry, you're right.

(Hale 2003:4)

In example 6 we see an instance where counsel confuses the surnames. Since the interpreter had heard these names before, he knew the lawyer had made a mistake and alerts him to it rather than interpret the mistake. The lawyer thanks him for it. However, while this conversation between the counsel and the interpreter was taking place, the witness was excluded, unaware of the contents of such conversation. It is logical to assume that if the mistake had been interpreted, the witness would have corrected or questioned the lawyer in the same way the interpreter did.

Example 7

Defence attorney: What was his destination?

Interpreter [addressing attorney]: I translated that, sir.

Defence attorney: [addressing interpreter]: Try again.

(Berk-Seligson 2002:72).

In example 7, it can be assumed that the interpreter was trying to help the lawyer by reminding him that that question had already been put and interpreted to the witness and that there was no need to waste time repeating it. From the attorney's response it can be deduced that the repetition was intentional and that the inter-

preter's intervention was not appreciated. Repetition in courtroom questioning is one of many tactical devices used by lawyers, a fact of which the interpreter may not have been aware.

Example 8

Constable: I call Carmen P.

Magistrate: Carmen or Carmelo?

Constable: I have Carmen.

Magistrate: Is it the same person? Carmelo is the right name is it?

Interpreter: His name is Carmen.

Magistrate: (To the constable) Is that a male name, is it?

Constable: I thought, I think Carmen is a female.

Interpreter: Carmen is also a male name, he was a pianist, Carmen]

Police: I think there's a confusion in relation to that.

(Hale 2003: 4–5).

In example 8 the interpreter is completely ignored. Although she interrupts to clarify the confusion, the magistrate and the police constable disregard her comments and continue to speak to each other. When they finally call the witness in, they ask him his name and he confirms that his name is indeed Carmen.

Example 9

Police prosecutor: But uh did you give your, your husband permission to grab you across your throat with his arm?

Interpreter: *Le dio usted permiso al esposo para que él*

Defence counsel: object - I object to the question, she never said that he grabbed her around the throat, she in fact clarified herself, Your Worship, by saying that he reached around, around her head to try and get the phone, that his arm was around her neck but not around her throat.

Witness: *¿Qué dice?* (What's he saying?)

(NSW Local Court case).

Example 9 shows a common occurrence, where interpreters stop interpreting at the pronouncement of an objection. It is evident from the witness' question that she wants to know what is being said but at no stage is provided with the interpretation. Objectionable questions are often used as strategies by lawyers to give their witness a clue to the desired answer. In a monolingual hearing the witness would have heard the question and had the opportunity to pick up on the clue. In this case, by not interpreting the question, the interpreter is helping the lawyer for the other side, the one who objected. It is admittedly difficult for interpreters to

keep interpreting if the Bench tell them to stop. Educating the Bench on the rights of the MLS to be placed in the same position as others with no language difficulty, can solve this problem.

Example 10

Doctors are under time constraints, and most of the time they do not want to listen to those stories.

(Angelelli 2004: 113)

Example 10 portrays the justification of one of the Californian hospital interpreters interviewed by Angelelli for omitting much of what patients say in the consultation: “doctors don’t have time to listen”.

As the examples above illustrate, adopting the role of advocate for the institution or service provider can have serious consequences in the context of court interpreting, which are revised below:

- Exclusion of the MLS in the interaction: when interpreters address the lawyer directly to correct an obvious error, or when they do not interpret objections, the MLS is excluded from the interaction and not made linguistically present. Such actions can lead to great frustrations for the MLS and to clear disadvantages.
- Attempts to help can backfire: By clarifying a confusing question or omitting a repetition, interpreters may be interfering with the cross-examiner’s professional communication strategies. Omitting what seems to them to be irrelevant for the sake of saving time may be very risky for a case for a number of reasons. The omitted information may indeed be very relevant for the case, despite the interpreter’s opinion, and the MLS will assume that his/her full utterance has been transmitted and not repeat it at a later stage, or refer to it at a later stage leading to a loss of credibility due to inconsistency in his/her testimony. Attempting to help by providing information useful to the court that can be provided by the witness him/herself will in fact waste, rather than save, time.

3.3 Role number 3: the gatekeeper role

Hale’s Australian data of court interpreting do not show any significant instances of interpreters acting as gatekeepers in the courtroom. Most of the documented data that demonstrate this type of performance derive from the United States in medical settings. However, this does not mean this role is never adopted by interpreters in the courtroom. The following example, therefore, derives from a medical consultation. It will be used to illustrate the adoption of this role.

Example 11

Doctor: In a scale from one to ten, how would she rate her pain?

Interpreter: A ver señora Rita, en una escala de uno a diez ¿qué numero le pondría a su dolor? Por ejemplo, si el uno es que está para irse a bailar y no tiene nada y el diez es que se está muriendo, dónde estaría el dolor? (Let's see Mrs Rita, on a scale from one to ten, what number would you give your pain? For example, if one means that you're up to dancing and you don't have anything and ten means you're dying, where would the pain be...?)

Patient: ¿Cómo dice? (I beg your pardon?)

Interpreter: Que ¿Qué número le daría a su dolor? (I'm asking what number would you give your pain).

Patient: Pos a mí me duele mucho. (Well, it hurts a lot.)

Interpreter: ¿Cuánto es mucho señora? ¿Mucho que se está muriendo del dolor? (Well, how much is a lot? So much that you feel like you're dying?).

Patient: Pos...no...muriendo no, pero... (Well, no, not dying, but...).

Interpreter: ¿Qué cosas puede hacer con el dolor? (What can you do when you're in pain?).

Patient: Pos no sé cuando me duele mucho me siento. (Well I don't know... when it hurts a lot I sit down).

Interpreter: Pero ¿puede cocinar con el dolor? (But can you cook when you're in pain?).

Patient: A veces me pega fuerte y no. (Sometimes it hurts too much and I can't).

Interpreter: Y, esas veces, ¿Siente como que se va a morir, o no tanto? (And at those times, do you feel like you're going to die, or not so bad?).

Patient: No, morir no, no más pega fuerte. (No, not like dying, sometimes it hurts a lot, that's all).

Interpreter: ¿Le ponemos un ocho o un nueve? (Should we give it an eight or a nine?)

Patient: Pos yo no sé, por sí (Well I don't know, I guess...)

Interpreter: When it is most painful it would be close to an eight, doctor.

Doctor: Okay.

(Angelelli 2004: 98 — with Hale's own translations).

Example 11 is a clear instance of an interpreter acting as gatekeeper. Instead of interpreting the doctor's question and the patient's answer, this interpreter decides to explain, in a very convoluted and unsuccessful way, what each number on a scale from 1 to 10 may mean. The patient is obviously none the wiser, as she keeps hesitating and giving the same answers. There are 14 turns between the interpreter and the patient before the interpreter decides to tell the doctor his own diagnosis: that the pain would equate to an eight. The patient never expressed this

view, but the interpreter surmised it from his conversation with the patient, which in essence was not very illuminating at all. In this case we see the patient interacting with the interpreter and not with the doctor. Had the interpreter interpreted the original question from the doctor and the first answer from the patient asking what all that meant, the doctor would have had the opportunity to continue with the consultation and ascertain the degree of pain directly. This way, the doctor only received the interpreter's estimation of the patient's pain, which is very likely completely incorrect, judging from the example.

The interpreter's gatekeeper role did not achieve anything but confusion and disempowerment for both the patient and the doctor.

The consequences of this role are:

- Disempowerment of both the MLS and the service provider: By deciding on what to interpret and what not to interpret, the interpreter takes this right away from the speakers who are left helpless and powerless.
- Providing advice with no training: These interpreters normally take over the role of physician or lawyer by offering their own opinion or providing extra information. However, this is done with no relevant training at all, and most of the time with no interpreting training either. This can have extremely serious repercussions, not only in the provision of incorrect and inaccurate advice but also in the creation of a tendency from the part of the service providers to rely on the interpreter to fill in the gaps when and if they omit to mention something or make a mistake. Regarding this very issue, Pöchhacker argues that "... the critical issue appears to be the tendency of interpreters without professional credentials to assume interactional tasks for which they lack training and expertise and which are liable to clash with the interpreting function entrusted to them" (Pöchhacker 2004: 152).
- Omission of important information: In the courtroom, everything the witness says in evidence is taken into consideration in the evaluation of credibility, in the judgement about consistency and plausibility of the case and ultimately in the outcome of the case. By omitting much of the information, the interpreter is inadvertently interfering with the service provider's ability to conduct his/her work.

3.4 Role number 4: Facilitator of communication

This role applies to interpreters who combine roles one and two. In other words, their desire is to help both parties communicate effectively and they feel responsible for such goal to be achieved. Angelelli comments on one hospital interpreter's understanding of the role in the following way:

Joaquín explains his role as that of filter, because he helps the two parties communicate by filtering out the obstacles that might prevent effective communication. In filtering, he also sees himself paving the way for better communication, since the filter does not allow insults or lack of respect to get through. (Angelelli 2004: 116)

The following examples show instances where the interpreter attempts to improve communication, at times by interrupting and attempting to explain a linguistic difficulty, at others by indirectly filtering the answers or questions, and at others by inserting her/his own opinions in the interpretation.

Example 12

Defence attorney: So, are you saying that you wouldn't have told the border patrol officer]

Interpreter: Excuse me, sir. I have to tell you that you're using the negative all the time and his answer really doesn't mean much when you're using the negative form of questioning because when he answers 'no' it actually comes out 'yes'. If you say, 'wouldn't do this', or 'wouldn't do that, yes I wouldn't'. You see what I mean? You're using the negative and it's confusing him tremendously.

(Berk-Seligson 2002: 73).

In example 12, the interpreter unsuccessfully attempts to explain that when a negative question is used the answer may be ambiguous. A positive answer to the question above may refer to agreement or to disagreement with the statement. However, this is the case in English as well. Her attempt to clarify the issue has in fact not helped much at all.

Example 13

Witness: *No sé, o sea que, que que yo la veía...y un poco asustado, yo no la puedo describir, así, como, como era, pero sí sé que era negra y, y, y como verde, así, ¿no?* (I don't know, I mean that, that that I saw it...and I was a bit scared, I can't describe it, like, what, what it looked like, but I do know that it was black and, and, and like green, like this, you know?).

Interpreter: Eh, I...cannot describe it fully because at that moment I was frightened, it all happened so suddenly, I do remember the colour though, it was black, sort of greenish black.

(Hale 1997: 206).

In example 13, the interpreter filters the answer by omitting repetitions, hesitations, and tags, by raising the register and by adding a cohesive phrase which explains the reason why the defendant cannot describe 'it'.

Example 14

Counsel: ...and you are the defendant now before the court?

Interpreter: ...*y usted es el que está aquí en la corte?* (and you are the one who is here in court?).

(Hale 1997:207).

In example 14, the interpreter is attempting to clarify the word “defendant”, which she must have believed was beyond the witness’ understanding. By doing that, however, she resorts to a much more confusing and rather nonsensical alternative “the one here in court”.

The consequences of this role are the same as the ones proposed for roles 1 and 2 combined.

3.5 Role number 5: Faithful renderer of others’ utterances

This is the role that is proposed by all codes of ethics. However, it is one that has been misunderstood by many. The main reason for this confusion lies in a misunderstanding of the concept of faithfulness or accuracy. Those who believe that faithfulness equates to a literal word-for-word rendition of the original perceive the interpreter as a mechanical device who is not presented with any difficult choices in the process of finding the target language equivalents because, in their opinion, each word in one language has a direct equivalent in the other, making the interpreting process a mere word matching exercise. This view is held mostly by those who do not understand the nature of language, and unfortunately a number of legal practitioners have been quoted to have held this view (see Morris 1999; Laster and Taylor 1994). However, such unenlightened opinions do not seem to be explicitly supported by legislation or codes of ethics. Mikkelsen (n.d) states that the US statutes and rules of court with regards to interpreting do not mention the need to interpret verbatim or literally. Similarly, when the wordings of the codes of ethics are closely analysed, it is clear that they do not prescribe a literal word for word rendition, but rather speak of “completeness”, “intended meaning”, and “duty of care” (see Hale 2007, for an evaluation of a sample of codes of ethics from around the world). It can, therefore, be safely stated that the legal requirement to produce literal interpretations is in fact a myth, regardless of what many of the judiciary and lawyers may think or say. It is generally agreed that a literal translation will not produce a faithful interpretation and it is very unlikely that any interpreter would ever attempt to do so consistently, even if they think the courts expect them to do this, as it would be quite an impossible task. The machine metaphor has long been discredited by many and it is time to discuss more important issues. As Rudvin states “It would probably be safe to say that the linguistic mechanical con-

duit model has been disproved beyond any doubt...” (Rudvin, unpublished).

The role of “faithful renderer of the authors’ utterances” does not support the machine metaphor which implies a literal translation. This role argues for the speakers’ freedom of speech, for the speakers’ rights to express whatever they want in whatever way they want or are able to, but also for the speakers to take responsibility for the consequences of their utterances. The interpreter’s very difficult role is to attempt to understand the intention of the utterance and portray it as faithfully as possible in the other language.

Morris (1999) states that:

Interpreters are in a ‘no-win’ situation. The process by which they undertake to convey meaning from one language into another involves gaining an understanding of the intentions of the original-language speaker and attempting to convey the illocutionary force of the original utterance. Not to do so is to run the risk of betraying the ‘meaning’ of the original message. Yet inevitably the understanding will be to some extent a personal, i.e. subjective one. Judicial circles do not, however, wish to be presented with such pre-processed material (Morris 1999:8).

Many have argued that it is impossible to be faithful because another person will never be sure of the intention behind another’s utterances. As Morris (1999) states above, each interpreter’s understanding will be subjective to an extent. However, it is possible for interpreters to be faithful to their own interpretation of the original utterance, as that is the best they can be expected to do.

Some have argued that faithfulness is impossible because an interpreter cannot be impartial. In speaking about the role of mediators, Greatbatch *et al.* comment that:

Like other professionals, such as television interviewers, mediators may be accused of bias even though they have avoided the direct expression of opinion. Nonetheless, the maintenance of a neutralistic stance provides a first line of defence against such charges. (D. Greatbatch and R. Dingwall 1999:274)

Even if complete impartiality is impossible, those who are aware of this requirement and consciously attempt to enforce it, will be better able to achieve a more accurate rendition than those who openly advocate for one party or another. Anderson suggests that the interpreter’s ability to be impartial depends on his/her level of bilingualism. When his/her bilingualism and biculturalism is balanced, s/he is more likely to be impartial and therefore more accurate. Anderson goes on to say that in the case of balanced bilinguals:

instead of pseudofidelity, we should expect maximal attention to faithful interpretation — even to the reproduction of intonation and gestural signs. The value-laden aspects of any utterance would likely come through with minimal filtering. His detachment would force his clients to work out their own differences, because any outcome would be acceptable to him (Anderson 2002:213).

The quotations below derive from practising Australian interpreters who support this role.

Principally, I hope to give them the feeling that if I interpret for them, they can do their own negotiating which, in the long run, is much more empowering for them (Chesher *et al.* 2003:286).

Community Based Interpreting is the means by which two people who speak different languages and come together in an interview can hear what the other person says in his/her own language. Effective communication is still the responsibility of the main parties, as long as the interpreter interprets accurately (Chesher *et al.* 2003:287–8).

However, achieving an accurate rendition is no easy task, and it is most likely that even the best interpreters will achieve a range of levels of accuracy in any given interpreting assignment due to a number of different factors. The scope of this chapter does not permit further detail on the meanings of accuracy or how such a lofty goal may be achieved (see Hale 1996, 2004, 2007, for a full discussion on this topic). There is no doubt that one can never be perfectly sure about someone's real intentions behind utterances or about the reactions such utterances will ultimately trigger in the listener. However, interpreters aim for the most likely intention and the most likely reactions taking into account linguistic, pragmatic and cultural conventions in both languages.

Most descriptive studies into dialogue interpreting have used bad examples of interpreting renditions. Such examples have led some to believe that accuracy of interpreting is impossible. The examples below are examples of accurate interpretations which required the interpreters to make intelligent decisions before uttering their renditions.

Example 16

Court Officer: say the words "I do" in your own language.

Interpreter: *diga usted "lo juro"* (Say 'I swear').

Witness: *lo juro* (I swear).

Interpreter: I do

(NSW Local Court case)

Example 16 is the final part of the witness's oath, which begins with "Do you swear". The English dummy operator "do" does not have a direct equivalent in Spanish. This causes trouble for some interpreters who are uncertain about the best way to interpret the sentence "I do", some resorting to "*Lo haré*" (I will do it), others to "*Si*" (Yes). This interpreter has clearly understood that "I do" replaces "I swear" in this context, and therefore has interpreted it as such into Spanish. The interpreter also

omits the phrase “in your own language”, as keeping it would make no sense when the phrase was interpreted. When the witness repeats the interpreter’s translation, the interpreter gives back the correct speech act: “I do”. Those who would advocate for a literal translation would say this is inaccurate. The author of this chapter argues that this is the most accurate rendition for the oath.

Example 17

Judge: (Swedish).

Translation: So you don’t confess the theft.

Interpreter: (Russian).

Translation: That is you don’t confess the theft.

Suspect: (Russian) Yes.

Interpreter: (Swedish) No.

(Wadensjö 1998:23).

Example 17 is presented by Wadensjö. She explains that it was necessary to change the structure of the Russian question in order to adhere to the pragmatic conventions of that language, eliciting a positive answer. However, when the answer is translated into English, following the English question, it needed to be changed to a negative answer. The answer is the same, because the intention is portrayed. Once again, on the surface this may seem like an inaccuracy, but when the translation is considered pragmatically, it is clearly an accurate rendition of the original.

Example 18

Counsel 1: You are first of all charged with using bad language]

Interpreter: [*Primero que nada le hacen cargo de que usó un idioma ofensivo*
(First of all you are charged with using offensive language).

Defendant: *Sí, yo le hablé, pero no sé el significado de esa palabra* (Yes, I spoke to her, but I don’t know the meaning of those words).

Interpreter: Yeah, I used those words

Counsel 1: [No, no stop there

Interpreter: [but I don’t know what those words are
(NSW Local Court case).

In example 18 the interpreter is interrupted by the lawyer before she finished interpreting. Instead of stopping once interrupted, she continued to interpret what had been uttered in order to be faithful to the original. This is an example of an interpreter who did not yield to the pressure of the lawyer to go against her professional obligation to interpret completely.

Example 19

Counsel: You see, your husband... made it clear to you that if you would settle down, he would leave the house.

Interpreter: *Ve usted, su esposo le dejó bien claro a usted que si usted se calmaba él se iba de la casa.* (You see, your husband made it very clear to you that if you calmed down he would leave the house).

Witness: *No. No en ese punto.* (No, not at that point).

Interpreter: No. Not at that point.

Counsel: I put it to you that you were the one out of control.

Interpreter: *Yo le propongo a usted que la que estaba fuera de control es usted.* (I propose to you that the one out of control was you).
(NSW Local Court case).

Example 19 is an excerpt from an interpreter who is consistently accurate. There are two linguistic features in the excerpt that have been found to have caused problems for other interpreters: the use of the discourse marker “See” and the use of the legal phrase “I put it to you that”. The majority of interpreters omit these features in their renditions all together, supposedly because they may seem to be superfluous to the propositional content. However, discourse markers have been found to be used as devices of argumentation and control by lawyers, and to change the pragmatic force of utterances (see Hale 1999). The phrase “I put it to you that”, apart from having a specific legal purpose, also has pragmatic significance. This interpreter has managed to keep both of these difficult features in her interpretation, achieving a very accurate rendition.

The main consequence of role number five is that speakers are provided with the right and freedom to say what they want and to hear what others have chosen to say to them. Another major consequence is that they must take responsibility for their own utterances, rather than expect the interpreter to act as a filter.

Mikkleson states that:

the court interpreter’s role is to level the playing field by overcoming the language barrier, not to put the interpretee at an advantage over other litigants. In other words, the interpreter is not there to make sure the client understands, but to give him the same chance anyone else in his place would have if he spoke the language of the court (Mikkleson 2000:2).

If this role is to work the way it is intended, everyone involved in the interaction must understand it. Service providers cannot leave interpreters alone to “explain” things after they are gone, as no one would do that if the client spoke the same language. Similarly, service recipients should not rely on the interpreter as a therapist, counsellor or advocate, but use the services of the health care worker, welfare

worker or lawyer as they are intended. Adopting this role does not exclude briefing and debriefing sessions with the service providers, or interpreter interruptions to clarify obvious cross-cultural misunderstandings that cannot be bridged through an accurate interpretation, or other misunderstandings caused by the interpreting process. As a general rule, such interruptions will constitute a minority of the exchanges. The majority of the exchange should run smoothly, where the interpreter interprets every turn using the direct approach.

4. Conclusion

This chapter has reviewed the five main roles proposed for or practised by interpreters and has illustrated their possible consequences in the context of the courtroom through authentic examples. The significance of language in the courtroom setting is so strong, that the consequences of each of the roles are accentuated. Interpreters can be consistent or fluctuate in their adoption of role, depending on their understanding of their role, on the context of the situation, on the pressure that is placed on them and on the complexity of the utterance. This chapter strongly suggests that the consequences of interpreters' choices on the interaction must be considered before adopting a particular role. The results of the analysis presented in this chapter strongly suggest that the only adequate role for court interpreters is number five: that of faithful renderer of others' utterances, as the other roles carry too many negative consequences. Taking on this role, however, does not mean interpreters must act as mindless machines. It means attempting to be as accurate as possible within human limitations. The better trained, the better prepared, and the better equipped the interpreter is, the better chance s/he has of producing a faithful rendition. Working conditions, including the way they are treated by the other participants and the way those participants express themselves, will also affect performance. The higher the level of bilingualism, biculturalism and of interpreting skills, the higher the level of accuracy will be.

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CHAPTER 6

Interpreting in police settings in Spain

Service providers' and interpreters' perspectives

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Interpreting in police settings, as part of public service interpreting, is a field that still lacks empirical and scholarly research which could contribute to shedding light on matters such as service provision and lack of professionalization, crucial aspects that have an influence on the role of the interpreter and which may be at the source of numerous conflicts. Although current legislation in Spain guarantees the right of those detainees who are not proficient in the majority language to be assisted by an interpreter during police proceedings, in practice the situation is much more complex. The intervention of an interpreter is required in many scenarios other than just in detainees' questioning: transcription-translation of tapped telephone conversations, interpreting for crime victims, translation-data analysis during police investigations, provision of information to people reporting a crime, etc. Given such a wide range of functions, it is clear that interpreters may find themselves in situations that conflict with what is supposed to be their prescribed role. Likewise, despite the provisions in force guaranteeing the presence of an interpreter during questioning, Spanish legislation lags behind social needs, and this creates numerous problems in aspects such as interpreter intervention, the interpreter's role as cross-cultural and language mediator and the adequate provision of interpreting services. On the basis of evidence acquired through questionnaires and interviews, this chapter analyses both service providers' and interpreters' perspectives on the role of the interpreter, the conflicts that may arise as a result and the limits to their functions, all within the framework of current interpreting service provision practices in Spanish police settings.

Introduction

Interpreting in police settings is a job that, until recently, has usually been, and in many cases still is, carried out by people who just “happen” to be there when an interpreter is needed. One reason might be lack of knowledge, on the part of the institutions, about what an interpreter actually is. Often it is thought that an interpreter is merely someone who “speaks” at least two different languages. Often, too, the only reference taken into account when hiring an ‘interpreter’ is whether the person concerned is an acquaintance of someone they know (Handi 2005: 266).

Therefore, it is frequently the case that people who carry out interpreting tasks are unaware of the difficulties and the problems that might arise during the interpreting process. In order to test this awareness, we designed a questionnaire for distribution among interpreters working for the Police Forces. Likewise, we also designed a questionnaire aimed at police officers working with interpreters. However, in order to contextualise the results of this survey, let us first discuss the legal framework and current practices related to service provision in police interpreting.

Legal background

In Spain, the provision of interpreting services is fully guaranteed by both national legislation and international conventions, as it is in other European countries (Foulquié 2002a, 2002b). However, despite the explicit statutory recognition of non-Spanish speakers' right to be assisted by an interpreter during legal proceedings, most of the existing provisions do not establish the level of qualification or training necessary to work as an interpreter. Therefore, in daily practice virtually anyone can serve as an interpreter without infringing the law.

Within the scope of Criminal Law the main point of reference is section 441 of the Spanish Law of Criminal Procedure (*Ley de Enjuicimiento Criminal*) which states the following:

El intérprete será elegido entre los que tengan títulos de tales, si los hubiere en el pueblo. En su defecto, será nombrado un maestro del correspondiente idioma, y si tampoco le hubiere, cualquier persona que lo sepa. [The interpreter shall be appointed among those qualified as such, should there be any in town. If that is not the case, a teacher of the language concerned shall be appointed and, if that is not possible either, any person who knows the language shall be appointed; our translation]

Although accredited interpreters are explicitly mentioned and therefore, should be given priority, in practice the criteria governing the training and qualification of interpreters is left up to the court. In police settings, it is left up to the police officer in charge of the case. Thus, the police officer has the power to choose anyone he thinks is going to do the job properly. The problem is that neither the courts nor the police officers are issued with guidelines to help them assess whether the interpreter is doing the job properly and what is to be understood by the term "properly".

There are other Acts of Parliament regulating immigration which specify that an interpreter must be present whenever removal proceedings are to be initiated in order to ensure that the non-Spanish speaker understands the reasons for his/

her removal. This right is granted throughout the proceedings until the removal order is issued.

Finally, there are different Acts relating to the situation of asylum seekers or refugees where both the right to be assisted by an interpreter as well as the right to be assisted by a lawyer is granted to protect the rights of the asylum seeker or refugee while their claims are being dealt with.

The problem with most of the legislation lies in the fact that these Acts do not define what kind of qualifications the person acting as interpreter should have. The main reason for this is that some of the acts are too old (some date back to the nineteenth century) and the sections relating to the interpreter have not been amended since they were passed. Other reasons may also be involved, such as lack of awareness on the part of the authorities about the nature of the interpreter's work.

The provision of police interpreting services in Spain

The provision of interpreting services within the different Spanish Police Forces follows similar patterns throughout the country given that, in contrast to the situation in court settings, responsibility for police and domestic security still remain, for the most part, in the hands of the central government. This is not the case in some Regions which, apart from those forces with nationwide presence (National Police — *Cuerpo Nacional de Policía* — and Civil Guard — *Guardia Civil* —), also have their own regional police force¹ complementing or even replacing national forces in some fields. In fact, as reported in other papers—(Foulquié and Ortega 2005: 184; González 2006; Sales 2006; Toledano *et al.* 2006; and Martin 2006)—this service provision has different formats that we shall try to summarize below.

Full-time staff interpreter/translators

These interpreters and translators are both permanent and non-permanent public employees. For the most part, their recruitment does not entail a public announcement and a competitive examination as is common practice in the Spanish Administration, and therefore most of them only enjoy temporary status. However, this situation is being redressed and some interpreters were recently required to sit a public examination. In any case, the entry qualification requirement for these positions is just a secondary education diploma (*Bachillerato*) and

1. Basque Country Police Force (*Ertzaintza*) and Catalanian Police Force (*Mossos d'Esquadra*).

given their temporary status, recruitment does not normally entail passing any type of proficiency examination. Current practices establish that a recruitment committee, composed of civil servants representing the Administration and trade union representatives, assess the credentials and merits claimed by candidates based on a pre-established scale and appoint the candidate who obtains the highest score.

Currently, the Spanish Ministry of the Interior has approximately 112 interpreters–translators on staff throughout the whole country and posted in the different Police Forces and other services such as the Prison Service and the Immigration Service. Information about their exact language combinations is contradictory. An example of such contradiction can be clearly seen in the announcement (Ministerio de Administraciones Públicas 2003) of an internal competitive examination in 2003 to cover 109 of the positions referred to above on a permanent basis. In this announcement both language combination and specific posting did appear, but there were striking differences between some positions (see Table 1). Thus, while in some instances the interpreter’s work was only to involve one foreign language in combination with Spanish, there are numerous cases in which two and three foreign languages are required, not to mention those language combinations including up to four or five foreign languages as diverse as English–Russian–Slavic–Chinese or English–French–Somali–Italian. Similarly, non-existent languages such as Slavic appear and “dialectal Arabic” is sought without specification of which Arabic dialect is required. This is extremely important since these interpreters/translators must work both ways in all their language combinations, both when translating and when interpreting. Obviously, all these details demonstrate a certain lack of knowledge by the authorities, not just concerning the specificities of translation and interpreting, but also regarding basic linguistic matters.

As far as their geographic location is concerned, these interpreters were posted in those areas with a higher presence of foreigners, such as coastal and tourist destinations (Alicante, Canary Islands, Balearic Islands and Malaga), border areas (Ceuta, Melilla and Algeciras), as well as traditional immigration destination areas for employment (Almeria, Barcelona), together with Madrid, where the central services and units of the police forces are located. As for the specific positions, we find both immigration and asylum agencies and police settings on their own, as well as their corresponding national central services.

Obviously it must be noted that new recruitments may have taken place, especially after the tragic events of March 11th, when many additional Arabic–Spanish interpreters were recruited according to the reports that appeared in the media at that time (*IU noticias* 2004; *El Mundo* 2004; *Diario Sur Digital* 2005).

Table 1. Full-time interpreters and language combinations

| Language combination | No. of interpreters |
|---------------------------------------|---------------------|
| Arabic | 21 |
| Arabic–Chelja | 1 |
| Arabic–Chelja–French | 1 |
| Arabic–Dialectal Arabic–Berber–French | 1 |
| Arabic–English | 4 |
| Arabic–French | 11 |
| Arabic–French–English | 7 |
| Arabic–French–Slavic–Chinese | 1 |
| Basque | 1 |
| Chelja | 2 |
| Chinese | 3 |
| English | 16 |
| English–French | 8 |
| English–French–German–Italian | 2 |
| English–German | 6 |
| English–Russian | 1 |
| English–Russian–Slavic–Chinese | 1 |
| French | 10 |
| French–English–Somali–Italian | 1 |
| German | 3 |
| Russian | 5 |
| Russian–Armenian | 1 |
| Russian–Serbian–Croatian | 1 |

Part-time, seasonal staff interpreter/translators

Alongside full-time staff interpreters, during summer time many police stations and Civil Guard headquarters located mainly in coastal areas or in places with a high influx of tourists have interpreters/translators who are recruited on a part-time basis for four to five months. Once again, the only requirement is to have a secondary education diploma and be registered with the National Institute of Employment (*Instituto Nacional de Empleo*, INEM), or its regional counterpart, as someone seeking employment related to languages (Foulquié and Ortega 2005).

Once the employment services have identified potential candidates, the final selection usually follows an interview, either by the police force requiring the interpreter or by the employment office in charge of selection. However, this situation may vary from one province to another and even from one year to the next within the same province. The interview does not include any exercises aimed at evaluating the translation and interpreting competence of the candidate; at best, the interview is carried out partly in Spanish, partly in the foreign languages

involved. The main objective of this recruitment process is to foster the incorporation into the labour market of groups at risk from exclusion (long-term unemployed, single mothers, the disabled, etc.), and, therefore, the final selection takes into account these factors and not only language proficiency or translation competence.

Freelance interpreter/translators

It is clear that staff interpreters, either full time or on a seasonal basis, cannot cover the demands for all languages, and this is why the use of freelance interpreters is a must. In this case, each police station, immigration service, or Civil Guard headquarters seems to have full discretionary powers to act in the way which best suits their needs. Therefore, they may either call freelancers who have previously worked with them under contract, or may use the services of those who have offered them personally, either submitting their CV or a business card; translation and interpreting agencies may also be contacted, or they may even make use of their own listings of interpreters.

In the case of translation and interpreting agencies, with very few exceptions,² services are not normally rendered as a result of having been awarded a contract in a public tender. Rather, for reasons of efficiency, police stations contact agencies who they know are going to respond rapidly and efficiently to their needs. In many instances those agencies are already rendering services for the courts, either in an informal way or by virtue of a contract in those regions in which court interpreting services have been outsourced.

Nevertheless, the main option is still to call freelancers directly and, whenever exotic languages are involved, any sort of *ad hoc* solution may be sought. These solutions may range from asking a detainee to write down a testimony in his/her language for later forwarding to the court, to using “acquaintances”, trade unions, relatives and friends of the detainees or witnesses (González 2006). It is also common to make use of NGOs.

Given this situation it is not uncommon for interpreters to resort to rather dubious operations as we have witnessed personally. For example, freelance interpreters form groups and, in order to create the impression that such a group is “official”, draw up their own lists for distribution in police stations and related services.

2. Within regional police forces it is common for interpreting services to be outsourced to private firms (cf. González 2006) and, according to our inquiries, in certain asylum offices interpreting services have also been outsourced.

Needless to say, within this scenario no one checks or verifies the interpreter's professional qualifications. This is not to say that there are no professionals among interpreters rendering freelance services for police forces. Yet, it is highly noticeable that there are no standardized protocols within the different forces establishing the steps to be followed when an interpreter is needed or the qualifications or credentials which should be required. *Ad hoc* solutions are still the most common pattern, as Martin (2006) also documents in the case of southern Spain. This situation clearly has negative repercussions for all parties, both detainees and police officers, since in many cases it is not evident how to access the services of an interpreter, thus slowing down police proceedings, which is detrimental to both parties. Sometimes, as Calvo (2004: 10) clearly points out, police officers wish they had some type of service which can be contacted to request the assistance of an interpreter, similar to that which exists for duty and court-appointed solicitors.

Other *ad hoc* solutions: Drawings, miming and volunteers

In addition to the *ad hoc* solutions already described, which involve payment to the interpreter of fees for the services rendered, on occasions police officers use the services of people who do not receive any remuneration whatsoever. Thus, in their research on public service interpreting in Spain, Calvo (2004: 11) and Foulquié (2002c) give examples of "last resort solutions", such as the use of miming and drawings by both parties. However, such solutions seem only to be resorted to when administrative formalities and paperwork is involved and would not be valid for other procedures.

More systematic use would seem to be made of accompanying people (relatives or friends of the non-Spanish speaker) or even of volunteer interpreters. In the first case, according to the work by Calvo (2004: 9), it will depend on the type of conflict and the seriousness of the matter. However, reports have been published stating that even detainees have been used by police officers in some cases as interpreters for their fellow countrymen (*El País* 1999; *El País* 2002). In the case of volunteers, this would seem to be a common solution not only in police settings but in public service interpreting in general. NGOs working with foreigners are contacted in order to request the services of any person capable of bridging the communication gap between the non-Spanish speaker and the representatives of the public services (Calvo 2004; Sales 2006).

In view of the variety of scenarios, together with the inappropriate entry requirements for full time staff and the precarious conditions for the recruitment of freelancers, it would be logical to conclude that interpreters' attitude to their work is based primarily on their intuition and according to the mandates of their own training or personal experience, without resort to pre-established protocols

or guidelines. Thus the need to move forward and not to limit our research to a *status quaestionis* of police interpreting, and to carry out scientific research based on a survey among police officers and interpreters alike, on some aspects that affect the professional role of the latter.

Descriptive research

In order to carry out the survey we designed two questionnaires, one aimed at interpreters and the other at police officers. The questions were to be administered either personally or on a self-administration basis, depending on the availability of the target population.

Questionnaire design and content

The format of the questionnaires was based on the instruments already designed, piloted and administered in previous research projects carried out by the authors of this paper (Ortega Herráez 2004; Foulquié 2002c), and by colleagues within the GRETI research group (Abril and Martín 2005). In all cases the surveys have followed the recommendations given by authors such as Oppenheim (1996) and Fink (1995). Thus, the results from this particular research could be compared to those obtained in similar projects currently underway within GRETI, one of which is reflected in the chapter by Martín and Abril in this volume. Before their administration the questionnaires were reviewed by an external expert in questionnaire research³ and some adjustments were made to the initial version.

The content of both questionnaires is similar, since one of the main objectives was to compare the ideas that both interpreters and police officers have of the same activity, and they are both structured using closed questions and the possible responses were based on the experience gained and the results obtained in the previous research referred to above. The use of this format facilitates quantification, analysis and interpretation of the results by the researcher. It also makes it easier for the subjects to answer the questions, as it provides guidelines to help respondents and therefore streamlines the answering process. This is a factor of utmost importance given the difficulties of obtaining responses from subjects who may have busy schedules and heavy workloads.

3. Elisa Calvo from the AVANTI research group, financed by the Andalusian Regional Government and based at the University of Granada. Full name: *Avances en Traducción e Interpretación* [Advances in Translation and Interpreting]. <http://www.ugr.es/~avanti/> (University of Granada)

Administration of the questionnaires

Although initially the survey was designed to be conducted on a self-administration basis, time limits and its geographical scope meant that in some cases it was administered during a personal interview, either face to face or by phone. It was thus believed that the risk of obtaining a low number of responses could be mitigated, although the bias that a personal interview may introduce must also be borne in mind. As for the self-administered questionnaires, they were sent by e-mail in order to speed up the whole process. All questionnaires were administered during February and March 2006.⁴

Target population and sampling technique

As we have already mentioned, the target population is made up, on the one hand, of interpreters working in police settings, whatever their employment status, and on the other, by police officers of any force who, in the course of their work, have experienced the need for an interpreter. Given the specificities of police interpreting in Spain, the main difficulty with this survey was precisely to access the target population.

Firstly, we had already experienced the reluctance on the part of members of the police force to take part in this type of survey (Foulquié 2002a). Secondly, given the lack of a national register of police interpreters and the great variety of employment conditions, it was not easy to sample a representative proportion of police interpreters.

In order to overcome these hurdles we decided to sample both populations using a snowballing technique, resorting initially to personal contacts among police officers and among police interpreters. It is clear that this technique may have introduced a bias in our research, but it must be remembered that this is a first approach to the field and, should the research continue and be extended in the future, this type of problem would be overcome.

Results of the research

Police forces

As stated above, personal contacts in both the National Police Force and the Civil Guard were used in order to access a random sample of police officers who could

4. A final draft of the paper was submitted to the editors for their consideration in October 2006.

answer the questionnaire. Officers were approached directly or through the intermediation of their superiors. Moreover, contact with police officers was also sought through the interpreters who answered the questionnaire, as they were requested to identify police officers who may be prepared to take part in this project. Unfortunately none of these methods managed to secure the cooperation of the police and no questionnaires were returned by police officers. It would seem that the highly hierarchical structure of the police forces discourages its members from participating in studies of this nature unless a superior requests or orders them to do so, thus avoiding any sort of individually-based involvement.

There would also seem to be a degree of suspicion regarding research into police work, which was evident during the field work for this research. It would seem that the police are not accustomed to having their protocols and systems questioned and their defensive attitude gives the impression that research into their work somehow constitutes a threat.⁵

Even though no police officers answered the questionnaire, this lack of response is revealing in itself. In future research, an approach needs to be designed that will attract the interest of police officers to this kind of research project and ensure their involvement. Clearly, there is a need to make them aware of the benefits such research could offer them.

Interpreters

The interpreters who participated in the study were either acquaintances of the authors or appeared on the lists available in police stations. Here again, the lack of interest in participating in our research was patent and very few responses were forthcoming.

Very few freelance interpreters returned the questionnaire. It would appear that they were concerned about the possible content of the questionnaire before answering it, and after sending them part of the questionnaire for their perusal we did not receive any answer.

In-house interpreters were contacted through a colleague working as a police interpreter who sent the questionnaire to a considerable number of interpreters. Here too, there was a very low response rate, possibly attributable to different reasons: limited time frame and the fact that the interpreters did not wish to answer

5. In one particular police station, the present authors were treated with utmost contempt, their research ridiculed and they were subsequently the object of an investigation. Apparently the officers concerned believed that access to confidential information was being sought, although, had they listened to the explanation and read the questionnaire, they would have realised that this was of course not the case.

the questionnaires without the prior consent of their superiors. Another reason could be that, given the working conditions in this field (most interpreters work on a temporary basis), the interpreters may have somehow felt threatened by our research, which was certainly not our intention.

For all these reasons, the following results cannot be interpreted as representative of all interpreters working with the police, but they can give us an interesting, although partial, insight.

Profile of respondents

Seven interpreters in all returned the completed questionnaires or agreed to be interviewed. They were mostly female, with only one male amongst them and age was not a significant factor as there was almost the same proportion in each age range (three were under 30, two between 31 and 40; and two between 41 and 49). As for the language combination, we found a wide range of languages: French, English (three cases), Romanian, Russian, Urdu, Punjabi and Hindi. As far as qualifications are concerned, two of the respondents held a secondary education diploma only, while the rest had attained different university qualifications: two hold a *Diplomatura* (3-year undergraduate degree), one holds a *Licenciatura* (4-year undergraduate degree), one holds a postgraduate degree (Masters) and another, a Ph.D. The three latter hold undergraduate university qualifications in Translation and Interpreting.

When asked how they had acquired interpreting techniques, three of them stated that they were self-taught, two had studied Translation and Interpreting at University, one had followed a continuing education course in translation offered by a University and the last one had acquired interpreting techniques through professional experience.

The employment status of the respondents was varied: three of them have a contract as in-house interpreters, one has a contract for another post within the police station but is occasionally requested by the police to act as interpreter; finally, there are two people working freelance: one of them works on a fee-for-service basis, whilst the other receives payment only occasionally and sometimes the interpreting is done on a voluntary basis.

Finally, with regard to their experience two respondents have been working for less than one year, three for between one and five years, and two for between five and ten years.

Three of the interpreters work on a full-time basis whereas the rest work part-time or freelance doing mainly translation and interpreting just two or three times a week or, a couple of times a year. One respondent is not usually involved in interpreting, but translates written documents.

Specific working settings and tasks carried out by the interpreters

All the respondents work either for the Civil Guard (three respondents), or for the National Police (four respondents). We do not have data about local police or Regional Police (*Ertzaintza* in the Basque Country or *Mossos d'Esquadra* in Catalonia).

When asked about the different types of tasks carried out by the interpreters in police settings, five out of the seven stated that they interpret the questioning of detainees. Three also interpret in the following settings: reporting of crimes by non-Spanish speakers, questioning victims of crimes, in international meetings of police officers. Six transcribe phone conversations and, on occasions, are asked to make international telephone calls. Another task mentioned was helping foreigners with immigration bureaucracy.

One of the respondents stated that apart from the abovementioned tasks, the interpreters are sometimes asked to accompany police officers to perform an arrest when they think a foreigner is involved in the commission of a crime. Another job carried out by interpreters, although only by those on staff, is the translation of documents. As we can see, police interpreters carry out different and varied tasks, depending on which police stations they are assigned to.

Instructions from the agents on how to interpret

One of the most interesting questions included in our questionnaire, given the *ad hoc* nature of many police interpreting situations, was whether interpreters receive any kind of instructions from police officers. In this question, the option “sometimes” was included in order to make the answers more flexible. Three out of seven used the “sometimes” option and the type of instructions reported were: “summarise information” and “summarise or extend information”. Interpreters seem to be allowed to perform their duties the way they think best, which, on the one hand, may be seen as proof of trust in the interpreter, but on the other hand, it may also reflect lack of knowledge about interpreting techniques, the interpreter’s role and the qualifications of the person interpreting. We should remember that on many occasions interpreting tasks are carried out by non-professionals and therefore it would be naive to assume that a police officer can fully rely on their professional competence.

Use of first or third person

The use of the first or third person by the interlocutor —and the subsequent repercussions for the “invisibility” of the interpreter— is one of the most widely

discussed issues in the field of public service interpreting and more precisely in court interpreting (González *et al.* 1991). This is especially the case when liaison interpreting technique is used, where the interpreter sits next to the interlocutors (policemen and detainees). Most of the respondents (four out of seven) answered that the interlocutors (in this case mostly the officers) use the third person and address the interpreter, instead of addressing the other party directly, resorting to formulas such as “tell him/her” or “ask him/her”. Some of the interviewees are also reported to alternate the first and third person during the interview. In some instances the respondents declared that there are no general trends and that this depends on the individual.

Modification of language register

Another issue subject to discussion among interpreting researchers is the question of the interpreter modifying or adapting the language register of the original utterances (Berk-Seligson 1989 and 1990; Hale 2001 and 2004; González *et al.* 1991). In this particular research one of the respondents stated that s/he adapted language register, one declared that this was not done and four of them used the “sometimes” option. The reasons for the affirmative or “sometimes” answers were various: “when the register is inappropriate and it might be understood wrongly by the interviewer or interviewee”, “it depends on the other interlocutor”, “according to the type of language and terminology, for instance, slang has to be adapted”.

The explanations provided a clear example of the influence the interpreter may have during the communication exchange since one may wonder what would happen in the case of a Spanish-speaking detainee who does not have an interpreter assisting them by adapting the register in order to improve understanding. One of the respondents stated that slang used by detainees should be adapted during the interpretation process, but then, as the research in the field suggests (Berk-Seligson 1989; Hale 2004) the impression of these persons conveyed by the interpretation may not coincide with the actual impression the detainee intended to give, which obviously could entail certain repercussions and could even affect the course of police proceedings.

Explanations by the interpreter

Cultural differences

Interpreting between two languages also involves mediating between cultures. Frequently, the only person who is aware of the differences between the two cultures is the interpreter. Thus, the importance of the corresponding question in order

to find out what interpreters do when they realise that a misunderstanding may arise due to cultural differences. In this case, only two respondents answered that they sometimes explain cultural differences in order to convey the message fully to both parties. Three clearly stated that they do not do this or have not been in situations requiring them to do so, although one of them stated that if this were to happen s/he would explain such cultural differences. It is obvious that our sample is not large enough to consider these answers as a pattern within police interpreting and it would be necessary to study the reasons for these answers in further detail. However, there seems to be an influence of language combination in the type of answer provided: only one of the four interpreters with English and/or French in their language combination stated that s/he has explained cultural aspects. We cannot forget that English and French are commonly used as *lingua franca* in public service interpreting and are the languages resorted to with African or Asian citizens. In these cases, it is quite likely that interpreters are not familiar with the cultural background of people coming from distant African or Asian countries and therefore may have difficulties recognising cultural gaps during communication. The other respondent that occasionally explained cultural differences was a Russian interpreter, which clearly points to the fact that cultural gaps may appear when two distant languages, countries or cultures are involved. Yet, this was not the case with the Hindi/Punjabi/Urdu interpreter. So, a wider sample would be necessary in order to draw a clear conclusion as to the incidence of cultural explanation in police interpreting.

Explanation of police procedures

Sometimes, as the literature in public service interpreting reports (Cambridge 2003; Corsellis 2003), interpreters may be asked to explain procedures or give advice to the minority language speaker, which is not normally included in what is understood to be the interpreter's tasks. In our survey six out of seven answered that they do not explain police procedures at their own initiative. Given that in this case the vast majority of answers pointed to the fact that interpreters do not, of their own volition, explain police procedures, one could conclude that interpreters have a clear idea of what their tasks and their role are and therefore, do not carry out tasks that should be performed by police officers or solicitors. However, in similar studies carried out among Spanish court interpreters (Ortega Herráez 2004) the results obtained were different, and given the similarities between court and police interpreting in Spain, one would expect similar results to this type of question. A wider sample of police interpreters would be necessary to explain the reasons behind this answer, which may be related to the type of setting and not to the interpreters themselves.

Summarising and omitting information

According to the answers we obtained, four out of seven interpreters do summarise information (three of them “sometimes”), while only two answered that they do not do so. Among those who acknowledged summarising information, they stated two main reasons for proceeding this way. One is content-based, i.e., they summarise whenever the information conveyed by the speaker is redundant and, in order to clarify and ease communication, redundant elements are deleted. The other reason is police-based, i.e., police officers ask the interpreter to summarise information so as to speed up proceedings or to convey only the information requested and no other elements that the interviewee may include in his/her answers and which are not related to the subject matter. It seems therefore, that interpreters do intervene, at a discourse level, in the way proceedings are conducted and therefore, interpreter-mediated police encounters may not be comparable to monolingual encounters.

As far as omission is concerned, most of the interpreters answered that on no occasion should they omit information. Only one of them stated that, sometimes, s/he had omitted information and the reasons for doing this were exactly the same as those put forward when asked about summarising information, i.e., when the information was redundant or when the reply provided by the interviewee had nothing to do with the question posed by the police officer through the interpreter. It seems clear that our respondents are fully aware of the differences between summarising and omitting information and therefore, they establish differences when resorting to these two types of discourse techniques.

Despite the sample being so small, one may draw the conclusion that interpreters are somehow aware of their role and of the consequences their discourse techniques may have. It would be interesting to carry out further research in order to confirm this impression and to find out exactly what kind of information is actually summarised and what kind is subject to omission, as well as their possible repercussions for the communication process.

Ways of making the information explicit

The respondents who stated that they sometimes explain cultural differences or summarise information were subsequently asked how they did this. Only one of them answered that this is done at his/her own initiative without letting the interlocutors know, while two out of five said that they offer clarification at their own initiative but make the interlocutors aware of this afterwards. The remaining two answered that they request previous authorisation. We can see how three out of five respondents to the particular question take an active role and take a decision

on their own initiative, although to differing degrees. But what is more important is that one of the respondents stated that the interlocutors are usually aware of the need for the interpreter to make information explicit and apparently even expect the interpreter to do so. Should this opinion be verified in further and wider studies, it may be concluded that interpreters are allowed to take a more active role during this kind of bilingual encounter.

Advice to the foreigner given by the interpreter

Given that the interpreter is the only person with whom a foreign detainee can communicate, it may be possible for the latter to seek advice from the interpreter. This obviously places the interpreter in a different position and could have important repercussions for the encounter and also for the police investigation. In our research, two questions surveyed the interpreters about the possibility of offering legal advice, in the first case relating to the decisions to be taken by the detainee and in the second case in connection with the answers the detainee should give to the questions posed by police officers. In both questions, the answer was unanimous and all respondents said they do not advise the non-Spanish speaker because it does not fall within their remit as interpreters. Once again it can be concluded that these interpreters are aware of their role regardless of their previous training or qualifications. This could also be due to the fact that procedures in police settings are closely supervised by officers and that interpreters have restricted access to detainees without the presence of officers or solicitors. Therefore it is relatively difficult for detainees to seek information from interpreters. One of the respondents stated that s/he would advise the foreign detainee on the answer to give should the police officer tell him/her to do so.

Solutions to non-comprehension by one of the parties

There may be times when the interpreter realises that one of the parties has not understood the information properly, despite it having been interpreted correctly, and therefore a solution must be sought. In order to discover which techniques are used by interpreters in this scenario, respondents were presented with the following options: a) "you ask the interlocutor in order to check if s/he has understood the interpretation provided", which was marked by two respondents; b) "you warn the parties about the possible misunderstanding", marked by four respondents. One of the respondents stated that s/he would rephrase what was interpreted or would add further clarification. The answers show that, in most cases, the interpreter alerts both parties, possibly in order to avoid taking decisions that may influence the result of the proceedings. Once again, we can conclude that these re-

spondents seem to take fewer individual decisions than their court counterparts do, as shown by other studies (Ortega Herráez 2004). However, no general conclusions can be drawn from a sample which is so small and does not include the opinion of police officers, which would surely shed more light on the way bilingual police procedures are conducted. Such opinions would be useful to verify whether interpreters manage decision-making processes any differently in court or police settings: one may think that it is easier for police interpreters to ask the officer sitting next to them, whereas in court the atmosphere is much more formal and the interpreter may feel reluctant to call obvious attention to him/herself and his/her work by entering into dialogue with the judge.

Non-verbal information

Communication implies much more than words; it also implies gestures and non-verbal elements. Interpreters have to be aware of this kind of non-verbal information and have different ways of dealing with it. Three out of the seven respondents answered that they explain non-verbal information (one of them only “sometimes”). The explanation offered was that “it may offer relevant information or if it is a gesture that might be misunderstood due to cultural differences”. Three other respondents clearly stated that they do not have to explain this information.

As we can see, opinions are divided in the sample. There may be occasions on which the interpreter is not familiar with certain gestures or attitudes due to lack of cultural competence. It must be noted again that certain languages are spoken in many different countries and cultures and it would be difficult for an interpreter to be familiar with cultural patterns in all those countries. In fact, in this research the interpreters who clearly stated that they tried to make non-verbal information explicit were those working with languages such as Russian and Urdu/Punjabi/Hindi, both foreign-born and members of the minority culture. The interpreters working with majority languages such as French and English provided negative answers, except for one respondent who made non-verbal information explicit “sometimes”. Therefore, we can see that there seems to be a direct link between cultural competence and the ability to convey and understand non-verbal information. However, further research should be carried out to verify such a result.

Racist or discriminatory attitudes

We also inquired about the measures that would be taken should the interpreter detect racist or discriminatory attitudes *vis à vis* the non-Spanish speaker. Two respondents did not reply to the question and the other five declared that they take no action in such cases. These five also stated that they would not point out this

situation either to the person showing such an attitude or to one of his/her superiors. However, despite claiming that they take no action one of them then goes on to say that they would clearly inform the non-Spanish speaker about this behaviour on the part of the police officer, three of them would simply omit all reference to it in their interpretation, and one would neutralize such an attitude with his/her own behaviour. Apparently, interpreters facing this type of racist or discriminatory attitude on the part of public officers would simply try to avoid personal involvement and would even try to neutralize or filter any discriminatory comment or attitude. In any case, it is quite clear that the interpreter's decision here highlights the difference between a bilingual police interview and a monolingual one. Either by filtering the information or by letting the foreigner know what is going on, the interpreter's "invisibility", if there is such a thing, disappears and the course of the interview is somehow altered.

It is striking that none of the respondents inform the person showing this attitude or his/her superiors. This could be explained by the setting in which the encounter takes place and by the fact that interpreters may not be considered part of the police institution and are therefore cautious when expressing their own opinions. The same could be said for the techniques used in this kind of situation. It seems that the interpreter tries to avoid conflict and does his/her best to ease communication and neutralize discriminatory attitudes, which is obviously another form of active response to the situation.

Identification of the interpreter with the interlocutor

Sometimes, interpreters may feel identified with the foreign language speaker (detainee or victim) and this may have an influence on their performance. They were asked whether they had ever felt identified with the detainee or victim, and if so, for what reason. Two respondents did not reply, but three out of the remaining five stated that they had felt identified with one of the interlocutors and that there were various reasons for this. The idea of this question was to determine what kind of identification they might experience. However, out of the five who gave an answer, two did not qualify their response, one considered that this identification was due to the foreign language speaker being at a disadvantage within the system, one stated that it was because of hearing heart-rending stories from people coming from countries where inequalities are commonplace, and one alluded to the non-Spanish speaker being a victim of crime in a foreign country. None of the respondents mentioned options such as sharing the same ethnic or regional origin or language, or that the person in question was subject to injustice.

Change in interpreter's behaviour depending on the situation of the person being interpreted and influence of previous knowledge about the case

The interpreter should be impartial no matter what the situation is and this is why a question was introduced to determine whether the interpreter's performance could be influenced by the situation of the person being interpreted. In order to obtain this information we offered them a specific situation, which is very common indeed.⁶ Six respondents stated that they would not act differently and the remaining respondent stated that s/he might, but there were no affirmative answers. One respondent clarified his/her answer stating that "my attitude could unconsciously change, but not the quality of the interpretation".

With the same aim in mind, interpreters were questioned about the influence of previous knowledge in their performance. Previous knowledge about a case might make the interpreting faster and more efficient, as has been reported by many surveys, mostly among conference interpreters (Déjean Le Féal 1981; Bowen and Bowen 1984; Lederer 1986; Iliescu 1998). However, the interpreter in police settings acts in *impromptu* situations, i.e., with just a few minutes or hours notice before they have to interpret and in most cases without previous knowledge of the specific topic in question. The respondents were offered a particular situation⁷ which is common in police settings and most interpreters stated that previous knowledge would not influence their interpreting. Only one of them stated that it would make the use of terminology easier. Another answer was related to the fear the interpreter might experience because reprisals may be taken against the interpreter if it was known that s/he had translated conversations resulting from phone tapping.

Three qualities essential to act as interpreter

We asked the interpreters to state three qualities which they felt were essential when acting as an interpreter. There were a wide range of answers, a selection of which are as follows:

6. We presented them with the following scenario: you have to interpret in the following two situations: (a) taking a statement from a detainee accused of sexual abuse; (b) reporting of the victim of such sexual abuse.

7. We asked the respondents to imagine the following scenario: they were carrying out the transcription/translation of tapped phone conversations in a drug dealing case, together with the policemen in charge of the case who considers them a member of their team. The detention of one of the drug dealers, who is a non-Spanish speaker, takes place and the interpreter is asked to assist the detainee during his statement. As the interpreter had gained much information about the case through the tapping process, the question was whether the interpreter would carry out his/her job in the questioning any differently to situations where s/he had less previous knowledge.

“good knowledge of the working languages and cultures”
“not to judge people”
“correctness”
“caution”
“good background in translation and interpreting”
“discretion”
“confidentiality”

As we can see, these qualities would be valid for any interpreter working in any other type of setting and in fact are promoted through formal interpreter training. Such answers reflect the need for professionalization and high standards among police interpreters.

Conclusions

The first conclusion that can be drawn from the survey is the need to modify some aspects related to the administration of questionnaires and accessing the target population. It must be noted how disappointing it was for these authors to obtain so few respondents among interpreters and none among police officers despite all the efforts made. However, the effort put into designing the questionnaires was not in vain and we now have an instrument that can be applied in other areas of the country, or even abroad, although what we have learned —and this is an important part of the results— is that the approach needs to be modified, especially as far as securing police cooperation is concerned. It is quite likely that the police officers contacted did not actually see the benefits of this type of survey, partly because they still lack knowledge of what is at stake in interpreter-mediated police encounters. When describing the first experimental course in PSI in the UK, Longley (1984) mentions how police officers were brought on board and made to feel involved from the onset, clearly showing them the advantages that such involvement could have for their daily work.

Although this research is very limited and should be extended in order to obtain a better view of the work carried out by police interpreters and validate the results presented here, it at least offers an idea of the current situation of police interpreting in Spain and the type of tasks and situations a police interpreter is confronted with. Should this information be validated it could be useful for interpreter trainers and also help in designing actions to make service providers aware of the particularities of the interpreting process in police settings. Likewise, it would be of much use for the planners of police services themselves, since they could gain insight into what is needed and where.

As far as respondents qualifications are concerned, we can conclude that the situation clearly reflects the inappropriate entry requirements explained at the start of this chapter. Although three of the respondents hold a Degree in Translation and Interpreting, which is a relatively high percentage, this may be because translation graduates are more inclined to take part in this type of study. We should not forget all the problems experienced while accessing interpreters and the fact that our sample is quite limited. The rest of respondents have either a secondary education diploma or an undergraduate degree in another field. Moreover, only one of those working as a full time staff interpreter has university qualifications in Translation and Interpreting, one has a different undergraduate degree and two hold a secondary education diploma only.

Interpreters do not always interpret in the same context and situations, as shown by the results. They fulfil different tasks such as interpreting for detainees, transcriptions and translations of tapped phone conversations and translation of documents. Therefore police interpreters should be prepared to face a range of different situations.

The use of the third person and addressing the interpreter directly instead of addressing the other primary party is very common. This presumably occurs because the interpreter sits between the two interlocutors and it is difficult for them to “forget” that they are not talking to the interpreter but to the other person, and that the interpreter is merely there to make communication possible. It may also be because the interpreter does not know how to unobtrusively encourage the use of the first person, a situation which could be remedied by the appropriate training.

Five out of the seven respondents modify language register, although to differing degrees: only one stated that s/he did this on a regular basis whilst the other four replied that they do it on occasions, whenever it was required to facilitate communication. This clearly shows that the interpreters in our sample actively intervene in the communication exchange and are not mere conduits of linguistic content. However, surprisingly, most of the interpreters do not engage in the explanation of cultural aspects while interpreting, at least consciously which, as we have seen, could be related to their language combination and the nationality of the persons they interpret for. Despite that, nobody can deny that apart from acting as language mediators, public service interpreters are also cross-cultural mediators. In fact, that very link between language combination and cultural competence is clear proof of that.

This research has also revealed that interpreters seem to know what their role is, at least in the particular setting analyzed. Thus, our respondents do not explain police proceedings on their own initiative, which could be construed as giving some type of legal advice. Through the answers to the specific questions posed, this type of activity (giving legal advice) is clearly ruled out by the interpreters sur-

veyed. The interpreters see themselves simply as someone who is there to facilitate understanding, but they do not think giving advice to any of the parties should be one of their tasks.

Summarising information was not a common practice among the interpreters in our sample, but it does take place when interpreters are requested to do it or when information is redundant. However, there is total agreement concerning the omission of information, which is never considered by the respondents.

As for the influence that the situation or context could have on the performance of interpreters, the majority stated that this does not influence their interpreting. As we can see, the police interpreters in our sample seem to be conscious of the decisions they take during their work and therefore, are active participants in the communication exchange. Now, we have already pointed out that this sample is very limited and these results cannot be extrapolated to Spanish police interpreters as a whole; more in-depth research on a wider scale is necessary. Despite that, our research already shows some of the problems referred to during this article: problems in accessing the target population, lack of entry requirements, etc.

Unfortunately, the opinions provided by the interpreters could not be confronted with the opinions of police officers, which would no doubt have been extremely useful. We believe that more efforts should be made to try to access police institutions in order to gain a thorough perspective on interpreting in this type of setting.

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CHAPTER 7

The role of the interpreter in the healthcare setting

A plea for a dialogue between research and practice

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Healthcare interpreting has been the focus of various studies which have shed light on the complex role of the healthcare interpreter. Interestingly, the results of empirical research have barely begun to permeate the practice of the profession. A look at the codes of ethics or standards of practice of healthcare interpreting associations, as well as the professional development opportunities offered by community agencies reveals little dialogue between practice and theory. This article explores possible causes for this disconnect and suggests a deeper dialogue among stakeholders as a plausible solution. This dialogue needs to integrate researchers from the different fields that contribute to our interdisciplinary field of study, as well as professional associations and practitioners equally. This article discusses the responsibilities of each of these parties in this much needed conversation.

1. Introduction

In the United States, the end of the twentieth century and the beginning of the twenty-first witnessed important changes affecting healthcare delivery to limited-English-speaking patients (Angelelli 2004a). From attempts to match patients' and providers' native language (Molina Healthcare Inc. 2005), to hiring face-to-face or remote professional, or ad-hoc interpreters (Angelelli 2003a and 2004a), or resorting to family or community members as temporary language facilitators (Valdés, Chavez and Angelelli 2000 and 2003; Valdés *et al.* 2003; Yee, Diaz and Spitzer 2003), healthcare organizations in the US continue to explore creative solutions to bridge the linguistic barrier between providers seeking to assist patients and patients seeking medical assistance.

According to the U.S. Census Bureau, Californians speak over 224 languages. These demographics challenge all aspects of U.S. society, particularly the delivery of healthcare services. Nearly every hospital in California (and the whole United States) receives patients with limited-English proficiency. As a result, we see an increasing need for professional interpreters in the medical setting. However, less

than 25% of U. S. hospitals are either staffed with skilled interpreters (Flores, Barton Laws, and Mayo 2003) or have the adequate screening mechanisms in place to determine who can perform the job (Angelelli 2003a).

When two languages are involved in communicating with a patient, a highly sophisticated language professional facilitates that event (Valdés and Angelelli 2003). This individual is capable of processing and conveying information in two languages, often under conditions of critical and extreme pressure. Recent technological developments coupled with high demands for service and the low supply of educated professionals willing to work under current state of affairs (low salary, limited conditions of workplace) have transformed the job of healthcare¹ interpreters significantly. Nowadays, rather than brokering communication during traditional face-to-face encounters, and observing healthy conditions in their workload (e.g. taking breaks every thirty minutes of uninterrupted work), healthcare interpreters perform their roles via the speakerphone, regular teleconference, or videoconference, working for extended periods of time without breaks (Angelelli 2004a). These sources of stress complicate the task at hand even more.

2. Overview of interpreter's role

The technological and economic factors discussed above also add to the complexity of the interpreter's role which consists of navigating discourse and social communities - in many cases different from their own - as they perform high level information processing tasks. In Hymes' (1974) terms we may say that medical interpreters are temporary guests in a speech community (Angelelli 2000), since they do not necessarily belong to the community of either patients or providers. They must, however, be able to navigate both. In the course of their jobs, medical interpreters comprehend and produce language of various degrees of complexity alternating between target and source languages, rural and urban speakers whose level of education ranges from second grade to graduate school, and in whose speech communities they are only a temporary guest. Additionally, these interpreters navigate speech communities in which there are asymmetrical relations between speakers of more and less dominant societal groups. As they do so, interpreters bring with them their deeply held views about power and solidarity (Davidson 2000, 2001). Like any other human beings, interpreters also possess deeply held views regarding social factors (Brewer 1988; Festinger 1954; Stouffer, Suchman, DeVinney, and Star *et al.* 1949), all of which are present as they interpret and

1. In this chapter the terms "healthcare" and "medical" are used interchangeably to refer to the job of interpreters in a healthcare setting.

interact during interpreted communicative events (ICEs) adding to the intricacy of their roles.

In addition to the interplay of all interlocutors' social factors during the interpreted communicative event, we must remind ourselves that the ICE is only a piece of a larger whole. In other words, the ICE is framed by a society that has cultural norms and blueprints which are enacted by its members, and which also permeate all levels of interactions within society. As the ICE does not happen in a social vacuum (Wadensjö 1998), but rather it occurs within one institution that is permeable to the mandates of society (Angelelli 2004b), various layers of institutional and societal influences surround the ICE, adding to its complexity. These norms and societal blueprints get reconstructed and funneled to permeate the interactions that occur within the boundaries of institutions adding to the complexity of the interaction. Therefore during the encounters which occur within the institutions, as interlocutors bring their own set of beliefs, attitudes, and deeply held views on interpersonal factors, such as gender, race ethnicity, and socio-economic status, all of these get enacted. The interpreter, being no exception, also brings her own set of beliefs and deeply held views that are constructed, co-constructed, and reenacted within the interaction. As the ICE unfolds, the interpreter brings not only the knowledge of languages and the ability to language-switch or assign turns (Roy 2000), but also the self (Angelelli 2001 and 2004a). Through the self, the interpreter exercises agency and power, which materialize through different behaviors that may alter the outcome of the interaction (Angelelli 2004a). All of these elements that characterize the role of a healthcare interpreter have been thoroughly studied and documented, as we will see in the next section. Nonetheless, this research does not seem to impact significantly the ways in which the practice is conceptualized and organized. We need to understand the reason for this "divorce".

3. Review of the literature on the role of the interpreter

Healthcare interpreting has been the focus of various studies which have shed light on the complex role of the healthcare interpreter (Angelelli 2001, 2003b and 2004a; Bolden 2000, Cambridge 1999; Davidson 2000, and 2001; Kaufert and Putsch 1997; Metzger 1999; Prince 1986; Wadensjö 1995 and 1998). Unlike traditional views of interpreters who have no participatory role in the interaction (i.e. who is portrayed as a conduit [adapted from Reddy 1979] or as a ghost) these studies have shown interpreters to be essential partners, co-constructors to the interaction (Berk-Seligson 1990; Metzger 1999; Roy 1989, 2000; Wadensjö 1995 and 1998). Their participation is evidenced by constructing, co-constructing, repair-

ing, and facilitating the talk. The interpreter as a co-participant to the interpreted communicative event (ICE) has been studied extensively using discourse analysis (Davidson 2000, 2001; Metzger 1999; Roy 1989, 2000; Wadensjö 1995, 1998). Davidson (2000, 2001) and Metzger (1999) challenge the notion of neutrality, while studying the participation of interpreters during interactions. Roy (2000) discusses interpreting as a special case of discourse process. The role is analyzed in terms of “responsibility for the flow and maintenance of communication” by focusing on turn taking (2000: 121). Like Metzger and Roy, Wadensjö (1998) uses Goffman’s framework of roles to question the normative character of the literature in interpreting that characterizes how interpreters “should perform” instead of looking at the performances of interpreters in actual cases (1998: 83).

These scholars underscore the fact that interpreting does not happen in a social vacuum and the importance of describing the role of interpreters in the social context where the interaction is embedded. In previous work (Angelelli 2003b and 2004a) I began to address this call by investigating the visible role of interpreters as it materializes in a medical setting. The visible model of interpreters considers the power that interpreters possess. It portrays interpreters who not only participate linguistically, but who also bring to the interpreted communicative event all the social and cultural factors that allow them to co-construct a definition of reality with the other co-participants to the interaction. The interpreters’ views of all of these social factors interact with the parties’ views of those same social factors. Interpreters, as members of society, do more than merely co-construct and interact in the communicative event. They are powerful parties who are capable of altering the outcome of the interaction, for example, by channeling opportunities or facilitating access to information. They are visible co-participants who possess agency.

The agency of medical interpreters has been analyzed through a variety of methods that help explore the issue from different perspectives and also allow the triangulation of data (Goebert and Rosenthal 2001; Greenbaum 1993; Hillebrand 2004; Krueger and Casey 1988; LeCompte and Schensul 1999; Mason 1996; Van Maanen 1988). From quantitatively assessing their perceptions and beliefs in their roles (Angelelli 2003a and 2004b), to qualitatively observing medical interpreters as they enact their role (Angelelli 2003b and 2004a 79–101), interviewing and listening to them describe their roles in their own words (Angelelli 2004a 105–132), to conducting focus groups (Angelelli 2002 and 2006). When we take the time to listen to interpreters describe what they do (as CHIA did through focus groups in 2001–2) we can see that many times interpreters are placed between a rock and a hard place. They are concerned with standards of practice that contradict the policies of their employers and agencies. For example, it is difficult for interpreters to reconcile the ethical principle of impartiality when in many healthcare institutions and interpreting agencies where they work they are asked to play the role of

an advocate or a social worker. In many cases, interpreters are not even aware of the agency they possess, nor are they always conscious of the consequences of exercising it.

The agency or visibility of interpreters (Angelelli 2001 and 2004b) is evident in one or more of the following behaviors: (1) introduce or position the self as a party to the ICE, thus becoming co-participants (Metzger 1999; Roy 2000; Wadensjö 1998) and co-constructors (Davidson 2000, 2001) in the ICE; (2) set communication rules (for example, turn-taking) and control the traffic of information (Roy 2000); (3) paraphrase or explain terms or concepts (Davidson 2000); (4) slide the message up and down the register scale (Angelelli 2001); (5) filter information (Davidson 2000); (6) align with one of the parties (Wadensjö 1998); and (7) replace one of the parties to the ICE (Roy 2000).

Interestingly, the results of empirical research have barely begun to permeate the practice of the profession. A look at the codes of ethics or standards of practice of healthcare interpreting associations (see for example the codes of ethics from the Massachusetts Medical Interpreting Association, the California Healthcare Interpreting Association, and the National Council for Interpreters in Healthcare) as well as the professional development opportunities offered by community agencies (e.g. California Health Collaborative Connecting Worlds) reveals little dialogue between practice and theory and/or research. In other words, healthcare interpreters continue to be either portrayed (in the case of the codes) or taught (during workshops) as mere conduits or ghosts in interactions that simply would not have taken place without their intervention. The question is, how did this gap between theory and practice come into being and why is it perpetuated? What possible causes may have triggered this gap? And, most importantly, what players could contribute to bridging it?

4. Possible causes

4.1 Blind transfer of standards across settings

From social theory (specifically, Bourdieu 1997) we learn that interactions are never self-contained, but instead are constrained by the institutions in which they take place. This means that practices are situated. Interpreting is no exception. As a situated practice, interpreting cannot be considered in isolation from the constraints of the settings in which it occurs. Interpreters who work in hospitals, conferences, in the courts, or in schools, or any other community setting perceive their role differently, and accordingly, they report different behaviors (Angelelli 2004b). Even when interpreters' beliefs and perceptions are colored by individual social factors (such as self-identification with more- or less-dominant groups,

age, or socioeconomic status), what ultimately determines how they will perceive their role is the setting in which they work. Therefore, even when all interpreters (regardless of the setting in which they work) have in common the linguistic manipulation of a message, it is a fallacy to believe that all interpreters can or should perform their jobs equally. Research has demonstrated that interpreters' work settings influence significantly their behaviors in practice, as well as their beliefs about their roles. In spite of this, when we look at the history of interpreting we see, conscious or unconscious blind transfers of pedagogies (or lack thereof) to teach about healthcare interpreting as well as of standards and guidelines to practice the profession. The transfer generally goes from conference interpreting to court to medical. This should not be construed to mean that conference or court interpreters are teaching healthcare interpreting. Rather, that instructors teaching courses on healthcare interpreting may have been trained as court interpreters, for example, or may have moved from field to field, or may have looked at more established models for reference. A good example of this can be seen by comparing statements in the code of ethics of the three professions.

A stronger dialogue between theory and practice would allow for the acknowledgement of differences among settings, instead of forcing medical interpreting to fit other models that it cannot and should not fit. If practices are contextualized, and the context influences significantly the way in which interpreters behave, then it follows that pedagogies, standards, and regulations applicable to one type of interpreting (e.g. conference or court) cannot be blindly transferred to others (e.g. medical or community), since there are significant differences among the settings where interpreting is performed. When we analyze the interpreted communicative event, then, we must consider separately court, conference, and medical or community interpreting, and address individually the different pressures that are built-in to each of these setting's interactions. In the courtroom, for example, interpreting is highly regulated. Interlocutors may only be addressed in a certain way, and turn-taking does not exist. These features are not seen in healthcare interpreting.

Alternatively, in a medical/community setting, information passing is a goal and a central criterion for the effectiveness of the interaction or its outcome. All parties involved (interpreter and monolingual interlocutors) use certain criteria to judge and react to the effectiveness (or lack thereof) of the interaction. Accounting for the nature of situated practices then means recognizing the idiosyncrasies of medical interpreting instead of trying to make it fit other models. Once we cease to transfer incompatible elements among settings, and, instead we focus on understanding differences intrinsic to medical interpreting as a situated practice that have been evidenced by research, we will begin to narrow the gap between theory and practice.

4.2 The dearth of empirical research

Empirical studies that focus on interpreting in the healthcare setting do not abound (Chen 2003), thus limiting the possibility to bridge the divorce between theory and practice. There are several reasons for this dearth. Firstly, university programs that focus on translation and interpreting mostly produce practitioners, not researchers or research consumers. Since few doctoral programs are available in our field, most of the research produced crosses over from related disciplines (communication, education, linguistics, medicine, sociolinguistics, policy studies, to name a few). Secondly, up until recently, not many researchers working in the social sciences with no background in interpreting took an interest in this cross-linguistic issue. Thirdly, regardless of the discipline the researcher represents, collecting authentic patient/provider interactions is challenging. In addition to the regular internal review board for the protection of human subjects of the university boards, most projects require hearings in each of the participating hospitals. Seeking consent from patients, providers and interpreters in the United States is not an easy task. For patients, getting the help they needed without distractions is their main concern. For hospital administrators, their main concern is to comply with the Health Insurance Portability and Accountability Act (HIPPA 1996), and with changes in laws and regulations protecting patients' privacy. And for interpreters, their main concerns are quality control and the conclusions made on the basis of these observations that could affect their employment. Interpreters fear for their jobs. Assuring interpreters about the goal of the study (especially if it is not that of quality control) is a crucial element in building trust. Without trust, which lies at the basis of participants' involvement, data cannot be obtained and empirical research is jeopardized. Without empirical research, practice will continue to be based on opinions and personal experiences rather than on empirically tested and informed theories. The more research produced and disseminated, the more opportunities to share findings and inform practice. This will definitely help strengthen the dialogue between theory and practice. So now, let's turn to the question of who could be responsible for encouraging this dialogue.

5. Key participants in encouraging deeper dialogue

5.1 Educational institutions

When one grapples with the question of bridging theory and practice, one immediately thinks of education. Educational institutions are by definition engaged in the production of research and theories. They therefore have a key role and

responsibility in fostering a dialogue in order to inform practice at the same time as they learn from it. Theory and practice cannot exist in isolation and should not be at odds with each other. When we assess what we have learnt about the role of the interpreter, we wonder why the research produced has so minimally permeated the practice. Is it because it is not disseminated enough? Or, is it because practitioners do not see it as relevant? Dissemination is essential to impacting practice. However, dissemination of research needs to take different forms, since results have to be made relevant to practitioners, rather than shared mostly among researchers. Researchers are responsible for this and it should be a priority on our agenda. Otherwise the fragmentation between theory and practice gets deeper.

In the United States most of the healthcare interpreters have not received a formal education in their practice (many times only a short amount of training), and therefore their awareness of research findings in their field of practice cannot be assumed. Additionally, we must remember that education is different from training. While education is the act or process of imparting or acquiring general knowledge of a field or particular knowledge or skills for a trade or profession, developing the powers of reasoning and judgment, and generally of preparing oneself or others intellectually for such a profession, training implies practical learning to do, or practice, usually under some type of supervision. Reducing the education of healthcare interpreters (or any type of interpreter for that matter) to training: 1) assumes that their knowledge of the field is sufficient enough for them to contextualize the newly acquired information; and 2) provides a limited opportunity to focus specifically on an objective (e.g. tips on how to use pronouns). Regardless of the educational level (from certificate programs to undergraduate or graduate programs) courses are more often than not of a pragmatic nature. According to Jacobson (in Kennen 2005: 30), in the U.S. “programs available vary widely from 240-plus-hour classes complete with role playing and practicum to six-hour crash courses of dubious value.” The focus is not so much on educating well-rounded professionals that can bridge theory and practice, as much as it is on training them in specific skills such as memory enhancement or terminology. Education is confused with training in information processing skills or terminology (Angelelli 2000: 43 and 2006).

Training continues to be based on underlying assumptions, or on monolithic concepts, one of which is the conceptualization of the interpreter as a ghost or a conduit (after Reddy 1979). The training of interpreters is triggered by a pragmatic need: to ensure that communication between healthcare providers and patients is plausible. Since the need is urgent, no research precedes curricular implementation and no theory guides the practice. Consequently, many of the curricular decisions are made on the basis of trial and error. It is in this junction where the

dialogue between practitioners and researchers needs to be strengthened. Action research conducted in partnership between a researcher and a practitioner could be a perfect solution. Institutions of higher education need to take a lead in promoting this interaction.

A characteristic of a profession is the access to a body of knowledge shared by its members. This body of knowledge is constituted by theories and research that, in turn, inform pedagogy. When discussing professionalism and meeting minorities' linguistic needs, in the United States the issue of education -which lies at the basis of any profession- has been almost overlooked and has always been subordinated to the market needs. Logistical questions directed to conducting training take priority over questions that are designed to understand what a well-rounded education of interpreters may look like and how it would account for the differences in settings where interpreters work.

Immigration waves, economic forces, or new legislation result in imminent needs on the part of linguistic minorities who have limited proficiency in the societal language to access healthcare. By definition, linguistic minorities do not share equal or similar socioeconomic status with speakers of the societal language. Differences between speakers who belong to different speech communities (Angelelli 2000) result in interactions where power differentials are extremely salient, such as those we observe in bilingual hospital encounters (and court cases, or teacher-parent conferences). Research questions about this practice, its practitioners, and their education, which are essential to guiding pedagogy and understand the underlying complexities of the interpreted communicative event in a medical setting (Angelelli 2000; Metzger 1999; Roy 1989 and 2000; Valero-Garcés 2005), are deferred to the market needs of practitioners. The latter is what most practitioners generally have received and upon which they build their trainings. The former is what practitioners need to inform their practice. A deeper dialogue between theory and practice will help bridge existing gaps, revisit assumptions, and design guidelines for practice based on empirical evidence. Educational institutions need to be proactive in this dialogue and make research available. They need to respond to this plea.

5.2 Professional organizations

Professional organizations also need to be proactive in fostering dialogue between theory and practice. By encouraging more descriptive studies on the interpreter's role which in turn they would make available to practitioners, and by establishing realistic rules based on the reality of the parties at work, they could help reduce the gap between the results of research and the prescriptions for practice. Inevitably, interpreters as individuals and as members of a profession have their own

expectations of a professional association. They look to their organization to provide answers to all their questions, and to be in charge of implementing standardized practices. Therefore, they believe that the rules and guidelines that their professional organizations have established are genuine and they are ready to follow them. Professional organizations can take advantage of this influence to educate practitioners on important issues and to present them genuine guidelines grounded on research. Professional organizations are in a great position to encourage action research and to disseminate results to their members in a timely fashion. In the United States, medical interpreters have a range of educational backgrounds (Angelelli 2004b), with some holding a master's degree in medical interpreting and others having received no education in the field. Therefore when professional associations attempt to prescribe what role interpreters should assume, they must take into consideration the situational reality of their working environments, the background of the members setting the rules, and must work closely with researchers rather than in isolation.

In the U.S. several medical-interpreter organizations took important steps during the last decade of the twentieth century. For instance, the California Healthcare Interpreting Association and the Massachusetts Medical Interpreters Association (changed to the International Medical Interpreters Association in 2007) were constituted, later published Codes of Ethics (CHIA, 2002; MMIA, 1995), and currently are discussing certification efforts (CHIA, 2004; MMIA 2006).

Up until the 1990s, healthcare interpreting was perceived as a less prestigious variety of interpreting, practiced mostly by *ad hoc* interpreters. This perception is also evident in the fees that healthcare interpreters are able to demand. They are significantly lower than those perceived by conference and court interpreters. Certainly this perception of a less prestigious practice cannot be explained by the lack of complexity of the healthcare interpreting field (cf. Angelelli 2001, 2003, and 2004a; Bolden 2000; Cambridge 1999; Davidson 2000, and 2001; Kaufert and Putsch 1997; Metzger 1999; Prince 1986; Wadensjö 1995 and 1998). If research reveals the complexities of healthcare interpreting, but the practitioners (and associations) in the field are still struggling with the perception that what they do is not prominent enough, then much work needs to be done to translate the results of research into action. Professional associations are in an excellent position to do this. Members need to have the opportunity to learn about their practice, reflect on their performances, and make informed decisions about it. The close relationship between theory and practice is essential for a profession to advance and professional organizations need to be partners in this endeavor. Healthcare interpreting is an interdisciplinary field and its complexity needs to be understood and acknowledged in the actions of the organizations.

An example of an organization that successfully bridges theory and practice is the National Council on Interpreting in Health Care (NCIHC) founded in 1994. The NCIHC is a multidisciplinary organization whose mission is to promote cultural competence in professional health care interpreting as a means to support equal access to health care for individuals with limited English proficiency. Its members are leaders from around the country who work as medical interpreters, interpreter service coordinators and trainers, clinicians, policymakers, advocates and researchers. Based on its values of social justice, respect for and acceptance of all peoples, the NCIHC works for the empowerment of limited-English-proficient communities. Partnerships of practitioners and researchers engage in studies to investigate healthcare interpreting issues (from quality of services rendered, to access to healthcare on the part of linguistic minorities, to the use of technology in consultations). In so doing, the dialogue between research and practice grows stronger and the gap is reduced.

6. Conclusions and implications

The role of the healthcare interpreter has been the focus of several studies. Research has unequivocally revealed an engaged interpreter, a visible player, a participant interlocutor. These results have not impacted significantly the work of practitioners, and the gap between theory and practice persists. This situation is not unique to healthcare interpreting, although it is more salient than in other interpreting settings (e.g. conference or courts). Much work remains to be done to bridge this gap and the need for a deep interaction between practice and theory is a real imperative. This dialogue needs to integrate researchers from the different fields that contribute to our interdisciplinary field of study, professional associations, and practitioners equally, but will bring different responsibilities to each of these parties.

6.1 Responsibilities of researchers

Those of us who are deeply concerned about healthcare access of linguistic minorities must understand the reality of healthcare interpreting in its broadest context. We who work in the field of healthcare interpreting must ask ourselves whether this emerging profession (like any other) can afford to be based on prescription, personal opinions, and anecdotes, rather than on research. The obvious answer is that it cannot. If this answer is obvious, then we wonder how this situation has perpetuated itself. The fact that research results are available does not mean they

get read. We could look into different ways in which those results can be more accessible to practitioners and professional associations; different ways and venues of dissemination of research so that we can see our contributions having real and much needed impact. This is a task we must undertake.

It would be unrealistic to expect that professional associations or practitioners by themselves could resolve complexities such as the one posed by the role of the interpreter. This would involve developing a research agenda to grapple with problems that have long plagued the healthcare interpreting arena. It would, however, be realistic to ask both associations and practitioners to begin grounding the guidelines of their practice in research. In so doing they will participate with researchers in a wider dialogue on issues such as role, expectations and ethics. Combining research with the experiences of healthcare interpreters working within associations can truly advance the development of the interpreting profession.

6.2 Responsibilities of professional associations

Professional associations are essential co-participants in the dialogue between theory and practice. Interpreters working in a healthcare setting constantly navigate contested waters. Without empirical grounding, documents and training developed by professional associations result in professional ideology which many times may be at odds with the reality of the workplace. Studies like the validation of the CHIA Standards (Angelelli 2006) underscored the importance of developing documents in agreement with research and scientific evidence rather than on the basis of personal experiences or anecdotes.

While writing policy or designing professional development opportunities, professional organizations should look at the patient provider exchange interaction as embedded in an institution which is itself embedded in society at large. Thus, this conceptualization would also consider the nature of the interaction (private or public) and the rules of communication that govern such interaction, as well as its communicative goals. In this sense associations would not prescribe how the role of an interpreter during an interaction should be, according to some ideal model. Rather, they would describe the interpreter's role, based on situated practices of the parties at work. Organizations should also acknowledge the fact that the interpreter is a visible powerful individual who has agency in the interaction.

When it comes to the role of the interpreter, however, few professional associations address neutrality, transparency, or *invisibility*, either implicitly or explicitly (c.f. CHIA 2002: 44). As a result of this exclusion, a tension between prescribed rules and practical codes emerges. A thorough understanding of the interpersonal role of the interpreter may allow professional associations to better serve their members and, consequently, the members of the linguistic minorities for whom

interpreters work. Rather than prescribing an unrealistic interpersonal role for the interpreter and blindly transferring standards from one setting to another associations should partner with researchers in action research projects and encourage studies to explore and understand the true role of the interpreter in each of the different settings where interpreters work. The pressures and constraints that result from each of these settings should be considered from the perspective of the three (or more) interlocutors. Current prescriptivism does not allow professional associations to address the complexity of the role of the interpreter as it unfolds fully in practice. All principles laid down in codes of ethics or standards of practice should be empirically grounded and tested, rather than prescribed or assumed. Practitioners should not feel uneasiness when trying to implement professional standards in the context of their workplace (Angelelli 2002: 28).

6.3 Implications for the education of healthcare interpreters

In order to bridge the gap between theory and practice we need to pay special attention to the education of healthcare interpreters. Student interpreters need to gain awareness on the nature of situated practices, and the specifics of the healthcare setting. They must be able to contextualize the type of interactions in which they will participate. Students need to learn how to analyze meaning and its co-construction raising their awareness of multiple meanings for one utterance and thus their awareness of their role as powerful co-participants who possess agency in the interaction. They could benefit from courses that deal specifically with the different issues that arise from the healthcare settings in which they practice (e.g. hospital culture, ethics, protocol, or power unbalance). Each of these educational opportunities would enhance the student interpreter's foundation, rendering him or her better-equipped for a career as a visible, powerful, culturally-sensitive professional. This can be achieved by exposing students to the research and theory available in this field.

In the United States there are limited educational opportunities for healthcare interpreters to pursue. By bringing theory and research to bear in the education of healthcare interpreters, students will become aware of the role they may or may not choose to play and of the power they have as interpreters. They will learn how to use their interpersonal skills effectively, and the responsibilities and duties that arise from their tasks. Students need to learn that healthcare interpreters, like interpreters in general, are co-participants who share responsibility for effective communication (Roy 2000). This responsibility needs to be made explicit to students. Additionally, an integral education in interpreting would affect how student interpreters are assessed and certified, and the measurement of skills would also be comprehensive.

6.4 Implications for assessment of healthcare interpreters

In the same way that the teaching of healthcare interpreters focuses mostly on cognitive skills, ethics, and terminology, the assessment of interpreters currently focuses on areas of information processing (memory, analytical skills), language proficiency, and specific terminology. Although the measurement of cognitive and linguistic skills is essential when it comes to testing interpreters, it provides only a partial view. The role that interpreters play during an interaction (in terms of how visible or invisible they need to be) is not assessed, yet this role is a key to the successful and responsible performance of student interpreters. As we know from the literature (Angelelli 2004 a and b, Metzger 1999, Roy 2000, Wadensjö 1998) other skills (such as interpersonal or social ones) are as crucial as cognitive and linguistic skills, but are seldom taught and almost never measured. This means that constructs such as neutrality, objectivity, and invisibility are assumed, but are not tested.

A dialogue between theory and practice would result in replicating the reality of interpreters at work during assessment. Issues of alignment, affect, trust, and respect that are salient in interpreters' performance and perceptions (Angelelli 2004b) should be accounted for in assessment of interpreters rather than taken for granted or simply ignored. We cannot afford not to test what is either an essential behavior in good performance or an absolute inappropriate behavior that would render a performance unacceptable.

The wider use of instruments similar to the Interpreter Interpersonal Role Inventory (IPRI, Angelelli 2004b) would reveal important information on interpreters' perceptions about their role. Using IPRI as an example of a pre-test/post-test, programs could measure changes in incoming candidates' ideas or perceptions on the role that interpreters play. After teaching about agency and responsibilities of interpreters, programs could measure the effectiveness of content learning and its impact on the interpreters' perceptions of their roles. This means that programs would explicitly address the multi-faceted role of interpreters, as well as its consequences across settings. If a program teaches neutrality or recognition of agency, then instruments like IPRI can help to measure that construct. Instead of neglecting or taking for granted social and interpersonal skills, programs would be testing them side-by-side with cognitive and linguistic ones. In doing this, testing becomes more integrative of all the dimensions present in any interpreting event. This encompassing approach to testing would provide a more thorough and precise view of the candidates' abilities. This can only happen as a result of a meaningful dialogue between theory and practice.

In brief, research produced during the last two decades has been groundbreaking in expanding our knowledge on the role of the interpreter, its complexity, and

its responsibility. Even when results have been unequivocal, it appears that they have not permeated layers of practice at the pace and depth expected. As a result, the gap between theory and practice persists and, many times, we witness parallel conversations rather than a converging dialogue. This chapter is a plea to revert the current situation, to encourage meaningful dialogue between theory and practice. For the sake of our profession we need to take action and see that results of research are accounted for in situated practices. The time has come.

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CHAPTER 8

Hospital interpreting practice in the classroom and the workplace*

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This article deals with the training of interpreters and the effects of such training in the workplace. It is my intention, on the one hand, to analyse the interpreter's intervention after some specific training, and on the other hand, to check the effectiveness of the interpreters' training in the workplace when these students are acting as interpreters in real situations. In other words, to investigate how theory can be integrated into practice through research. The data come from two main sources: the analysis of simulated role plays in health care setting as part of the training program for interpreters and translators in public services at the University of Alcalá, Madrid (UAH), and comments by the students in the workplace when acting as interpreters in hospitals and healthcare centres as part of their internship.

1. Introduction

This volume contains several articles that refer to the need to combine theory, research and workplace practice. Taking this need into consideration, in the following pages I will examine the interpreter's role in simulated role plays and in the workplace with the purpose of analyzing what is done and what "should be done". The study follows previous research in PSI&T in healthcare settings, mainly the studies by Valero-Garcés and Downing (2007) and by Valero-Garcés (2005a, b). It is based on a discourse-oriented approach to interpreting as initiated by Roy (1996, 2000) and Wädensjö (1998) and following other contributions such as Davidson (2000, 2001) or Angelelli (2003, 2004).

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It is worth mentioning that in Spain as yet there are no professional interpreters in healthcare settings, despite rising numbers of people who do not speak Spanish and need to access hospitals and healthcare centres. As a consequence, a high percentage of interlinguistic communication is carried out by volunteers who know the languages and cultures better than their interlocutors, but who do not have any training and very often are not even aware that interpreting is a profession. These intermediaries are also expected to perform a wider role in which the activities of interpreting and mediating are blended, without clear borderlines, in the sense that they do not see the need to translate everything and may omit or add information. Nevertheless there seems to be an increasing awareness about the need to use “trained intermediaries” that help in communicating with clients who are not fluent in Spanish. To this end the University of Alcalá (UAH) has developed a training program for future PSI interpreters, including some specialised courses in different language pairs and the first and only specific masters degree in PSI in Spain.

In this paper I will study triadic exchanges between the doctor, an immigrant patient who doesn't speak Spanish — and the interpreter with some training; in previous papers like the one mentioned above I have studied three different types of medical encounter:

- Type 1: Monolingual mode: Doctor and Spanish-speaking immigrant.
- Type 2: Bilingual mode: Doctor, immigrant patient and ad hoc interpreter;
- Type 3: Interpreted mode: Doctor, immigrant patient — professional interpreter.

On this occasion I will add a new mode to Type 3 called Training Mode: simulated role plays including doctor- immigrant patient — student with some training in interpreting. First I will analyse the student's performance in class, concentrating on two specific structures: the use of question patterns- a specific and relevant structure in institutional discourse, and the way they are treated by the interpreters. Secondly, I will present some of the students' comments about their performance in the workplace, paying special attention to the way theory and practice in class have influenced their work. Finally some conclusions and suggestions to improve the training program at the UAH or to help in the design of new programs will be given.

2. Purpose and design of the study

The data in the studies mentioned above and in the present study are part of the corpus of medical interviews collected by the FITISPos research group at the UAH, Madrid, Spain. The corpus is currently made up of 70 audiotaped monolingual

and multilingual medical consultations of three main types: Type 1 (monolingual), Type 2 (with untrained ad hoc interpreters), and Type 3 (with trained but inexperienced interpreter). The consultations of Type 1 and 2 in the corpus have been recorded in healthcare centres, primarily in the departments of paediatrics, obstetrics, gynaecology and internal medicine and in the emergency room; Type 3 (trained interpreter without practice) have been recorded at the UAH and are role plays used as part of the training program in PSI&T. Languages in the corpus include Arabic, Bulgarian, English, Polish, Portuguese and Romanian as well as Spanish. The participants in Type 1 and 2 are Spanish-speaking doctors and nurses, immigrant patients with some or practically no command of Spanish, and bilingual relatives of the patients, acting as ad hoc interpreters. The participants in Type 3 are Spanish-speaking nurses, teachers, and trainers acting as providers of services and patients and students acting as patients and interpreters.

Before analyzing the interpreters' role, an overview of the training program at the UAH will be helpful. The Masters in Intercultural Communication, Interpretation and Translation in Public Services (Arabic-Spanish, English-Spanish, French-Spanish, Polish-Spanish, Romanian-Spanish, Russian-Spanish and other minority languages) (60 ECTS) aims at training specialists to liaise between institutions and their clients who do not speak Spanish. The main objectives are:

- To provide students with the theoretical knowledge and the skills, abilities, and tools needed to act as linguistic, communicative, and cultural links between institutional, medical, judicial, educational etc. personnel and the users of these public services who do not speak Spanish well.
- To explore the specific characteristics of public service translation and interpretation.
- To become familiar with and to practise the primary techniques used in this type of communication (translation to and from Spanish, liaison interpreting, consecutive interpreting, sight translation, specialised terminology, etc.).
- To give students the necessary levels of training in an attempt to professionalize the field of Public Service Translation and Interpretation.

The main modules include (for more information about the Masters Degree on PSI&T at the UAH see <http://www2.uah.es/traduccion>):

1. Interlinguistic Communication
2. Institutional Communication for the Foreign-Born Community
3. Interpretation in Healthcare Settings
4. Interpretation in Legal-Administrative Settings
5. Specialised Translation: Healthcare Settings

6. Specialised Translation: Legal Settings
7. Specialised Translation: Administrative Settings

Plus:

8. Internship in institutions where public services are offered
9. Project or research paper

The examples used in this paper are excerpts taken from 3 consultations recorded in the UAH classroom. The interpreters are students on the Masters in PSI&T during the 2005–6 academic year, who at the time that recordings were made had received about 200 hours training out of a total of 500 hours, which included the two first modules mentioned above (modules 1 and 2) plus half of the modules dealing with interpreting and translating in healthcare setting (modules 3 and 5). Some students also had experience as ad hoc interpreters as they had worked as volunteers for NGOs or accompanying relatives or friends, and all of them know the situation of the healthcare centres and hospitals in Spain through the instruction received in the first part of the Masters Degree, which includes information about the results of research and examples of authentic recordings in public services. They have also received 16 hours of class on the interpreter's standards of good practice, and basic principles of the interpreter's code of conduct. This includes information and some practice regarding the basic principles of confidentiality, impartiality, fidelity and completeness, as well as some information about some of the most widely known codes (e.g. Massachusetts Medical Interpreters Association Standards of Practice; the National Register of Public Service Interpreters, and the California Healthcare Interpreters' Association).

In this paper we have not attempted a complete functional analysis of the role plays. Emphasis is put on a specific structure: utterances representing the functional category of questions. We are interested in this function for two main reasons: a) it is one of the most representative of the overall structure of a doctor–patient interaction — a type of institutional discourse; b) it is one of the structures which best allows us to check the influence and effectiveness of the 'theory' (i.e. class teaching) when put into practice (e.g. interpreting in the workplace) when dealing with the specific—and substantial—topic of "direct interaction".

In a "textbook example" of an interpreted interview, in which the interpreter's role is limited to relaying messages between the other parties, each of the utterances of the doctor and the patient would be interpreted, and the interpreter would only rarely be an active participant in the interview. In other words, the pattern of verbal interaction would be identical to that of a monolingual interview involving only two parties, but for the "repetitions" produced by the interpreter.

The patient would hear, after a brief delay, what the doctor had said, and vice versa, through the mediation of the interpreter. We want to check how far (or close) our students are from this ‘ideal’ interpreter and if this is really the professional need in health settings.

3. The corpus

The consultations analyzed in this paper are numbered from C1 to C3, and their main features (languages, participants, place, complaint) can be summarised as follows:

Type 3 — simulated role plays: a nurse/student acting as a foreign-language patient / student acting as a trained interpreter after approximately 200 hours of training (including 16 hours of instruction on the standards of good practice).

C1 (Arabic–Spanish): general practitioner (male) — student acting as an Arabic-speaking patient (female) who does not speak Spanish — student acting as an interpreter (female) at the UAH; haemorrhoids.

C2 (Arabic–Spanish): general practitioner (male) — student acting as an Arabic-speaking patient (female) who does not speak Spanish — student acting as an interpreter (female) at the UAH; Multiple sclerosis.

C3. (English–Spanish): general practitioner (male) — a Nigerian student acting as a pregnant woman (female) who does not speak Spanish — student acting as an interpreter (female) at the UAH; pregnancy test

The comments by the students are part of the report they have to submit after completing their internships. The names used are pseudonyms to preserve their identity, even though they were asked whether their comments could be reproduced for research purposes and they gave their permission. In this case the students were:

Valentina, an interpreter for Bulgarian. Female. 25 years old, living in Spain for two years.

Brandon, an interpreter for English. Male. 26 years old. He came to Spain as a postgraduate student two years previously. Freelance translator.

Mohammed, an interpreter for Arabic. Male. 36 years old, married with children. Came as an immigrant 3 years previously. He works for an official institution in charge of migrant children without relatives in the country (‘unaccompanied minors’).

Rosa, an interpreter for English. Spanish. Female. 29 years old. She holds a degree in Translation and Interpretation.

Iulia, an interpreter for Bulgarian and English. Female. 22 years old, living in Spain for one year. Her mother works for the Bulgarian Embassy in Spain.

Fatima, an interpreter for Arabic. Female. 26 years old; 6 years in Spain. She helps her husband in a lawyers' office

4. Analysing the interpreter's role in class: Patterns of interaction

The number of turns taken by the participants in each interview provides a basis for comparison. As Table 1 shows, the percentage of interventions per interview is reasonably uniform, the longest being the Interpreter, which is not surprising given that each—or part of—the utterance by the principal interlocutors should be interpreted by the interpreter according to most standards of good practice.

Table 1. Total turns and turns taken by each participant

| | C1 | C2 | C3 |
|-------------|------------|------------|------------|
| Total turns | 131 | 126 | 88 |
| Doctor | 36 (27.4%) | 39 (30.9%) | 25 (29.1%) |
| Patient | 30 (22.9%) | 26 (20.6%) | 22 (24.9%) |
| Interpreter | 65 (49.6%) | 61 (48.4%) | 41 (46.6%) |

There is only a slight difference between the doctor's and patient's turns and the interpreter's turns: 50.3% compared to 49.6% in C1; and 48.4% as compared to 50.3% in C2; and 54% compared to 46.6%. This may mean that every utterance by either party was either interpreted or could be understood without interpretation (*okay, no, etc.*).

As for the number of turns taken by each participant, a best way to compare the interaction is to examine the extent of "direct interaction" between the health care provider (the doctor) and the patient. In the monolingual interviews, the doctor and the patient speak the same language and therefore can understand everything the other person says. There is "direct interaction" between them for the entire interview. In the interpreted type, there is direct interaction in the sense that the principal participants address each other when they speak and the interpreter relays each utterance to the other party in the language each party understands. In our corpus, between 98% (C1) and 99% (C2 and C3) of the interpreter's turns are interpretations of what another party has just said, and 99% of what the doctor or patient says is interpreted.

Some similarities and differences can also be distinguished and quantified by comparing the question patterns in the interpreted interviews when asking for information. Table 2 provides information about the total number of speaker turns in each recorded conversation for the function of question–answer sequences.

Table 2. Questions by participants and interpreters' actions following the questions

| | Total no. of questions doctor & patient | Doctor | Patient | Interpreter |
|----|--|------------|------------|---|
| C1 | 16 | 14 (87.5%) | 2 (12.5%) | – 3 not translated/ or answered directly (18.7%) – 10 translated (62.5%) – 7 new questions |
| C2 | 33 | 19 (57.5%) | 14 (42.4%) | – 33 all translated (100%) – 5 new questions |
| C3 | 15 | 10 (32.2%) | 5 (16.1%) | – 15 all translated (100%) – 1 new question |

As seen in Table 2, the doctor asks more questions than the patient and interpreter, which may indicate that this is the main pattern irrespective of the characteristics of the participants in the consultation, as the previous studies already mentioned also confirm. In our corpus the interpreter translates more than 50% of all questions (62.5% in C1 and 100% in C2 and C3), and when he asks new questions these are mainly to ask for repetition, clarification, or requesting a slower pace and/or less information in each turn as seen in Excerpt 1:

Excerpt 1.¹

From C1. 28 I (to the doctor): Perdón, ¿puede....?

Sorry, Can you....?

From C2: 80. I (to the doctor): ¿Puede explicar otra vez las informaciones?

Can you explain the information again ?.

From C3: 45: I (to the patient): Can you repeat that please?

When comparing these results to those presented in a previous study (Valero-Garcés 2005a) where the role of a professional (and experienced) interpreter was analyzed, the main difference seen is that, in that case, all the questions were

1. The numbers in the examples indicate the turn in the conversation. The translation offered is a literal one, reflecting as much as possible the often nonstandard use of Spanish in the original. The transcription code, which for the sake of readability has been reduced to a minimum, is as follows:

(????) unintelligible
? interrogative rising intonation
... pause
((...)) extralinguistic comment

translated by the interpreter, and he only produced one new question to ask for clarification. In the present study, in C1 the interpreter failed to translate 3 questions (18.7%) and produced 7 new questions, in C2 he translated all questions and produced 5 new questions, asking for repetition and/or clarification, and in C3 she also translated all questions and produced 1 new question, asking for repetition.

Considering that these interpreters are still receiving instruction and do not have much experience in the workplace, we may conclude that they know the theory but they still need some practice. That is, the high rate of new questions in C1 and C2 may indicate that the students still need to improve the use of strategies such as short term memory or note taking. However it may also indicate that it is impossible to adhere completely to the standards of fidelity and always reproduce what is heard or translate everything the interpreter has to say, even if s/he is only asking for repetition or clarification .

The following example illustrates these comments:

Excerpt 2: From C3 (The doctor is speaking directly to the interpreter but he is talking about the patient)

37 D: Bueno, primero vamos a hacerle una historia clínica, le vamos a hacer una exploración física y también le vamos, le vamos a pedir unos análisis ¿de acuerdo? y a partir de los datos que tengamos de los análisis, de la historia y tal, pues vamos a ver si seguimos pensando que la intervención quirúrgica es lo más aconsejable.

Good, first we will take his clinical history, we will carry out a physical examination and we will also, we will ask for him some tests OK? and starting from the data that we have of the tests, of the history, and so on, then we will see if we still think that surgery is the best option.

38 I: ¿Análisis de qué tipo? (*What type of tests?*)

39 D: De sangre (*Blood tests*)

40 I: No entiendo lo que es exploración física (*I don't understand what the physical examination means*)

41 P:????

42 I: ¿Sí? [*paying attention to the patient*] No entiendo lo que es exploración física. (*Yes? [paying attention to the patient] She doesn't understand what physical exploration means*)

We observe that the interpreter talks to the doctor without translating the questions and that, when the patient says something—unintelligible for the transcription—the interpreter asks the doctor the question again.

There are also cases where the interpreter, following the recommendations to

interpret in the first person, produces changes with regard to what the patient said as seen in the next example where “the doctor” (he) changes into “you”:

Excerpt 3 From C1

34 P: إذا كان الدكتور إذن بأن العملية هي أحسن حل، فأنا أفضل العملية

(*If the doctor thinks that surgery is the best solution, I prefer surgery.*)

35 I: Si cree usted doctor que es mejor realizar la operación, entonces estoy, estoy de acuerdo. (*If you think doctor that it is better to perform the surgery, then I, I agree.*)

While in other cases, the opposite is done or confusion arises, as in the next example:

Excerpt 4 From C2

82 D: Bueno creo que con la información que me ha aportado es suficiente. Ahora pasaremos a hacerle una radiografía y a partir de aquí es... (*Well, I think that the information you have given me is enough. Now we'll have an X-ray done and from this is...*)

83 P: قال بأنه بعد المعلومات التي أعطيتين عندي المعلومات الكافية و الآن قد أنديرو التشخيص بالصورة
(*He said that with the data you have given him I have enough and now we are making a diagnosis with an ultrasonography.*)

In this case, apart from the content errors “ecografía” (*ultrasonography*) instead of “radiografía” (*radiography*) and the addition of some information (“hacer un diagnóstico” (*to make a diagnosis*), we observe changes in the subjects of the sentence (*He said, I have, we are...*). This may mean that the students still need more training and practice, but it may also illustrate the type of communication problems that professionals have to face when with untrained interpreters. I should say that, after each role play, the student’s performance is analysed by the trainer and the students in class, and the student also receives some general feedback from the trainer as part of the training.

As for the results, in a previous study (Valero-Garcés 2005a) where three types of doctor–patient encounters were analyzed (Type 1: doctor–foreign-language patient; Type 2: doctor–foreign-language patient–ad hoc interpreter; Type 3: doctor–foreign-language patient–trained interpreter) research showed that the untrained (ad hoc) interpreter acted more as an advocate and husband—as he was, in this case—than solely as an interpreter, and that sometimes the interpreter’s failure to relay utterances by the participants placed communication at considerable risk. The study showed that this strategy might save time, although, in one of the interviews the doctor felt that the husband knew his wife’s (i.e. the

patient's) problem but could not be sure about the husband's ability to interpret accurately and hence often used similar resources as in monolingual interviews (doctor–foreign-language patient), that is, frequent questions, repetitions, reformulations, etc.

On the other hand, the professional interpreter (Type-3 encounters) assumed an impartial role and used specific strategies such as direct rendition of questions or asking for reformulation when he had difficulties (e.g. with terminology or long utterances). The trained interpreter also used the first person, whereas in consultations involving an ad hoc interpreter the three participants frequently use the third person ('tell her', 'ask her', 'she says').

5. Putting together theory and practice: Comments from the workplace

As mentioned above, the syllabus of the Masters in Intercultural Communication, Interpretation and Translation in Public Services at the UAH includes an internship in institutions where public services are offered and the preparation of a project or research paper. After completing the internship the students have to write a report about the activities done, analyzing their performance, commenting on the main problems they have had, and even suggesting solutions to such problems. A report from the institution giving some feedback on the student's performance is also compulsory.

By the time these reports were written most students had already completed the 400 hours of training in class. All of them had also completed 50 hour internships in institutions where public services are offered as an introduction to the workplace, and they were working on a Masters Research Project, which enables the student to search for documentation, prepare projects, and collaborate with groups from different institutions.

After analyzing the reports sent by the students and by the institutions, and taking into account some of the main topics explained and practised in class, as well as the difficulties the students' had in the role-plays recorded in class, the following subheadings illustrate the main issues the students mentioned when interpreting in the workplace:

1. Explaining the role of the interpreter
2. Seating arrangements
3. Use of 1st /3rd person
4. Language and terminology difficulties
5. Impartiality
6. Psychological effects when dealing with situations with a heavy emotional load

7. Widening the interpreters' role. Mediating?

8. Students' reactions to the training program

5.1 Introducing the interpreter's role

Working with professionals who have never had the chance to work with an interpreter is a tough task as Corsellis (2002, 2003), among others, had pointed out more than once and the following comment by a student illustrates.²

Comment 1

Introducing myself and the interpreter's role in the interview by saying for example: "Good morning, I am the interpreter, I will interpret everything you say and it will be confidential," instead of making people feel relaxed and confident, most of them—especially if they are illegal patients as is usually the case—feel uncomfortable and nervous. (Rosa, Hospital Ramón y Cajal, Madrid, working languages: Spanish, English)

5.2 Seating arrangements

Following some manuals and recommendations by professional trainers the interpreter's intermediate position between the doctor and the patient had been practised in class. However this recommendation seems to be of little use on most occasions as the students' comments (Comments 2, 3, and 4) reveal. The reasons may be different. Thus in Comment 2, the fact that the presence of an interpreter (a third person) is really uncommon in Spanish hospitals may lead to the situation related by the following student:

Comment 2²

Where to sit was always a problem, even worse than the language. You never know where to sit or close to whom. There were not direct instructions. Nobody knew. (Valentina, Hospital 1 de Octubre, Madrid. Working languages: Spanish, Bulgarian)

Space is also a related problem, as Rosa explains in the following comment:

Comment 3

The intermediate position between doctor and patient when interpreting was almost always impossible due to the physical space: a room with the doctor's desk and two chairs; or because the doctor has to examine the patient or take some samples and he went from one place to another. I never knew where to be. (Rosa, Hospital Ramón y Cajal, Madrid, working languages: Spanish–English)

2. The comments were written in Spanish and they have been translated.

And, as a consequence, the solution taken by the following student seems to be the commonest one:

Comment 4

Once in the room with the social worker everything was very calm—I sat down where there was a free seat—there was no point in sitting down in the ‘impartial mode’—between doctor and patient. (Valentina, Hospital 1° de Octubre, Madrid working languages: Spanish, Bulgarian)

5.3 First- versus third-person debate

The never-ending debate on the use of the first or third person as well as the use of direct and indirect speech, had been explained and illustrated with the results of some studies (e.g. Angelleli 2004) and practised with role plays. However, the debate was still an issue, as the following comment illustrates:

Comment 5

It was more difficult than in class to decide how to render what I heard. Many people spoke to me at the same time: a man on the phone and all the social workers at the same time. It was difficult to choose what to say, to whom to talk, which person to use..., they also referred to the patient in the third person. (Iulia, Hospital 1 de Octubre, Madrid. Working languages: Spanish, Bulgarian)

And Fatima, following the recommendation to interpret in the first person, also points out:

Comment 6

I have tried to be the speakers’ voice, although sometimes I could not avoid speaking in the third person. I also used some gestures or pointed to the staff or the patient to indicate who I was talking about. (Fatima, Healthcare Center in Azuqueca de Henares. Working languages: Spanish, Arabic)

5.4 Language and terminology difficulties

Language is basic to the work of interpreters and translators, thus great emphasis is put on the issue of register (colloquial, informal, formal, specialized). Our own experience and research show that it is essential to have linguistic resources at your own disposal, to make your own glossaries, to distinguish and use formal and informal language, to practise with different strategies, and to be able to handle difficult or unknown terms. All these skills had been practised in class because, as Ulliyat (1999:251–252) points out,

although others working in the field of dialogue (e.g. community) interpreting might not consider language skills a top priority for interpreters, I would suggest that it is

precisely these language skills that should be accorded top priority. But—and this is very important—by language skills I mean more than purely grammatical or linguistic skills. We need to look at the skills of interpreting the whole communication within all the other societal contexts of speech such as speech event, the speech situation, and the speech community.

The following comments reveal the importance of language and some other questions related to it that had not been practised, such as, for example, occasions when one of the participants has some knowledge of the language and wants to intervene, ignoring the interpreter:

Comment 7

The patients who know some words in Spanish are worse than those who don't speak Spanish at all or don't dare to speak at all. During an interview, the patient's mother knew some Spanish and she wanted to practise. She wanted to ask the doctor, and she produced incoherent sentences I couldn't even understand, and I don't think she understood what the doctor said, but she wanted to talk... and this made me and the doctor lose the thread of the conversation. We needed more time. I think this is one of the best ways to produce misunderstandings. (Valentina, Hospital 1 de Octubre, Madrid working languages: Spanish, Bulgarian)

Another specific problem is terminology and the use of specific vocabulary. Our experience and research show (Valero-Garcés 2005b) the importance and difficulties of dealing with this topic when resources are most frequently unavailable when working with minority languages. Thus in class the students work with texts of differing degrees of difficulty, and a variety of strategies are practised depending on the language combination in question. The following comment illustrates this point:

Comment 8

I had difficulties with the word "convulsion". The three times it came out I could not remember the word in Bulgarian, and I don't think the patient would have understood either if I had literally translated it. I had to use a paraphrase and explain its meaning. I think this is more professional than just avoiding it or looking for the meaning in a dictionary and giving the patient the equivalent in his/her language. (Iulia, Hospital Universitario de Guadalajara. Working languages: Spanish, Bulgarian)

But Valentina in comment 9 also calls attention to the fact that language does not exist in isolation:

Comment 9

In class we had done some activities simulating situations we will probably find and collecting some glossaries, preparing lists of vocabulary, etc. This was really useful, although some times the most serious problem was not the language level and terminology. (Valentina, Hospital 1 de Octubre, Madrid working languages: Spanish, Bulgarian)

And Brandon, in comment 10, clearly states another problem- interpreting incongruities and contradictions produced by one of the participants, creating confusion and the possibility that the interpreter may be blamed for doing a “bad job”:

Comment 10

The patient was a Nigerian boy that spoke English with a very strong accent and the social worker also knew some English. It was really difficult for me to understand what the boy said because of his accent and because he made many grammatical mistakes and used words I’ve never heard before. The social worker couldn’t understand why I had so many difficulties interpreting. There were many incongruities and contradictions which I heard, and then I had to translate and I felt I was not doing a good job. I had to ask for repetition all the time... Later the social worker told me that she had talked to the boy before and she knew his story. She thought he was trying somehow to cheat her. Then I realized why all the conversation seemed to me so contradictory. (Brandon, Hospital Ramón y Cajal, Madrid. Working languages: Spanish, English)

5.5 Impartiality

The above comment is linked to the topic of impartiality, repeated in class and practised with role plays. However, when in the workplace, where conditions and expectations are different, the situation changes and the interpreter has to take a decision as is clearly stated in the following comment:

Comment 11

I found it really difficult to remain silent and to be completely impartial when I was left with the patient in a room, waiting for the doctor or when I was with the social worker, the nurse or the doctor and they wanted to know how the patient felt, what I thought his reactions would be, what I would do if I were in my own country, etc. I had the feeling that my answers would help them communicate in a quicker, more effective way and a few times we exchanged information. It was also a way to find out what doctors think. (Valentina, Hospital 1 de Octubre, Madrid working languages: Spanish, Bulgarian)

Most reports include comments about the need to intervene for one reason or another, can be seen below:

Comment 12

I had to face some unexpected cultural and linguistic problems. In the first case, for example, when a Nigerian patient refused a blood test because he thought that the hospital “will sell his blood.” We were talking for a while, and I tried to convince him that this was not true and that it was necessary to take the blood sample. In the case of language problems, most of them are connected with the low educational level of some patients. For example many didn’t understand “to be allergic” or “to have a tem-

perature.” In these cases I intervened explaining to the doctor or the patient what had happened. (Rosa, Hospital Ramón y Cajal, Madrid, working languages: Spanish, English)

5.6 Training in psychological effects

Previous research (Baistow 2000; Valero-Garcés 2005b)—and our own experience—show that a large percentage of interpreters working in public services admit that the tasks that are requested of them usually go beyond the simple transfer of information. They are frequently seen as “catalysts” and cultural consultants. They are asked to master the same cognitive and linguistic abilities as other types of interpreters (conference, court, medical) as well as observing a code of ethics, but they also need to incorporate other abilities related to the specific setting they work in (e.g. social, cultural and sometimes religious settings; situations involving asymmetry of knowledge; and even power and gender differences). Some of our students who had been (or still were) working as volunteers for NGOs or who had accompanied relatives or friends to the doctor’s had experienced this psychological pressure. The topic had been dealt with in class through comments, some videos, reports from previous research and some activities such as asking them to write about a highly emotional experience of their own, which was later discussed in class.

At the workplace the topic was still a problem as the following comment reveals. In this case, the conversation took place with a social worker who has to decide if the patient has the right to receive free medical care or not:

Comment 13

The problem was with the conversation. The client was obviously contradicting himself all the time. I knew that this was not my problem and I just had to interpret what he said to the other party. However I couldn’t forget this interview for some weeks and think that I should have probably told the provider about this. (Fatima, Healthcare Center in Azuqueca de Henares. Working languages: Spanish, Arabic)

Communicating bad news is quite a common task and it is usually practised in role plays in class. In the following comment, the student is also helped by the professional (quite uncommon in Spain!). However the psychological pressure is so great that it seems to affect the interpreter, which is why the topic is incorporated into the course syllabus:

Comment 14

I have also experienced situations in which it is necessary to communicate some bad news to the patient like, for example, that the patient is infected with the AIDS virus or suffering from tuberculosis. For many immigrants coming from sub-Saharan coun-

tries, these illnesses mean death, and although in Spain there are treatments that allow these people to lead quite a normal life and to live for many years, one of their first reactions is to return to their countries. Doctors already knew this fact, so they know how to handle these situations. Likewise they advised me that I should talk in a soft manner using appropriate vocabulary and give them some sort of mental comfort. The doctors were aware that they didn't know how to express these feelings in the patient's culture and language. Although I followed those instructions, I saw terrible reactions—anger, distrust, helplessness—and the atmosphere was very tense. In those situations I tried to be calm and to interpret all that was said, but the psychological pressure that is experienced is so high that it makes one's job really hard and it is not easy to forget. (Rosa, Hospital Ramón y Cajal, Madrid. Working languages: Spanish, English)

The following extract confirms the above comment:

Comment 15

The second time I had to interpret in this same hospital I was better prepared psychologically. Especially when I knew that that day the doctors had decided that I didn't have to tell the family that the child has cancer! (Valentina, Hospital 1 de Octubre, Madrid working languages: Spanish, Bulgarian)

5.7 Widening the interpreter's role: Moving closer to mediation?

The consideration of the PS interpreter as an intercultural mediator bridging the gap between two cultures and languages and whose role is to favor the understanding of the different groups involved is the position put forward by some papers in this volume. It is also increasingly discussed in some institutional circles in Spain where there is an open debate between those who defend the need to develop social, cultural, anthropological and negotiation abilities, while neglecting linguistic skills, and those who put the emphasis on these skills and so limiting the role of the PSI.

The students' experience in the workplace seems to corroborate the need to incorporate some of the other abilities into their training in class in addition to the traditional ones. The mediator—PSI debate has been largely discussed and practised in class. The following three comments add first hand information to the situation in Spain that obviously needs to be taken into account when designing PSI training courses:

Comment 16

My stay in the hospital has allowed me to put into practice most of the knowledge and techniques learned in class. I have tried to be impartial and interpret everything that was said. I have practised note-taking and memory. I have tried to balance the conversation when there were some communication problems and two or more people talked

at the same time or when they produced long speeches or some clarification was needed. Nevertheless I have also realized that all that we learn in class is not directly applicable in the workplace and also that new elements should be incorporated as each situation in its context may impose specific constraints on the interpreter. (Brandon, Hospital Ramón y Cajal, Madrid. Working languages: Spanish, English)

Comment 17

After working in a hospital, in my opinion the interpreter should perform a wider role than just translating and interpreting. S/he should be engaged in other administrative tasks such as classifying documents, making phone calls, providing some advice or some sort of cultural information when required, etc. [...] This is what I've been asked to do in the institutions where I completed my internship even though in class they recommend that we should not do that. However, my feeling is that the administration will hire people who perform a wider role than just translating or interpreting. (Fatima, Healthcare Center in Azuqueca de Henares. Working languages: Spanish, Arabic)

Comment 18

The figure of the “perfect” interpreter is that of a silent, mysterious professional maintaining distance with the participants, being impartial and reproducing with fidelity the message. However all this seems to produce an effect of coldness when working in the public services area. While completing my internship, I met interpreters who had helped unknown people to register in the Town Hall, who had accompanied them to the doctor, who had had long conversations with both providers and customers to make them understand some reactions, the bureaucracy of this country or some traditions and religious practices. I have met people who work for the government who try to understand immigrants coming from many countries and I have also met immigrants who feel completely disoriented in this country. As the only one who can talk to both parties I find it very difficult—even sometimes cruel—to “be impartial” if you are left alone with the patient after having being given bad news or the professional requires some sort of explanation or asks your opinion. I don't think that providing this information or maintaining some sort of social relationships with the partners in the conversation indicates that you are not acting as “a professional” interpreter. It is necessary to look for some limits between the two extremes. It has been a unique experience and I don't regret having talked with my colleagues and partners because this way I learned many interesting things about their work and now I feel better prepared. (Valentina, Hospital 1 de Octubre, Madrid working languages: Spanish, Bulgarian)

5.8 Students' reactions about the training program

As I stated at the beginning, one of the main objectives of this paper was to check the effectiveness of the interpreters' training in the workplace when these students are acting as interpreters in real situations. For this purpose I have selected some extracts from their final reports. This offers us some feedback that can be useful to adapt the program to real needs. Most of the problems the students write about

are not new but they are useful nonetheless. Thus comment 23 calls attention to the lack of interest on the part of the administration and the gap between theory and practice:

Comment 19

Working in a hospital has been a real and fascinating experience. At the beginning I was a little bit disappointed because I thought that I would be interpreting all the time, but this didn't happen. I had learned in class that there was a real problem of communication in the healthcare area due to the presence of immigrants who do not speak Spanish, and had also seen that situation in my own neighbourhood. However it was not like that. The problem was—still is—there, the demand for people who solve this sort of problems—whether they are called interpreters, mediators or language providers—also exists, but the administration has not decided to incorporate them into the budget yet. The gap between theory and practice also exists. But I am grateful to all these people that, like me, believe in this experience and training as a new step in favour of effective communication. (Rosa, Hospital Ramón y Cajal, Madrid. Working languages: Spanish, English)

However, most students in their reports considered the training received was positive and necessary, as Brandon explains in the following comment:

Comment 20

The theoretical basis and the practice that we got in class contributed to making me work in a more professional and satisfactory way during my internship in the department of tropical medicine. Both the classes and my presence in the hospital have been an enriching experience at professional and personal levels. (Brandon, Hospital Ramón y Cajal, Madrid. Working languages: Spanish, English)

And some of them even request continuing education, a new challenge that we would like to take up in the near future at the University of Alcalá.

From the above comments I would call attention to the following findings:

1. Some sort of gap between theory and practice in class and practice in the workplace exists even though authentic material is used by the trainers in class.
2. Practice in hospitals indicates that both partners—health staff and patients—expect more than simply interpreting the message.
3. Students—the future interpreters—find some difficulties in applying what was taught in class, especially with regard to direct interaction and impartiality.
4. Students evaluate the program positively and also point out the need to incorporate some training in the psychological aspects of dealing with traumatic situations or those with a heavy emotional load.

6. Main findings

We have explored doctor—trained students—patient interaction in class and in the workplace. Our results are not different from those in other studies, but we think that they serve as an illustration of reality and, starting from here, we have an opportunity to take action, putting together theory, research and practice.

The main conclusions of our study are:

1. The student, or semi-trained interpreter, who has received about 300 hours of training but has no practice in the real world, tries to maintain a narrowly defined interpreter role when acting in role-plays except for a few instances in which they do not interpret. These exceptions, when compared with the job performed by professional interpreters (see Valero-Garcés and Downing 2007) offer some slight differences in the kind and frequency of brief responses and rejoinders which are readily understood without translation, and the instances of direct interventions between the doctor/patient asking for clarification or repetition. However, when compared with the job performed by the informal interpreter, the previous studies mentioned show that, ‘direct interaction’ between the ad hoc interpreter and the other participants is even more frequent, especially in the case of the third party who frequently does not only translate, but also adds information, asks direct questions, makes comments or gives advice, thus taking an active role.
2. The students, when acting in the workplace as part of their 50 hours internships in a hospital or healthcare centre, found that neither doctors nor patients know how to work with interpreters. As a consequence, their expectations are different from those of the professional interpreter. Thus, on the one hand, doctors tend to produce long speeches without pauses, to request the interpreters to carry out tasks other than simply interpreting, to give them advice, to ask their opinion, to inform the patient, etc. On the other hand, patients expect the interpreter to provide any sort of information they lack, to give them the opportunity to talk, and even to provide emotional support. They feel intimidated when the interpreter introduces himself and explains his role. As a consequence, although the students greatly appreciate the training in class, when faced with reality in hospitals they question some of the theory and ask for a wider role for the interpreter.
3. As for the second objective of this research: to check the effectiveness of the training program, we have already seen some of the comments by the students who point out some shortcomings in the program. Some of them could be

solved by incorporating: some medical movies or videos with real situations and traumatic experiences such as heart surgery, traffic accidents, AIDS infection, information about cancer...; some seminars or talks about the psychological effects of working in traumatic situations and how to overcome them; or practising with the different registers, accents and dialects, as well as with specialised vocabulary and also slang .

In short, I think it is time to stop the debate (at least in Spain) about the use of the first or the third person and redefining the interpreters' role taking into account the specific characteristics of interpreting and translating in the public services area.

7. Conclusion

Because of the increasing number of non-Spanish speakers in Spain there is a greater need for interpreter services in order to provide adequate medical care for patients who do not speak Spanish. The ideal situation for health care would be to have health care providers who speak the language of the patient and know his/her culture. The second best choice would be to have trained interpreters who specifically interpret in health care situations. The third choice—the one in use in Spain—seems to be the ad hoc interpreter, mainly a bilingual accompanying person. However, an increasing awareness about the need to use trained personnel to permit communication with the foreign population leads us to believe that the figure of the interpreter will be common in hospitals in near future. The training program for PSI&T at the University of Alcalá, Madrid, is designed to train interpreters for the needs of this future market.

I hope that the findings of this study will be useful for at least three different types of participants in the communicative event: for the trainers, for the practitioners and future interpreters, and for the providers of services. In the case of the trainers, to help them in the design of new activities or exercises after having seen the main difficulties in the interpreter's performance. In the case of the practitioners and future interpreters, to give them the possibility of incorporating other interpreters' experiences and analyse different situations as well as to check the effectiveness of theory in and out of class; in the case of the service providers, to help them become aware of the benefits of working with professional interpreters and who hopefully will then demand to work with professionals. Finally, I hope the data and conclusions of this study will encourage practitioners and course designers to keep in mind some of these findings and to incorporate research, theory and practice in the training of future professional interpreters.

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CHAPTER 9

Intercultural mediation

An answer to health care disparities?

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In this article, the results of two evaluation studies of the intercultural mediation program in Belgian health care are presented. From the first study it became clear that the program led to an important increase in the quality of care if adequate use was made of the intercultural mediators' services. In the second, many factors were found to hamper its efficiency and effectiveness. These were related to a lack of skills and knowledge, as well as certain attitudes, in health care providers and intercultural mediators. The results of both studies led to the development and implementation of a quality assurance and improvement program that should increase the efficiency, effectiveness and quality of the work of the intercultural mediators. This program is briefly described and its impact is discussed.

Introduction

Research has made clear that ethnic minorities may systematically receive a lower quality of health care than non-minorities. The Institute of Medicine (Smedley B, Stith A, Nelson A (eds), 2003) has stated that these disparities are partly related to stereotyping, biases and uncertainty on the part of health care providers. These authors also observe that the conditions in which many clinical encounters take place—characterized by pressure due to lack of time, cognitive complexity, and pressures for cost-containment—may enhance the likelihood that these processes will result in care poorly matched to minority patients' needs. In addition, it is a well-established fact that linguistic and cultural barriers may have a negative impact on the accessibility and quality of care received by ethnic minorities (Bowen 2001).

In 1991 an Intercultural Mediation Program was started by the Centre for Health and Ethnic Minorities (CEMG), an interdisciplinary group of researchers and practitioners with expertise in the field of ethnic minorities and health.

Since 1999, Belgian hospitals can apply for funding for the recruitment of intercultural mediators from the Federal Public Service of Public Health, Food Chain

Security and Environment. The total budget spent on intercultural mediation in hospitals in 2006 roughly corresponds to 2.000.000 €. At this moment, 58 hospitals are involved (48 general hospitals, 10 psychiatric ones). 76 intercultural mediators are being employed (totalling 51 full time positions). Seventeen different languages are represented in the group. Together they intervened 74,000 times in 2006.

The aim of the intercultural mediation program is to improve access and quality of care delivered to ethnic minority patients at the hospitals. Intercultural mediators are employed to improve the quality of communication between health care providers and ethnic minority patients, as well as to increase the responsiveness of the hospital environment to the socio-cultural and health care needs of ethnic minority patients.

Intercultural mediators have to fulfil certain requirements to be eligible for funding by the administration. They should either have a degree in the domain of intercultural mediation in health care or have a degree in a social or (para)medical discipline, or have a degree in philology or interpreting. From 2005 onwards, intercultural mediators have normally only been eligible for funding when they have either completed a theoretical course on intercultural mediation or have two years of experience in a similar function (and in a professional environment where they have been coached). The theoretical program takes three years. It includes courses on (intercultural) communication and medical anthropology, the organisation of health care, medical terminology, health education and a period of probation.

The tasks of the intercultural mediator

Many different terms are being used to refer to persons who are employed in health care institutions to cross the language and culture barrier and to increase responsiveness to the needs of ethnic minority patients. In English such different terms as 'link worker', 'health advocate', 'health care interpreter', 'intercultural mediator' and 'culture broker' are used. In addition, these terms are often used in an inconsistent way (e.g. the tasks of health care interpreters vary considerably between different projects, ranging from pure language interpreting to other tasks such as culture brokering, or providing health education). For this reason, we briefly present the task description of the intercultural mediators in Belgian hospitals.

Intercultural mediators at Belgian hospitals:

- interpret;
- function as culture brokers ('explaining the world of the physician to the patient and the world of the patient to the physician', Kaufert and Koolage 1984).

We want to stress that we do not expect or consider them to have ethnographic knowledge such as cultural anthropologists may have. Still, we are convinced that their relative familiarity with the world of the physician and that of members of their own community may be extremely useful to increase the cultural competence of the health care team;

- provide practical help to patients as well as emotional support. However, they do not act as amateur psychotherapists;
- may be involved in conflict mediation when linguistic or cultural misunderstandings are the cause of the conflict;
- may act as advocates for ethnic minority patients when they are being confronted with racism or discrimination or when the patient's well-being or dignity is at risk;
- visit ethnic minority patients in their room to check whether they need help (which will then be provided in collaboration with health providers);
- point out problems experienced by ethnic minority patients to health care providers and the hospital administration;
- provide health education to patients.

In the following paragraphs, we first briefly present the results of 2 evaluation studies conducted at the hospitals and mother and baby care centres. After that, we describe the quality assurance and improvement program that we designed and implemented to remedy a number of problems identified in the evaluation studies. Finally, we present and briefly discuss the effects of the quality assurance and improvement program.

Intercultural mediation: Results of two evaluation studies

A first qualitative evaluation study was carried out from 1993–1995. Intercultural mediation had—at that time—not yet been incorporated into the normal funding system for hospitals. This first study mainly focused on the effects of intercultural mediation on the quality of care and the problems associated with the introduction of intercultural mediators in hospitals.¹ The central question of this project was whether the employment of intercultural mediators was an effective strategy to reduce health care inequities. We therefore conducted in-depth interviews with twenty-eight health professionals who had experience in working with intercultural mediators in mother and baby care and/or hospitals. Nine medical

1. For more information see Verrept and Louckx (1997) (in English and Spanish). For those who read Dutch, see Verrept (2000/2001).

doctors, sixteen social nurses/social workers and three nurses were interviewed. The number of health professionals was judged to be adequate as no new information was forthcoming from the last health professionals who joined the study. The in-depth interviews were designed to collect data on (1) the frequency of the cooperation of the health professionals with the intercultural mediators, (2) the tasks performed by the mediators, (3) the effects on the quality of care (both at the level of process and outcome of care and at the level of perceived patient-satisfaction), and (4) the problems associated with the introduction of the intercultural mediation program.

To obtain a more complete picture of the functioning of the intercultural mediation program, we also conducted in-depth interviews with twenty-one experienced intercultural mediators. As members of the target group of the program, they were in an excellent position to develop an awareness of the problems experienced by ethnic minority patients in health care and especially to see whether the program was able to resolve them. In addition, intercultural mediators were specifically asked to recount 'compliments and complaints' they had received from clients about the introduction of the intercultural mediation program.

Finally, thirty-one randomly selected clients of the intercultural mediators were interviewed. The aim of these semistructured interviews was to collect further information on the effects of the program on some aspects of patient satisfaction.

A second study was carried out from 1997 to 2000. Both qualitative (participant observation, interviews, focus group discussions and informal interviews) and quantitative (survey) methods were used to collect data this time. The researchers did participant observation in ten hospitals. In all, the participant observation consisted of twenty observation sessions (each lasting at least four hours). In addition, focus-group discussions were organised with intercultural mediators and those in charge of intercultural mediation in the hospitals. The research material was completed with notes taken during informal encounters with health professionals, ethnic minority patients and representatives of NGO's who had trained the intercultural mediators. Qualitative data were mainly collected to get information on the quality of the interventions of the intercultural mediators and to identify factors that hamper the effectiveness and efficiency of the program.

We also organised a survey to get a more general idea of the number and type of interventions executed by the mediators. During a period of one month, all interventions were registered using a specially designed questionnaire. This instrument provided information on the tasks performed by the mediators, data on the clients of the mediators and on some other relevant aspects such as the different parties involved in the intervention, who took the initiative to call in the services of the mediator, the duration of the intervention etc.

In this second study, the emphasis was on the problems associated with the introduction of the program at the hospitals and the quality of the interventions of the mediators.² In the following paragraphs, we briefly present and discuss the main findings of both studies.

Intercultural mediation: Its effects on the quality of care

Health professionals, patients and intercultural mediators confirm that the introduction of intercultural mediators led to an important increase in the quality of care, if adequate use is made of their services. All of the health professionals state that the intercultural mediation program should be continued and become a regular service available to ethnic minority patients and health staff.

The most important of all the improvements is the fact that intercultural mediators facilitate the exchange of correct and detailed information between health staff and patients. This a consequence not only of mediators' presence in itself, but also of the fact that patients are less inhibited about telling their stories in the presence of the intercultural mediator (and/or the absence of an informal interpreter, e.g. child or spouse). In addition, our data suggested that adaptations at the level of communication strategies and style contribute to the effectiveness of communications with ethnic minority patients. These improvements had far-reaching effects. *Improved communication.* Health professionals point out that the program increased their ability to diagnose certain conditions and to differentiate between them (e.g. finding clues as to whether continuing feelings of discomfort are related to somatic or psychosocial problems). Taking a detailed patient history (in the way it is taken from indigenous patients) had become possible with some patients only since the introduction of the intercultural mediator. Health professionals and patients alike point out that the interventions of the intercultural mediators make smoother health care delivery possible because, as a result of the improved communication, they can now cooperate better.

In addition, we find systematic evidence that many patients find it easier to talk to the intercultural mediator about a whole range of topics than to Belgian health professionals. Patients state that intercultural mediators are able to understand certain messages better because "things are different in our community and the intercultural mediator knows what they are like". Health professionals point out that many problems, especially in the domains of family relationships, marital problems and family planning, were not easily discussed before the intercultural mediators started working and consequently remained hidden from them.

2. For more information, see Verrept, Perissino, and Herscovici (2000).

Intercultural mediators and their clients tell us that clients are supported and encouraged to ask questions of health professionals when they hesitate to do so. Health professionals state that many questions were not asked before, either because of the language barrier or because of patients' inhibitions. Some patients report that certain topics could not be discussed with health professionals in the past because discussing them in the presence of an informal interpreter would have embarrassed both the patient and interpreter. Folk illnesses, such as possession by spirits (*jnun*), and traditional remedies, such as consulting a Koranic teacher (*fqih*) in the Moroccan community, are also more readily discussed with the intercultural mediator, as are emotions and mental states. In a number of cases, health professionals point out that this had far-reaching (sometimes even life-saving) effects on the health and well-being of the patients involved. Patients' readiness to reveal their mental states to the intercultural mediator makes it possible to meet their need for psychological support or help. This is felt to be one of the major benefits of the program.

The patients' assumption that intercultural mediators will understand their problems better is not the only reason they are more willing to talk about certain subject with them. Intercultural mediators describe how they adapt to the communication style of their patients. They use specific communication strategies to correct clients' misconceptions and to convince them to take their medication regularly, for example. Evidence from our data suggests that intercultural mediators are much more effective in convincing patients to undergo surgery, to stick to certain therapeutic regimens, and to consult specialists or paramedics. Many health professionals report interventions with considerable clinical impact, adding to the life expectancy or the quality of life of the patients involved. Part of the intercultural mediators' greater persuasiveness is no doubt associated with their increased ability to assess their patients' non-verbal clues. They have less trouble assessing the atmosphere during an intervention and are more easily aware of the fact that patients do not understand what is being explained to them, or that they are unwilling to accept a piece of advice. This makes it possible to take patients' reactions into account.

Providing Culturally Sensitive Care. In some hospitals, the intercultural mediators suggested ways to adapt the hospital environment better to the presence of a culturally diverse clientele, for example, several hospitals provided a room for Muslim patients to make it possible for them to pray without being disturbed. Also, certain hospital procedures were adapted in ways that made them more acceptable to the ethnic minority patients. Diets were adapted to the eating habits of ethnic minority patients. Intercultural mediators were able to resolve a number of conflicts between health staff and ethnic minority patients and sometimes successfully defended their clients against insensitive and racist practices.

Effects on patient satisfaction. Especially at the hospitals, the presence and the interventions of the intercultural mediators contribute tremendously to patient satisfaction. This also holds true for patients for whom the intercultural mediator has never interpreted. They feel less isolated and lonely. Patients very often explicitly express their gratitude to the mediators. They also stress this aspect during the interviews with the researchers stating, for example, “that meeting someone of your own country at the hospital gives you a feeling as if your heart is opening up”. The feelings associated with the presence of someone from their own ethnic group seem to be more important to them than the fact that these persons have helped them to cross the language and culture barrier. The fact that the hospital is funding an intercultural mediation program is experienced by many of them as a sign that the hospital really wants to help them. This is not unimportant in a country where the success of an explicitly racist, extreme right-wing party casts a shadow over interethnic relations in general.

Problems associated with the introduction of intercultural mediation in hospitals (2000)

Low number and type of interventions carried out by the intercultural mediators. In 2000 most intercultural mediators saw only 4 patients a day. This might have been less of a problem if this number were enough to cover the need for intercultural mediation. Unfortunately, our research made it clear that this was not the case. During our participant observation, we were systematically confronted with the fact that health professionals had not relied upon the services of the intercultural mediators when they were confronted with a language and culture barrier.

Our qualitative data (collected mainly through participant observation) clearly indicated that a high number of interventions initiated by the intercultural mediators themselves or by the patients (or their family), were related to the fact that no intercultural mediator had been present when the patient and the health professional met. Most of these were attempts to remedy communication problems that had developed at that moment. As in many similar projects, it turned out to be very hard to convince health professionals of the importance of the role of the intercultural mediator, as well as of the unacceptability of working with informal interpreters.

Intercultural mediators were aware of the fact that health professionals often did not rely upon their services when these were needed. This is one of the reasons why most of them systematically visited patients of their own group in their rooms to ask them whether they had understood everything the physician or the nurse had explained to them. At the same time, they also informed patients that they could call them whenever they needed them (e.g. when the physician

would be seeing them). Although this method is far from ideal, it turned out to be a pragmatic and often effective strategy to fight the consequences of the phenomenon that health professionals did not systematically rely upon intercultural mediators. Unfortunately, we found that only in about 40 % of the interventions the health professional, the intercultural mediator and the patient were simultaneously present in the same room, thus rendering direct communication possible.

One important (and undesirable) outcome of this fact was that the language barrier was frequently not resolved when the physician is e.g. taking a medical history of the patient. As a matter of fact, only 25% of the interventions of the intercultural mediators were related to the taking of a medical history or carrying out an examination. This is far from ideal, as a growing body of research suggests that the presence of language barriers may seriously affect provider effectiveness (e.g. limiting their ability to diagnose certain conditions, poorer pain management, less adequate management of chronic diseases such as asthma and diabetes) (Bowen 2001; Jacobs and Agger-Gupta 2003; Saldov and Chow 1994). Our data suggested that the effectiveness of our program was indeed very seriously hampered by the relatively low number of interventions where health professionals, patients and intercultural mediators met in the context of a triadic intervention.

Interpreting skills. The quality of the interpreting done by the mediators was often poor. As mediators in many other programs, they had clearly been insufficiently prepared to perform this task in an adequate way. The MMIA-standards were often not met. We found e.g. that many intercultural mediators did not hold a preconference and that they insufficiently explained their role. Potential areas of discomfort for the patient, especially the gender of the intercultural mediator, were rarely discussed. More importantly, particularly messages of patients were frequently incompletely transmitted. Some intercultural mediators did not ask for clarification or repetition of information and/or concepts they did not understand or did not completely hear.

In addition, most health professionals had received no training whatsoever to cooperate with intercultural mediators. The way they communicated made interpreting difficult, for example, because they used a lot of jargon and provided too little time for interpretation. Through non-verbal behaviour, they often made it clear that they were under considerable time-pressure. Intercultural mediators felt pressed to interpret only the gist of the messages of the patient.

As a result, the quality of interpreting was often poor. The communication process also lacked transparency. Patients and health professionals were not always aware of what the other party had said, and had no idea of parts of messages that had been deleted by the intercultural mediator.

Health professionals insufficiently aware of the tasks of the intercultural medi-

ator. Some health professionals asked intercultural mediators to perform tasks that should normally be performed by themselves with the aid and assistance of an intercultural mediator. This was the case for about 30% of the interventions. This may not be without risks for the patient and the mediator. The integration of the intercultural mediators in the teams of health care professionals was a major problem faced by our program

Culturalisation' of problems of ethnic minority patients. Many health professionals tended to attribute ethnic minority patients' health problems and problems experienced during the health care delivery process too quickly and wrongly to the culture of the patients involved. In our program, we refer to this phenomenon with the neologism 'culturalisation' (see also Kaufert 1990). Once they believe the problem to be associated with the culture of the patient, they have a tendency to shift the responsibility to find a solution to it to the intercultural mediator. This proved to be very stressful for the mediator, and often led to a dead end in the health care delivery process. This phenomenon was most commonly observed in the treatment of patients with psychosocial problems and with non-compliers.

Advocacy. Although they had been trained to advocate for their patients, it was found that it was often impossible for the mediators to do so effectively. This was mainly due to their low status at the hospitals, which made it very hard for them to defend patients' rights or to intervene when the patient's well-being or dignity were at stake.

Quality improvement and assurance program

To improve the quality, effectiveness and efficiency of intercultural mediation at the hospitals, it was decided to develop a quality improvement and assurance program. It is based on three pillars:

Monitoring of intercultural mediation at the hospitals

To remain well informed about the strengths and weaknesses of the intercultural mediation program, as well as to assess the possible impact of the quality improvement and assurance program, we decided to monitor the program as closely as possible. To do this we make use of a specially designed questionnaire to register the activities of the intercultural mediators. These are registered every year during the month of March. In addition, we observe the activities of the intercultural mediators (through participant observation), and organise meetings with representatives of the hospitals involved as well as with the mediators who are

working for them. During these meetings, feedback is given to the hospitals on the data collected by the intercultural mediation unit. Representatives of the hospitals get the opportunity to provide essential additional information on the functioning of intercultural mediators at their hospitals and to suggest strategies for improvement.

Additional training and supervision for the intercultural mediators

As it had become clear that most intercultural mediators lacked appropriate interpreting skills, we organised a 50 hrs course on interpreting techniques. For this course we hired lecturers who are also involved in the training of conference and community interpreters at interpreter training institutions.

A lot of attention was also given to the MMIA Interpreting Standards (1995) that are now used as a code of practice for the interpreting done by the intercultural mediators (see www.mmia.org).

To improve the quality of the interpreting done by the intercultural mediators further, terminology working-groups were created. Their aim is to increase the competence of the intercultural mediators to translate medical terminology adequately into their mother tongue. In 2005, we started groups for Moroccan-Arabic, Turkish and Tamazight (Berber language spoken in Northern Morocco). The working-groups are led by native speakers with either a background in medicine or philology. During the sessions, equivalents for medical terms are presented and discussed with the intercultural mediators. For a large number of terms, no equivalents exist in the mother tongue of the mediators. As a result, adequate definitions or 'explanations' have to be developed.

As a starting point for these sessions, we use the course on health, healthcare and anatomy that is used in the training program for intercultural mediators. In addition, we rely on the following material:

- Transcriptions of video-taped conversations between MD's, nurses, social workers and patients;
- Lists of frequently used words provided by health care providers;
- Health education material that is available (in Dutch, French or German) at the hospitals;
- Medical terms presented by the intercultural mediators themselves during the sessions.

Ideally, a session starts with the discussion of the terminology related to a certain theme (e.g. diabetes) and ends with a role-play based on a real-life intervention that was videotaped at a hospital. This role-play is also videotaped and discussed

at the beginning of the following session. The whole process leads to the development of terminology lists that will be made available on our website.

Starting from the literature, our own research and the experience of intercultural mediators and health professionals, a new and more detailed task description was developed and discussed with the mediators and representatives of the hospitals.

A number of sessions were organised concerning the role of the intercultural mediators as culture brokers (mainly based on the work of R. Putsch (1985, 2002), and J. Kaufert and his colleagues (1985, 1991, 1997). It was decided to stress that information given to the health professional about the world of the patient should always be presented and regarded as a hypothesis on possible behaviour etc. rather than as unquestionable facts.

Finally, intercultural mediators are regularly invited to participate in supervision sessions where 'trouble-cases' can be discussed. The idea behind these meetings is to create room for exchange between intercultural mediators—and in some cases also external experts—and ourselves. The ultimate goal is to gradually construct a knowledge base that can be used by all mediators when they encounter a similar problem.

Training sessions for health professionals

During their training, most health professionals have never heard of the negative effects of language and culture barriers on the quality of care. In addition, many of them are convinced that working with informal interpreters (e.g. family members, cleaners who belong to an ethnic minority etc.) is an acceptable strategy to overcome language barriers. Finally, hardly any Belgian health professionals have been trained to work together with intercultural mediators or interpreters.

For these reasons we developed two training units for health professionals. The first one aims at convincing health professionals of the need to rely on an intercultural mediator when they encounter a language or culture barrier. These sessions concentrate on the literature regarding the effects of language barriers on the quality of care and on the risks associated with working with untrained interpreters. A few suggestions are also advanced to make working with an intercultural mediator more effective and efficient.

The second training unit has as its aim to teach health professionals how to collaborate with an intercultural mediator. After a short theoretical introduction and the viewing and discussion of a number of videotaped interventions, health professionals receive information on how to work effectively with an intercultural mediator. At the end of the session, one or two health professionals get a chance to role-play an intervention where they rely on the intercultural mediator at their

hospital to communicate with a fictitious patient (mostly played by an intercultural mediator from another hospital).

Indicators of change

The most striking change over the years is no doubt the continuing increase of the average number of interventions by the mediators per working day. In 2000, an intercultural mediator would typically intervene 4.6 times a day (this represented about 2.5 hours of work). In 2004, intercultural mediators intervened much more frequently, about 7.7 interventions per day. Still, it is not certain that this dramatic improvement is (only) related to the implementation of our program. It might also be an effect of time: with time, more and more health professionals may encounter a situation where intercultural mediation cannot be done without. A positive experience of the collaboration with the intercultural mediator often makes health professionals rely more easily on them afterwards. It is certainly not related to a similar increase in the number of ethnic minority patients relying on the hospitals involved.

As regards the type of intervention carried out by the mediators, we find that mediators interpret a lot more than they used to. In 2000, intercultural mediators interpreted during 40% of their interventions, in 2004 this number had risen to more than 60%. This is a positive evolution, as the literature particularly suggests that unresolved language barriers may seriously affect the quality of care. We also find that intercultural mediators are working in closer collaboration with the health professionals than before.

Evidence collected through participant observation and observations by the lecturers during the training sessions on interpreting techniques, suggest that the quality of interpreting is improving. In the second half of this year, all intercultural mediators will be tested to assess their interpreting skills. At that time, we will have more information on the effectiveness of the interpreting training.

Intercultural mediators argue that—as a result of the training and supervision sessions—they have become more like other professionals (one important aspect is that they can refer to a clear task description and a code of practice to explain why they are doing what they are doing). The enthusiastic participation of the intercultural mediators in the terminology working groups indicates that they themselves are very much aware of the importance of the quality of their interpreting and the need for continuing education in this domain.

A number of problems remain unresolved, however. Although the number of interventions has dramatically increased, a large number of health professionals

still fail to rely systematically on intercultural mediators when they encounter a language or culture barrier. Part of this problem is no doubt caused by the fact that many intercultural mediators only work part-time, and as such are not always available when there is a need. Under such circumstances, health professionals may be forced to rely on informal interpreters and may easily continue to work in this way.

Also, it turns out to be very hard to reach MDs during the training sessions for health professionals. As MDs hold a lot of power in Belgian hospitals, it is very important to reach and convince them of the necessity to work with intercultural mediators. Their opinion may be decisive with regard to whether an intercultural mediator is called for a certain patient. Closer collaboration with the structures representing the MDs at the hospital seems to be necessary to reach this group.

Conclusion

The two studies and the continuing monitoring of the intercultural mediation program clearly indicate that the work of the intercultural mediator may result in an important improvement in the quality of care delivered to ethnic minority patients, if adequate use is made of their services. In our qualitative material, we also find some evidence that the interventions of intercultural mediators may also positively affect the health status of their clients. Although more research is undoubtedly needed, we find a number of indicators that intercultural mediation may contribute to the elimination of health care disparities.

In addition, we observe that the effectiveness and efficiency of intercultural mediation depends largely on the integration of the intercultural mediators in the health care teams and the development by health care providers of skills necessary to facilitate effective collaboration with them. It is clear that this aspect is as important a prerequisite for success as is the training of the intercultural mediators themselves. Health care providers have to be encouraged to work with intercultural mediators whenever they encounter a language or culture barrier.

Finally, it has to be stressed that to improve the effectiveness of this and similar programs, it is essential to increase health care providers' insight into the complexities of intercultural health care provision and interpreting and into the benefits of finding out patients' explanatory models of illness and treatment during patient encounters. As long as health care providers lack this insight, there is a real danger that intercultural mediators will be perceived as low-qualified health workers who hand down information, as dictated by Western biomedicine, to the members of their community, as has been argued by Anderson (1986). This may seriously hamper the impact of intercultural mediation on the quality of care.

Our webpages

Intercultural Mediation Unit: Web pages on intercultural mediation (in Dutch and French): www.health.fgov.be > mijn gezondheid > patiëntenrechten en interculturele bemiddeling > interculturele bemiddeling (Dutch) and www.health.fgov.be > ma santé > droits de patients et médiation interculturelle > médiation interculturelle (French).

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Community interpreter self-perception*

A Spanish case study

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This chapter presents the results of a self-perception study carried out amongst public service interpreters in Andalusia, southern Spain. The interpreters involved work in different settings including hospitals, social services, emergency services, education, police and courts. The aim of the study was to explore the interpreters' perception of their role in the interpreted encounter, the limits of that role and their views with regard to such issues as the addition and omission of information, and the explanation of cultural references and specialized terminology, amongst others. The methodology used is based on questionnaires and structured interviews, similar to that used in previous studies carried out by members of the GRETI research group.

Introduction

The study presented in this chapter was carried out under the auspices of the GRETI research group, based at the University of Granada and funded by the Andalusian Regional Authorities. One of the groups main fields of research is community interpreting and over the last five years, group members have carried out studies involving service providers, lawyers specialised in immigration issues and court interpreters, in an attempt to explore their opinions on the role of the interpreter (cf. Foulquié 2002c; Martin and Abril 2006; Ortega 2006; Ortega and Martin, forthcoming). The work presented by Ortega and Foulquié in this volume forms part of the same body of research and applies a similar questionnaire.

The current chapter presents a self-perception study of a sample of interpreters working in Andalusia in different settings: hospitals, social services, emergency services, court and the police.

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1. GRETI's home page: www.ugr.es/~greti/

Background

Community interpreting in Spain is in a pre-professional phase, characterised by a lack of recognition of interpreting as a professional activity and the absence of mechanisms for professionalisation, as shown by other studies exploring the status quo of community interpreting in Spain (Abril 2006; Foulquié 2002a and b; Martin 2000; Martin 2006; Miguélez 1999; Ortega and Foulquié 2005; Valero-Garcés 1998, 1999, 2003a and 2003b).

Recruitment of professional interpreters is an exception, and *ad hoc* solutions are the order of the day. The figure of the interpreter is largely ignored by the institutions who, if they recruit anyone at all for these activities, prefer to hire intercultural mediators, who then double up as translators and interpreters. There are no specific accreditation systems for interpreters who work with the administration or public services, and despite the growing interest from universities in interpreter training, the formal community interpreter training courses on offer are uncoordinated, do not cover the languages most demanded by the market and—with few exceptions²—are of an introductory nature (Taibi and Martin 2006).

Spain is a country which now receives more immigrants than any other EU member state (Instituto Nacional de Estadística 2004: 12) with foreign-born nationals accounting for 8,4% of its population (Nogueira 2005: 1). Given this situation it is logical to think that these *ad hoc* interpreters and intercultural mediators have much work to do. We may well wonder what their performance as interpreters is like and how they solve the possible ethical dilemmas and role conflict they come up against, bearing in mind the lack of recognition and mechanisms for professionalisation already described and therefore the lack of formal codes of ethics. We may assume that these interpreters act in accordance with some form of conscious or subconscious norms and expectations. As Pöchhacker (2000: 50) points out: “These interpreters presumably shape their task according to some implicit norms of translational behaviour as well as expectations on the part of their (professional) clients”.

It was our premise that these “interpreters” would not necessarily be familiar with the many theoretical conflicts alluded to in the literature on the role of the interpreter, despite being the victims of the practical materialization of those conflicts through the decisions that they take at work every day, consciously or not.

2. From October 2006, the University of Alcalá de Henares, Madrid has been offering an official Masters degree in *Intercultural Communication, Public Service Interpreting and Translation*. This is the first official qualification in community interpreting in Spain.

Such theoretical conflicts refer to professional ethics and particularly to the degree to which an interpreter can intervene in the interaction between primary participants. The limits of the interpreter's role and the problems derived from the difficulty of establishing those limits has received the attention of numerous authors.

Translation theory has come a long way since the days when it was believed that there was one "correct" translation and that the translator or interpreter "only translated", that is to say, performed a mechanical operation based on a series of rules which had been previously learned and internalised. Such a concept is based on a naïve and simplistic view of what translating and interpreting is all about. In this sense, Pöchhacker (2000: 51) remarks that "Just translating' is little more than a simplistic fiction in an interaction marked by the interlocutors' unequal status and different educational, social and cultural backgrounds".

Interpreting in public service settings is a highly complex process which is far from being mechanical. The sociocommunicative, contextual, pragmatic and functional characteristics that make up this complexity often affect the interpreters' role, generating tensions that may lead to ethical conflicts, which in turn make it difficult to take decisions about the limits to which the "third participant"—that is to say, the interpreter—can legitimately intervene. Mason (1999: 155) summarises the pressure that may result from this complexity in the following way: "[...] interpreters are influenced in their interpreting behaviour by situational constraints: role conflict (cf. Anderson 1976), in-group loyalties, stress in a sensitive situation, perceptions of power and distance, and so on".

Given this array of interrelated factors which influence and may condition the decisions taken by the interpreter, the concept of the interpreter's *invisibility* in public service settings requires reconsideration. Angelelli (2003: 16) highlights the fact that the interpreter is not only visible because she is physically present in face-to-face interaction, and that this presence is enough to provoke a reaction in the rest of the participants (Gentile *et al.* 1996: 31). The interpreter is visible with her own social and cultural background, which enables her to construct a view of the situation in cooperation with the rest of the participants in the interactive communicative encounter:

The interpreter brings the self. The self cannot be artificially blocked as the ICE [interpreted communicative event] unfolds to create the illusion of an 'invisible interpreter.' The interpreter is "opaque" rather than "transparent", "visible", not "invisible". (Angelelli 2003: 16)

This view of the interpreter as "visible" and having the power to influence the interaction has been supported by different observational studies carried out from a sociolinguistic and discourse analysis perspective. The result of this has been a

new, independent research paradigm applied to community interpreting, which Pöchhacker (2004: 79) refers to as “dialogic discourse-based interaction” (DI). The starting point of this paradigm can be attributed to three authors—Berk-Seligson (1988, 1990), Wadensjö (1992, 1998) and Roy (1996)—whose pioneering work coincided in demonstrating that the community interpreter is far from being a sanitised, invisible figure with no influence on the interactive encounter.

Berk-Seligson carried out an experimental study in which the members of a mock jury in a US courtroom situation evaluate the impact caused by a witness through two different interpreted versions of his testimony. The data, analysed from a sociolinguistic perspective, demonstrate how the interpreters’ choices with regard to style, register and the degree of formality affect the way in which the listeners perceive the original message and speaker. Despite supposedly being a neutral figure with no influence on the development and result of the interpreted event, the interpreter does in fact influence it in many ways as a result of the decisions she takes regarding questions of pragmatics such as the transmission or not of grammatical mechanisms (verbal forms and intransitivity), or the use of hedges, double negatives and politeness forms, amongst others.

Wadensjö (1992, 1998) contributes the longest and most emblematic study within this field. She applies conversation analysis to a wide corpus of interpreted interviews in immigration and medical settings in Sweden, studying the dynamics of the interaction between the participants. The results prove that the interpreter actively intervenes, assuming a coordinating role at the same time as transmitting messages. Wadensjö’s work proves that the interpreter cannot be considered as a mere depersonalised language conduit.³ According to this author, monolingual interaction and interaction through an interpreter constitute different genres of communication—“different systems of social activity” (Snelling 1997: 205)—each governed by different parameters:

Interpreter mediated talk forms a particular type of encounter, with its own specific organisational principles. The question is not then ‘if’ but ‘how?’ conditions for interaction differ from monolingual situations. (Snelling 1997: 203)

Roy (1996) also bases her work on conversation analysis and carries out a qualitative study of the dynamics of discursual interaction in an interview between a university lecturer and a deaf doctoral student, interpreted by a professional sign-language interpreter. Her conclusions highlight the interpreter’s intervention through the management of turn taking in the conversation, in which the influence of sociocultural norms is clearly obvious.

3. Reddy (1979) coined the term *conduit metaphor* to refer to the interpreter in a restrictive sense as a mere language channel.

These three studies therefore show that interpreters play an active role in the interaction which implies taking decisions that involve weighing up numerous factors and dealing with various constraints. Such constraints and conditioning factors may change not only from one encounter to the next but also during the same interpreted encounter. In this sense, Mason (forthcoming) refers to the role of the interpreter as being dynamic rather than static and proposes the concept of *positioning* to represent this dynamism with which each speaker, including the interpreter, understands and negotiates her behaviour vis-à-vis each of the participants in the interpreted event, depending on sociocultural and situational parameters.

These theoretical reflections form the backdrop against which the present study was carried out. Given the complexity of the interpreter's role, we were interested in discovering the perception of the interpreters themselves with regard to these questions and the decision-making strategies used when faced with theoretical conflicts regarding the definition of the limits of intervention.

Within the new field of community interpreting studies, our research should be placed in the context of other, similar studies which have aimed at exploring the opinions of the interpreters in bilingual interaction. Lang's 1978 study of interpreters in Papua New Guinea is usually considered to be the first of its kind in this field. Subsequently, Hearn *et al.* (1981) canvassed the opinion of 65 interpreters in an evaluation of two regional interpreting services (cited by Pöchhacker 2002: 99). Similarly, Pöchhacker (2000: 50) and Mesa (2000) carried out studies amongst service providers and community interpreting professionals in Austria and Canada, respectively. The research presented here was partly inspired by these studies. Tomassini (2002) uses a questionnaire and structured interviews to determine the expectations of interpreters in healthcare settings in Italy. Angelelli's (2003) work has a marked international character and studies the perceptions of interpreters with regard to their work in various settings in Canada, the USA and Mexico. Also at an international level, Cheshier *et al.* (2003) carry out a wide study involving 92 interpreters from seven countries. Finally, in Spain, in addition to the studies of our own research group which have already been mentioned, Valero-Garcés (2004) studied 46 subjects involved in interpreting in different community settings in the Madrid region. In general, all these studies show that the interpreter's role and the limits of intervention are complex questions on which different speakers and the same interpreter have different and occasionally conflicting expectations and views.

Design of the study

The aim of the present study was to explore the interpreters' perceptions with regard to their role in the communicative encounter and specifically, the limits of

that role concerning such issues as the addition and omission of information and the explicitation of cultural references and specialized terminology, amongst other aspects.

The methodology is based on questionnaires similar to those used in previous studies carried out by members of the GRETI research group (as mentioned before: Foulquié 2002c; Martin and Abril 2006; Ortega 2006; Ortega and Martin, forthcoming), based in turn on previous quality-oriented surveys in the literature on community interpreting—mainly Pöchhacker (2000) and Mesa (2000). The questionnaire was designed following the model described by Oppenheim (1996) which has been applied by other researchers at the University of Granada (Calvo 2001; Way 2003).

The target population of the study was composed of 25 subjects who work as interpreters at hospitals, in social service settings, emergency services, education, police and courts.

The questionnaires were distributed in the provinces of Cordoba, Malaga, Granada and Seville between January and April 2005. The target population was accessed through a local government interpreting agency (Granada), emergency telephone service (Seville), hospitals and health centres (Cordoba and Malaga) and social services (Cordoba). The questionnaires were administered personally by the researchers. It was believed that the presence of the researchers would increase the number of returned questionnaires and improve the quality of answers by orienting respondents. Occasionally, the completion of the questionnaire took the form of a structured interview.

The questionnaire is composed of closed multiple choice questions, although some open options were also included to allow for qualitative answers.

The questionnaire is divided into two sections: the first section includes questions aimed at identifying the academic qualifications, professional profile and language combinations of the respondents, whilst the second section aims at exploring the dynamics of the interpreted interview, and more specifically, the interpreters' perceptions and attitudes with regard to it and to their role in the interaction.

Results

Language combination, academic qualifications and professional profile of the respondents (questions 1–8)

A variety of languages were present in this sample, with English as the most widely represented (apart from Spanish), being spoken by 14 out of the 25 respondents (see Fig. 1a).

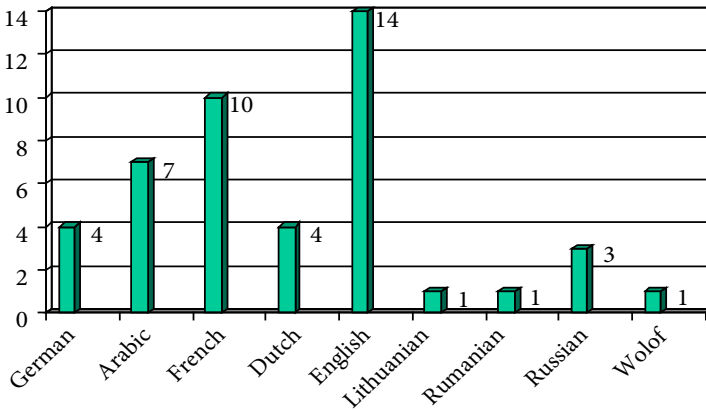


Figure 1a. Working languages

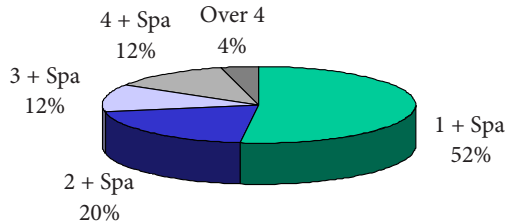


Figure 1b. Language combinations

With regard to language combinations, the vast majority of the subjects worked with one or two foreign languages in combination with Spanish (72%), although a surprising number (16%) also stated that they worked with four or more languages in combination with Spanish (see Fig. 1b).

Answers to the second question, which concerned the level of academic training, allow us to determine the academic profile and educational level of the respondents. Figure 2a shows that more than half of the sample—14, which accounts for 56%—had studied at university (see Fig. 2a). Although this is an encouraging result, when we look at the field of study we find that only six out of the 14 university graduates had studied a language-related degree course and of the six, only two had studied translation and interpreting. The others had university level diplomas and degrees in the field of medicine. This was due to the fact that some of those carrying out interpreting tasks in health settings were in fact health professionals themselves with knowledge of languages (see Fig. 2b).

A specific question was included to determine how the respondents had acquired their knowledge of interpreting techniques. Despite the high educational level in general, an alarmingly small number of respondents had actually received training in interpreting. As can be seen from Figure 3, only two of the 25 respond-

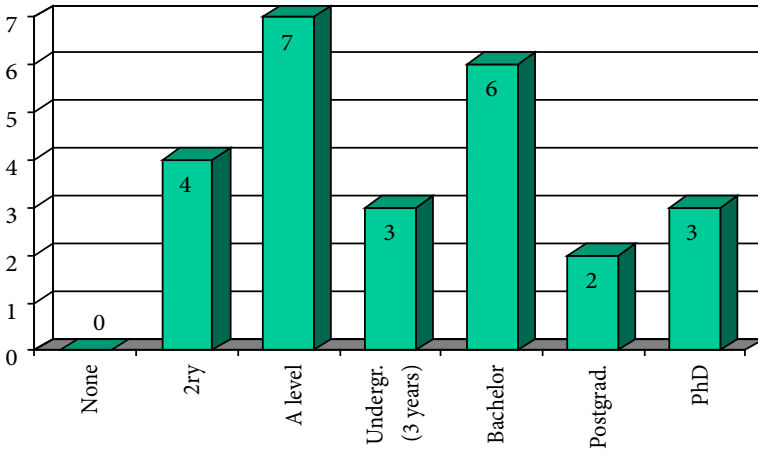


Figure 2a. Level of academic training

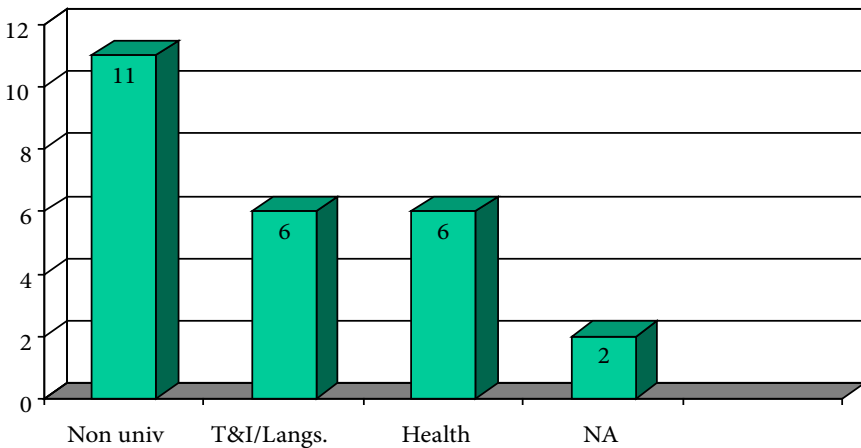


Figure 2b. Field of study

ents had received university level training in translation and interpreting. The vast majority of the respondents—18 subjects, that is to say 72%—were self-taught and some claimed that they had learned to interpret through methods not usually associated with interpreter training and which would seem to ratify the mistaken but, unfortunately, widespread idea that knowledge of a language is tantamount to being able to interpret. Some such responses were: “[I learned to interpret] because I lived in France for three years”; “[I learned to interpret] by living in a bilingual environment”; or even “[I learned to interpret] by reading books about multiculturalism”.

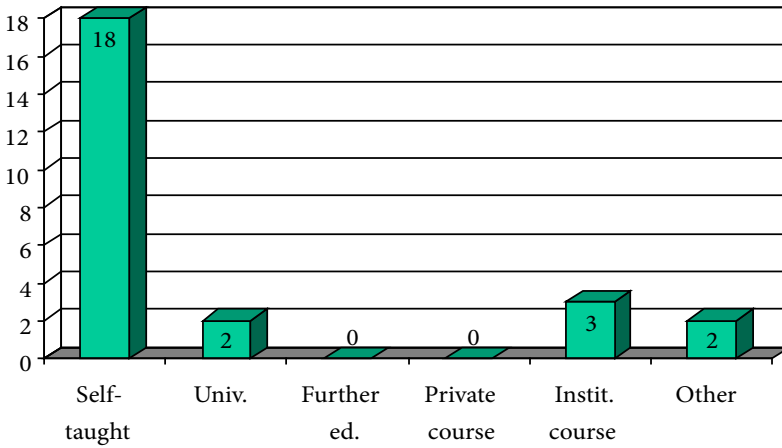


Figure 3. Training in interpreting

Contrary to what may have been expected, given the preference for intercultural mediation which characterises Spanish public services in general, only one of the respondents had attended a course on intercultural mediation organised by the local authorities. The other two respondents who claimed to have some form of institutional training did not specify the type of course they had followed. Two respondents marked the “other” option and in this case, one corresponded to a short “course” apparently organised by two friends who were translation and interpreting graduates, and in the second case the respondent was a medical doctor who had carried out postgraduate specialisation in the UK and had studied English at an officially recognised language school in Spain. One of the most striking results of these answers is the general unawareness of interpreting as a specialized activity, together with the confusion between interpreting and knowledge of languages.

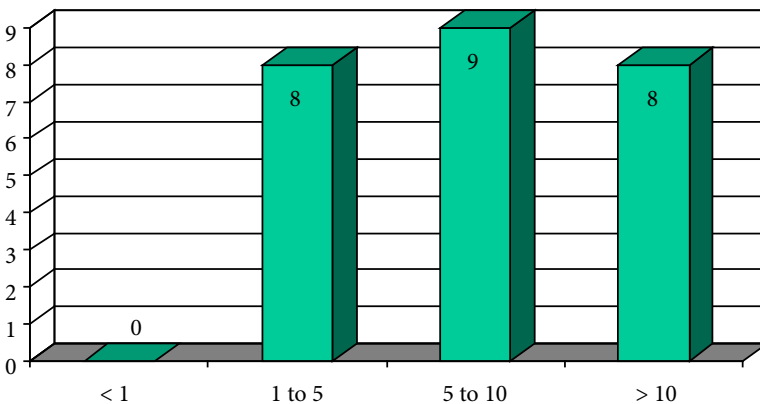


Figure 4. Years of experience as an interpreter

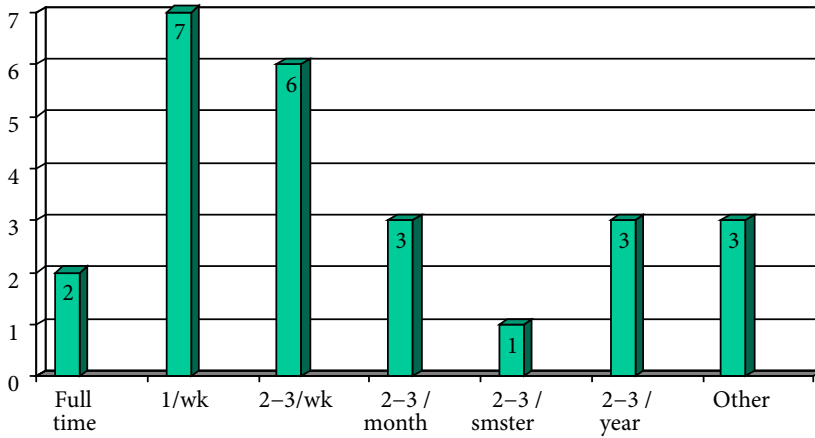


Figure 5. Frequency of interpreting work

The following question inquired about the respondents' years of experience as an interpreter. It was surprising to find that nine respondents—quite a high proportion—had between five and nine years experience. Eight respondents, which accounts for almost a third of the sample, had over ten years experience working as an interpreter. Since the majority of these respondents have not received specific training as interpreters, our analysis would seem to indicate that, for a decade now, *ad hoc* measures have been applied to solve communication problems, with little progress being made towards more professional solutions. It is, of course, feasible that these interpreters are or have become professional and act in accordance with some set of ethical guidelines, albeit their own. However, it is impossible to check whether this is in fact the case, given the absence of assessment, accreditation and control mechanisms in place (see Fig. 4).

The next question aimed at determining how often the respondents worked as interpreters. The responses show that the majority work “once a week” or “between once and three times a week”, as can be seen from Figure 5. Only two of the 25 respondents work as interpreters on a full-time basis. As a partial explanation for these results we must point out that the questionnaire was completed by volunteers at two Malaga hospitals where the volunteer interpreting service they belong to precisely involves working one day per week.

The following charts show how the majority of the respondents in our study do not interpret on a fee-for-service basis. As can be seen from Figure 6, fourteen respondents (56%) do not receive any remuneration for their services (six of the respondents belong to a volunteer service, as has been mentioned, so obviously are unpaid). The ten (44%) respondents who do receive payment are more or less equally distributed between freelancers (5) and contract-based employ-

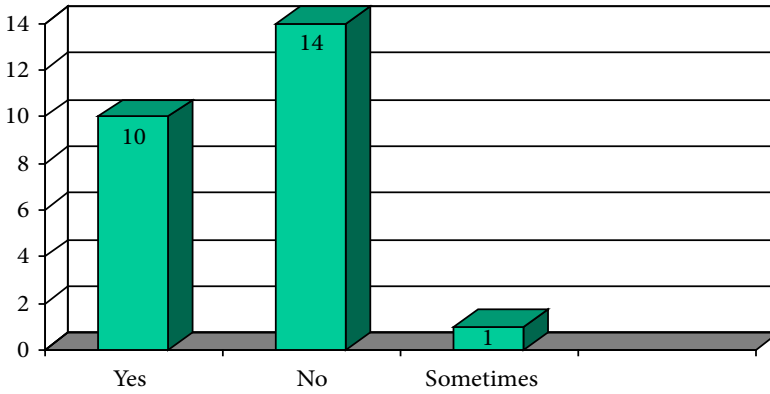


Figure 6. Fee-for-service interpreting

ees (6). One of these respondents has a temporary contract for part of the year and works as a freelance interpreter for the remainder, and is therefore included in both categories (see Fig. 6).

In question 7 the respondents were asked to specify whether they were actually paid as interpreters, or whether they were paid in some other capacity, although they acted as interpreters. Out of the ten respondents (see question 6) that stated that they were paid for their services, two are paid as doctors and one as administrative personnel but not as interpreters. Of the remaining seven, four worked on a freelance basis, and three were employees, although one had a seasonal contract (see Fig. 7).

The section of the questionnaire on the interpreters' profile concludes with a question aimed at determining the settings that the interpreters work in and the

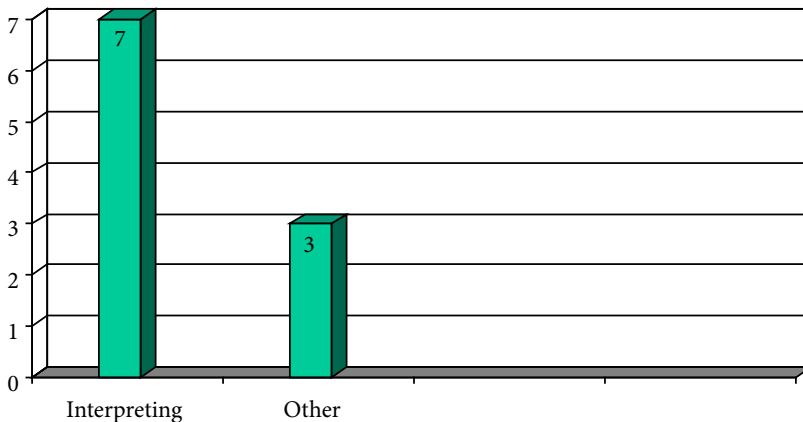


Figure 7. Paid activity

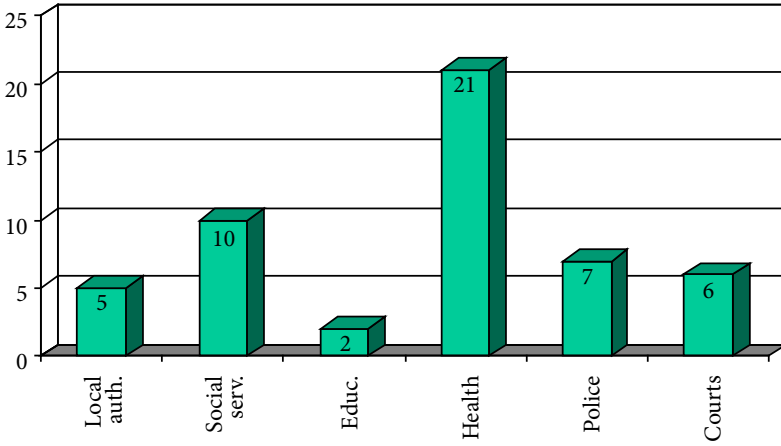


Figure 8a. Specific working settings

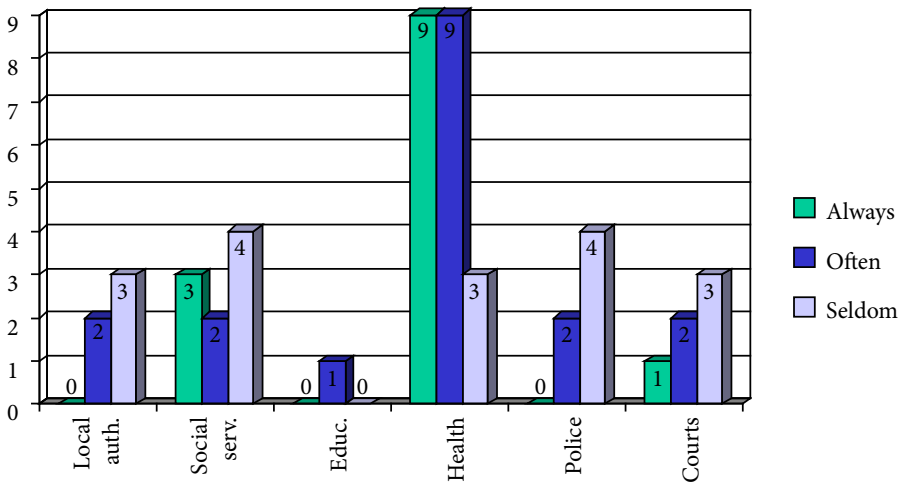


Figure 8b. Frequency of work (per setting)

frequency with which they work in each of them. Healthcare settings were by far the most frequently represented in this sample, and this is logical considering that most of the questionnaires were distributed in hospitals (see Fig. 8a).

The frequency data would seem to indicate that interpreters working in health settings tend not to work in other areas of specialisation, whereas the other respondents tend to work in a variety of different settings (see Fig. 8b).

The interpreted interview: dynamics, perceptions and attitudes (questions 9–24)

Questions 9 and 10 aim at exploring the general dynamics of interaction and the relations between the service providers and the other two participants in the communicative encounter. In question 9 the interpreters were asked whether they received instructions from service providers and specifically whether they were requested to give a summary, a literal interpretation, etc. Most replies (18) were negative. There were two affirmative responses. One was given by a court interpreter who explained that different judges held different attitudes to interpreting, although in general they did not become so involved as to give instructions. The other affirmative response came from an interpreter who stated that s/he summarises for social services but translates literally for the police and the courts. The five interpreters that marked the “sometimes” reply added unclear and imprecise specifications regarding the type of instructions received, for example: “I help people to read their treatment” or “hospital information”. These replies lead us to believe that the respondents had not understood the question correctly, which in itself is an interesting result (see Fig. 9).

The following question (10) asked the respondents to specify who the service providers address during the interpreted interview. As can be seen from Figure 10, in most cases they address the interpreter. In two cases—the same respondents who replied affirmatively to the previous question—we find interesting specifications regarding how the interpreter is perceived and the influence of the setting in which the interpreted encounter takes place. The first respondent indicates that if the interview “is going well” the primary participants tend to forget the presence of the interpreter. The second respondent, as was the case in the reply to ques-

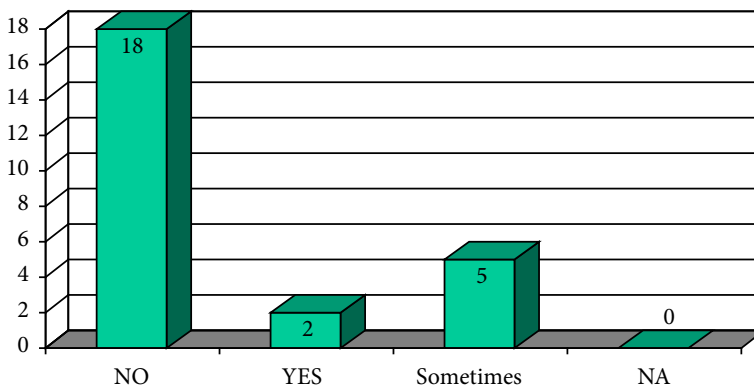


Figure 9. Instructions from public service providers on how to interpret

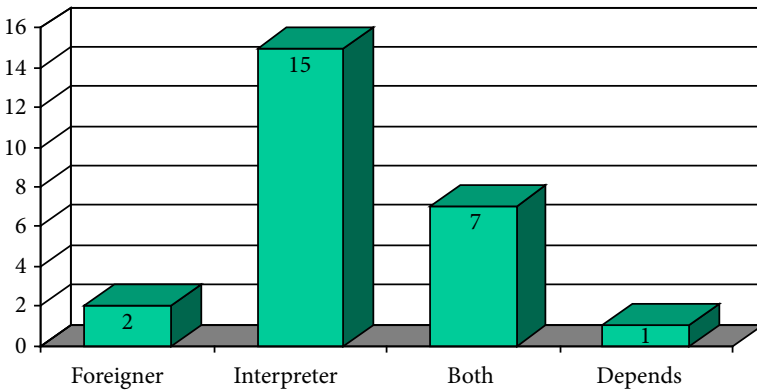


Figure 10. Participant addressed by service provider during the interpreted interview

tion 9, points to differences between social services settings, in which service providers address the allophone client, and police and courts, where the interaction is usually with the interpreter (see Fig. 10).

The following questions focused on the attitudes and perceptions of the interpreters regarding their functions, responsibilities and the limits to which they felt they could intervene in the interpreted interaction.

The first of these questions (no. 11) aims at determining whether the interpreters adapt the level of language (tenor, register and specialised terminology) used by the primary participants. Figure 11 shows that only one of the respondents stated that s/he did not carry out any adaptation of this sort. Among those who gave affirmative answers, the most frequent explanation (given by six interpreters) was that they modify the language in order to adapt to the sociocultural level and knowledge of the users. A further three state that they adapt discourse for the users who are not expressing themselves in their mother tongue or who speak

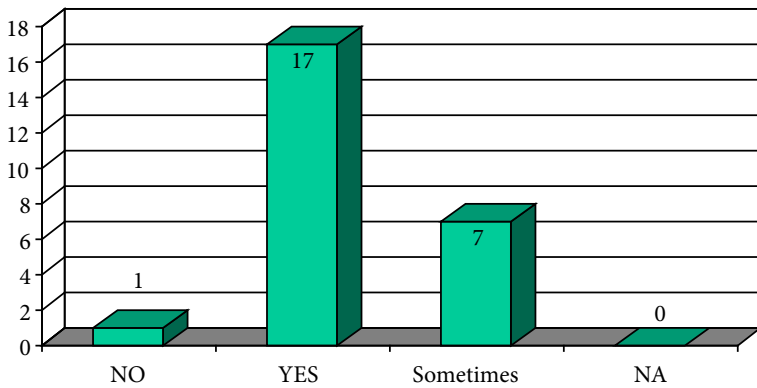


Figure 11. Modification of language register

dialects in which certain technical terms do not exist. Three more state that they adapt language when patients do not understand medical or legal terminology. Once again, we find interesting comments from a court interpreter who states that s/he adapts the level of language spoken by users in order to favour them, following the *in dubio pro reo* principle. As with the two previous questions, one of the respondents adapts language in social service settings but not when working with the police or in court. Only one of the respondents states that s/he asks the service provider to simplify difficult terms for the patient, in the case of medical encounters, instead of adapting language on his/her own initiative (see Fig. 11).

Question 12 deals with the possibility of the interpreter intervening to explain cultural differences. In some cases rather than answering question 12, the respondents actually answer question 13 here, regarding explanations about the functioning of the public service in question. They do not appear to understand the concept of *cultural difference*, since their replies allude to differences of language and accent. In general, however, as can be seen from the following chart, the majority (18 or 72%) do introduce explanations of a cultural nature, either “on a regular basis” or “occasionally”. The majority of the respondents stated that the cultural differences they explain concern lifestyle and the functioning of Spanish society, and that such explanations are for the minority language speaker. Only one subject claimed that s/he explained cultural differences for both patients and doctors. Once again, the respondent who perceives that interpreters have greater freedom of action in social services introduces cultural explanations in such settings whereas in legal settings only when expressly requested to do so (see Fig 12).

In the following question, the interpreters were asked to specify whether they explain the functioning of the services or institutions for which they work to the non-Spanish speaking client. Similar to the results for the previous question, the majority of the replies were affirmative or “sometimes”. In one case, it was speci-

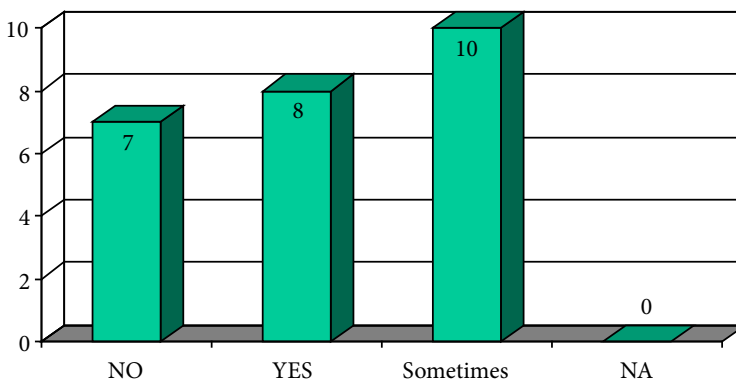


Figure 12. Explaining cultural differences

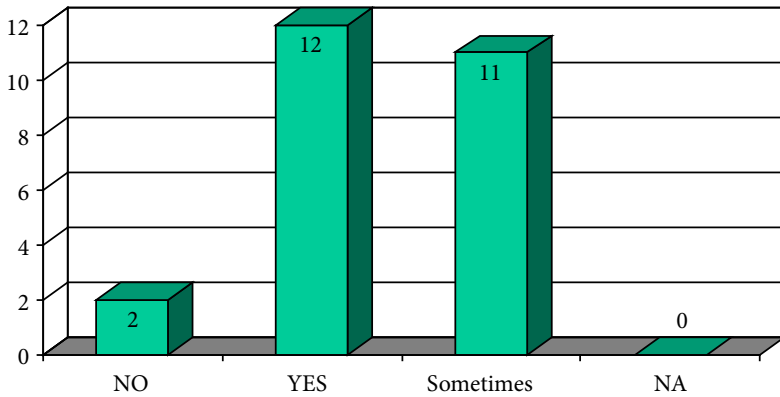


Figure 13. Explaining procedures of public service

fied that explanations about the functioning of the institution were introduced because the hospital had specifically requested this to be done. The 12 respondents who gave examples of the type of explanation offered referred to administrative procedures and the documentation needed for such procedures (see Fig 13).

In question 14 the respondents were asked whether they summarize or omit information. The number of negative answers (13) was higher than the sum of the “yes” and “sometimes” answers (12). Within the latter group, seven stated that they summarize but do not omit information. Once again, amongst these, one respondent stated that s/he summarizes for the social services but not for the police or courts). In three cases, the interpreters explained that they resort to summarizing and omitting when they come up against technical difficulties such as language or memory problems. Finally, the remaining two did not offer further information to illustrate their reply (see Fig. 14).

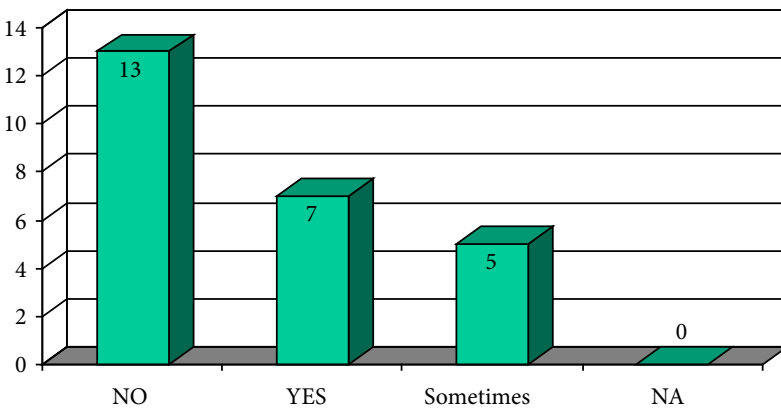


Figure 14. Summarising/omitting information

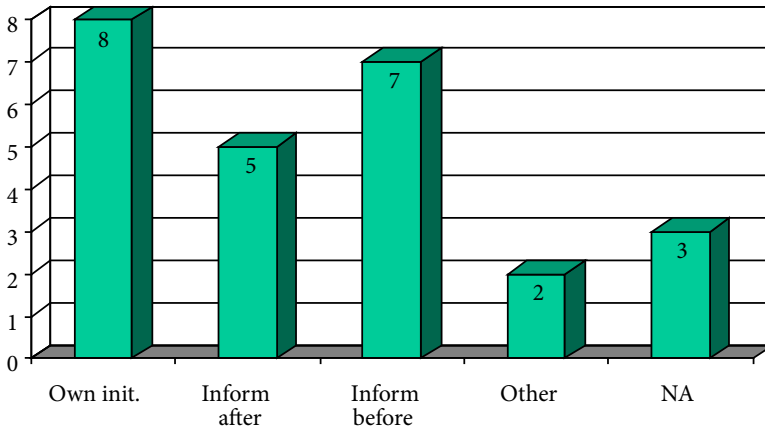


Figure 15. Ways of adding explanations and summarising/omitting information

The following question aimed at determining whether the explanations or interventions referred to in questions 12 to 14 were carried out with or without the knowledge of the primary participants in the encounter. The results show that almost one third of the respondents (8, or 32%) introduce explanations, summarize or omit without communicating this to the primary participants. The majority—12, which accounts for 48%—either intervene on their own initiative, but communicate this to the speakers afterwards (five cases), or request permission for this intervention beforehand (seven). It is interesting to note the degree of confidence on the part of some respondents in their own ability and authority when deciding on the needs of the users and controlling the rules of communication. Two interpreters (both of whom were self-taught) said that they do not communicate their intervention to the primary participants and justified their answers in the following way: “I understand the patients’ mentality” and “I don’t have to tell the doctor if it’s not medical information” (see Fig. 15).

In the following question (Figure 16) the respondents were asked to indicate whether they offer advice to the minority language speaker regarding decisions to be taken or replies to be given to the service provider in the course of the conversation. 76% (19 respondents) stated that they do not. Six respondents answered “yes” or “sometimes”, although only three of them elaborated on this answer. One of these respondents stated that s/he offers her opinion to the user, another justified the health professionals alluding to the fact that they had little time and the third stated that s/he tells the client how s/he would act in a similar situation. These three interpreters are all self-taught non-professionals.

Question 17 explored the reactions of the interpreters when faced with possible misunderstandings or problems of comprehension on the part of one of the

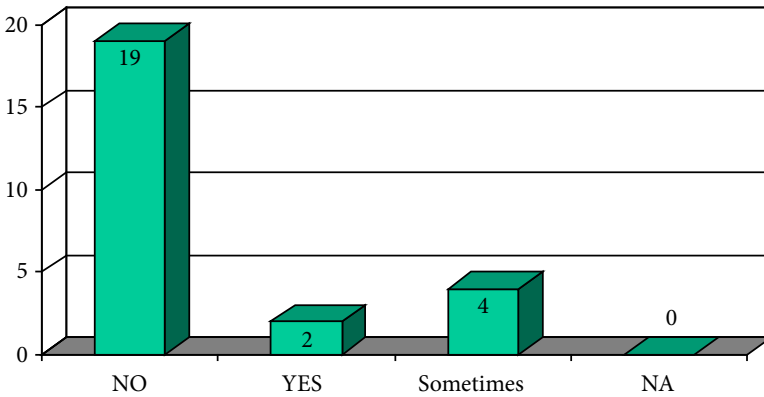


Figure 16. Advising the foreign interlocutor

primary participants. The majority of respondents (17) replied that they turn to the participant concerned and ask whether they have indeed understood the message or not, whereas seven of the interpreters state that they alert the parties to the possible problem (in three cases they alert the other party and in four cases, both parties). Amongst those who marked the “other” reply there was an interpreter with training in intercultural mediation who stated that s/he likes to take all the time needed to make sure that the allophone client has understood the utterance, and that s/he filters according to culture and does not translate literally. The second case corresponds to a self-taught interpreter who denies the possibility of misunderstandings occurring, claiming that her interventions prevented such misunderstandings from coming about (see Fig. 17).

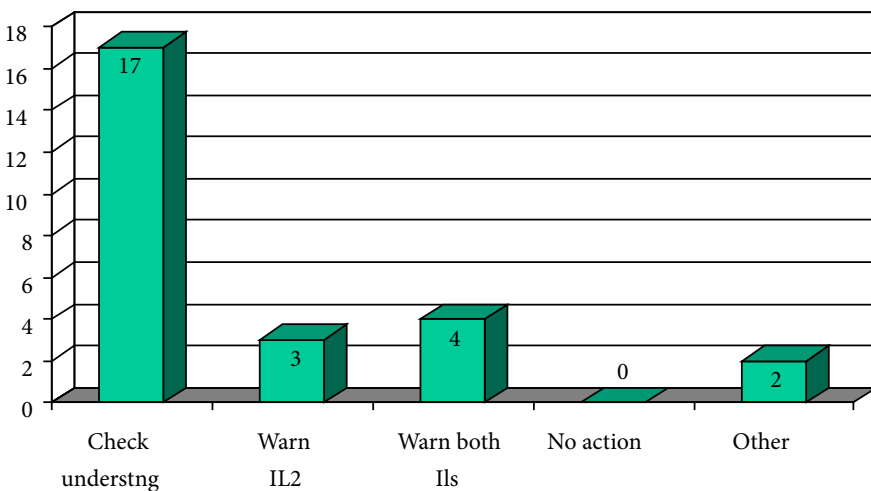


Figure 17. Solution to non-comprehension by one of the interlocutors (IL)

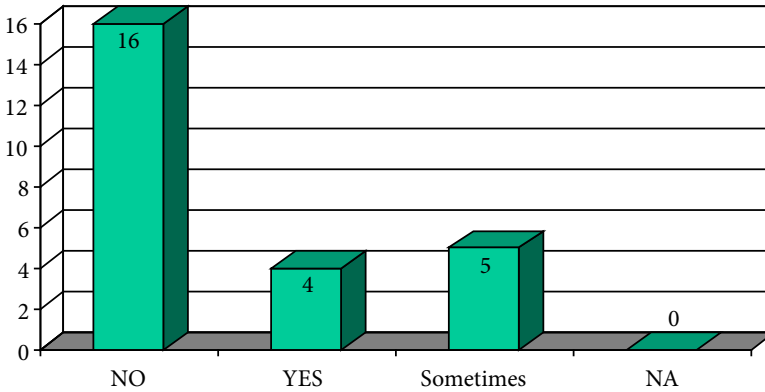


Figure 18. Explaining non-verbal information

Question 18 refers to non-verbal information. As can be seen in the chart, most of the respondents (16) stated that they do not explain non-verbal information. As regards the other replies, one stated that s/he only explains non-verbal information if the gestures could lead to misunderstanding, another does so if they are highly cultural, and a third does so if the only reply given is non-verbal and there is thus no verbal information. Surprisingly, this question appeared to create confusion in several cases, if we are to judge by some of the replies, which are quite incoherent, such as: “medical reports”, “if s/he doesn’t understand English”, “in most medical information” and “I’m a bit of an actress” (see Fig. 18).

The following question aimed at exploring the interpreters’ reaction when faced with racist or discriminatory attitudes towards the non-Spanish speaking participant. Almost half the respondents (twelve or 48%) stated that they had never been in such a situation, whilst four stated that they do not take any action, two

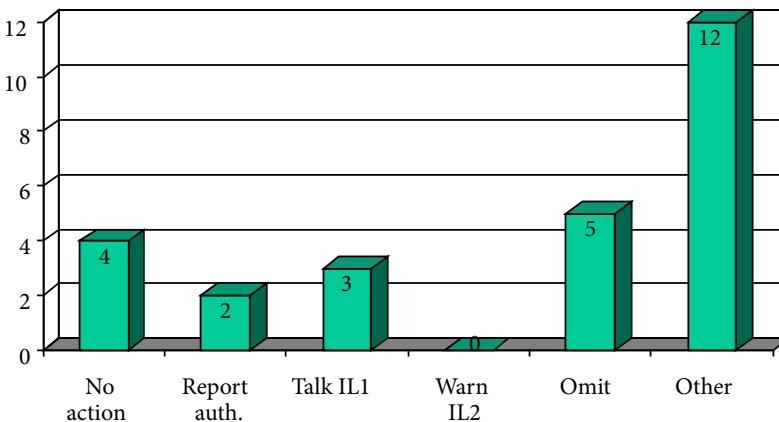


Figure 19. Reaction to racist or discriminatory attitudes

report the situation to a superior, three prefer to talk to the participant who shows the racist or discriminatory attitude and finally, five opt for omitting racist comments from their interpreting. The further comments offered include one by the respondent with training in intercultural mediation who stated that “I explain to the person that s/he is mistaken” (see Fig. 19).

The aim of question 20 is to determine whether the respondents carry out other tasks apart from interpreting, such as accompanying the non-Spanish speaking client to solve administrative problems, filling in forms or making telephone calls. The vast majority of replies (19) were affirmative (nine) or stated they do so “sometimes” (ten) and further comments showed that the types of tasks involved were fairly similar. The most common extra task was accompanying the client and making calls to help solve administrative problems related in some way with the interpreted interview. Some of the replies were quite revealing and included: “having a laugh with them”, “going for walks” and “going shopping” (see Fig. 20).

The three following questions aimed at exploring the emotional reactions that may be provoked in an interpreter when faced with a non-Spanish speaking client. In question 21 (Fig. 21) the interpreters were asked if they had ever felt identified with the minority language speaker. As can be seen from the chart, an overwhelming majority of 84% (24 replies) had indeed felt this identification.

Question 22 asked about the circumstances that lead the respondent to feel identified with the non-Spanish speaking client. The answers were equally distributed amongst the three options offered, namely that they were from the same country or region as the client, that they spoke the same language and felt that the foreigner was at a disadvantage. Only one of the respondents marked the option “I felt that the non-Spanish speaker was the victim of injustice”. This result contrasts with that obtained in a recent study amongst court interpreters (cf. Ortega and Martin, forthcoming). In this case, situations of injustice were more frequent-

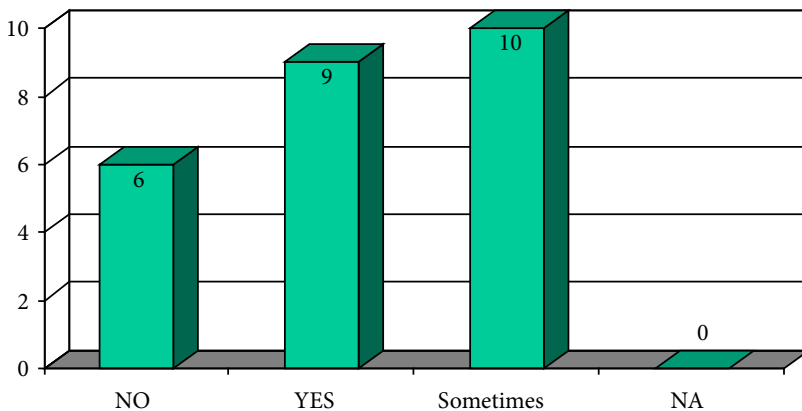


Figure 20. Tasks additional to interpreting

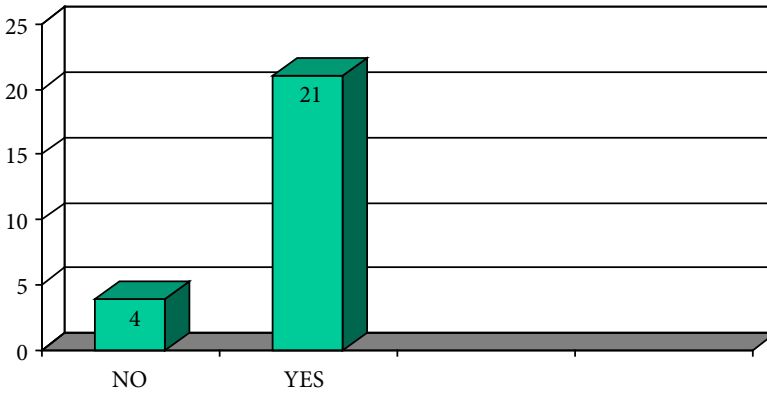


Figure 21. Feeling identified with the foreign interlocutor

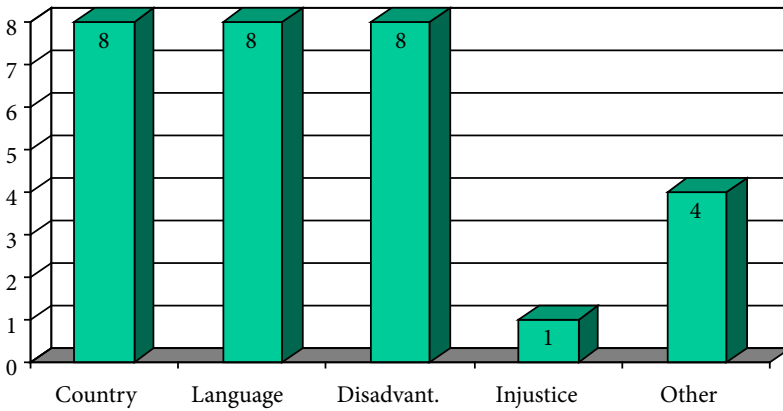


Figure 22. Reasons for feeling identified with the foreign interlocutor

ly perceived by the interpreter. Amongst those who marked the “others” option, three specified that they identified with the foreign client because they themselves had been in a similar situation abroad.

Question 23 attempted to determine whether the interpreters felt that their empathy with the non-Spanish speaker may influence their performance as interpreters. The answers given by the 21 respondents who stated that they do identify with the minority language speaker can be analyzed in different ways: firstly, the number of affirmative responses (five, 24%) and “maybe” (eight, which accounts for 38%) is higher than was expected, given that recognizing the influence of factors which compromise one’s own neutrality signifies that one is practically recognizing a higher level of intervention than would correspond to a totally impartial interpreter. It was expected that the majority of interpreters would claim, at least in theory, to follow the impartial model as they would feel that this was what was expected of them.

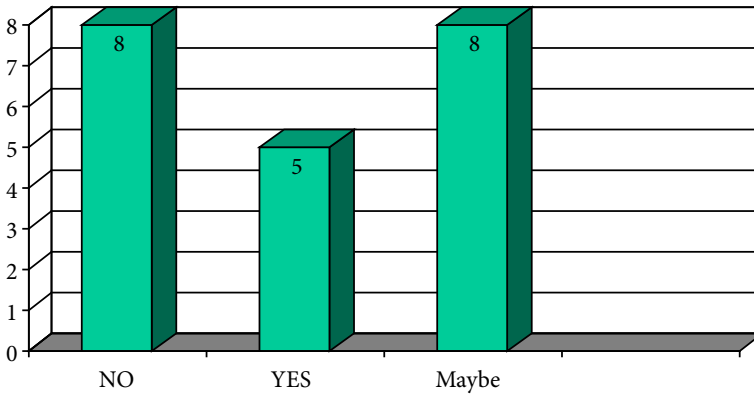


Figure 23. Influence of empathy on performance as interpreter

Moreover, the last option for responses to this question “[identifying with the non-Spanish speaker] may have influenced, but if so I wasn’t aware of it” leads us to wonder whether the respondents who marked it—and they account for more than one third of the sample—had previously thought about the possible influence of their own emotional reactions on the result of their work (see Fig. 23).

In this question the respondents were asked to list the three main qualities they felt an interpreter should have. In Table 1 the qualities are listed in order of frequency. With the aim of facilitating contrast we have grouped together similar replies under one “quality”. Moreover, those generally accepted technical and ethical qualities which are usually found in codes of ethics and quality standards for professional interpreters have been marked in italics. It is interesting to note the position of some of these qualities in the interpreters’ order of priorities and the relative importance given to others (see Table 1).

It is interesting to note that there are the same number of responses—only four—referring to cultural competence or communicative skills as to being prepared to help. Also interesting is the fact that four times as many respondents mention empathy as a quality which is necessary for interpreters as do those who mention impartiality, although this result is no doubt consistent with the answers to questions 21 and 22 regarding the identification of the interpreter with the non-Spanish speaker. In general, qualities related to the humanitarian and service aspect are much more frequently mentioned in the list of priorities than fidelity, impartiality and professionalism. However, as has been mentioned above, six of the respondents belonged to a volunteer service and this was a decisive factor as regards their motivation to interpret.

It is also interesting to note the frequency with which the respondents in general refer to psychological, interpersonal and even emotional qualities whereas

Table 1. Qualities an interpreter should have

| Quality | No. of replies |
|--|----------------|
| Patience | 10 |
| <i>Knowledge of working languages</i> | 9 |
| Empathy | 8 |
| Ability to mix (kind, personable, etc) | 5 |
| Prepared to help, flexible etc. | 4 |
| <i>Knowledge of the primary participants' cultures</i> | 4 |
| Knowing how to listen | 4 |
| <i>Capacity for communication, clarity</i> | 4 |
| Responsibility | 3 |
| <i>Knowledge of the work environment</i> | 3 |
| Concision | 3 |
| <i>Impartiality</i> | 2 |
| To translate concisely, act with dignity, caution when translating diagnoses, resolution and reflexes, calm, <i>faithfulness, professionalism</i> , desire to learn, honesty, non-involvement from an emotional standpoint, diplomacy, trust, capacity for work. | 1 |

they do not mention technical competences. In this sense, we can see that knowledge of the working languages is only mentioned in nine cases.

Finally, a space was provided at the end of this section for the respondents to add any additional comments about aspects related to their activity as interpreters. Only 11 of them actually took advantage of this, offering comments about what interpreting signified for them personally and about the need to improve working conditions (for example, receiving some kind of remuneration that at least covers traveling expenses, or receiving some form of subsidy). Two of the interpreters, one of which had received training as an intercultural mediator, took advantage of this space to highlight the intercultural mediation aspect of their work, considering it to be more important than their work as interpreters. On two occasions comments were included stressing the need for interpreters in hospitals. One of these comments included a reflection which we found interesting, probably because it was unexpected, according to which the use of volunteers is so frequent that it is hampering the creation of very necessary official interpreting services.

Conclusions

The results of our study have lead us to draw the following general conclusions about the status quo of public service interpreting, the interpreters' profile and their perception of their role. We have also reached some conclusions regarding the questionnaire-based research methodology used.

Firstly, we have had access to quite a high number of interpreters and this in itself is a reason for guarded optimism with regard to the community interpreting situation in Andalusia, since it shows that interpreting services are more readily available than we had expected. It is also true that our study is biased towards medical settings, in which volunteer-based *ad hoc* solutions have been applied for at least ten years now in some regions, such as the Costa del Sol (Martin 2000 and 2006; Martin and Abril 2006). Perhaps this indicates that, at least for healthcare settings, we may be witnessing an evolution on the scale of response to the need for community interpreting described by Ozolins (2000) from the first stage—characterized by a denial of the need for interpreting—to the second stage which corresponds to *ad hoc* solutions.

Secondly, bearing in mind the objectives and original premise of this study, we found interesting results regarding the profile of the interpreters in our sample, the way they perceive their role and the manner in which those perceptions are applied in practice.

With regard to the interpreters' level of qualification, although they had high academic qualifications in general—with more than half of the sample composed of university graduates—the majority do not have any formal training in interpreting or even language-related studies. In fact, translation and interpreting graduates were the exception. What is more, some of the replies obtained to questions on training, the high number of languages that some respondents claim to speak and some of the explanations about interpreting strategies reveal a serious lack of knowledge about interpreting as a specialized activity.

As far as the employment profile was concerned, the norm would seem to be volunteering or interpreting as a complementary activity to another profession, with a small number—less than one third of the total—receiving payment for the interpreting services rendered. This profile may explain the attitude and motivation of most of the interpreters who, according to some of the replies, would seem to assume interpreting as part of a higher mission involving volunteer work and offering service to society. This humanitarian sense of “mission” is more specifically targeted on the non-Spanish speaker, perceived as the party which is at a disadvantage. These results are similar to those found by Rudvin and Tomassini in Italian studies and reported in this volume.

With regard to our objective of exploring the way in which interpreters perceive their role and take decisions regarding the limits of intervention, the results of this study show that the interpreters surveyed intervene quite liberally, adapting utterances, adding cultural explanations, and contributing information on public services, although they try not to omit or summarize information. Interventions are justified on the basis of what is personally understood to be the needs of the non-Spanish speaking clients, with whom they often feel identified. These results

confirm our initial hypothesis that these interpreters, most of whom are *ad hoc* and self-taught, perceive their role and define their own professional guidelines basing themselves predominantly on intuition, unproven personal criteria and individual experience. In exceptional cases, however, some of the responses reflected what we could call healthy “intuitive professionalism”.

Although we have stated that the very existence of interpreting solutions in public services gives us grounds for optimism, in the final section left for open comments we find appeals for the institutionalization of the current situation. We had imagined that it would have been more likely to find comments demanding mechanisms for greater professionalization, such as training initiatives and communication with service providers, rather than comments praising volunteer work or the need to subsidise informal services.

Finally, the results of this research allow us to extract some methodological conclusions. Firstly, the fact that most of the questionnaires were administered in hospitals introduces a bias towards the medical sector that obliges us to qualify some of the results regarding job profiles and the frequency of services rendered in different public service settings. As was stated above, our aim is to continue to apply this questionnaire to wider groups of interpreters.

Moreover, with respect to the questionnaire itself, some of the questions need reformulation if misunderstandings are to be avoided and in order to achieve greater symmetry in the responses which, in turn, would facilitate the analysis of the results. This is especially necessary bearing in mind that—as the results of this survey have shown—the interpreters concerned are mainly non-professionals with little knowledge of interpreting as a specialized activity and the metalanguage used to refer to competences generally accepted by professional interpreters and translators. This reflection would seem to be confirmed by the results of a study carried out by Ortega (2006) amongst court interpreters which included a greater proportion of professionals than our own sample. Unlike our respondents, the interpreters studied by Ortega (2006) did not in general appear to have as many problems answering the questions concerning interpreting techniques and competences. This is no doubt a result of the fact that the court interpreting respondents in general had more specific training and were more aware of interpreting as a specialized professional activity.

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Sign Language interpreters and role conflict in the workplace

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The issue of role conflict and role confusion is one of the primary difficulties facing sign language interpreters (SLIs) working in employment settings. The source of this conflict is complex, multi-layered and has its origins deeply rooted in traditional models of interpreting. SLIs are struggling with their roles and responsibilities in relation to their client groups, with all the implications of power and oppression that are grounded in the history of relations between Deaf and hearing communities (Ladd 2003; Cokely 2005). They are also faced with a daily battle, conducted both internally and externally, with the ways in which their role is perceived. The more recent concept of the interpreter as an active, highly visible third participant in interpreted interaction (Wadensjö 1998; Roy 2000) is continually coming up against the unexamined, unreconstructed models which tend to be assumed by default.

With SLIs frequently expected to switch between confidant, co-worker, interpreter, assistant and advocate within a single interpreted interaction, it is no wonder that this unpredictability results in confusion and inconsistency, with SLIs reporting feelings of guilt, anxiety and frustration.

Drawing upon ongoing research into the role of SLIs in the workplace setting, including highly revealing practitioner journals, this chapter will examine the difficulties and challenges that SLIs face in the very specific public service sector of workplace interpreting, and will address practical and theoretical implications for the field.

Introduction

Sign language (SL) interpreting of some description has doubtless existed wherever communication has been mediated between signing and non-signing people. The task began to receive formal recognition in the 1960s, with the formation in 1964 of the Registry of Interpreters for the Deaf in the USA (Frishberg 1990). The need to spell out a distinct role for interpreters reflected anxiety about the conflation of interpreting with separable professions whose members had often undertaken to mediate Deaf-hearing communication—e.g. welfare officers, teachers, priests. SL interpreting has subsequently developed as an independent, regulated profession in many countries, with increasingly structured education leading to professional

status, and practitioner associations providing representation and strategic development (Stewart, Schien and Cartwright 1998). It should be acknowledged that SL interpreting now occurs across a wide range of social circumstances, from community and public service settings to conference, theatre and media work.

As SL interpreting emerged, the models inherited from the wider field established a role for the interpreter as a conduit through which messages could be transferred: interpreters were understood to have no influence on conversational meanings. In the late 1980s, however, an alternative perspective rose to prominence, inspired in particular by recognition that the 'conduit' model described a passive role for SL interpreters, which was simply unrealistic. It began to be recognised that practitioners could not be as passive as this model suggested, and that in fact they actively reach independent decisions about how most appropriately to convey meanings (Roy 2000).

This paradigm shift also drew upon the steady growth in awareness of Community Interpreting (CI) in general: as in the wider field (see Berk-Seligson 1990, Wadensjö 1998), accounts have been presented which explore the *co-participant* status of the interpreter (Metzger 1999, Harrington and Turner 2001). Recognition of the relevance of SL interpreting to the wider field dates back at least to the 1970s (see Brislin 1976, for instance), and as this thinking has impacted upon the professional organisation of SL interpreting services it has become realistic to see SLIs as, in some respects, among the significant leaders in the CI field.

A key element in the development of understandings of the role of the SL interpreter (SLI) has been the attention paid to matters of power in discourse, including tensions over control of the interpreter's operational performance. Deaf people have often been seen as intellectually incapable (see Lane 1992 for discussion) which has led to a paternalistic approach towards them. Since the profession began to grow independently, SLIs have sought to underline their impartiality. Nevertheless, the idea (e.g. Baker-Shenk 1991) has arisen that the interpreter also has an opportunity to act as an 'ally', engaging in the social re-positioning of Deaf people. Whilst such ideas do circulate, and a number of recent explorations have re-considered relationships between interpreters and other communication stakeholders (Pollitt 1997, Turner and Pollitt 2002, Cokely 2005, Turner 2005), the strong normative expectation of interpreter neutrality remains largely in place out in the field.

Deaf people in the workplace

Although Deaf people may be recruited to work alongside hearing people, they often do not share the same levels of training and qualification as a result of poor educational experiences earlier in life and are therefore not able to participate at an equal level to hearing colleagues. Lichtig *et al.* (2004: 286)

Deaf people have become more visible in the workplace since the industrialisation of employment. No longer supported within an agricultural society, Deaf people moved into manufacturing trades, as this was seen as an area where their disability did not affect their ability to be a productive workforce member. Indeed, in the nineteenth century Deaf employees were often seen as ‘good dedicated workers—‘undistracted by sound’ (Kyle and Pullen 1988: 51), who comment that the stereotypical view of deafness was established at this point.

As well as being recognised and valued for their skills in relation to the education of Deaf children and services specifically designed for Deaf consumers (Young *et al.* 2000), Deaf people are increasingly being employed in more mainstream employment domains. Yet Deaf people still face many barriers when it comes to employment. As Lichtig *et al.* state (2004), their educational attainments mean that they are immediately starting from a lower position than their hearing colleagues. Even in situations such as those described by Lichtig *et al.* (2004), where the involvement of Deaf people has been specifically sought in recognition of the skills and knowledge that they could bring to the setting, communication difficulties and culture clashes arise. In situations where there is little or no understanding of Deaf culture and no attempts to mediate or accommodate communication differences, the potential for conflict and misunderstanding is immense.

Deaf people’s experiences in workplaces reveal gaps between inclusive ideals and lived realities. Harris and Bamford (2001) report lack of awareness and flexibility in employers regarding expectations for Deaf workers; employee reluctance to seek workplace support; inaccessible application procedures for requesting support; problems with knowledge about and the provision of work-related equipment; and an overall sense that provision remains service-led rather than needs-led. Deaf people thus find their work practices constrained by norms designed for or evolved in hearing workplaces. Kendall (1999) summarises the outcome as resulting in the following four types of disadvantage to Deaf workers.

Linguistic disadvantage is readily predictable: Deaf and hearing co-workers understand each other’s communication poorly, especially when the Deaf worker signs, and—crucially—the ‘problem’ is located in the users of the minority language form (Montgomery and Laidlaw 1993; Isrealite *et al.* 2002). When Deaf people report communication breakdowns in the hearing world, they also express the frustration and anger that can be experienced (Young *et al.* 1998).

Identity disadvantage especially relates to the way in which the identity that individuals are able to construct and present in fundamentally monolingual contexts, is affected by the mixed nature of the Deaf-and-hearing workgroup, with the result that—again because of their minority status—Deaf people tend to background or otherwise submerge significant aspects of their self-identity (Corker 1994; Rose and Kiger 1995).

Educational and knowledge disadvantage relates to the fact that many hearing people are not aware that spoken/written languages are second languages to many Deaf people. Literacy for Deaf people also remains a barrier which the education system has not consistently addressed (Kyle *et al.* 1989; Powers *et al.* 1998). Historically, Deaf people have often not been afforded accessible educational opportunities.

Finally, *representational and perceptual* disadvantages can be cited: the climate may be changing, but there remains cultural ‘baggage’ within the wider society which patronises and sentimentalises Deaf people as ‘afflicted’ and ‘under-functioning’ (Lane 1992).

The gulf in terms of understanding also applies to Deaf people’s awareness of workplace culture and their hearing colleagues behavioural norms in that specific setting, this dual deficiency of perception referred to by Kyle (2001) as the lack of mutual knowledge about individual’s needs and different life perspectives of each group. Informal ‘system’ knowledge within the workplace is hard for Deaf people to access (Trowler and Turner 2002). From the perspective of the hearing staff they are expected to make considerable adjustments to various aspects of their communicative behaviour, such as turn-taking, making eye contact with the Deaf person, speaking clearly and at an even pace as well as more practical considerations such as seating, lighting, ensuring interpreter availability etc (eg Lichtig *et al.* 2004). Given the stress, competing demands and workloads of many modern day organisations it is easy to see how the communication needs of Deaf employees can be seen as a low priority, if not ignored altogether.

Approaching the needs from the perspective of the Deaf employee, their lack of awareness of the wider issues embedded in workplace culture, practices and hierarchical structures might mean that they perceive their requirements as being deliberately dismissed or devalued. Deaf people are frequently seen as being more direct in their approaches to what can be deemed as ‘sensitive’ or face saving acts by hearing people. Hearing employees also are frequently unaware of or forget the extent to which Deaf people are excluded from casual workplace communication. Their inability to ‘overhear’ or pick up information through casual and informal conversations (Lichtig *et al.* 2004) results in an incomplete picture of all the nuances and subtleties that make up communication in the work environment.

Sign Language interpreters in the workplace

The difficulty in accounting for the numbers of SLIs employed in workplace settings is comparable to that of describing their provision in the U. K. As Brien *et*

al. (2002) highlight, the available lists of BSL/ English interpreters and interpreting agencies do not provide a full picture as to the number of SLIs working in the U.K. Similarly, there are no statistics as to how many SLIs are employed in workplace settings, either as freelance interpreters or employed on a staff basis. However, the impact of the Disability Discrimination Act (Turner *et al.* 2002) and attitude change over the last decade means that the workplace has gradually become more accessible to disabled people (Goldstone 2002), with Deaf people being increasingly offered opportunities to work in more professional fields (Dickinson 2002). The majority of SLIs currently practising in the U.K are likely therefore, at some point in their professional life, to accept assignments that occur in a workplace setting.

As part of the project outlined in this paper, SLIs working in this domain were surveyed about their working practice, with over 91% of the respondents stating that they worked with the same Deaf client on a regular basis, in an office or Access to Work (ATW) type setting. Access to Work is a Government funded scheme, a system whereby Deaf and disabled people can apply for support in their workplace, in the form of personal assistants, sign language interpreters, technical support or the modification of materials. Most profoundly Deaf people are allocated a number of hours for interpreter support. SLIs therefore are generally employed to work with Deaf people who use British Sign Language as their first or preferred language, in what are mainly hearing dominated workplace environments. Employed on both a staff and freelance basis, SLIs can be contracted to support Deaf people in a wide variety of settings, ranging from offices, social services, and education to factory floors. They can interpret across a wide spectrum of interactions—team meetings, formal and informal discussions, training events, supervisions, conferences and every-day social workplace interaction. The research outlined in this paper has focused on SLIs who are mainly contracted to work in office settings as their employment tends to be more consistent, providing a clearer picture of the conflicts that can occur in this domain.

Studying Sign Language interpreting in workplace settings

The workplace is a complex and multilayered setting, and as a result interpreting between Deaf and hearing people can be an intricate task. SLIs are not only working between different languages but also have to negotiate a minefield of cultural differences, relating to Deaf and hearing culture, as well as disparate perceptions of workplace norms and practices. The challenge of the research reported here was therefore to devise a methodology that would identify as far as possible the behaviour of SLIs in workplace settings, creating a rich and detailed description of the

interpreted interaction in this particular domain. The study has directed its focus to an ethnographic perspective on interpreted interaction located within workplaces. In order to identify the issues that were pertinent to SLIs working in this field, data were collected through the use of questionnaires and journals. A total of 110 questionnaires were distributed, predominantly via sign language interpreter e-groups. Of these, 57 questionnaires were returned, with 24 SLIs volunteering to participate further in the project by keeping a reflective journal over a three-month period. The data from both the questionnaires and journals were then thematically analyzed to provide an outline of key issues from a practitioner point of view. This paper draws on evidence from the questionnaires and journals, to highlight the conflicts that SLIs experience in the workplace domain.

Differences in the perception of the SLI's role

This feeling of discomfort and internal conflict is more likely to occur in ATW jobs because the regular nature of the job gives the interpreter more insight into the perspectives of both participants. (J36.1)¹

The data from the questionnaires and journals provided by SLIs have revealed a wide range of issues that present challenges in this setting, ranging from workplace environment and culture (including office politics, small talk and jargon) and conflicts over role and boundaries, to culture and identity negotiation. Many of the issues that have been raised can be said to stem from one common source—the lack of understanding of the SLI's role by all participants in this setting and the conflicts that are subsequently generated from this confusion.

What's in a name? Interpreter, Personal Assistant or Helper

The terminology used to describe the role of the SLI in the workplace is indicative of the complexity of that role and the differing perceptions held by both Deaf and hearing people.

Deaf person often jokingly introduces me as their “interpreter-stroke-PA (personal assistant)”. (J16.3)

Hearing colleagues assume more of a “support” role is happening, just by virtue of the interpreter's regular presence’. (Q17d: qr18)

Seen more as a support worker—asked to do ‘non-interpreting’ tasks, typing letters, making tea for rest of staff...! (Q17d: qr16)

1. ‘Q’ denotes questionnaire data. Q17d: qr52 signifies Question 17d: questionnaire respondent number 52; ‘J’ denotes journal data. J14.4 signifies Journal 14: entry 4.

A blurring of roles can occur in the ATW setting—the frequent and regular contact, along with time between actual interpreting of meetings/ conversations, leads to chat about personal stuff, so the interpreter may be seen as more of a colleague... (J36.3)

SLIs employed in the workplace domain are in an unusual situation in that they are regularly present in the same workplace but (unless they are directly contracted as a staff interpreter) they are not an ‘employee’ of that workplace. This results in a very ambiguous and ill-defined role for the SLI—if they work for the same clients in the same company on a regular basis, they will see those same people every day, and will be party to the conversations and discussions, both formal and informal, that constitute the discourse within that particular environment, effectively becoming a quasi-employee. The data collected so far in the research indicate that SLIs are struggling with the problems and feelings arising from this tenuous positioning within the workplace.

my presence often makes hearing staff feel uncomfortable if I behave strictly as an interpreter, because it is not what people are used to in that environment and sometimes they feel compelled to try and befriend the interpreter. (Q17d: qr52)

makes it difficult to remain impartial and often staff interpreters are asked to “take their hat off” for a minute and provide some information that they know we know. (J21)

The struggle to establish their role in the workplace environment adds an additional pressure to the tasks that SLIs have to undertake; they frequently shift roles, repositioning themselves to suit differing interactions, perceptions and demands. Being seen as employees or as part of the workforce is not necessarily a negative aspect for SLIs. Developing social relationships with both Deaf and hearing employees can enable them to blend in to the environment and potentially become a more flexible and integral part of the communication process. However, SLIs have yet to develop subtle, role-integrated ways of ‘doing social interaction’ without feeling that they are becoming too overt, too visible and overstepping what they consider to be their professional boundaries.

Visibility versus invisibility

One interpreter/stranger/new face etc already draws enough attention to the fact that somebody in the office is Deaf. After all, hearing people don’t have those sorts of things to deal with (J31.2)

SLIs are finding it difficult to balance the degree to which they make themselves visible within the office setting. On the one hand they are wrestling with the unavoidable truth that their very presence draws attention to the Deaf client’s exist-

ence in the workplace. Paradoxically, on occasions the presence of the SLI can emphasise the Deaf client's *absence*. One SLI, describing a situation where the Deaf client did not appear for work, stated that the presence of the interpreter had inadvertently:

highlighted a "disappearance" from work [...] before long the whole office was questioning where the Deaf client was. I felt awful as it became obvious that they must be skiving, however, thanks to me, not discreetly anymore. (J6.3)

As the SLI in the above example comments, it is quite likely that a hearing colleague unofficially escaping work would have gone unnoticed but, by having an SLI assigned through ATW, Deaf people become highly visible within the office. SLIs are clearly aware of their degree of visibility in this setting and attempts to minimise their presence are coming up against long-held models of interpreter invisibility and the more recent trend towards a visible active interpreter (Angelelli 2001).

SLIs are not only struggling with the issue of just how visible or invisible they should make themselves but also the degree to which the interpreting process should be brought into the interaction. If we take a view of the purpose of the provision of SLIs through Access to Work as being to make Deaf people's experience of work 'normal' and on an equal basis with their hearing peers, then it would seem that SLIs are striving to produce this unrealistic picture by making themselves and the interpreting process as invisible as possible:

because of that "normalising" it is not always helpful for interpreters to disappear off on breaks or to make a fuss when the work is too heavy for one interpreter to deal with, it doesn't make the Deaf person or the interpreter look very professional. (J31.2)

I try to keep my interruptions to a minimum because this client is very embarrassed by the attention that is drawn to her by being a Deaf person. (J31.3)

I do not want my needs to reflect badly on the client who has to work in that environment everyday, whereas I come and go. (J31.3)

By the time you have asked people to repeat things a number of times (due to poor acoustics) the feeling of colleagues getting to know each other is no longer there. It brings the interpreter to the forefront of the conversation. (J2.1)

SLI's are also conscious that they can draw attention to themselves by their inactivity when everyone else around them is engaged in work-related tasks. This is the cause of a considerable amount of anxiety for SLIs, who are already aware that they do not fit into the office environment and that by 'doing nothing' they further highlight their difference:

I also never know what to do with myself when the deaf person says that they don't need me for half an hour. Is it okay to take out a book? Do I simply sit and stare into space, do I look busy? Can I use my phone? (Q16: qr8)

The evidence to date therefore suggests that SLIs are coming up against a variety of interpreting models—interpreter as conduit, robot or invisible participant—and that they are finding it difficult to reconcile these models with the reality of their role and actions within the workplace setting.

Tracing the source of the conflict: Positionality and positioning

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. (Cokely 2005:3)

SLIs are continually experiencing discord in their positioning within the workplace, as the overriding norms that inform their practice, those of the interpreter as conduit and as an invisible, uninvolved participant unconsciously clash with their more recent acquisition of the concept of the interpreter as an active, highly visible third participant in interpreted interaction (Wadensjö 1998; Roy 2000). Inghilleri (2004) states that she does not presume that translators and interpreters are passive in their acceptance of the established and dominant norms of their profession, and evidence from this study suggests that although these norms are deeply ingrained and pervasive, SLIs are aware of their presence and are reflecting on their impact on interpreting activity. It is this struggle that is bringing to the surface the feelings of discomfort, anxiety and conflict that they experience.

In order to examine the source of these conflicts it is necessary to expand from the micro-dimension to the macro, in line with Inghilleri’s (2004: 71) suggestion that ‘... the particular communicative competencies that interpreters bring to their work are influenced by both the micro and macro features of the interpreting activity’. In order to bring into play the macro-dimensional features we will examine the concept of the SLI’s *positionality* (Cokely 2005) and then explore how this in turn affects their *positioning* (Mason 2005) within the micro-dimensions of the interpreted event.

Cokely’s (2005) illuminating examination highlights the positionality of interpreters in relation to the Deaf Community. His description of the rapid shifts in the professional status of SLIs in the United States, and his observations as to the impact this has had on their relationship with the Deaf Community can be similarly applied to developments within the United Kingdom. SLIs in the U.K have also seen their position both with and within the Deaf community become highly complex. As hearing people, SLIs are part of a dominant and oppressive culture (see Ladd 2003 for an in-depth analysis) and yet have a strong alignment with the minority group in the interpreted interaction. It is this very particular ‘caught-between’ (or ‘both/and’) status that brings such pressures to bear upon the space

the SLI occupies. As Kyle and Pullen (1988:57) comment, in order to acquire sign language successfully, there must also be contact with Deaf culture: ‘... there is a closeness required which needs at least a temporary shift of identity’.

We would suggest that the SLI in fact takes on board that required ‘closeness’ and integrates it, at least temporarily, into their identity as an interpreter. It is this closeness that aligns SLIs again and again with the Deaf client when they are interpreting in situations where there are clear power imbalances and evidence of oppression. This cultural pull of allegiance clearly also occurs in spoken language interpreting, particularly within community interpreting where the interpreter can often be from the same minority group as their client. Angelelli (2002:9) identifies this as a source of tension in her study on Healthcare Interpreters—that interpreters find it difficult to ‘...remain neutral and be a member of the same small community’—but we would suggest that this is especially difficult for SLIs because of the history of oppression of Deaf people, the medical model that has been adopted in terms of their disability (Ladd 2003) and the SLIs uniquely semi-detached position within the community. This struggle or conflict that SLIs experience with their positionality in relation to the wider Deaf community feeds, both subliminally and at times overtly, into the positions that they adopt within interpreted interaction.

Mason (2005) moves away from the use of the word ‘role’ to encompass what people do within discourse, suggesting that this description is insufficient to illustrate the actions of participants, as it is too static. Mason instead talks about *positioning*, as reflecting the dynamic and changing ways that all participants are positioned within interaction and the ways in which these continually shifting and evolving positions effect their communication with each other. In referring to the way in which courtroom interpreters in the USA position themselves as a ‘non-person’, Mason highlights how this in turn forces the other participants to interact directly with each other, disregarding the presence of the interpreter. The term ‘non-person’, originating with Goffman (1990), signifies someone who is present during the interaction but does not play either the role of performer or of audience. Wadensjö (1998:67) states that ‘... in many respects, the concept of non-person applies to the interpreter in face to face interaction’ and the evidence from this study suggests that SLIs frequently position themselves as a non-person in the interpreted event, reinforcing their invisibility by their actions and fostering the impression that they are not really involved in the communicative process. However, the responses from the questionnaires and journals in this study suggest that SLIs are not adopting just one position within the interpreted interaction, but that they frequently switch and adapt their positions within the space of a single communicative event, maintaining a fluidity that allows them to meet the differing expectations of the primary participants.

Concluding thoughts

I think the office interpreting scenario is a real can of worms because I think that if I behave like an interpreter should, sometimes I'm not being very helpful ... interpreters have 'fallen into' doing office support with no real guidance as to good practice. (Q22: qr52)

In order for SLIs to gain an understanding of their complex status in the workplace we must continue to build on recent work in interpreting studies and 'take the lid off' what is happening for SLIs in the workplace setting, examining the reality of their role and positioning. SLIs have to take on board the reality of their role and accept that it is impossible to be a neutral and uninvolved bystander, someone who merely passes information between other participants. It is only when SLIs begin to consider the depth and intricacy of their role in the workplace that they will start to think about how they are going to deal with the issues that arise during interpreted events. By developing supportive, non-prescriptive, underpinning frameworks we will enable SLIs to feel confident in their fluid and adaptable workplace positioning, providing them with a safety net that empowers them to operate in the most effective way for all participants and for themselves.

SLIs have to explore ways in which they can inform all those involved in the communicative event about the practicalities of their role, and work with all participants to ensure that they fully understand and appreciate the fluid position that the SLI has in the interaction. It is an essential part of the interpreter's professionalism to emphasise their visibility, so that all participants are aware of their presence and can make informed decisions about the way they react and interact, thus ensuring that they become a consciously active part of the interpreting process itself. To capture the point, Turner (2007) writes by analogy with the field of physics, of 'quantum interpreting'. Fundamental to quantum physics is the notion that the nature of phenomena only exists in the act of our knowing about them: he suggests that, ultimately, "effective interpreting is similarly embedded or instantiated within our collective awareness, our co-construction, of the task". Such interpreting, it is claimed, acknowledges the *interdependence* of process, perceiver and product: it is only with the active 'uptake' of the interpreter's output by the other participants that it is fully 'made real' as communication. Achieving effective interpreter-mediated communication is something no individual can do alone: the 'quantum' notion points at the part other participants must play in inhabiting and taking ownership of the words ascribed to them by the interpreter. This is something they cannot do by treating the interpreter as a non-participant or by underestimating the impact the interpreter's utterances have upon the course of every interactional exchange.

In this way, then, SLIs can move towards addressing the mismatch between consumer expectations and the actual reality of interpreted events (Mason 2000), making small but incremental steps in reducing the role conflicts that SLIs experience in the workplace domain. It is only by doing this that SLIs will achieve the type of interpreted interaction in all settings that they are currently describing all too infrequently in the workplace data discussed in this paper:

I felt that everyone was not only aware of each others roles and aims but respected each other as professionals in their own fields. I wasn't viewed as an 'invisible person' that should be ignored but as someone who was part of the meeting and who allowed communication and information to be understood by all. I wish more of our work was like this! (J14.4)

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Migration, ideology and the interpreter–mediator

The role of the language mediator in educational and medical settings in Italy

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This paper examines the role of language mediators in the education and health sectors in Italy. In the Italian tradition ‘language mediation’ and ‘intercultural mediation’ are terms commonly used to describe a profession that include, but do not totally overlap with, ‘community interpreting’. We will therefore be looking at language mediation rather than interpreting ‘proper’. Our analysis draws on both ‘hard’ and ‘soft’ data: a study by two researchers from the Municipality of Bologna based on 27 semi-structured interviews, the results of a questionnaire-survey in the Region of Emilia Romagna and six semi-structured interviews in the Region of Marche. Using these data we look at how mediators construct professional roles and how these roles are governed by institutional mandate in the health and education sectors, two of the major domains in which language and cultural mediators operate. These two sectors are both major employers of language mediators but with—historically—two very different approaches to language mediation. We will, therefore, look at how role-construction is performed differently in the different sectors, how the expectations (and level of information) of service providers, the needs of the institutions, the mediators’ training and their own migratory experiences impact on their role and on the rapport between the three parties. We also look at the issue of what type of shared background (cultural or migratory) is thought to be most conducive to implementing a productive working relationship. Lastly, we have attempted to contextualize our data in the local demographical, historical and socio-political situation as we believe that such factors impact quite radically on professional categories, especially those professions related to the politically volatile area of migration.

Introduction

The issue of ‘role’, perhaps one of the broadest and at the same time most complex aspects of community interpreting, has assumed a prominent place in the debate

* The first part of this paper and the conclusions were written by Rudvin, whilst Tomassini wrote Part 2 and conducted the interviews reported in the same part (the Marche sample).

in this discipline. This is indeed not surprising given its unique positioning at the interface between theory and practice on the one hand, and academia and professional institutions on the other. This situation is exacerbated by its hybrid nature as both a sub-discipline of Translation/Interpreting Studies and as a profession in its own right. Although it is a profession that has been practised since time immemorial, Community interpreting does not, however, have the support that academic disciplines usually enjoy, nor the industrial protection that safeguards—at least in theory—the basic rights of practitioners in most established professions. What is interesting in our discipline, we believe, is that this interface is at the heart of the profession's profoundly troubled nature and yet is at the same time the driving force behind its uniquely dynamic character. The current status quo, then, is a result of its position at the interface between different strands of knowledge, practice and ethics that have only recently 'discovered each other': Interpreting Studies has relatively recently woken up to the fact that interpreting is more than conference interpreting, and professional community interpreters are only recently beginning to feel that they have the support of an academic and institutional network and that they are a 'real' academic discipline. Practitioners and academics, two separate discourse- and professional communities, are thus coming to the discipline from different ontological angles, leading to an interpreting-focused job-centred approach (especially regarding theory and interpreter ethics) that must be aligned with an institution- and task-focused approach (related to practice and institutional ethics). Although the interface between these two aspects generates vitality and debate, they are not, however, always compatible: Practice, research, academic descriptive/prescriptive knowledge and professional ethics do at times, clash. In our view, both in the literature and in the field, this clash is most evident in the issue of 'the interpreter's role'. Indeed, as well as more obvious aspects such as the interpreter's participation and involvement, his/her tasks and responsibilities, 'role' affects a host of less apparent factors. These include institutional budget constraints that require the interpreter to multi-task and that affect the (lack of) staff recruitment of (in particular) trained professionals vs. less costly ad-hoc solutions such as bilingual staff, short-term training, and the use of relatives and friends as interpreters.

The interdisciplinarity and composite nature of the discipline is also reflected in the terminology we use. But the existence of a multifarious, hybrid nomenclature spanning terms such as community interpreting, dialogue interpreting, public service interpreting, liaison interpreting, etc., that do not necessarily overlap, is perhaps not as insidious as the apparent chaos might lead us to believe. One might argue that this spectrum simply reflects the complexity of role-definitions and definitions of the profession/discipline across sectors, across institutions, and across countries—that it is indeed intrinsic to the nature of this communicative

act. Such an affirmation might seem provocative because in a ‘strong’ form it argues against the establishment of a general code of conduct, or even the establishment of a unified professional community. However, we believe that such a view recognizes community interpreting as one of many ‘acts of communication’ rather than as a clearly delineable and ‘extractable’ professional activity (i.e. as opposed to the ‘common sense’ approach espoused by both laymen and professionals alike that ‘interpreting is interpreting is interpreting’). This is borne out by some of the more recent research in Community Interpreting studies, not least from areas such as Sign Language Interpreting and studies by non-interpreting professionals who promote a more interactive and interdisciplinary approach in which the communication goal is constructed in collaboration with the needs and functions of the interpreting triad and the institutions behind them (the trend is confirmed by various papers presented at the last Critical Link conference in Stockholm 2004, e.g. Kent, Turner and Elghezouani, positioning the act of interpreting in a larger communicative and socio-cultural framework).

1. Language mediation and migration in Italy

The issue of role is even more interesting and dynamic in Italy compared to many other countries because of the prominence of the so-called ‘*mediatore culturale/interculturale*’ (inter/cultural mediator), the ‘*mediatore linguistico*’ (language mediator), and the ‘*mediatore linguistico-culturale*’ (linguistic-cultural mediator), also mentioned by Pöchacker in this volume. Since we will be discussing the Italian situation, in this paper ‘language mediation’ should be understood in a wide sense rather than as what might be considered by many as ‘interpreting proper’. In Italy, ‘language mediation’ spans a much wider range of activities than what is generally meant by translating/interpreting.

It is only in recent years that large numbers of migrants have begun to arrive in Italy and unsurprisingly, the terminological confusion noted above is nowhere more evident than here since there is no homogenous national approach to language services in public institutions. For geo-political reasons and reasons of national politics, the task of interpreting between institutions and migrants has often been the domain of the so-called ‘cultural mediator’. So far, however, few public organizations have issued qualifications and/or organized courses for cultural mediators, and fewer still specifically for language mediators.

We have described the respective tasks and role definitions of cultural and language mediators elsewhere (Tomassini 2004, Tomassini and Nicolini 2005, Rudvin 2005), but it might be worth summarizing: After the early phases of migration in the 1970s–1980s national and local administrators gradually realized that

some form of linguistic and cultural mediation was necessary to establish contact between Italian institutions and migrants. Because migration was still such a new phenomenon and because Italy had until recently been a country of emigration, there was little if no infrastructure to process and facilitate the smooth integration of migrants. Much of the work was taken on by private charity institutions, in particular the Catholic Church (especially through the organization 'Caritas') and/or by local political organizations. The reason for this, we believe, is that migration from the developing world was, and still to some extent is, considered to be a temporary phenomenon. Migrants were seen as needy individuals fleeing from war-torn countries where human rights violations are rampant and various forms of discrimination are practised. This in itself is a perfectly respectable approach, of course, but not perhaps in line with the more modern understanding of migration as a natural phenomenon, intrinsic to human nature and society from time immemorial, driving men and women to travel and discover new horizons and new opportunities out of simple curiosity, or driven by the need for economic improvement for themselves and their families. Large-scale involvement by the voluntary sector and an 'assistance-based' approach thus characterize the Italian immigration scenario, even today. The emphasis on the migrants' culture and on intercultural issues was a natural development of this tradition. Consequently, great importance was attached to overcoming cultural differences between migrants and the host country, thus adopting a more multicultural framework (as in the UK and Germany) rather than a so-called assimilationist approach (as in the French model; see Caritas/Migrantes 2006). Hence the emphasis on the need for 'cultural mediators', giving prominence both to the cross-cultural aspect and the need for active mediation between migrant and host country representative. The mediator is encouraged and trained to be an active, participatory agent, expected to prevent conflicts and misunderstandings deriving from the clients' lack of information about Italian institutions and vice versa.

Although in the early phases of migration the role of mediation was recognized as an instrument for social integration policies, it was only in 1996 that it was officially recognized in the Legislative Decree 286/96 *Testo Unico sull'Immigrazione* (Aluffi Pentini: 2004). Interpreting and translation were thus only two of the cultural mediator's many tasks. 'Language mediator' is a more recent definition, probably following the introduction of the national University reform and the plethora of courses in the as-yet undefined undergraduate degree '*mediazione-linguistica*' (see Rudvin 2005). The term '*interprete sociale*' (social/community interpreter) is also used sporadically, although we do not yet have enough data to furnish precise information about this. None of these, however, are nationally standardized and/or accredited in terms of job-descriptions or professional role, a state which has led to frustration among mediators and service providers alike. Furthermore,

given the broad definition of this role, institutions tend to have different approaches in the various sectors (health, education, law, welfare, etc.). It is also true that nomenclature reflects local/national ideology and politics, especially the dominant national/local political positioning versus the notion (and importance) of ‘culture’ and versus the migrant in his/her role as citizen with, or without, full access to public services. Thus, role, terminology and ideology are intrinsically bound. At the heart of this debate we find these ideologically governed ambiguities, as well as the conflict between the academic interpreter-focus (the interpreter as translator, language transmitter) and institution-focus (the interpreter as a representative of the institution). In this model of the mediator as a ‘bridging’ figure, s/he is given a great deal of responsibility—his/her mandate is not only to help the interlocutors avoid misunderstandings and anticipate areas of conflict, but to construct, no less, a shared basis or cultural–cognitive platform between the interlocutors by facilitating comprehension and reciprocal understanding/agreement. This strategy has actually been quite successful in Italy, and the mediators perform a valuable service for both institution and migrant.

Paradoxically, then, the global political positioning on migrants, culture, cultural differences and the need to mediate in order to achieve integration—which in our view is very positive—has, as mentioned, led to a rather stressful role confusion regarding cultural and professional aspects of interpreting and mediating. Indeed, it is precisely in countries like Italy and Spain that a vigorous debate is emerging about the figure of mediator vs. interpreter and the conduit vs. communicator.

Data and research methodology

What we would like to do in this paper is to look at two of the major domains in which language/cultural mediators operate. The two sectors we will be looking at, that of health and education, are both major employers of language mediators but with—historically—two very different approaches towards language mediation. Our analysis draws on both ‘hard’ and ‘soft’ data: a study by two researchers from the Municipality of Bologna based on twenty seven semi-structured interviews with language mediators in the health sector, published in January this year, describing a project organized and funded by the Municipality of Bologna (Gentile and Caponio 2006); the results of a questionnaire-survey in the Region of Emilia Romagna; and six semi-structured interviews in the Marche Region. Both methodology (survey) and analysis are qualitative in nature. Although the Bologna *Osservatorio* survey could be considered to be quantitative and to some degree representative, at least for the region in which it is based, our sample as a whole could not be said to be representative. Our main aim has been to compare respondents’ attitudes towards the issue of role by isolating those questions and

responses pertinent to both sectors. We have examined in particular how mediators view their role—if and when it goes beyond the mere mechanical process of language transferral—and secondly if and how shared culture is a prerequisite for the task of interpreting and ‘mediation’. We then looked more closely at incongruencies between respondents’ replies, and incongruencies between the two sectors.

Methodologically, there are both pros and cons in comparing data from two different sectors. The advantage is that the comparison is very revealing in terms of role description: mediators in schools tend to be more actively involved in the global communicative event than in hospitals and therefore the mediators’ views about issues like impartiality and participation are very clear-cut and telling. In hospitals mediators tend to take on more of a ‘pure-interpreting’ format, although here too language mediators are used to mediate, anticipate misunderstandings and conflicts, participate in project-planning and implementing, etc. However, the argument is slightly gratuitous because in the education sector, as mentioned above, the mediator is *expected* to participate actively in the client’s (child’s) progress, the family’s involvement and the teachers’/institutions’ projects; it is part of their mandate. Therefore, these data do not say all that much about attitudes towards *interpreting as such* but more about the interpreter’s institutional role.

Who are the mediators?¹

Mediators’ representativeness of their home cultures and mediating as a ‘mission’

Recent formal and informal studies have shown that the mediators who work in Italy today are not necessarily a ‘representative sample’ of their respective ethnic communities (see Gentile and Caponio 2006 described in detail below; see Caritas/Migrantes 2006). It is also obvious that no one individual is a perfect representative of any ethnic community or even a sub-group of that community. In the Italian immigration context, Moldavians and Peruvians, for example, have a higher percentage of mediators than Pakistanis and Tunisians (Gentile and Caponio 2006). This might, we believe, reflect the socially conditioned migration trends in their home countries. In other words one might conjecture that educated Pakistanis might choose to emigrate to the US or the UK where they will find an existing, stable and resourceful Pakistani middle-class community and good job prospects, rather than to Italy where job-prospects for most educated migrants are much less

1. The term ‘mediator’ is semantically problematic: the very idea of an interpreter being a language *mediator* actually gives him/her a great deal of authority and responsibility if we think of ‘mediation’ as ‘negotiating’, i.e. as in ‘negotiating a peace treaty’ or ‘negotiating between a couple in a custody case’. There is a vague, but undefined, notion of arbitration which is very much at odds—indeed opposite to—the supposed impartiality of both cultural and language mediator, not to mention interpreter/translator.

promising. Furthermore, as Gentile and Caponio note, ethnic groups that consist primarily of single men or women will have different needs from those who bring their families and send their children to school. Also, the degree of integration into society and the demand for public services and types of services vary cross-nationally.

The emerging literature and statistics (see the Bologna *Osservatorio* report 2006 and Caritas/Migrantes Dossier 2005) show that mediators on the whole have a very high level of education, although very often their degrees are not formally recognised by the Italian educational system.² (This finding was, again, confirmed by our respondents.) Consequently, as a sample, mediators are skewed in terms of education and gender (more women, 76% in Bologna; Gentile and Caponio 2006) as well as in numerical representation of their ethnic communities, and possibly social class. This, we believe, affects their internalized vision of professional role from the outset, before they even begin to train as mediators if and when they do receive formalized training. We believe that these variables lead to a tendency many mediators have of viewing their task as one of ‘assistance’. We were led to this conclusion not only by the literature on mediators in Italy, but by the constant recurrence in the interviews of the mediators affirming their wish to help and assist their clients, almost as if it were a private ‘mission’ rather than a profession. This of course feeds into the assistance-based migration policy already in place in Italy in the 1980’s–1990’s mentioned above. It also emerges clearly in the Bologna *Osservatorio* report. The mediators are themselves quite explicit about their approach: “I have always tried to help my co-nationals. [...] I always try to do what I can.”; “I’ve always worked for free as a mediator, helping foreign friends and co-nationals” (Gentile and Caponio 2006: 21; all translations our own). Mediators interviewed in Naples by della Corte, data presented with Rudvin as “Gender Distribution among Community Interpreters in Italy” at the Alcalá conference in 2005, showed this exact same tendency (which we argued might be gender-based). Gentile and Caponio conclude that:

what emerged strongly was mediation understood generally as “help”, which those who have been longer in Italy are usually able to provide to their co-nationals, independently of their qualifications” [...] “what is lacking is the neutrality factor which should characterize the figure of the mediator in public services who is called precisely to “mediate” between parties without taking sides for one or the other. On the contrary, in these informal contexts, the function of advocacy is much more important, in other words the promotion and support of the migrants ... it cannot be confused in any way with intercultural mediation” [...]; “the mediator’s job is understood as a

2. In our data, mediators had university degrees (including double degrees and postgraduate degrees) in chemistry, engineering, law, political science, languages, literature, and agronomy.

kind of natural continuation of the activity of helping already started in an informal manner to help friends or relations in the community of co-nationals. (Gentile and Caponio 2006: 14, 15, 21)

It seems then that this profession attracts mainly highly educated, relatively young women with a natural inclination to 'help' other migrants. The mediators also seemed to be prompted not only by a personal aptitude and attitude,³ but often by their own experiences of migration and the hardships and/or practical difficulties they themselves experienced when they first migrated, leading them subsequently to share what they had learned about the country (especially practical and bureaucratic information) with their co-nationals or co-migrants. Indeed, one of the most interesting pieces of data that emerged in our interviews (and in the Bologna *Osservatorio* report) was that a shared migratory history was *as important as a shared culture* (with some qualifications, to be discussed below).

Another factor that emerged was that mediators were drawn to this profession because the other job-offers on the market (cleaning jobs, home workers, some factory work) were even less congruent with their high qualifications and gave less professional and human satisfaction. This is witnessed by statements such as: "I wasn't interested in the jobs they're offering foreigners ... it's a step forward"; "at least this is a better professional opportunity than what the Italian market offers migrants" (Gentile and Caponio 2006: 20). (This too was confirmed by data from interviews presented in Rudvin and della Corte 2005.) Moreover, in the authors' own sample, several respondents stated that they had started working as unpaid volunteers because their children had problems at school or their teachers asked for help with other migrant children when language or other problems emerged. The Bologna *Osservatorio* report also confirmed that many mediators end up in this job by chance, either through friends/acquaintances, casual translation work or voluntary mediating through informal or semi-formal channels that are subsequently formalized. When they find that there are (albeit financially meagre) job opportunities and that the job is more gratifying than other employment offered to migrants, many will specialize further by applying for publicly-funded mediation courses. As one mediator says "this reflects a bit the confusion that exists about the concept of mediation, because it is the institutions that call me to be a mediator even if I have a different training background" (Gentile and Caponio 2006: 20) (These data are also confirmed by Tomassini's 2006 interviews from the Marche sample, see below.)

Nevertheless, job-satisfaction tends to be high on the whole. The picture that emerges from the aggregate data is a pool of professionals whose levels of educa-

3. It might of course be that this particular profession attracts a particular type of person, inclined to be helpful and compassionate.

tion and human resources are generally significantly above that of the average Italian and above the average migrant from their own or other communities. It is of course perfectly natural that there should be a stratified system with ‘levels’ of migrants, just as the host system is socially and economically stratified. But this also suggests that there might be not only language and cultural mediation involved, but also some degree of social mediation between the mediators and their clients. According to many of the mediators, rural migrants find integration to be a greater challenge than those who come from urban centres. Thus the mediators are empowering their clients not only by drawing upon their linguistic skills and cultural knowledge/sensitivity, but by their own social positioning by virtue of their belonging to a higher social class. In our interviews we found that they were highly motivated to make use of the leverage this asymmetry provided as cultural and symbolic capital to empower the client.⁴ Of course these trends might change over time as children of the first and second generations are learning Italian quickly, adjusting to new habits and are becoming vehicles of knowledge for new citizens and for their own communities.

Data from the report on cultural mediators in the Province of Bologna –
Osservatorio delle immigrazioni

National statistics and landmarks

The Bologna *Osservatorio* report raises a number of interesting issues. Although it refers to a relatively limited area geographically—the Province of Bologna—we believe it is quite representative of the country in general, or at least representative of the *aims* of most of the public institutions nationwide. The Region of Emilia Romagna (of which Bologna is the regional capital) has long been a pioneer in the area of cross-cultural harmonization. The fact that it was the second in the country to grant cultural mediators professional status (2004) was thus not surprising given its enviable tradition for migrant-related integration policies. At the end of the 1980s, intercultural mediation was being encouraged in the educational setting in a more global perspective. In 1989 a regulation was passed for the first time dealing with the integration of foreign students in schools, and intercultural education (Ministerial Circular Letter n. 205, July 16th 1990). In 1990 an official proposal was made to introduce intercultural education in all schools through

4. This is supported by comments such as: “you have to understand that many of these people don’t read or write, they don’t understand, they’re not used to doing it this way, they come from the countryside”, etc.. Statistically, the degree of representation from each social class will vary greatly for each community, regardless of the class distribution in the home country. This is also supported by data in Rabbini’s interviews.

projects aimed at the educational ‘scholastic integration’ of foreign children (see Favaro in Favaro and Luatti 2004: 25). According to the *Osservatorio* report cultural mediators were already being trained and employed, in the health and educational sectors, in the early 1990’s by the Municipality of Bologna. In other cities (such as Milan) what began in the 1990’s in the non-profit sector in conjunction with local public bodies was later incorporated fully into the public sector. An interesting local example of one of the many centres implementing intercultural educational projects is the CREMI centre (*Centro di Ricerca Interculturale per l’Educazione Interculturale*, www.cremi.it) located in Fano in the Marche Region which has organized a host of stimulating and successful initiatives in intercultural education, including two international conferences. This is a good example, we believe, of the importance attributed to intercultural education and socialization in the community by many local organizations.

Sector-based role variation

The Bologna *Osservatorio* report shows clearly that there is a great deal of role variation in the various sectors of application (thus in accordance with the view that the language mediator’s role is governed by the needs of the specific institution). In the registry offices and the job centres, Gentile and Caponio report, the mediators’ tasks are primarily to interpret, translate and help fill out documents; at the information desks their main task is to provide the applicants with information about practical matters (official bureaucracy, employment, housing, schools and kindergartens, permits, etc.); and in hospitals it is to interpret and translate, explain cultural differences and anticipate areas of misunderstanding and potential conflict (especially in the prescription phase). Mediating in schools, however, requires active negotiating strategies between children, parents and teachers/institutions, participation in class planning and projects, etc. (thus ‘mediating’ closer to the primary sense of the word, see footnote 1, or to the “contractual mediation” discussed by Pöchhacker in Chapter One of this volume.) Mediators’ responsibility often far exceeds their mandate in this area. (Naturally, the ‘children-factor’ in the education sector requires particular delicacy, sensitivity and psychological and emotional involvement.) The survey reveals what we have already suggested above based on our own previous survey, namely that mediators fulfil a wide range of tasks and play various roles depending not only on the sector of application but also on the individual institution (clinic, hospital, school). According to Gentile and Caponio these varied tasks require different ‘styles’ of mediation and different models of triadic interaction. They point to what we think is an obvious, but crucial and often overlooked, aspect regarding the basically multifarious and highly complex nature of human communication:

If there is agreement about the fact that cultural mediation should be that of facilitating communication and the meeting between foreigner and Italian institution, then, in practice, this can be translated into a wide range of activities, sometimes very different from each other. Such indeterminacy about the professional figure of the mediator cannot not be a source of problems and ambiguities both for the public administrative bodies—organizations which tend to be rigid and not very open to innovation—as well as for those operating in the sector, who often have to tackle the lack of comprehension of the Italian service providers—a factor which complicates their work, as stressed by the respondents. (Gentile and Caponio 2006:23)

To sum up, then, three key factors contribute to the role confusion which clearly jeopardizes the neutrality criterion: firstly that mediators come to this job ‘by chance’ from other professional backgrounds, and secondly that they are frequently driven by a strong sense of assistance. Thirdly, the arbitrariness of the mediators’ career development is exacerbated by a general lack of knowledge about the profession: “They don’t understand my role” was a common complaint by the mediators. The institution’s lack of willingness to acknowledge their role and their diffidence towards the mediator is also keenly felt, as Gentile and Caponio report. It is important, they note, to avoid the ‘all-rounder model’ in which the mediator is used to fill any existing gaps and “it’s necessary to invent something new and the Italian institutions are not prepared for this”. (Gentile and Caponio 2006:26, 23).

Shared culture

According to the Bologna *Osservatorio* report, in both the health and the education sector, the shared culture variable is seen as important but not *as* important as might have been expected. Gentile and Caponio (2006:24) differentiate between ‘culture as hard data’ when it is defined as a collection of different values and communication codes (including class distinctions), and ‘socio-cultural affinity’ as ‘soft data’ which is related primarily to shared migration experiences. On the basis of these these ‘soft and hard data’ they reach the conclusion that the degree of importance of shared culture changes in the different sectors of application: Whilst a shared culture (‘hard data’) was not always considered to be a prerequisite in the health sector, it was seen as crucial in schools, where the client–mediator contact is close, sometimes prolonged, often intense, and prone to close bonding and relations of affect. Shared ethnic culture was far less important at the information desks than the so-called ‘soft factor’, i.e. a shared migratory history and similar experiences relating to the period of migration and settlement in Italy. Even a shared language in this context was not crucial. This is perhaps not surprising: many of the questions and requests that arise are of a practical nature about applications for benefits, housing, work, health and school—all crucial for the migrant and his/

her family to be able to function on an everyday basis. Furthermore, those who have experienced the same problems and needs when they arrived in Italy can anticipate problems and thus point the migrant in the right direction and help him/her ask the right questions. Consequently, one might conclude that the cultural dimension gains relevance in 'mediation proper' when social and cultural values are an integral part of the mediation process (Gentile and Caponio 2006: 23–25; see also Favaro chapter 1 in Favaro and Luatti 2004). Nevertheless, Gentile and Caponio's conclusion that sharing a cultural bond was in many cases irrelevant—shared also by some of our own informants in rather categorical statements—seems to be rather dramatic. We believe that it should be qualified by a closer analysis of the data and a more in-depth description of the different situations in which the mediators operate.

2. Role differentiation in the education and health sectors

2.1 Schools

The Bologna *Osservatorio* survey thus shows quite clearly how mediators operate differently in the health and in the education sectors. In schools the shared cultural background is considered to be crucial in that the mediator's goal is to put the interlocutors in a position in which comprehension is reciprocal and to construct a new relationship with a 'new shared basis' between family/child and school/institution, i.e. a shared platform. This implies of course that teachers and institutions also have to embark on a learning process even if, one respondent says, teachers often take it for granted that s/he and the child have a far greater common cultural platform than is indeed the case; they are assuming a high degree of cultural 'shared-ness' (Gentile and Caponio 2006: 24). In the authors' words, the goal of mediation in the education sector is to build a relationship based on trust which allows for "communication between equals, overcoming the possible imbalance between the Italian service provider on the one hand and the foreign client on the other, or rather those who control knowledge and resources and those who lack the necessary competencies to access services" (Gentile and Caponio 2006: 25). This implies of course an equalizing of the power asymmetry mentioned above. There is clearly a (positive) underlying ideological basis here, one in which the migrant is to be empowered to access all domains of society and take an active part in a social dialogue as an equal with other citizens. Another indication of the different approaches between the two sectors is in its meta-discourse: the language used in describing migrants' access to health and legal services is less ideological, less explicitly focused on 'empowering' than in the education sector.

Findings from the Marche sample

Tomassini has conducted 6 in-depth interviews with mediators working in schools in the Marche Region specifically for this paper.⁵ The interviews confirmed that although ‘mediation’ is central to the mediator’s job, the very fact that the word ‘mediation’ is flexible and open to a variety of definitions leads to a situation in which mediators themselves have to fill in the gaps, anticipate problems, and liaise between interlocutors; indeed, they take an active part not only in conflict resolution but in managing and planning their own jobs. The fact that intercultural- and language-mediators in Italy are on average extremely qualified and are in addition motivated by strong personal values and experiences, allows the institutions to ‘get away with’ not taking the trouble to organize this profession better and more systematically. They know that they can trust a highly qualified, highly motivated, highly resourceful pool of underpaid professionals—often trained both in other professions as well as in language mediation. Thus, the institutions have no strong incentive to change.

Although there are courses in mediation offered with public funding, there are few (paid) full time positions to offer to those candidates once they are trained. As the Macedonian mediator in the Marche Region says: “At the beginning I felt lost, I was doing a job that was humiliating and it was difficult to survive. One begins to get depressed. I started by doing domestic cleaning work, and my mind just began to shut down. And so I got in touch with groups and by chance I started working with ARCI”. Like her, all the respondents had started working by ‘chance’. All except one (the Dutch mediator) had subsequently followed various courses in intercultural mediation. They all had degrees (except the Dutch mediator who had a diploma in music and as a pastry-cook), and they all worked as language mediators in other sectors to make ends meet (again, except the Dutch mediator)⁶ such as the health sector, the courts and police offices. They all said that they would not have gone back to the other jobs offered on the market. They all did voluntary work and yet were all (except the Dutch mediator) dissatisfied with their income. The mediators are often paid on an hourly basis or by project, so that when the project is completed or the funding runs out, they are no longer employed (or they continue to work for free). There is some local leeway here and schools and insti-

5. The six respondents were from Albania, Morocco, Macedonia and Holland. Of course such a small sample cannot be perceived as being representative in any way. Nevertheless, as case studies they shed light on important issues such as role and tasks, they project their trainers’ and institutions’ approaches, and they confirm the findings from larger, more representative studies such as the Bologna report.

6. She actually asserts that they are paid too much. Her own motivation is that she “enjoys it” and she doesn’t even want to be paid. She complains of the fact that Italian institutions organize their finances badly, that the money could be used more effectively.

tutions organize projects and funding differently. Sometimes it is the school that calls the mediator directly, in other cases it is the educational board that has a list of mediators they can choose from, or else s/he is appointed by local intercultural centres. Like other mediators mentioned above, this sample too was motivated by a sense of duty and civil service: “I don’t see it as a source of income. Income has never interested me, even though I need it” says one of the Albanian mediators.

Tasks, intercultural mediation

One of the results of the educational institutions’ goal of implementing intercultural education formalized by legislation, is that as language- and culture-experts mediators have become the core agents in this process. They are called upon to fulfil not only a wide range of practical tasks, but must also draw upon human skills at both the level of affect and cognition (as Favaro notes in Favaro and Luatti 2004: 21). The cognitive and practical skills (not least communication and information processing) are difficult enough—and often go far beyond the individuals’ training—but at the level of affect the challenges are sometimes even greater (as Tarozzi 2004: 307 also notes).

Teaching the other pupils about the foreign country through stories, history, music, crafts, oral narrative, etc. is clearly meant to bring the Italian children closer to the migrant children and their cultures.⁷ “My task is to make the Arab culture known to the children, the way to write, speak, a bit of geography, the teaching is often very practical” says one of the Moroccan mediators. “I had a class without any Arab children, my function was to teach a bit of my language, my culture, where I come from” she continues. “I often perform tasks that a social worker could do, sometimes I have to call a child’s mum because the child is dirty” says the Macedonian mediator. Teachers and deans tend to delegate too many tasks to the mediators, Tarozzi argues, including teaching Italian as a second language and generally solving all the problems related to their reception and integration. Consequently, mediators are often considered to be a sort of ‘technical figure’ similar to support-teachers for disabled students. In other cases, Tarozzi notes, mediators play the role of minorities’ advocates who try to safeguard the rights of their own communities (Tarozzi 2004: 318). Although they multitask, one of the mediators’ core functions is still that of translating/interpreting. As one of the Albanian mediators says: “The problem is the language, Italian; they’re in class, even just being near them, talking to them, you’re not there for nothing. Just imagine opening your eyes and not understanding anything”. The mediators’ tasks range from trans-

7. One interesting approach that an Albanian mediator took was that of teaching the children about Albanian culture by talking about hospitality. She brought sweets to school and told the children that in the Albanian tradition every household has a bowl of sweets that is offered to guests as soon as they come in the door: “So I offer them sweets as if they were my guests”.

lating to Italian language teaching, practical lessons on how to live in Italy, writing books, and intercultural awareness to the whole class.

Shared migratory experience vs. shared culture

As mentioned above, some studies indicate that shared migratory experience is as important (or is believed to be as important) for the mediator as a shared cultural background. In other words, a mediator from a different country than that of the client may be as useful to him/her as a co-national would have been. The respondents in the Marche sample largely confirmed this, although there were some discrepancies. As one of the Albanian mediators says:

the fact that I too am a foreigner, having the same mentality, the same difficulties, these difficulties allow me to understand more quickly what I already know, even if they don't tell me; it only takes a word to understand that you really are in trouble, because you don't have heating in your house, the children are cold, they're dressed too heavily at school, lots of problems. I know that, but an Italian doesn't know that. I've experienced it.

“The migrants know I'm a foreigner” says the Macedonian mediator, and continues “I understand the problems of the migrants as well as the service providers”. According to one of the Albanian mediators it is precisely for this reason that an Italian cannot be a mediator, whilst the Macedonian mediator affirms that the mediator *can* be Italian. (Being or not being a migrant is a criterion in many of the publicly funded mediating courses, blocking access to many Italian nationals).

Indeed, most respondents in this sample disregarded the need for a shared culture: “Gender can be important for women, but not religion or ethnic group . . . I don't use my language for work. I have used it in court for theft cases” (Macedonian mediator). The Dutch mediator also rarely uses her native language(s) in her mediation work. Although it is clear that in the educational sector—so very different from the legal and healthcare sectors—the very fact of having been a migrant and thus understanding both the psychological and practical difficulties of the state of ‘migrancy’, as well as the more local difficulties of adapting to Italy, will put you in a position to help another person who is in the process of going through similar experiences of dislocation and re-settlement. At the same time, however, the data point in the other direction too: cultural peculiarities run so deep that they are essential for an in-depth comprehension of the child/family in order to build that metaphorical ‘bridge’ and a new shared basis of knowledge and understanding. As one of the Albanian mediators says: “At school it is important to understand the family, the mentality, because you can help them better.” She also notes the differences (as emerged also in Rabbini's interviews; Rabbini 2005) between rural and city-based migrants—i.e. the need to understand not only the national culture, but the basic functioning of various classes of society. The skills required are “to know

both languages, *the mentality, the ways of thinking, of behaving, of everything*” says one of the Albanian mediators (emphasis added). In the final analysis, it is somewhat hazardous, we believe, to disregard the mass of literature from anthropology, psychology, cultural studies, communication studies, medical anthropology, sociology, etc. that demonstrates how important a shared cultural basis is for effective communication, and in particular with regard to migrants’ access to public services (e.g. Galanti 1997 and Castiglioni 1997 in the health care sector). As in so many other situations, terms such as ‘shared culture’ should be interpreted carefully and applied to specific situations rather than universalizing them. It should not be forgotten that ‘shared culture’ can of course include a variety of domains other than the ethnic/national, for example shared gender, professional, institutional and class culture.

2.2 Hospitals

In a survey carried out in various stages, initially by the present authors and subsequently by Nicolini (2004), Botticelli (2005), Rabbini (2005) and Spinolo (2005) in hospitals in Rimini, Cesena, Cesenatico, Ravenna and Bologna, questionnaires were distributed to healthcare providers (doctors, nurses and technicians) and interpreters in a selection of wards.⁸ Various aspects of these surveys have been described in Tomassini (2004), Tomassini and Nicolini (2005), and Rabbini (2005), but what is most pertinent to the issue at hand is the organization of the interpreting/mediation services and professional role as perceived by service providers and mediators.

Organization and role: language and mediation

Three of the hospitals (Ravenna, Cesena and Bologna) have a permanent year-round service of cultural mediation, while Rimini and Cesenatico offer a seasonal interpreting service mainly to assist tourists coming in the summer from other European countries. The term ‘linguistic and cultural mediator’ is generally used, except in Rimini (where they use ‘interpreters’). Interviews showed that a common misconception among many service providers and mediators was that interpreters were simply translating ‘the words uttered by the interlocutors’ without necessarily reporting the sense of the utterance at a deeper level. This not only exacerbated the prevailing role confusion further but also created a sort of professional status stratification with interpreting occupying the lowest and most humble slot.⁹

8. 106 questionnaires were administered to the healthcare personnel, of which 45% were returned; 49 were administered to the interpreters with a response rate of 29%.

9. The interpreters in Rimini were all highly qualified; some had undergraduate degrees in conference interpreting.

The data collected show that in the first three hospitals great importance was attached to the function of cultural brokerage. The language/cultural mediators were expected to explain cultural references and to adapt their translation to the culture of its recipient. This means that mediators were given great freedom of text editing in order to make them more understandable to the listener. Thus, also here mediators take a very active role in the communicative event, and are very far from being a mere conduit. Nevertheless, they are required to be ‘neutral and impartial’. As in the education sector, the tasks that the caregivers ascribe to the language/cultural mediators are many in number, wide in scope and sometimes very delicate; in many cases they require the language/cultural mediators to use their own judgement rather than rely on a professional code of conduct or the institution’s own rules and codes of practice (which rarely refer explicitly to the issue of language services).¹⁰

In these hospitals, language/cultural mediators were regarded as professionals with expert knowledge of both cultures, capable of recognizing and understanding the speakers’ cultural references and then of either openly explaining them to their listener or of ‘absorbing’ them into their translation whilst adapting it to the culture of the listener. In this way they could convey what they interpret as the actual meaning of discourse, beyond the single words. It is practically taken for granted that cultural mediators master their culture of origin, as well as the Italian one, ‘perfectly’. Because of their skill in bridging cultures, language/cultural mediators were preferred in all those situations where patients come from non-Western countries, that is to say where the frequency of culture-bound issues is expected to be quite high. Some institutions, such as *Il Centro per la Salute delle Donne Straniere e dei loro Bambini* (The Health Care Centre for Foreign Women and their Children’ which caters also for undocumented migrants) in Bologna resorted to experienced mediators and never ‘just interpreters’ since, they report, they attribute ‘great importance to shared culture’. Others, such as the *S. Orsola* hospital in Bologna, attached more importance to good linguistic skills. For patients from other Western cultures considered to be more ‘similar’ to the Italian culture, however, ad-hoc or professional interpreters are employed rather than cultural mediators. In these cases the need for intervention is perceived to be lower, so that ‘an interpreter would be sufficient’. It might be argued that the distinction between ‘interpreter’ and ‘cultural mediator’ is thus made mainly on the basis of ‘client typology’.

10. Language/cultural mediators are expected to simplify terms for the patient, summarize long sentences, explain cultural references and adapt their translation to the culture of the recipient. They are required to intervene in the dialogue to inform the parties in case of misunderstandings between them. Furthermore, they are expected to help the patients with their bureaucratic formalities after the consultation.

Shared culture and cultural traits

Since the function of bridging the gap between two cultures is highly ranked among the tasks of language/cultural mediators, it was somewhat surprising that the sharing of ethnicity was thought to be unimportant. We believe that if the language/cultural mediator and the patient belong to the same ethnic group, they share much of the same history and many of the same habits and traditions; consequently, language/cultural mediators can more easily interpret and understand the cultural background underlying the patient's utterances, and then re-create it for the Italian caregiver. (Problems of too close in-group alliances are discussed in Garzone-Rudvin 2003).

Like the other samples discussed above, the sharing of certain characteristics between the patient and the language/cultural mediators, such as gender, ethnic group and religion, was not considered to be important by the respondents in this sample either, nor by the healthcare personnel. The least important category seemed to be 'same religion'. This answer might be due to the assumption that religious beliefs do not influence a patient's habits and behaviour in healthcare matters. But in fact religious beliefs and practices *do* exert a strong influence on a person's choices and can have significant consequences at various micro- and macro-levels of cultural practice, for example strong allegiance strategies and group-affiliation or antagonism (such as Christians or Hindus in orthodox Muslim countries).

Medical anthropology has shown how individuals' perceptions of illness, health, disease, symptoms, medication and treatment are intensely culture-bound. Cross-cultural issues may have an impact on taking the patient's history, making a correct diagnosis or following a treatment plan. Health-related traditional practices, orthodox and folk religion play an important role in so many aspects of health-care. For example, as data provided in Tomassini 2005 or Rabbini 2005 show, Filipino women who have just given birth prefer not to wash for three days following the delivery. This is of course in clear contrast to Western hospital and healthcare practices which promote "exercise and bathing for new mothers as soon as possible following childbirth" (Galanti 1997: 99). Clearly such cross-cultural differences call for some form of mediation, information management (for example by explaining the different habits and rules of hygiene) and/or increased cultural awareness by health-care providers. Patients may be reluctant to adjust to those of the hospital, a potential source of conflict. Thus, in hospitals too, mediators can and often do act as a bridge between institution and patients.

One of the most striking findings in this sample was that the category 'same gender' was also judged to be marginal. Since some wards typically care for women, such as Obstetrics and Gynaecology, we assumed that the sharing of gender would have played a more significant role.¹¹ It is widely acknowledged that talking about

11. The national health structure in Italy does not allow the patient to choose a specialist doctor

sexual matters in many cultures is a highly delicate issue; besides, it is accepted that women in certain cultures tend to cover their bodies more than in others. (This modesty does not only relate to the uncovered body—as the Macedonian mediator reminds us, many Arab women will not participate in mixed-sex Italian language courses.) Having to talk openly about healthcare matters regarding sexuality, or having to unveil their body for an examination can itself be embarrassing. It was expected that this unease would be exacerbated by the presence of a male language/cultural mediator, but the respondents' answers varied a great deal in this respect (Tomassini 2004: 121).¹² It might be that the answers given by the mediators themselves were governed by the desire to appear non-partisan, modern and non-sectarian. Or possibly that *more* weight was given to a shared migratory experience and this was not revealed because it was not explicitly asked. A rephrasing of the question might have given different responses.

To some extent, the respondents' answers in our data are contradictory. Ethically, it seems, the language/cultural mediator seems to be perceived as a 'pane of glass' figure, an invisible presence unable to influence the encounter. This, however, is nonetheless very much at odds with the picture of the language/cultural mediator that emerged as an active participant in the communicative event with power to guide the encounter towards success or failure. Indeed, on the ground, from a relational point of view and from the point of view of institutional role, the language/cultural mediator is highly interactive. Thus we have a clear incongruency between the various aspects of the profession, role, and ethics of the language/cultural mediator.

based on sex (only the doctor's initial appears when booking, not the full name), so unless a patient already knows the doctor they will not know if s/he he is male or female. Both doctors and pharmacists at the booking desks have told us informally that many migrant women find this to be a problem, and often rely on a word-of-mouth system—that is they book a specialist examination for gynaecology, for example, with a doctor they know to be a woman. To have an appointment with her however, they might have to wait several months and/or go to a decentralized hospital out of town using inconvenient public transport. In some large cities there are public or private clinics outside the regular GP and consultant-booking system that cater exclusively to female migrants (also undocumented migrants) which guarantee same-sex doctors. In Bologna, for example, we find the "Health Care Centre for Foreign Women and their Children" (Tomassini 2004: 51).

12. It is possible that the closed question format did not give the respondents the opportunity to elaborate and that answers would have been different in a different format. Indeed interviews with open questions conducted earlier by Rudvin and Della Corte in Naples and Bologna reported in Rudvin-Della Corte 2005 showed that same-sex team for many Muslim patients in the health-care setting (but only in health-care) was essential—even taken for granted. This view tended to be specific to Arab and/or Muslims groups, mentioned mainly by Arab mediators and by other mediators about Arabs. One Nigerian mediator even said that same-sex doctor, for some types of examinations, also applies to men.

Conclusions

Although the terminological confusion is indicative of the confusion in the field in terms of the mediator's/interpreter's role, and it would no doubt be preferable to have at least clear role delineations between the various practices, the tradition of linguistic-cultural mediation we find in Italy does in our view have a great deal of potential. Not only does it facilitate the migrant's integration into society, but it increases general levels of culture-sensitivity in the institutions. Our view is also that using mediators when needed does to some extent empower the migrant and allows him/her access to valuable 'extra information' provided at the mediator's initiative (e.g. about bureaucratic procedures in schools and hospitals). It also fosters a real dialogue unfettered by an excessively rigid model focusing on neutrality and distance. One of the disadvantages of the cultural mediation model is of course cost and implementation (of both training and recruitment systems). It is likely, however, that the need for mediation would be reduced over time as the subsequent generations of migrants settle and have more direct access to public services as well as a better command of the language. Furthermore, in a second-third-fourth generation scenario, new migrants will find a fully-functioning ethnic community (of their own ethnic affiliation) which they can link up to; in this way they will be able to make use of informal channels to access the necessary information and services.

We have discussed at length the issue of the shared-culture variable vs. the shared-migration variable and concluded that the value of the latter should not be underestimated in terms of its importance as socio-cultural capital that the mediator can draw upon to assist the client. Over time, such shared experiences of migration (the sense and state of being an immigrant) could, we believe, not only lead to the creation of a reservoir or pool of valuable social capital, but generate a self-regulating and self-sufficient information- and support network in a mixed-group migrant community in Italy, the way it has in countries with historically longer and richer immigration traditions.

One of the main points that has been raised in this paper is the difficulty of pinning down a precise role delineation. As we have seen above, both scholars and mediators have lamented this lack of definition and many claim that role should be defined on the basis of the setting in which it unfolds (see for example Favaro in Favaro and Luatti 2004: 22). This is reflected in the problematic interface between an academic- vs. a profession-based code of ethics, a community-based and/or institutional code of ethics, and the mediators'/interpreters' on-the-ground need to solve a variety of overlapping and challenging tasks efficiently for the benefit of both service provider and client. In our experience, Italian mediators generally employ an ad-hoc code of ethics based on the institutions' needs, their own train-

ing (if they have specific training as mediators and/or interpreters), the needs of the clients, and the coordination of all of these sometimes conflicting factors in a pragmatic and goal-oriented problem-solving communicative framework.

‘Role’, we have argued, relates to national ideology and to the dominant or current views about where the country is headed in terms of its ethnic mix. This is reflected in the country’s policies regarding the investment of funding for training, recruitment and use of mediators and/or interpreters. But the current host country view of the role of the interpreter relates to more than that—it relates to power (a)symmetries between host country and migrant(s) which are in turn governed by migration policy and ideologies; these will inevitably affect the dynamics in the interpreting/mediating triad at macro and micro levels and will govern issues of ‘allegiance’ and impartiality. Therefore, in one way or another it is important to address role confusion in this profession so that it is not held hostage to changing political winds.

Is community interpreting then a sub-role, not a professional domain in itself, but inherent in a different one? Should the category ‘interpreter’ be diversified sectorially and not only as ‘conference vs. community’ and ‘simultaneous vs. dialogue’? Should we as a professional community accept a multiplicity of roles that is dictated and/or governed in part by the needs of the individual institutions, or should we attempt to define role and profession(al/ism) better in order to lessen the burden of this state of confusion on interpreters and interpreter-trainers? The authors of the *Osservatorio* report ask if one really *can* identify a professional profile based on a sum of such variegated and specific skills pertaining to the profession, and suggest that “constricting such a wide function in a rigid and defined profile seems very difficult; it is therefore extremely complex to define clearly what the mediator’s role should be, and consequently the sum of his/her tasks and duties” (Gentile and Caponio 2006: 24). More research and debate in the discipline will hopefully lead to a deeper understanding and clarification of these questions. Indeed, perhaps the first question that needs to be asked is in what way the professional community itself (interpreters/mediators *and* institutions/the community) envisions its future, a future that would serve all three parties satisfactorily.

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CHAPTER 13

Perceptions of a profession

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This research paper is meant as an exploratory empirical research project. The objective was to query a small sample of active community interpreters on a limited set of key dimensions concerning their own perception of the profession.

Sixty anonymous self-report questionnaires were sent out via 12 interpreting agencies, generating nineteen responses.

Because of its exploratory nature, the questionnaire was mainly made up of open-ended questions. These were subsequently conceptualized through content analysis by post-categorization. Three main themes were explored: the perception of the professional image and role of community interpreters, their views on quality and their views on a professional code of conduct and, specifically, on impartiality.

The interpreters perceive themselves as having an important role in society and also as being perceived as such by others. But as yet that reality is not translated into due respect and appreciation, proper remuneration and legal recognition of the profession. Training of community interpreters, as well as of social workers, is seen as the most important and effective factor of a quality label for community interpreting, more so than the more formal elements of certification and registration. Formal education at Master's level was deemed less important by our respondents. Supervision is seen as a valuable means of in-service training and general quality improvement.

The respondents who already had some form of (basic or introductory) training were convinced that above all training and external assessment are necessary for quality improvement.

The Flemish community interpreters seem to perceive of a professional code of conduct as mainly externally motivated: it is imposed and assessed by the interpreting agencies, through the evaluations of the other parties in the triad. On the specific topic of impartiality, a majority of respondents profess to a strict adherence to the professional code of conduct.

Purpose and scope

In Belgium, the disciplines of court interpreting and intercultural (medical) mediation have acquired legal status and recognition, whereas community interpreting in a social services setting is still a relatively new field. In the past five years,

the field of community interpreting and translation has begun to structure itself, but as yet community interpreting and translation are not (legally or socially) recognized as a profession. At present, most attempts to define the boundaries of the profession are either government-driven or originate with institutional service providers.

This research paper is meant as a first glimpse of the community interpreters' and translators' own perception of their profession. For this exploratory research project we have opted for an empirical approach. The objective was to query a small sample of active community interpreters on a limited set of key issues. Rather than to opt for a few in-depth interviews, the choice was made to go for a more limiting but representative approach: an anonymous self-report questionnaire that was circulated through the service providers.

Because of its exploratory nature, the questionnaire was mainly made up of open-ended questions, which were subsequently conceptualized through post-categorization. Three main themes were explored: the perception of the professional image of community interpreters, their perceived role and their views on quality. The open-ended questions were complemented by a few multiple choice questions (with multiple answering options) to compare the interpreters' views to currently used training paradigms and professional ethics. For the descriptive statistics, a few binary questions of the yes/no type were also included.

Methodology and context

The open-ended questions were processed by means of post-factum categorisation. Basically, this method allows for fairly simple quantitative treatment of qualitative data from open-ended questions. For each question, both researchers first independently assigned the individual respondents' answers to broad interpretative categories. These categories were then discussed in the research team and only categories on which there was a consensus (so called strong categories) were kept for conceptualization. The responses were then tallied and idiosyncratic responses were put in a residual category ("other").

Firstly, however, a word about the particular Belgian situation: the Flemish-speaking part of Belgium constitutes about 60 % of the country's population (about 6 million inhabitants). There are 12 institutional interpreting agencies that operate in Flanders, providing interpreting services in social or educational settings, the medical sector, social welfare, refugee care, and so on. At present, we roughly estimate the total number of community interpreters in Flanders (both active and trainee interpreters) at about 1000.

Community interpreting is a nascent profession:¹ most efforts to provide training, quality, certification, general organisation and—finally—to define the profession of community interpreting started out a mere five years ago. For this reason, we considered this preliminary research into the role and image of the community interpreter, as well as its impact on future quality training, to be important. Our earlier research (Hertog *et al.* 2003; Hertog and Van Gucht 2003) was more focused on the perception by institutional users of interpreting services in the social sector and on the perception of the profession by medical interpreters and/or intercultural mediators, rather than on the perception of the profession by the community interpreter.

The qualifications of certified community interpreters and sworn court interpreters (both mentioned in the questionnaire) may also warrant further clarification. Before being able to participate in the exams to become a certified community interpreter, every candidate has to attend at least the basic training programme.² This is one of the three types of community interpreting training programs which are organised by the Flemish Government's Central Support Cell: the introductory module (18 hours), the basic training program (81 hours) and the 20 to 30 hour follow-up modules. The first two types of training lead to the certificate, whilst follow-up modules are organised for certified community interpreters.

In order to obtain the community interpreter's certificate, candidates have to pass an oral examination. If Dutch is not their mother tongue, they are also required to first pass a proficiency test in Dutch.³ The oral examination is evaluated by a jury of three people. It is chaired by a representative of the community interpreting agencies; the other two members being there to check the foreign language and Dutch language proficiency and to assess interpreting skills. The exam con-

1. Of course, community interpreters have always existed but mostly as people involved in "ad hoc" interpreting/translation activity. Professionalism in the sector is a recent phenomenon with the coming into existence of community interpreting services, quality claims and assessment of quality items, deontological questions, (legal) status questions, scientific research and so on.

2. People who have several years of experience and with diplomas obtained in other training programs that can enrol in the community interpretation training, can submit their portfolio to a portfolio commission, composed of three people from the community interpreting and educational settings. They decide whether the candidate can be exempted from several parts of the basic training program or the whole of it before sitting the certification exam.

3. Until now, allophone interpreters are the only ones that have to undergo pre-testing: for Belgians who have Dutch as their mother tongue there is no pre-testing procedure for their foreign language. The organisation of this kind of exam is arduous, taking into account that organising representative linguistic examinations for Albanian, Farsi, Chinese, Hindu, Arabic and other less widely used languages is far more complex and costly than setting up examination procedures for Dutch only. Nevertheless, the so-called less common languages are the most required ones and the foreign language test is an issue that still remains to be dealt with.

sists of an oral presentation by the candidates themselves, both in Dutch and in the foreign language in which they have to show fluency and a high level of semantic and grammatical correctness in both languages. Subsequently, candidates are required to do a monolingual consecutive interpreting exercise, from Dutch into Dutch. The following exercise is a sight translation from the foreign language into Dutch (for foreigners) or vice versa (for Dutch speaking Belgians). Finally, there is a 15 minute role play in which the candidate assumes the role of interpreter in various settings (school, hospital, social services, youth centre, counselling services and so on).

To become a sworn legal interpreter and/or translator, requirements have been changed since the 1998–2001 EU Grotius project carried out with partners from Belgium, Spain, Denmark and the United Kingdom. The subsequent publication of the fundamental *Aequitas: Access to Justice across Language and Culture in the EU* by Erik Hertog (2001) signified a huge step forward in what had previously been little more than a formality. Quality assessment hardly existed, if at all, in legal settings, which, of course, can lead to unacceptable situations. Nowadays, candidates first have to pass a test in Dutch language proficiency, then a written translation examination and an oral interpretation exam (with consecutive interpreting and sight translation exercises) in Dutch and in their foreign language(s) before they are even admitted to the course, which then consists of legal, courts and police modules, Dutch legal language, terminology, translation theory and practice, interpretation theory and practice, totalling 120 hours of training.

Sample

Sixty questionnaires were sent to all 12 interpreting agencies, with a request for them to be forwarded to their interpreter pool with a personal note to encourage participation. This generated nineteen responses, five of them from male interpreters and 14 from female interpreters, which is representative of the community interpreting sector, with females accounting for roughly 75% of the total.

As Figure 1 shows, four of them have only high school education, seven have a higher degree (beyond high school) and seven have a university degree.

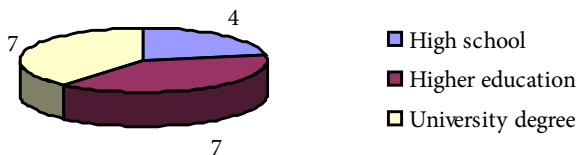


Figure 1. Level of education

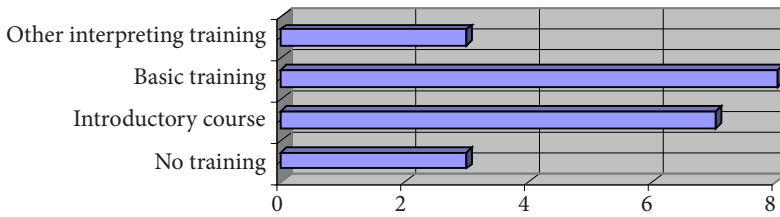


Figure 2. Specific training

Again, this is fairly representative of the general perception of the community interpreting sector.

With regard to nationality, seven respondents are Belgian nationals, five are Belgians of foreign origin, three of them have two nationalities (both Belgian and other) and four are foreigners.

Figure 2 shows which specific community interpreting training the respondents did receive. Three respondents did not have any training, seven had an 18-hour introductory course, eight had completed the basic training program and three took other courses e.g. a specific court interpreting and translation module. It is obvious that some did attend more than one course. Seven respondents obtained their certification as community interpreter and ten are sworn interpreters.

In this respect our sample is clearly biased. Both certified interpreters and those having had basic training are over-represented. In the general population of active community interpreters, roughly 10 % have obtained the certificate and no more than 20% have had formal basic training.

One might hypothesise that those interpreters that have made the effort to respond, are precisely those that have clear (and critical) opinions on their profession, its future development and their own roles as community interpreters. This is similar to the suggestion made by Ortega and Foulquié in this volume, when analysing the results of their research.

Figure 3 shows how many interpreting agencies community interpreters are employed by: eight are working for one service, five for two agencies and one person is working for three interpreting agencies at the same time.

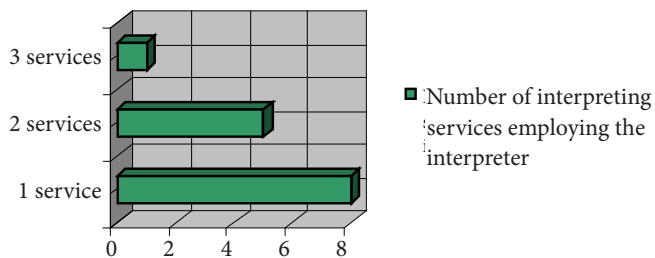


Figure 3. Number of employers

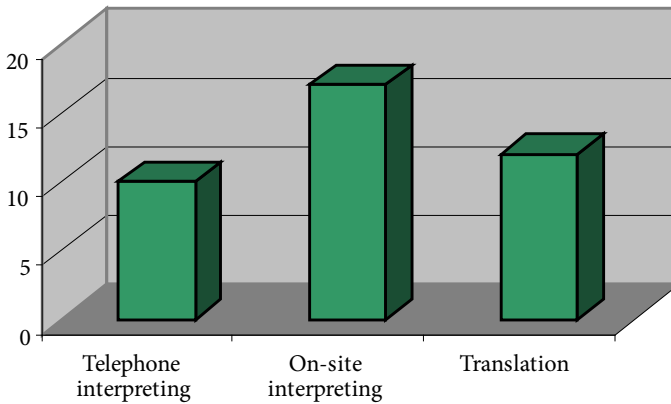


Figure 4. Type of activity

This last person—as we can see in our questionnaires—is also the only one who is working full time as a self-employed community interpreter and translator. Most of them are freelance (11) and one is a volunteer. Seven of the respondents are self-employed, but only as a part-time occupation. This means that in most of the cases they have another job as a salaried employee (salesperson, worker, and even social worker).

When we asked about the type of interpreting activity they normally carry out (Figure 4), most of them interpret on site (18), half of them also perform telephone interpreting (9) and more than 50 % combine interpreting with translation (13).

Finally, if we take the average number of interpreting hours per month and translated pages per year, we see an average of 18 hours per month and 155 translated pages per year.

Perception of the role and image of the community interpreter

In this section we asked interpreters:

- what they consider their proper role to be;
- how they perceive their image:
 - first how they see it themselves;
 - and, secondly, how they think the interpreting agencies, the social sector and the allophone client(s) perceive them;
- and, finally, whether any improvement to their role/image, status and remuneration seems necessary to them.

Defining the role and task of interpreters in community settings is an issue of prime concern and controversy in the drive for professionalization of interpreter service delivery.

This is what Franz Pöchhacker (2000: 49) already stated in his article “The Community Interpreter’s Task: Self Perception and Provider Views”, where he collected the views of 600 social workers (doctors, nurses, therapists and social workers), 16 spoken language interpreters and 16 sign language interpreters. A few years earlier, Pöchhacker (1997) had drawn the interpreting communities’ attention to practices and needs of what he then called the “third world” in interpreting - interpreting in community settings - as compared to the so called “first world” of conference interpreting.

However, ever since the Critical Link international congresses began (the first in 1995 at Geneva Park, Canada), more attention has been paid to community interpreting. Scholars all over the world started to do research or presented results of earlier research on education and training (e.g. Corsellis 2005; Niska 2002), on standards (Gentile 1997), on accreditation (Gentile 1997), on future development of the profession (Valero-Garcés 2002) and many other issues that needed to be defined (e.g. Wadensjö on interpreting in therapeutic settings 1998, 2001). A first worldwide study on CBI (community-based interpreting) was conducted by a committee on community interpreting inaugurated by the Council of FIT (International Federation of Translators) in 1998–1999, using a survey the goals of which were (Chesher *et al.* 2003: 274):

- To explore the characteristics and the profiles of CBI interpreters
- To canvass interpreters’ opinions about their work in CBI
- To elicit the range of interpreters’ experiences
- To seek definitions of this type of interpreting from practitioners

It is the second and the fourth goal we had in mind when we drafted the questionnaire on the perception of role and image and of quality (see next part) for the community interpreters in Flanders, but we set out to survey it in quite a different way. We interpreted the perception of the interpreters’ role differently than the above-mentioned questionnaire did: the questions Chesher and others referred to, dealt with a.o. how community interpreters explain their role to clients, with the most important principles of CBI, with what they do if a client asked for advice and so on (for the complete set of questions on role see note).⁴ We summarized

4. Your role, and expectations of clients

F.1 How do you explain your role to clients?

F.2 In your opinion, what are the most important principles by which CBI interpreters should abide?

some aspects of the FIT-survey in one MC-question (see below). Subsequently, we asked questions about the code of professional ethics and quality issues, where we decided to focus on one of the most problematic aspects of the code of conduct for community interpreters, namely impartiality.

Concerning the perception of the community interpreter's role, we presented five types of role, explaining the meaning of the indicated role in a few words.

This part reads as follows:

Describe your role as a community interpreter according to you. Please, keep in mind that more than one role may be possible.

- A technical interpreter (just transfers messages from one language into another)
- A communicative interpreter (makes communication possible, clarifies messages)
- A mediator (re-establishes communication from a central position),
- A social worker (contributes to a solution with his knowledge of the social sector)
- An advocate (fights injustice, discrimination and disempowerment)
- Another role, namely ... (*open answer*)

If we look at Figure 5, we can see that ten interpreters describe their role as purely technical, but most of them (14 out of 19) think that their role is (also) a communicative one; while six see it as a mediator's role and another six conceive of it as a social worker's role. Finally, two interpreters responded that they felt they should fight injustice from their position as an interpreter.

If we take a closer look at these answers, it does give food for thought that, while one of the persons defining the community interpreter as an advocate did not have any training, the other person did and was even one of the seven respondents in the sample who obtained their certificate. Strikingly, only four respondents perceived their role as only and purely "communicative", the ten others saw this role in combination mostly with the technical side of the job (four), two of them in combination with both the roles of mediator and social worker, one as a combination with only the social worker's role, one in combination with all the other roles except for the "advocate", an another (one) in combination with all the

F.3 Do the same principles apply when you are interpreting in other settings?

F.4 What do you do when clients (either language) ask you to provide advice?

F.5 What do you do if clients ask you to negotiate or advocate for them?

F.6 Under what circumstances would you add information or leave anything out that has been said by any/either speaker?

F.7 Do your clients expect you to adhere to any guidelines relating to manner of dress, wearing of veils or turbans, badges or religious symbols? (Chesher *et al.* 2003: 279).

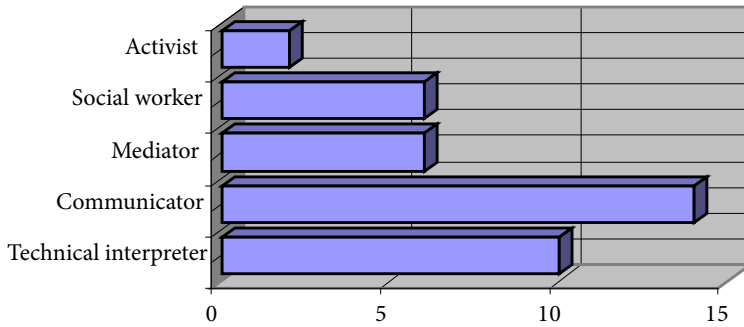


Figure 5. Perception of interpreter's role

other ones except for the technical role. Finally, one person even saw himself as an interpreter who fulfils all five roles.

From this first question, we may conclude that, despite training and education about the role of the community interpreter, the central role of the “communicator” and/or “technical interpreter” as the only role allowed by the current code of professional ethics, still does not seem to be generally accepted by the interpreting community.

The next set of questions focused on the image of the community interpreters as seen by themselves, and, how they felt that the interpreting agencies, the social sector (social workers) and, finally, the client perceived that image. The answers to these four questions turned out to be subdivided into two broader categories:

- one about appreciation and esteem for the profession;
- and, secondly, a professional category that takes into account the definition of the community interpreter as a fully skilled professional.

In Figure 6 one can see that community interpreters see themselves as professional interpreters (six), but also continue to see themselves as mediators (two) and even as social workers (three). With regard to appreciation, six respondents think of themselves as having an important job to do in society, three of them

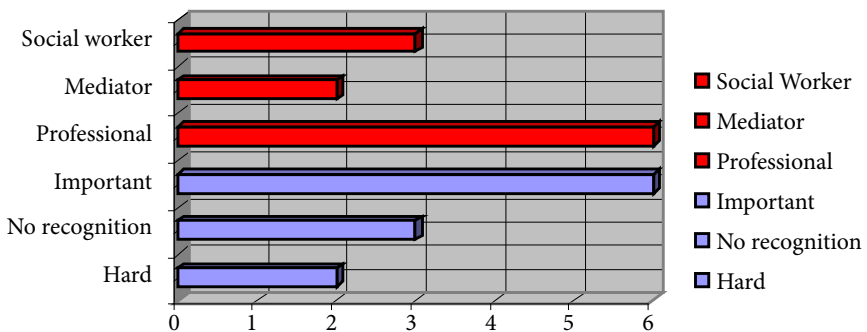


Figure 6. Image – interpreter's view

think that they receive too little appreciation and two of them state that it is difficult to obtain appreciation for their work. On the whole, we seem to have the same number of professional and appreciative responses (11 of each kind) and, in this context, we might refer to the previous question about the divide that seems to persist between the professional self-image of the interpreter and the current professional code of ethics.

With regard to the category of appreciation, it is worth mentioning that most of the interpreters feel that their job is important to society, but also that almost the same number of interpreters think they receive too little appreciation, which may correlate with inadequate remuneration (as seen in one of the questions below) and the lack of formal and legal recognition of the profession.

In Figure 7, we can see the views that the interpreting agency has of its community interpreters, as perceived by the respondents (“how do you think the interpreting agency sees you?”). In the appreciation category, we can see that four of the community interpreters feel that interpreting services and interpreters consider the profession in the same way. On closer inspection, one of these four respondents seems to be referring to the importance of the profession, while the other three who answered “they think about the profession in the same way as I do” seem to be referring to professional qualities (accuracy, comprehensiveness, faithfulness, confidentiality). Seven respondents answer that the interpreting agencies see the community interpreter as important, while only two of them respond negatively to the question about appreciation by the interpreting agencies. They view the relationship in terms of “exploitation” (“they think positively about us but they exploit us”) and “inferiority” (“they see us as an inferior kind of interpreter compared to other interpreters”). For this aspect, much fewer answers in the professional category are generated: most of the community interpreters see the image-question as a question of (emotional) appreciation (importance of their role, respect, ...) rather than one on professional issues (correct in code of ethics, good translator, ...). Three of the respondents think that the interpreting agencies perceive them as professionals and only one thinks that the interpreting agencies think of him as a social worker.

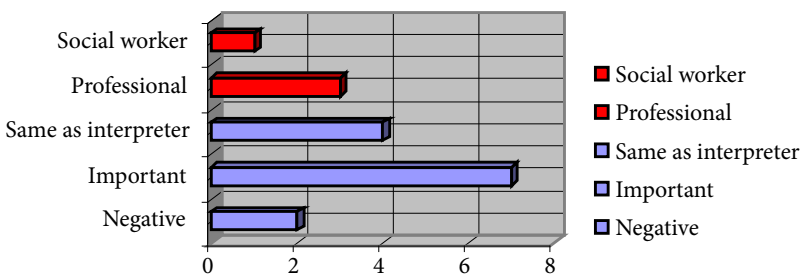


Figure 7. Image – interpreting services’ view

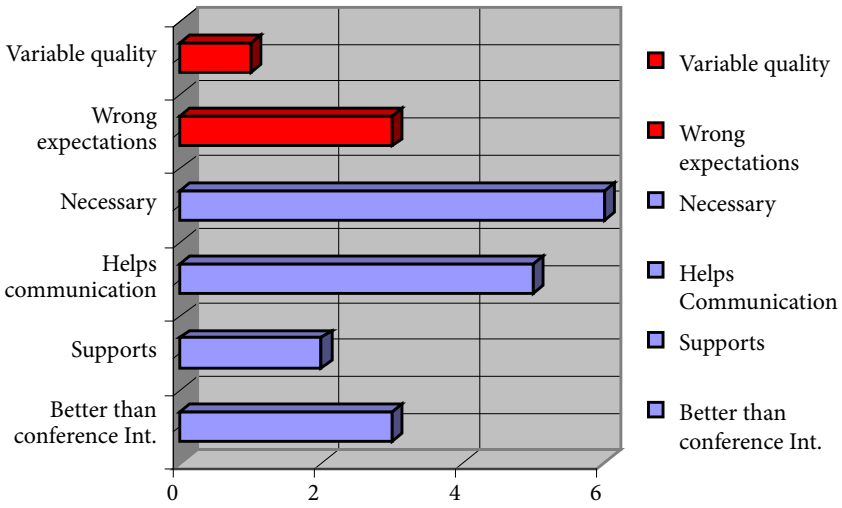


Figure 8. Image – social sector's view

The social sector's view of the image of the community interpreter may be seen in Figure 8. Again, we have far more answers in the appreciation category than in the professional category. Only one respondent thinks the social sector has “mixed feelings” about community interpreters because of the variable quality of the interpreters on the market, while three state that the social sector harbours wrong expectations about what the role of a community interpreter should be and what he should or should not do. By “wrong” they all mean that the community interpreter is erroneously expected to be a mediator or a social worker (which, nevertheless, still implies some form of professional appreciation).

The other answers suggest that the social sector believes the community interpreters to be necessary (six), to be helpful in meeting communication needs (five), to be a communication support (two) and, according to three of them, to be “better” than conference interpreters. A closer look shows us that “better” is not always a qualitative argument because in this case, for one of the interpreters, “better” meant “better because cheaper”.

On the whole, we can say that the community interpreters seem to think that the social sector knows them, perceives of them as necessary for social work, but sometimes does not really know where the professional boundaries of the community interpreter's profession lie (as may also be seen in the last question of this section about suggested improvements).

The client's perception of the community interpreter is shown in Figure 9: here, the answers are less diversified. Seven respondents' answers were put in the appreciation category: they think that clients perceive them as a “positive” factor for communication (and, thus, for problem solving) and that clients appre-

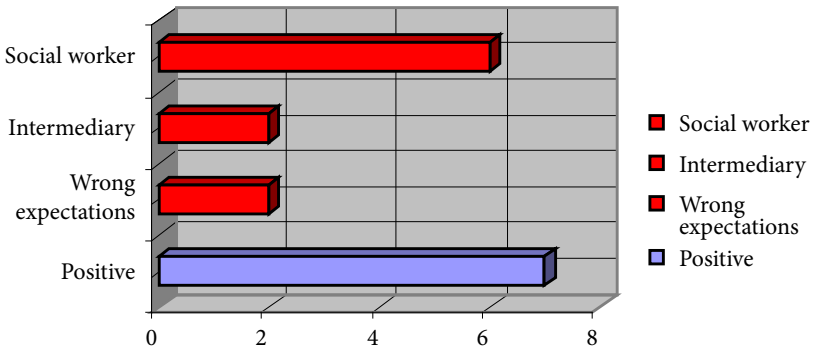


Figure 9. Image – client’s view

ciate their work. The other ten answers could be categorised as professional: six respondents think the client sees them as a social worker, and two respondents think clients have wrong expectations (closer investigation shows that, again, this is linked with the social worker role). Only two respondents report that the client understands the actual definition of the interpreter’s role, namely *bridging-the-gap*. If we combine the two previous questions, we may formulate the hypothesis that the people who are making use of the community interpreters’ services—namely the social workers and the allophone clients—need better information. For the former, training and education are needed whereas for the latter, a clear introduction, including a brief description of the community interpreter’s role at the beginning of an interpreted conversation, is required.

Finally, we asked the respondents about which improvements they felt were needed with regard to their role and image, to quality and some other issues (status, remuneration, intervision and supervision).

In Figure 10 it can be seen that only one person claimed that there is no need for improvement of any kind, while most of them (seven) state that there is a need for more “appreciation”. The lack of appreciation they indicated in one of the

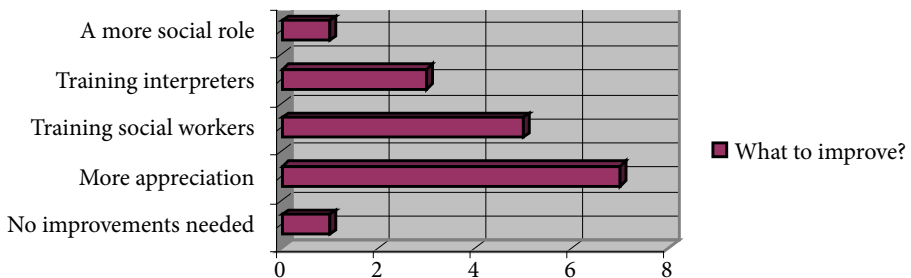


Figure 10. Improvements for role and image

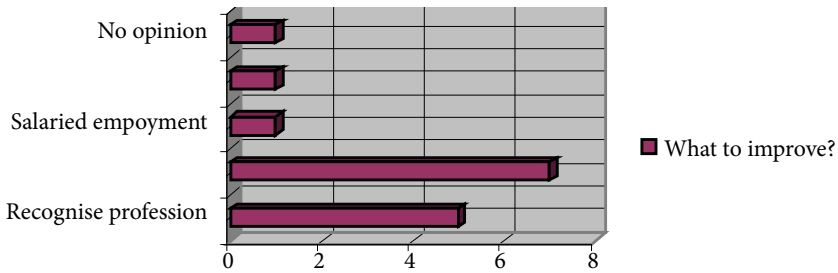


Figure 11. Improvements of status and wages

first questions (how community interpreters see their own role) seems to crop up again. There are also nine answers in which the respondents consider improvement as “professional improvement”, which shows that community interpreters are aware of the importance of professionalism.

Three respondents think that there is a need for more and continuous training, while one respondent states that the role of the interpreter should be more “social”. Quite remarkably, another five respondents think that the “users” (i.e. the social workers) should receive more information and training regarding the role of the community interpreter. That is a frequent complaint in the field: social workers should have professional support and training with regard to what they should expect of community interpreters. They should at least have a crash course on the rules, standards, code of ethics etc. of community interpreting.

Last but not least, we should link the question on the avenues for improvement of status and remuneration to the whole “role and image” section (Figure 11). Only one person seems to have no opinion regarding this issue, while others plead for better remuneration (seven) and for institutionalisation of the profession (five); one person thinks they should be able to have salaried employment as a community interpreter, while another puts it in general terms of “better structural support”.

We can therefore conclude this first section by stating that, on the one hand, despite the existence of clear regional and national professional codes of conduct for community interpreting, there still seems to be quite some confusion with the community interpreters concerning their own role as a communicator. On the other hand, they are aware of the fact that they have a very important role in the community (interpreting services, social workers and clients), but lack appreciation and adequate remuneration. Professionally, they aspire to more and continuous training. Finally, it could prove very useful to inform social workers of the (limited) role of the community interpreter and to explicitly introduce the interpreter and his role to the client at the beginning of a meeting.

Perception of quality

We chose (at this stage) not to use the same broad open ended question categories as the FIT- survey about standards, training, qualities and skills. While, in its paragraph about “Standards and training”, the FIT-survey asked the interpreters to give “details about any requirements about interpreting qualifications or minimum interpreting standards that are required by those who book you for CBI”, as well as six other questions (Chesher 2003:278), and presented the respondents with open questions about “Qualities and skills”,⁵ we have opted to ask for the respondents’ specific views on:

- the main constituents of a quality label and their relative importance;
- their evaluation of the quality of their work as well as the means for assessment and improvement;
- a professional code of ethics and, more specifically, the issue of the interpreter’s impartiality; and
- supervision as a method for quality improvement.

Since we know that “a reassuring majority of CBI interpreters themselves (86 %) considered training and/or qualifications a prerequisite for CBI” (Chesher *et al.* 2003: 283), we wanted to know what kind of training this can or should be and what qualifications should be aimed at and furthermore, how they could or should be assessed.

The FIT-survey also reveals that awareness of ethics was considered the most important of the personal qualities (39 %) and that the interpreting skills are indicated as most important in the section of the “particular skills” (Chesher *et al.* 2003: 284). Experience shows⁶ that impartiality is considered to be quite often the most difficult requirement, which is why we wanted to know the interpreters’ views on this topic. Finally, we asked if quality improvement would be possible through supervision.

Figure 12 shows that in the respondents’ evaluation, basic training (with 16 responses) and the introductory course (15) are the most important elements in order to guarantee quality for community interpreting. Formal education at Master’s level, however, rates significantly lower (five). Other important elements are ob-

5. E.1 What do you consider the most important qualities for successful CBI?

E.2 Describe any particular skills needed by interpreters in CBI situations. Give examples.

E.3 Do you consider that some people are more suited than others for CBI work? Why? (Chesher *et al.* 2003:278).

6. Both researchers have had first hand experience in training both neophyte and experienced community interpreters.



Figure 12. Elements of a quality label

taining a certificate (12), inclusion in a national (12) or local (10) register of interpreters and training of social workers (10). This last element is consistent with the reported misconception about the community interpreters' role by social workers (see previous section).

Most (12 of 15) of the respondents (Figure 13) believe that, in terms of interpreting quality, there is room for improvement. Only three respondents think that their quality level is sufficient.

As graph 14 shows, the primary way to achieve this is through increased professional training (seven). Other important avenues of quality improvement are certification and the elaboration of quality standards (four) and more background

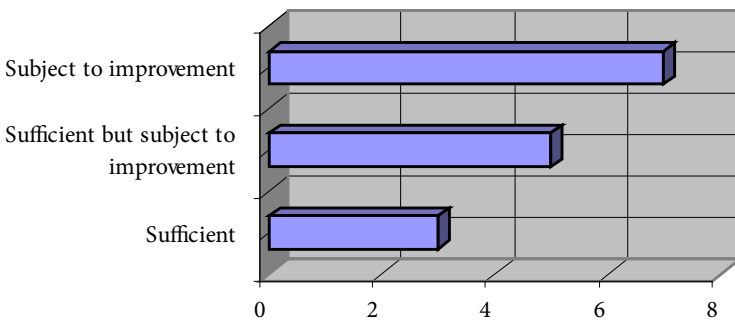


Figure 13. Auto-evaluation of quality

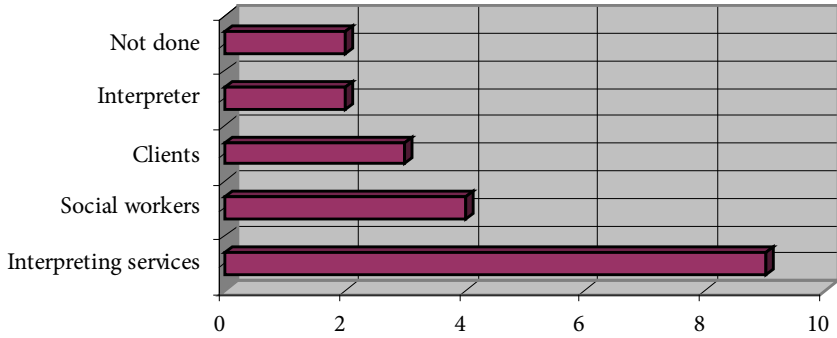


Figure 14. Quality improvement

information and terminology (three). Only one person thinks that quality improvement is only possible through (financial) investment.

As both figures show, in none of the answers to the open-ended questions above, the professional code of conduct is separately mentioned as an asset for interpreting quality. Indeed, the respondents typically show a more technical approach to matters of interpreting quality. As this was not entirely unexpected, the topic of professional ethics was specifically targeted in a series of five sub-questions, namely:

- who assesses quality?
- how is this done?
- impartiality is one of the more difficult aspects to define within a professional code of ethics: what is your opinion on this subject?
- how do you deal with impartiality?
- how can impartiality be improved?

As Figure 15 shows, the interpreting agencies (nine) are clearly viewed as the main quality assessment bodies for professional ethics, followed by the social

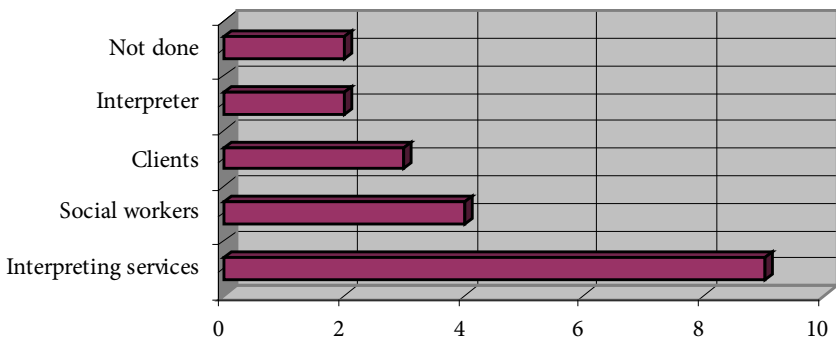


Figure 15. Code of conduct: who assesses quality?

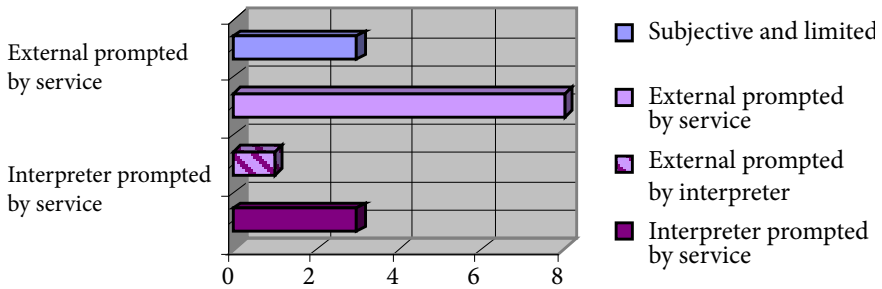


Figure 16. Code of conduct: means of quality assessment

workers (four), the allophone client (three) and the interpreter himself (two). The reader may also note that two respondents report that the interpreter's professional ethics are not evaluated.

When queried on the means for evaluating their professional conduct (Figure 16), nine respondents believe that there should be external assessment (i.e. by the social worker), prompted by the interpreting agency (eight) or the interpreter himself (one), whereas three respondents rather see it as a self evaluation at the agency's request. Furthermore, three respondents state that any assessment of their professional ethics will always be of a subjective and limited nature. The issue may indeed not be a clear-cut either/or proposition. Practically, the other parties in the triad are dependent on the interpreter for translation purposes, hence they will probably only be aware of the most blatant misconduct. Thus, an accurate evaluation of professional conduct will probably require input from all parties involved, as well as longitudinal monitoring of the interpreter by the interpreting agency.

As Figure 17 shows, the question on the interpreter's impartiality generates two types of response. On the one hand, there is a strictly operational (professional)

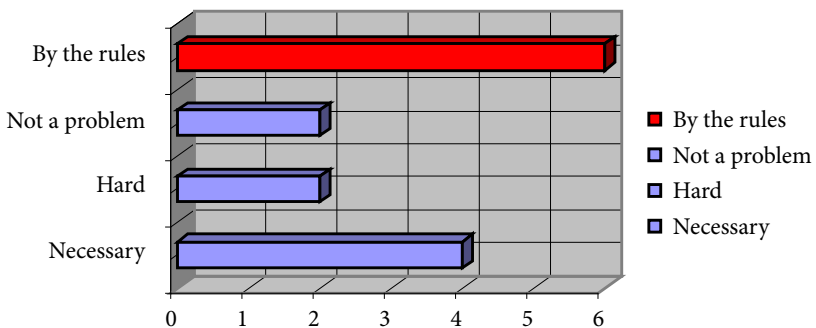


Figure 17. Impartiality

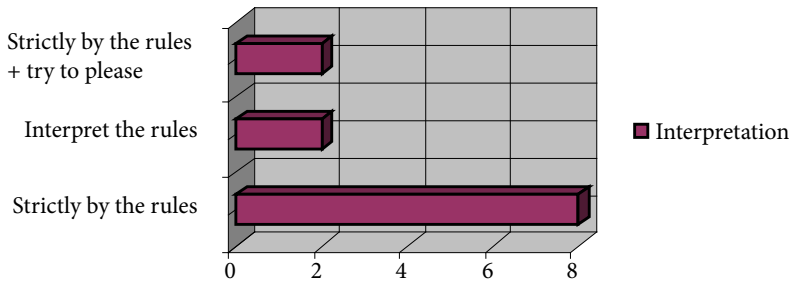


Figure 18. Interpretation of impartiality

response: six respondents state that the only way to ensure impartiality is to strictly adhere to the rules.

The other responses are of a more evaluative nature: impartiality is necessary (four), hard to achieve (two) or poses no problem (two). As there is a major overlap in these answering categories, in future research the three sub dimensions (easy–hard/necessary–unnecessary/how to achieve it) should best be separately queried.

A further sub question (Figure 18) did indeed specifically aim to query the practice of maintaining impartiality. Again a majority stated that they strictly adhered to the rules (eight), whereas two respondents reported the rules can be “adapted” to the context and another two reported that they mainly followed the rules, while still trying to be sympathetic to the other parties in the triad.

On the matter of improving the interpreters’ impartiality, opinions proved divided (Figure 19). Half (four) of the replies stated that the current rules of conduct suffice, whereas the other half suggested more evaluations and the creation of a formal committee for professional ethics.

A majority (four) of the respondents who professed views on the matter of supervision (Figure 20), considered it to be important, while one respondent insisted that it should not be mandatory, however.

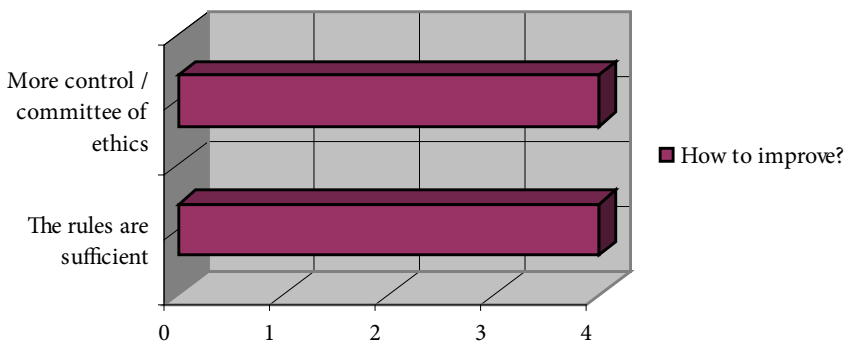


Figure 19. Improving impartiality

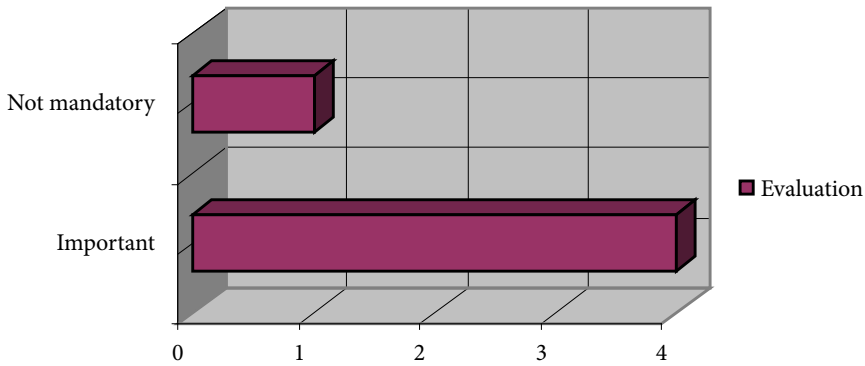


Figure 20. Improved quality care: intervention

In conclusion

Training, first and foremost for the community interpreters themselves, but also for the social workers, is seen as the most important and effective factor of a seal of quality for community interpreting, more so than the more formal elements of certification and registration, while formal education at the Master's level was deemed less important by our respondents.

Still on the subject of training, supervision is viewed as a valuable means of in-service training and general quality improvement. It is of note that, in our small sample, the respondents who already had some form of (basic or introductory) training are the ones who seem most convinced that training and external assessment are necessary for quality improvement. One might hypothesize that there is an underlying factor of professional awareness-raising through training and education. Still, as we saw earlier in Figure 5, even training and formal assessment may not constitute a foolproof guarantee for impressing a certain professional attitude.

The Flemish community interpreters seem to perceive of a professional code of conduct as mainly externally motivated: it is imposed and assessed by the interpreting agencies, through the evaluations of the other parties in the triad. This does, in a way, reflect the current situation of community interpreting in Flanders. At present, there is no professional body for community interpreters and translators and the current code of ethics was unilaterally developed by the service providers and government supported agencies.

With regard to the specific issue of impartiality, the majority of respondents profess to a strict adherence to the professional rules of conduct.

Regarding the perception of their own role and image (by themselves as well as by others), we think we can come to the overall conclusion that the interpreters

consider themselves as having an important role in society and also as being perceived as such by others. But, (as yet) that reality is not translated into due respect and appreciation, proper remuneration and legal recognition of the profession.

This is a conclusion that may prove a double edged sword: on the one hand, more and/or continuous training of all actors involved in community interpreting (social workers, interpreters and allophone clients) may indeed lead to a higher level of professionalization; more appreciation of all parties involved and a greater level of awareness in the field may hopefully lead to final recognition of the profession. But, on the other hand, as opposites logically generate the opposite effect, the current lack of recognition and proper remuneration may also be an important factor in the currently perceived lack of training, appreciation and commitment.

As is common in exploratory studies, this research paper raises more questions than it answers. A few intriguing hypotheses certainly warrant further, more thorough research:

- How does the perceived lack of professional recognition, status and remuneration affect interpreters' motivation?
- If not at Master's level, at what level of education do community interpreters situate their own level of competence?
- Is a professional code of conduct, regarded in the literature as a core element of the profession, indeed perceived by interpreters as externally motivated and enforced?

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Index

- A**
Abril, M. I. 130, 203–204, 208, 226
accreditation 57, 67, 204, 212, 273
accuracy 18, 88–89, 114, 116, 119, 276
action research 155–156, 159
ad hoc interpreters 156, 167–168, 204
adversarial system 106
advice 41–42, 44, 112, 136, 138, 143–144, 183, 192, 219, 273
advocacy 59, 86–88, 195
advocate 13, 42, 86–87, 101–104, 106–107, 110, 115, 117–118, 151, 157, 173, 188–189, 195, 258, 274
Agger-Gupta, N. 194
ally 41, 86, 89, 91, 232
Anderson, J. 101, 115, 199, 205
Angelelli, C. 85, 107, 110, 112, 147–151, 154–156, 158–160, 165, 205, 207, 238, 240
arbitration 13
assessment (*see also* evaluation) 69, 160, 212, 270, 280, 282–283, 285
asymmetrical relations 148
attorney–client relationship 89
- B**
Baker-Shenk, C. 54, 232
benevolent caretaker 89
Berk-Seligson, S. 85, 99–101, 105–107, 135, 149, 206, 232
biculturalism 115, 119
bilingualism 115, 119
Bowen, S. 141, 187, 194
briefing 119
broker 13, 102–103, 105, 148, 188, 197, 261
- C**
Calvo, E. 129, 144, 208
Cartwright, B. 232
Castiglioni, M. 260, 266
certification procedures 46
Chiarenza, A. 21
- Chow, P. 194
co-constructors 69, 149, 151
code of conduct 63, 83, 168, 246, 261, 274, 282, 285–286
code of ethics 34, 53, 57–61, 63–64, 73–74, 83, 87, 91, 100–101, 103, 152, 179, 264, 276, 279–280, 282, 285
cognitive and linguistic skills 160, 180, 253, 258, 261
Cokely, D. 58, 84–85, 232, 239
compensation 32, 34, 37–39, 44–45, 47–48, 59, 106
competence 17, 45, 47, 68, 91, 106, 127–128, 134, 139, 143, 157, 189, 196, 224–225, 227, 286
complexity 10, 14, 22, 54, 68, 91, 119, 148–149, 156, 159–160, 187, 205, 207, 236, 246
conciliator 13, 24
conduit 19, 53–54, 89, 93, 114, 143, 149, 151, 154, 206, 232, 239, 249, 261
confidentiality 41, 53, 58–60, 92, 142, 276
conversation analysis 206
co-participant 65, 150–151, 158–159, 232
Corsellis, A. 136, 175, 273
courtroom 39–40, 42, 84–85, 87, 103–107, 109–110, 112, 119, 152, 206, 240
Critical Link 273, 247
cultural competence 68, 139, 143, 157, 189, 224
culturalisation 195
culturally sensitive 192
- D**
debriefing sessions 119
- E**
ethical decision-making 57, 90, 92
ethics 38, 40–41, 65, 67, 69, 82–84, 90–92, 114, 151, 156, 158–160, 204–205, 224, 246, 263–264, 268, 274–276, 283–284
- ethnicity 149, 262
evaluation of interpreters (*see* assessment) 47, 207, 228
expectations 13, 18, 52, 56, 58, 60, 83, 89, 101, 103, 156, 158, 178, 183, 204, 207, 233, 240, 242, 277–278
expertise 90–91, 93, 112, 187
- F**
facilitator model 89
faithfulness 114–115, 276
FIT 83, 273–274, 280
FITISPos 165, 166
formal education 154, 280, 285
Foulquié, A. I. 42, 124–125, 127, 129–131, 203–204, 208, 271
- G**
gate-keeper 110–112
gender 149, 179, 194, 251, 259–260, 262
Gentile, A. 99, 101, 205, 249–252, 254–256, 265, 273
GRETI 130, 203, 208
- H**
Hale, S. 42, 101, 103, 105–106, 110, 114, 116, 118, 135
Harrington, F. 232
Hatim, B. 14–15, 100
Hertog, E. 81–82, 91–92, 269–270
- I**
identification with patient 131, 140, 222, 224
ideology 158, 248–249, 265
impartiality 38, 45, 83, 86, 89, 92–93, 106, 115, 150, 168, 174, 178, 182, 224, 232, 250, 265, 274, 280, 282–285
Inghilleri, M. 239
interaction 12–13, 16–18, 24, 28, 30, 33, 35, 51–54, 64–66, 85, 89, 92, 103–104, 110, 112, 118–119, 149–153, 155, 157–160, 168, 170, 182–183,

- interaction (*cont.*)
205–208, 215–216, 235–242, 254
- intercultural mediation 12, 14, 16, 20–21, 187–191, 193, 195–196, 198–199, 211, 220, 222, 225, 253, 257–258
- interpreter-mediated police encounters 137, 142
- intervention 10, 13–14, 18, 86–87, 93, 109, 151, 170, 183, 190–199, 206–207, 219–220, 223, 226, 261
- invisibility 65, 85, 89, 134, 140, 158, 160, 205, 237–238, 240
- IPRI 160
- J**
- Jacobs, E. A. 194
- Jacobsen, B. 85, 88, 95
- K**
- Kade, O. 10–12, 17, 19
- Kaufert, J. 102, 149, 156, 188, 195, 197
- Kaufert, P. 102, 149, 156, 188, 195, 197
- Knapp, K. 17–18
- Koolage, W. W. 102, 188
- Kyle, J. G. 233–234, 239
- L**
- Ladd, P. 239, 240
- Lane, H. 232, 234
- Lichtig, I. 233–234
- linguistic barrier 147
- link worker 188
- literal interpretation 82–83, 114, 215
- Louckx, F. 189
- M**
- mandate 29, 55, 101, 129, 149, 249–250, 254
- Marche region 249, 254, 257
- Martin, A. 125, 129–130, 203–204, 208, 222, 226
- Mason, I. 14–15, 100, 104, 150, 205, 207, 239–240, 242
- meaning-based interpreting 87
- mediation 9–24, 28–29, 33, 63, 93, 169, 180, 187–191, 193, 195–196, 198–199, 211, 220, 222, 225, 247–250, 252–254, 256–260, 262, 264, 267
- mediator 12–15, 17–18, 20–24, 30, 33, 42, 115, 143, 180, 187–199, 204, 225, 247–265, 269, 274–275, 277
- medical interpreting 151–152, 156
- Metzger, M. 65–66, 85, 149–151, 155–156, 160, 232
- MMIA 156, 194, 196
- moral dilemma 83, 103
- multicultural framework 248
- N**
- Nelson, A. 187
- neutrality 54, 69, 83, 150, 158, 160, 223, 232, 255, 264
- Niska, H. 273
- non-professional (interpreters) 19, 25, 134, 219, 227
- non-verbal information 139, 221
- O**
- omitting information 137
- on-site interpreting 272
- Ortega Herráez, J. M. 130, 136, 139
- P**
- partners 85, 149, 155–157, 182, 270
- person, use of first or third 134–135, 143, 173, 174, 176, 184
- Pöchhacker, F. 12, 103, 107, 112, 204–208, 254, 273
- police 107, 109, 123–144, 203, 208, 215–218, 257, 270
- Pollitt, K. 232
- positionality 239–240
- power 10, 13, 42, 65, 68–69, 84, 88–89, 103, 105, 112, 124, 128, 148–150, 154–155, 158–159, 179, 199, 205, 232, 234, 240, 256, 263, 265
- professionalism 55, 66, 68, 100, 155, 224, 227, 241, 279
- Pullen, G. 233, 239
- Putsch, R. W. 149, 156, 197
- Q**
- qualification 23, 33, 46–47, 57, 124–125, 129, 133–134, 138, 143, 208, 226, 247, 252, 269, 280
- quality 37, 46, 55, 57, 59, 63, 68, 91–92, 100, 141, 153, 157, 187–192, 194–199, 208, 224, 268–270, 273–274, 277–278, 280–282, 285
- R**
- register 106, 113, 127, 131, 135, 143, 151, 168, 176, 184, 190, 195, 206, 216, 281
- respect 16, 37, 48, 59, 85, 157, 160, 227, 232, 240, 248, 263, 271, 276, 286
- responsibility 37, 39–40, 48, 54, 56, 67, 69, 81, 93, 107, 115, 118, 125, 150, 154, 159, 161, 195, 249, 254
- Roberts, R. P. 13, 22, 56, 99
- Roy, C. 13, 54, 65, 85, 88, 149–151, 155, 159–160, 165, 206, 232, 239
- S**
- Saldov, M. 194
- Sales, D. 125, 129
- service providers 20, 112, 118–119, 142, 184, 203, 207, 215–216, 227, 248, 259–260, 268, 285
- skills (*see* cognitive and linguistic skills) 21, 31, 33, 37, 52, 59, 64–65, 69, 92, 106, 119, 154, 159, 160, 167, 176, 194, 196, 198–199, 224, 233, 259, 265, 269, 280
- Smedley, B. 187
- standardized practices 156
- standards 20, 24, 46, 48, 53, 59, 62–63, 69, 81–82, 88–92, 94, 142, 150–152, 158–159, 168–170, 172, 194, 196, 224, 273, 279–281
- Stewart, D. 65, 104, 232
- Stith, A. 187
- summarizing 218, 247
- T**
- teleconference 148
- telephone interpreting 46, 272
- terminology 16, 35, 44, 135, 141, 154, 160, 167, 174, 176–177, 188, 196–198, 208, 216–217, 236, 246, 249, 270, 282
- Toledano, C. 125
- Tomassini, E. 20, 207, 226, 247, 252, 257, 260, 262–263
- training 20, 22–23, 46, 53, 57, 64, 91–92, 94, 100, 112, 124, 129, 138, 142–143, 154–155, 158, 166–169, 173–175, 179–184, 194, 196–199, 204, 209–212, 220, 222, 225–227, 235, 246, 251–252, 258, 264–265, 268–271, 273–275, 278–281, 285–286
- transparency 158, 194
- Trowler, P. 234
- trust 45, 85, 105, 134, 153, 160, 256–257

-
- Turner, G. H. 232, 234–235,
241, 247
- V**
- Valero-Garcés, C. 26, 82, 97, 145,
146, 155, 163, 165, 171, 173,
177, 179, 183, 185, 204, 207,
228, 230, 266, 273, 287
- validation 158
- verbatim interpretation 84
- Vermeer, H. J. 11
- Verrept, H. 21
- videoconference 148
- visibility 15, 151, 237–238, 241
- volunteer 23, 82, 129, 166, 168,
179, 212, 224–227, 236,
252, 272
- W**
- Wadensjö, C. 11, 13, 19, 85, 88,
103, 108, 117, 149–151, 156,
160, 206, 232, 239–240, 273
- witness 40–42, 44, 83, 88–89, 92,
105–110, 112, 114, 116–117,
128, 161, 206

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