# Toward an Interpreter Sensibility: Three Levels of Ethical Analysis and a Comprehensive Model of Ethical Decision-Making for Interpreters

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## Abstract

The purpose this paper is to explore ethics in the field of American Sign Language (ASL)/English interpretation and to propose an expanded view of the ethical decision-making process of interpreters. The paper examines four specific areas of ethics. First, the paper distinguishes between ethical decisions and other types of decisions made by interpreters. Second, the paper reviews three levels of moral analysis proposed by Lombardi (1988) and, third, applies these levels of analysis—foundations, action guides, and applications—to ethics in interpreting. Fourth, the view of interpreters' ethical decision-making is enhanced by the explication of two models. The paper 1) details an Interpreter Sensibility model (introduced in Hoza, 1992) which seeks to clarify the degree to which an interpreter, as a decision-making agent, has developed as an interpreter with bicultural/multicultural awareness and sensibility, and 2) introduces a Comprehensive Model of Ethical Decision-Making for Interpreters, which expands upon the current view of the ethical decision-making process.

## Introduction

Interpreters often work alone and make ethical decisions in a split second that affect people's lives. These decisions are often difficult and have no clear solution, and yet the primary participants in an interpreted interaction are dependent upon interpreters to make the most ethical and appropriate decisions possible. The purpose of this paper is to more clearly describe, and advance our thinking regarding, the decision-making process a conscientious interpreter may utilize in making an ethical decision. The paper explores three levels of moral analysis proposed by Lombardi (1988), details the

notion of an Interpreter Sensibility, and proposes a Comprehensive Model of Ethical Decision-Making for Interpreters.

First, we answer the question, "What makes a decision an ethical one?" Second, we briefly review three levels of moral analysis: 1) action guides, 2) foundations, and 3) applications. Third, we further explore these three levels of analysis by examining the literature in interpretation, as well as some specific multicultural perspectives on ethics. Finally, we apply the three levels of analysis to the ethical decision-making process of interpreters. We do this by first elaborating the notion of an Interpreter Sensibility and then proposing a Comprehensive Model of Ethical Decision-Making for Interpreters, which, combined, introduce a more far-reaching approach to ethical decision-making than has been proposed to date. The combination of these two models incorporates the ideas presented in this paper and aims to better assist interpreters in making ethical decisions in the bicultural/multicultural contexts in which they find themselves daily.

## What Makes a Decision an Ethical One?

The first step needed in the investigation of ethical decision-making is to define an ethical decision. Certainly, people make decisions every day of their lives, many of which do not require an examination of ethical principles. There are different ways to determine if a decision is an ethical one. In this section, distinctions are made between 1) ethical decisions and moral temptations on the one hand, and 2) ethical decisions and other interpreter-related decisions on the other. The section ends with a definition of ethical decision-making.

### Ethical Decisions vs. Moral Temptations

Kidder (1995) defines an ethical decision as a right-versus-right decision. Specifically, Kidder proposes that an ethical dilemma involves at least two possible, but competing, ethically appropriate courses of action that could result from two or more conflicting ethical principles. For example, it is right to protect the endangered spotted owl, and it is right to provide jobs to loggers; it is right for a woman to make decisions affecting her body and well-being, and it is right to protect the lives of the unborn (Kidder, 1995, p. 16). There are no clear-cut answers to such right-versus-right questions.[1]

There are times when interpreters must make such right-versus-right decisions. Take, for example, the following interpreting scenario:

> When working as an ASL/English interpreter in a medical setting, the medical professional asks about the use of certain street drugs, stressing the procedure will be fatal if the patient has used street drugs at any time in the preceding six months. Although the [patient] denies any drug use and signs a waiver to permit the procedure, the interpreter has personal knowledge that the [patient] has used street drugs during the time period stated (Humphrey, 1999, p. 14).[2]

This example clearly requires an ethical decision by the interpreter. The interpreter is struggling with several competing ethical standards and has several possible courses of action that may be taken, all of which could be considered ethically right.

POSSIBLE 'RIGHT' OPTIONS FOR THE INTERPRETER:

- Clarify with the patient what is literally being asked, i.e., "Do you understand that the medical professional is asking if you use any type of drugs—meaning either prescription drugs or street drugs?"[3]
  *[based on the obligation to render the message faithfully]*

- Make explicit the medical professional's goal, in that the question is intended to be taken as a warning that there can be an interaction with the medication
  *[based on the obligations to render the message faithfully (including implication) and to support the patient's right to informed consent]*

- Talk to the patient privately about the conflicting story
  *[based on the conflicts among the obligations to avoid harm, to respect autonomy and privacy/confidentiality, and to not interject personal opinions]*[4]

- Interpret the message literally (and do nothing else)
  *[based on the obligation to respect autonomy, as well as privacy/confidentiality]*

- Offer to re-interpret the waiver
  *[based on the obligations to render the message faithfully, to support the patient's right to informed consent, and to respect autonomy]*

- Express to the medical professional that there is a possibility that the patient may be taking street drugs
  *[based on the obligation to protect human life; it seems clear that this option may only be used in an extreme case in which the risk would be life-threatening and the patient was extremely weak and vulnerable]*

Depending on the specifics of the situation, each of the options above could conceivably provide the interpreter with the most ethical decision. Ethical decisions, then, involve more than one possible solution, and result from careful analysis of the ethical principles that underlie an ethical issue.

Kidder proposes that a *right-versus-wrong decision* is a *moral temptation* rather than an ethical dilemma. Right-versus-wrong decisions range "from cheating on taxes to lying under oath, from running red lights to inflating the expense account" (Kidder 1995, p. 17). These decisions involve either making a "right" choice or giving in to the temptation to make the "wrong" choice. While interpreters face both right-versus-wrong decisions and right-versus-right decisions, it is the right-versus-right decisions that are anguished over. At the same time, it may well be that so much attention is given to right-versus-wrong decisions in the interpreting field and interpreter education programs that interpreters assume that as long as they are following an established Code of Ethics, their decisions are based on ethical principles.

Baker-Shenk (1992) argues that interpreting programs have promoted the idea of an interpreter being a "machine," by which she means "that we [as interpreters] should not exert power, that we should be 'invisible'" (p. 123). This machine view of ethics may lead interpreters to overlook important ethical principles. For example, Baker-Shenk gives the following scenario:

> There's a [hearing] doctor, Deaf patient, and interpreter in the doctor's office. Some important tests have been done on the patient. The doctor says, "Here, you can just read the report on the tests" and gives the papers to the patient. The Deaf man takes the papers, looks at them briefly, and subsequently asks a few questions about what he should do next (which the interpreter duly interprets) and then leaves. (p. 124)

Baker-Shenk argues that in this case, in which the interpreter knows that English is this Deaf patient's second language (and he will most likely not understand the written word) and that the Deaf person does not want to reveal this lack of English competence to the doctor, the interpreter is not acting on this knowledge and, therefore, is not acting in an ethical manner. Baker-Shenk explains, "According to the machine model [of ethics], the interpreter 'simply did her job'; she accurately conveyed the linguistic messages of each party to the other. We would argue that she participated in the disempowerment of this man. She facilitated an injustice" (p. 125). This man did not get the medical information that he needed from the doctor due to the fact that the interpreter ignored the ethical obligation to do anything other than interpret the linguistic message.

When interpreters take the Code of Ethics at face value and stick blindly to it (in this case, "rendering the message faithfully"),[5] there is always the danger that rules will be followed but ethical decision-making will not be utilized. This is because, as Kidder (1995) states, not all decisions are right-versus-wrong, i.e., a matter of following rules or not. Rather, an ethically conscientious professional deals honestly and carefully with right-versus-right decisions as well.[6]

In sum, right-versus-right decisions reach inward to our most profound and central values, setting one against the other in ways that will never be resolved simply by pretending that one is "wrong." Right–versus-wrong choices, by contrast, offer no such depth: The closer you get to them, the more they smell. Two shorthand terms capture the differences: if we call right-versus-right choices "ethical dilemmas," we can reserve

the phrase "moral temptations" for the right-versus-wrong ones (Kidder, 1995, p. 17).

It is insufficient to think of ethics only in terms of right-versus-wrong decisions. By doing so, the view of ethics is limited to the boundaries of ethical principles; this approach focuses on avoiding ethical temptations and, thus, focuses only on what is essentially right and wrong.

This view of ethics greatly inhibits one's ability to truly explore ethical decision-making for ethical dilemmas that have no clear ethical solution. In fact, right-versus-wrong decisions are the easy ones to make. They involve a simple question: Will I follow this ethical standard or will I not? Less attention is paid to reasoning (critical thinking), and exploration of ethical obligations and consequences. The repercussions of right-versus-wrong thinking may not be readily apparent, but they can be quite serious nonetheless. The example of the patient who did not get the information he needed from the interpreter who was paid to facilitate communication between him and the medical professional is a clear example of the unethical consequences of this type of approach to ethics.

In sum, right-versus-right decisions are true ethical decisions. They involve a careful consideration of possible right options in arriving at the most ethical decision. Following acceptable rules should be the given, and not following acceptable rules (i.e., choosing the "wrong" option in a right-versus-wrong decision) only shows that one has given in to moral temptation.

**Are All Interpreter Decisions Ethical?**

Some interpreters maintain that all, or almost all, decisions made by an interpreter are ethical decisions. While it may be tempting to take this position given the unique position of the interpreter as a linguistic and cultural "go between" and the potential impact of the interpreter's decisions on the people with whom she works, we argue that all interpreter decisions are not ethical in nature. There is a distinction between ethical issues and other interpreter-related issues.

Lalka, Lam, Maurer, Riddick, and Roy (2002) give examples of scenarios from two books on ethics in interpreting (Humphrey, 1999; Cartwright, 1999) which do not seem to pose ethical dilemmas at all. For instance, Lalka, et al., cite the following example from an ethics text by Humphrey (1999), which Humphrey follows by the questions, "What are the ethical issues? What are your options? What will you do and why?" (p. 150):

> While interpreting, your teammate's contact lens dislodges and she can't see. There are tears streaming down her face. She asks you to take over even though it is not yet time for your turn. (Lalka, et al., 2002, p. 28, citing Humphrey, 1999, p. 150)

Lalka, et al., correctly point out that the interpreter in this emergency situation has but one option: relieve the team interpreter so that the team interpreter can resolve the problem. It is not, they state, an ethical dilemma. They point out that "To lump all of these [interpreter] problems under the umbrella of 'interpreting ethics' may allow us to become lax in addressing real issues of discourse, audience, language, translation, and linguistics" (p. 29). Other frameworks may better serve interpreters in making some decisions that may appear ethical in nature. For example, the situation they cite above may appear on the surface to involve the tenet "render the message faithfully." However, we see that this situation actually has to do with a professional decision regarding the interpreting team, a decision that Kidder would term a right-versus-wrong decision. This situation, as given, does not so much warrant an ethical decision as much as a practical decision; it is based less on ethics and more on teamwork and working effectively together. It is a right-versus-wrong decision, and the obvious decision is to avoid the temptation, if there is one, of turning down this request.

There are other situations in which the line is less clear-cut. For example, Hoza (1998) reports how an ethics class went through an ethical decision-making process to resolve an issue in an interpreting situation. The situation was described as follows:

> It is near the beginning of a medical appointment with a hearing doctor and a Deaf patient, and the doctor turns to you and asks, "How did you get into this field? Is sign language hard to learn?" (p. 6)

Hoza recounts how the class analyzes this situation from the perspective of an ethical dilemma. The ethical principle in

question is "maintaining impartiality," and the two primary possible options the class considered are to either 1) interpret the question and ask the Deaf person how she would like to handle the situation (possibly providing some options), or 2) interpret the question and offer to explain the interpreter role to the doctor. Hoza explains that given the situation as described, the class leans toward option #1, i.e., to work with the Deaf person to decide on a solution, and reports that the class discussed using option #2 in another circumstance. Many interpreters would assume that an ethical approach to this problem is the best approach.

Roy (1998), however, argues that this problem is best resolved by using an alternative analysis. She proposes that "a decision about this dilemma should be based on knowledge about social interaction and discourse expectations, and that the result will be for the *interpreter* to act upon knowledge of how to minimize discourse interruption and interactional flow" (p. 12). Roy argues that the decision regarding this interactional problem should not be based on issues of ethics, but rather it needs to be based on the interpreter's expertise in interaction. In this case, the decision should be based on issues of small talk, adjacency sequences, and expectations regarding other participants (including the interpreter). In short, Roy (citing Metzger, 1995) argues for a short response on the interpreter's part because a short response is less disruptive than an explanation or nonresponse and because a short response "contributes to maintaining a flow of talk to achieve the speakers' actual purposes for coming together" (p. 13).[7]

Roy's point is well taken. Decisions about interpreting the interaction rightly fall within the role of the interpreter, and using an interactional framework generally provides the better analysis. As experts on cross-cultural interaction, interpreters are actively involved in interpreting the interaction between or among participants.

Either analysis, however, may be used depending on the specifics of the situation. That is, there may be times when the interpreter needs to determine whether or not her involvement as an active, but unique, participant is the ethical thing to do. Certainly, becoming too involved in a situation would be unethical. For example, it would generally be unethical for the interpreter to inquire about her own health issues during a medical appointment or to answer a question for one of the parties rather than interpreting the question and eliciting a direct response from that person.

When first confronted with an issue, an interpreter needs to determine what type of framework provides the type of analysis needed to resolve the issue. Some decisions fall under the umbrella of ethics (based on ethical standards or underlying ethical principles) and others fall under the umbrella of other interpreter-related frameworks (based on models of communication, interpretation, interaction, cross-cultural mediation, etc.).

Gish (1990, citing Johnson and Johnson, 1972) lists possible functional leadership roles that an interpreter may play, and asks which of these roles are appropriate for an interpreter to play. Upon further analysis, we see that some of these roles may be a natural component of the interpreter role (given the various frames that guide the work of interpreters), such as "information and opinion seeker" (e.g., seeking clarification), "starter" (e.g., summonses to get someone's attention), etc. Metzger (1999) reports on a study of interpreted interaction and finds these types of interpreter-initiated nonrenditions function to either assist in relaying speakers' messages or assist in interactional management, both of which are clearly part of the ongoing role of the interpreter (also see Wadensjö, 1998) . Some of the functional leadership roles would more likely be motivated by ethical decision-making, e.g., "diagnoser" and "interpersonal problem solver," as in the case of the two medical dilemmas discussed above. In short, some functional leadership roles are naturally part of the interpreter role, as we see in Roy's argument regarding the situation discussed above, while others involve ethical decisions because they go beyond the interpreter's decisions regarding communication, interpretation, interaction, and cross-cultural mediation involved in the interpreted event. For these interpreting-related decisions, the interpreter must make the best decision possible within frameworks (linguistic, cultural, etc.) that best define the interpreting task.

The first step in ethical decision-making for interpreters, then, is to determine if the best analysis is provided by an ethical framework. Not all interpreter problems are best resolved by using an ethical framework and, indeed, not all interpreter problems are best resolved by using interpreting-related frameworks. Interpreting is a complex task that may involve a variety

of issues that may arise, only some of which are ethical in nature.

### Ethical Decision Defined

Returning to the question of what makes a decision an ethical one, we have seen that real ethical decisions go beyond moral temptations—i.e., right-versus-wrong decisions—inasmuch as the question posed by right-versus-wrong questions is only whether or not the person will take the ethically appropriate path. Ethical decisions involve 1) competing underlying *ethical* principles (as opposed to other types of principles), 2) the consideration of closely-related "right" options, and 3) decision-making steps used to make the most appropriate decision. Some decisions are ethical in nature, but many decisions are not. The interpreter must determine whether ethical principles provide the clearest guidance in a particular situation.

In sum, an ethical decision can be defined as follows:

> **Ethical decision defined:**
> A decision that is made between two or more possible right, but competing, solutions that arise in a situation in which the person is torn between two or more conflicting ethical principles or guidelines. An ethical decision, then, involves determining which solution is 'most right' within a particular context.

Ethical dilemmas, or situations that require a right-versus-right decision, call for one to look closely at one's ethical principles to make the best decision possible. Merely identifying and considering the boundary where right-versus-wrong decisions begin is insufficient. For this reason, an interpreter's code of ethics, while an important guide, is in itself inadequate for making truly ethical decisions and does not itself always present practitioners with answers. One must go beyond the code of ethics, as one's code of ethics is but one level of ethical analysis.

## Three Levels of Ethical Analysis

This section provides a brief introduction to the three levels of moral[8] analysis proposed by Lombardi (1988), and the next section will clarify how each level of analysis can best be understood and applied within the context of interpretation.

Lombardi (1988) proposes three levels of moral (i.e., ethical) analysis. One level is the domain of *action guides*, or general obligations. These are the rules by which we live. Action guides, generally speaking, are what children learn first.

> As children, we learn what morality demands through rules such as those against killing and stealing. These rules explain our general moral obligations. They constitute guides to action. In almost all cases, to act correctly is to act according to whatever rules apply to the situation at hand, (p. 3).

Action guides also include professional codes of ethics, honor codes, and the like, all of which outline ethical guidelines.

Action guides, however, do not exist or emerge in isolation or without good reason. Rather, they are grounded in a second level of moral/ethical analysis: *foundations*, or moral considerations. These foundations involve regard for human beings or what is 'right' generally, and underlie and give rise to action guides. Some examples of foundations include regard for human welfare and happiness, freedom, protection of life, and intrinsic worth.

The third level of moral analysis is the level of *applications*, or specific judgments. This is the level at which a person makes an ethical decision in a particular context. This level involves making a decision by weighing the relevant foundations, action guides, and the specifics of a situation to make the most appropriate decision. Figure 1 shows Lombardi's levels of analysis.

An example of the levels of moral analysis at work is the following: "People avoid killing (specific actions) and claim to have an obligation not to kill (guide) because of the importance of human life (consideration) and the resulting value that is accorded such life" (Lombardi, 1988, p. 4). However, the "applications" may well violate "action guides": "the rules against stealing, for example, may be broken if the only way to get life-saving medical supplies for accident victims is by breaking into a locked store.... These exceptional cases, however, do not threaten the general rules. The rule against killing does not disappear because someone justifiably kills in self-defense. Rather, we say that the rule is *in certain, very specific situations* outweighed by other relevant factors" (p. 3).

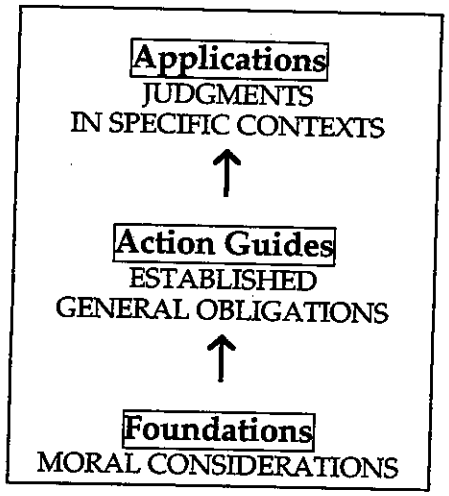


**Figure. 1. Lombardi's Levels of Moral Analysis (adapted from Lombardi, 1988, p. 4).**

## The Three Levels of Ethical Analysis and Interpretation

Now we will address the question of how these levels of analysis relate to the specific field of interpretation. This section explores each of these levels of ethical analysis: action guides, foundations, and applications.

### Action Guides and Interpretation

For the field of interpretation, the action guides are clearly the code of ethics that the interpreter uses as a guide. The primary purpose of a profession's code of ethics is to delineate the ethical standards and standard practices of the profession. Such a code seeks to protect both professionals and the people whom they serve (see, for example, Gish, 1990, and Cokely, 2000, for discussion). Gish (1990) states that professional ethical standards "describe 'what ought to be' in a world of 'what is'... they provide professionals with a standard of behavior to which they must aspire. And while they may provide the goal, and not the description, of professional behavior, they serve as a guide [read: action guide] for all professionals of good conscience" (p. 21).

In this section, we seek to clarify the action guides that interpreters use as a guide. We first review some common themes among interpreter codes of ethics in North America and Europe. Second, we review similarities and differences among the three primary codes of ethics in North America: the codes of ethics of the Association of Visual Language Interpreters of Canada (AVLIC) and the Registry of Interpreters for the Deaf (RID), and the former National Association of the Deaf (NAD) Code of Ethics.[9] It is hoped that by exploring the range of action guides used by interpreters, we can better recognize essential similarities and differences that are present in the field.

### Twelve Codes of Ethics Compared—Common Themes

Rodriguez and Guerrero (2002) surveyed the codes of ethics of signed language interpreter organizations in 12 countries in North America and Europe (Canada, England-Wales, Finland, France, Germany, Italy, The Netherlands, Portugal, Scotland, Spain, Switzerland, and the United States) and found there were 35 ethical principles among them.[10] This section briefly summarizes some ethical guidelines common to these codes of ethics (i.e., action guides) and highlights the wide range of guidelines among the 12 codes.

There are three points worth noting about Rodriguez and Guerrero's findings for our purposes here. First, only two principles appear in all 12 codes: "impartiality and neutrality" and "confidentiality." Second, three principles appear in nine out of the 12 countries' codes: "not taking custody, giving advice or taking control," "reliability of the message," and "respect for the ethical norms." Third, some countries cover more principles than others. Table 1 lists the 12 countries and the respective number of principles (out of the 35 principles) each explicitly states in its code of ethics. It is hoped that this information can provide food for thought, in that countries that have fewer principles encoded may wish to see if they are indeed covered in other ways (see Rodriguez and Guerrero [2002] for the specific principles that each country has stated in its code of ethics).

It is clear that there is a wide range in the number of principles encoded in these codes (from 7 for Italy to 26 for Spain). While we make no claims regarding this range, it will suffice to say that 1) there *is* a wide range of encoded principles, that 2)

| *Rank* | *Country* | *Number of the 35 principles encoded* |
|---|---|---|
| 1 | Spain | 26 |
| 2 | Canada | 24 |
| 3 | Scotland | 21 |
| 4 | Portugal | 20 |
| 5, 6 | England-Wales | 18 |
| 5, 6 | France | 18 |
| 7 | Finland | 17 |
| 8, 9 | Switzerland | 16 |
| 8, 9 | The Netherlands | 16 |
| 10 | Germany | 14 |
| 11 | USA | 11 |
| 12 | Italy | 7 |

**Table 1. Countries ranked by their respective total number of encoded ethical principles out of the 35 principles found in the 12 countries overall (summarized from Rodriguez and Guerrero, 2002).**

the five principles that appear in all or almost all of the codes represent the basic themes of these action guides and, hence, represent some common underlying ethical values of the signed language interpreter organizations of these Western countries.

### Three Codes of Ethics Compared

We will now compare the codes of ethics of the three organizations in North America that have been involved in certifying ASL/English interpreters to show how they vary in some important respects. This section highlights similarities and differences, and discusses how each of these codes views ethics in interpreting in distinct ways and provides different expectations regarding ethical decisions.

### The RID Code of Ethics and the Former NAD Code of Ethics

The Registry of Interpreters for the Deaf (RID) Code of Ethics (RID, n.d.; last revised in 1979) is the longest standing ASL/English interpreter code of ethics in the United States. The RID Code of Ethics is composed of eight tenets. In sum, the tenets cover 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 former National Association of the Deaf (NAD) Code of Ethics[11] has 10 tenets and covers the same areas as the RID Code of Ethics, but includes three additional 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. (NAD Code of Ethics, n.d.)

The addition of these three tenets is telling. The former NAD Code of Ethics clearly values the interpreter as a resource person in regard to both interpreting services as well as other resources. Furthermore, the tenet regarding respecting a deaf person's rights shows more of an emphasis on the consumer perspective. Both of these components are missing from the RID Code of Ethics.[12]

What both of these codes have in common is a clear authoritative air, reflecting a duty-based, or deontological, approach to ethics (see Cokely, 2000, for discussion), in which certain acts or behaviors are prescribed as "right" and practitioners are expected to feel obligated to only do what is right as identified in the code. For instance, each tenet of the RID Code of Ethics begins with "Interpreters/transliterators *shall* (or *shall not*)...." Likewise, the former NAD Code uses *shall*, *should*, or *must* in eight of the 10 tenets, and there is one instance of the phrase *is not permitted*.

Both of these codes (action guides) seem to focus on right-versus-wrong thinking. Both are composed of a short list of "mandates" and neither addresses the decision-making process needed to arrive at an appropriate ethical decision.[13] The AVLIC Code of Ethics, however, differs from both of these Codes in some important respects.

### The AVLIC Code of Ethics

The Association of Visual Language Interpreters of Canada (AVLIC) Code of Ethics was last revised and ratified in July

2000, from a list of eight tenets (much like the RID Code of Ethics) to a lengthier document (of about five and one-half pages in length).[14] The AVLIC Code of Ethics is not merely a list of mandates, but rather, it begins by listing the values underlying the Code, which are listed below:

> VALUES UNDERLYING THE [AVLIC] CODE OF ETHICS & GUIDELINES FOR PROFESSIONAL CONDUCT
>
> 1. Professional accountability:
>    Accepting responsibility for professional decisions and actions
> 2. Professional competence:
>    Committing to provide quality professional service throughout one's practice
> 3. Non-discrimination:
>    Approaching professional service with respect and cultural sensitivity
> 4. Integrity in professional relationships:
>    Dealing honestly and fairly with consumers and colleagues
> 5. Integrity in business practices:
>    Dealing honestly and ethically in all business practices
>
> (AVLIC, n.d.)

These values are then further elaborated by listing around seven tenets for each value, which make up the body of this action guide. While including the same basic standards promulgated by the RID Code of Ethics, the AVLIC Code goes much further and uses a much different approach, providing a much more explicit action guide.[15] Here is a sampling of some of the tenets (or parts of tenets) that are not included in the other two codes (the italicized sections indicate the additions):

> 1.1.1 Members will respect the privacy of consumers and hold in confidence all information obtained in the course of professional service. *Members may be released from this obligation only with their consumers' authorization or when ordered by law.*
>
> 1.1.2 Where necessary, *a member may exchange pertinent information with a colleague in order to provide consistent quality of service.* This will be done in a manner that protects the information and the consumers.
>
> 1.3.2 *When functioning as part of a professional team* (e.g., education, legal, medical and mental health settings) it is understood that members will *limit their expertise to interpretation.* In such settings, it may be appropriate for members to comment on the overall effectiveness of communication, the interpreting process and to suggest appropriate resources and referrals. This should be done only within the context of the professional team.
>
> 2.4.1 Members will incorporate current theoretical and applied knowledge, enhance that knowledge through continuing education throughout their professional careers and will *strive for AVLIC certification.*
>
> 3.1 *Members will respect the individuality, the right to self-determination, and the autonomy of the people with whom they work. They will not discriminate based on ethnicity, gender, age, disability, sexual orientation, religion, personal beliefs and practices, social status or any other factor.*
>
> 3.3 The services of a Deaf interpreter may be required when working with individuals who use regional sign dialects, non-standard signs, foreign sign languages, and those with emerging language use. They may also be used with individuals who have disabling conditions that impact on communication. *Members will recognize the need for a Deaf interpreter and will ensure their inclusion as a part of the professional interpreting team.*[16]
>
> 4.1 *Members shall understand the difference between professional and social interactions. They will establish and maintain appropriate boundaries between themselves and consumers. Members will assume responsibility to ensure relationships with all parties involved are reasonable, fair and professional.*

4.3.1 *Members will act toward colleagues in a spirit of mutual cooperation, treating and portraying them to others with respect, courtesy, fairness and good faith. Members are encouraged to share their knowledge with their colleagues in a spirit of mutual assistance.*

4.3.2 *Members have a professional obligation to assist and encourage new interpreting practitioners in the profession.*

5.1.2 Members will conduct themselves in all phases of the interpreting situation in a manner befitting the profession, including negotiating work and contracts, *obtaining suitable preparation material,* and choice of attire and professional demeanor.

5.1.4 *Members shall take reasonable care of material and/or property given to them by a consumer and may not lend such or use it for purposes other than those for which it was entrusted to them.*

5.2.2 *Members will refrain from making inaccurate statements regarding their competence, education, experience or certification. Only members certified by AVLIC (COI) or RID (CI/CT or CSC) may use the term "certified" in printed, electronic, signed or oral transmission. This may include, but is not limited to, interpreter directories, business cards and forms, promotional materials, resumes or publications they have authored.*

(AVLIC Code of Ethics n.d.)

The AVLIC Code of Ethics clearly addresses both the level of the values of the profession and the level of action guides. Additionally, it states explicitly how these "underlying values" and "guidelines for professional conduct" are to be utilized:

> This document articulates ethical principles, values, and standards of conduct to guide all members of AVLIC in their pursuit of professional practice. It is intended to provide direction to interpreters for ethical and professional decision-making in their day-to-day work. The Code of Ethics and Guidelines for Professional Conduct is the mechanism by which the public is protected in the delivery of service (AVLIC Code of Ethics n.d.).

In sum, the RID Code of Ethics is duty-based in that it lists, and seems to require obedience to, tenets that state essential expected behaviors. The former NAD Code of Ethics expands on these points by elaborating the role of the interpreter as a resource person and the need to respect the deaf person's rights, but it is also duty-based. The AVLIC Code of Ethics, however, more clearly recognizes the interpreter's ethical decision-making process and the interpreter's need to take responsibility for those decisions. This code also attempts to more clearly state underlying interpreter values and to provide specific guidelines to clarify how those values may be realized in the profession. It is the only one of the three codes that has a statement about nondiscrimination and cultural sensitivity, as well as the only one that mentions many other values, including the following: the need for mutual support and mentorship, the work of Deaf interpreters, balancing professional and personal relationships, striving for national certification, representing credentials appropriately in the community, and the boundaries of confidentiality. AVLIC has taken a great step forward in clearly and explicitly stating the values and tenets of the interpreting field in its action guide.

Each code of ethics discussed here reflects differing expectations for interpreters, with some overlap. These action guides are important documents for practitioners in that each of them provides practitioners with a differing view of professional ethics and a differing model for which to strive.

**Clarifying Standards**

It is apparent from the discussion above that further elaboration of some expected standards is needed, as in the case of the RID Code of Ethics. To this end, Cokely (2000) argues for a new approach to the development of a code of ethics based on "basic human and communicative rights of those involved in the interaction" (p. 42), in which rights become the basis of (competing) duties and obligations. In this rights-based approach, Cokely delineates rights, values, and inherent obligations for the following four groups of individuals: 1) active participants, 2) interpreters/transliterators, 3) clients (i.e., entities

that pay for interpreting services), and 4) referral sources. For example, below is one active participant's right, and the corresponding value and inherent obligation:

> Right: Participants have the right to be treated with dignity and respect.
>
> Value: Worth of the individual.
>
> Inherent Obligation: Interpreters/Transliterators have an obligation to conduct themselves in a manner that recognizes and accepts individual differences, as well as cultural and ethnic diversity. (p. 46)

The rights-based approach that Cokely (2000) proposes strives to more explicitly delineate the values and rights that give rise to ethical obligations, as well as a clarification of (inherent) ethical obligations themselves. He argues that the RID Code of Ethics uses a duty-based or deontological approach (in which certain acts or behaviors are prescribed as correct). In fact, he argues that in revising the RID Code of Ethics, another deontological reformulation would be unsatisfactory in that, like the present Code of Ethics, it cannot move the profession closer to identifying and agreeing upon fundamental values and principles to guide the conduct of the professional lives of interpreters and transliterators. Yet it is precisely those underlying fundamental values that must form the basis for any resolution to the differing deontological (duty-based) and teleological (i.e., a determination of appropriate actions based on their consequences) perspectives. In other words, we cannot simply postulate behavioral prescriptions (e.g., "Interpreter/Transliterators shall keep all interpreted and assignment-related information strictly confidential") in an effort to reconcile these differing perspectives. We must rather address the deeper issues (e.g., Why should interpreter/transliterators keep all interpreted and assignment related information strictly confidential?), which will force the identification and formulation of the fundamental values and principles that should form the heart of a code of ethics for interpreters and transliterators.

Both Cokely's proposed code of ethics and the AVLIC Code of Ethics incorporate underlying ethical principles, or values, into the codes. Underlying principles represent another level of analysis: foundations.

**Foundations and Interpretation**

The underlying values of a code of ethics represent the *foundations* of the code (action guide). While they go unstated in both the RID and the former NAD Code of Ethics, both the AVLIC Code of Ethics and Cokely's proposed code of ethics explicitly state the foundations/values to which each subscribes.

Gish (1990) suggests that students of interpretation explore the underlying values (read: foundations) of the tenets of the RID Code of Ethics to better understand the ethical standards of the field. We have used this approach over the years in our teaching of ethics in interpreting (both in the college classroom and with working interpreters). Here are some general themes that have been suggested as underlying values of the RID Code of Ethics:

1) Respect for the profession and those in the interpreted situation
2) Trust of the interpreter
3) Fairness in dealing with people
4) Professional responsibility
5) Self-determination and autonomy of those with whom we work
6) Impartiality on the part of the interpreter
7) Integrity of the message and providing good service
8) Clear communication
9) Maintaining high professional standards
10) Continuing education
11) Honesty in dealing with others
12) Fair and appropriate compensation

This list of underlying values of the RID Code of Ethics may not be exhaustive, but it serves to highlight the fundamental foundations of this particular action guide.[17]

Humphrey (1999) discusses meta-ethical principles that are of value to various fields to help clarify some of the underlying ethical principles (foundations) of interpreters.[18] She proposes

the following meta-ethical principles for interpreters:

> SIGN LANGUAGE INTERPRETING META-ETHICAL PRINCIPLES
>
> *a) Personal dignity and equality* — Decisions made respect the right of all people to be treated fairly and with respect.
>
> *b) Privacy/confidentiality* — Decisions respect individual privacy and boundaries.
>
> *c) Autonomy and self-determination*— Decisions support the right of all individuals to take charge of their personal and business affairs without undue influence.
>
> *d) Communication access* — Decisions made will respect the right of all individuals to clearly communicate in the language/mode most comfortable for them.
>
> *e) Informed consent* — Clients have the right to understand contracts, procedures, costs and potential side effects/results before consenting to them.
>
> *f) Self-evolution* — Professional practitioners will participate in life-long learning and professional development. This will support evolution of professional judgement, skills development and decision-making abilities. (Humphrey, 1999, p. 25)

Given that we are defining an ethical dilemma as involving a right-versus-right decision, the only way to resolve such dilemmas is to look deeply, i.e., at foundations, to get to the heart of the matter. Professionals rely on such foundations as those discussed above, as well as action guides, to guide their ethical decision-making. However, there is more than one way to look at foundations.

*Differing Views, Differing Foundations*

Not all cultural groups see ethical foundations, i.e., what is ultimately "right," in the same way. Differences are evident at all levels of ethical analysis. However, it is at the level of foundations that these differences become the most evident. In addition, differences in action guides and applications (as will be discussed below) can be better understood by exploring their underpinnings in foundations. Because ethical decision-making in bicultural/multicultural settings is a complex process in which one must think deeply about ethical principles, values, and the particular context to resolve right-versus-right dilemmas, it is important to better understand differences at the level of foundations.

This section explores three areas that affect a person's underlying values. First, we review two views of moral development as proposed by Kohlberg (Crain, 1985) and Gilligan (1987). Second, we examine different ways of thinking about ethics based on the work of the great philosophers as summarized by Kidder (1995): ends-based thinking, rules-based thinking, and care-based thinking. Finally, we explore other notions of cultural variability and multiculturalism to determine their effects on ethical foundations.

*Two Views on Morality*

Kohlberg (Crain, 1985) and Gilligan (1987) have developed models of morality development, that present two distinct views on how moral decisions are made. Kohlberg's Morality of Justice was developed in the 1960s based on his research with boys and young men, and Gilligan's Morality of Response and Care was developed in the 1980s based on her research with girls and young women. The two models of morality development provide a dichotomy that is helpful to us in understanding differing approaches to ethics.

By using this dichotomy, Lyons (1988) reports on a study of the moral decision-making of males and females. She reports on the differences between the two perspectives in terms of 1) how the *self* is perceived in relationships, 2) how morality is mediated through *relationships*, and 3) what *morality* is based upon. In sum, she reports the two following perspectives on "self":

> THE SEPARATE/OBJECTIVE SELF
> (Autonomous in relation to others)
> • Relationships are experienced in terms of *reciprocity* between individuals ... as one would like to be considered, with objectivity and in fairness,

- Mediated through *rules* that maintain fairness and reciprocity in relationships,
- and grounded in *roles* which come from duties of obligation and commitment.

THE CONNECTED SELF
*(Inderdependent in relation to others)*
- Relationships are experienced as *response of others in their terms*, a concern for the good of others or for the alleviation of their burdens, hurt, or suffering (physical or psychological),
- mediated through *the activity of care* which maintains and sustains caring and connection in relationships,
- and grounded in *interdependence* which comes from recognition of the interconnectedness of people. (Lyons, 1988, p. 33)

Lyons reports that there is a significant difference in the preferences of males for the Separate/Objective Self perspective, which reflects Kohlberg's Morality of Justice, and females for the Connected Self perspective, which reflects Gilligan's Morality of Response and Care. She reports that 63% (10) of the females' responses (n = 16) to moral dilemmas reflected a predominantly Connected Self perspective and that 79% (11) of the males' responses (n = 14) reflected a predominantly Separate/Objective Self perspective.

What is ultimately considered "right" differs between Kohlberg's Morality of Justice and Gilligan's Morality of Response and Care. The ultimate "right" in the Morality of Response and Care model is to "do no harm;" this is seen as the universal guide and moral choice. The ultimate "right" in the Morality of Justice model is following "universal principles that should be followed by all," which is seen as the universal guide and moral choice.

This dichotomy in moral perspectives clarifies differing foundations that generally correspond to gender. In addition, these two models of morality may help us understand cultural differences as well. We have suggested that exploring these two perspectives can help us "better understand Eastern/Western, majority/minority, and male/female ways of looking at ethics and morality" (Hoza, 1992, p. 110). Indeed, Kohlberg's Morality of Justice seems to fit more of an individualistic cultural perspective (with its strong sense of individual rights and roles) and Gilligan's Morality of Response and Care seems to fit more with a collectivistic cultural perspective (with its strong sense of community and reciprocity).[19]

It is clear that there is more than one way to view underlying ethical principles. The "measuring stick" that is used to ultimately determine the most ethical decision certainly differs for those who use a Morality of Justice approach and those who use a Morality of Response and Care approach, and this difference primarily lies in the area of foundations. To complete our exploration of foundations, we will next look at the types of approaches used by the great philosophers and then, in the subsequent section, at other cultural differences that have implications in the area of foundations.

*Rule-Based, Care-Based, and Ends-Based Thinking*

Kidder (1995) categorizes three main approaches used by the major philosophers as 1) ends-based thinking, 2) rule-based thinking, and 3) care-based thinking. *Ends-based thinking*, based on the work of the English philosophers Bentham, Mill, and Sidgwick, is also termed "utilitarianism" or "consequentialism." Ends-based thinking is based on two primary premises: 1) consider consequences (the ends) to determine what is right; and 2) do what would result in the greatest good for the greatest number of people.[20]

*Rule-based thinking*, based on the work of German philosopher Kant, is also termed "deontological" (meaning *duty* or *obligation*) and is focused on obligations to determine what is right. Rule-based thinking is based on the notions that one should 1) follow one's highest sense of principle, and 2) follow "universal principles of action" that one would want everyone to follow.

*Care-based thinking* is based on the Golden Rule in religious ethics (as this principle is found in Buddhism, Christianity, Confucianism, Hinduism, Islam, Judaism, and Taoism): *Do to others as you would have them do to you.* This approach is sometimes called "reversibility," in which the "test of the rightness or wrongness of an action is to imagine yourself as the *object* rather than the *agent* of that action and consult your own feelings as to the results" (Kidder, 1995, p. 159).

Just as the Morality of Justice and the Morality of Response and Care present differing foundations upon which action

guides are based and upon which applications may be determined, these three approaches to thinking about ethics, likewise, present quite different perspectives on fundamental issues of right and wrong.[21] See Table 2 for a summary of these three approaches.

| *Type* | *Also known as* | *Philosophers* | *Basic premise* |
|---|---|---|---|
| Ends-based thinking | Utilitarianism, consequentialism | Bentham, Mill, and Sidgwick | Do what is best for the greatest number of people – based on assessing consequences |
| Rule-based thinking | Deontological approach, duty-based, obligation-based | Kant | Follow your highest sense of principle, what everyone in the world should follow – based on rules & sense of duty |
| Care-based thinking | The Golden Rule | Religious leaders; moral theologists | Do to others as you would want them to do to you – based on putting oneself in another's shoes |

**Table 2. Approaches to 'Thinking' About Ethics (summarized from Kidder, 1995, pp. 154-161).**

It is clear that when people base their ethical decisions on different foundations, they may well come to different conclusions. This is a natural result of having differing foundations, which form the bases of the rules and decisions by which they live. Just as the great philosophers differ in their assessment of what is ultimately the most "right" or "wrong," individuals base their own ethical decisions on different underlying principles. Some of these differences are due to cultural differences.

*Cultural Differences*

Values, worldviews, and norms vary greatly across cultural groups. What, then, is the nature of foundations across cultures? Should we say that there are universal ethical principles that are separate from culture or, conversely, should we say that ethical principles vary by culture and are not universal in nature?

Hinman (1998/1994) argues that differing cultural identities represent different identities as moral agents. That is, one's cultural or ethnic background cannot be separated from one's sense of right and wrong. This is not to say that moral principles are "up for grabs," but rather that while there are many ethical themes that are common across cultures, *these themes vary in their relative value within a particular culture*. For example:

> Consider the value of affirming self-respect in the face of oppression... it is hardly surprising that this is an important value in African-American culture, given historical conditions. Among groups that have not suffered such discrimination, the affirmation of self-respect may be a much less prominent value and may not involve an affirmation of ethnicity as part of self-respect. Thus, although white Americans also value self-respect, they may well not value it to the same extent or in the same way as do their African-American counterparts. This is an excellent example of value pluralism, one in which different groups have partially different (but not necessarily incompatible) values. The advantage of a pluralistic approach to values is that it is able to understand and appreciate such differences in values without resorting to an attitude of "anything goes." (Hinman, 1998/1994, p. 414)

Such cultural differences in perception and identity have an impact on the level of foundations. What is considered right and wrong, in at least some respects, is determined by the cultural perspective of the individual as a moral agent. As interpreters know, these differences can create ethical conflicts in bicultural and multicultural contexts. How, then, can interpreters deal with such ethical conflicts?

Hinman (1998/1994) argues that both *ethical absolutism* (i.e., the belief that there is one and only one truth) and *ethical relativism* (i.e., the belief that each culture has its own beliefs and one cannot judge a cultural belief from the outside)[22] fail to help us sort through moral conflicts or conflicts among moral theories (pp. 32-75).[23] He argues that *ethical pluralism* achieves this end. Ethical pluralism represents a middle position: "ethical pluralism is the belief that different moral theories each capture part of the truth of the moral life, but none of those theories has the entire answer" (pp. 442-443). Hinman proposes four principles that may be used to respond to moral conflicts, and summarizes these principles as follows:

> [1] We must always seek first to understand [another culture's moral practices]. [2] We should seek to tolerate and learn from differences whenever possible, but [3] still stand up against evil when we see it. Finally, [4] we should judge and act with humility, always aware of our own fallibility. (Hinman, 1998/1994, p. 69)

By using ethical pluralism, the person of good conscience can expand her view of the variation in foundations that exists across cultures and minority cultures. "We must remain steadfast in our commitment to self-examination, [and] to understanding the ways in which we can learn from other cultures" (p. 68). Certainly, judging another culture's moral practices before understanding them, results in the perpetuation of ethnocentric views of ethical principles. In addition, given "the fact that many minority cultures have a precarious existence... we can see that tolerance [of differing ethical values] has a special value" (p. 415).

Page (1993) reports on different expectations of interpreters from the American perspective, which she proposes is individualistic, and the Japanese perspective, which she proposes is collectivistic (see also Mindess, 1999, and Moore, 1997). Specifically, the Japanese interpreter is expected to be involved with those with whom she works (having a group orientation) and the American interpreter is expected to have clear professional boundaries with those with whom she works (having an individual rights orientation). Middle-class, white (hearing) Americans, in general, would most likely consider the behavior of the Japanese interpreter unethical. This shows that different expectations are at work and these expectations, which reflect underlying beliefs and values, affect what one judges to be the most ethical course of action.

Page suggests that these differences in perceptions and expectations may parallel the difference between U.S. interpreters' perceptions and expectations (as individualistic) on the one hand and those of the American Deaf community (as collectivistic) on the other. Regarding ethics, she proposes that U.S. interpreters may be using a more individualistic approach to ethics, and the American Deaf community may be more collectivistic in its view of ethics.

To clarify the difference between these two cultural views, Scollon and Scollon (2001, pp. 144-147, citing Hsu, 1985) delineate between two views of "self." Hsu uses this distinction to capture differences between the Chinese/Asian concept of self and the Western concept of self. Scollon and Scollon take the next step and also apply these views of self to collectivistic and individualistic cultures more generally.

> What is important in studying cultural differences is not whether a society is individualistic or collectivistic in itself, but what that society upholds as its ideal... [T]he question we want to consider is the relative difference between two people in their concept of the self as an individual or as part of a larger group... Asians tend to be more aware of the connections they have as members of their social groups, and therefore, they tend to be more conscious of the consequences of their actions on members of their groups. In contrast to this, westerners, and especially Americans, tend to emphasize their independence. This leads them to be more concerned about their own freedom of activity than with their connections to other members of their group. (Scollon and Scollon, 2001, pp. 133-134)

Figure 2 shows this distinction (which we present here in a simplified form).

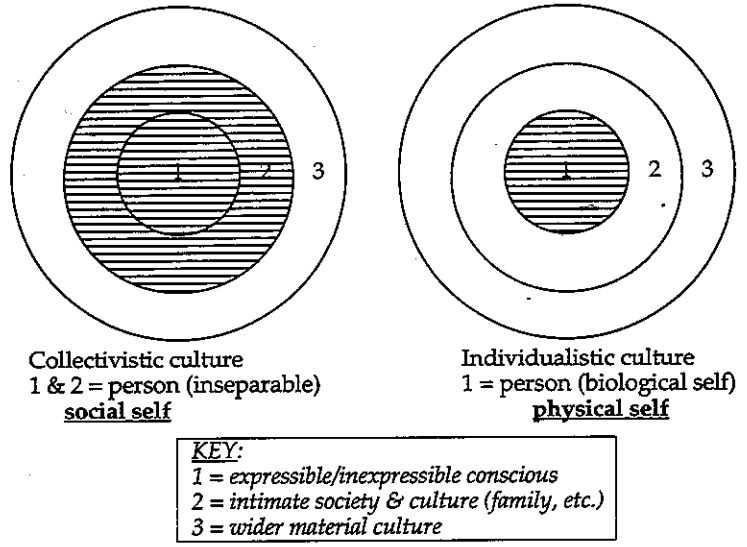


**Figure 2. Collectivistic vs. individualistic concepts of the self (adapted from Scollon and Scollon, 2001, citing Hzu 1985).**

In individualistic cultures, the self is seen as the biological or physical self; whereas, in collectivistic cultures, the perception of self goes beyond the biological to include intimate society and culture (one's family and intimate others). For both

groups, the self is seen as separate from the wider material culture. The difference in perceptions of self reflects cultural values and norms, and these have an effect on one's view of ethics, one which should not be ignored. For example, we would expect a greater sense of ethical obligation to one's "intimate society and culture" in a collectivistic culture than in an individualistic culture.

The *Multicultural Curriculum for Sign Language Interpreters* (National Multicultural Interpreter Project, 2000a) offers ASL and interpreting programs guidance in increasing awareness of and sensitivity to gender, ethnic, racial, and cultural diversity. The *Multicultural Curriculum for Sign Language Interpreters* is based on the premises that 1) interpreters compose a diverse group and work in a variety of multicultural settings, and 2) the best way to educate new interpreters is to have consistent multicultural-related activities throughout the curriculum that are an established part of the core curriculum. (See the National Multicultural Interpreter Project [NMIP], 2000, for more details.) Through various modules, the norms and values of several cultural groups are elaborated by exploring four domains: affective, cognitive, skill building, and decision-making.

In a later module of the NMIP curriculum, an annotated version of the RID Code of Ethics is presented, which addresses potentially contrasting values as represented by culturally, linguistically diverse communities. Take, for example, the annotation for the first tenet of the RID Code of Ethics:

> 1. *Keep all assignment related information strictly confidential.* This is generally interpreted to mean at the "individual" level. Many cultural communities may function at a more "collective" level including family, extended family, or other significant community persons into the umbrella of confidentiality. A family representative may need to receive information to be carried to other hearing members who may or may not be present. In contrast, in other cultural communities, there may be a heightened sensitivity to the "confidentiality" issues due to the even smaller number of individuals in a given community. There may be a stated preference for an interpreter who is not from the community. (NMIP, 2000b, p. 5)

This one example shows clearly that different expectations regarding confidentiality exist. (See NMIP, 2000b, for other examples of differences.) This example highlights the fact that cultural values and underlying ethical principles (foundations) are interconnected; one cannot exist without the other.

Interpreters, by definition, work in bicultural/multicultural settings, and it is incumbent upon these bilingual (or multilingual) professionals to explore both an individualistic view of ethics and a collectivistic view of ethics. As we have suggested, "Our professional ethics need to be sensitive to the cross-cultural contexts in which we find ourselves. Our ethics should be neither strictly 'hearing' nor 'Deaf,' but rather a carefully considered combination of the two" (Hoza, in press). In addition, an interpreter's professional ethics needs to be sensitive to the range in foundations within each cultural group.[24]

Now that we have reviewed action guides and foundations, the level of applications will be reviewed next. Applications involve decisions made in particular contexts. Following the section on applications, we discuss the impact of the three levels of analysis to ethical decision-making by, first, exploring the notion of an Interpreter Sensibility and, second, proposing a Comprehensive Model of Ethical Decision-Making for Interpreters.

## Applications and Interpretation

Applications are the ethical judgments a person makes in actual situations. Before introducing the Comprehensive Model of Ethical Decision-Making for Interpreters in the next section, this section briefly reviews some proposed models of decision-making for interpreters.

### Decision-Making Models

Scheibe (1984), Gish (1990), and Humphrey and Alcorn (1995) (see also Humphrey, 1999), among others, have addressed the decision-making process of interpreters. Table 3 provides a summary of the steps of the decision-making processes each has proposed.

Note that many of the steps among these decision-making models are similar. For example, all three include the following: 1) find out all the facts, 2) come up with possible solutions, 3) evaluate possible solutions (pros and cons), 4) choose an option and take action, and 5) evaluate or review/follow-up. Differences include defining the problem and outlining the steps of the solution (Scheibe and Gish), and using meta-ethi-

| Scheibe (1984) | Gish (1990) | Humphrey & Alcorn (1995) |
|---|---|---|
| 1. The situation: where are we in relation to where we want to be? | 1. Describe the problem clearly: what is happening? what to change? | 1. Collect all information and facts possible |
| 2. Fact-finding: who, what, how, when, where, why | 2. Find out all the facts you can about the problem (who, what...) | 2. Identify goals & relevant meta-ethical principles |
| 3. Problem definition: zeroing in on the problem | 3. Think of possible solutions: ways to change the situation (don't evaluate) | 3. Note all possible options |
| 4. Solution finding: brainstorming, deferred judgment | 4. Think of the pros and cons of each possible solution (evaluate) | 4. Identify all potential beneficial & negative results |
| 5. Evaluate ideas: criteria, listing | 5. Choose a solution to try (best choice) | 5. Review foundational goals & principles |
| 6. Implementation: commitment, target date | 6. Outline the steps of the solution | 6. Identify any emotions that may bias or influence judgment |
| 7. Follow-up: effective? | 7. Try the solution (accept responsibility) | 7. Consult with colleagues as necessary |
| | 8. Evaluate what happened | 8. Rank options |
| | | 9. Take action |
| | | 10. Review and evaluate action taken |

**Table 3. Three Models of Decision-Making.**

cal principles, identifying emotions that may influence judgment, consulting with colleagues as necessary, and ranking options (Humphrey and Alcorn).

**Differing Approaches to Decision-Making (Applications)**

As has been discussed, differences in foundations and action guides will affect how applications are approached. Take, for example, an interpreter's awareness and sensitivity to the difference in *decision-making* between collectivistic cultures and individualistic cultures. Mindess (1999) reports that *consensus arrived at by caucusing and negotiating* is the norm in collectivistic cultures, and *individual decision-making arrived at by making up one's own mind* is the norm in individualistic cultures. We argue that this difference is kept in mind by the conscientious, trusted interpreter who is working between collectivistic and individualistic cultures.

One implication of dealing with these two approaches to decision-making is that the interpreter may consult with *colleagues* as needed (as suggested by Humphrey, 1999, and Humphrey and Alcorn, 1995). In addition, the interpreter may consult with *participants* as well (as needed and when appropriate) to maintain a sense of consensus with the interpreter's decisions. This seems especially important when making right-versus-right decisions involving people from a collectivistic culture.

This consultation may take a few different forms. For example, an interpreter may do one of the following, depending on the type of decision being made:

> 1) Briefly recognize the situation and/or decision, and seek confirmation that there is consensus on the course of action,
> 2) Briefly inform the colleague(s) or participant(s) about why the interpreter is taking a course of action (for their acknowledgment), and
> 3) Quickly caucus with the colleague(s) or participant(s) regarding possible courses of action,[25] or
> 4) Make nonverbal cues (such as eye contact) to check in with the colleague(s) or participant(s) to confirm that they 'buy into', or are comfortable with, the course of action.[26]

When and why one of these options is used becomes a decision on the interpreter's part. There are certainly times when one of these options should not be used and times when such action is most appropriate.

The intention of these options is not to remove the responsibility of decision-making from the interpreter; rather, it is to maintain an open, working relationship with colleagues and participants. Each of these actions reflects a more collectivistic approach to decision-making, one that may seem foreign to those uncomfortable with a collectivistic cultural perspective.

In sum, Lombardi (1988) states that true ethical decisions involve the careful consideration of both foundations and action guides, as well as the specifics of the situation, to make appropriate ethical decisions. By carefully considering the foundations and action guides as we have reviewed them here and applying them to these decision-making models and differ-

ing approaches to the decision-making (applications), we can enhance our understanding of the ethical decision-making process, thus making decisions richer and more focused.

## Applying the Levels of Analysis to an Interpreter's Ethical Decision-Making

The ethical decision-making process of conscientious interpreters is further expanded upon below. What an interpreter brings to the ethical decision-making process is just as important as the process itself, so we begin by elaborating on the notion of an Interpreter Sensibility. We then present a new model of the ethical decision-making process: a Comprehensive Model of Ethical Decision-Making for Interpreters.

### Interpreter Sensibility

We have proposed the notion of an Interpreter Sensibility (Hoza, 1992), which is a deep, bicultural/multicultural approach to both the interpreting process and the ethical decision-making process.[27] In terms of ethics, one may think of this Sensibility as reflecting the degree to which an interpreter has a strong sense of professional ethics and cultural sensitivity as a bilingual or multilingual person functioning as an interpreter. The Interpreter Sensibility also reflects the degree to which an interpreter is aware of the impact of her ethical decisions (and interpreting-related decisions) on those in a given context. There are four components that comprise this Sensibility (introduced in Hoza, 1992, and listed here with expansions):

1) *Ethical principles* – how the interpreter interprets the action guides (e.g., code of ethics) of the field, applies foundations (underlying ethical values, including ethical pluralism), and engages in the decision-making process (applications)[28]

2) *Interpreting model (or metaphor)* – how an interpreter conceptualizes both the interpreting process (e.g., literal processing of information [linguistic equivalence], linguistically and culturally-rich interpretation [dynamic equivalence], managing interaction, etc.) and her role as an interpreter (e.g., helper, machine/conduit, advocate, communication facilitator, ally,[29] interactional mediator[30])

3) *Self-awareness* – the degree to which the interpreter has engaged in introspection to discover her own filters (such as cultural biases, personal prejudices, privilege,[31] or one's own identity[32]) that may affect her ethical decision-making, or other interpreting decisions, in unfair ways

4) *Social awareness* – the degree to which the interpreter is aware of values and norms within and between cultural groups, e.g., in terms of expectations, worldviews, power relations, shared history, beliefs, and ethical principles; this includes an acknowledgement of what one does not know and an openness to difference and learning about diverse cultures[33]

The Interpreter Sensibility is not a static description of what interpreters have accomplished; rather, it is a model to which interpreters can aspire. The degree to which an interpreter has an Interpreter Sensibility is the degree to which the interpreter has developed and mastered each of the four components of the Interpreter Sensibility: ethical standards, interpreting metaphor/model, social awareness, and self-awareness. Consider, for example, three different hypothetical interpreters, as presented in Table 4. How each of these interpreters makes decisions would vary greatly, as reflected by the degree to which each has developed an Interpreter Sensibility.

The Interpreter Sensibility model (Figure 3) is an attempt to more clearly describe how seasoned and trusted interpreters differ from those who are less seasoned or trusted (regardless of the number of years of actual experience one has as an interpreter).

The model of ethical decision-making presented below assumes that the interpreter undergoing the decision-making process has a highly developed Interpreter Sensibility, or is actively trying to develop this Sensibility. Again, the Interpreter Sensibility represents what the interpreter brings to the (ethical) decision-making process.

### *Comprehensive Model of Ethical Decision-Making For Interpreters*

The Comprehensive Model of Ethical Decision-Making for Interpreters that we propose here is composed of five steps

Growth in one's interpreter sensibility is in this direction ——>

| | Interpreter #1 | Interpreter #2 | Interpreter #3 |
|---|---|---|---|
| *Ethical standards* | -takes the Code of Ethics at face value, follows it blindly | -takes the Code of Ethics as a guide, is reluctant to ever vary from the Code | -is confident in own decision-making process, uses Code of Ethics as a guide |
| *Interpreting metaphor/model* | -follows a machine metaphor (sees self as neutral) in an ethical sense | -follows the latest metaphor/model – without fully understanding its implications | -is aware of different metaphors/models, uses critical thinking to apply them as appropriate |
| *Social awareness* | -has little exposure to another culture (including Deaf culture) | -mostly has exposure to accommodating cultural views (e.g., third culture vs. Deaf culture) | -has more exposure to cultural variation, is open and sensitive to cultural variation |
| *Self-awareness* | -has not looked inwardly much | -tries to look inwardly to recognize own biases | -conscientiously looks inward to check for bias |

**Table 4. Interpreter Sensibility is a Matter of Degree.**

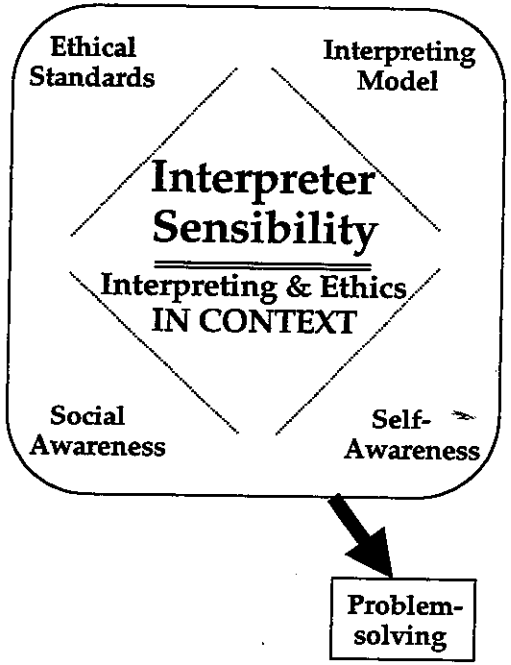


**Figure 3. Interpreter Sensibility: What an Interpreter Brings to the Decision-Making Process.**

(see Figure 4). Some steps in this model are additions to the steps in the models of ethical decision-making discussed under 'Applications—and Interpretation, and some steps include expansions based on the topics covered in this paper.

The *first step* is for the interpreter to recognize that an interpreting issue may require action on the interpreter's part. It is at this stage that the specifics of the situation are first considered (i.e., who, what, when, where, why, how). It may or may

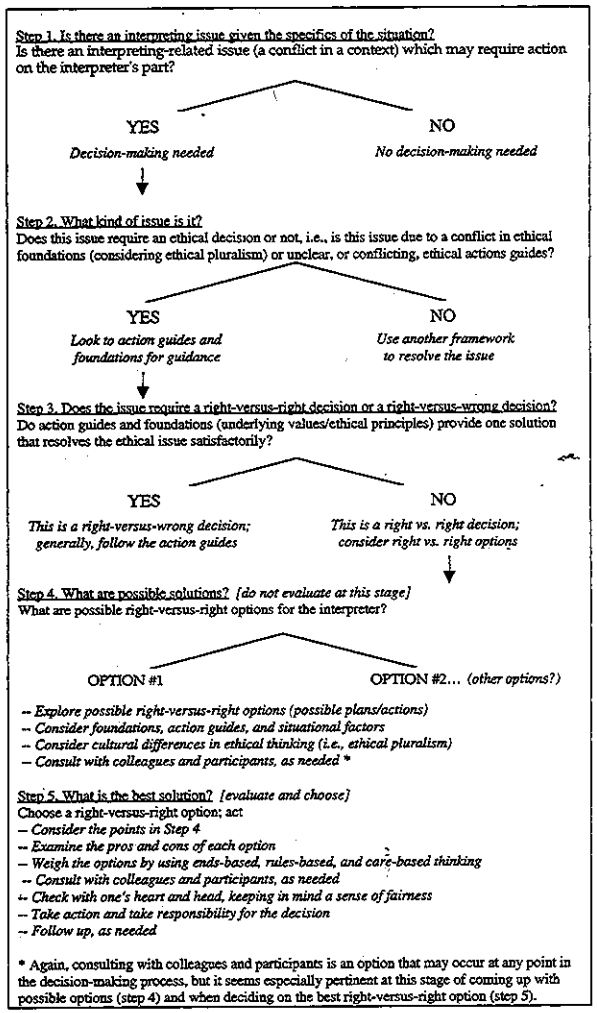


**Figure 4. Comprehensive Model of Ethical Decision-Making for Interpreters.**

not be clear whether the issue is an ethical one at this point, but an awareness of a possible interpreting issue that the interpreter must decide upon comprises this first step.

The *second step* is to determine whether or not the issue requires an ethical decision. To determine whether or not an ethical issue is involved, the interpreter looks to the action guides (e.g., code of ethics) and/or foundations (underlying ethical principles, with consideration of ethical pluralism). If the issue is not ethical in nature, then another framework—such as cultural mediation, sociolinguistic issues, interactional management, or dynamic (message) equivalence—may be used to resolve the issue.

If the issue is an ethical one, then *step three* is used to determine if action guides or foundations provide a clear solution that resolves the issue. If so, then the ethical issue is a right-versus-wrong decision, and the action guides or foundations should be followed.

If the action guides or foundations do not provide a clear solution, then *step four* is used. Step four involves coming up with possible right-versus-right plans/options, i.e., possible "right" actions for the interpreter to take. Steps four and five are the steps in which most of the ethical decision-making proper takes place. In step four, possible actions are generated, but not evaluated. The following components should be considered at this stage to come up with possible ethical options: foundations (underlying values/meta-principles), action guides, situational factors, and cultural differences regarding ethics (i.e., ethical pluralism), as well as ends-based, rules-based, and care-based thinking. In addition, consultation with colleagues and participants (as described in "Applications—and Interpretation") may take place at this stage (or other stages—e.g., step five—as necessary).

The final step—*step five*—involves choosing a right-versus-right option by 1) evaluating the pros and cons of each option, 2) weighing the options by using ends-based, rules-based, and care-based thinking, 3) consulting with colleagues or participants, as needed, 4) checking both one's heart (using the affective domain) and one's head (the cognitive domain) to maintain a sense of fairness, 5) acting on the decision, 6) taking responsibility for the decision, and 7) following up, as needed.

This model expands upon traditional approaches to ethical decision-making, while maintaining some of the steps of traditional approaches (coming up with options, looking at pros and cons, etc.).

In addition, this model offers the following: 1) a step to determine whether a dilemma is ethical in nature or not, 2) a step that separates right-versus-right from right-versus-wrong decisions, 3) a step that requires exploration of foundations and action guides, 4) a step that may involve consulting with colleagues or participants (as needed), and 5) a step that focuses on choosing the best right-versus-right decision from possible right-versus-right decisions. This model also includes the consideration of cultural differences regarding ethics (i.e., cultural pluralism) and weighing options using ends-based, rules-based, and care-based thinking, and, lastly, it includes the use of the affective domain as well as cognitive reasoning (head and heart) to maintain a sense of fairness.

## Conclusion

This paper has focused on the ethical decision-making of ASL/English interpreters, who—by the nature of their task—work in bicultural/multicultural contexts. First, the paper distinguished between an ethical decision (which involves ethical principles) and other types of decisions (which involve other interpreting-related frameworks). An ethical decision was defined as a decision between two or more possible "right" options that could resolve an ethical (right-versus-right) dilemma. Second, the paper reviewed the three levels of moral analysis proposed by Lombardi (1988): action guides, foundations, and applications. Third, these levels of analysis were elaborated in terms of how they can best be understood in the field of interpretation and in a multicultural world. Special attention was paid to 1) the range of action guides employed by interpreters (in Western countries), 2) differences that exist at the level of foundations (e.g., cross-culturally), and 3) differences in decision-making models and approaches to decision-making. Fourth, the level of applications was enhanced by the elaboration of an Interpreter Sensibility model and the introduction of a Comprehensive Model of Ethical Decision-Making for Interpreters.

The goal of the two models is to expand upon the ethical decision-making process of interpreters in several ways. The notion of an Interpreter Sensibility seeks to clarify that applications vary to some degree depending on the ethical stan-

dards, the interpreting model (or metaphor), the social awareness (cross-cultural awareness and sensitivity), and the self-awareness of the interpreter. The Comprehensive Model of Decision-Making for Interpreters elaborates on the decision-making process of conscientious, trusted interpreters. This model incorporates new steps in the ethical decision-making process and expands upon other more traditional steps to better capture the reality of an interpreter's decisions in bicultural/multicultural contexts.

The discussion of the issues in this paper and the two models presented here can provide guidance for interpreters as they struggle with right-versus-right decisions in the interpreting profession. It is hoped that the Interpreter Sensibility model and the Comprehensive Model of Decision-Making for Interpreters can provide opportunities for further discussion and growth for interpreters, whom participants trust to make appropriate ethical decisions in myriad contexts. ■

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