

## **Abstract**

This inquiry examines the norms and ethical rules that guide interpreters in a military court in Israel. The study focuses on two major questions. First, how are interpreters trained before beginning their work at the courts? Addressing this question allows examination of how training or the lack thereof, affects the norms and rules by which interpreters work. Second, are there other factors in the court setting that relate to ethical issues having to do with interpreting?

The study examines how interpreters perceive themselves, their status and their job, and considers the kinds of norms and rules that guide these perceptions. The aim of the inquiry is to identify whether there is a need for a code of ethics to guide the interpreters' work, which the professional literature claims is necessary. In addition, the investigation looks into the training process that military court interpreters go through in order to examine the effect it has on the rules and norms by which the job is done.

The research is based on field work that was undertaken at the Yehuda military court in the Ofer army base. Since the inquiry addresses ethical matters, a qualitative research design was chosen as the preferred method. Semi-structured interviews with interpreters were conducted from February to December, 2005. In addition, open-ended interviews were held with two officers from the interpreting division during each of five visits that were made to Ofer. These interviews were also based on the semi structured method: some questions were prepared and others arose as the conversation proceeded. Another tool used in the study was observation of open courtroom proceedings. The study population consisted of interpreters serving in the Yehuda court and the officers in charge of them. Nine of the eleven

interpreters interviewed were Druze; one was a Syrian Jew and one a native Israeli Jew. The two officers were Druze.

The findings of the study can be divided into three main areas. The first relates to the training given to the interpreters before beginning their jobs and during their military service. The second relates to the differing perceptions regarding the status of the interpreter, as seen in the eyes of the interpreters themselves, and other factors in the courtroom. The third relates to the daily routine of the courtroom. The findings regarding this last issue refer to the way court proceedings take place and the characteristics of the interpreters' work in the courtroom.

The findings associated with training indicate that the vast majority of interpreters at the Yehuda court were recruited without prior experience or knowledge in either the legal field or in interpreting. The initial training provided to these soon-to-be interpreters, after their arrival at Ofer was based on sitting in the different courtrooms, watching the proceedings and writing down new vocabulary. The main finding in this respect indicates that the major difficulty experienced by the fledgling interpreters was the lack of sufficient legal vocabulary.

Sometimes, as mentioned in the findings, interpreters are given an "interpreting course". The course is not given on a regular basis and is not considered a requirement for beginning work as an interpreter. The more fortunate trainees arrive at Ofer upon the opening of such a course and take part in it before they begin working as interpreters. Others may take part in the course only after several months of engagement as court interpreters. As for continuing education, it was found that occasional two to three day training sessions are given in order to enhance and to improve the interpreters' knowledge and skills. Supervision of interpreters and ongoing inspection of their work is done mainly by a high ranking officer, as well as by quizzes given at the continuing education training sessions.

As for the perception of their status, interpreters were asked about their definition of their job, about their responsibilities and about the characteristics of their

position. The findings showed that interpreters at the Yehuda court worked both as interpreters and as courtroom ushers, and that the boundary between these two tasks was unclear. When asked about boundaries and the status of their interpreting duties, all the interpreters, with no exception, referred first to their administrative duties. They also saw maintenance of order in the courtroom as the reason their job was important. Moreover, the filling of duties beyond the realm of interpreting was not seen by the interpreters as problematic. This situation counters the literature which implies that it is best for an interpreter to focus exclusively on interpreting or translating.

Regarding their daily routine, the interpreters were asked several questions having to do with 1) exceptional requests made of them, 2) the way they prepare for proceedings and 3) the way interpretation is actually done in the courtroom. The aim of these questions was to examine how the interpreters' daily routine is maintained and which rules dictate the characteristics of this routine. The findings indicate that unwritten rules determine the way the job is done. There is no formal list of rules or code of ethics to guide the interpreters or to clarify to them what is considered within the boundaries of their duties and what is not.

One of the primary conclusions of this study is that the interpreters' work in the Yehuda court is governed mainly by unwritten rules agreed upon by all. That is, the court works according to norms that are passed on through the generations. These norms are the local alternative to a code of ethics, which according to several studies in the field is necessary in order to ensure proper interpretation. On the one hand, the existence of these norms is positive and provides some kind of framework in which the interpreters can conduct their jobs. On the other hand, unwritten rules may leave many gray areas.

The findings from this study suggest that it would be highly recommendable to compose a code of ethics, suitable for the Yehuda court (and for all military courts in Israel, if the proceedings are similar). Such a code of ethics needs to provide a clear

definition of the interpreters' responsibilities and duties, a clear definition of the boundaries of the latter and reference to ways of handling various irregular situations that arise while interpreting. Examples of such situations include coping with problematic terminology, unclear rendering by a certain speaker, a problematic speaking pace, acoustic issues in the courtroom and exceptional requests made by the defendant or by any other party.

Another important recommendation which derived from this research is to conduct the "Interpreting Course" upon the arrival of new interpreters, prior to the commencement of their work. The course consists of many classes and contents that are similar to contents suggested in the professional literature. This, as found in this research, should be enhanced and more classes should be added to improve their skills. Passing this course successfully should be a requirement for becoming a court interpreter.

Finally, another important recommendation that stems from this research refers to the separation of duties. In spite of the fact that most interpreters indicated that the maintenance of order in the courtroom did not interfere with their work and that they liked the variation and the responsibilities, one must nevertheless relate critically to their multi-task job. As recommended by the professional literature, it is preferable that interpreters focus on interpreting without having to devote their efforts to other duties in the courtroom.

The above mentioned recommendations notwithstanding, the current study underscores that the interpreting routine conducted in the Yehuda court and its training structure constitute a unique phenomenon in the Israeli context. In contrast, interpreters in civil courts are not provided with any training and no inspection is conducted on their performance. The Yehuda court experience can thus be used as a constructive basis for building a system for qualifying court interpreters, for defining the boundaries of their duties, and for supervising their performance in both military and civil courts in Israel.