

1-1-1989

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### Recommended Citation

Alice McGill, *Personal Experiences of a Deaf Law Student*, 1 *Hastings Women's L. R.* 117 (2014).

Available at: <https://repository.uchastings.edu/hwlj/vol1/iss1/6>

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# *Personal Experiences of a Deaf Law Student*

*by Alice McGill\**

As I approached the doors of Hastings College of the Law, my mind teemed with preconceived notions of things to come. I conjured up images of books in my arms weighing twenty pounds, professors stalking the classroom, reports comprising ten feet of computer print-outs, and my desk lamp still burning at midnight night after night. On this first day of law school, I was ever mindful that this was another door I had reached and was opening in my life.

Showing up for my first class, I greeted the interpreter and talked to her about where she should sit. We chatted in sign language, waiting as more students arrived and filled the classroom. Suddenly, feeling hairs standing on my neck, I felt the speculation that the interpreter and I aroused. Curiosity surged through the room. I had forgotten to worry about the novelty I knew I would cause as a Deaf person using a sign language interpreter in class.

I had been made to feel different before. I was born profoundly deaf. Although my parents suspected that I was deaf because I did not talk, their suspicion was not confirmed until I was nearly three. Shortly thereafter, I was fitted with a hearing aid. It was a three-inch box which I wore strapped around my chest and with cords leading from the box to the earplugs in my ears. I did not understand why I was forced to wear this bulky contraption when neither my brother nor any of the other kids in my neighborhood did. As a result, a game ensued between my mother and me. I hid the hearing aid at the bottom of the laundry basket or purposely lost it among the apples and bananas in the supermarket, and my mother always found it.

My younger brother could ask my parents why Grandpa had a cane and where did the sun go at night, while I stomped the floor in anger, full of ideas and questions that I could not communicate.

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I had temper tantrums when I wanted to know where we were going and what we were doing and why my mother made me put on my coat. I hated surprises. On one occasion, my family and I were driving to Grandpa's house. I kicked and screamed until my parents found a way to indicate that Grandpa's house was our destination. I did not understand the existence and meaning of sounds. I was puzzled when my mother ran to the telephone and sat there for hours, never realizing that she was responding to its ring and talking to an invisible person on the other end.

Communication was the bane of my existence and the bedrock of all my struggles. For four years, I was sent to a speech pathologist who laboriously demonstrated how to make each sound of the alphabet. She showed me where I was to put my tongue and how to blow the air in order to make sounds like "per, per" or "cha, cha" These hourly sessions were long and tedious, and it often became a battle of wills between a persistent teacher and a tired and frustrated child. In spite of the years of training, I was unable to speak even after I entered the first grade. I went to a public school, relying on the limited resource of lipreading and a few helpful teachers.

In school, I watched and mimicked my classmates, running to get in line when they did and laughing when they did. I did not hear the teacher's instructions or the classmate's joke, but I learned to rely instead on visual clues. Whereas communication at home improved once I learned to talk and lipread, it remained an obstacle in school. The teacher talked while facing the blackboard and students seated behind me asked questions. On the playground, I did not hear that the game changed from hopscotch to hide-and-seek. When the other kids began to run, I thought they were running away from me. Conversation whizzed past me, my interaction with others was minimal, afterschool activities with groups of people talking at once held no interest for me.

As an adolescent, I felt my search for identity was incomplete. As a child, I had not known other Deaf children. I had never met a Deaf adult, though I had strong hearing female role models. Because of the absence of Deaf adults in my life, I believed for many years that I would outgrow my deafness when at last I became an adult. When I went to college, I discovered the missing

component: my identity as a Deaf person. I attended a university with a program for Deaf students. The program served over 200 Deaf students, providing sign language interpreting, notetaking and other services. Interacting daily with people who signed, I learned sign language quickly. Using interpreters for the first time, I ceased to be an outsider in the classroom experience. Surrounded by Deaf people who were my peers, I began to meet Deaf alumni and adults. Suddenly, I did not stand out in the crowd anymore. I could follow a conversation with ease and join in the banter. I could participate in a group meeting and respond to the announcement made in sign language. I could watch plays that were signed and movies that were captioned (subtitled). I was relieved to discover that I could interact with people, that I could make a joke, that I could belong somewhere, that I could be Someone. Communication itself was not my problem, only the mode of communication used by the majority of hearing people. In using a visual language instead of an auditory language, my struggle with communication ceased except for interactions with hearing people.

To the uninitiated person, American Sign Language (ASL) must seem captivating. Yet, ASL is not only a poetic expressive language admired by first-timers, but the language I rely on everyday in class, the language I use with my friends and in my social involvement outside law school, and the language on which my livelihood depends. Sign language is not universal. British Sign Language (BSL) is the predominant language used by Deaf people in United Kingdom, French Sign Language in France, Irish Sign Language in The Republic of Ireland. Documented by extensive research, ASL has proven a sophisticated and complex language. In English, sounds are the elements that combine and make up words. To each word, a meaning or a concept often with a specific connotation is assigned. Similarly, handshape and movement combine to form the signs used in ASL. Each sign embraces a particular concept and slight changes in shape or movement can alter the meaning of a sign. In English, the inflection in a speaker's voice conveys the tone or importance. Likewise, the intensity of the movement, the amount of space used and facial expression creates the tone used by a signer. For instance, a slight lift of the eyebrow raises a question.

There are concepts expressed in signs that do not translate into

English, and vice versa. A sign in ASL does not correspond to a word in English. As a language itself, ASL incorporates meanings and concepts that are unique to the experience of Deafness. As any bilingualist or translator in a foreign language will tell you, when there is no accurate word for something in a language, it can always be described. This is equally true for ASL. Idioms and puns differ in ASL and English, so that a joke in one language may lose its punch in the translation. Particular ideas or concepts are better expressed in either English or ASL. For instance, to indicate the relative location of one object to another, I prefer to use ASL because spatial relationships are better suited to the nature of ASL than English.

Providing me with access to the auditory interchanges by translating into ASL, a sign language interpreter bridges the communication gap. The interpreter not only translates but also alerts me to sounds like a classmate tripping over his chair or a noisy plane passing overhead. By watching the interpreter, I see what my classmates hear - the content of a lecture, the questions, the jokes, even the sneeze from the back of the room.

Contrary to popular belief, the interpreter in my class is not a law student. Many law students assume that she is explaining the class lecture but an interpreter does not retain or even completely comprehend the information she interprets. Other students believe that I sit in the classroom without receiving the information or the jokes, even when the interpreters are signing. The interpreters have been inappropriately called tutors, helpers and teachers, robbing me of credit for my work. I do not rely on the interpreters to find me the rest rooms or follow the interpreters to the meetings they want to attend; they accompany me to the events of *my* choice.

Instead of approaching me, fellow students have directed their curiosity and queries to the interpreters. Most startling are those questions to the interpreter about "What does Alice think?" or "How is Alice doing?" The interpreter cannot answer for me. Using the interpreter to communicate with me, students commonly say, "Tell her tell her." The interpreter signs to me, "Tell her tell her" I am affronted because I am being talked at.

Most interpreters are professionals who have gone through years of training and are certified by a national board. Interpreting may

be described as a mechanical process which requires simultaneous listening, analyzing and signing. The difficulty and skill lies in the simultaneity. The interpreter must retain the words she hears in memory while she is conceptually translating and signing. It's not a process of paraphrasing and explaining, but of accurate conceptual translating. The interpreter conveys what is said and how it is said.

The process takes some time. When the professor finishes her sentences, she will notice that the interpreter continues signing for another moment or two. Once in a college class with several hearing and Deaf students, the professor told a dirty joke. The hearing students immediately shook with laughter; yet we Deaf students remained silent, wondering what was so funny. A minute later, after the hearing students had become quiet, the interpreter signed the punchline and we burst out laughing.

I perceive the interpreter-Deaf student relationship as teamwork. Being familiar with the topic and having read the materials, I often fill in for the interpreters what they did not understand such as a latin phrase or a case name. I may give the correct spelling of a word or a sign for a legal concept discussed in class. The interpreter and I share laughs when the interpreter makes a play on signs like one would make a play on words in English. The incompatibility of sign language and English come up frequently during interpreting, striking the interpreter and me as funny.

People often believe that although I do not grasp spoken English, I can rely on lipreading. Lipreading is a poor substitute for hearing because only thirty percent of the English language is visible on the lips. Many words look alike such as "all of you" and "I love you" or "pat" and "bat". Lipreading is an educated guess of the word from the context. If it is dark or if the person is facing away from me, lipreading is an impossible task. A beard, a hand or an accent may obstruct lipreading. I never understood my grandmother because she had a thick brogue. Furthermore, lipreading is tiresome. Unlike the ears, the eyes work as a muscle, requiring concentration and producing fatigue.

Deafness affects me in the world of auditory language like English affects an immigrant who arrives in the United States without knowing the language. Like the foreigner, I rely on gestures and visual cues to fill the communication gap. The difference

between me and the foreigner is that her condition is temporary; she can learn English, but I cannot learn to hear. Like me, the foreigner has a language and a culture of her own. However, she is not disabled; she only seeks a way to adapt and cross the bridge between her language and culture to that of the United States. Likewise, as a Deaf person, I do not feel disabled, but also seek ways to bridge the gap.

Hearing people define Deafness as a disability and perceive me as a disabled person. This perception clashes with my perception of myself. I admit that in a world which relies on hearing and speaking, Deafness presents difficulties. Yet in another world, a world relying on seeing and signing, Deafness represents the core of my identity and my way of life. For me, being Deaf means sharing a language, a culture and a heritage with other people. Likewise, within the Deaf community, Deafness as a disability is not part of the common outlook. As Deaf people living in a predominantly hearing world, we perceive ourselves as a cultural minority.

The view of Deafness as a disability focuses on loss and projects emptiness. Yet, I feel my life is full and rich. I have a language on which my eyes and mind feast. I am enchanted by sign language storytellers who capture the Deaf experience in the tradition of folklore. I feel a connection with the Deaf people who came before me as if they were my ancestors. Their lives and struggles have made progress for Deaf people for which I am indebted. I am part of a heritage that was cursed by Aristotle who equated being Deaf with being dumb. I am also part of a heritage that was blessed by a French monk, L'Eppe, who attempted to incorporate the various regional sign languages into one national language in France. I am a participant in making history that triumphed in the protest and subsequent selection of the first Deaf person as President of the 124-year-old Gallaudet University, the sole college for Deaf students in the world.

I become nonplussed at questions about how much hearing loss I have. Membership in the Deaf community is not determined by one's degree of hearing loss but by one's identification with the language and cultural values. I have a friend who identifies herself as Deaf although she has sufficient residual hearing to understand speech and use the telephone. On the other hand, not all persons

with hearing loss interact with the Deaf community. A person who has sufficient hearing loss to be considered profoundly deaf may identify herself as hard-of-hearing or hearing-impaired and not Deaf. Similarly, the Deaf community also includes people who are not deaf. They hear but are competent and familiar with the language and cultural values of the Deaf community. Some of them are interpreters; others are children of Deaf parents.

Among Deaf people, there is a sense of kinship. Traveling across the country, I meet Deaf people in buses or at airports with whom I feel an instant bond. I know the relief with which I have been greeted by a Deaf tourist in Berkeley who noticed me signing to a friend. There is an unconditional acceptance and an unspoken understanding between two Deaf persons, whether strangers or friends; we share the experience of being Deaf.

Members of the Deaf community value events which draw them together and will travel long distances to attend these events. Friends and acquaintances greet each other with affectionate hugs and part with more hugs like members of an extended family. Naturally, the vast diversity among Deaf people will divide the Deaf community at times. However, when necessary, people will put aside their differences and unite in a common cause. Only with Deaf people would my admission to Hastings be announced as "One of Us is going to law school" and followed by a round of applause and cheers. The Deaf community, regardless of where I live, will always be a part of my life. When I struggle to communicate with hearing people, when I receive insults about sign language, when I face unfair treatment by people ignorant about Deafness, I go to the Deaf community. There, I can find solace, knowing I am with people who live the Deaf experience.

The mishaps and frustrations experienced when Deafness presents a barrier in the hearing world becomes an object of laughter when I share them with other Deaf people. We are familiar with the hazards of signing when a flying hand knocks a glass from the table or whacks someone in the stomach. Walking while signing with a friend has resulted in encounters with parking meters and telephone poles. Romantic candlelight dinners are boring when it is too dark to see the other person talking. I have been in situations where I have attempted to sign with my hands full. Less funny are

the times at the airport when the overhead voice announced the change of a flight or gate, or on the road with a stalled car and the only telephone is without a teletype device for the Deaf (TDD).

Moving between the Deaf community and the hearing community, I am aware how the cultural customs of one community are divergent from that of the other. I catch myself behaving in a way that is appropriate for interacting with Deaf people when I am among hearing people. For instance, I interrupt a hearing person at the wrong time or I tap a stranger on the shoulder to ask her a question or to pass her, instead of using my voice. I think to myself: "that was a very Deaf thing to do, Alice." A Deaf person trying to pass another may gently push the other person aside till she passes. No one would hear the person standing behind saying "excuse me, excuse me." The cues for interrupting a person differ for hearing interaction and Deaf interaction.

The amount of physical contact in the Deaf community may annoy the hearing newcomer. If I were busily conversing with another Deaf person, I would acknowledge the presence of a third Deaf person by a pat on the arm as if to say "hold on a minute." In a similar situation, a hearing person would glance or look at the third person. If the Deaf person did that, she would break the conversation because she is not watching the signing. Or the Deaf person may put a hand on my shoulder as an indication that he wants to talk to me at the next stopping point in the conversation. To get the attention of a Deaf person or a crowd of Deaf people, I would wave my hand or flick the lights.

Similarly, I have been asked why the interpreters automatically begin signing their conversation when I walk into the room. This is a courtesy demanded in the Deaf community. Upon introduction to a Deaf person, a hearing person who signs competently is expected to inform the other that she is not deaf and explain why she signs. She may say she is an interpreter or that her parents are deaf. While talking with me, my hearing friends are careful not to run and answer the telephone without letting me know that the telephone is ringing. In a mixed group, a hearing person using her voice to gain control of a conversation or get attention is rude.

Eye contact is required for reading sign language. As a result, eye contact has significant cultural meanings. If a person were to

look away from another who is signing, she has ceased listening. The abrupt breaking of eye contact is impolite, ignoring the other person in the middle of a conversation. Even when I am speaking with hearing friends, I automatically stop talking when the friend turns around or walks in front of me, forgetting that she can hear me without looking. In a discussion about eye contact among Deaf people, a Deaf friend said she thought that arguing in sign language was difficult because eye contact was required, which is uncomfortable when she is angry at the other person. A hearing friend, the child of Deaf parents, interjected that he hated arguing with a Deaf person because she could turn around or close her eyes to cut him off in the argument while he was still yelling and signing. Physical contact, eye contact, and mannerisms in specific situations are a few examples of the mores that are deeply embedded in the Deaf culture.

The expenses, limited choices, and inconveniences of Deafness are manageable, although frequently a source of frustration. Being Deaf is expensive. The decoder, the TDD and the flashing light for the doorbell are examples of expensive but necessary appliances found in Deaf household. Hearing aids require maintenance and run on a steady stream of batteries. Sign language interpreting is an essential and costly service. Being Deaf can also be inconvenient. Telephone calls to complete errands or make appointments are major hassles when the other person does not have a TDD. I must use a relay service, a time-consuming process where an operator will relay the messages between the TDD and the voice phone. I envy the ease with which a hearing person can pick up a phone and bark out an order in two minutes.

More seriously, Deafness means a limiting of choices. I may be admitted into any university, yet I am limited to attending those schools willing to provide interpreting services. Lectures such as a political campaign speech or a panel of speakers that are open to the public are inaccessible for me if an interpreter is not present. I have a list of movies and television programs I want to see, but which still have not been captioned. Plays are not a source of entertainment for me because I cannot follow the dialogue, nonetheless I remain curious about the enjoyment that I may be missing.

The toll that Deafness takes lies in relating with people. Deafness cuts me off from those who do not sign. Similarly put out of my reach are those people who are not sensitive to my reliance on visual cues. Deafness separates people from people. The pain of Deafness arises when I try to communicate with nonsigners. I would like to jump into a heated debate or engage in idle chitchat with strangers standing in the bank line. But if others do not sign, I am left out. I have learned that bits of information gathered from conversing with other students outside class may be crucial in comprehending difficult legal concepts. I realize that people avoid me because talking with me takes patience and energy. I confess that I have refrained from conversation with non-signers because my eyes are tired from watching interpreters or lipreading all day. I may stand surrounded by people talking, joking, and gossiping, but their voices and words elude me. That is isolation at its keenest. Though the feeling is part of being Deaf, I never get used to it.

I struggle with the label of "handicapped person." I lose my patience when I encounter again and again the stereotype that Deaf means dumb. People have questioned my right to be at law school, forgetting I took the same test and the same route here that they did. I strongly resent the insinuations that because I am Deaf, I am not capable. I become irritated when students ask me if I'm taking the bar exam. Do they believe that I am attending law school for recreation? For many, I am the first Deaf person that he or she has ever met. I begin to wonder how I can retain my individuality and justly represent the entire Deaf community to a person who has never met a Deaf person. If I use my voice or tend to be quiet in class, will the person think that all Deaf people use their voices and rarely volunteer to answer questions in class? If I do not do an impressive job, will that person think of Deaf people as incompetent when it is just my lack of talent in that area?

I have made headway from the first day I walked into Hastings. To some people, I have lost the aura of strangeness and have become approachable. I have opened their eyes to Deafness and sign language, and discussed the legal issues concerning the Deaf community with several students, professors and administrators. I remember repeated incidents in which I bristled against being singled out. During an Orientation for incoming students, a mock class was

held in which a third-year student acted as a professor, randomly selecting names from a roll sheet and interrogating us about the cases we had read. Upon calling my name, the student paused when I responded. Instead of firing the questions at me as she had done with the other students, the student gingerly asked if I wanted to answer the questions. Shaking with humiliation before 120 people, I knew my voice came through loud and clear that I would answer her questions. Much to my chagrin, professors and students would subject me to this "different" treatment again and again throughout the year. Like the student who played the professor, some people made their mistakes only once, having changed their perceptions quickly.

As an attorney who is Deaf, I realize that I will continually be challenged as I venture into the legal profession. Although more Deaf people are going to law school and working as attorneys, the number of Deaf people in the legal profession remains small. In a field where most professionals have never worked with or even met a person who is Deaf, I will, by my presence, be educating people about Deafness and seeking inclusion in auditory communication.

Working for the Deaf community, I will join in the struggles of Deaf people in education, employment and social services, where accessibility remains limited. Young Deaf children are mainstreamed into public school without the benefit of direct and accessible communication with their teachers or peers. Employers are reluctant to hire Deaf people, confusing communication with capability and deafness with intelligence. A distribution of TDDs and availability of interpreting services among government agencies, private businesses and schools, a national relay service, interpreting and captioning of all public forums and television programs are goals toward expanding accessibility and including Deaf people into the greater society.

These goals for accessibility and inclusion intertwine with those of my personal life. More than knowing the language and the culture, I know what it means to be Deaf. I bring to the Deaf community my life experience as a Deaf person, having fought the same battles as other Deaf people. Growing up, I was an outsider. Without understanding the spoken word, I was excluded from an education beyond books, the convenience of the telephone, the enjoyment of television and radio entertainment, and rapport with

my peers. My motivation stems from a desire for Deaf children to have what I did not. They will grow up in a society where they can fully participate and communicate, select any university or employment without regard to their hearing loss or need for interpreting services, and stand proud as members of the Deaf community and as citizens of this country.

To me, accessibility to auditory communication represents doors - doors that may be opened or closed. Over the years, I have stood in many doorways, staring at doors that would not open. With the wisdom of maturity and experience, I now refuse to accept that the doors are closed. However, the act of opening these doors is a sharing of responsibility. Like any act of communication, it is a task impossible to accomplish alone.