

Discourse and Silencing

EDITED BY LYNN THIESMEYER

DISCOURSE APPROACHES TO
POLITICS, SOCIETY AND CULTURE



Discourse and Silencing

Discourse Approaches to Politics, Society and Culture

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Volume 5

Discourse and Silencing: Representation and the language of displacement
by Lynn Thiesmeyer

Discourse and Silencing

Representation and the language of displacement

Edited by

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To Jonathan (1914–1997)
and
Janet Thiesmeyer

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CHAPTER 1

Introduction

Silencing in discourse

Lynn Thiesmeyer

Silencing in discourse

In the late 1970s an American minority writer spoke of the silencing that she felt had been imposed upon her by an inhospitable literary and social climate. In response, she chose for a time ‘a silence which I had imposed upon myself’.¹ Such a choice, though apparently simple, rests on an important distinction: that between silence and silencing. It says that choosing one kind of silence may be the result of another, imposed silence from a wider sphere. It also shows the contradictory nature of silencing, the fact that it operates through discourse itself.

The object we are calling ‘discourse’ here consists of publicly accessible language and other forms of expression that circulate widely and consistently throughout a society. They include straightforward uses of language in exchanges of information as well as forms that comment on, analyse, entertain, or criticise other forms and their social contexts, for example literary and artistic expression, scholarly work, and legal and editorial decisions. Such publicly learned and publicly used language has social frameworks and functions. These are the subject of discourse analysis. Discourse analysis here refers not only to specific analyses of language structures and usages. It also refers to a conceptual evaluation of the relations among language, social norms, and political actions and ideologies. The essays in this volume look at social and political situations and analyse the discourses that are used and not used within them. How, where and when certain discourses are used is equally important as what they say and leave unsaid.

Silencing takes place where there is discourse. It is most effective when another discourse is used to designate and enforce the area of silenced material

and eventually to fill it in. Silence can be, or can seem to be, the result of personal choice, but silencing clearly involves choices made by other people as well as by the potential speaker. The action of silencing is accompanied by social and political judgements of what is acceptable and unacceptable. For this reason silencing offers the chance to see how discursive actions operate within the social field. Silencing can produce different forms within a community of discourse: unwanted silencing, complied-in silencing, even unrealised or, as in the quotation above, self-imposed silencing. To begin to understand silencing, then, we must not only look at the imposition of one discourse on another, but also at the social and discursive boundaries among imposition, compliance, and self-silencing.

The essays in this volume define silencing as a way of using language to limit, remove or undermine the legitimacy of another use of language. They demonstrate the numerous discursive means through which silencing can be effected, and few of those ways are coercive.² To the contrary, silencing is a process that works best when disguised, that is, when it displaces the silenced material by means of another discourse, or conceals or filters the unacceptable material through a discourse that is more acceptable. In the most effective examples of silencing, the silencing process itself, and thus the very existence of excluded material, are also concealed (Conklin, p. 244).

The kinds of silencing examined here are of political dissent, testimonies about rape and about domestic violence, tacit meanings in conversation, discourse by and about minorities, the discourse of incarcerated individuals, and artistic and personal expression. The shared feature among these diverse types of silencing is that they contain their disguises within themselves. In these essays, a government justifies censorship as being in the interest of the national welfare; police authorities offer statements about a minority population in lieu of direct statements from that population; political campaign rhetoric justifies its use of ethnically biased statements; courtroom cross-examination allows certain kinds of witness testimony while silencing others; the members of a society are markedly disinclined to report known incidents of domestic violence; a speaker's tacit meaning is ignored or misinterpreted due to culturally constructed explanations of silence by gender or regional difference; a performance artist who makes her living through expression finds many of her themes in the lack of communication within her society; social undesirables are isolated inside a penal system where the rest of the society can talk about, but never with, them.

These examples range geographically from North America to Japan and from Europe to New Zealand, yet they have important things in common. In

comparison to silencing by totalitarian repression, these are enlightened forms of silencing. They supply other language in the place of the silenced material, thus offering a simulacrum of freedom of expression or of choice among discursive alternatives. In societies or polities that do not prohibit freedom of speech itself, there remains the problem that illocutionary power, the power to make oneself heard and to obtain an appropriate response, can still be 'circumscribed by someone else's speech' (Langton). When this type of silencing is at its most effective, it obscures both the realisation that silencing exists as well as any awareness of its social and political uses (Eto 1982; Jansen 1991; Conklin 1997).

In presenting these issues the volume has two aims. The first is to present both exemplary cases and theoretical notions of discourse and silencing in the fields of social sciences and humanities. The other aim is to present the study of discourse in these fields as a cohesive background to a diverse whole. The contributors' fields, though distinct, all arise from, comment on, critique and re-enter the discursive fields of our own and each other's societies.

While readers will be able to think of many occasions when overt silencing has occurred, scholars are now beginning to investigate the many disguised forms of silencing. Yet whether silencing is the imposition of silence, the choice of silence when a preferred use of discourse is blocked, or a discursive strategy that seeks to privilege some speakers over others, it is found where discourse is found because it most effectively operates through language.

Discourse and silencing across academic disciplines

The main academic disciplines represented by the writers in this volume are discourse theory, critical psychology, anthropology, linguistics, pragmatics and discourse analysis. They share a discussion of silencing as a performative category of language, that is, as one having obvious material consequences. They contextualize silencing as arising from and producing acts that make it easier for certain entities (individuals or groups) to speak and be heard in their preferred forms while at the same time making it more difficult for others. To be sure, similar balancing acts occur on a daily basis in many kinds of verbal and textual interactions. It is an unusual speaker or writer who does not edit a desired expression in line with a consideration of his or her audience.

The essays within this volume, however, consider silencing as an act, whether single or repeated, of unequal negotiation that has larger personal, social and global consequences.³ It is an act that attempts to create or maintain a relationship in which the social value of the exchange is at least apparently or

symbolically unequal.⁴ This process is not simply circular or self-reinforcing but rather is subject to shifts, and constantly participates in the creation of new relations. The same speaker may be in a less advantageous position on one occasion and a more advantageous one at another time or place. This volume also puts forward a theory of silencing in which silencing designates both discursive acts and their social frameworks. Because silencing is seen here as a discursive act, the first object of investigation is the presumed relation between language and silence. Rather than treat silence as a natural effect of the absence of expression, the authors look at silencing as an active and socially constructed practice.⁵

In previous works on the broad category of ‘discourse’ there have been two main approaches. One is the linguistic approach taken by pragmatists, discourse analysts, and textual critics (including literary critics) who use specific linguistic data and case studies of verbal and textual discourse. The other is the approach taken by theorists from the social sciences and humanities who relate philosophical, cognitive, political and economic concepts to the manifestations of discourse within an entire society or set of political institutions. There has traditionally been a gap between these two. The gap is narrowing, but very slowly, and there is still an unequal relationship between them. It is much more likely that a work of analysis will make reference to a theoretical notion of discourse than that a theoretical work will make reference to particular verbal or textual examples. This volume attempts to narrow the gap between the two approaches. It makes both available to the reader and examines the validity of discourse theories against actual discursive practices. The consideration of silencing here as a field of discourse in itself is meant to encourage new practical discourse approaches as well as new critiques of theoretical work.

In scholarship on politics and society, silencing has been linked to relationships of ‘authority’ and ‘power’ in categories such as gender, class, sexuality, race, postcolonial relations, or government intervention in citizens’ lives. Silencing has thus been represented as part of a process that gives rise to or contributes to social hierarchies. The discursive methods and functioning of silencing, however, have not been investigated. Further, the terms and categories of ‘power’ in current usage are at best imprecise. Critiques of them by language philosophers and sociologists of language are of importance to this discussion, and facilitate an investigation of discourse and its relation to silencing. A brief discussion of these categories and critiques of them is given below.

A significant, if not universal, assumption of discourse analysis in different scholarly fields is that participants in linguistic expression are using strategies reflective of hidden or obvious social structures. The social theory of Michel

Foucault, Pierre Bourdieu, and Jean Baudrillard presumed that there were continual power negotiations, suppressions, and resistances occurring tacitly throughout our auditory and visual forms of expression (Foucault 1972, 1989; Bourdieu 1991; Baudrillard 1983). Critical discourse analysts, on the other hand, present data from everyday written and spoken language to reach somewhat similar though more specific conclusions about social categories and issues. The conceptual understanding of the issues they describe is based both on the social understanding of discourse and on the linguistic analysis of it (van Dijk 1984, 1987, 1993, 1997; Fairclough 1995; Caldas-Coulthard & Coulthard 1996; Fairclough & Wodak 1997). The result of these approaches to discourse has been to place language within its social function, as a practice that both actualises the relationships between its practitioners and delineates their relative statuses in the multiple social fields in which social actors can simultaneously participate.

Here, questions of knowledge formation and content – how everyday, personally or socially held types of knowledge come into being – overlap with studies of discourse. Theories of language, its social content and function have underlain the efforts of the humanities and social sciences to represent the discursive constructions and filterings of knowledge. They have also pointed to the unspoken privileging of certain types of knowledge over others. Most of these theories rely on the notion that accepted forms of knowledge are constructed from discourse and in turn construct discourse. They also point to important exceptions that allow accepted discourse to change with changes in interlocutors and changes in the social or historical field.

Michel Foucault was trained as a philosopher and psychologist. He saw discourse as a set of global structures that work through societal institutions (such as education) to filter accepted types of knowledge. For Foucault, such institutions formulate and reformulate knowledge, thus providing their participants the means to the kind of power or status such knowledge confers. Foucault discussed discourse as a meta-category of language use that includes thought, behaviour and institutions. He placed emphasis on the discourses developed within educational systems, politics, medical and governmental institutions, and the institutions and practices for the transmission of scientific knowledge. In his view publicly circulating discourses were both produced by these social institutions and systems of action, and in turn produce and continuously maintain them. Discourse would thus try to prohibit and exclude categories of thought and knowledge and their forms of expression that do not maintain a social status quo.

The political philosopher Jürgen Habermas has critiqued Foucault's argument as tautological. That is, Foucault says discourse is linked to something called power, is produced by power, produces power, and reinforces power. Yet he does so only within an explanatory system where power and discourse have historically come to define each other.⁶ Feminist and gender theorists of discourse also critique Foucault's notion of discourse for its neglect of resistance or change within the social ideology as well as its vagueness about the origins and specific practises of power exchanges.⁷

The sociologist Pierre Bourdieu rendered Foucault's abstract argument in terms of socially maintained authority relations, which may be political, legal or religious authorities behind the accepted or prevailing discourses of a society; and of status networks, which consist of individuals' multiple statuses in the various social fields in which they participate. This mechanism of determining the relative status of speakers, and therefore the social meaning of their utterances, Bourdieu called a 'linguistic market'. According to this theory, in speaking, speakers seek to 'sell' themselves, or make themselves accepted/interpreted, on a social 'market' that consists of collectively used modes of expression and interpretation as well as of speakers' individual stylistic differences. The economic metaphor was meant to suggest that discourse should be interpreted as a medium of exchange between its users, with the emphasis on the function or goal of the exchange in a given social context. For Bourdieu, the publicly circulating or collective discourse of a society is used by its speakers as the symbolic marker of their relative social status in a given situation. He represented discourse as a forum in which linguistic cognition and interpretation are subsumed within speakers' recognition of their relative social relationships. That is, for Bourdieu the social relationships among interlocutors determine much of the way in which their statements will be interpreted. It is the interpretive strategies available within the society or smaller community that mark discourse off from simple grammatical usage. Further, these social relationships and their discursive markers can change or multiply depending on the speaker's audience and his/her position in relation to them at a given moment. Within this theory, Bourdieu points to a kind of naturally occurring 'censorship'. Unacceptable discourses will seldom be articulated by the sort of personal or institutional authority from which they could be publicly disseminated, thus confirming their status and that of their users as either marginal or only acceptable within very limited situations. This sort of tacit censorship also includes the self-censorship that occurs with the users' implicit knowledge of the social situations in which certain discourses become unacceptable.

In more abstract terms, the political philosopher Niklas Luhmann asserted that whereas the human and social environment is complex, the internal system of a society and its discourse are simpler and more consistent because they filter that environment through unified systems of expression. For Luhmann, any sort of knowledge that comes to us about anything must come through language or expression, which means that it has already been filtered through the system's discursive categories. What Luhmann sees discursive systems doing is filtering knowledge (of the complex external reality) into information (which is simplified and internally consistent).⁸ Portions of the external reality will thus be filtered out or excluded, along with knowledge that such realities exist. Further, communication within the system can confer the power to select one's own and others' actions. It does so when its user is in a (social, systemic) position to select and express certain actions and decisions that will directly affect the actions of others. More subtly than physical power, such discursive power makes those within the social organisation aware of the consequences of choosing non-compliance: 'alternatives, unpleasant for all the participants, do exist.' Luhmann's examples of 'unpleasant alternatives' include the breakdown of the kind of cooperation that is necessary for survival, and the wholesale discrediting of non-compliant individuals (*Differentiation of Society*, p. 151).

It is important to notice that Luhmann stresses here that compliance with an authority discourse can be maintained on the basis of 'awareness' of possible unpleasant alternatives rather than on the coercive use of unpleasant alternatives themselves. The power of a discourse to exclude some forms expression and knowledge while including others lies in the discursive system's ability to preclude challenges. It can do so because, as a widely circulated expression of values or beliefs, it makes the social penalties for non-compliance known without having necessarily to resort to them. When there is universal knowledge of how to actualise one's need for cooperation and legitimacy and avoid being discredited or denied cooperation, there is less need for enforcement. Social discourse inculcates a knowledge of the ways these preferences and dislikes can be acted upon; the users do not need to be constantly reminded of the possible consequences of their choice of behaviours.

The essays in this volume consider specific examples of silencing that appear as self-silencing. They include the unwillingness to discuss domestic violence and the traditional gender roles that underlie it, the unwillingness to challenge official views of a minority population, and the difficulty a witness has in wresting a courtroom narrative away from the attorneys who manage it. These are salient examples of the ways in which social and political situations encourage their users to accept certain kinds of language and content while

relinquishing others. Luhmann's view, as we have seen above, was that the participants in the discursive system can seem willing to silence themselves or to express certain things while choosing to repress others. Any assumption that there is a static boundary between chosen and imposed silences, then, must also be questioned.

At the same time that some discourses are being silenced, acceptable sources for knowledge and information are being identified and reproduced. The choice of sources for information, and their relation to pre-existing categories of knowledge, have been discussed in work on linguistic exchanges as well as in work on academic and educational silencing.⁹ Sources here are defined as those whose statements of judgement within the public sphere hold authority but who themselves operate in a confidential or relatively inaccessible sphere. Police, government agency officials, the media's editors, producers and sponsors, and academic review boards make decisions outside the public arena and often without the public's knowledge or participation, but these decisions restrict the knowledge that becomes available to the public. It is this originary silence, the deprivation of *access* to expression rather than the lack of it, that acts to produce silencing. In more general terms, Chouliaraki and Fairclough discuss this as the 'coding' of information to make its content conform to a set of social or institutional rules (1999). What is at issue here is the notion of a concealment, privatization, or chambering of the information decisions that edit the knowledge base and thus the expressions of population groups in a society. In order to understand the production and transmission of certain forms of knowledge and the exclusion of others, the essays within look closely at what kinds of knowledge sources are considered believable or authoritative, and how they are sustained.

Similarly, discursive assimilation is the encouragement of a different kind of discourse production from those who are to be silenced, restricting them to acceptable forms in which to break their silence in lieu of the forms they might independently produce. Silencing as assimilation takes unexpected forms; even the process of breaking a silence can be a form of silencing. Being forced to speak can impose forms of expression and forms of affect on individuals different from the other forms of expression, including a chosen silence, that they might have produced. Wendy Brown calls this 'compulsory discursivity' (1998). There is a similar tendency in educational systems and academic discourse, as Moran (1998) shows. The production of accepted rather than critical discourse is achieved through academic systems such as tenuring, peer review, and editing or publishing controls. It also arises from the need to obtain government and private funding for research, funding that will normally go

to 'acceptable' topics as judged by previously accepted standards. The consequences of such controls extend beyond educational institutions. As a form of social control, academic or educational discourses are quite effective as they will reach the entire population in nations where education is universal. Regarding similarly broad forms of social control, works by van Dijk (1984, 1987, 1993), Garnham (1990), Sarangi and Slembrouck (1996), Schiller (1995), Jansen (1991) and Mumby (1993) discuss a range of institutional forms that result in silencing. These have in common the discursive reproduction of accepted content within global information systems that include the mass media and educational institutions. In these works as well as those of Luhmann, the goal of using discourse to silence other discourse is to remove the potential for an audience to obtain the unacceptable discourse. That is, the audience will be rendered incapable of hearing or noticing the existence of certain discourses because they differ too much from those normally used within the daily life of the community.

Yet scholars in fields ranging from history to critical discourse analysis also consider the notion that discursive ability holds the potential to turn against received ideas, social systems, politics, or morality. A major function of silencing is to contain this potential for opposition by identifying categories of persons and ideas about which speech and texts will be unacceptable, that is, categories of forbidden speech and 'forbidden reading' (Manguel 1996). This process is complemented by the circulation of acceptable speech and texts that express some things at the expense of others; it is thus a discursive displacement. Its effect is to remove certain kinds of texts or speech from circulation but without necessarily censoring the texts or speech themselves.

Despite the operation of discursive silencing, the distinctions between those discourses which can be heard and those which cannot are constantly shifting. Some theorists have taken the view that the essential nature of discourse is unstable, that it is constantly shifting over time and within minute social frameworks (Bakhtin 1981; Lecerle 1990). Bourdieu's work also describes this 'diversity' in some detail.¹⁰ Likewise the silenced, precisely because they do not seem to speak, have always to re-invent a 'new' idiom in order both to rupture their silencing and to appeal to potential listeners. It is not enough simply to speak if one's speech is not heard or understood. From this perspective being silenced is being rendered inaudible, and resistance to silencing is making oneself heard. The writers in this volume point out that the effort to become *less* inaudible is endlessly repeated for the silenced in these essays: prison inmates, the Jews of Central Europe, participants in Aboriginal-White land disputes, the targets of domestic violence, plaintiffs in a rape trial, or citizens under

government censorship. These groups and individuals are silenced both by the denial of attention and by the concurrent belief that since they are not being heard from they are therefore not trying to say anything. In such contexts, it is the acts of *non*-speaking that conform to accepted norms. In these situations, Habermas says, we have the responsibility to ‘examine not only the ... de facto currency of the norm in question, but the rightness of this norm itself’.¹¹

The issue defined as ‘free speech’ has been debated for over a decade in works on the question of censorship in democratic societies. Another kind of silencing related to this issue is the censorship of visual or verbal representations of others’ (not one’s own group’s) supposed sexual, ethnic or racial characteristics. There have been two particular testing grounds for these debates: pornography, especially sadistic and degrading pornography, and hate speech against ethnic, national or sexual minorities. From a discursive point of view there are three issues involved. One is the legal or social appropriateness of censoring representations based on mainstream or subjective constructions of ethnicity, gender or sexuality. Another is the issue of proving or disproving that discourse leads to behaviour, especially behaviour that is harmful to members of the society. The third is the issue that permitting sexually degrading or ethnically biased expressions in public can be another form of silencing, one that prevents its targets from having the larger society recognise the harm that such discourses may inflict on them.¹²

The silencing dealt with in this volume, however, is somewhat different. The eight essays within the volume deal with specific cases of silencing or situations of silencing. Their ultimate quest is not only for ways to identify a relation between forms of expression and, for example, harmful behaviour towards the persons they depict. It is also about how the identification of groups and discourses about (not by) them arise, and how such discourses are used to construct these entities as silenceable. The theory of silencing here focuses on the access to means of self-representation and the restriction of such means.

A theory of silencing

Discourse, knowledge, and practice

The theory of silencing is based on the claim that discourse is something that constructs and edits our knowledge, which in turn shapes our choices of how to act. The contributors to this volume are mainly concerned with the type of silencing that operates through institutions that are, paradoxically, presumed

to contain mechanisms for the control of biases and repression. These institutions, which are the schools, laboratories, courtrooms, free press, political democracy and individual freedom of modern societies, nevertheless promote certain kinds of knowledge and neglect others. The essays show how the knowledge that is discursively promoted accompanies behaviour: in personal interactions, in editorial decisions in the media, and in acts of policy on the legal and national levels. The specific situations, means and consequences of silencing within these social and political frameworks are the objects of analysis in the essays below.

The present volume distinguishes silencing from silence as a function within the field of discursive negotiations. The topic of silence itself has for some decades been well represented in literary criticism, fine arts criticism, philosophy, pragmatics, and discourse analysis. The works on silence in these disciplines propose that texts can be read, utterances heard, and works of art appreciated for their silences as well as their expression. Tannen's and Saville-Troike's earlier collection *Perspectives on Silence* (1985) and Jaworski's edited collection *Silence: Interdisciplinary Perspectives* (1997a) offer ways to interpret silence as a range of forms or frames within various cultural settings and within various forms of expression, including the arts. Silencing, however, includes the act of (illocutionary) force on others' behaviour and the reactions to that act among its targets. The action and reaction can occur because of the social frameworks enabling them, but they also impact in turn on these social frameworks, reinforcing, altering or resisting them.

In the particular cases examined here, silencing results from an act of language where language is used in order to enable some kinds of expression and to disable others.¹³ It is worth re-emphasising that these kinds of silencing occur through the use of language to deny language. According to Foucault, for example, one of the most effective tools for excluding or controlling types of knowledge and behaviour is discourse, understood by Foucault as the articulation of preferred social ideologies. For Foucault, knowledge itself was a constructed product of acceptable discourse; thus those ideas or populations that we place outside our usual modes of knowledge are effectively silenced. For Bourdieu, discourse was a fluid set of linguistic negotiations on the 'market' of social interaction, and 'power' within those interactions was mainly symbolic rather than material. Bourdieu's notion of censorship is closely related to the theory of silencing here in that he proposes that access to a discursive field in society is controlled through the allocation of value to certain kinds of expressions. Those who produce such expressions are seen to be 'authorized' in line with 'the norms of official propriety' pertaining to that social field; producers

of non-valued statements do not gain access to the field. Such a silencing effect is 'perfect... when each agent has nothing to say apart from what he is objectively authorized to say', thus generating a type of permanent and unconscious silencing.¹⁴ In this volume, the discourse of silencing is based in the field of language within society that disables other kinds of language from being circulated. The individuals within that social field practise discursive behaviours that reveal an acceptance of certain kinds of language and knowledge at the expense of other kinds.

Silencing is not only an entity obeying discourse and knowledge structures, but an act. As such it produces other acts among its targets, such as choosing not to speak, choosing an alternative form of speaking, or discursive displacement. It also appears in acts of policy, such as the censorship of dissenters or the isolation of convicts, on institutional and on national levels. As has been shown above, the view of discourse as both action and social actor has meant looking at discourse in its dual role of manifesting social structures and operations as well as commenting on and even overturning them (and theories about them). The contributors look at silencing as one of these discursive functions with the potential to enable actions as well as to undergo critical analysis of them.

Private discourses, institutional discourses, national discourses: Silencing in the essays

The essays here share the assumption that the imposition of silence holds meaning, and that silencing is a practice and a type of interaction that can be investigated and interpreted. Certain analyses of chosen silences have likewise discussed them as traces or remainders of meaning that take a silent form, or as nonverbal frames for interpretable meaning (see for example Watts 1997 and Jaworski 1997b). The act of silencing is also examined here as meaningful. Its meaning, however, is seen to arise from its function, which produces not only 'silence' but also other discourses to replace the silence, is itself produced by structures within the society, and leads to and from actions on the various levels of society.

Theoretical views that accord language the power to manipulate societies and individuals have been discussed above. Foucault saw language as the constructor of social orders, as the designated basis of these orders in an articulated 'past' of codified tradition, and as the realisation of itself both as object and as representation. Bourdieu further provided an analysis of the role of language in the constantly shifting social boundaries between and around its users. Both

theorists concluded that as an entity accorded the power to structure and operate social interactions, language is also the subject and object of struggles for control. The means to control the power of language is language. To understand the silencing of language, then, the definitions of control in discursive and social exchanges must be re-examined and their operations in specific situations demonstrated more precisely.

As discussed above, the theory of silencing presumes that silencing occurs with discourse and that silencing will be practised where the potential for counter-silencing exists. Habermas argues that language is performative when the hearer is a participant in the action that the speech act designates.¹⁵ This means that for silencing to be performed, both the silencer and the target must be participating in the same social and linguistic field. Silencing co-exists with the potential for the expression that it seeks to abolish. As such, silencing takes on an assimilative function: it seeks to assimilate, filter and replace the unwanted discourse rather than erasing discourse altogether. The kinds of silencing examined in this volume are not merely the abolition of discourse but the assimilation of one kind of discourse into another through various rules of representation. But in the end this means that silencing is in its turn in danger of being assimilated by its rival, language.

There are three thematic headings for the essays that follow: gender and private discourses, law and institutional discourses, and national politics and the discourses of exclusion. The following remarks set the essays as a whole into a coherent framework of discussion on the discursive operation of silencing. More detailed suggestions on how to read the essays' thematic approaches to silencing will be found in the headnotes to each of the three sections of the volume.

Gender and private discourses

Richard Rorty has said that 'All human beings carry around a set of words that they use to justify their actions, their beliefs and their lives' (p. 73). The essays in this section look at gendered discourses as well as public and private discourses in light of the speakers' expectations that their and their partners' language and actions can be rationalized on the basis of norms circulated by discourse in the public sphere. Critical language analysis and critical psychology have both promoted an examination of such discursive norms in interactions that the speakers feel reflect accepted norms. An important feature of such analyses is their ability to point to the larger social frameworks and ideologies that

influence not only gender interactions but other forms of social interaction as well.¹⁶

The essay by Towns, Adams and Gavey on male partner violence is a critical example of the way discourse analysis can be used both to explicate specific data from interviews and to provide a conceptual framework relating the data to a social theory. The authors look for discursive constructions in their interviews with male perpetrators of violence in order to clarify the perpetrators' norms of gender relations and to help explain the justification of violence once it becomes known. Acceptable excuses that make use of social values are used by both perpetrators and neighbours: 'one doesn't air one's dirty laundry in public' or 'a man's home is his castle'. Within these expressions lie the social constructs of both gender and violence towards women that will help to allow abuse to go unarticulated and unaddressed. The authors present the use of silencing here in maintaining a power differential, one that can facilitate the protection of the perpetrator. Towns, Adams and Gavey's essay enquires into the relationship between socio-discursive constructions of gender and the violence that is perpetrated by men against female partners.

Their essay also analyses discursive exchanges in a space defined as private or inside. The relation between domestic partner exchanges and social discourse in the essay arises from the tacit societal justification of gender violence taking place in the domestic sphere.¹⁷ Their analysis is rooted in social expectations of behaviour that construct a barrier between 'inside', or domestic, actions and discourse about these actions on the outside, and is a significant contribution to the field of critical psychology. It brings out another paradoxical feature of silencing: that there are non-silent silences or 'open secrets' that are supported by social norms. The authors discuss the construction of domestic violence as an inside event with the secrecy about it appearing in its handling outside. They point out that far from being a complete secret, cases of domestic abuse are often known or suspected by neighbours; they occur within a double silencing. The perpetrator obviously wishes to keep himself and his victim silent for 'social' reasons (social expectations, shame, self-protection, and avoidance of surveillance), yet the surrounding community, including authorities that might intervene, are also kept silent.

Yohena's essay on the potential for the misunderstanding of silences in marital conversations draws on recent notions of discursive differences arising from gender, region, and personal style. She focuses on discourse used between two people in a private setting, but also deals with issues surrounding discourse as a social medium, one that conveys normative expectations that circulate from and back to the wider society. Significantly, by subsequently ask-

ing the participants to explain their language uses, Yohena is able to present a meta-category of self-reflexive language by the users for analysis. Her results clearly show the diversity of beliefs about social norms as well as the divergence of these beliefs from applications of them in real interactions.

In Yohena's essay the social norms to which speakers have recourse in order to explain their discursive behaviours are in some ways less important than the individuals' beliefs about and ways of using them. In her study each member of a couple voices expectations of her/himself and of the partner that correspond to what they believe to be normative regional and gender expectations within the public sphere. They also, however, state individual expectations that differ from these. We see from this that silencing between two individuals depends for its effectiveness both on existing norms embedded in the discourse of silencing as well as on the individuals' beliefs about and applications of them. Yohena's essay evidences the ways in which individual beliefs about the social norms surrounding an interaction are both used and modified by its actors and listeners.

Law and institutional discourses

The interactions and differences between discourses of inside and outside also play a significant role in considerations of silencing within legal and penal institutions. In Valérie Fridland's essay on courtroom discourse the expert legal use of language and the unspoken rules of a courtroom setting leave the narrator, the witness, 'outside' the discourse of expertise and also outside the opportunity to frame his narrative in the way he would like. In Fridland's essay the courtroom interactions, though occurring literally between only two persons, are also performed in front of other listeners and arbiters, the judge and jury. The judge's and jury's decision will partially or wholly reflect the effectiveness of the attorney's re-framings of witness testimony during cross-examination. In O'Connor's essay the focus is on the silencing that occurs between the outside world and the inside world of the penal institution. As with the censorship in Galasiński's essay in the section below, this is in fact a legally and physically imposed silencing. Yet in O'Connor's essay it is discursively imposed as well. It enforces isolation from discursive exchanges with the outside society. Yet the discursive norms that naturalize the barrier between the inside and outside also lead to an unreflective self-silencing among the inmates within the institution.

The essay by Fridland on courtroom cross-examination during a male rape trial also draws on recent discursive notions of gender. Fridland's essay balances issues of gender norms with examples of rhetorical silencing within an 'insider'

discourse, that of expert legal discourse managed by a courtroom attorney. Because her case study is a rape trial, it reveals the normative expectations of sexual behaviour within courtroom discourse; but because it is a male rape trial it differs from the conventional presentation of a female plaintiff as either victim or willing participant. Normative expectations appear in the cross-examination not as overt statements but in the forms of the attorney's questions and in the forms of reply that they delimit.¹⁸ The use of rhetorical strategies in questioning that allow the witness to speak but do not allow the witness actually to narrate the event in question achieves a partial silencing of the witness's point of view. This silencing, like that in the other essays, does not necessarily reveal itself as silencing. The witness indeed speaks. The form and range of expressions available to the witness, however, are constrained by the form of the questions put by the attorney as well as by the courtroom setting and procedures themselves. As Fridland points out, within such an exchange the attorney thus becomes the primary narrator of an event that only the witness could have experienced. The questions he employs do not, in terms of speech act, really function as questions, but suggest evaluative constructions of gender and sexuality in order to cast suspicion on the witness's testimony. Because the medium of questioning is used, however, the evaluative level is not openly presented as coming from the attorney. This provides the possibility of effective silencing in that it presents nothing with which to argue. Ernesto LaClau has remarked that a representer fills in some aspects of the represented as well as symbolizing the function of filling in. The attorney fills in aspects of the witness's testimony by representing it in a certain way. The attorney, however, is an attorney precisely because his role is to fill in and represent. The filling-in function is not seen as extraneous or undemocratic in a court of law; rather it is seen as necessary and normal. The normalizing of this relationship between attorney and witness is what makes it difficult to counteract the discursive filtering that the attorney performs.

Because her discursive examples come from within a penal institution, O'Connor offers an original way of looking at social, legal and discursive constructions of inside/outside.¹⁹ Here the usual values of cultural and political theory, where 'inside' is normative and 'outside' is abnormal, are reversed. It is the 'outside' of the prison, the mainstream society, that possesses the social norms to which the inmate is expected to assimilate. Yet the outside society never interacts with the inmate; there is no discursive exchange in which norms can be constructed, learned, or evaluated. As a result, O'Connor suggests, there are two types of silencing that face the prison inmate, one a microcosm of the other. In the socially isolated world of the prison, the hierarchy of prison life

determines such things as authority relationships, silence, speaking, and the content of the speech among the prisoners.

O'Connor then shows how the 'outside world' also keeps the prison hierarchy of speech and silence in place. The outside not only does not listen to the inmates or know about them, but it also does not know that it doesn't know. It has little or no access to the inmates nor can inmates gain the ear of the ordinary citizen on the outside. This near-total silencing is in O'Connor's analysis a contributing factor to recidivism. She suggests that the negative and absolute differentiation of the inside from the outside perpetuates the values and behaviours of the inside. O'Connor's essay concludes that it is the lack of means to exchange discourse with the outside into which they are expected to re-assimilate that promotes the inmates' silencing, and confines them within a context from which it is extremely difficult to exit even after physically leaving the prison.

National politics and the discourses of exclusion

Stuart Hall talks about discourses of national identity as narratives that constitute cultural power (1996). These discourses must offer, in contradiction to what is often a salient fact to the contrary, a consciousness of a unified people, normally in terms of racial origin but also in terms of those who might generally oppose the existing political order. This consciousness must logically seek to marginalize or exclude the discourses of others who are not seen to fit into the definition of a unified group. How is this exclusionary discourse circulated? The essays below look specifically at the ways in which the mass media, and legal attempts to control it, participate in or resist the power of national discourses of exclusion.

Niklas Luhmann, in his discussion of the mass media, wished to remind readers that

'selection' here is not to be taken to mean freedom of expression. The concept refers to the function system of the mass media and not to its individual organizations (editorial boards), whose freedom to make decisions in choosing the news items they run is much less than critics often suppose.

(*The Reality of the Mass Media*, p. 27)

The authors in this section all offer examples of media representations or media control that can silence certain members of the national polity. As Luhmann points out, the 'individual organisations' within mass media already operate within restricted spheres of information that must be both obtainable

(from sources) and saleable (to a general audience). The selection or control of discourse and information can be in terms of censorship practices, as in Galasiński's essay, or in terms of rhetorical coding that appeals to 'acceptable' norms while promoting new norms, as in Wodak's. Finally, against a background of such prevailing media discourses about a minority population, Lambertus analyses the reasons and conditions for a politically significant example of resistance to them.

As with the broad notion of struggles for 'control' above, various notions of power and authority have occupied a significant position in analyses of social behaviour. In critical language analysis, Fairclough (1989) defines discourse as the area of social interaction where power relations are manifested as linguistic action. In other disciplines that also involve analyses of gender and ethnic discrimination, a reliance on general notions of 'power' and 'authority' is evident. The two terms 'power' and 'authority', however, are not consistently defined despite their frequent use.

A colloquial definition that relates power to silencing can be found in Jaworski's essay below, in a quotation that comes from the performance artist Laurie Anderson: 'When one person really can't talk 'cause the other person is the dominant one, it's a battle to the death: who gets to say things – that's where the power is'. This seemingly commonsensical statement raises further questions. Some form of power and the ability to speak and be heeded are probably related, but this leaves us in the dark as to what sort of power it is. We can neither specify what it is the power to do, nor in what situations it is powerful and why. Jaworski begins by relating the idea of power here with that of Ng and Bradac (1993) that discursive 'power' is powerful because the hearer is present, as Habermas also states. The potential for discursive power exists when the hearer or reader can react to the discourse. Here, however, further potentials arise. The responder may resist, change, or, as with Jaworski's analysis of Anderson's art, comment on and critique the silencing itself.

Silencing is also such a function, one interdependent with the language it seeks to prohibit. We may apply this definition to the idea proposed above that silencing requires an object. Without a variety of discourses within a society, including those that can be deemed unacceptable, there is no attempt at silencing; silencing both co-exists with unacceptable discourses and exists partly in order to designate them. The 'power' relationship here is actually one of exchange, in which one of the terms is not erased but subordinated. The relationship itself continues to exist, as do its two axes, the silencer and the silenced. The power of the silencing term depends on its relationship with the silenced, so that in the absence of material to silence it exercises a deterrent effect on possible re-

sistance. As Luhmann remarked in the earlier quotation, resistance is unlikely to be chosen when an awareness of unpleasant alternatives exists.

The term 'authority' can apply, more specifically than 'power,' to relations within smaller communities and discursive interactions. But it also implies the larger social institutions that sustain such interpersonal authority. Scholars have researched authority and anti-authority relations within families, between generations, in structured communities such as schools and workplaces, between genders, between races, and in personal relationships. In much of this research, authority is used in tandem with or is seen as the conceptual support of social status differentiation and, in extreme cases, of supremacism.²⁰ The definition of authority as distinct from supremacism, however, relies heavily on the assumption that social ideology interacts with individual behaviours. The arguments in the essays below rely on notions of authority as residing with institutional entities such as governments, legal systems, and police authorities; they also refer back to social norms of gender and national identity. This is clearest in the essays by Lambertus and Wodak. Lambertus looks at news media and media sources such as police authorities. Wodak deals with the attempts by political speeches (and their reporting in news media) to construct a discursive national identity for the populace they claim to represent. Similar ideas are also present in the essay by Galasiński, which deals with censorship discourse as the sign of a government's extremes of authority and instability within the society it attempts to govern. The definitions and new explorations of authority in these essays make possible an analysis of the function of silencing not only in relation to its immediate targets but also within the larger society.

The functional definitions of power and authority can also be applied to silencing in its uses for social and media control. Here the variety of fields that have explored discourse provide significant definitions of silencing because it is not only overt control, for example that of totalitarian rule, that can limit the expression of opposition by citizens. It is also the more palatable, naturalized silencing of democratic societies.²¹ Galasiński's essay offers a provocative example of a silencing discourse located between the models of overt control and of democratic control. As his essay shows, the legal discourse that was used to enact Polish censorship laws just before the transition to democratic elections sought to present itself as protecting freedom of speech at the same time that it was an act to curb freedom of expression. The law is thus shown to be self-consciously a discourse that exists to justify itself at the same time that it enacts behaviours and political values. Galasiński's example is of a silencing that gives itself away through its attempt to justify itself; the essay's analysis of legal and

governmental discourse is capable of a range of applications to social control in other contexts.

The essays by Lambertus and Wodak examine the potential for social, inter-ethnic, and community control through the repetition of normative content by the mass media. A hierarchy of stated and unstated knowledge is discussed in Lambertus's essay on the Canadian media's decisions either to comply with or resist police statements on an Aboriginal–White dispute. Lambertus looks at the way news sources can attempt to manipulate print media to suppress information or present inaccurate reports about an ethnic minority community, but she also demonstrates the way media can resist such attempts. She concludes that in the case of one Canadian newspaper, the police authorities' denial of access to the participants' information was handled by the editor and reporters as a challenge to find and report material other than that allowed by the police.

Lambertus demonstrates clearly that attempts to locate silencing and disinformation solely within the mass media ignore the issue of the media's sources, those whose authority within the community and especially vis-à-vis the media is constituted by their conspicuous positions in social and political spheres. Lambertus also points out that the network of relations among media representatives, powerful sources, and the population groups affected by their decisions can determine the media's compliance with or resistance to silencing by an authority. Media compliance with authority or with prevalent norms, as van Dijk also shows, can result in a repetition of the discourses that foster inaccurate or biased public opinion. In interethnic conflicts, it can fuel hostilities by wooing an audience with the repeated and naturalized content of news stories that do not depart from the typing of ethnic groups. A significant point raised by Lambertus here is that silencing then effectively occurs in the audience. If audience expectations are indeed constructed in accordance with accepted ethnic stereotypes, audiences will not have to be told outright whose statement to believe and whose to reject. Where other work on discourse has asked what audiences or social mainstreams expect to be told, then, a theory of silencing must ask what it is that audiences expect not to be told.

Although the discussion of authority relations and social control forms one of the backgrounds to this volume, the kinds of discourse and silencing analysed here are not presented simply as serving a readily definable ideology. As Galasiński's essay on censorship laws in Poland shows, they may be at once in the service of a fairly obvious political ideology and at the same time working to provide their own justification and preservation. The interaction of discourse and silencing also puts other, unstated political motives under scrutiny. Lambertus's essay places discourse and silencing in the service of an

unacknowledged political or ideological aim in terms of the negative aspects of governmental and mass media portrayals of an Aboriginal–White dispute over land use in Canada. As both essays show, what is at stake is, first, idealized concepts of language, nation, and politics, and second, a perceivable difference between these idealizations and the material realities and relationships of the actors involved.

Wodak's essay on the discourses of anti-Semitism in postwar Austria presents us with national discourses defining inside/outside as they intersect with historical definitions of majority and minority in central Europe. Wodak's essay examines the dissemination through news media of political speeches in Austria on the topic of a presidential candidate's alleged anti-Semitism, and analyses the differences in explicitness of ethnic bias between contemporary news media and a postwar population schooled to avoid any appearance of anti-Semitism. Her essay implies a hierarchical relation between widely disseminated opinions (those of political supporters speaking through the media) and a presumed silencing of the same opinions on the part of the target population.

The essay considers a logical problem: the existence of a silencing discourse, one that stigmatizes Jews, within a public and political discourse in which anti-Semitism has been publicly silenced. This presents a double bind for the interpretation of anti-Semitic messages in public speech about a political campaign. As a background to her essay Wodak uses the media's revelation that Austrian presidential candidate Kurt Waldheim's participation in Nazi military activities against Jews in the Balkans had been denied or silenced during most of his postwar political career. She then looks at statements by the Waldheim campaign, other party members, and newspaper columnists that attempted to defend Waldheim and shift blame to Waldheim's attackers, constructed both as Jews and as outsiders (foreign governments that objected to Waldheim's presidency). The double bind arises in the attempt to designate an expression anti-Semitic when there has been a national consensus that anti-Semitism is not to be publicly expressed, and when the expression of it occurs in defence of a person whose anti-Semitism has also been silenced rather than openly addressed. Wodak identifies coded expressions that vilify Jews in general while they seem to criticise only certain individuals or organisations. The same statements also blame a general category of outsiders or foreigners for interference in internal affairs, thus equating Jews with outsiders. Wodak's work is significant also in that it points out the function of the historical dimension in the discourse of silencing. The old silencing, that which officially disapproved of Nazi activities and thus silenced the earlier history, produces a new silence to justify the previ-

ous one. The process of the reproduction of discourses of prejudice examined in van Dijk's work is re-visioned in this essay as a historical process. Silencing is rendered effective if it has the ability to maintain its own tradition.

A 'performative' coda to silencing: An artist's comment on social silence

Jaworski's essay on political silence in the work of the American performance artist Laurie Anderson shows us a counter-discursive approach to the issue of silencing. In the performance works Jaworski examines, Anderson's view of the 1980s political climate in the U.S. is that although it seemed inhospitable to some people, it was often idealized by the media; it was thus able to subvert, silently, the citizen's desire for political alternatives. Jaworski shows how the inarticulateness of some of Anderson's created personae, and their seeming inability to do anything about the deterioration of their social environment, illustrate their loss not only of expression but even of the desire to express themselves. In this light Jaworski also examines Anderson's treatment of silence in personal interactions, showing how Anderson uses performance art, including her own invented forms and media, as counter-discursive expressions that provide a commentary on the non-expressiveness she finds around her and in herself.²²

Conclusions and future directions

The essays in this volume show silencing crossing many kinds of boundaries, including those between historical periods, nations, and ideas. Interpretations of silencing also challenge interpretations of silence. The essays insist that silencing is discourse, working through language and operating within the structures of social norms and negotiations. The essays' close study of different kinds of silencing makes us aware of other discursive frameworks that have yet to be fully explored. The essays show, among other things, the relationship among naturalized ideals, social norms, and material relationships between users of discourse; the definitions and critiques of notions of power in discourse; enlightened social control by means of a free press or a democratic legal system; silencing through the education of an audience to accept stereotypes; the inculcation of political apathy; the isolation of inmates from a discourse to which they are later expected to assimilate; coded mention of ethnic prejudice in political speech; the historical perpetuation of silencing; and the use of one kind of

language not to erase, but to distort or assimilate another. This is by no means an exhaustive list, and future work in the various fields of discourse will, it is hoped, uncover other issues as well. There are numerous areas where silencing remains to be investigated. I have chosen three of them for mention here.

Silencing takes enlightened forms, not least among them the scholarly investigations of discourse that determine who is to be constructed as naturally silent and who is not. There is as yet no theory of silencing for the literal, physical silencing that results from injury, illness, and other physical causes. Deafness, aphasia and autism have an extensive literature among clinicians and linguists; a growing number of works have related them to the interpretations and manipulations of silencing processes in more conceptual fields.²³ We may hope that in future the investigations of clinical and non-clinical silencings will contribute to each other. Social and political silencing are different from biological silencing; but to make an absolute distinction between the two would ignore the enormous role played in the silencing process by our reactions to, interpretations of and categorizations of human silence, whatever its origins.

Second, the spread of discourse through multimedia and information technology has had profound consequences for the forms of discourse and silencing.²⁴ New media can reproduce old discourses in much the same way that other media have done; the greater circulation of technologized information can also mean the wider standardization of accepted notions. This means that new media reproduce old forms of silencing and filtering as well. The Internet, a medium that began in English, offers the largest number of its websites and information searches to those who can use English. Access to and transmission of information from non-English-speaking areas is difficult, giving users the impression that such technologically silenced areas simply lack enough content to post on the Web. Further, much of the information that is available is compiled or translated in English, within English speakers' frames of reference, which ignore or distort certain kinds of knowledge. Despite the potential of the Internet to provide a 'world wide' web, information and knowledge from less technologically advanced regions also continues to be less circulated, often silencing them into distortion or unknowability.

Silencing crosses national borders. The potential for silencing exists within globalisation, within international development assistance, and within international economics, which use top-down systems of decision-making about regions that lack the financial and discursive authority of the decision-makers. Discursive and material authority, whether political, economic, or military, now crosses national borders. For nations possessing one or more of these kinds of authority the designation of other nations as 'less' developed can be

discursively justified as compassionate and co-operative, yet its very labelling of 'more' and 'less' reveals its hierarchical nature. A correlative silencing can be seen in the assumption that less developed nations actually are articulating their own circumstances when their representatives use the discourse that their hearers have already defined as appropriate for their cultures or levels of development. A critique of the discourse and silencing of North-South diplomacy and of developmental aid policies is necessary here. It could show how the techniques of enlightened silencing operate globally to support apparently charitable or human-rights-conscious foreign relations that also render their targets inaudible.

As discussed above, one current way of perceiving the universe of discourse is as a structure of hierarchies and economies of exchange. The object of our inquiry, however, cannot be confined only to the discourses of socially determined authority relations and biases, nor only to the present era with its means of defining national, cultural, and interpersonal boundaries. One of the critiques of Foucault was by Edward Said (1986), who moved beyond Foucault to ideas of counter-discourse. He suggests that the targets of a potential silencing may themselves assert

their right of self-representation within the total economy of discourse [Foucault] seemed not quite as willing to grant . . . the relative success of these counter-discursive attempts first to show the misrepresentations of discursive power . . . and then afterwards to begin the difficult, if not always tragically flawed, project of formulating the discourse of liberation. (p. 153)

Said goes on to conclude that 'it is sometimes of paramount importance not so much *what* is said, but *who* speaks'. Bourdieu would have said that what is said and who speaks are isomorphous. A theory of silencing, however, is about who cannot speak and how to hear them.

Notes

1. Audre Lorde, 'An Open Letter to Mary Daly' (1979), collected in *Sister Outsider: Letters and Speeches* (1984), pp. 66–71.
2. For earlier suggestions along similar lines, see Jaworski (1993); Diamond, Chouliaraki, and Fairclough (1999); Luhmann (1982); and Blommaert and Verschueren (1998).
3. On political and institutional authority relations and unequal negotiation see Thomas Schelling (1978); Gayatri Chakravorty Spivak (1988); Judith Roof and Robyn Wiegman (1996); and Ruth Wodak (1996).

4. The relation of silencing here to Pierre Bourdieu's theory of the economy of linguistic exchanges is based on Bourdieu's assumptions about authorized and authority relationships. Jean Baudrillard's theory likens discursive exchanges to an electric circuit in which the presence or absence of circulated force is more important than the power differential. See below for a discussion of these theories in relation to silencing.
5. Niklas Luhmann pointed out in *Reden und Schweigen* ('Speaking and being silent') that there is a tautology in philosophies of communication, where speaking and silence are opposed as the only two possible terms in the field of communication. One is simply the absence of the other, without further examination of the means by which either are achieved or imposed. 'Breaking the silence' in this case is forced to mean breaking into discourse. Luhmann questioned whether this restricted means of thought would continue to be appropriate (p. 9).
6. See especially Michel Foucault, 'The Discourse on Language' (1972) and 'Labour, life, language' (1970); Pierre Bourdieu, *Language and Symbolic Power* (1991); and Jürgen Habermas, *The Theory of Communicative Action* (1984, 1987) and 'Some Questions Concerning the Theory of Power: Foucault Again' (1994). For his part, Habermas defines communication by epistemically distinguishing experience from understanding. The experiencing of events or things, which may be isolated or unique, is distinguished from an understanding of their meaning based in the use of or reliance on forms of language ('communication'), which is necessarily shared with other individuals. See also his *Communication and the Evolution of Society* (1979).
7. See for example some of the essays in the collections by Irene Diamond and Lee Quinby (Eds.) (1988), Linda J. Nicholson (Ed.) (1989), Jana Sawicki (Ed.) (1991), and Susan J. Hekman (Ed.) (1996). These collections contain critiques of Foucauldian discourse by gender theorists referred to in the 'Gender and private discourses' section below.
8. In examining this claim we would do well to bear in mind the distinctions currently being made between information and knowledge, as well as theories of the postmodern prioritisation of information over knowledge. For a discussion of some distinctions between information and knowledge, and also between information and (excluded or included) content, see Mark Poster, *The Mode of Information: Poststructuralism and Social Context* (1990). A distinction between information and content in which (the system of) information totally suppresses content can be found in Jean Baudrillard, *In the Shadow of the Silent Majorities* (1983): 'Information devours its own contents; it devours communication and the social... Instead of causing communication, it exhausts itself in the act of staging the communication' (pp. 97–98).
9. In discourse studies, Teun van Dijk has looked at the transmission of biases through authoritative sources relied on by the mass media (1983, 1987, and 1993). On the legitimation of knowledge sources in educational systems see Moran (1998), McLaughlin and Tierney (1993), and Langland and Gove (1981).
10. Bourdieu's 'economy'-like circulation of discourse results in the continuous reproduction of discursive commodities and re-establishment of boundaries between acceptable and non-acceptable, or marketable and non-marketable, discourses. A related idea is that of the determination (or transgression) of discursive boundaries among social classes and de-

mographic groups and their relative positions along a continuum of authority. See 'The Economy of Linguistic Exchanges' in Bourdieu (1991).

11. *The Theory of Communicative Action*. Volume I: *Reason and the Rationalization of Society* (1981; Engl. transl. 1984), p. 104.

12. These are more commonly discussed in the U.S. where the Constitution may be seen as providing a legal basis for notions of freedom of expression, and where psychological and legal notions of a link between representations and human behaviour are not fully accepted. One concern addressed in this regard is the possibility of theorizing a distinction between free speech and harmful speech, that is, expressions that may in some way lead to violence against other persons. The fundamental question is one about the relative values of 'free' or 'individual' expression and 'perceived' or 'collective' harm, whether of a psychological, social, or physical quality. The two values of 'freedom' and 'harm' (which have remained difficult to define) are positioned in opposition to each other. See Goldberg (1993); Matusda, Lawrence, Delgado, and Crenshaw (1993); Whillock and Slayden (1995); Butler (1996); MacKinnon (1993); and Delgado and Stefancic (1997); Langton (1998); and Brison (2003).

13. This identification of the function of silencing in discourse differs from certain fundamental assumptions found in speech act theory, which often relies on a cooperative model of interaction. See for example Grice (1975) and Vanderveken (1994).

14. 'Censorship and the Imposition of Form', in *Language and Symbolic Power* (1991), pp. 137–159.

15. *On the Pragmatics of Communication* (1998), p. 217.

16. See for example the work on discourse and psychology by Parker (1992), by Burman and Parker (1993), and by Burman (1998).

17. See also van der Kolk et al. (1996) and Herman (1997).

18. Habermas's description of 'normative structures that are, on the one hand, embodied in the institutions of law and morality and that are, on the other hand, expressed in the moral judgments and actions of individuals' is applicable here. *Communication and the Evolution of Society* (1979), p. 99.

19. In addition to offering individual distinctions developed from their data, many of the essays in this volume use ideas of outside/inside distinctions that may be compared to those in discussions of colonialism, race and cultural minorities. Cf. Said (1978); van Dijk (1984); Riggins (Ed.) (1997); Delgado and Stefancic (1998); Goldberg (1993); and Füredi (1998).

20. See, for example Theodor Adorno et al. (1982); Foucault (1977); Pierre Bourdieu (1991); McLaughlin and Tierney (1993); Cameron (1990); Lakoff (1975); and Griffin (1981).

21. There are numerous arguments in various fields on the controls of society implemented through accepted discursive frameworks in political, interpersonal, and media discourse. See Kress and Hodge (1979); van Dijk (1987, 1993, 1997); Jansen (1991); Ng and Bradac (1993); Jaworski (1993); Mumby (Ed.) (1993); Noelle-Neumann (1993); Smith (1996); Sarangi and Slembrouck (1996); Post (Ed.) (1998); and Salimnen (1999). See also the conceptual arguments linking the material comfort and technological sophistication of advanced-nation

democracies to their ability to control social ideologies, as discussed in Marcuse (1964, 1991); Hoff-Wilson (1984); Schiller (1995); and Johnson (1997).

22. Habermas also discusses the ability of modern art to use everything, including its own 'materials, reflectively' in his remarks on 'the autonomization of art' (1998), pp. 413–414.

23. Representative of these works are those by Oliver Sacks (1985, 1990), Susan Schaller (1995), and Aleksandr Luria (1987).

24. See, for example, Marike Finlay's *Powermatics: A Discursive Critique of New Communications Technology* (1987). See also Patricia Clough, 'Cultural Criticism and Telecommunications' (1997).

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PART I

Gender and the discourses of privacy

Introduction

Lynn Thiesmeyer

Studies of gender roles and expectations in society have increased exponentially in recent decades. Studies on gender discourse are no exception. Fields of inquiry from political science, phenomenology, linguistics, anthropology, and cultural criticism to psychology have examined naturalized social expectations of gender as expressed in discourse.¹ The essays below involving gender examine a range of social expectations within public and private, or 'inside' and 'outside', spheres. They also show how the uses of discourse can be analysed along specific lines of gender, region, and national culture.

The first essay in this section uses the combined conceptual frameworks of critical psychology and the sociology of gender. The authors present firm conclusions about the relationship between gender expectations in the public sphere and domestic violence in the private sphere. Towns, Adams and Gavey use anonymous interviews with perpetrators of domestic violence to examine the links among socially accepted discourses of gender and violence, the silencing of knowledge or evidence of violence, and the social and public health measures that must cope with this problem. The authors firmly locate male violence towards female partners along a social and ideological axis of acceptance and denial, neither of which interrupts the actual knowledge of the violence. Rather, both acceptance and denial tacitly support the continuation of the violence. The essay demonstrates the kind of rhetoric that in the context of domestic violence successfully produces either silence or only the expressions that the abuser and the wider society accept.²

In the cases that Towns et al. discuss we can see two types of knowledge and silencing. One type is the 'non-secret secret' of domestic violence among the victims, neighbours, relatives or friends. They in fact know of, or suspect, the violence but do not talk about it or report it in a public context to those who have the authority to intervene. This type is the knowing that does *not* lead to public discourse. It is the silencing of a particular person, group, or (informa-

tion about an) event when it does not correspond to mainstream expectations. But at the same time, as the authors show, it may very well be consistent with covert norms as shown in discourse, such as 'it's none of anybody's business' or 'she asked for it'. This silencing is in turn embedded in other discourses, social discourses about gender and about violence. It leads to the literal not knowing about episodes of violence at the higher, institutional level where knowledge of the violence could obtain the appropriate response of stopping it. Silencing tries to erase that knowledge so that the social or institutional responses that would operate if the episodes were not silenced are then silenced or disabled themselves. The consequent lack of knowledge by the proper authorities prevents intervention and allows the violence, as well as the discourse that justifies it, to continue or to escalate.

The essay also demonstrates the public nature of discourse and the ideologies it uses and reinforces. Even in the most private of discourses between marriage partners, and in discourses that are themselves about privacy, publicly circulated discourses and norms are brought in to justify actions within the private sphere to those outside of it. Here, Towns, Adams and Gavey offer a perspective on definitions of power on other levels of interaction beyond the private sphere. The conclusions drawn from their work with perpetrators of domestic violence provide them with a means to take the conceptualization of domestic violence, especially male partner violence towards women, from the sphere of individual psychology into social analysis. Towns et al. investigate the social supports, discursive and ideological, that are widely used in characterizations of both genders as well as rhetoric about their roles and relationships to each other. These are looked at in terms of their potential support of male violence towards a female partner. As mentioned above, the essay's hypothesis is that far from being silent, the 'silenced' domestic violence is frequently known of or suspected by others, but these others and the domestic partners themselves tacitly agree not to speak about it. Instead they are likely to use socially acceptable, gendered justifications for violent arguments, injuries, visits by the police, or separation. The relation of power to discourse and silencing here is twofold. This is not only the physical power of the batterer to abuse a partner, but also the naturalness of their violent relationship within the society even when there are social sanctions against male violence towards women. The silencing of talk about the violence in the end helps to perpetuate it. In such situations, then, silencing is a kind of power: the power that naturalized ideals acquire when discursively assimilated to social norms.

Towns, Adams, and Gavey's essay has wider applications in cultural and national politics as well. Their interpretation of abuser silencing through the

use of language also contributes to an explanation of other silencings that are not as visibly abusive. As they show, the mental representations that individuals hold about others are based in discourses of social norms, and can result in actions and justifications of actions towards those others in broader areas of society and politics. Here instead of total silence we see the representation or filtering of material through acceptable discursive frameworks.

Silencings in the civil and political spheres examined in the other essays are those between government and citizen, majority and minority, between men and women, and between one nation and another. As in Towns, Adams and Gavey's examples, they are present in situations where one side allows the other to speak or be spoken about but in ways defined by the first side. This produces a larger discursive system based on assumptions of free expression and reciprocal communication, a system whose effectiveness depends on the disguising of its silencing processes and their effects. Jansen points out that the establishment of a civil and legal discourse of liberty in modern societies has also permitted those in authority 'to use the language of liberty to deny liberty' (1991; see also Brown 1998). Silence is the opposite of discursive production; silencing, on the other hand, produces, in the sense of prioritizing and reinforcing other forms of expression to replace the deleted material. The disguise of silencing that occurs when a speaker represents the speech of others plays a large part in its personal, social and political efficacy.

Can silence itself lead to silencing? Shoko Okazaki Yohena uses discourse analysis to show how ellipsis in conversation can be not only a type of silence but also of silencing. The potential for misunderstanding always exists when conversational partners are using either ellipsis or verbal expression in different ways. In this regard, Yohena undertakes an interrogation of generalised national or ethnic typing of Japanese discourse. One way Japanese discourse has been typed in discourse research is as universally valuing empathetic silences, but this has been in the absence of detailed analyses of regional, generational, or gender differences. Yohena shows the importance of regional and gender differences in the uses, and impositions, of silence and speaking by presenting evidence from everyday language exchanges within the context of close relationships, in this case those of marital partners.

Yohena's essay analyses everyday conversations between young married Japanese couples living and studying in the United States and focuses on their misinterpretations of each other's ellipses. In her study, the intimacy of marriage partners presupposes a level of mutual understanding that should have made ellipsis reciprocally understandable but in fact did not. Further, their conversations took place at home with no other 'public' listeners present at the

time. Yohena herself was the listener after the fact to their taped conversations and she also had the couples subsequently explain their ellipses. The users' discursive explanations of their language behaviours are at least as significant as the examples of their language use themselves.

Yohena's essay reveals certain gender as well as regional expectations operating in the silences within everyday, intimate conversation. The issues are, first, whether the speaker wishes the partner to fill in an unspoken segment and second, whether the intended meaning of the unspoken segment was correctly understood by the partner. In Yohena's research, when male partners were later asked about the usage and interpretation of their own ellipses and about their partners' ellipses they responded in opposite ways. They tended to explain their own ellipses as rational and intelligent means of communication and also had recourse to regional explanations as to who might be more talkative and who more taciturn. They tended to object to the female partner's ellipses, however, as being inexplicit or as placing unreasonable interpretational demands on the partner. When the male partner was explicitly told, however, what the female partner had wanted to express in her ellipsized segment, his understanding or co-operation did not necessarily increase. Significantly, the cases of misinterpreted or non-interpreted ellipses involved topics that related directly to behaviour or were requests for actions on the part of the partner; the silencing occurred when the intended meaning of the ellipsis was distorted or ignored. Here, in addition to the silence that is literally the ellipsis in conversation there is a silencing that co-occurs with gender expectations, domestic partner expectations and social or regional expectations. Female partners found it as frustrating when their ellipses provoked no response as when their ellipses were incorrectly filled in by the partner. The latter case, the partner's use of words to silence the other person's intended meaning, is a point this essay shares with the others in the volume.

This allows Yohena to address another level of misinterpretation, that of both silence and speaking, in some of the previous research on Japanese discourse. Yohena maintains that there is no universal social or discursive context that can be used to determine all of Japanese language use or all of the behaviours of its individual users. Yohena's work shows that the use of, interpretation of, and reaction to, ellipsis are subject to a variety of normative expectations. They vary with gender and regional affiliation. Equally importantly, they vary with the hearers' perceptions of their own roles and entitlements within the conversation and within the relationship. Yohena's conclusions about these personal interactions point to similarities with the other essays' discussions of silencing in social and political interactions.

Notes

1. For works representative of this tradition, see Robin Lakoff (1975); Dale Spender (1980); Elizabeth Langland and Walter Gove (1981); Julia Kristeva (1969, 1980, 1984); Luce Irigaray (1985); Barrie Thorne, Cheris Kramarae, and Nancy Henley (1983); Catharine A. MacKinnon (1987, 1993); Nancy Fraser (1989); Nancy Hartsock (1989); Deborah Cameron (1990); Julia Penelope (1990); the special issue of *Discourse & Society* (2:4) edited by Marsha Houston and Cheris Kramarae (1991); Lois McNay (1993); Deborah Tannen (1994); Jill McLean Taylor, Carol Gilligan, and Amy M. Sullivan (1995); Patricia Munhall (1995); Judith Butler (1991, 1996, 1998); Rae Langton (1998); Pierre Bourdieu (1998); Wendy Brown (1998); and Erica Burman (Ed.) (1998).
2. This essay belongs to the body of work on gender and abuse that is detailed in Griffin (1981); in DeFrancisco on husbands' silencing of wives (1991); and in Thorne-Finch (1992), van der Kolk et al. (1996), and Herman (1997) on abuse survival. Critical psychologists using discourse analysis have pointed out that the post-Freudian type of psychotherapy, where domestic abuse survivors were forcefully encouraged to speak, can re-traumatize the patient, thus silencing the patient's own means of using silence as a survival mechanism (van der Kolk 1996; Herman 1997). See also Langton (1998) on the particular difference for women between locution, which may have no effect on a hearer, and illocution, which obtains the desired understanding.

CHAPTER 2

Silencing talk of men's violence towards women

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Introduction

Our essay discusses the discursive contexts that support the silencing, both individual and societal, of discussions about men's violence towards their women partners. This work aims to elucidate the discursive constructions surrounding a common and serious social problem, constructions that silence or justify the event known as partner violence as well as silencing the discussion of the violence inside and outside the relationship. Our research is action-based, that is, it takes place within interventions with men who have been violent, and it also uses discursive techniques with such men to challenge their patterns of action.

Men's violence against women partners, commonly known as domestic violence, is a major problem in New Zealand as it is in many other countries. Such violence has major repercussions for women's physical and emotional health, and in extreme instances can result in the woman's death. Early intervention into such violence requires talk of the violence, but commonly, the man's violence is depicted as being of a secret nature. In this chapter we contest the notion that such violence is always a secret. We argue that discursive tactics are employed to silence talk of the man's violence and to prevent others from intervening. In our research, each of 18 men who had been violent towards their partners participated in a 90 minute interview with an interviewer who had had considerable experience in working with men who had been violent to their partners. The interviews were then transcribed and analysed using critical discourse analysis. The transcripts were read for the ways in which the men employed common-sense understandings, or discourses prevalent in society, that might silence talk about the violence. For example, discourses of 'privacy'

were identified as providing the discursive context within which silence about violence might occur. We conclude that there are a number of discursive means by which men who use such violence maintain silence about their violence, as well as means by which their women partners and family members and friends may be similarly silenced.

Despite the prevalence of violence towards women by male partners, women's reporting rates of such violence to those in authority remain very low. Male violence towards female partners requires early intervention to stop such violence and early intervention requires notification to those in authority able to intervene. Research suggests that often friends and family may be aware of the violence (Leibrich, Paulin & Ransom 1995). Snively (1994) estimated that over 87% of victims do not report to the police. Reasons for this lack of reporting are at present unverified. We argue that this discursive inability is based in socially accepted discourse itself.

The mutually reinforcing nature of discourse and society, and the potential of socially accepted discourse to silence unacceptable topics or views, have been discussed by researchers in a number of fields represented in this volume and elsewhere. The social, cultural and discursive supports that are used to perpetuate silence about violence, however, have not been adequately scrutinised by researchers (see Browne 1993). Most of the psychological research aimed at early intervention has focused on the psychology of the women who were battered and women's inability to leave the relationship (e.g. Launius & Lindquist 1988; Strube 1988). Women have described having secrecy about the violence enforced on them by their partners (Andersen et al. 1991; Pence & Paymar 1993). Yet we know very little about how this occurs. While the behavioural tactics used by men who are violent to silence talk of the violence are clearly evident in, for example, the threat of further physical violence and intimidation, the social, cultural and discursive supports for silence about the violence are not as clear.

A background to the events and behaviours discussed here is provided by a review of United Nations' studies that suggests that one in ten women are subjected to violence from their partners (Snively 1994).¹ Early intervention strategies for these cases of partner violence have largely involved insight focused therapeutic intervention with the man.² Several projects exist to intervene discursively with men who have been violent towards partners.³ Yet sociological and feminist theorists argue that men's anger represents only a small part of the contextual web surrounding men's violence towards women partners (Dobash & Dobash 1988). Theoretical approaches that focus on the contextual nature of violence throw sharply into focus the ways in which violence is discursively jus-

tified and supported within our culture (Adams, Towns & Gavey 1995a; Edelson & Eisikovits 1996; Gentemann 1984; Meyers 1997; Saunders 1986; Towns & Adams 2000).

While the intervention programmes provide a valuable approach to challenging the gendered assumptions held by men who batter, the society-wide nature of discourses that conceal partner violence underlay our concern here that men may not enter these programmes until well into a career of violence towards their partners, and men may be less likely to change once the violence has become an established pattern. Socially accepted discourses about keeping violence a secret can also be linked to indications of a very low disclosure rate of violent episodes to social services. In reviewing the literature, Snively (1994) estimated only a 12.3% reporting rate to the police of women and children affected by violence in the family. Women are likely to have experienced the violence for some duration before proactive steps are taken by helping agencies to stop it (Dobash et al. 1985; Hamilton & Coates 1993; Schornstein 1997; Warshaw 1989). Early reporting is important in preventing serious injuries to the woman through the escalation of violence (Fanslow et al. 1998).

There is therefore a strong need for intervention strategies that intercept the violence earlier than is currently occurring. Yet early intervention requires talk of the violence by those who hear, see or suspect the violence, by those men who are violent to their partners, and by those women being abused who feel safe enough to disclose. The discursive contexts that support silence about the violence cannot be understood without addressing the social and cultural understandings that contribute to silence about the violence. Early intervention requires uncompromising intervention policies by social agencies such as police and social welfare. Without talk of the violence, support for the woman from health professionals, the police, women's support organisations, and/or men for non-violence groups cannot be activated. We therefore position ourselves with those feminist writers who argue that male partner violence research must be situated in an understanding of gender relations that acknowledges a 'patriarchal social context', an 'unequal distribution of power', and 'the socially structured and culturally maintained patterns of male/female relations' (Bograd 1988: 17). The social patterns upholding violence find their chief manifestation in discourse, as well as the role discourse plays in silencing talk about the extreme outcome of these patterns in violence.

Our research was aimed at identifying the discourses that might be employed by men who are violent to condone and excuse their violence towards their partners. During the research with violent men, the interviewees appeared to assume, as I (AT) had, that the violence was secret, particularly hidden from

family and friends.⁴ The assumption of secrecy is implicit in such questions as ‘How did you keep the abuse hidden?’ This assumption was particularly evident when the man had already revealed that others knew of the violence. For example, although one of the men had revealed twice in the interview that others knew of the abuse, the interviewer asked if friends were aware of the violence. One man initially described how he knew others including his friends were aware of his violence. A little later the interviewer said: ‘Yeah, yeah, so how would your friends think of it if you were, if they’d known, if you’d talked to them openly about it? What would they say?’ The interviewer’s comment ‘if they’d known’ appears to assume a lack of knowledge by others of the violence, which the interviewed man, Gavin, previously had discounted, and points to the subtle ways in which various discourses of secrecy invite a discursive interpretation of the lack of knowledge of others about the violence even from those with expert knowledge of the area. Although some of the men interviewed did speak of their violence to friends or family, most avoided doing so. Often others’ knowledge of the violence was assumed by the man because of the woman’s talk of it, or through the assumption that others would bring their interpretation of the woman’s injuries to the conclusion that he had inflicted them.

In terms of the kinds of discourse surrounding domestic violence, then, it became a question of what silencing actually was and what it did. Knowledge of the violence itself was not completely silenced. Instead there was a certain amount of silencing of talk about the violence rather than of the knowledge that it existed. Given that in many cases in our research others were aware of the violence, we were interested in how silence about this non-secret was discursively maintained. Recent research in New Zealand confirms that in many situations the violence is likely to be known about by others. In the Hitting Home study which surveyed 2000 men on male partner violence, 61% of men knew of a man who had assaulted his female partner or a woman who had been assaulted by her male partner (Leibrich et al. 1995). We became interested in questions such as: what discursive contexts were serving to maintain silence about the violence even when there was knowledge of it? What discursive positionings act to silence those who are aware of the violence and/or to prevent them from taking action to stop the violence? We argue that these questions are critical to early intervention and the prevention of on-going male partner violence.

In the following, we describe the research project from which the conclusions about silencing and secrecy emerged. Our analyses are directed at three ways in which silence about violence can be achieved, or attempted, through

discourse. We discuss (1) ways in which men's positionings in discourse, and their discursive constructions of their actions and their public personae, can attempt to silence the material reality of their violence; (2) ways in which men can be seen to strategically manipulate discursive contexts to silence women's talk of their violence; and (3) ways men can employ commonly used discursive tactics and notions of privacy to obscure and legitimate their violence, thereby silencing others who are aware of the violence.

The study and its context

In this study we interviewed 18 men who had recently been violent towards their partners and who were on the point of entering a stopping violence programme. They were drawn from New Zealand's largest city of approximately 1 million people. The 90 minute interviews centred around the actual episodes of violence, the justifications the men used when describing violence, the men's views of women, of an ideal relationship, of violence, and the social relationships that acted to support the violence. Questions were designed to extend men's answers to the limits of their understandings and, later in the interview, to challenge understandings they held that supported violence. Two interviewers were used, both having over ten years experience of working with men who have been violent towards their partners.⁵ The interviews were audio-taped and then transcribed, names and minor details being changed to maintain confidentiality. In the first part of the paper, our analyses are concerned with identifying the ways in which silence is enabled, or even required, by the discursive contexts in which violence takes place. Here, we are drawing loosely on Foucauldian notions of discourses 'as ways of constituting knowledge, together with the social practices, forms of subjectivity and power relations which inhere in such knowledges and the relations between them' (Weedon 1987: 108). We are interested in speculating about the ways in which discourses shape expectations for action, and expectations for reading the actions of others. We also look for the ways in which discourses offer subject positions (e.g. Gavey 1989) for men that encourage silence. Our analysis here is a fairly broad brush approach – we have attempted to highlight a range of ways in which silence about male violence towards women might be discursively enabled, rather than unpacking how these might work in fine detail. The analysis of the silencing effects on women and on others draws on a more refined rhetorical analysis of the linguistic devices employed by the men to justify, minimise and excuse their violence against women (see also Adams, Towns & Gavey 1995b). In this

chapter, we will discuss one particular theme that emerged in our analysis: the importance of silence about violence, especially as it relates to violence prevention. In the following we describe the discursive constructions that encourage men themselves to maintain silence, the ways in which men set up discursive conditions that encourage women's silence, and the discursive ways in which friends and family members are discouraged from breaking their silence about the man's violence.

Men's maintenance of silence

Despite a considerable literature on the characteristics and personality of violent men (Dutton & Golant 1995; Dutton & Strachan 1987; Geffner & Rosenbaum 1990; Gondolf 1988; Hamberger & Hastings 1991; Holtzworth-Munroe 1992) very few men who were interviewed as part of our study considered their violence to be an integral part of their identity. Below, we discuss how men use various linguistic devices to minimise, deny and maintain silence about the violence.

Discourses of violence

The subject position of a man who is violent towards his female partner is not highly valued in our society. That men would want to actively resist being constructed as a 'violent man' is therefore not surprising. One way in which men can resist this position is to minimise their violence by defining their actions towards their partners as other than violent. For instance, some men distinguished between the act of slapping, which was constructed as not-violent, and the act of punching with a closed fist, which was constructed as violent. Some men attempted to resist a label of 'violent man' by comparing themselves favourably to others who they considered were more violent than they. For example, in the following extract we see how Mark draws a line between his own level of violence – which in this instance included punching his partner – and the violence of 'mongrels' who break their wives' ribs or smash their jaws or stab them:

Mark: I lost control that night, that, that incident with the bo- toilet. (Peter: Yeah.) And I lashed out and I hit and I couldn't stop hitting.

Peter: That was unusual?

Mark: That was. That was unusual.

Peter: Was it? Yeah.

Mark: That night. (Peter: Yeah.) Why I did that. And carried on. I think it was about four or five punches, but nothing- Do you know I try and justify myself, Peter, by looking at and reading about other men, and some real violent attacks. And thought, 'Well I'm not that bad.' When I see wives with broken ribs and smashed jaws and, and stabbed and I thought, Well okay, I mean I'm- I'm- I don't feel good about what I've been doing, what I've done, but I, I think well look, look at these men. Look at these mongrels and what they're like, y'know. (Peter: Yeah.) I'd sort of look at it that way. (7: 8)

Through his personal hierarchy of violence he is able to differentiate himself from 'other men' who are presumably the real violent men. While this discursive manoeuvre enables a sort of identity protection, we noticed various other ways in which men did *not* talk about their violence with the effect of protecting their public identity from the label of a violent man. These strategies both utilise silence, to keep the violence quiet, and invite silence. Intervention against domestic violence is more difficult when the man suspected or known of being violent has been successfully constructed in such a way that contradicts public stereotypes about the violent offender.

The nice guy: Silence as agency

One man interviewed said he deliberately kept the violence as hidden as possible. He described his partner as maintaining silence about the violence too. In the following he described how he actively worked to create an 'illusion of harmony' (Eric 45: 3) about his relationship, a 'golden world' (45: 1) to others:

Eric: That was done by not discussing anything that happened privately at home with anybody else. No conversation. Not the slightest hint of what or how, or when or, anything, anything to do with home life was never ever discussed.

Peter: Even with your closest, closest friends?

Eric: I haven't got any closest friends unfortunately. There's no one person that I see or talk to at all. There's no, there's no discussion made about my associations with my wife or my son with anybody else at all.

Peter: So that lack of closeness with other people prevented scrutiny?

Eric: Yes it would.

Peter: Help to disguise-

Eric: Help to disguise it, yeah, like that. Yes. (Eric 43: 20)

The difference between this presentation of harmony to the outside world and of terror at home he described as a 'Jekyll and Hyde' existence (27: 18) (see Douglas 1994). As Eric described himself: 'Nice guy on the outside and a burning sod, raging, roaring bull on the other side'. His silence can be understood as an activity (Jaworski 1993) in that he used silence as a deliberate adjunct to his presentation of himself as a 'nice guy' and his relationship with his partner as harmonious. If Eric's attempt to present himself as a 'nice guy on the outside' was successful, then his silence is working as agency, alongside this construction, to create an image of himself that is incompatible with violence and abuse. Thus the conditions are set by which observers might more readily disbelieve, rather than believe, reports of his violence. Breaking the silence would require disrupting these cosy narratives of harmony, which would be extremely difficult if they were convincing and believable to onlookers.

The reasonable man: Silence as rational/truthful

One man described attempting to silence opposition to his violence by presenting himself as rational and reasonable. In the following Mark described how he 'switched' to presenting himself as 'nice and palary [sic]' when the police arrived during a violent incident with his wife:

Mark: Ohh there was lot- yes, yeah. I was- yeah, I was shouting a lot. And um, I um (pause) I picked up a knife and I pretended to cut my arm. And I said, 'See.' And I was ju- these were just ways of, of getting at her y'know. She said, 'Ohh you're crazy. You're going crazy, y'know. But I think-

Peter: What, so when you cut you're cutting yourself?

Mark: Ohh I was just using the blunt side of the knife. I wasn't- there was- I didn't- (Peter: Yeah.) it was just a way- It was- it was like an act. It was like I was playing an act. A stage play. That's what it was like. (Peter: Yeah, yeah.) Y'know. That's what it felt like now. So yeah. And, and the funny part about this whole thing, I think, is when the police came I actually switched. Was I thinking maybe it was like a Dr Jekyll and Mr Hyde. I actually switched and was very nice and polite and palary to the police. Playing another act. 'Hi, giddy guys, sorry about the mess.' Because there was cups and that broke. 'You boys want a cup of tea?' And I- and I was over-nice to them. (Peter: Yeah.) Over-nice. And one of the police said, 'Ohh you, can you come downstairs. I'll talk to you' (sniff) and one of them talk to my wife. And I said, 'Look we just had a r- a domestic argument. Trish was pinching cheques out of the cheque book without telling me.' I said, 'We're stressed to the max. We're both stressed.' This was my

excuse y'see. (Peter: Mmmm, mmmm.) I said, 'I never hit my wife.' And that was the statement that I gave to the police. (4: 3)

In this extract, Mark described how he was able to draw on multiple constructions of women, men, and the domestic sphere, which could support and maintain silence about the reality of the violence he had just engaged in. While he too, positions himself as a 'nice guy' by non-defensively greeting the police and offering them a cup of tea, he also positions himself centrally as a 'reasonable man'. By switching to embody a controlled and polite demeanour and simultaneously casting his wife unsympathetically (as having stolen his cheques), Mark was able to strategically position himself favourably within dominant western discourses in which truth is associated with reason and rationality. As Mark described in the next extract, he was able to 'snap' out of an emotive, angry state when the police arrived, to be calm and in control. Thus, when Mark denied to the police having been violent, his denial was received within an immediate context in which it was plausible.

Jaworski (1993:59) argued that formulaic silence occurs when 'saying something ... poses a greater threat to another's face than remaining silent'. In this case, depending on the extent to which Mark's presentation is consistent and convincing, it could be socially awkward for police to challenge his account of events. They might have to break social conventions to do so, and may be more likely to accept his story and remain silent about the possibilities of violence.

Discourses in this instance were employed to edit knowledge (see Thiesmeyer's Introduction) by appealing to gender through discursive constructions of reasonableness in which women's emotionality is understood to indicate irrationality and unreasonableness and therefore untruthfulness, and men's rationality is understood to indicate logic and truth. Mark was able to strategically benefit from shared cultural understandings about women's emotionality and irrationality. In the following extract he admits that he wanted his wife 'to look bad', and that her behaving 'hysterically' helped him to defer blame away from himself. These discourses of rationality and truth, then, work to provide a context for reading the gendered division of rationality and irrationality in their display for the police, in ways that tacitly support Mark's story and make his wife's version of events less credible.

Mark: ... I- I wish, going back to the last time when we had a- I wish that I had've been able to snap. What- what confuses me is, remember I told you how I just changed when- I wasn't angry when- I didn't approach the police angry when I came- I was the- totally different. I was, 'Giddyay

guys. Sorry you had to be here. Um, sorry about the mess.' That's what I was like. I wasn't, 'What the hell are you doing in my- y'know, get out.' Y'know, angry. I wasn't angry anymore. And I wish I could've- if I could've snapped and stopped like that, and suddenly just said to Trish, 'Listen I am so sorry. What I am doing is wrong. Can we talk about this.' Now why couldn't I have stopped myself, but yet I did for the police. Quite easily. Just went (snapped fingers) stop. And like, as I say like I was acting with them, and- and y'know. I knew I'd done wrong. I knew they were there. I knew I'd done wrong.

Peter: So why- why would you be different with the police than with-

Mark: I didn't want to see them with an aggression side to me. I wanted to see that- well them that um my wife went hysterical. (Peter: So how come-) I was putting the blame on something else, my wife.

Peter: So you wanted her to look bad?

Mark: I wanted her to look bad, yeah.

Peter: Yeah. (Mark: Yeah) That she'd been over-reacting and (Mark: Yeah.) and that sort of thing. Yeah ... (35: 2)

The loving husband: Silence used to bury conflicting interpretations

Men's violence towards their wives and girlfriends remains a contradictory act within western cultures. While supported in some ways by patriarchal notions of male superiority and entitlement (Adams, Towns & Gavey 1995b), it is strongly condemned within the terms of dominant contemporary discourses of love, marriage, and fairness. While we have a rich cultural store of discursive devices for minimizing, excusing, and justifying domestic violence, it is usually preferable if these are not required in the public domain. As Fred shows in the next extract, he embodies this contradictory position, whereby he can privately justify his violence by blaming his partner for provoking it. But he also knows that it is not acceptable; 'it's not love':

Fred: I guess (pause) it was blaming her, and if I put the responsibility and the blame onto her, by saying she provoked me, um, it's not my fault, I'm not responsible. Even though, at times I knew what was happening and I'd say 'look, calm down, back off', you know 'don't do this, don't push it any more,' you know 'it's gonna end up- something bad's gonna happen,' 'you know what'll happen.' I can remember one time with my first wife, the first time that I assaulted a woman, um, for an hour. I was calm and she was provoking me 'why don't you talk to me, why don't you talk to me.' She was provoking the anger in me, like sticking a knife in and provoking and

really being provocative, and in the end I lashed out! And the next day, I was lying there for a whole hour just saying 'OK now don't let it happen again don't do it again.' (Peter: Mmm) and I thought 'well fuck, after that man, she asked for it.' I was trying to be rational and calm and I think that's probably what happened for me.

Peter: 'She asked for it?' 'She deserved it?' Those were um, beliefs that helped you- views that helped you justify, and therefore conceal what was going on?

Fred: Yeah.

Peter: Those two- those things don't mix for me. I was wondering, if it was justifiable, why did you need to conceal it? Why did you need to hide it?

Fred: Because it is still a shameful thing to do, and as a man, as a more strong, physical- its like being a bully, it's like um, I was ashamed because I did something that was socially unacceptable. It was not nice. It was um, an attack of one person on another.

Peter: But 'she deserved it,' you were saying.

Fred: There's still this- there's still an element in there that um, ah, I knew I shouldn't have done it. Even though I got, you I got (unclear). I lose control and, you know, sustained attack, and I still have this thing- I still have an attitude which told me that you did wrong. Something, just a knowing. It's not nice, you know, it's bad, its violent, it's destructive, it's not love.
(5: 11)

In a similar account of the contradictions felt in violence, Gavin discusses how, while it might be acceptable in some circles for men to treat their partners 'like a dog' or 'pieces of meat', it is not something that a man is likely to proudly advertise:

Peter: But if it's okay to treat your partner like a dog, how come you can't talk that way when you're with your friends? If you, you talk that way anyway don't you? I don't understand.

Gavin: Um, if we treat our partner like a dog, why can't we talk with our friends about it?

Peter: Yeah, you said that your friends talk like they [women] are pieces of meat. (Gavin: Yeah) Okay. And if you hit her that goes along with the way you talk about them anyway, doesn't it?

Gavin: Yeah.

Peter: Well why was it hard, well did- why didn't you ever talk to your friends when you beat her, hit her or something?

Gavin: (pause) I mean it's not something you're proud of doing. You don't sort of advertise it. (Peter: Yeah) I mean after every episode, even if I just yell or scream, as soon as I think, think about y'know, I really hate what I do half the time.

Peter: Yeah, yeah, so how would your friends think of it if you were, if they'd known- if you'd talked to them openly about it? What would they say?

Gavin: (laughing) 'Ohh shit that's your problem mate'. (10: 18)

In these ways, silence can be seen to be operating to bury conflicting interpretations of violence toward a woman partner. Gavin leads us to believe that in his social context his mates would pass responsibility back to him while not intervening against his violence. Yet his reference to hating his own violence (at least 'half the time') reveals that all the discursive resources at hand for a man like Gavin (who moves in circles where women are talked about in highly sexist and pejorative ways) are not adequate to fully constitute violence as acceptable. Gavin's silence about his violence among his mates is perhaps less about some notion of hiding the secret of violence, and more about protecting his own identity from the contradictions that are impossible for a husband, discursively constructed as loving his wife, to reconcile. Fred was similarly caught within a contradictory position in relation to his violence. He was able to justify it because his partner 'asked for it' – she 'provoked' him by what appears to have been insistent requests that he talk to her. Nevertheless he knew it was 'bad', 'destructive', and 'socially unacceptable'. (He described punching his partner in the face so that a bone was chipped and the bruises were still visible ten days later.) Interestingly, discursive tactics of silencing occurred whether or not there were visible injuries from the man's violence. Indeed, they may be more important to the man and more vigorously employed when the injuries to the woman are visible.

Silence as strength: Silence as culturally-determined masculinity

Another way in which silence was evoked was through discourses of hegemonic masculinity, which hold that men must be strong and invulnerable. In the excerpt below the interviewer asked Gavin if he ever talked openly about the violence to his friends.

Peter: Mmmmm. Did you ever talk openly with your friends about that? What happened?

Gavin: Just not the done thing.

Peter: How do you mean?

Gavin: (pause) Sign of weakness, I dunno. It goes back to that macho image again, isn't it. (9: 14)

Interestingly, and perhaps somewhat ironically, Gavin's account here suggests that talk of his domestic violence is likely to be received as talk of a problem, of vulnerability. What is particularly noteworthy about this construction is that it suggests that neither violence towards women nor talk about it is consistent with the valued characteristic of strength within the terms of a discourse of macho masculinity.

Another participant, Stan, also spoke of a reticence to talk about his violence. He also framed it as a masculine trait, but in contrast to Gavin he described it as a 'weakness':

Peter: So what encourages you to keep it to yourself? What sorts of things discourage the sharing of what's happening in the relationship?

Stan: I think it's probably more of an importance thing, that um- Some things aren't, I mean I think women talk about lots of things if you know what I mean, whereas men talk tend to be more specific, do you know what I mean?

Peter: Why- what are the obstacles?

Stan: I think it's that sort of in-built reticence not to bare your soul or your heart, you know?

Peter: Why is that undesirable?

Stan: It's just that in-thing- I keep saying this in-built thing is a weakness in males or something, not to show that we're human or- don't you believe? (35: 15)

While masculinity here is not framed in terms of strength, the effect of Stan's less favourable construction is remarkably similar to Gavin's. By employing a discourse of *a priori* sex differences, his account renders natural men's inability to talk about problems, and thereby legitimizes their silence about their violence.

The woman partner's silence

The most important person for the man to silence is the woman, who after all is the one subjected to his violence. Ways in which relationships of power serve to silence reply by the subordinate member have been outlined in, for example, talk of therapeutic exchanges (Towns 1994), through the oppression of minority cultures (Thiesmeyer 1995) and through the creation of ambiguities

to distort the subordinate's account (Jaworski 1993). Male/female relationships as power relations have been analysed extensively in the literature on rape and violence (e.g. Gavey 1990; Woodhull 1998). Most men are physically stronger than women. Men's authority over women has in the past been written into, and enacted through, legislation on violence, and men's authority is scripted in men's and women's lives in Western cultures through, for example, discourses of love (Towns & Adams 2000). Men's presence has been shown to impact on women's ability to speak and to make themselves heard (Spender 1980).

We can therefore anticipate that some men's talk of violence may include various devices that have the effect of silencing women's accounts. In this study we interviewed only men. Ways in which women experienced men's actions or language as silencing we investigated in a subsequent study (Towns & Adams 1999, 2000). Nevertheless, we identified some discursive constructions that might be drawn on by some men to silence women who experience violence from their partners.

Talk is betrayal

One way to silence the woman's talk of the violence is to access discourses that discourage disclosure of the violence by the female partner:

Peter: Did you ever try and um pun-punish Anna for maybe talking about it?

Jay: Um, probably in words, I think. You know. Oh you know, may as well go and tell the whole neighbourhood what you've said type of thing and you know, like I'd make her feel guilty about telling people. (5-6: 17)

Women's guilt over talking about their partner's actions might be evoked by drawing on discourses of betrayal. For example, it is disloyal to talk to others of your husband/partner's faults. Jay actively attempted to evoke guilt to persuade his partner out of talking. Guilt would act as an internal monitor in the Foucauldian sense should his partner think of talking to others of the violence. Loyalty and betrayal discourses are significant barriers to disclosure of violence (Dobash & Dobash 1988) particularly by Pacific Island women (Carol Lynch, pers. comm.)

Women would have to resist such discourses in order to get help when experiencing violence from their partners. That such resistance is seen to be counter to loyalty in the relationship is evident from some of the men's reactions to their partners phoning the police. For example, Grant articulated the betrayal he felt when the police were called:

Peter: Do you see- how did you feel about the police coming in?

Grant: The police themselves were good. Um, the courts were reasonably good. The senior sergeant that I spoke to after I'd been put on a diverted sentence, um I found very abrupt. Um, it was my problem, I felt that I was the one that- I'm at fault for being physical- showing physical violence. Um, but the way that he put, it was all my fault, there was nothing to do with you know- Sue had nothing to do with it, it was all my problem. Um, I found that a little bit hard. Um, as far as Sue's concerned, I was at that stage ready to finish the relationship. I've never been arrested in my life and to be arrested by your mate, um, I found quite hard to take.

Peter: It was a friend who arrested you?

Grant: No, Sue- I mean you know my partner. (5: 9)

Grant described his partner as 'his mate', a colloquial expression for male friend, implying that having your friend instigate arrest by the police was extraordinary, breaking the bonds of loyalty. By using the term 'mate' to refer to his partner, he was able to infer that the reporting of his violence by his partner was an absolute transgression of certain unspoken bonds of trust and friendship between him and his partner.

Some of the men described their partner's talk of the abuse as a problem for them, suggesting that in these cases their ability to silence talk of the violence was limited in its successfulness. One man described his partner's discussions with her woman friends as 'cat sessions', while another described them as 'men-hating' sessions. These terms drew on stereotypical pejorative constructions of women's talk as petty, trivial, irrelevant and inherently anti-male. The effect of such denigrating terms might be to undermine and ridicule a woman's attempts at resistance, perhaps with the desire of stopping it.

Ambiguity about causes of violence

Previous research indicates that some woman victims of male partner violence accept blame for their partner's violence towards them (Walker 1979). They look to a change in their own behaviour as a way to avoid further violent episodes from the man (Romero 1985). Women may be less likely to talk of the violence if they consider themselves to have instigated it. We are interested in the ways in which women might be silenced through acceptance of blame for the violence. Walker and Goldner (1995) argued that where the male partner is violent the couple might be living within a narrative in which the man is the 'wounded prince' and the woman the nurturer. The man's violence in this narrative becomes a failure of the woman to nurture adequately.

Jaworski (1993) described how silencing can occur through the creation of ambiguity or confusion in the listener about the legitimacy of the act under challenge. For example, the man's use of socially sanctioned excuses for violence may create ambiguity about the justification for the violence in the woman's mind. When a man utilises discourses that serve to excuse his violence the effect on the woman may be to create ambiguity about the legitimacy of her complaint about his actions. She may avoid talking of his violence because she feels she initiated it. Two commonly used socially sanctioned excuses for violence have been clearly articulated in past literature (Saunders 1986) and were evident in the transcripts in our study: provocation and self defence.

'*She provoked me.*' Provocation was the excuse used by several men to explain their violence. In the following Chris and Rob employ discourses of provocation to explain their violence to the interviewer:

Peter: What was, what would happen in previous relationships?

Chris: Um, as before um an argument would start um (pause) and on this occasion I was going out with Tracey for two years, um, and our relationship was very happy for the first few months.

Peter: Yeah.

Chris: And then we were having a- an argument, but she sort of really pushed me. I felt that she pushed me, and I, and really wound me up, and as she went to leave you know, I hit her in the head and it was pretty hard. Almost as hard as it, as if I'd hit a guy and that sent her over backwards over the bike that she was riding and um I sort of got hitched up there and the same- so I took her inside you know, and tried to calm her down, et cetera, et cetera. (4: 18)

and Rob:

Rob: Well see you don't understand like like like some women can fuckin manipulate your mind and play with you that much that that that they'll they'll fuckin- she used to just I dunno she just used to do- push some button or something. She used to just she knew how to manipulate me and push me and push me and push me non-stop until I, until I didn't know I didn't know what else to do. I just felt this this this surge of energy, this anger and I just wanted to fuckin hit something or anything you know just.

Peter: She manipulated you?

Rob: I reckon she did, yeah. She was very, very cunning you know. Very cunning. (8: 12)

Chris and Rob described being 'pushed' by their partners. Chris described being 'wound up' by his partner. These metaphors of the woman 'pushing his button' or 'winding him up' were common devices used to illustrate the woman's provocation, and excuse the man's violence. Interestingly, they employ the metaphor of the man as machine, and the woman is positioned as machine operator, suggesting the man is passive in the episode of violence and the woman active in its creation. Rob views such 'pushing' as a 'cunning' and deliberate 'manipulation' of his mind against which his justifiable reaction was violence. Other metaphors of provocation were also evident in the transcripts:

And it's like a red rag in front of you (Teri 10: 10)

something would get up my nose (Stan 16: 17)

the women that did step out of line- for example, I always said as a kid was 'bash em' back into line' (Fred 3: 14)

In the excerpt from Fred (above) he described how he would 'put the blame and responsibility on her' in order to justify his violence. In his account apparently innocuous comments 'why won't you talk to me' were interpreted as provocative. The account 'she provoked me' therefore 'she deserved it' served to provide a platform for visible evidence of violence, and a legitimate explanation to others subsequently. Apparently his partner's attempts to have him talk about what was troubling him provided him with the substance for his interpretation of provocation.

'*She hit first.*' Another device that might create ambiguity is that of self-defence. Rob drew on discourses of self-defence to legitimate his violence: 'She hit first.' The following interchange occurred when I (PA) confronted this man, who was physically intimidating, about his justifications for violence. My intention was to determine if Rob held any critical analysis of his actions:

Peter: Is it right for you to hit her?

Rob: Was it right for her to hit me?

Peter: Just

Rob: (cuts in) She hit me first. I'd never, ever hit her first.

Peter: But given that you're much stronger than her. Is it right for someone stronger to, is it right for a father to beat up a child for instance?

Rob: Oh yeah that's that's, she's a grown adult. She knows what she's doing. She's got a strength as well. (Peter: yeah). So what you're saying is that all, all smaller people can go around winding up big people because they can and that's right and all small people can hit big people because that's right because they're smaller and they're weaker. But if any big person hits a small person that's not right?

Peter: I'd say it's a bit different and what, I'm, what you're saying is that the, 'what my justification for hitting her is that she wound me up. She made, what she did made me feel angry.'

Rob: (coughs) That's right.

Peter: Is that, is that justification adequate though?

Rob: No.

Peter: It's not adequate?

Rob: No but it's something what happens. I- I don't justify it (Peter: yeah) I don't say it's right. I- I'd do anything

Peter: To make it different?

Rob: To make it different and, and, and to take- pull it back and not hit her. But- (25: 8)

Through raising the issue of the women's initiation of the attack as justification for violence towards her Rob used self-defence as the discursive context to argue for his right to protect himself from his partner's hitting. In his construction, self-defence is extended to include his right to retaliate with violence, and he neglected to acknowledge his far greater potential to frighten and hurt his partner. Jacobson (1994:99) noted:

Battering is not just physical aggression. Rather, battering constitutes the systematic use of violence and threat of violence in order to control, subjugate, and intimidate women. Without fear, there can be no battering. In 20 years of research with couples and 20 years of clinical experience, I have yet to encounter a man battered by a woman. However, I have encountered plenty of women who push, shove, or hit men, usually in self-defence, often out of frustration, but seldom if ever as a method of control.

Despite Rob's inability to accept the moral position that PA advocated, he nevertheless appears conflicted by his violence. While maintaining his right to hit his partner when 'she hit first' or 'wound him up' he nevertheless articulated, within the interview context and under some confrontation about his violence, that such justifications were insufficient excuse for violence, and that he would like to change. We were interested in the response of different readers to this ex-

cerpt. Some readers found Rob's final comments compelling and an indication of his readiness to change. However, those readers who were experienced violence clinicians showed more scepticism of a successful outcome. They saw his commitment to violence remaining evident in his inability to accept the moral tenets that 'you don't hit women', and 'you don't hit those smaller than you'.

Discourses of self-defence and provocation allow an interesting reversal in which the abuser becomes the victim and the victim the abuser, thus providing the excuse commonly used by some men who hit their partners to legitimate their violence: 'she deserved it' because 'she provoked it'. When men access these discourses to justify their violence the effect on women who are experiencing violence from their partners, and who accept such constructions, may be to create ambiguity about the legitimacy of their concerns about the man's violence, to promote the woman as at fault. This might serve to cause the woman to blame herself for the violence, to silence her and prevent her from taking action against the man.

Rhetorical devices

Some rhetorical devices that might serve to silence women's talk of the violence were also evident in the transcripts.

Axiom markers. Axiom markers (Adams, Towns & Gavey 1995b), are an example of a rhetorical device men who have been violent use to support their ideas of dominance and entitlement. These emphasise and mark an adjacent statement considered by the man to be the nature of reality. In the following Alan used axiom markers to trivialize his partner's concerns:

Alan: (Pause) Um, I dunno. It was just after she came home. We went out with a group of people and I just introduced her 'Oh this is, this is just the wife came out from England' sort of thing as opposed to 'this is my beautiful wife Sandra', and 'this is my best friend Sandra.' (Peter: Mmmm.) Sandra's never actually felt that she is Sandra, she always thinks that she's a, a wife first and a mother- maybe- ah- Sandra afterwards.

Peter: Yeah. Were you aware that, that it might be hurtful to say?

Alan: No.

Peter: That this is just the wife?

Alan: No. Now I- I can see it, yeah.

Peter: So she told you later that it was hurtful?

Alan: Yeah.

Peter: At the time you didn't think there was anything wrong.

Alan: No. When she told me I just pooh poohed it. Told her that's, *that's what it is. It's, it's the way I am.* (Italics inserted. 32: 6)

This excerpt demonstrates how the woman may be silenced by the language some men use. Alan's partner raised a legitimate concern she had about the language he used to describe her or introduce her to his friends. He described how he trivialized her concerns: 'I just pooh poohed it'. He used the axiom marker 'that's what it is' adjacent to 'it's the way I am' to deny the legitimacy of her concerns and demonstrate his reluctance to change. Other axiom markers we identified in the transcripts were:

That's it, pure and simple.
... and that's the bottom line.
It's just the way things are.
There's no other way around it.
You can't look at it any other way.

When used by a man in conversation with a woman he is violent towards, possible rhetorical effects might be to terminate discussion, silence the woman, and signal danger should she want to proceed with a discussion with the man.

'A storm in a teacup.' Some men considered that more had been made of their violence than was necessary:

Stan: Oh, you're right, and I mean this is why we started- talked about kids, and teaching by example and things like this. Yeah, you're right, I mean, I think if we got down to the nuts and bolts and talked about these problems a lot sooner, it wouldn't have blown out of all proportion. I think the whole thing's been blown out of all proportion to be quite honest. My parents feel that. I don't feel wrong- don't worry, I've enjoyed going along cos I've learned from it. I do go up quick I've curbed that. I believe I have through the techniques I've learned, so the course has been an extreme benefit to me.

Peter: But it's blown out of proportion? Who's blowing it?

Stan: Well I-I- think the whole thing's been a storm in a teacup.

Peter: Who's driven this?

Stan: Well, I mean we don't have financial problems, we've got our own home, we've got lovely healthy kids, we can feed ourselves, got a couple of cars. You know, we don't have problems if you know what I mean?

Peter: Yeah.

Stan: So, I mean, I think the problem is a lack of communication. And I mean, I've tr- when the problem started, Christ I talked to Kate about these things. How independent I am, you know um, I mean, we had been giving serious thought to selling the house and moving on. But I wasn't prepared to take on another mortgage until we'd resolved where we are now. I wasn't going to complicate our lives any further. (22: 6)

Stan employed the rhetorical devices of 'its blown out of proportion' and 'a storm in the teacup' to minimise and trivialize his partner's concern about his violence. He contrasts her concerns with the benefits of life that they currently enjoy: healthy children, healthy finances and their own home. These devices employed alongside his authority to make decisions might have the effect on the woman of creating ambiguity about the seriousness of her concerns. Such rhetorical devices may also serve to silence women's talk of the violence they experience.

Denigrating the woman

Some of the men interviewed utilised inferences about the women's competence that discredited the woman's abilities. This was achieved by employing an account of her that denigrated her ability to provide a legitimate narrative. In the excerpt below, in various subtle ways Stan belittled his partner when confronting the knowledge that others may now know of his violence towards her after she had temporarily separated from him.

I believe that I didn't have a problem with her taking time out to (Peter: Yeah) go and, as I said, collect her marbles and think things through, and I expect an adult to come back and talk it through and you know- (Stan 19: 6)

Stan's comment that by taking time out his partner could 'collect her marbles' draws on the term 'lost her marbles', and implies that she had become irrational if not crazy. Moreover, his comment that as 'an adult' she should 'come back and talk it through' infers that her current behaviour is childish. Such references dropped into the conversation about his partner serve to construct her as immature, irrational and perhaps mentally unstable. As a consequence, the credibility of her account of events is undermined.

The silence of friends and family

Silencing friends and family is particularly important in enforcing secrecy around male partner violence as it prevents the abuser from being challenged about his violence by those in more equitable relationships with him than that of his partner. While he remains unchallenged he can continue to adhere to his justifications for violence. The ways in which silence is achieved in more equitable power relationships has not been clearly articulated. We identified some ways in which silence might occur in such relationships from the transcripts of the men we interviewed.

Fuzzy talk of the violence

The men employed several ways to talk of their violence towards their partners that obscured the nature and the extent of it.

Providing a plausible story. One man described concocting a believable account of the signs of violence in order to silence inquisitive comments from others:

Well they've seen, they haven't actually seen me being physical y'know. But they used to see Anne, which was my old girlfriend, they used to see her with black eyes and when I broke her arm they, ohh okay we said we, she fell over but I mean deep down people probably knew different and that. Well she did actually fall over but I pushed her. (Gavin 9: 13)

In this passage, Gavin reflected on the knowledge of others about his violence. This passage was of particular interest to us because, although Gavin described how he and his partner actively hid the cause of her broken bones, he accepted that others were likely to have been unconvinced by his explanation, and to have known that his account was suspect. He was quite clear that his story was simply a facade. This passage alerted us to Gavin's and perhaps other of the men's violence as not simply a secret but rather an action over which there should be silence. Gavin's plausible story perhaps relieved his friends of any further need to question even if the account was not believed. His account suggests that, while he actively sought to avoid talk of the battering through providing a believable alternative account, the signs of the violence provided a visible narrative that was not entirely consistent with his story.

In this example, listeners would have the choice of questioning Gavin's account or of accepting it, and thus being silent about the violence. Challenging Gavin would risk his loss of face and would threaten the relationship the

listener had with him. Silence as a response prevents humiliating the man through implying that he is a liar by questioning his account, and through describing him as a violent man.

Using euphemisms. Some of the men described blaming the partners rather than being explicit about the abuse. Rob demonstrated the language he used to describe difficulties in the relationship:

I used to talk to my mates all the time about .. but we always used to talk about the same thing. It wasn't sort of like. I would never say like I- I beat her up that night or anything. It was sort of um- you know- 'Oh fuck she goes off'. (Rob 8: 2)

One man described his talk with others about his violence as being circumspect and deflecting. Doug reflected on how he would describe his violence to his friends:

When things weren't going well in my relationship, I thought well you know, maybe I should just have a talk to my friends about it. Just see what they- they think. I didn't, I didn't say anything about, hi-hi-hitting my partner or pushing my partner as I did. All I said was that things weren't going well and um we, we, we're having difficulty in certain areas and, and you know, basically their, their im, and their immediate reaction was 'oh look just drop the bloody woman and get on with your life and get somebody else'. (Doug 14: 12)

In Doug's account to the interviewer he struggled to actually say the word 'hitting'. The violence becomes 'things weren't going well,' and 'we're having difficulty in certain areas.' In his account he evokes sympathy in his friends to the extent that he reports being told to 'drop the bloody woman.' This suggests that while he describes his violence with euphemisms his partner is the one constructed as at fault. Had he been explicit about his violence the response from his friends might have been quite different.

The indefinite target. Some of the men's accounts of their violence provided telling ways in which the effect of the violence on the woman was hidden. The result was a narrative of the violent episode in which the woman recipient of the violence was a nonentity. Some ways in which language is used to accomplish this effect have been described by Lamb (1991). Two examples are present in the above excerpts:

I lost control that night, that, that incident with the bo- toilet. (Peter: Yeah.) And I lashed out and I hit and I couldn't stop hitting. (Mark 7: 8)

and

... She was provoking the anger in me, like sticking a knife in and provoking and really being provocative, and in the end I lashed out! ... (Fred 5: 11)

In both Mark's account and Fred's account the object of the lashing out, that is, the woman partner, was not given mention. Rather the hitting is described as if it happened indiscriminately. Linguists have argued that the effect is that the narrative of the violence remains centred around the events that were happening to the man, and the effect on the woman of the violence is not given voice. In addition phrases such as 'I lashed out' may be interpreted as a single event of violence: one hit. This phrase may successfully camouflage prolonged violence. In the excerpt from Mark we can see that the phrase 'I lashed out' can incorporate 'I hit and I couldn't stop hitting'. Had the men included the object of their violence and said 'I lashed out at her', or 'I hit her and I couldn't stop hitting her' the listener might want to hear whether the woman was hurt, that some assistance had been given to her. The focus of the narrative would perhaps have shifted from the man to the woman, and at least some of the woman's situation might have been articulated.

The use of an indefinite target for the abuse was a common device used when men described the violence. Other examples were:

I'd rant and rave and I'd scream my head off. (Teri 1: 8)

I'd come home and I might be short-tempered. (Stan 2: 10)

I'd just [get] frustrated and hit something or something like that. (Glenn 20: 17)

I got aggressive and started smashing things. (Bill 1: 10)

... it would be like that my fists weren't part of my brain- connected to my brain and I just- I'd just go for it. (Chris 5: 2)

Accessing privacy discourses

Difficulties in the distinction between private and public domains have been described as hampering interventions in male partner violence towards women (Bush 1992). Jecker (1993) articulated the foundations for these distinctions. She argued that with the advent of the nuclear family in the nineteenth century, activities surrounding the family were increasingly seen to be private af-

fairs. The 'doctrine of separate spheres' emerged as a consistent theme at this time. Under this doctrine family and charitable activities requiring care-giving and 'free expression' were seen to be women's activities, while business and political activities requiring 'coldheartedness and self-interest' were the exclusive domain of the man. These distinctions allowed the clear articulation of what were the private and the public domains: the private involving the former and the public domain involving the latter. Furthermore, Jecker argued that the division of private and public spheres provided the context for the subordination of women. The man as the head of the family retained the privacy rights of the family, and ethical principles such as justice were deemed to be applicable to the public but not the private domain. The courts therefore upheld the man's right to use violence to maintain his authority in the home. Stanko (1988) argued that criminologists have perpetuated the idea that the private arena is safe and the public arena unsafe through focusing their research on fear of crime in the public arena while neglecting that in the private. She argued that this perpetuated the idea of risk from strangers while camouflaging the risk to women and children from intimates. The concept of privacy is therefore fundamental to understanding how men evoke silence from others about their violence towards their partners.

There were certain privacy devices that some men drew on in order to silence opposition from others towards their violence. These devices employ men's authority over women and/or men's right to freedom from interference by others using the following three interconnected and related themes:

Relationship problems as his/their business
 A man's home is his castle
 You don't air your dirty washing in public

Relationship problems as his/their business. In the following Gavin elaborated on why his friends might not initiate a discussion of the battering:

- Peter: Did your friends ever um ask you about your, question your relationship with your previous partner?
- Gavin: No, because that's the other thing that I think we were brought up with, is that um when it come between a guy and his woman that's his business. You butt out. And it's just the way it is with all my friends, y'know. They don't butt into their business. It ain't y'know. (Peter: Yeah.) And I remember- I actually remember as kids y'know, same thing y'know. The old man hitting the old lady and that, and I remember all these other

adults used to stand around and no one would do anything, y'know. And it, I actually remember at the time I remember it was once cause Mum gave me a frigging banana about one o'clock in the morning when I should've been in bed. And that was at a little bit of a party at the old place. And I couldn't believe that all these other adults just didn't do anything, y'know. (8: 19)

Gavin described male violence towards their partners as the man's 'business', which is sacrosanct to intervention by others. Furthermore, in Gavin's comment 'a guy and his woman' he conveys the man's sense of his ownership of the woman. Even though others may be aware of the abuse, as in the narrative Gavin gives of the violence his mother experienced, this adage 'keep out of a guy and his women's business' supports no intervention by concerned others. Despite Gavin's abhorrence of the incident he witnessed of his mother's beating at the hands of his father, it is this incident he draws on to illustrate that male partner violence is sacrosanct to intervention by others and, ironically, to justify his own violence. The violence should be treated in a similar way to the Emperor's new clothes. All is well while nothing is seen to be seen. In the above excerpt, despite witnesses to the violence no action was taken to stop it by the adults present. We can understand this silence as a formulaic silence that appears to have been so scripted into these adults' understanding of male-female relationships that no challenge is made to Gavin's father's authority to treat his wife in such a way.

Discourses surrounding marriage may also serve to silence talk of the violence by friends. In the following PA asked Fred why his friends didn't talk to him of his violence:

Fred: Ah well, I think if I was in that position I'd think 'phew, none of my business.'

Peter: How come?

Fred: At that time, you know, talking about then, 'it's their business, it's their marriage, it's their relationship,' you know, 'they're gonna find out in their own time,' you know, 'I don't want to interfere.' Sort of like um, I don't know why people- I don't know, maybe they'd done the same thing, and they were too ashamed to say anything because the- (pause) I don't know. (4: 12)

According to Fred, the violence is 'their business'. Marriage and then, more broadly, relationships become private institutions and any talk of the violence would be an interference in marriage and relationship 'business'. In this con-

struction, talk of the violence becomes not only an affront to the man but also a likely point of embarrassment to the woman partner. Perhaps it would signal the potential failure of the marriage, and therefore disrupt the narrative of 'living happily ever after'.

'*A man's home is his castle.*' Privacy discourses that draw on the resource 'A man's home is his castle' promote the secrecy of the violence within the home. Harry described the relationship between the man's castle and men's violence towards women:

Bruce: Do you have any ideas about why men are more aggressive towards women?

Harry: Oh I think it goes way back to cavemen days (Bruce: Right) and I believe that our roles from then, and it was like um, you found basically, you found yourself a mate and you built yourself a castle, she lived in the castle and you control the perimeters, to look after that ah, castle, and she nurtured the children inside. You see, clear separate roles.

Bruce: Right.

Harry: And because of that, men have- that's how it looked to me, history looked like it was like that and um, men became quite physical because men always- men are more into war it seems than women so of course they'll always try to smash down one another's castle so it became quite physical (Bruce: Right), and probably men who didn't seem to be able to physically match it with other men, or felt quite- or just knew violence and nothing else, actually took it out on wives ... (9: 6)

In the following Gavin depicts the link between 'the man's home is his castle' and discourses of privacy:

Peter: Women are at the moment moving out of the home and doing lots of different things, (Gavin: More or less.) becoming breadwinners and things like that. As well um they're shifting (?), feminism is trying to seek more power for women and all that sort of thing. How do you see that?

Gavin: Well, my missus at the moment, she's a book-keeper and she works five hours a day y'know. Um, she actually brings in good (sniff) money and that for us, so I, I got no quells about that. Um, I dunno, but I still think a man's home is his castle, y'know. King of the- gotta have a king of the castle, don't ya? That's why I reckon if some prick comes on to your property you got full rights to do whatever you like to them. It's your property. He

shouldn't even be on there unless he's invited. (Peter: Yeah, yeah.) A man's home is his castle. That's it. Pure and simple.

Peter: What's that mean, a man's home is his castle?

Gavin: (pause) Where else can you escape and be private, y'know it's- that's your little piece of privacy. That's fair. You can lock yourself away from the world if you want to. (Peter: Yeah, yeah.) And it's your home. (15: 4)

The resource 'A man's home is his castle' throws up a conglomerate of meanings: that the man should be king of the castle, (the 'man of the house') and as the king the authority in the home and the one who provides leadership and discipline (Adams, Towns & Gavey 1995b). The phrase encodes a particular male dominant gender relationship that does not require justification or elaboration from Gavin. He can therefore use the phrase without critical appraisal of his right to authority.

The description of the home as a castle suggests that the man's home should be as impenetrable as a castle: what happens inside should not be seen or heard. The term 'castle' evokes an image of a barrier to intrusions from outside. Privacy is paramount for Gavin. Furthermore, should somebody come onto his property without his permission, a man should be able to take whatever retaliatory action he chooses. There are parallels described by Harry and drawn on here from the rights of 'kings of the castle' of old to defend their territories from others. Childhood jingles reinforce this adage: 'I'm the king of the castle and you're the dirty rascal.'⁶

'A man's home is his castle' is a very powerful device that contains within it a subtext that acts against any confrontation of the man about his abuse. While the abuse may be known to neighbours and friends, the promotion of the privacy discourse through the adage 'a man's home is his castle' may serve to prevent them from 'intruding'; it denies any license to others to stop the violence. Violence against the women becomes the legitimate and private exercise of his rule – just 'a domestic'. Any attempt to expose or confront the abuser is seen to be 'butting into his business.' Should anybody violate this rule, this 'A man's home is his castle' gives him permission to 'do whatever he likes with him'. The phrase incorporates within it a threat to those who would wish to intervene. The 'castle' will be defended from interference and thus, to avoid harm, the violence will be treated as though it is a secret even if it is not.

The incorporation of 'a domestic' argument under the umbrella of privacy discourses (see also Mark's account above) might well extend the man's authority from the home into the public domain. In the following excerpt Stan drew

on the privacy of 'domestic disputes' to argue against the involvement of the police in male partner violence towards women:

Peter: Well one way would be to use the police. What are your views about that? If there was a grievance where the person did feel abused in the home, the police-

Stan: I don't know, I mean, I'm not sure whether the um- I mean, the police might be a starting point to cool the situation down but I am of the belief that they're totally committed to what they should be doing rather than settling domestic disputes. (33: 9)

Stan argued that 'domestic disputes' were not the legitimate business that police should be dealing with. If domestic disputes are not the business of the police the public may also find difficulty legitimating involvement. Construction of male-female violence in public domains as 'a domestic' works against the intervention by observers against such violence.

'*You don't air your dirty washing in public.*' Another phrase used to avoid discussion of men's violence towards women was 'You don't air your dirty washing in public.' This was used by Stan to describe why he did not talk of his violence towards his partner. Later he used this phrase within the context of a discussion about his attempts to get his partner to return to him during a brief period in which they separated.

Stan: The right way is to come back and address the problem. Talk it through you know? But to escalate the problem by going and staying with a- her best girlfriend, even if her girlfriend knew about it, which I really don't care, and stay and then expect me to go down and have a barbecue with her girlfriend, her husband and her girlfriend's friends that night, she's got to be dreaming.

Peter: Mmm.

Stan: I mean I'm not going to shove my dirty washing to all and sundry. I don't care what people think if they have heard things second hand or something, doesn't worry me unduly ... (19: 6)

Stan confronted the knowledge that friends may now be aware of the reasons for his partner leaving him in this passage. He described others' knowledge of his violence from his wife as 'second hand,' suggesting that her account does not have the legitimacy that his had. By using this term he reveals the discursive power relationship that gives greater influence to his account than his wife's (see Thiesmeyer's Introduction). Talk of his violence to others he de-

scribed as 'to shove my dirty washing to all and sundry'. This phrase succinctly summarises his view of the privacy of such information. Talk of the violence becomes a forcing of intimate details on those who have no right to it.

Conclusions

In this chapter we discussed one theme that emerged from interviews with men who had recently been violent to their female partners, that of silencing. We were particularly interested in how the effect of silence about the violence might be brought about by the men's employment of various discursive devices. We have attempted to demonstrate that the ways in which men position themselves within discursive contexts may prevent talk of the violence and silence others from exposing the violence or confronting the man about it. Early intervention to stop the violence would require interrupting these discursive contexts used to justify, excuse and minimise the man's violence.

This chapter was limited in its scope because we interviewed only men. In subsequent research we talked to women who had, in the past, experienced violence from their male partners (Towns & Adams 1999, 2000); family and friends; and professionals who work in the area about their experiences of male partner violence, and silencing in particular. We hope this will add further to our understanding of how men's violence against women partners may be treated as a secret when often it is not.

Notes

1. Reviews of surveys of the United States public have produced estimates of 21% to 34% of wives beaten by their husbands at some time (Browne 1993; Koss 1990) and 12% to 25% of wives indicating they have been assaulted by their partners within the previous twelve months (Browne 1993). In a survey of 2000 New Zealand men, 21% reported at least one physically abusive act against their female partner in the previous year and 35% at least one during their lifetime (Leibrich et al. 1995). Of 438 New Zealand women, 15% in current relationships reported experiencing physical or sexual violence in the past year (Morris 1997). One New Zealand study found 8.5% of mothers had been assaulted by their male partners over a five year period (Fergusson et al. 1986), whereas another study of New Zealand women found 16% reported being physically assaulted by their partners (Mullen et al. 1988). In the USA, women whose partners have been violent towards them are more likely to be repeatedly seriously assaulted or killed than are women assaulted by others (Browne 1993).

2. Knowledge of discursive tactics has led feminists, psychologists and sociological theorists to challenge therapeutic interventions with men that ignore the complex and contextual nature of male partner violence (Adams 1988; Adams 1989; Dobash & Dobash 1992; Eisikovits, Goldblatt & Winstok 1999; Hatty 1988; Jacobson & Gottman 1998; Kurz 1989; O'Neill 1998). Attempts to intervene with men who have been violent have involved assisting them to gain insight into the origins of their violence (Dutton & Golant 1995) or assisting them to gain skills in anger management and non-violent expressions of anger and other negative feelings (Deschner 1984; Lindquist et al. 1984; Sonkin & Durphy 1982). Critics have argued, however, that better insights or better skills may further equip and extend the abuser's repertoire for partner dominance (Bograd 1984; Gondolf & Russell 1986; Robertson 1999; Schechter & Gary 1988).
3. The Duluth Abuse Intervention Project specifically targets those discourses an abuser uses to normalize, justify and minimise his violence (Edleson & Grusznski 1988; Pence & Paymar 1986, 1993). In New Zealand the approach formed the basis for the Hamilton Abuse Intervention Pilot Project (H.A.I.P.) (Dominick 1995), and the North Harbour Living Without Violence Project.
4. While reading transcripts of the interviews of the men in this research I (AT) experienced a sudden realisation that there was a distinct discrepancy between what I was reading and the assumptions I was bringing to my reading. I had been reading the transcripts as if secrecy about the violence perpetrated by the man was axiomatic. Interestingly, however, several of the men clearly stated that their violence was known to others. Similarly, while the violence was said to be a deliberately kept secret by some of the men, others certainly did not maintain such secrecy.
5. Peter Adams conducted the majority of the interviews, three being conducted by Bruce Davis.
6. We would like to acknowledge Patricia O'Connor for reminding us of this jingle.

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CHAPTER 3

Conversational styles and ellipsis in Japanese couples' conversations*

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Introduction

Silence can be considered as an extreme case of ellipsis. Just as silence has significant communicative power, ellipsis also creates tremendous communicative effects in conversation. By leaving a part of the information unsaid, the speaker invites the listener to do some of the work of sense making. This study analyses ellipsis in Japanese conversations by using interactional sociolinguistics¹ as the analytic framework. Minute discourse analyses of daily conversations between husbands and wives reveal that there are different communicative styles and expectations in the use of ellipsis among Japanese speakers. Even between such intimate interlocutors as husbands and wives, mismatched expectations for use of ellipsis create various communicative problems and value judgements. Playback interviews with the interlocutors reveal that these problems sometimes lead the participants to conclude that their partners are not intelligent enough or competent enough as communicators.

Japanese communication has often been characterised as indirect and overwhelmingly ambiguous. One of the reasons for this is thought to be because the Japanese emphasise group harmony in interpersonal relationships. While the Japanese may show a greater preference for indirect communication compared with their Western counterparts, different communicative styles within the Japanese community exist. Ellipsis has various interactional functions and it is an important strategy in Japanese communication, but its use is evaluated either positively or negatively depending on the different expectations and conversational styles of the interlocutors. This study shows the danger of making too simplistic a generalisation when describing communicative characteristics

of a certain ethnic or national group. It also shows some processes in value judgements that can lead to either silencing or pressure to break the silence against one's preference. As Thiesmeyer (Introduction to this volume) points out, silencing is a process that works best when disguised, because silencing can only occur with discourse. Ellipsis also works on the edge of conversational expectations in disguised ways. Being verbal and being elliptical both have potential to be judged negatively. It is the question of whose standard we use to judge others' conversational styles.

Definition of ellipsis

Ellipsis has been studied in various disciplines with different definitions and terms. For example, in the syntactic approach, such terms as *deletion* (Akma-jian & Heny 1975; Kuno 1978, 1982), *zero* (Kuroda 1965; Kameyama 1985; Hasegawa 1995; Takada & Doi 1995), *gapping* (Dingwall 1969; Muraki 1974; Kuno 1976), and *empty categories* (Chomsky 1981; Huang 1984; Nakayama 1999) have been used more or less interchangeably to describe phonetically null elements of the surface structure. Kuno (1978) treats the omission of topic phrases as old information, while Hubbard (1988) regards it as representing cognitively established concepts in the speaker's consciousness. Further, Halliday and Hasan (1976) treat ellipsis as a cohesive tie, and Hinds (1983) and Clancy (1980, 1982) as topic continuity. Hinds (1980) distinguishes the term 'deletion' from 'ellipsis' by defining deletion as a transformational concept while ellipsis is a surface structure notion. This confusion in terminology has made it difficult to incorporate the different approaches in order to discuss the phenomenon.

In order to examine interactional functions of ellipsis in actual conversations, a mechanical and syntactic definition of ellipsis based on hypothetical surface forms of sentences is not sufficient. An operational definition of ellipsis that incorporates interactional and socio-cultural aspects of communication is necessary in order to understand how ellipsis is used in actual conversations and how ellipsis influences interpersonal communication. In this study, I will regard ellipsis as the non-presence of entities in surface forms of utterances which the speaker assumes that the hearer can fill in from linguistic and/or extra-linguistic contexts. What is interpretable from the speaker's perspective may include various types of information not only on the syntactic level (as a result of deletion rules), but also on the semantic/pragmatic level (such as indirect speech acts and entailment), the cognitive level (for example, concepts in

one's memory such as topics), and the interactional level (involving the hearer for sense making etc.). In this definition, interactions between the speaker and the hearer play a key role in understanding the communicative functions of ellipsis in actual conversations. In my data, the information that was assumed to be interpretable but not verbally uttered by the speakers is identified for analysis through playback with the informants; during the playback, the interlocutors explained the unsaid meanings of their utterances and their perspectives towards the interactions. Such an interaction-oriented definition allows us to examine ellipsis as a dynamic phenomenon that can lead participants either to silence certain information or to break the silence.

Further I propose a distinction between 'marked' and 'unmarked' ellipsis in Japanese. The notion of 'unmarkedness' was introduced in phonology as a concept related to naturalness and frequency of occurrence. Unmarked sounds are those in accordance with general tendencies that occur more frequently. They are also easier to produce. Marked features, on the other hand, go against these general tendencies and are hence 'exceptional' in some way (Radford 1981). A widely distributed feature is also considered to be more universal and therefore unmarked (Crystal 1985).

Deciding what is an unmarked use of ellipsis in Japanese is an extremely complicated task. Some types of ellipsis seem, however, to be more unmarked than others. For example, there are widely distributed cases of ellipsis that are expected to occur, even when actual items are used in English for such cases. Omission of subject pronouns in their second mention is widely observed in Japanese. This functions as topic continuity, having a similar function to English pronouns (Hinds 1983 and Clancy 1980, 1982). An explicit mention of those items instead of ellipsis in Japanese indicates that a speaker is implying other communicative intentions such as emphasis of information or differences in interpretation (N. Mizutani 1985). Here, omission of such topical noun phrases is the more unmarked form of topic continuity, and the explicit mention can be seen as marked.

There are certain structural conditions that allow extensive use of ellipsis in Japanese. Hinds (1982a: 80–82) suggests two basic rules which contribute to the identity of elided noun phrases. In the first rule, he claims that 'the referent of an ellipted [sic] item is assumed to be a paragraph topic or subtopic which is compatible with the markers of the propositional verbal associated with the ellipted item'. And the second rule is 'the ellipted subject (NP *ga* [subject marker]) of a declarative sentence is the speaker; the subject of an interrogative or imperative sentence is the addressee'. Further, Hinds lists that constructions with *rashii* [looks like] require a third person subject, whereas *tsumorida*

[intend to] or *tai* [want to] generally require a first person subject. These subjects are often deleted in oral discourse. Maynard (1990) also claims that situationally interpretable elements such as the 'I' and the 'you' in face-to-face communication are often deleted in Japanese. Kai's (2000) semantic analysis of first and second pronouns confirms that topics and nominatives that are logically and uniquely predictable are not verbalized in discourse.

Moreover, the use of honorific expressions provides additional clues as to the identity of elided subjects. For example, a 'humble' form requires the speaker or the members of the speaker's 'in-group' (such as family members) to be subjects while a 'respectful' form requires a non-member of the speaker's in-group (such as the speaker's teacher) to be subjects.

What is perceived as the 'natural' or 'unmarked' deletion of information may differ from culture to culture. Becker (1979) and Hall (1983) both point out that the appropriate level of contexting perceived as unmarked varies depending on each culture. Marked ellipsis somehow leaves the hearer with the feeling of incompleteness since it requires the listeners to do the extra work of searching for information to reconstruct missing elements. While missing elements are relatively easily identified by grammatical clues and extra-linguistic clues for unmarked ellipsis, omission of information that requires the extra work of searching can be seen as a marked phenomenon. In Japanese, it is found that some marked ellipses co-occur with certain cues which contextualize possible difficulty for the speaker to articulate the message fully and that assist the listeners to fill in the omitted elements. These cues, which are called contextualization cues by Gumperz (1982), include pausing, prolonged syllables, weaker voice, interactional particles of confirmation (*ne* and *sa*) and laughter (Okazaki 1994).

It should be noted, however, that within the Japanese culture, speakers with different conversational styles may perceive elliptical utterances differently. That is, those Japanese speakers who do not use much ellipsis may be considered 'too talkative', while utterances produced by the speakers who prefer extensive use of ellipsis may be regarded as 'too ambiguous' by those who are verbal. Deciding what is 'unmarked' also requires the interlocutors' perspectives towards the use of ellipsis. Thus the distinction between marked and unmarked ellipsis is made not simply mechanically, but interactionally. This study focuses on different perspectives towards ellipsis within the Japanese culture. I argue that mismatches of conversational styles in use of ellipsis could cause miscommunication and conflict in interactions. Through this examination, it will be shown that being indirect is not a homogeneous phenomenon among Japanese. Just as silence is used and interpreted variously in different

cultural contexts,² there are regional, gender and individual differences in the way ellipsis is used and interpreted by Japanese speakers. As a result, miscommunication and conflict may occur even between close interlocutors such as husbands and wives.

Data collection and method of analysis

In order to obtain conversations between interlocutors who have a large amount of shared knowledge, dinner table conversations between Japanese husbands and wives were tape-recorded in Washington, D.C., where I and the informants were living at the time. This study was originally based on conversations obtained from 6 Japanese couples as informants. In this study, I will focus on three of the couples who showed clearer conversational style differences.

I came to know the wives of my informants through the International Spouses Group at George Washington University. This group includes housewives from all over the world whose husbands are students at George Washington University. The two major ethnic groups are Japanese and Chinese. They meet every Friday from 1:30 to 3:30 at the international student house of the university. Their activities include potluck lunches, crafts, presentations about their countries, outings, and a grocery store tour for newcomers. I was introduced to the group through a Japanese friend of mine, and became an occasional attendant.

The following are the general characteristics of the participants.

1. Age: All the informants' ages are from the mid twenties to mid thirties. The average age of the husbands is 31.5 years, and the wives' average age is 26.2 years.
2. Educational and social background: All the husbands graduated from four-year universities in Japan. Except for Tetsuo, who was sent to work for the U.S. office of his company, all the husbands were sent by their companies to the U.S. to study at the MBA program at George Washington University. All the wives have a two-year college or higher educational background.
3. Length of marriage: All the couples met their spouses in Japan and were married in Japan. They had been married for anywhere from 9 months to 2 and a half years. The average length of marriage of the informants is 1.54 years. The length of time they had known each other before marriage varied from 1 year to 6 years.

4. Number of children: In order to avoid possible interruptions by the children during husbands and wives' interactions, only couples who did not have children were chosen for this study.
5. Regional backgrounds and dialects: Naoko is originally from Tokyo and speaks Tokyo dialect, which is regarded as the 'standard' dialect of Japan. Akio is from Chiba, and Yumie is from Kanagawa. These areas are a part of the Kanto region centering around Tokyo, and these speakers also speak the Tokyo dialect. Hitomi is from Miyagi, which is located in the Northern part of Japan, but lived near Tokyo for a few years before she married Akio. Akio and Hitomi use the Tokyo dialect in their daily conversations. Tetsuo (from Okayama) is from the Western part of Japan, but he went to high school in Tokyo and has lived in Tokyo since then. Therefore he hardly ever uses his regional dialect in his conversations. Satoru is from Osaka, the biggest city in the Western part of Japan (called Kansai). He went to school in Kansai also. He uses Kansai dialect when conversing with his wife, Naoko. He is the only speaker of Kansai dialect in my data. Table 1 is a summary of the characteristics of the participants.

After I established personal friendships with some of the Japanese wives through the Spouses group, I asked them if they could tape-record their conversations with their husbands for me. I suggested that dinner table conversations would probably be easiest to tape-record. I also asked them to avoid tape-recording with background noise, such as radio and TV, for the sake of the quality of the recording. They did not know exactly what I was looking for in their conversations.

At first, ten Japanese couples were chosen as informants of my study, based on their social traits such as the length of marriage, age, and their purpose in coming to the U.S. But four of them said that either the husbands or the wives felt uncomfortable about tape-recording their dinner table conversations. The other five couples showed hesitancy about participating at first since I, the re-

Table 1

Couples	Age	Purpose in coming	Length of stay in U.S.	Length of marriage	Place of birth
Akio	33	MBA	1 year	1 year	Chiba
Hitomi	25		1 year		Miyagi
Satoru	27	MBA	2 years	9 months	Osaka
Naoko	24		9 months		Tokyo
Tetsuo	34	Business	1.5 years	1.5 years	Okayama
Yumie	30		1.25 years		Kanagawa

searcher, know them personally outside of the research, and they were not sure what I was looking for in the data. Therefore I assured them that they could erase any parts of the tape to which they did not want me to listen. Only one couple volunteered to tape-record their conversation upon hearing that other couples were doing it for me.

At first, the participants sounded nervous about being recorded, but as the conversations progressed, the flow of the conversations became more natural. In the middle of the conversations, the informants often made such comments as 'Oh, I forgot that we are taping the conversation', and 'Are we still taping the conversation?' These comments suggest that the participants became less aware of being recorded, and their interactions became more natural. There was only one couple that seemed to be very conscious of being recorded. The wife told me later that even though she tried to be natural, her husband was behaving differently from the way he normally does. Therefore their conversation was used as a supplementary resource.

I did not participate in any of the conversations in order to avoid the influence of my presence on the conversation as a third party who did not share much background information with the husbands and wives. Different researchers have made suggestions about the influence of the researcher's presence in conversational data. In Tannen's study (1984), her participation in a Thanksgiving dinner conversation as a natural participant (she was a personal friend of the host and was invited to the dinner) was crucial to the analysis of her data. Her background knowledge of interpersonal relationships among the participants as well as insights obtained through her direct participation in the interactions helped her to interpret the data accurately. On the other hand, as Labov points out, if the researcher is not a natural participant, the presence of the researcher as a participant observer may distort the natural flow of the interaction.

In the husbands and wives' interactions, I, being a third party, could never be a natural participant in their conversations. In addition, my absence from the actual interaction helped me in locating the parts where the interlocutors communicated without providing all the necessary information verbally. Thus, my absence from the conversation was crucial for this study. The 'insider's' information was provided later during playback.

After receiving the tapes from the Japanese couples, I transcribed the conversations, and highlighted the parts that I could not understand not because of mechanical reasons (such as a noisy background) but because of my lack of shared knowledge. Paralinguistic features (pausing, laughter, rising intonation, etc.) were also transcribed. Unstated background information and shared

assumptions between interlocutors were then checked with the participants during playback in order to gain their insights into the conversations.

Playback is a technique to obtain the informants' interpretations and perceptions in order to secure objectivity of analysis. Tannen (1984) maintains that playback is the litmus test of interpretation; it helps the researcher to understand the background information, participants' perceptions about the interactions, and their differing interpretations of each other's utterances. In this study, playback helped me to fill in the information that was not verbally expressed, to understand the participants' view towards the interactions, and to obtain insights into the interpersonal relationships of the interlocutors.

Playback was conducted two to six months after the conversations were recorded. I invited each couple on different occasions to my house for dinner. I told them that there were segments where I had difficulty understanding what was going on, and I needed their help to clarify what they meant. I also told them that I was interested in the way people communicate without expressing everything verbally. Then, I showed them the segments of transcriptions from the conversation where I did not understand, and let them listen to the tape again. I asked them what they were thinking about when they were having that conversation, and how they felt about the interaction. The playback session was also tape-recorded with their permission.

During playback, my informants were amazed at the amount of information that they attempted to communicate through ellipsis. They were also surprised at the fact that they had different interpretations of each other's utterances and that there were cases of misunderstanding even though they had not realized them at the time of speaking. The information obtained through playback was used to supplement the background information about the conversation and increase the accountability of my interpretation about what was going on.

Further ethnographic information about the Japanese husbands and wives was obtained through informal interviews with the participants and other wives in the spouses' group as a personal friend of the wives and some of the husbands.

As a convention, the information omitted from the surface but yet communicated is shown in parenthesis in the transcription. An English gloss is provided under the Japanese utterances, and the English translation is shown in bold face. Other keys to transcription are given in the Appendix.

Conversational styles and ellipsis

In Okazaki (1992, 1994) and Yohena (1997), I found that one of the significant interactional functions of ellipsis in Japanese is creation of rapport and involvement. As Tannen (1984) points out, by inviting listeners to fill in the unsaid information, ellipsis contributes to the feeling of rapport. It sends a message, 'we understand each other without expressing everything verbally'. Anticipation of the speaker's message through sharp guesswork is valued highly as a show of *sasshi*, one of the most significant types of competence in Japanese communication claimed by Ishii (1984). Such ways of indirect communication have often been said to be related to the emergence of or strong preference for social harmony in order to construct Japan as a homogeneous society.

In my data, however, I also found different conversational styles among the speakers in spite of their sharing Japanese cultural and social norms of communication. Their different ways of using and interpreting ellipsis sometimes caused misunderstanding and conflict between the participants. What is considered by one interlocutor to be an act of sensitive guesswork, and therefore a supposedly highly valued behaviour in Japanese society, may be, however, regarded as an undesirable interruption by others who want to complete their sentences by themselves. In the same way, what is left unsaid as a result of the speakers' reliance on the listeners' shared knowledge (thus contributing to mutual dependence and harmony) may be seen negatively as incomplete utterances by those who expect the speakers to be explicit. Just as silencing can be produced by language (see Thiesmeyer's Introduction to this volume), ellipsis can also be produced and judged by what is actually said.

In sociolinguistics, the word *style* has been used to refer to variations of speech related to formality and social context, ranging along a continuum from very formal to highly informal (Trudgill 1992). Labov's study (1966) in New York, for example, identifies certain variables (such as '-ing' and '-in') used by people of different social classes in differentiating polite from casual style.

Tannen (1984:8) uses the term *style* in a broader sense, meaning 'a way of doing something.... Anything that is said or done must be said or done in some way, and that way constitutes style.' She notes that every style is a combination of both social and idiosyncratic features. In analysing talk among friends, Tannen shows that within American culture there are subcultural and individual differences in conversational styles. Some non-Jewish Californians in her data, for example, felt interrupted when a speaker with a New York Jewish background overlapped with their speech as a show of involvement in the conversation. The ways that pausing was interpreted also differed. While the

Californians preferred to have longer pauses to take turns, pauses are avoided and continuously filled by speakers with a New York Jewish background in order to show their interest.

Even though the conversationalists in my data were all born and raised in Japan, each Japanese speaker has his or her own conversational style which is a combination of social and idiosyncratic features, derived from regional, gender, and idiosyncratic factors. What is a permissible amount of ellipsis may differ for each speaker because of their conversational styles. If one of the Japanese interlocutors expects the speaker to delete a large amount of information, while the other prefers completing utterances verbally, these interlocutors may be left with feelings of dissatisfaction about their interactions. What is evident and therefore redundant or unnecessary to verbalize from one interlocutor's perspective might be seen as worth verbalizing from the other participant's point of view.

In the following sections, I first discuss the cases in which ellipsis is negatively perceived by the listeners as 'incomplete'. Even though the speakers assume or expect the listeners to be able to fill in the unstated information, the listeners may consider ellipsis to be the lack of sufficient information to assess the meaning of the message. Second, I examine suppletion of unsaid information by listeners as 'interruption'. In spite of the high value placed on sensitive anticipation of the speakers' messages by listeners in Japanese, some Japanese speakers feel 'interrupted' when their conversational partners supply what the speakers have not said.

Third, a case study of gender differences in communicating metamesages is presented. While a Japanese wife uses ellipsis to convey her metamessage about the need for understanding her feelings, the husband interprets her elliptical utterances as a request for solving problems. Misunderstanding of metamesages could cause damage in interpersonal relationships. Based on these findings, I further argue in the fourth section the power relationship and negative judgement regarding the use of ellipsis. It is a question of 'who judges whom with whose standard in the use of ellipsis?' Some of the issues of women's status and stereotypes associated with different conversational styles (lack of intelligence, too ambiguous, etc.) are raised.

Ellipsis as 'incomplete'

Ellipsis is sometimes perceived as an incomplete contribution to a conversation. Although Japanese speakers have been thought to allow a greater amount

of information to be omitted without feeling incomplete than Americans, Japanese speakers with different conversational styles may still perceive certain cases of ellipsis negatively as 'incomplete'. What is assumed to be interpretable, and therefore is deletable from the speaker's perspective, may be seen as a frustratingly incomplete utterance by the other interlocutor who expects the speaker to provide more information verbally.

The following example from Akio and Hitomi's conversation illustrates the mismatch of expectations for ellipsis. Akio leaves the end of his sentence unsaid in order to communicate his disagreement with Hitomi indirectly. Hitomi, however, waits for Akio to finish his sentence. As a result, a short pause occurs.

Akio and Hitomi are talking about playing the 'shoe box trick' on their friends. The trick is to put a pair of traditional Japanese cheap socks, called *tabi*, in a Ralph Lauren shoe box and give it to friends as a gift. Their friends once played this trick on them, which gave them a good laugh. Since the Ralph Lauren brand is regarded as expensive and fashionable, they thought that putting *tabi* in the Western dress shoe box was a funny joke. Therefore, in the conversation, they are talking about playing the same trick on other friends. Hitomi suggests that they should do it to all the guests who come to their apartment. Akio, however, disagrees with her. He thinks that if he could play the trick on someone only once at the end of their stay in the U.S., that would be enough for him. When he disagrees with Hitomi, he leaves the end of his utterance unsaid. Since Hitomi expects him to complete the sentence, she waits for him to continue. After a short pause, as Hitomi realizes that Akio is not going to complete his sentence, she resumes talking:

Example 1.

- 1 Hitomi: *Uchi-ni kita okyakusan-ni*
home to come guest to
- 2 *zenbu-ni yaru-shika-nai-ne, kore.*
all to do just not FP this
'(We) just have to do this to all the guests (who) come to our house, y'know?'
- 3 *Yamerare-nai-yo. Honto.*
stop not FP really
'(We) can't resist (it). Really.'
- 4 Akio: *Iyaa, so-ya-ttara tsumannaku nacchau-yo.*
no/well so do if boring become FP
'Well, if (we) do so, (it) will be boring.'

- 5 *Yappa saigo-no saigo-ni saa...*
 after all last of last at FP
 ‘Actually, at the very end (of our stay), y’know, ...’
- 6 Hitomi: *A, demo nido-to ko -nai-to omou hito -ni*
 oh but twice come not N think person to
- 7 *ie-ba ii -jan.*
 say if good TAG
 ‘Oh, but, let’s say (we) play (this trick) on the people (whom we) think won’t be coming again, (it) would be good, wouldn’t it?’

In line 5, Akio does not complete his sentence. What comes after ‘at the end (of our stay)’ is left unsaid and Akio expects Hitomi to understand the message without being told explicitly. By omitting a part of his utterance, Akio communicates a different idea on how to play the trick indirectly. Hitomi, however, expects Akio to finish his sentence, and waits for him. During playback, Hitomi affirmed that she was waiting for Akio to complete his sentence during the short pause immediately after Akio’s utterance. She could infer that Akio did not want to play the trick on all their guests, but still she expected him to be more verbal because she herself would have wanted to complete her sentence if she were the speaker. When she realised that Akio was not going to continue, she decided to start talking again. Akio’s expectation for communication is to leave information out if he thinks it is interpretable by the listener. From Hitomi’s point of view, however, Akio’s ellipsis is an incomplete sentence.

Being frustrated with unfinished sentences, some people may even ask directly ‘so, what was supposed to follow your utterance?’ This is exactly what happens in the conversation between Yumie and Tetsuo. When Yumie does not complete her sentence, Tetsuo feels irritated because he regards her utterance as incomplete and incomprehensible.

In the following conversation, Yumie and Tetsuo are talking about their previous conversation regarding a dry cleaners’ that lost Tetsuo’s shirts. A few days previously, Yumie reported to Tetsuo the frustrating situation with this cleaning shop, but her utterances were elliptical. In the present conversation, Tetsuo states that he could not understand what she had left unsaid in the former conversation in describing her thoughts. Therefore, in this conversation, he asks directly what she meant.

Example 2.

- 1 Tetsuo: *Sono-ato, kokode, kocchi-wa damatte-tara*
 that after here this/I TM quiet when

- 2 *nan-te itta-to omou?*
 what QT said QT think
 ‘After that, here, when I was quiet, what do (you) think (you) said?’
- 3 Yumie: [laugh] *Nan -te itta?*
 what QT said
 ‘What did (I) say?’
- 4 Tetsuo: *Watashi, sugoi irairashiteta -kara -tte, so-da*
 I very irritated since QT so BE
 ‘(You said) “since I was very irritated.” That’s right.’
- 5 *Dakara -tte, dakaRA -no atowa nan-nanda, ja.*
 therefore QT therefore of after what BE then
 ‘“Therefore” (you said). What’s after thereFORE, then?’
- 6 Yumie: [laugh]
- 7 Tetsuo: *Watashi are-de, sore-de, sono -maeni -tte itte-mo,*
 I that and this and it before QT say though
- 8 *soreni -tte nan-da-yo. Soreni.*
 and/then QT what BE FP and/then
 ‘Although (you) said “this and that and before that,” what’s after “and”? And.’
- 9 Yumie: *SoreNI, iraira -shiteru -NO!*
 and/then irritated being FP
 ‘AND, (I) AM irritated, Y’KNOW!’
- 10 Tetsuo: *Watashi sugoi iraira-shiten -da-kaRA.*
 I very irritated being BE since
 ‘(You say) “I am very irritated, thereFORE.”’
- 11 *Ra -no ato -wa ittai -nan-da.*
 (there)fore of after SM on earth what BE
 ‘What on earth is after (there)fore?’
- 12 *Watashi-wa sore-o omowazu, ra -no ato -wa*
 I TM that O can’t help therefore of after TM
- 13 *ittai nan -dai-to iou-to omotta-kedo,*
 on earth what BE QT say QT thought but
 ‘I couldn’t help but think of saying “what’s after (there)fore?” but,’
- 14 *Maa iiya -to omot-te.*
 well okay QT think and
 ‘Well, “never mind”, I thought, and’

- 15 Yumie: [laugh]
 16 Tetsuo: *Socchi -ga hara-tattan-da-yo.*
 that SM belly stand BE FP

‘That made me angry (more than the cleaning shop).’

For Tetsuo, Yumie’s elliptical utterances were frustrating. He states that Yumie’s incomplete sentences made him angry in 16. He asks directly in lines 5, 7, 8 and 11, ‘what on earth is after “therefore” (in your utterance)?’ and ‘what comes after “and”?’

Yumie fills in a part of the information she wanted to communicate upon Tetsuo’s direct request for repair in line 9, ‘AND, I AM irritated!’ Repair of ellipsis, or the verbal replacement of elided information, is possibly face threatening, however, especially when it is initiated by the listener because it signifies that the listener was unable to make sense of the elliptical utterances. Thus a request for repair of ellipsis could threaten both the speaker’s and the listener’s positive face by implying ‘you and I do not understand each other and do not share the common background to reconstruct elided information.’ In addition, what is left unsaid in Yumie’s utterance is not only the semantic meaning of her being irritated with the dry cleaning shop but also the meta-message that she needs her husband’s understanding for her feelings of irritation. Yumie’s use of ellipsis is, however, negatively viewed by Tetsuo as ‘incomplete.’

Another part of their conversation which is also a part of the same long interaction about the dry cleaning shop highlights their different perspectives toward the elided part of communication.

Example 3.

- 1 Yumie: *Dakara, atashi iraira-shiteirun-dakara -tte, ra-no ato-wa,*
 therefore I irritated being therefore QT ra of after TM
 2 *dakara mou anata -ni yatte hoshikatta-noni*
 therefore now you IO do wanted though
 3 *anata-wa yattekure-na-katta -tte iuno-o*
 you TM do not PAST QT say O

‘Therefore, (when) I said “(I was) being irritated,” after (there)fore is, “although I wanted you to do (the negotiation,) you didn’t.” That’s what (I wanted to say).’

- 4 Tetsuo: [laugh] *Soo ie-ba yoka-tta-janai.*
 so say if good PAST TAG

‘(You) should have said so, shouldn’t you?’

- 5 *Sooiu -funi iwa-nai-to watashi -ni rikai,*
such like say not if I IO comprehend
- 6 *wakara -naka-tta.*
understand not PAST
'If (you) don't say so, I couldn't comprehend, understand (your intention).'
- 7 Yumie: *Nan -da -to omo-tta wake?*
what BE QT think QT reason
'What did (you) think then?'
- 8 Tetsuo: *E? Itteru-imi -wa, irairashiten-dakara,*
huh saying meaning TM irritated therefore
- 9 *irairashiten-dakara:: hara-ga-tattenda -to*
irritated therefore be-mad-at QT
'Huh? The meaning of (your) utterance is, (you) were irritated, therefore, (you) were irritated, therefo::re, (you)were mad, (I thought)'
- 10 Yumie: [laugh]
- 11 Tetsuo: *So, dakara watashi-wa omotta, hito -ni*
so therefore I TM thought others IO
- 12 *yatsuatarisuru -na-yona, koitsu-wa, to.*
wreak-anger-on not FP you TM QT
'So, therefore I thought, "Hey, you, don't take your anger out on me"'
- 13 Yumie: *Yoku sonna kattena-koto-ga ie -ru-wane::!!*
well such selfish thing SM say can FP
'How can (you) say such a selfish thi::ng!'

In this excerpt, Yumie explains that she wanted Tetsuo to take over the negotiation but he did not, which annoyed her very much. Defending himself, Tetsuo says that unless she communicates her intention clearly, he would not understand what she wants. Thus he accuses her of being ambiguous by using ellipsis. When asked how he interpreted the meaning of her elliptical utterances, Tetsuo tells her that he thought she was just taking her anger out on him unreasonably. This in turn invites Yumie's direct expression of anger to Tetsuo in line 13, 'How can you say such a selfish thing!'

In the husbands and wives' interactions where the interlocutors are members of the same 'in-group', the expectation for the partner to understand intuitively what the other feels and thinks seems to be even greater. Therefore, when the partner cannot supply the unsaid meaning, the disappointment may also be great. As Tannen (2001) suggests, family members are both a source of comfort and of harsh criticism exactly because of their closeness. O. Mizutani (1983) asserts that

Japanese married couples start quarrelling by using polite expressions as an indication of a shift from a friendly relationship to a more distant one. When the quarrel becomes serious, Mizutani felt that it is silence that signals the broken relationship, which contrasts to an active involvement of both parties in conversations.

In my data, avoidance of verbal expressions was used by Yumie, based on her expectation of Tetsuo to understand her feelings as a spouse without depending solely on verbal expressions. Their active involvement in discussions on how to express opinions clearly, however, was an indication of ruptured understanding between Yumie and Tetsuo; unless they were using verbal forms (thus breaking silence), they could not understand each other's thoughts and feelings.

Tetsuo told me later that he does not like frequent ellipses in conversations even when he understands what the omitted elements are. Therefore, he said that he often asks Yumie to fill in the deleted elements. Yumie expressed her annoyance at Tetsuo's frequent requests for repair of her elliptical utterances. Although she feels that Tetsuo understands her well in general, it is annoying to be asked to fill in the omitted information which does not seem necessary from Yumie's perspective. She further explained that Tetsuo himself often uses ellipsis in his utterance, leaving her with feelings of confusion. Therefore, she said she frequently has to ask him, 'who? what? where?' in order to understand him. She claims that Tetsuo omits crucial information that is not recoverable from the context. Tetsuo also admitted that he often speaks in a hurried way, dropping necessary information for the listener. Yet in spite of his own frequent use of ellipsis, he likes to remind Yumie to fill in the missing elements in her utterance.

Anticipation and interruption

It has been claimed that one of the characteristics of Japanese communication is the 'collective work' of both the speaker and the hearer in completing sentences (Wierzbicka 1991; Mizutani & Mizutani 1987; and Ishikawa 1991). Such behaviour is presumably valued highly as a show of sensitivity and understanding to the speaker's message. It is also seen as a manifestation of *amae* (Doi 1963, 1973, 1976) or desire for interdependence, which Doi found to be one of the most significant psychological attributes of the Japanese, contributing to intuitive communication.

In my data, however, I observed cases in which the completion of a sentence by the addressee through sharp guesswork was interpreted as an annoying interruption by the speaker, again because of different conversational styles and expectations about communication.

For example, in Akio and Hitomi's conversation, Akio frequently anticipates Hitomi's message, summarizing the conversation for her, and moving on to the

next topic. Hitomi said during playback that she often felt that her husband did not let her finish her utterances; he 'interrupted' her and 'silenced' her.

The following exchange between Akio and Hitomi demonstrates a case in which Hitomi interprets Akio's contribution as interruption. When Akio supplies unsaid information before Hitomi reaches that point in her statement, she stops talking because she is disappointed that he finished her sentence. As a result, there is a five second silence.

Akio and Hitomi are talking about the reason why their friends decided to play the shoe box trick on them rather than on other Japanese. They think that their friends thought that both Akio and Hitomi would enjoy the joke and would not be offended.

Example 4.

- 1 Akio: *Dakedo uchi-nara-saa, daijobu -dana-to,*
but we as for FP okay BE QT
'But (they thought) we would be okay'
- 2 *waratte, jubun waratte kureru-daro-na -to*
laugh a lot laugh do probably QT
- 3 *omotte yatta -n -da-yo.*
think did N BE FP
'(they) played (the trick on us) thinking (we) would probably laugh, laugh a lot, y'know.'
- 4 Hitomi: *Fufu-sorotte-saa, gyagu -zuki-no,*
couple both FP gag like of
'The couples where both of them like a gag,'
- 5 Akio: *So, so, so. I -nai-kara-ne.*
right right right exist not since FP
'Right, right, right, since there aren't (such couples) (besides us), y'know.'
- 6 [5 seconds pause]

In line 4, Hitomi has not finished her utterance yet. But Akio understands what she wants to say. That is, 'the couples who both enjoy gags don't exist except for us, and that's why they chose us'. Therefore, in line 5, Akio takes over the floor and gives affirmative backchannels to Hitomi ('right, right, right') before she completes her sentence. He further provides the other half of Hitomi's message (*i-nai-kara-ne* [since (such couples) do not exist]). During playback, Hitomi pointed out that the five-second pause in line 6 signals her disappointment for not being able to finish her utterance. She was thinking during that pause that 'oh, he did not let me finish

my turn'. She interpreted Akio's contribution in line 5 as an 'interruption' rather than as the cooperative work of creating a sentence together.

The playback further revealed that the above exchange is a typical example of Akio's 'interruptions' in their daily conversations. Even when Hitomi wants to finish her sentences, Akio sometimes thinks that she is becoming too expressive and that her utterances are redundant. Therefore he supplies the information that she has not said yet in order to demonstrate that he understands what she is going to say. Akio states that he prefers leaving out information as much as possible in order to carry out 'efficient' communication. He expects Hitomi to do the same.

In another part of the same conversation, Akio takes over the floor again before Hitomi completes her sentence. Since Akio can anticipate what she is going to say before she says it, he gives his response to her opinion in the middle of her utterance.

In this conversation, Hitomi suggests that if they play the shoebox trick only on the guests who will not come again, the damage to the interpersonal relationships would be minimal in case the trick offends them.

Example 5.

- 1 Hitomi: *Zettai ko -nai-jan, zettai.*
 absolutely come not TAG, absolutely
 '(They) will never come (back), will they? Never.'
- 2 Akio: *Un.*
 yeah
 'Uh-huh,'
- 3 Hitomi: *Zettai ko -re -nai-jan.*
 absolutely come can not TAG
 '(They) can never come (back), can they?'
- 4 Akio: *Un.*
 yeah
 'Uh-huh,'
- 5 Hitomi: *Sooiu hito -ni sa,*
 such as person IO FP
 'To such persons, y'know,'
- 6 Akio: [weak voice] *Ii -yo.*
 not necessary FP
 '(That's) not necessary.'
- 7 *Saigo -no saigo-ni hitori -dake-yatte,*
 last of last at one person only do

8 *ikkai- waratta-ra, mou, sore-de ii -yo, ore.*
 one time laugh if already it with good FP I

'If (we) do it to just one person at the very end, and laugh once, that will be enough (for) me.'

Playback with Hitomi and Akio indicated that, in line 5, Hitomi still has more to say. She wants to finish her utterance by adding '*we can give this shoe box (to the guests who will never come again)*'. Because Akio understands what Hitomi is going to say, however, he expresses his disagreement with her idea in a weak voice before she completes her sentence in lines 6 to 8. In playback, Hitomi stated again that she interpreted Akio's utterance as an interruption in this exchange.

These examples illustrate how differences in conversational styles and expectations make the act of anticipation an annoying interruption for some interlocutors. While the addressee's supplying of unsaid information is an important device for creating involvement and may often be expected in Japanese, it can also be considered a rude interruption by some speakers since it does not let the speaker finish her utterance even when she wants to say more.

Interpretation of metamesages

Conversationalists not only have different ways of using ellipsis, but they also have different interpretations of metamesages communicated through ellipsis. Since metamesages are not expressed verbally, participants must rely on their knowledge of contextualization cues, interpersonal relationships, contexts and world knowledge in order to understand the metamesages or implied intentions, in addition to the semantic meaning of utterances. As has been seen before, Yumie, for example, communicates her frustration to her husband, Tetsuo, through an unfinished sentence ending instead of verbalizing exactly how she feels. It is only after Tetsuo requests her to complete her sentences that she tells him that she was very irritated with the dry cleaning shop and wanted him to take over the negotiation.

In the following interaction between Tetsuo and Yumie about the negotiation with the dry cleaner, I will show that Tetsuo interprets her utterances of complaints about the dry cleaning shop as a request for some kind of solution that she does not specify, while her metamessage was that she wanted him to show appreciation for her effort and to offer to take over the responsibility, since they are his shirts anyway.

Earlier in the conversation, Yumie told Tetsuo that the manager of the store had told her that she should file a claim for the damage. So she asked the manager to mail the form to her but the manager refused to do this and requested that

she come to the store to obtain the form. Yumie is now describing how slow the manager has been in processing her complaint.

Example 6.

1 Yumie: *Dakedo sono-hito-tte SUGGOKU osoin-da-mon*
 but that person is very slow BE FP
 ‘But that person is REALLY slow, y’know.’

2 *nani yaru-no-mo osoi-shi hanno -mo osoi-shi::*
 what do N too slow and reaction too slow and
 ‘(she is) slow at doing anything, and (she is) slow to respond a:nd.’

3 Tetsuo: *Iya, ja tori-ni itte-kuru-yo.*
 well then pick to go come FP
 ‘Well, then, (I’ll) go and pick up (the claim form).’

4 Yumie: *Kureimu-foomu-o?*
 claim form O
 ‘The claim form?’

5 Tetsuo: *Un, moratte-kurya-iin -da-ro?*
 yeah receive come good BE Q
 ‘Yeah, (all you want) is to go and get (it) right?’

6 *Kane-no seikyu arun-da-ro? /?/*
 money O request exist BE Q
 ‘There’s a claim for money, right?’

7 Yumie: *Un.*
 yeah
 ‘Yeah’

8 Tetsuo: *Hai. Moratte-kuru-yo.*
 Yes receive come FP
 ‘Yes. (I’ll) go and get (it).’

Tannen (1990, 2001), in her study of gender differences in communication, finds that some men tend to interpret women’s description of problems as a request for help. Some men may respond to women by offering a solution, while women often want rapport and understanding from their conversational partners through sharing their problems rather than getting a practical suggestion of a solution. Even though her examples are mainly based on white middle class Americans, her observation seems to explain the communicative differences between Tetsuo and Yumie as well. In the above exchange, Yumie expresses her frustration in line 1 about the slowness of the manager of the cleaning shop to process her claim for the damage.

Her stress on *suggoku* [very] in uttering 'the manager is REALLY slow' as well as the semantic meaning of the sentence indicates her strong irritation toward the manager. She also repeats the word *osoi* [slow] three times in lines 1 and 2, emphasizing her irritation against the slowness of the process again. Both of these linguistic cues signal Yumie's feeling of annoyance at the manager, and her desire for Tetsuo to understand her emotional strain.

Tetsuo, on the other hand, seems to interpret her utterance simply as a request to solve the immediate problem. Therefore, he offers a possible solution in line 3, 'then, (I'll) go and pick up (the claim form)'. He thinks that if the manager is slow and does not send the claim form, and if Yumie does not want to go and talk with the manager herself anymore, he will go and obtain the form for her, and that will solve the problem.

In line 5, he asks '(all you want) is to go and get (the claim form), right?', focusing on the problem of obtaining the claim form. He further repeats his intention of going to the dry cleaning shop in line 8, in an attempt to finish this topic quickly. From Yumie's point of view, however, the issue is not simply that of obtaining the claim form but also her feelings about negotiating with the manager in general. She said later that she wanted Tetsuo to understand how stressful she felt the negotiation had been. She also felt that Tetsuo acted as if he were not responsible for the negotiation, and that made her even more frustrated. Because of differences in conversational styles and the perspectives regarding what role Tetsuo should play in the negotiation, Tetsuo does not respond to Yumie's metacommunication in the way she is expecting.

Their further interaction in the following excerpt also signifies mismatched expectations toward their interpretation of unvoiced messages and use of ellipsis, which contribute to the creation of emotional distance between the interlocutors. After Tetsuo accuses Yumie of being ambiguous by her use of ellipsis, he proudly says, 'you have nothing to say against me, right?' implying that his accusation is being justified. In return, Yumie tells him explicitly that he does not understand her feelings.

Example 7.

1 Tetsuo: *Nanika ii-kaesu-koto aru -noka.*
 what say back thing exist N Q
 '(Do you) have anything to say against (that)?'

2 Yumie: [laugh]

3 Tetsuo: *Nai-da-ro.*
 not BE FP

'Nothing, right?'

4 Yumie: *Aru.*
exist

‘There is (something I have to say.)’

5 *Rikaishite -nai-wa.*
understand not FP

‘(You) don’t understand’

6 Tetsuo: *Nani-o?*
what DO

‘What (don’t I understand)?’

7 Yumie: *Watashino kimochi-o rikaishite-nai.*
my feelings DO understand not

‘(You) don’t understand my feelings.’

8 Tetsuo: *A, sore-wa*
oh that TM

9 *sore-wa, sore-wa, wakara -nai-dewa-nai.*
that TM that TM understand not TM not

10 *Boku-wa sore-wa.*
I TM that TM

‘Oh, that’s, that’s, it’s not that (I) don’t understand. I (understand) that.’

When Yumie says ‘you don’t understand’ in line 5, Tetsuo initiates repair of her ellipsis by asking ‘what (don’t I understand)?’ Since Tetsuo and Yumie were talking about how to approach the negotiation with the dry cleaning shop, he thought that Yumie was going to give him more information about the dry cleaning shop. But for Yumie, the issue is not only the settlement with the store. She wants her husband to understand her emotional strain due to the negotiation. Since she is not a native speaker of English, the negotiation with such an inefficient manager in English has been stressful for her. The other initiated repair of ellipsis in line 6 (‘what (don’t I understand)?’) indicates Tetsuo’s apparent inability to fill in the unsaid message. To tell verbally that he did not understand Yumie’s utterance reveals the problematic nature of their interaction.

Tetsuo’s utterance in lines 8, 9 and 10 (‘Oh, that’s, that’s, it’s not that (I) don’t understand. I (understand) that’) indicates that Tetsuo finally acknowledges the seriousness of Yumie’s emotional strain and anger as his speech no longer flows smoothly; he repeats ‘that’s’ three times before he can complete his sentence. Here, the frame of their conversation changes into a more serious quarrel rather than casual conversation about the cleaning shop. Yumie can no longer be silent about her disappointment towards her husband.

Conversational styles and social values in use of ellipsis

Ellipsis as a linguistic phenomenon does not carry any social values by itself. Different societies and cultures attach either positive or negative values to different kinds of ellipsis. Further, because each person has his/her own conversational style with a combination of learned and idiosyncratic features, speakers within the same culture may also value ellipsis differently.

As has been seen in this study, Hitomi, for example, expects Akio to complete his sentence, which conflicts with his preference for the frequent use of ellipsis. Further, when he supplies the unsaid part before she finishes her sentences, his act is often considered to be an 'interruption' by Hitomi. But from Akio's point of view, verbally expressing what the listener can guess is 'redundant'.

In Yumie and Tetsuo's case, Yumie wants her husband to understand her feelings and desires without verbalizing them. Tetsuo, however, insists that unless she expresses them verbally, he does not understand them. For Tetsuo, frequent use of ellipsis is seen as ambiguous. Tetsuo's direct request for supplying the unsaid information is often regarded negatively as an annoying act by Yumie. The mismatch of conversational styles and Tetsuo's failure to understand Yumie's unsaid message could lead to quarrelling between them.

Citing Sapir's work (1958) which lists style as the fifth level of speech influencing judgements of personality, Tannen (1984:9) writes that 'conversational style, a person's way of talking, results in judgements about his or her personality.' Slightly different conversational expectations for the ways ellipsis is used in this study also seem to contribute to judgements of personality.

During playback, another Japanese speaker (Satoru) who thinks of himself as a frequent user of ellipsis said that if he has to say everything in order to be understood, he feels like he is talking to a 'dumb' person, or *bakana hito* in his words. An intelligent conversationalist, he says, should be able to infer what a partner is saying without hearing every word. The following is his comment during playback:

Ichi-kara juu-made boku setsumei shinaindesu-yo. ... Boku-to hanashi suru toki-niwa soredake wakattete hoshii. ... Ichi-kara juu made setsumei suru-tte iunowa yappari-ne, bakani setsumei, bakani nanka, bakana hito-to hanashiteru mitai-desho? Wakaru- desho? ... Onaji-yona-ne, chiteki reberu-no tomodachi-to hanashi-o shiteiru-toki-wa, honto ni wakari masu-yo, hanashi, pon, pon, pon, mijikai tango dene.

'I don't explain everything from one to ten. ... I just want the other person to understand me when talking with me. ... Explaining every detail is like basically explaining to a dumb person, somehow, talking to a dumb person, you see? ... If I speak to friends who have a similar level of intelligence to

myself, we can really understand each other's speech, bing, bing, bing, with short words.

It is noteworthy that Satoru is a speaker of the Kansai dialect. According to Maeda (1961), the speakers of the Kansai dialect use ellipsis more frequently than speakers of the Tokyo dialect. Satoru himself acknowledges that as a speaker of the Kansai dialect, he deletes a lot of information in order to speak efficiently. Therefore, Satoru expects his wife, Naoko, from Tokyo, to understand his elliptical utterances.

In their actual conversational data, however, Satoru seems to be very expressive in communicating his intention to his wife. He deliberately tells her what he means even when she has understood the implied meaning, as in the following exchange. They are talking about the preparation for a trip during Satoru's Spring break. Because Satoru has examinations until the night before the trip, Naoko has to pack the necessary clothes and belongings by herself.

Example 8.

1 Satoru: *Ryoko-ni iku youi shitoki-nasai -yo.*
trip IO go prepare [imperative] FP

'Do the preparation for the trip, okay?'

2 Naoko: *Un*
yeah

'Yeah.'

3 Satoru: *Yatta, mou?*
did already

'Did (you) do (it) already?'

4 Naoko: *Yatte-nai.*
do not

'(I have) not done (that).'

5 Satoru: *Nande?*
why

'Why?'

6 Naoko: *U::n, yara-nakya-ne-tte omotte-te,*
well do should FP QT think and

7 *maa ashita-no yoru gurai-ni*
well tomorrow of night about at

'We::ll, (I) was thinking (I) should do (it) and, well, tomorrow night or so (I was going to prepare for the trip).'

- 8 Satoru: *Boku datte kinyou no-yoru-made shiken aru kara*
 I because Friday of night till test exist therefore
 'Because I have exams until Friday night, so, (I can't help you packing)'
- 9 Naoko: *Ashita -no yoru atari yaru-kara*
 tomorrow of night about do therefore
 '(I'll) do (that) tomorrow night or so, so (don't worry.)'
- 10 Satoru: *Tasuke-rare-nai-yo.*
 help can not FP
 '(I) can't help (you), y'know.'
- 11 Naoko: *Ha::i.*
 yes/right
 'Oka::y.'

After hearing that Naoko has not done the preparation for the trip yet, he tells her in line 8 that he has examinations until Friday night, which is the day before their departure for the trip. Naoko understands that the implied meaning of his utterance is that he would not do the packing. Therefore she assures him that she will do it on the following night. In line 10, however, he still tells her explicitly that he will not be able to help her pack clothes.

During playback, Satoru mentioned that he often feels that he has to tell her explicitly what to do because she may not understand his intention otherwise. He also said that he treats her as if she were a small child who needs to be told verbally what should be done. As a result, he becomes more verbal than he prefers.

Naoko, on the other hand, said that she was taught by her parents to be specific, especially when giving directions. When Satoru uses ellipsis and expects her to understand what he wants, she said, she has to ask him 'Who? What?' to clarify the meaning of his elliptical utterances. Her being a speaker of the Tokyo dialect may have contributed to her expectation for Satoru to be more informative. From Satoru's point of view, such a person is judged as not being very 'intelligent'.

Satoru's preference for ellipsis contrasts with Tetsuo's distaste for ellipsis. Tetsuo said that since he does not like ellipsis, even when he understands what his wife is trying to say, he asks for clarification by questioning 'Who? What?' and so on:

Muishiki-ni, subete wakatte-mo, shoryaku sareru-noga kirai nandesu. Dakara wakatte-temo, kikinaosun-desu. Honto-wa wakatterun-desu- kedo-ne ... [laugh]

Unconsciously, even if I understand everything, I don't like things being left out. Therefore, even if I understand, I ask my wife again. To tell the truth, I understand her, y'know, but ... [laugh]

Tetsuo is from the further western part of Kansai, but he left his city, Okayama, at the age of 15, lived in a dormitory for students from all over Japan for three years, and lived in Tokyo for 16 years after that. He does not consider himself a speaker of the Okayama dialect anymore. For him, frequent ellipsis by others is viewed negatively even though he himself expects his wife to understand him when he uses ellipsis. Horiguchi (1997) suggests that such overt repair of ellipsis by asking ‘who?’, ‘what?’ and so on is a useful strategy for smooth communication in Japanese. However, as I discussed in Yohena (1997), some cases of repair of ellipsis can signal that the participants can no longer understand each other without filling in the missing words explicitly. While unsaid meaning may become clear through repair on the informational level, repair may also hurt the interpersonal relationships on the metamessage level.

In addition to geographic, dialectal differences in the use of ellipsis, there are gender differences. In a society such as the United States where being verbal and assertive to make one’s point clearly are supposedly evaluated more positively for men, women are, as O’Barr and Atkins (1980) claim for example, often seen as ‘weak’ speakers who are not aggressive enough because of their tendency to be more indirect than men. On the other hand, Keenan (1974) demonstrates that in a Malagasy-speaking village, where direct speech is considered to be negative, it is women who demonstrate directness in public speaking. People in Malagasy disrespect women who exhibit aggressive communicative behaviors and admire artful indirectness by men. Tannen (1993) illustrates that linguistic features such as indirectness and interruption, which tend to be associated with women’s ‘powerless’ speech, are actually used either by the powerful or the powerless depending on the setting, individuals’ status, interpersonal relationships and cultural contexts.

Regarding ellipsis in Japanese, Shibamoto (1985) conducted a variation analysis of conversations between Japanese male speakers and their male friends, and Japanese female speakers speaking with female friends. Her methodology has received some criticism regarding possible distortion of informants’ behaviours due to her participation in the male interaction as well as her being a non-native speaker of Japanese (Downing 1988). In spite of these possible problems, Shibamoto’s syntactic variationist approach to ellipsis provides important insights into gender differences and gender specific stereotypes in terms of ellipsis. She finds that Japanese women are more likely to omit the subject in multiparty conversations with the speakers of the same gender, and they are also more likely to omit the case markers from the subject and direct object NPs. Shibamoto suggests that women’s tendency to use ellipsis more frequently than men, together with women’s frequent deviation from the basic ordering of syntactic terms and verbs in Japanese, may contribute to some of the stereotypes of women’s speech as vague, imprecise, and disorganised.

Indirect communication is, however, still thought to be highly valued in Japan. In addition, omission of subject pronouns and case-markers are both unmarked in many cases in Japanese. That is, deletion of such items is often expected and felt to be natural. Women's frequent use of unmarked ellipsis may not necessarily be associated with a negative value judgement such as 'imprecision'. Further, as shown in this study, verbal women such as Hitomi could be judged as 'too talkative' and their contributions might be also considered to be 'redundant' rather than 'more informative'. Yet we must examine the question of whose standard these value judgements are based upon. Interactional functions of ellipsis are also different for women and men. For example, Yumie uses ellipsis to communicate the metamessages of her frustration and expectation for understanding, while Tetsuo focuses on the informational level.

For the participants who know the cultural expectations and placement of ellipsis in Japanese conversation, ellipsis is an efficient and economical way of communication as long as the meaning is interpretable if not recoverable in its exact form. The problem arises when the meaning is *not* clear for the listeners or when there are mismatches of expectations as to the extent of information to be deleted. The value judgement comes into play when the speakers insist that their utterances are informative enough and it is due to the listener's lack of intelligence if they cannot understand the message. On the other hand, when a speaker uses a great deal of ellipsis and a listener cannot understand it, the listener may judge that the speaker is being ambiguous (as in the case of Tetsuo criticising Yumie). The value judgement and the creation of stereotypes relate to the social issues of 'who is in the position to judge others,' and 'by whose standard do we judge?'

Women's frequent omission of topical subjects and case markers may be, as Shibamoto claims, one of the reasons for the stereotype that women's speech is ambiguous. However, as the present study shows, the relationship between the use of ellipsis and value judgements needs to be examined by understanding different interactional functions and the markedness/unmarkedness of ellipsis. Cultural preferences for non-verbalization in certain contexts, and the interlocutors' expectations of a certain amount of ellipsis, raise questions about the tendency to link women's frequent ellipsis to the negative judgement of women's communication as ambiguous and imprecise. Being ambiguous and inexplicit is conventionally expected in certain contexts as Okamoto (1985: 109), among other researchers, suggests: 'one of the most effective ways of communication is to remain silent, or inexplicit about certain things' in Japanese as well as in other languages. For this reason, further research on who uses what kind of ellipsis (for example, marked or unmarked) and for what interactional purposes in Japanese and other languages is necessary in order to determine the relationship between women's frequent use of ellipsis and stereotypes about women as being imprecise.

Conclusion

All the participants in this study were born and raised in Japan, and they share certain social features such as length of stay in the U.S., educational backgrounds, and age range. However, the participants have different conversational styles, based in large part on regional and gender differences, that influence the use and interpretation of ellipsis within Japanese culture. Mismatches of conversational styles sometimes trigger feelings of dissatisfaction about the interactions. It is dangerous to treat an ethnic group of people (in this case, Japanese) as one homogeneous cultural group and make stereotypical judgements, for example that the Japanese prefer silence.

Further, what may seem to be the same phenomenon of deleting elements may be interpreted by some interlocutors as resulting in imperfect utterances that are not recoverable, while other participants may expect a significant amount of deletion of verbal forms in order to avoid redundancy. Interlocutors' styles of communication contribute to the manifestation of social and cultural values associated with ellipsis. Ellipsis is not a static phenomenon. It allows various interpretations, interacting with cultural, social and individual expectations. Such expectations sometimes serve to assist the imposition of silence, or the pressure to break the silence, in the form of social/cultural ideologies and ideals for communication.

Stereotypes against women may go in both directions regarding the amount of ellipsis to be used in Japanese. While previous statistical results claim that Japanese women's frequent use of ellipsis contributes to the development of the stereotype that women's speech is vague and imprecise, the culturally high value supposedly placed on indirect communication in Japan may contribute to the negative judgement of women who do not use a great deal of ellipsis for being talkative and redundant. Further, frequent requests for clarification of the deleted information such as 'Who? When? Where?' (which most of the wives claimed that they do when their husbands are being ambiguous) may be linked to a negative judgement about one's sensitivity and intelligence. The issue here is not simply 'Who elides more?' and 'What syntactic elements are elided?' but 'What functions does ellipsis serve?' and 'By whose standard do we judge?'

Although this study revealed some of the differences in conversational styles among Japanese speakers, much more research needs to be conducted in order to understand further differences in gender, regional, social class, and idiosyncratic factors. Studies of conversations in which male speakers are talking with male friends or female speakers talking with female speakers would be of great interest, as in Shibamoto's study. Couples who have been married longer than two years may also show different communicative behaviours in their use of ellipsis based on increased familiarity with each other. Studies of ellipsis in other cultures and in

different settings such as public discourse rather than private interactions are also needed.

Notes

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1. See Gumperz (1982) and Tannen (1984) for detailed discussions of the theoretical background of this approach.
2. See, for example, Tannen and Saville-Troike (1985), Wodak (this volume) and Lambertus (this volume).

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Appendix: Transcription conventions

In order to provide an English gloss of Japanese utterances, I used several abbreviations which indicate grammatical functions as well as the semantic meanings of Japanese words:

- FP: final particles (used to indicate the speaker's attitude toward interaction)
- TM: topic marker
- SM: subject marker
- DO: direct object marker
- QT: quotation marker
- Q: question marker
- BE: copula verb
- N: nominalization

Final particles of an interaction appear at clause- or sentence-final positions and convey the speakers' attitudes toward interaction (such as the speaker's expectation for confirmation and insistence on the obviousness of his/her statement).

I employed several other conventions as shown below in order to include certain paralinguistic features in the transcripts. These are based on Tannen (1984a):

- CAPS emphatic stress
- ? yes/no question rising intonation
- ! exclamation
- : lengthened vowel sound
- . sentence final falling intonation
- ... noticeable pause or break
- [laugh] laughter
- / ? / inaudible part

PART II

Law and institutional discourses

Introduction

Lynn Thiesmeyer

The courtroom and the prison are two spheres in which the discourses of the law and the implementation of the law coincide. In practical terms, both legal and carceral (prison) discourses implement access to certain kinds of discourses while restricting access to others. In the courtroom the legal decision hangs upon the persuasiveness of its discursive representation. The courtroom setting makes obvious the ability on the part of the prosecution and the defence to manipulate the discursive testimony of witnesses. As Valérie Fridland demonstrates below, inside the courtroom this is done by a specialised use of cross-examination to silence or slant the witnesses' narratives in the desired ways. The discourses and silencings of incarceration, on the other hand, take place after the courtroom discourse has produced a verdict. The verdict is the legal representation of the values of the mainstream society, yet its implementation will place the convict inside the 'carceral', a social space without access to the mainstream and its values. Exchanges of discourse, and thus potentially of values, representations, and relationships between the carceral and the outside society, thus become impossible. This absence of exposure to outside norms during 'rehabilitation' is, according to the essay by Patricia O'Connor below, one of the contributing factors to recidivism when the inmate returns to the outside world. The two essays in this section use examples from the legal and penal system in the United States. Although the courtroom and penal system operate under the legal guarantee of free speech, this is a different thing from a guarantee that one's speech will be heard or legitimized.¹

Fridland's essay is a discursive and pragmatic analysis of a trial involving alleged male rape. It brings out the interdependence between social ideologies and the discursive strategies used to reinforce them. The information that the prosecution must elicit during the trial in question runs counter to the mainstream ideology of male sexuality. This is the testimony that male-on-male sexual coercion can occur, and that it is coercion because it occurs with an unwill-

ing or non-homosexual target. The defence, on the other hand, must rely on the conventional ideology that men can choose whether or not to be in a sexual situation and can walk away from unwanted sexual overtures. Fridland demonstrates in specific detail the ways in which the defence uses carefully structured questions in cross-examination to create a counter-narrative that may silence the witness's own version of his alleged sexual coercion.

This essay provides an original analysis of narrative frameworks in courtroom testimony. It demonstrates the ways in which the entire narrative framework and courtroom situation are potential silencers of certain aspects of witness testimony for the prosecution. Of thematic interest here is the relation between the attorney's questioning strategies and his ability to use his own discourse to suppress discourse by another. In this case the other's discourse is the narrative that the witness (the alleged victim) has been asked to, and should, present. Fridland shows that a courtroom, far from being an impartial locus for testimony from all sides, possesses by its very nature an authority structure that encourages specific discursive frameworks and discourages others.

Central to Fridland's analysis of discursive structure are the particular kinds of questions used in cross-examination. These are what enable the attorney to have control of the witness's narrative. There are pragmatic and societal implications to each of the various question forms. Because they impel certain restricted forms of reply, such as simple affirmation or negation, they offer control over the reply. There are also questions about negative or non-occurring actions that attempt to turn the witness's discourse and its interpretation in another direction. Further, the attorney's implicit manner of evaluating the witness's statements, including by re-phrasing the witness's account of an action, does not allow the witness here the discursive space to narrate his own experience in the manner he chooses.

Here as in the other essays, discourse and silencing co-occur. As Fridland puts it, discourse is understood to be 'a product of co-construction by participants'. Any interlocutor's reaction can potentially be manipulated, modified or restricted by means of the discursive construction and aims of the other interlocutor. The interactive nature of discourse, however, also means that it normally appears to be mutually constructed and mutually sustained for as long as the interaction is sustained. In the courtroom examples here, the defence attorney's 'subverted rendering' of the witness's potential statement can be disguised as a 'mutually constructed and consensual version'. Fridland's work reminds us that law consists of discourse. Courts of law base their decisions on discursive representations. Fridland states that 'the guilt or innocence of a defendant is based almost entirely on *linguistic* evidence,' and it is the lack thereof that

proves her point that the exclusion of material can be equal in importance to its inclusion. Further, the process of excluding material can take as much time and require as much social and personal force as the inclusion of material. Julie Diamond has pointed out that ‘power . . . is the ability to interpret events and reality, and have this interpretation accepted by others. . . . The powerful member of a community is not the one who “plays the game and wins,” but the one who makes up the game’s rules.’² Because, as Fridland shows, ‘an attorney is both elicitor and censor of information’, courtroom discourse and practice are hierarchically structured to enable certain kinds of discourse rather than simply to generate truths.

Central to the theme of this book is the way in which certain kinds of information are intentionally drawn from the provider by an ‘elicitor of information’ who is structurally, situationally or legally more empowered to speak than that provider. The courtroom procedure of framing the testimony as a narrative, with introduction, action, evaluation, and coda, means that the attorney doing the framing work has the opportunity to represent the other’s discourse as well as present his or her own evaluation of it. The witness is not given such discursive opportunities. The witness or alleged victim is the ‘experiencer’ of the discursive content and the attorney the ‘non-experiencer’. Yet the information in Fridland’s case study is censored or altered by the elicitor because he occupies a position from which to represent information, and from which to gain belief for it in its represented rather than original or potential forms. This inherent imbalance in the discursive framework enhances the opportunity for the ‘non-experiencer’ to have the discourse interpreted in the way he wishes by the jury or by the public. Fridland designates the speaker who elicits and represents the information as the one who ‘becomes the primary narrator’. In so doing Fridland points out a highly significant feature of the structuring of discursive situations. That is, interlocutors who gain control of the discursive topic and its representation are not necessarily the experiencers who could state the topic or the information directly. Rather, they are in a position to have their speech heard and believed.

What in Fridland’s data is the credibility of the witness is, when applied to other discursive contexts in this volume, the credibility of speakers (based on their social and discursive positions) as perceived by their listeners. Fridland reminds us here of the significance of the presence of the jury in American criminal trials. The defence attorney will of course choose, and attempt to elicit, the kind of discourse most likely to affect the jury in his client’s favour. As with Bourdieu’s notion of the ‘linguistic market’, the interactions between the attorney and witness in a courtroom demonstrate that these speakers’ relative

positions have an important function in determining the interpretation of their discourse.

Fridland's essay emphasises the 'displacement' of the alleged victim – the experiencer – from the discourse of his own experience by means of the intersecting functions of social and cultural expectations and narrative control. The cultural expectations here are norms about sexual orientation and behaviour that the defence attorney must implicitly address in the hope that the jury consciously or unconsciously agrees with them. As Fridland shows, 'the attorney is really requesting the jury to evaluate the credibility of the alleged victim not on the basis of actions taken but on the conflicting nature of those "normal" or "expected" actions that he did not take'. The attorney's statements about non-occurring actions thus give form to societal norms, and it is these norms that may enhance or deflate the witness's credibility. In this case his credibility translates directly to his location within the situational structure that determines the power of his statements and their content to be uttered, heard, and believed.

This poses a rather interesting question. When discourse performs the coding and shaping of knowledge, excluded discourse results in excluded knowledge. Indeed in the essays by Galasiński on censorship and by Towns, Adams and Gavey on the secrecy of domestic violence, it is knowledge that the censorship and the secrecy attempt to destroy. With a certain level of repeated reduction and neglect of knowledge, interest in the missing material ceases to exist. How can we recover something that we don't know exists? Fridland suggests that one answer lies in the conscious recognition that 'the manipulation of linguistic resources encompasses not only what is said but also what remains unsaid'.

Patricia O'Connor's essays deal with the discursive issues that arise when the legal authority designates, and the prison authority implements, the isolation of convicted criminals from the mainstream society. O'Connor's essay on prison inmates' discourse takes up issues of silencing that emerge from life stories narrated by inmates in a U.S. maximum security prison. O'Connor uses discourse analysis and communication analysis to probe two related types of silencing. The first is that within the prison (or prisoner). The isolation of prison society and the hierarchical relationships within it lead to taboos on certain kinds of discourse, especially those that might promote self-reflection or self-evaluation in terms of legal and civil norms of behaviour. The second kind of silencing is that between the prison and the outside society. The outside society may expect the freed prisoner to turn to its own norms but provides neither discursive means nor situations for inmates to familiarise themselves with such norms.³

The essay by O'Connor, like those by Yohena and Fridland, analyses discursive practices in a space defined as 'inside'. O'Connor's research was done in a setting defined as both inside (an institution) and within a group, using the narratives from a literacy class she held within a prison. O'Connor's outsider position provided new kinds of, and a new partner for, discourse. She finds that when incarcerated individuals are able to produce and exchange discourse about the self's actions, including criminal actions, such discourse allows the kind of reflection and evaluation by the self that carceral silencing, with its evaluation of the person only by the legal system, does not. O'Connor's point here is similar to that in the essay by Towns, Adams and Gavey, where counselling with domestic violence perpetrators was used to bring out a verbal recognition of personal responsibility for behaviour and subsequently of the ability to control one's own behavioural choices.

O'Connor has long worked on questions of agency, both in discourse and in the articulations of prison inmates about their lives. Social and discursive contexts for inmates to speak about their life choices in an agentive way that takes responsibility for past actions are absent from the prison situation. O'Connor shows how the larger context of silencing between the prison and the outside society contributes to the narrower, more specific silencing within the prison. The inmates internalise norms for silencing discourses of active agency in their crimes, blocking their ability to reflect on and take conscious responsibility for past and future actions. Being ignored or silenced by the outside society can further contribute to the inmates' lack of a sense of agency in their own crimes. O'Connor shows the practical consequences of this discursive isolation in the statistics on high recidivism rates after their 'return' to a society that does not enter into discourse with them. Her conclusions are applicable to other kinds of isolation in these essays and to the boundaries between internal and external discourse that they establish.

Notes

1. Simone Chambers (1996) has analysed the paradox of free speech as follows: 'the First Amendment [to the Constitution of the United States, guaranteeing free speech] does not enforce the reciprocal requirements of practical discourse. It does not require us to *listen* to what others have to say; it does not require us to attempt to *understand* the other's point of view; it does not require us to *engage* others in a cooperative search for agreement.' *Reasonable Democracy: Jürgen Habermas and the Politics of Discourse* (p. 195). Ithaca, NY: Cornell University Press.

2. Julie Diamond (1996) *Status and Power in Verbal Interaction: A Study of Discourse in a Close-knit Social Network* (p. 13). Amsterdam: John Benjamins.
3. Foucault, who also edited a criminal's autobiographical narrative entitled *I, Pierre Rivière*, remarked that in the development of prisons after the mid-nineteenth century, 'the problem thereafter was not to teach the prisoners something, but rather to teach them nothing, so that they could do nothing when they came out of prison'. Michel Foucault, 'Prison Talk', in Colin Gordon (Ed.), *Power/Knowledge: Selected Interviews and Other Writings 1972–1977* (p. 42). New York: Pantheon.

CHAPTER 4

Quiet in the court

Attorneys' silencing strategies during courtroom cross-examination

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Discourse analysis, at first glance, may seem an odd approach to the study of silence. But silence constituted simply as an absence of discourse is the least potent strategy to remove or limit access to the discursive contributions of others. Silencing is most effective when not only is one's access to expression removed, but when it can be appropriated and subtly altered by those who are empowered to speak. In such cases, the discourse of those who can replaces and reshapes the discourse of those who cannot. As discourse is, by its very nature, understood to be a product of co-construction by participants, this subverted rendering of what was not allowed to be stated is disguised as a mutually constructed and consensual version. In a courtroom, the power of participants is far from equitably distributed, creating a context where the negotiation of discourse and discursive expression rests in the mouths of those granted the institutional authority to speak. Rarely does a witness, despite his/her often central position as actual participant in the events leading to the trial, qualify as such an individual. In cases like rape and sexual assault where the determination of guilt relies crucially on the narrative contributions of witnesses, how the language of attorneys is used not only to strictly limit what is said but to impose alternative versions of the witnesses' narration of events becomes an exceptionally powerful example of how discourse is often, at its core, a form of silencing itself. As silence is a function of discourse and its effectiveness a result of the underlying social and institutional hierarchies involved in our interactions, the tools of discourse analysis can be applied to examine the means by which such silencing can be achieved.

This essay explores the way in which silencing mechanisms are put to use by a defence attorney in the context of a criminal trial. It will also try to elucidate how such mechanisms are structured and why they work effectively. In examining language use in a criminal trial setting, one must crucially be aware of the existence of an audience (a jury) and the pivotal role it plays. Most of what is said in the courtroom is structured to be heard by the jury in very particular ways. Consequently, the alignment of various participants can be seen in looking at what is not only included but, most importantly, excluded during the examination process.

Criminal trials rely almost exclusively on oral reports about alleged events and their participants for the determination of guilt or innocence. Given this powerful role, language use in the courtroom has received surprisingly little attention. Many studies have shown language use to be keenly sensitive to both the participants and topics in discourse (Eckert 2000; Fishman 1978, 1980; Myers-Scotton 1985; Phillipson 1975; Tannen 1980, 1989, 1990; West & Zimmerman 1975) and theoreticians have examined how power, control and discourse are fundamentally linked (Foucault 1972, 1989; Bourdieu 1991; Fairclough 1989). Studies of language in the courtroom and the language of sexual consent has often pointed to the negotiability of meaning in legal contexts and the effects of institutional and cultural constraints (Ehrlich 1987, 1999, 1998; Shuy 1993; Taslitz 1999). Undoubtedly, an analysis of specific discursive strategies among the participants in trial proceedings will show the same sort of contextual variability and re-negotiation of meaning that has pre-occupied much of this work.

Much of this research into contextual variation sought not only to show that such variation indeed occurs but to show that it is often the result of speakers' attempts to control the discourse by manipulating (albeit unconsciously) linguistic resources. Several researchers (Fairclough 1989; Phillipson 1972; Phillipson 1975 and most notably Jaworski 1993) have convincingly argued that silence is one such resource that can be exploited by speakers for a variety of different aims, both negative and positive. Jaworski claims it is exactly this flexibility in the expressive functions of silence that makes it difficult to define formally. He includes in his treatment of silence not only the absolute absence of speech during communicative events but gradations of silence from the absence of an expected utterance to the failure to say something in particular. As Jaworski points out, silence and silencing mechanisms that prevent a particular group or individual's contributions are powerful tools that are often used to maintain or establish control, such as in political discourse or in male/female discourse (pp. 98–139).

The trial examined in this study revolved around a criminal sexual assault involving both a male defendant and a male alleged victim. The circumstances of the case were basically that of a date rape situation – the alleged victim and the defendant knew each other and the assault allegedly occurred after an evening of drinking at a fraternity. The trial involved a locally well-respected defence attorney and an experienced prosecutor. The trial was recorded with the permission of all immediate trial participants.

In presenting a case, an attorney is both elicitor and censor of information during testimony. This essay investigates the ways in which a cross-examining attorney uses discursive strategies in the elicitation of testimony that reduce the alleged victim's ability to tell his own version of events. How adeptly the defence attorney elicits, manages, controls and, crucially, prevents the purported victim's testimony is vital to presenting a winning case. Of particular interest in this study is how the attorney silences the alleged victim by becoming the primary narrator of the testimonial narrative. He does so by fragmenting and managing, through the use of particular question forms, the alleged victim's attempts at narration and constructing alternative 'non-occurring' narrative clauses to which the alleged victim has no possible 'good' response.

For the most part, this essay focuses on how these various strategies all serve to 'silence' the alleged victim by eliminating his opportunity to contribute to testimony and by replacing his voice in testimony with the cross-examining attorney's. However, as this essay aims to show, these silencing strategies are most effective for the defence because they accomplish this without ever being recognised overtly as silencing mechanisms, thus preserving the illusion that the alleged victim is the one whose narrative contribution is heard.

In rape and sexual assault cases, the deciding factor is usually whose version of events is most convincing to the jury. Here, such silencing strategies are powerful devices for an attorney. Witness credibility plays a crucial role in all trials, but rarely does it play as great a role as in rape/sexual assault trials, where the alleged victim is often as much on trial as the defendant. Therefore, the witness's narrative is particularly vulnerable to silencing strategies that result in the failure of the witness to respond as would be expected.

Overt silencing strategies

When examining silencing strategies during cross-examination, it must be recognised that rarely are these strategies as overt as simple interruptions or lexical cues heard in everyday conversation such as 'Be quiet' or 'Enough'. While

such forms may be present in criminal trials, they make up neither the majority nor the most linguistically compelling examples of courtroom silencing techniques.

In this cross-examination, for example, interruptions were the exception not the norm, with the alleged victim's using three out of the five interruptions found. This was a larger number than the defence attorney's, even though, on average, the attorney's speaking turns were generally longer than the alleged victim's. Any successful attempt by the alleged victim or the attorney to break into the current speaker's turn and begin a turn that contested or re-directed what was being contributed by the current speaker was determined to be an interruption (see example below). All other examples of simultaneous speech were considered overlaps, not interruptions (see Murray 1985; Tannen 1980; and West & Zimmerman 1975).

Interruption example 1

A= Defence Attorney, W= Alleged Victim, Mr. F. = Defendant
 '↵' marks beginning of interrupting utterance.

A: And you think you fell asleep?

W: Yes.

A: And then you were on

– Actually I know I fell asleep.

A: Okay, but then you were awakened by Mr. F.?

In this example, the fact that the alleged victim was asleep will be important to proving his helplessness, the basis of a sexual assault charge. Here the alleged victim interrupts the attorney to contest the attorney's suggestion that he may be mistaken about whether he was asleep.

The attorney's interruptions often take the form of redirecting the alleged victim's answer when his response is not in line with the attorney's question, as in the next example:

Interruption example 2

A= Defence Attorney, W= Alleged Victim, Mr. F= Defendant
 '↵' marks beginning of interrupting utterance.

A: Okay, I'd like you to read that and complete that sentence and the next sentence after that.

W: 'Soon afterwards R' ['R' is the first name of defendant, Mr. F – V. F.]

A: – No, just to yourself, please.

The few interruptions overall during cross-examination show that they are not used to a large degree as a silencing tool. This is a result both of the strict turn-taking model a legal trial follows and of the general nature of question/answer discourse pairs: i.e. asking a legitimate question requires waiting for an answer before beginning a new turn. The fact that trials are transcribed in process by a court reporter may contribute a technical reason for the use of so few interruptions due to intelligibility requirements; however this still does not explain the inequitable distribution of interruptions between the alleged victim and attorney.

Another study looking at interruptions in trial contexts suggests attorneys may avoid using interruptive behaviour to appear more in control of the proceedings. Conley, O'Barr, and Lind (1978) studied the influence of witness and attorney presentational style by looking at whether the number of interruptions used by both witnesses and attorneys affected mock juries' evaluations of them. Using a matched guise technique, they recorded several different interruption scenarios during cross-examination and played them to subjects who rated the witness and attorney on a number of issues concerning control and fairness. In recordings that contained any interruptions, regardless of who produced them, lawyers were felt to have less control over the proceedings. In scenarios where the attorney produced the interruptions, they were judged as being less fair to the witnesses, as well as being rated less intelligent. Therefore, attorneys may not wish to use such overtly confrontational silencing strategies (or invite them) owing to the risk of a negative impression on the jury.

Their study suggests that attorneys should in general find alternative means of controlling witness testimony, and as this essay's findings attest, overt strategies are in fact not largely used, at least in this trial. Since cross-examining attorneys may be better served by using other discursive strategies to reduce the alleged victim's ability to tell his/her own version, the form these less overt strategies take calls for investigation. The remainder of this essay then will look at several ways the narrative structure is manipulated by the attorney in this sexual assault trial to silence the alleged victim in a non-confrontational manner.

The structure of testimonial narrative

The courtroom discursive process is the larger context of the testimony that, in turn, contains an account of the rape event, or rape narrative. This higher-level context imposes itself upon the narrative construction and leads to two

overlapping narrative constructions, one by the alleged victim (the narrative experiencer) and one by the attorney (the narrative non-experiencer). Due to the nature of testimonial narratives, there is not simply one conclusion reached in the jointly developed narrative. Instead, both the attorney and alleged victim present diverging versions. The alleged victim's narrative maintains his identity as a victim and depicts the defendant as guilty of sexual assault. The attorney's narrative, on the other hand, is intended to destroy the credibility of the alleged victim's narrative and exonerate the defendant. Consequently, the attorney and the alleged victim must present two very different narratives. The participant most able to contribute to the narration, and, crucially, prevent the other's narration will be most successful in getting his side of the story heard. Since the attorney has more control over the structure of cross-examination, it seems likely he will be more capable of developing strategies that silence or limit the alleged victim's development of his narrative version.

One of the ways this is accomplished can be seen in the general approach attorneys in this trial took towards the witnesses depending on whether they were involved in direct or cross-examination. During the direct examination of the alleged victim by the prosecution, the attorney aided the alleged victim's narration of the events by asking very open-ended questions requiring longer, more explanatory answers. However, in his cross-examination of this witness, the defence attorney monopolized the floor and produced the majority of the narrative clauses and evaluations. Since the participant who controls the overall structure of the narrative will have the advantage of making his/her narrative version most prominent, it is to the prosecution's advantage in direct examination to allow the witness more control over the narrative construction, and to the defence's advantage during cross-examination to take control of this structure.

To identify the various elements of testimonial narratives, Labov's model of narrative structure was used. The model with its application to the present data is outlined here.

Abstract and coda

Like narratives told in other contexts that are often introduced by a summary statement or 'abstract', courtroom narratives' summaries are provided by the opening statements of the attorneys. The coda, which announces the end of the narrative and brings the audience back to the present, is mainly rendered in the closing statements by the attorney. Since this essay focuses on interac-

tive strategies used by the attorney, the abstract and coda segments were not analysed for this paper.

Orientation

As with many narratives, the key to any trial is the establishment of the time, setting and participants of the event in question. While the orientation segments serve as a reference tool to casual narrators in developing an image or scene, they play a much more central role in courtroom narratives. The attorney may use orientation sections in an attempt to establish the belief that the alleged victim has an unclear recollection of the events in question, thus affecting witness credibility. Requests for orientation by the attorney also may present an opportunity for the witness to impeach him/herself by providing information that conflicts with earlier statements he/she may have made.

In this analysis, any segment of speech that described or requested description of the physical environment, characters or times as observed by the participant is counted as orientation.

Excerpt 1. Orientation

A: Did he tell you where Mr. S. was?

W: He said he was downstairs.

A: Downstairs meaning what?

W: At that time there were two just living areas and I figured they probably went to sleep down there.

...

A: Did Mr. F. sit right next to you in the beginning?

W: Yes.

A: And ah that was basically the only seating off the floor left in that particular area at that time, is that right?

W: That I can recall, yes.

Lines 1–5 describe the alleged victim's knowledge of another person's, Mr. S's, location on the night of the sexual assault. Lines 7–11 ask the alleged victim to describe whether he knew the physical whereabouts of the defendant at a specific moment on the night in question. In both cases, orientation serves a 'setting the scene' function.

Complicating action

According to Labov's narrative model, complicating (or narrative) actions describe the basic actions creating the narrated story. Labov's definition of complicating action is purely structural; it is limited to actions that occur in strict linear sequence, and are generally constructed very simply, consisting of only independent clauses with mainly simple past tense verbs. Narrative action clauses were those that relayed the general action in the alleged rape (e.g. 'Alright, uh you say that uh at that juncture, Mr. F. grabbed your hand, is that right?... And you immediately pulled away?'). Note the strict temporal linearity of 'grabbed your hand' and 'pulled away' and the syntactic simplicity.

Many alternative phrasings that would preserve the propositional content of the clause but not the actual temporally based sequential order (i.e. 'You pulled away after he grabbed your hand?') would not qualify as a narrative action clause under this definition.

Evaluation

Evaluation is a vital element of narratives. In such segments, the narrator can inject persuasive elements and attribute them to other narrative characters or state them as an accepted element of fact within the narrative event, though they are subjective and opinion-based. Making evaluations appear to be fact or someone else's thoughts or remarks gives them more strength as persuasive vehicles than if the narrator simply offered his/her opinion. While much narrative evaluation involves stating feelings, opinions or beliefs outright, evaluation can be implicit.

Excerpt 2. Evaluation

W: No, I *passed out* as soon as I hit the couch pretty much.

In this trial, whether the jury believes the witness was asleep or incapacitated from alcohol is pivotal in determining whose narrative version, the defence's or prosecution's, will be accepted. Thus, this point is not yet an accepted element of fact in the narrative, and the choice of how to represent the alleged victim's state is an evaluative one. When the alleged victim refers to his having 'passed out', he is using an evaluative device to represent his state of being. Similarly, the defence attorney, when requesting confirmation of this narrative action segment later in testimony, refers to the alleged victim's state at this point as 'falling asleep'. The persuasiveness of such evaluation rests to a large degree

on the subtlety with which it is employed. As illustrated in these cases, embedding evaluative lexical choices in other narrative segments lends the evaluation a seemingly factual status.

The distribution of narrative segments

A look at the distribution of narrative elements according to Labov's categories of evaluation and complicating action reveals that, in fact, the attorney uses his more powerful position as a means to assume the agentive role of narrator during the witness' testimony even though he is the narrative non-experiencer.

In cross-examination of the alleged victim, evaluative segments are unequally distributed between the two participants, as shown in Figure 1.

EVALUATION	DEFENCE ATTORNEY	ALLEGED VICTIM
# of evaluative clauses	33	23 (13)

Figure 1. Use of evaluative segments between participants

The alleged victim uses only 23 evaluative segments to the attorney's 33. However, if the weakest form of evaluative clauses, hedges such as 'I can't recall' that were used exclusively by the alleged victim to avoid making a definite statement, is discounted from the court narrative evaluation, the alleged victim uses even fewer, only 13.

Narrative action clauses show a similarly asymmetrical distribution between the defence attorney and the alleged victim.

NARRATIVE ACTION NARRATION	DEFENCE ATTORNEY	ALLEGED VICTIM
# of narrative clauses	18	2

Figure 2. Use of narrative clauses between participants

This unequal distribution of the various segments of narrative between the attorney and the alleged victim unequivocally points to an asymmetrical power distribution between them. The attorney is able to control both the structure and the content of the narrative, even though he was not the narrative experiencer. By contributing the majority of evaluation clauses, the attorney controls

the element most important in either strengthening or destroying witness credibility. The witness, on the other hand, has very little control over the overall narrative construction and, since he contributes so few evaluative segments, is unable to do much to build his credibility with the jury.

It is quite likely that this tight attorney control of narrative plays a large role in the general view expressed by rape victims that they are violated again on the stand by the defence attorney (Matoesian 1993). In fact, the alleged victim in this case made a statement to a local newspaper that the attorney made him feel that no matter what he said, it was his fault. The fact is he was able to say very little.

Other narrative aspects used in silencing the witness

While narrative action clauses are most typically in the simple past, the use of verb tense becomes more complex when the attorney uses the historical present in narrative action clauses describing the alleged sexual assault, as in Excerpt 3.

Excerpt 3. Use of historical present verbs in narrative action

A: And then he grabbed your hand, and *raises* it...towards the direction he is in?

W: Yes

A: And at that point you *are awake*, right? When you *feel* this going on, right?

W: Yes

A: And you *feel* the sensation of ah somebody grabbing your hand, and pulling it away from you, is that right?

W: Yes

A: Basically over your head. Now *is* he grabbing your right hand or your left hand?

W: That would've been my right hand

A: And then he *places* his hand – or places your hand on his crotch area is that your testimony?

Excerpt 3 contains the only use of verbs in the historical present in any evaluation or narrative action clauses in the testimonial narrative. In this example, the attorney's use of the historical present to describe the actions leading to the alleged sexual assault seems to help make the scene more vivid to the jury by using the shift in verb tense at this dramatic or pivotal moment.

By using the historical present here to describe the main narrative action, the act of sexual molestation itself, the attorney tries to bring the audience, the jury, into the narrative action. By doing so, he encourages them to put themselves in the context of the action and, from that position, to evaluate the actions taken by the alleged victim. Labov (1972) refers to the use of linguistic devices other than indirect speech for evaluative purposes as 'embedded evaluation' since they play a crucial evaluative role but are not openly attributed to the narrator or other narrative characters.

After this section using the historical present, the attorney questions the alleged victim about his reaction to the alleged assault described in the narrative action sequence and brings up the fact that the alleged victim chose to remain in the defendant's bedroom after this alleged initial assault by the defendant. The attorney focuses on this issue after having built up a context where it has been made implicit that this is not the appropriate reaction of a man who has just been sexually molested by another man. To do this, the attorney uses non-occurring narrative actions to point to responsive options that the alleged victim had but that he did not take, options that in his view would be the 'normal' responses according to cultural expectations. Segments of narrative that suggest potential actions that the alleged victim could have taken at that point are referred to here as 'negative (or non-occurring) narrative actions'. Excerpt 4 below is the continuation of testimony from Excerpt 3.

Excerpt 4. Negative or non-occurring narrative action

W: I pulled it away and then everything started blacking out again.

A: You started falling asleep again?

W: I guess you could call it that yes.

A: Well, after you pulled it away, uh **didn't you consider jumping up and uh getting out of there?**

W: I was surprised I was able to do it later.

A: Okay, well that's not how I asked you... Did you think about it at that point?

W: I can't recall what was going through my mind.

Up to this point, the attorney has been using the historical present, making the jury part of the narrative action, but then he shifts in Excerpt 4 and Excerpt 5 (see following page) to the simple past and points out alternative responses not selected by the witness. This switch in tense may again be an attention-drawing strategy by the attorney to focus the jury on the shift from actual actions to

hypothetical actions. The tense shift may also be tied to a preference for the use of past tense in phrasing negative question forms.

Couched in this use of ‘negative narrative action’ is the evaluative assumption that anyone else in this situation, for example a member of the jury, would have chosen to leave and not have remained in the situation as the alleged victim did. By pulling the jury into the action of the assault and then contrasting the alleged victim’s actual actions with non-occurring ‘common-sense’ actions, the attorney paints an image of the alleged victim as acting outside the norms of social expectations. He thereby suggests that either the alleged victim wanted to participate or that the alleged assault never occurred since his reaction is unjustifiable. The defence attorney does not actually question the alleged victim’s actions directly (i.e. ‘why did you stay there when you knew this man was assaulting you?’) but questions him about non-existent actions. By doing so, he leaves the alleged victim no possible way to respond, as illustrated by the alleged victim’s failure to respond directly to the attorney’s question, eliciting a mild reprimand from the attorney (‘That’s not how I asked you...’). The alleged victim is then forced to admit that he cannot answer the question because he ‘can’t recall what was going through (his) mind’. Thus, using ‘negative narrative actions’ is an effective silencing mechanism for the defence.

‘Negative narrative action’ is used frequently as an evaluative device by the defence attorney throughout the rape narrative following other pivotal narrative action sequences.

Excerpt 5. Negative narrative action

A: And at that point uh was he touching you in the crotch area at all?

W: No, he was not.

A: Was he saying anything to you while this was going on?

W: No, he was completely silent.

A: Did this make you feel uncomfortable?

W: Yes, it did

A: Now there was nothing to preclude you from getting up and leaving at that point, was there?

W: No.

A: He didn’t jump on top of you, tie you up or anything like that, is that right?

W: That’s correct

The attorney’s defence relies on making it seem that the alleged victim’s responses to the sexual assaults were in violation of expected behaviour, echoing

the use of the non-occurring actions in Excerpt 4. The alleged victim has already described the course of action he did take, which means that all other possible actions were not taken. Thus, by bringing this non-action to the foreground, the attorney is really requesting the jury to evaluate the credibility of the alleged victim not on the basis of actions taken but on the conflicting nature of those 'normal' or 'expected' actions that he did not take.

It is interesting to note, as well, the nature of these negative narrative action clauses and how the types of alternative actions suggested in these clauses compare to the types of alternative actions that are often suggested in the cross-examination of a female victim. All the negative narrative action clauses used in this trial centre around the fact that the alleged victim did not get up and leave the scene when it became apparent it was an uncomfortable situation. The attorney highlights the fact that the alleged victim had ample opportunity to remove himself from such a situation and that, if such a situation had actually occurred, the alleged victim, as a normal man, would have taken any actions necessary to get out of there. The fact that the alleged victim did not take such an opportunity is used by the defence as proof that the alleged assault must not have taken place. There is no claim here that the alleged victim's decision not to leave the room reflects the fact that he *wanted* the assault to occur, or that he somehow encouraged the actions, as there likely would be in a rape case involving a female rape victim (Matoesian 1993).

While as yet there are no conclusive data on female rape trial cross-examination behaviour, previous studies of how rape is deconstructed in legal proceedings (Drew 1992; Ehrlich 1987, 1999; Matoesian 1993; Taslitz 1999) often suggest that the woman is held accountable for encouraging or wanting the sexual advances as well as for not taking opportunities to avoid such a situation. In female rape trials, however, when the defence points to the fact that the alleged victim did not take actions to avoid a precarious situation, it is generally to show that she knew what she was getting into and in fact encouraged it. In the case under analysis here, the defence attorney does use a similar tactic in that he also points to the fact that defensive/avoidance tactics were not taken. He does not imply, however, that there is any desire on the alleged victim's part that the encounter take place. Instead, it seems the implication of such defence tactics in any rape trial rests on cultural assumptions of what is 'appropriate' male and female behaviour in these situations. When an alleged rape involves a male victim, the defence appeals to notions of strength and a belief in the deviance of homosexual behaviour that would result in any 'normal' male member of our culture fighting any potential same-sex sexual advance. For alleged female victims, however, the defence appeals to our no-

tions of female vulnerability and promiscuity, which suggest that women who put themselves in precarious situations are inviting assault.

Question form usage as a silencing tool

We have seen above the attorney's manipulation of narrative structure through evaluative and narrative devices. But the cross-examining attorney in this trial is also able to couch his attempts to destroy witness credibility and deny culpability in the question forms he selects. Woodbury (1984) also found that question type plays a role in testimony, although her study investigated differences in the selection of question types between cross-examination and direct examination and not, as this study does, differences in question type distribution within each type of examination. The present analysis found there was a systematic distribution of question types within the testimonial narrative, classified according to the Labovian outline of narratives described above. This systematic distribution suggests the attorney is sensitive to the fact that using different question types at different narrative points in testimony better controls, and usually eliminates, the alleged victim's ability to construct the testimonial narrative on his/her own.

The question forms investigated in this study are divided into two major categories:

- wh* word questions (or open questions), and
- yes-no* questions (or closed questions).

This categorisation generally follows Woodbury's taxonomy of question forms (1984) within a courtroom context.

Woodbury isolates 3 main *wh* question types: broad *wh* questions, narrow *wh* questions and reduced *wh* questions.

1. Broad *wh* questions, usually *what*, *why*, or *how* questions, impose the fewest restrictions on addressee response and tend to take the form, 'And what happened next/then?' or 'What did you do?'

Woodbury claims that few questions of this sort occur in trials, a finding consistent with this study's results.

2. Narrow *wh* questions, often *who*, *where*, *when*, and *which* questions, request that the addressee answer the question as specifically as possible, thereby allowing more control over the answer's form.

3. Finally, Woodbury categorizes questions such as 'Were you on the floor or on the couch?' as reduced *wh* questions, and Kearsley refers to this question type as 'specified alternative questions'. This question form requests an answer to 'Where were you?' but restricts the addressee's choice of responses to those provided in the question itself.

Next, there are several distinct types of *yes-no* questions, and these are generally marked by syntactic differences.

- | | |
|--------------|---|
| Grammatical: | 1a. Did you go to his room? |
| | b. Didn't you go to his room? |
| Prosodic: | 2a. You went to his room? |
| | b. You didn't go to his room? |
| Tag: | 3a. You went to his room, didn't you? |
| | b. You didn't go to his room, did you? |
| | c. You went/didn't go to his room, right? |
| | d. You went/didn't go to his room, is that correct? |
| | e. You went to his room, did you? |

The most neutral *yes-no* form is the grammatical *yes-no* question (1a) that is created syntactically by subject-auxiliary inversion and may employ rising intonation in American English. This form does not conventionally imply whether affirmation or negation is sought by the speaker, and therefore exerts less control than other *yes-no* question types over how the addressee is to respond. The negative grammatical *yes-no* question (1b) shares (1a)'s syntactic structure but, by negating the auxiliary, loses some of (1a)'s neutrality. Questions such as 1b may indicate the speaker's surprise at some action or response by the addressee and may therefore in terms of speech acts not really function as questions at all.

Even less neutral are *yes-no* questions that not only seek affirmation or negation of the question's propositional content but also conventionally imply which response is expected. These question forms include prosodic (or intonationally marked) questions (2a–b) and tag questions (3a–e). Syntactically, these forms do not involve subject-auxiliary inversion, relying on intonation or tag-insertion to separate them from their declarative counterparts. Like (1b) above, as speech acts they also may not really function as questions.

As found in this rape trial, a systematic distribution of question types within courtroom testimonial narratives indicates that attorneys are not only sensitive to the fact that *wh* forms are less controlling than *yes-no* forms as Woodbury's study suggests, but are also aware at some level that using different

question types at different points in testimony may help solicit specific types of responses.

Summary of results

In legal proceedings, the narrative action clauses are pivotal in determining the guilt or innocence of the defendant, and therefore the defence attorney must maintain tight control over the witness's contribution to narrative action. Woodbury's classification of prosodic and tag questions as two of the most controlling forms of questions seems to explain the distribution of question forms for narrative action clauses in cross-examination, where 70% of the question forms used were prosodic questions and the remaining 30% were tag questions.

By using only prosodic and tag questions, the attorney is able to narrate the majority of the narrative action clauses himself, which gives him the opportunity to fine tune or qualify the alleged victim's version of the narrative action as given in direct examination. For example, the attorney changes the alleged

	Question Type						
	Broad Wh-	Narrow Wh-	Reduc. Wh-	Gram. Y/N	N. G. Y/N	Pros. Ques.	Tag Ques.
NA	0	0	0	0	0	12 70%	5 30%
O	1 2.4%	1 2.4%	5 12%	16 39%	0	9 22%	9 22%
E	0	0	0	8 27%	1 3%	10 33%	11 37%
OE	0	0	0	3 75%	0	1 25%	0
ONA	0	0	0	0	0	3 60%	2 40%
ENA	0	0	0	0	0	4 67%	2 33%

NA = Narrative action clauses

O = Orientation clauses

E = Evaluation clauses

OE = Clauses qualifying as both orientation and evaluation clauses

ONA = Clauses qualifying as both narrative action and orientation

ENA = Clauses qualifying as both evaluation and narrative action

victim's wording in a narrative action clause from 'Then I passed out' to 'And you think you fell asleep?'

Evaluation clauses show some of the same tight attorney control that narrative action clauses do. There are no *wh* question forms, and prosodic and tag questions are favoured, making up 33% and 37% of the question forms respectively. Unlike narrative action clauses, however, question types involving or requesting evaluative segments are more generally distributed across *yes-no* question types (with 27% of the question forms coming from the grammatical *yes-no* category and 3% from the negative grammatical *yes-no* category), pointing to a slightly greater flexibility in question type use. Much of this flexibility is explained by the fact that evaluation can take many different forms, from the substitution of one lexical item for another ('passed out' for 'fell asleep') to a full evaluative phrase containing the alleged victim's thoughts or emotions about an event in the narrative. When the defence attorney was attempting to point out that the alleged victim's mental state conflicted with the actions he took, the attorney used grammatical *yes-no* forms. This was because the evaluation requested by the question itself controlled the possible response (i.e. 'Did you feel comfortable about what was happening when he put his arm around you?'), so the attorney did not appear to pre-determine the alleged victim's answer. In other cases, however, the attorney may be evaluating the alleged victim's prior testimony him/herself and may want to indicate to the witness which answer is expected, thus maintaining tighter control over the response: '... now he's putting his arm around you on the couch ah..you didn't get up and leave?' The question form chosen will be the result of what kind of information is sought by the attorney and of whether the response can be controlled by the content rather than form of the question.

Orientation shows the greatest variety of question types. Seventeen percent of all questions involving orientation come from *wh* category questions, and the remaining 83% come from grammatical *yes-no* prosodic and confirmation tag questions. If testimonial narrative is isolated into its component segments, orientation seems to play the smallest role in attributing the guilt or innocence of the defendant or the credibility of the witness's testimony. In fact, a witness has much less motivation to distort or present opinion as fact in orientation clauses, for example in describing where the couch was in relation to the television.

The fact that the examining attorney has the power to ask all these types of questions affects the testimonial narrative in several ways. First, it allows the attorney control over the topic of conversation. Second, it allows the attorney to be the first and main narrator of the rape narrative through the content of his

questions. Finally, asking questions allows the defence attorney to fragment the witness's narrative, which O'Barr and Conley (1978) claim leads to decreased witness credibility from the jurors' point of view.

The use of different question forms is one of the factors that allow the attorney to take the agentive role in testimonial narratives. As discussed earlier, the comparison of the contributions of both the witness and the attorney to the witness' testimonial narrative reveals that, in fact, it is the attorney who overwhelmingly narrates the narrative action and evaluation sequences of testimony. Much of this narrative control is due to the fact that the attorney can select among different question types.

Conclusion

The concept of silence is crucial to a court of law. When the guilt or innocence of a defendant is based almost entirely on linguistic evidence, what is excluded or eliminated can be as critical as what is overtly stated. While silencing strategies in the courtroom may often be direct, there is quite a bit of evidence that other techniques are as effective. A large part of this effectiveness, in fact, rests on the non-overt nature of the attorney's silencing techniques. Such non-overt strategies work to limit the witness' contribution and allow greater attorney input to testimony, and they do so while maintaining the image that the witness is in fact telling his/her side of the story.

Jaworski (1993) discusses a variety of silencing mechanisms that dominant groups may use to defend their position when challenged. The key to such suppression lies in the dominant groups' ability to position the opposition in a vague and ambiguous state. This can be accomplished by 'alter(ing) the society's perception of the status of the opposition ... (p. 125)', often through bringing in negative stereotypes or declaring the opposition or its activities subversive. Such strategies effectively silence the opposition by clouding the original issues and creating instead ones that do not necessarily bear any relation to those in which the opposing group is actually involved. Counterintuitive as it may seem, fundamental to this form of silencing is language use. The construction of a discourse that makes transparent the lack of expression of particular participants is by far more effective than simply limiting the words of others.

The defence attorney in this trial puts to work such a strategy during the alleged victim's testimony. The attorney narrates the majority of the testimonial narrative, limits the alleged victim's contribution, fragments the alleged vic-

tim's narrative, and uses non-occurring or negative narrative actions to evaluate the alleged victim's actions, all in light of cultural expectations. All of these strategies serve to displace the alleged victim as narrator of his own narrative and, in effect, remove his voice from testimony. It is the attorney's voice we are presented with instead, and this voice repositions the witness not as a victim but as someone defying socially normative expectations of appropriate behaviour, thereby clouding the original issue of sexual assault. The nature of a criminal trial, with its focus on the establishment or removal of a reasonable doubt, positions it as a critical area in which to investigate how the manipulation of linguistic resources encompasses not only what is said but also what remains unsaid, either by omission or by suppression.

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CHAPTER 5

Telling bits

Silencing and the narratives behind prison walls*

Patricia E. O'Connor

Silencing in discourse can work through institutions and systems as much as it can through interpersonal or organisational channels. Institutions such as prisons that aim first to isolate criminals from mainstream society are by definition silencing the inmates by removing the means of communication between them and the public. Self-silencing also occurs when prison violence suppresses its victims and yields a reciprocity that promotes lives of violence that lead to recidivism.

In nineteen years of working with inmates in United States maximum and medium security prisons I have had many opportunities to break the silencing that was intended by the isolation of the incarceration system. How? Let me use two snippets of speech I present from different inmates to start the answer undertaken more fully in the body of the essay below, an essay that looks more closely at such telling bits:

- (1) If you're afraid to die, this is the wrong place to be.
- (2) You've got to come back. There are no new conversations here.¹

Both of these remarks entail much information that does not enter public discourse, information about the violent nature of incarceration as well as about the lack of inspiration or incentive for 'rehabilitation' inside prisons. The utterance number one was spoken on a videotape in a classroom drama course toward the end of an experience narrative about prison life.² The speaker was recounting to the class how he was stabbed by an 8-man hit squad of other inmates, remarking on how prisoners must be ready to fight to the death for their survival and dignity in prison. The second telling bit occurred in a phone conversation over 19 years ago, after the first prison course I had been teaching had ended. This plea for discursive opportunity, this request for new conver-

sations, showed more than a desire to end the boredom of incarceration. That prisoner realised the power of exchanging discourse with others in the formation of new ways of thinking, an important process if there is to be a successful rehabilitation and return to society for an inmate. His brief remark encapsulated Lev Vygotsky's critical understanding of concept formation, wherein discursive interaction with others leads a learner to try out and have ratified his/her attempts at new concepts; here, the inmate's attempt at a self-concept that would include discussions about his past relationship to a crime. The request for new conversations came before I began my research project interviewing prisoners, collecting their life stories. The warning about being ready for dying came after the interviews had been completed. The tensions between those two lines (and between those two times) clearly illustrate the danger in prison life and the need for new ways of reaching through the silencing and isolation that perpetuates violence within the silenced lives doing time.

Silencing and violence in prisons

The silencing of prison inmates is foremost a silencing of public knowledge about them. While we are aware of some of the violence perpetrated by criminals through the focus of news, mass market books and film, and the apparatus of criminal investigation and prosecution, we know less about the lives and the violence within prisons themselves. Such an erasure also comes easily in other limited-access facilities such as asylums and military bases to which public access is restricted so that the business of treatment or training may be conducted.

Another contributing feature to the silencing of prison inmates described here is prison segregation or isolation. Michel Foucault closes *Discipline and Punish* with a comment that the book, which at one level recounts the birth of the prison, at another level serves 'as a historical background to various studies of the power of normalization and the formation of knowledge in modern society' (308). The normalizing routine in connection with criminal justice has become much focused on the investigative hunt for perpetrators and their prosecution. What happens after conviction, i.e. the punishment, slips quietly into the community 'unconscious'. By design we isolate transgressors in order to protect society, but solitary confinement in prisons also works as an extreme measure to desensitise the inmate to values, behaviours and self-concepts that would facilitate the transition back into the outside world. Segregation of prisoners into like kinds has produced other forms of isolation. Under the auspices

of safety our prisons have kept apart those who commit crimes against property from those who commit heinous crimes against individuals, or youths from older, seasoned criminals. However, overcrowding has usually reversed that trend. Matching the changing customs and laws of the United States historically, our prisons have also been segregated according to race. We continue (at least passively) to segregate according to class by virtue of attorney affordability. Those who can afford highly priced lawyers do not enter the criminal justice system's prisons with the regularity that the indigent do. We have in our experimental and exasperated moments segregated race- and ethnicity-based gangs and, alternately, purposefully mixed such groupings in efforts to control burgeoning prison populations (see Shakur 1993 for an account of mixing Los Angeles gangs while incarcerated). Yet throughout, regardless of mixing or of segregating, we expect prisoners to return to communities with improved socialization skills to live peaceably. We, as a public, pay little attention to how such a transformation could take place.

Similar lack of public knowledge or discussion about ostensibly open institutions such as schools requires that we acknowledge some guilt about our disinterest in publicly supported institutions, most notably when we have no primary constituent interest: when we as individuals have none of our own children enrolled, we rarely enter school buildings. This is even more visible in the treatment of our publicly supported prisons. Few who are not relatives of inmates, the arrested or the convicted themselves, or the employees of the criminal justice system ever enter a prison. Prisons occasionally allow the public to visit in groups – tours for criminology students or public relations rounds to show off newly finished construction. While religious groups and Alcoholics Anonymous have often maintained steady commitments to service by providing, respectively, prayer and self-help counselling, in general, prisons and jails are not likely stopping points for the average citizen. Thus, intentional isolation along with the self-censuring that arises through prison violence combine to form a large and dangerous silencing of voices and issues. Such a silencing normalizes a perilous ignorance between the outside public and the prison, one in which prison violence (and continued violence after release from prison) is allowed to grow into normalized behaviour.

The third form of silencing, one that takes place within the broader silencing of the isolation from the public, is the self-silencing that prison violence imposes among inmates. At the end of my data collection of life stories of maximum security inmates, in 1993, American prisons and federal incarceration facilities officially reported numerous incidents of violence, including 46 inmates killed by inmates, 4,829 assaults by inmates on staff, 8,220 assaults by

inmates upon inmates, and 100 inmate suicides (Maguire & Pastore 1995: 586). The data in my interviews, as well as the experiences told during courses taught inside the prison, provide many examples of such violence. In spite of the shift from monarchical times, when corporal punishment was championed, to present day criminal justice's use of imprisonment to isolate the delinquent from the community, personal accounts and the statistics noted above reflect that imprisonment has not truly ended bodily harm as punishment; now the bodily harm comes from fellow inmates or over-zealous staff in an isolated system that enhances the opportunities for violence among them. And though the United States toyed with ending the permanent silencing embodied in capital punishment, the U.S. has, since 1976, allowed the reinstatement of state-sanctioned executions. Yet even executions for the most part remain a private spectacle, observed by only small numbers of law enforcement officials, some victims' families, and spiritual advisors (see Helen Prejean's *Dead Man Walking*). State sanctioned violence has been removed from what Foucault called the public spectacle. However, much violence and violation occurs within the private sphere of the carceral where, unobserved by those outside the prisoner and staff hierarchies, incarcerated bodies continue to be the locus of corporal 'punishment'. Beatings, rapes, knifings continue with many unreported if hospitalization can be avoided. Such a self-silencing by inmates reverberates throughout the prison providing at once a silent 'manly' code of toughness and a cowardly veil for clandestine and continuing violations.

Such assertions of power through the silencing of others by force, and the self-silencing of the flow of information about these dangers, lead to a harmful complacency outside the prison, in the communities where the silenced inmate, once released, has a high chance of recidivism. In our communities, many do not find violence and violation within jails and prisons appalling; rather, the attitude of 'they are getting what they deserve' prevails, even if 'what they deserve' is re-interpreted not by a judicial body, but by staff or by other inmates with private agendas (see also Abbott 1991; Wikberg & Rideau, for prisoners' own written views on these issues). After prisoners are incarcerated, the community largely ignores those behind the walls. Relieved at ridding the community of danger, we silently foster more dangerous opportunities. Like Langston Hughes's poem about the 'raisin in the sun',³ the prisons 'fester like a sore', 'run like rotten meat' until they 'explode' into our consciousness in the high profile news of prison riots or, more quietly, with the recidivism that is destroying the fabric of our communities.

Research to speak through the silencing

My study was begun after teaching 6 years inside a maximum security prison. The courses I taught involved my bringing into the prison many students from my university to act as co-learners of the material studied and to serve as one-on-one tutors when necessary. This unusual service-learning arrangement made possible those many 'new conversations' and also set a tone and created a safe space for actual interest in changed lives. The life story collection that followed resulted in 187 narratives from 19 inmates; 102 of the narratives were focused on crimes. Much of my research, and this paper in particular, aims to show two things. Using discourse analysis I investigate utterances for signs of agentive speech. This work illuminates the ways that narratives display the personal agency of the prisoners in relation to their crimes. Also, at a macro-level, it uses frames of analysis from social psychology, sociology and cultural studies to rupture the dangerous ignorance of what happens in prison, suggesting that uses of productive discourse need be expanded to include those silenced by living inside 'total institutions'. Erving Goffman's (1961) use of this term in *Asylums* notes that those living in places such as prisons, religious cloisters, and mental hospitals, those whose daily needs are met inside the perimeter of their living quarters, are aptly considered to be in total institutions. Knowledge of their routine does not necessarily become common to outsiders. John M. Sloop studied popular print rhetoric about prisoners from the 1950s to the 1990s and discerned shifts from considering the inmate as rehabilitable, a view consistent with strong mono-cultural norms in the 50's. In the 60's this changed into a split view of inmates as either redeemable or 'irrational and violent', a split that mapped onto emerging racialised views of violence as black (Sloop 186). From 1969–1975, riots in prisons in reaction to harsh conditions split the latter category into those who are nobly and courageously violent for rights in prison from those who are perceived as 'violent for the sake of violence' (p. 16). In the period from 1975 into the 90's, when overcrowding typifies American prisons, Sloop argues that ideological space opens up for the idea of a 'willing' prisoner and one who receives his/her 'just desserts' (p. 16). From his analysis of articles (all taken from the *Reader's Guide to Periodical Literature*), Sloop suggests that media discourse is 'always already a material force acting upon the knowledges and activities of the present' (p. 8), providing a look at ideology and culture 'through a discussion of the disciplining nature of the mass media' (p. 10), a kind of normalization that he brings into the open through his critique. His work also reveals that the general public mostly notices prisoners in stereo-

typed frames, frames that are themselves designed against a discerning gaze or listening stance, effectively creating blinders and silencers.

Several studies have looked at ways to interpret silences, recognising the role silence plays in communicative acts, especially in conversations (see Tannen & Saville-Troika; Jaworski; Okazaki [Yohena]). Discourse about violence between males and females adds also to our understanding of how words and silences are interpreted (see Adams et al. 1995; Towns et al., this volume; Wood & Rennie 1994; and particularly Gavey 1992, on silence about rape). In courtroom interrogation, silence or hesitation is negatively perceived (Walker) and thwarting narrative discourse by silencing witnesses through artful 'yes' or 'no' questioning is the goal in many litigators' repertoires (see Fridland, this volume and Woodbury). Others have investigated the role of silencing of groups of people, especially in political and cultural discourses (Thiesmeyer 1995; Berman 1999). In this essay, by examining features in narratives of crimes told by maximum-security prisoners, I break a cultural silence enforced through incarceration. I assert that such 'telling bits' of inmates' lives are cues into strategies for developing a more rehabilitative approach to criminal detention. In the data analysis section of this essay I examine excerpts from spoken narratives of crimes that illustrate key features of agentive discourse spoken by prisoners. I conclude with a discussion of how this kind of discursive opportunity helps break the dangerous silence of separation, an isolation that has ironically been most conducive to preparing people for more violence and eventual return to prison.

United States and world incarceration

This essay is premised on the idea that the enculturation of a person is key to his/her behaviour, to the social construction of a self within his/her society. Our prisons, as Gramsci noted long ago, tell us much about our society. America concentrates many resources on imprisonment. At year's end 2000, the United States incarcerated 2,071,686 persons; one in every 109 men and 1 in every 1,695 women were sentenced prisoners (Beck & Harrison 2001: 1). As well as those 2 million in jails and prisons, the U.S. supervises another 4 million parolees and probationers. In August of 2001, the Bureau of Justice Statistics announced that the U.S. 'combined federal, state, and local adult correctional population reached a new high of 6.5 million men and women in 2000' (BJS: *Number of Adults*), a figure that does not include juvenile detainees⁴ nor reveal the strain on the criminal justice system from, for instance, 14,031,100

arrests estimated by the FBI for the year 1999 (BJS: *Total Arrests by Age*). The 'loudness' of these heavy arrest and incarceration figures are much touted as localities apply for aid to build more prisons.

Other industrialized countries incarcerate many fewer. Highly populous Japan incarcerates only 36 per 100,000 persons (Mauer 1994; see Appendix B for comparative international figures). The total number of prisoners in all of Japan is 45,183, in a country whose population is one half that of the much larger United States. The rate of growth in U.S. prison populations has recently begun to slow down, but the U.S. still leads the world in incarceration per capita (690 prisoners per 100,000), occasionally being outdistanced by Russia. Washington, D.C. alone, the capital city of the U.S. in whose prisons I conducted this research, had an astounding 1,682 adults per 100,000 in prison or jail for a citywide total of 9,353 in 1997 (Gilliard & Beck 1998: 3), a rate that has only recently begun to decline.

A most telling statistic for American imprisonment is revealed when we look at racial characteristics of the population as a whole and of those incarcerated. At the time of my data collection, at year end 1992, there were 4,094 black male inmates per 100,000 black adults in the United States population, compared to 502 white male inmates per 100,000 adult white residents (*Correctional Populations* 1). A black man was thus 8 times more likely to be a resident of a prison or jail than a white man. Those incarcerated in Washington, D.C. are 99% African American, while the city itself was only 65.9% African American according to the 1990 U.S. Census. A look at national numbers from a recent year also suggests disparity: at year end 1996, about 528,200 African Americans and 510,900 whites were incarcerated in State and Federal prisons in the United States (Gilliard & Beck 1998:9). Yet the entire U.S. is only 13% African American. Such over-representations of blacks are clues to how very differently various communities experience the criminal justice system. Silencing goes hand in hand with racism. Those excluded from society in prison and thus disproportionately disenfranchised are effectively silenced from participation in the larger community. Other countries also commit large portions of minority populations to prisons. Australia's tiny aboriginal population is far over-represented in its prisons.

In the United States, prisons (for adults) were operating at 123% capacity on average, with some as high as 161% (Maguire et al. 1993:617) during the time of my data collection. Mandatory drug sentencing, especially for crack cocaine possession and trafficking are swelling the prison numbers and helping to maintain the numerical disparity between African Americans and whites.⁵ According to Gilliard and Beck's (1998) release of statistics from the Bureau of

Justice, drug offences accounted for 30% of the total increase among African American inmates, 23% of the total increase among Hispanic inmates and 16% of the increase among white inmates (p. 12). Thus, the picture of United States prisons and jails is a dismal one in which overcrowding, over representation of minority populations, massive use of incarceration as a punishment and its 'incidental' violence are all too apparent.

We can clearly say that the US is heavily criminalised. Building more prisons to incarcerate more offenders for longer sentences is leading to a construction boom and increases in criminal justice staff and guard jobs – a situation welcomed by many in economically depressed regions. However, use of low-wage, less-prepared and over worked prison workers has led to many dangerous situations. Corrections Corporation of America, a publicly traded profit making company, has experienced mixed success. Its facilities in Youngstown, Ohio have been closed after two inmate deaths (Santana 24).

Imprisonment does not seem to be quelling crime. Recidivism rates show that 49% of young parolees (Beck & Shipley 1987) and 94% of state prison inmates in 1991 had previously been convicted of a violent crime or had a previous sentence to probation or incarceration (Beck et al. 1993: 11). These facts imply that little change in behaviour results after incarceration. Whether or not the last decade's 'three strikes and you're out' legislation in many states will affect crime rates is yet to be determined. The legislation is certainly affecting the prisons' and states' abilities to house the convicted. The Sentencing Project, a not-for-profit non-governmental organisation in the United States, reports that California, the state with the oldest such legislation from 1994 has seen tremendous strain on its resources with doubling of sentences for a second felony and mandatory 25 year sentences for those convicted of a third felony (King & Mauer 2001: 3). The result is an aging, expanded, and expensive prison population.

Reports of crimes, particularly violent crimes, have lowered in the last few years. This results from more and longer incarcerations and less possibility for parole, thus removing crime from the neighbourhoods. Yet, this may only move criminal acts to the 'inside' – behind the walls and bars where isolation and under-staffing become fertile ground for violence and crime – not an adequate alternative if we are really trying to curb, not just corral criminal behaviour. I take no consolation in the rationale expressed by some that 'at least they are not hurting the outside community'. The continuing use and distribution of illegal drugs inside prisons also directly contributes to this cyclical violence, much as it did to the actions of inmates when they were not incarcerated. The interlocking problems of crime, addiction, incarceration, and insufficient

drug treatment are massively affecting our communities and our impressions on the rest of the world.

How do other populous societies deal with miscreants? Analyses of Japan's low rate of incarceration and low prison population centre on the significance of cultural patterns connected with personal and familial honour⁶ in Japan (see Rubner; Castberg; Tokoro; and Johnson) and acknowledge the alternatives to incarceration in handling Japanese crime – matters that contextualize crime and criminals by inculcating different patterns of behaviour. In the Japanese criminal justice system, which relies heavily on confession for a remarkably high clearance rate on crimes, corrections officials also engage in concerted efforts to elicit personal writing from inmates as part of a rehabilitative and educational scheme. Particularly in youth training centres, a strong emphasis is placed on introspection through the writing of daily journals (Abe, Ministry of Justice interview). Given the work by many in teaching writing to American inmates, it is possible to say that this kind of introspection could be fostered in the American criminal justice system. Such uses of the introspective have sparked my interest in moral agency.

That interest in prisons stemmed from involvement as a teacher among the incarcerated, inside a 'total institution' where I confronted new systems of enculturation. In the nineteen years I have taught classes inside maximum and medium security prisons and jails in the Washington, D.C. area, I have come to know something of the unusual world inside the 36-foot high walls, double-fenced and razor-wired, or high-rise facilities that cut off the prison and the prisoner from the community that he or she offended and that sentenced the prisoner to live a number of years of confinement as his or her punishment.⁷ The prison is considered an enlightened means of punishment, one that replaces branding, dismembering, and the public gallows, other forms of punishment meted out in the past (see Foucault). In the newly revised prisons after the end of monarchies the focus moved from punishing the body to reforming the soul of the offender. Solitude should foster meditation on wrong actions; work should occupy time.

That view seems based on the idea that new ways of living would rise up from inner resources in the criminal. Modern views of the social construction of the self assert, however, that it is in community that we learn our ways of living. It follows that it would be in a changed community that we would learn changing ways. How then could incarceration of offenders amongst other offenders in an ever-growing over-population of criminals in prisons produce positive change?

Interviewing and the discourse of crime

In my research I try to break the community's indifferent silence toward prisoners, but also to break the inmates' silence about personal responsibility in criminal acts. I work to answer these questions: (1) how do speakers reveal personal agency? (2) how are narratives about violence and violation sites of/for agentive discourse? (3) would having more discursive opportunities with those unconnected to prison promote rehabilitative discourse? All of these culminate in the question: does telling such narratives promote rehabilitation itself? In this essay I analyse agentive discourse and discuss whether such language opportunities could help break the diminishing returns of the silencing caused by incarceration. In particular I note statements that claim (or deflect) agency; frame breaks where prisoners grapple with their understanding of their actions; and shifts in indexicality that occur while telling narratives – all features that show the speaker in a zone of proximal development (Vygotsky's ZPD) in relation to his personal agency. This work suggests that discursive opportunities rather than silencing would contribute to the ultimate goals of punishment, what Foucault called 'universal maxims of the good penitential condition'. In these maxims he included: reformation of the criminal's behaviour; isolation and distribution according to age, severity of crime, method of correction; modulation of penalty with good behaviour; work as an obligation and right; education for prisoner improvement; social and medical supervision; auxiliary institutions for rehabilitation (pp. 269–270). His final two categories that suggest more involvement in prisoners' institutional lives and their after-institutional lives may well be enhanced by better understanding of the discourses of and with prisoners. Such involvement would penetrate the pattern of silencing common within current practices.

My prison involvement brought outsiders into prisons to work with inmates in educational endeavours. I was able to break into the silenced world of prison by bringing college courses and college students as collaborative learners to two cellblocks within a 700 bed facility that had no higher education programmes.⁸ After six years of teaching, I began a research project eliciting the life stories of prisoners in order to study more deeply the power of narrative in their lives and also to gain more information on how better to plan educational rehabilitation inside the cut-off world of the prison. In an eerie irony, extended 'time' is something I share with these inmates. As I discussed in *Speaking of Crime* (2000) the many years I spent getting to know the social world of a maximum security prison allowed for me a deeper grounding for the data I collected, thus providing some contexts for discourses among inmates,

between inmates and guards, between administrators and guards, and between administrators and 'outsiders'. I also could see inmates in contrast to national perceptions and local practices. I was able to observe closely the interactions between inmates and non-criminals whom I brought into the cellblocks to tutor or take classes together with the prisoners.⁹ As Briggs notes, no amount of time is ever sufficient for a total understanding of another's discourse; however, more time brings more possibilities for understanding the many layers of meaning in narrative accounts and maximizes possibilities for understanding at the level of interaction during interviews. The long time inmates spend away from communities too often parallels a long, unconcerned and counterproductive silence that inmates hear as indifference. Caught between the sensationalized media representation and the actual societal ambivalence to particulars, inmates welcomed the interviews about their life stories.

Some of the initial data underpinning the interview studies were experience narratives audiotaped in small groups in the classroom during the course of teaching and used to assist students to make the transition from storytelling to written narrative. Particularly useful in the collection of the 102 narratives on crimes were cues for stories that recall William Labov's work with New York gang members such as 'have you ever been in danger of death?' Narratives were elicited during one-on-one audiotaped interviews during 1991–1992 in which I asked for the life stories of prisoners. Additional narratives have been collected since that study, including the videotaped one from which I draw examples for the last part of this paper. The videotape illustrates effectively how much is lost in the dangerous silence that occurs when one society shuts out another.

In the act of interviewing I found that talking about one's life to non-criminals was not a common inmate experience, nor was it a regular part of any structure or programme after the inmate was initially classified in this particular prison.¹⁰ This does not mean that isolation is always the pattern in all American prisons. Indeed, very little is *patterned* in what happens to those who break the law and who are incarcerated for their crimes in the United States, one of the stark differences between other nations' more centralised systems and the diversified systems in the United States. The considerable individuality of decisions to prosecute and to make discretionary sentencing in the U.S. often leaves offenders with a sense that punishment is random.

That feeling of randomness is revealed in one of the most used expressions in the data I collected: 'I caught a charge' as in 'I caught a murder charge'. This is quite different from 'I murdered a man' and implies in an interestingly emblematic way that prisoners see their incarceration as something that happened

to them, like catching a cold, rather than something that they caused through their own actions.

Consider the different sorts of 'I' presented in these utterances:

I caught a murder charge

I murdered a man

I shot him

Note the different kinds of verbs for saying that one has participated in an act of murder: 'I caught a murder charge' vs. 'I murdered a man' or 'I shot him'. In my work I have suggested that in the latter two, the 'I' shows more personal agency because the subject participant is the actor. Personal agency could quite succinctly be defined as the assigning of personal responsibility for acts. To the question 'who did it?', how can we respond? We can answer 'I, or she, he, they, or even, you did'. We need not even speak – we can assign accountability by pointing a finger, nodding toward an individual, or even motioning toward the space where a person has stood to indicate that we are positioning one who was formerly there as agent. Central to the utterances above are these questions: is the speaker assigning responsibility to acts he has taken, or is he merely describing causes for acts that have come about? In the example ('I caught a murder charge'), the 'I' denotes a subject participant who is an experiencer rather than the instigator. Though the structure looks active and similar to 'I caught a ball' it is morally passive. We can compare the structure of the sentence <I caught a cold> to the utterance 'I caught a charge'. In each, the 'I' indexed is the one to whom things happen. There is less agency than in 'I caught a ball' where the 'I' is indexed to one who has at the least gotten her hands ready to receive the ball. Thus, we can only truly describe a grammar of agency within the larger contexts of the discourse. In case grammar's emphasis on the 'sentence' rather than the fully contextualized utterance, we could lose the full range of moral agency engendered by autobiographical tellings. The speaker of this I-marked utterance, 'I caught a murder charge', positions himself as a patient experiencing an act, not as an actor. The phrase could, however, speak to the seeming randomness of actual punishment for crimes or could imply that the person was accused (and even convicted) of murder, but does not feel he committed murder. Instead he 'caught' a murder charge. This is the sort of reasoning I found in an example that included 'I shot him', wherein the inmate felt he shot in defence of his property being stolen and the prosecution and jury felt it was premeditated murder.

In the chart below we see a continuum of agency¹¹ that shows examples of actual utterances from the prison data, including the most agentive 'I shot him'.

Table 1. Continuum and examples of Agency (O'Connor 1995b: 431)

DEFLECTING	← PROBLEMATIZING →	CLAIMING
		I broke the antenna off a car
		I've always did what I wanted to do
		I went from running numbers to using the pistol
		I shot him
		I let both of them have it
	On occasion, I participated in a lot of stealing	
	I don't know whether I thought 'shoot him' or not	
	I don't know whether instincts had me shoot him	
We ended up getting caught		
We had to exchange gunfire		
I caught my first charge		

In the narratives that follow we see the contextualization in which such words reveal a personal claim in which the speaker is the agent of killing.

Let us look briefly now at the continuum of agency I propose from the statements made within the prisoner interviews. On the left are utterances showing a deflection of the criminal acts. On the right, very direct utterances such as 'I shot him' clearly attach the action to the subject participant. Note the contrast between the deflective 'we had to exchange gunfire' and the agentive 'I shot him'.

Agency and positioning

In matters of personal agency, I am following Harré (1984) in that I agree that agency is a speaker's positioning of the self in the spatio-temporal array of persons as well as in a moral stance toward one's acts. Davies and Harré define positioning as a dynamic process different from the more static term 'role'. For them, positioning is 'the discursive process whereby selves are located in conversations as observably and subjectively coherent participants in jointly produced story lines' (p. 48). Positioning is a term, then, to identify the act of taking or assigning stance, explicitly or implicitly, in the participation framework of discourse management. Positioning, rather than stance, suggests a dynamic

process, one that is negotiated or contested among participants in a speech setting. I define *personal agency* as the positioning of the self in an act or in the reflection on an action indexed to that person as figured along a continuum of responsibility. In the interviewing for this research, the social presence of a familiar outsider who was not in the employ of the prison provided a new context for producing story lines. It allowed for a reversal of the many years of silence for those within the walls. This involvement of an outsider made possible new positionings for the inmates, for few non-criminals spend time talking to inmates. In that new context, various fruitful expressions appeared along a continuum of agency connected with criminal acts.

Narratives of prisoners and the possibility of a therapeutic discourse

In the narrative excerpts that follow I illustrate some of the features of agentive discourse that I have found in the prisoners' utterances, using examples from several different speakers. Then I show a longer passage from one videotaped narrative and look at how these features cluster in a way that shows the potential significance of these utterances and also the significance of eliciting this type of narrative from offenders. (Longer treatments of these data are found in my *Speaking of Crime*.)

Claiming agency: 'I shot him'

From the Chart above the very agentive claims 'I shot him' and 'I let both of them have it' come from one man's story of how he came to be in prison. In the example below we see the passage that surrounded these utterances. The story thus far had been one in which the speaker, Roman, recounts how he ended up at the prison. He has said that he was carrying a bag of money to purchase drugs. At the time of the exchange, however, the supposed sellers tried to rob him. (Names of speakers and those they refer to have been changed. Transcription conventions are summarised in Appendix A.)

Roman's story

- 1 POC: what led you here?
- 2 → ROMAN:...it was like I said,
- 3 we was selling drugs,
- 4 and I was supposed to go see some people,

5 get some more drugs.
 6 and, when we got there,
 7 they decided they wasn't gonna give me any drugs.
 8 → they was just gonna take my money..
 9 and I couldn't let it happen.
 10 and I saw one of the guys reaching for his gun,
 11 → so I let both of em have it..
 12 witnesses say that it was a arm,
 13 they thought it was an armed robbery,
 14 because I gave the guy the bag
 15 with the money in it.
 16 when he refused me,
 17 → I shot him.
 18 and he dropped it.
 19 witnesses saw me pick the bag up.
 20 so they thought it was a robbery.
 21 → they was trying to hurt me,
 22 so I had to do something.
 23 POC: so what's the charge then?
 24 ROMAN: murder, armed robbery, murder one,
 25 murder to [commit?] armed robbery,
 26 carrying a pistol without a license
 27 POC: and for that you got how many years?
 28 ROMAN: I got 40 to life.

In this narrative, the speaker does not hedge about his act: he shot the people trying to rob him. He gives rationales for his deadly act; he does not minimise or deflect his agency in that act of killing: (l. 8) 'they was just gonna take my money', (l. 10) 'I saw one of the guys reaching for his gun', and (l. 21–22) 'they was trying to hurt me, so I had to do something'. This is quite different from a deflecting expression such as 'I caught a charge'. Roman's response is very frank in answer to the follow-up question in line 23 'So what's the charge then?' Roman catalogues his crimes that resulted in a 40 year to life prison term: murder, armed robbery, and murder one. The opportunity to narrate at length the circumstances of his incarceration elicits phrases that in their grammatical structure showed the prisoner taking claim for the deaths. Contextualization within the narrative also reveals Roman's sense of how appropriate his act of shooting was within the context of a drug deal. Thus, while he agentively claims his acts, the reasons he gives show he is still morally at cross purposes with the larger society: he justifies killing because he is being robbed.

Telling such a story initiates a change in the usual routine of silence about the past acts. Clearly Roman shows he knows he has killed. Can he see the cross-purposes that I suggest above? Later in his interview he says he was motivated in the drug dealing life by how ‘everybody, you know, who had the drug, give their respect.’ He follows that rationale, one with great salience among youth, with these remarks: ‘now that I think about it, it’s the dumbest thing I ever did in my life.’ At the time, then, of the interview we see evidence of introspection about past acts. We see at least a beginning contemplation that judges his own actions. Making that process audible comes as a result of the invitation to ‘new conversations,’ an opportunity to consider and re-consider one’s life through the autobiographical process that breaks through the silencing.

Frame breaks

That reconsideration, an act of reflexivity, became a major focus of my research. In the Agency chart (Table 1, above) in the middle of the continuum I placed statements prisoners have made that I suggest show that they are puzzling over their actions. Consider the pair of similar responses:

I don’t know whether I thought ‘shoot him’, or not
I don’t know whether instincts had me shoot him

In O’Connor (1995b) I show that the speaker of these utterances, John, is making these reflexive remarks in an evaluative moment in his narrative that directly precedes the clearly agentive words: ‘I shot him’. Here is the context around the problematizing lines in this story of how John shoots a driver of a car who has driven into a wall, pinning John’s friend between the car bumper and the wall.

22 I saw my co-defendant in the middle of the car
23 in between the car and the wall...
24 → at that point..
25 I don’t know what good
26 I was thinking about at that point,
27 I had a gun in my hand at the time..
28 uhm, I saw the condition that my friend was in...
29 and I saw some movement from the guy....
30 → I don’t know whether I thought ‘shoot him’ or not
31 → I don’t know whether instincts had me shoot him..
32 the last thing I remember was that
33 he was reaching for something,

34 between the seats...

35 → and I shot him at that point, in the shoulder..

I suggest that the epistemic markers ‘I don’t know’ in lines 25, 30, and 31 cue us to John’s potential as a ‘strong evaluator’ in Taylor’s (1985) term, for John is deeply considering his actions. However, we must realise that the deep consideration reported here takes place in the *storyteller’s* world – the world of the interview, not at the time of the shooting. John, serving a mandatory sentence of 20 years with no parole, is puzzling over the thinking that he might have done, in the frame break between the narrated actions of (1) John *seeing* described in line 22: ‘I *saw* my co-defendant..’ and line 29: ‘I *saw* some movement..’ and (2) the driver’s *reaching* in line 33 ‘he was *reaching*’. Like Roman’s narrative, John’s story gives a rationale of actions taken in reaction to the implications embedded above: John’s friend was pinned and possibly about to be killed by the car’s weight and the driver was reaching for a weapon – implied by reaching for something between the seats. Different from Roman, however, is the expressed puzzlement in lines 30–31 when John utters his pair of ‘I don’t know’ lines. This sequence of speaking acts is, in the narrative discourse of the interview, being brought up for scrutiny, not by the courts, but by the convicted criminal.¹² The serious implication, then, is that in the telling, John is more critical than he was at the time of the shooting. Such a meta-critique is necessary in shaping a changed life. That John has begun to do this is evidenced in how he is shaping his story. This analysis suggests that providing people the opportunity to discursively render their pasts can begin a process that would help them pattern such self-critique for future, decisive actions. Thus, another silence – a personal one – is broken.

Shifting to ‘you’: Seeking a self, seeking a community

A third feature of note in the discourse of prisoners telling life stories is the shifting of pronouns from the first to second person in moments of high intensity in the events of the story. Like the reflective musings in the frame break above, the shift from most personally agentive I-marked discourse to a seemingly deflective, generic ‘you’ suggests to me that the speaker is actually doing some construction of his own agency as one who participates in acts of violence.¹³ I show below a long excerpt to illustrate that intra-personal ‘you’ (see O’Connor 1997 for discussion of this narrative in relation to ‘being a man’ in prison).

The portion of the story that follows is the end of the account of an eight-man hit squad that attacks the speaker (Malcolm-Bey) because another man felt he was insulted in front of Malcolm-Bey during an incident in a prison food line earlier that day. Another inmate appears to be helping Malcolm-Bey during the attack, but turns out to be part of the hit squad. In the excerpt, we see that Malcolm-Bey was set up for an attack but could not defend himself since he could not reach his weapon in spite of another inmate's help in trying to get it to him through the bars (see lines 275–279).¹⁴ He suffers (in l. 286) a paralysing injury, but recovers because as he says to the doctor in his last line, (l. 351): 'you can't keep a MAN down'. [The section where the shift from 'I' to 'you' takes place is presented in italics.]

268 But this particular brother..I heard him.
269 He said 'Back Motherfucker back I got him.'
270 I turned and I looked over my shoulder still making tracks.
271 And he was swinging his piece.
272 At the group that had merged together..
273 to run down on me..and stab me to death.
274 And he broke out behind me right.
275 I'm about from here..from that wall to maybe about right here..
276 from my piece..the piece is sticking out..the door..like this. {Another
inmate is trying to get a knife ('piece') to Malcolm-Bey}
277 It's about this long. {hand gesture for over a foot} He's sticking it out the
door this here
278 *You know all I got to do is just get there and grab it.*
279 *Once I get that..I don't care how many times they stab me because see..*
280 *I'm not going by myself.*
281 *So you see that's the mentality..that the brothers got to have.*
282 *When they're doing time...because if you don't have that particular mentality..*
283 *You're not you're not accepted to make it here.*
284 *Because if you're afraid to die this is the wrong place to be.*
285 Just as I thought I was going to make it.. to that piece.
286 BAM it felt like a heavy weight..hit me in the back but I didn't feel no pain.
287 Right. And I heard 'fall. God damn it. I got your back'.
288 'Yeah I guess you do, you got a knife in it'.
289 You see what I'm saying.
290 And I'm going down.
291 But my knees my legs automatically give out on me, because see it was that
292 far.. {hand gesture for one inch} from the spine.
293 The muscles in my back had been severed.

294 At the same time I see the hand come from around
 295 from the side of the metal door.
 296 And that's when I see the tennis shoes as I'm going down.
 297 And that damn hand snatched the piece out of my partner's hand.
 298 That was number eight.
 299 That was the eighth individual.
 300 So now the brother that hits me he spins around again.
 301 'I told you bitch motherfuckers get back
 302 I got him'.
 303 He turned to me.
 304 'Get up Motherfucker..get up and check in, God damn it'.¹⁵
 305 And he turns right around and says 'If any one of you Motherfuckers
 touches him...
 306 I'm going to butcher your ass right here and now'.
 307 'Check in'.
 308 That's what he tells me.
 309 So now, my legs..gave out on me.. on the impact.
 310 But I got 'em back.
 311 They weak..but I got 'em back.
 312 I gets up.
 313 And I limps... from the cross walk over to this side.
 314 Where the police picks me up at.

[For the next 19 lines, Malcolm-Bey tells of the sergeant who saw the stabbing but ignored it by running off.]

333 But uh...once they put me on the stretcher..
 334 I couldn't move I couldn't get back up.
 335 So they had to..ship me..from here..
 336 Straight to the hospital up DC General.
 337 Where the Doctor told me...that I wouldn't be able to walk anymore.
 338 Because I'd lost sensation in my legs,
 339 and I COULDN'T GET UP.
 340 Because see the shock had worn off.
 341 So now the pain is setting in.
 342 You hear what I'm saying?
 343 So when she told me I wouldn't walk anymore...
 344 I made up my mind to prove her a lie.
 345 And I'm walking now.
 346 I've been walking ever since.
 347 It took me nine months...but I was up walking.

- 348 I was going slowly..but I was walking.
349 The doctor said 'I just don't understand it'.
350 I said 'I do.'
351 You can't keep a MAN down.'

Importance of 'you'

We can follow the shift in pronouns that occurs in Malcolm-Bey's utterances from 'I' in ll. 270–280 to 'they' (the brothers) in l. 282 to 'you' in ll. 282–284. First is the I-narrative:

- I* turned and *I* looked over my shoulder (l. 270)
I'm about from here (l. 275)
You know all *I* got to do is just get there and grab it (l. 278)
Once *I* get that *I* don't care how many times they stab *me* because see..
(l. 279)
I'm not going by *myself*. (l. 280)
So you see that's the mentality.. that the brothers got to have. (l. 281)

Malcolm-Bey uses I-dominated utterances at this moment of high intensity (the speaker recalls how he realised he could not access weapons to fight off his 8 attackers). It is a moment of deeper thinking in which the speaker is becoming more contemplative about his actions. In l. 281, the shift from 'I' begins after Malcolm-Bey's expression in l. 280: 'I'm not going by myself' indicates he will not die alone, he will kill some of his attackers no matter how greatly he is outnumbered. He moves to a reference to the kind of 'mentality' (i.e. thinking) that 'the brothers' (other African-American prisoners like himself) 'got to have' in l. 281. The passage reinforces his actions as he defends himself. He has already personally ratified his willingness to kill in line 280: 'I'm not going by myself'. Shifting to 'you' *socially* ratifies his survival strategy as well as reveals his own contemplation. Such a pitch for social ratification can be suggested not only by his switch to 'you' but by the public nature of the telling. In such a setting (a classroom of young people from the 'outside' as well as fellow inmates) the 'you' draws in others and invites them to be intimate to his experience and thus it illustrates necessity to others. In this case his 'you' includes outsiders of the actual event like the college students and teacher who are volunteering in the classroom, and future implied listeners to the videotape. Having the audience that mixes prisoners and non-prisoners, I suggest, brings out more meta-discursive elements. The speaker, acknowledging the change in routine prison discourse, can doubly signify through his remarks.

The following excerpts show Malcolm-Bey's shift from 'I' to 'they' to 'you'.

- 278 *You* know all I got to do is just get there and grab it.
 279 Once I get that.. I don't care how many times *they* stab me because see..
 280 I'm not going by myself.
 281 → So *you* see that's the mentality .. that the brothers got to have.
 282 When they're doing time...because if *you* don't have that particular
 mentality..
 283 *You're not you're not* accepted to make it here.¹⁶
 284 Because if *you are* afraid to die this is the wrong place to be. {italics
 here are mine to show the pronouns}

In 282, the shift to 'you' is further emphasised by the small pause before the subordinating conjunction: 'when they're doing time...because if you don't have that particular mentality..' This shift from talking about others like himself (the brothers) to a 'you' that some might think is more generalised (see Kitagawa & Lehrer 1990), I argue is also indexing a speaker who sees his near death experience as illustrative to others *and*, I propose, as significant in his own epistemic reasoning about himself (see O'Connor 1994, 2000). As he says in l. 284, 'if you're afraid to die, this is the wrong place to be', chillingly noting in his switch to second person that any listener need be ready to die, *as he is* and *as his story is showing*. He then returns from this thoughtful, epistemic frame-break to his story-line,¹⁷ to the action scene in which he gets stabbed, returning as well to the I-dominated pattern of narration. The final lines of the story show how the most evaluative line of the story, the end line, is also one in which the 'you' once again plays a significant role, though this time in an aphorism that evaluatively sums up Malcolm-Bey's survival story.

- 333 But uh...once they put me on the stretcher..
 334 I couldn't move I couldn't get back up.
 335 So they had to..ship me..from here..
 336 Straight to the hospital up DC General.
 337 Where the Doctor told me...that I wouldn't be able to walk anymore.
 338 Because I'd lost sensation in my legs,
 339 and I COULDN'T GET UP.
 340 Because see the shock had worn off.
 341 So now the pain is setting in.
 342 You hear what I'm saying?
 343 So when she told me I wouldn't walk anymore...
 344 I made up my mind to prove her a lie.
 345 And I'm walking now.

- 346 I've been walking ever since.
347 It took me nine months...but I was up walking.
348 I was going slowly..but I was walking.
349 The doctor said 'I just don't understand it'.
350 I said 'I do.'
351 You can't keep a MAN down'.

We can note that the 'you' in (l. 351) 'you can't keep a MAN down' can refer to the medical professional, to the prisoners who attacked him, to the interlocutors who can learn not to thwart his telling of the story, and perhaps even to himself who by giving in to pain or despair might have kept himself down. The increased stress on 'man' helps establish the evaluative intensity this remark signifies. Such signifying in the African American community opens up a narrative for audience interpretation (see Gates; Kochman; Goodwin). Important to my analysis is the further significance that such phrasing is taking on as the speaker articulates these words for himself to hear as well.

The utterance 'you can't keep a MAN down', like the whole story of the eight-man hit squad coming for Malcolm-Bey, agentively shows two things about words in prison. Words challenge hierarchies enough for their speakers to kill or be killed; here, a man's having felt insulted in front of Malcolm-Bey leads to the attack by the hit squad. Further, words also show that autobiographical tellings can challenge the practice of silence that follows imprisonment, by revealing the dangerous implications of isolation from community: such an isolation reverses the intention of the carceral by allowing the destruction of bodies while doing little to focus on the souls/minds.

Hierarchies of domination and contestations of them in prison, as revealed by the actions in this narrative, map onto hierarchies of silence about prison conditions. We, in the public, choose to know little about those who live in closeted worlds. Understandably, we isolate the criminal from the community in which s/he transgressed. Not so understandably, we cut ourselves off from the knowledge of what happens next in the lives of the incarcerated. I suggest that this lack of involvement and its ensuing silencing of reflective opportunities contribute to the high recidivism rates.

I have found in studying the autobiographical discourse of prisoners that narrative can be a powerful reflexive act. Notions of personal agency and reflexivity appear on a continuum in autobiographical discourse. Such lexical items as pronoun and verb choices and such discourse features as constructed dialogue, frame-breaks and use of aphorisms can cue the internal reflexivity of the speaker who is at the same time also (re)creating a self in the macro-reflexive

act of autobiography. Such 'work' should not go unnoticed, unanalysed, unencouraged in the current situations within the criminal justice system.

Discourse as therapeutic resource

One major implication of my study of prisoners' life stories is that discursive practices themselves could be used in prison work as a means toward rehabilitative thinking. I suggest that making opportunities for autobiographical speech by prisoners can open up sites for constructing a self who is more self-reflexive. I suggest that those sites occur in the telling of events and in the frame breaks that allow for epistemic considerations that lead to a more personally agentive self in a context of cultural and social change. As I often ironically state, this requires that more people get into prisons! This means going to prison not just as the result of the incarceration boom advocated by current legislators and governors in response to violent crime and drug offences;¹⁸ it means the non-criminals go inside as a necessary part of re-habilitating communities. Engaging convicts in more discursive settings with non-criminal interactants allows opportunities for the kind of talk that can lead to introspection of past acts. Such talk overturns the dominant silencing by institutional isolation and the self-censoring by the dominated inmate. Such therapeutic discourse can allow for the kind of productive puzzling that promotes agentive claims and clears the way for honest appraisals of a self – the kind of discourse seldom used in criminal justice proceedings. Such self-disclosing discourse evolves in communicative and community-based experience, the very experience that prison precludes, but that long-term involvement via education in the company of community members could provide.

Currently, forensic linguistics is used mostly in courtrooms or interrogation to benefit the process of criminal investigation and prosecution of cases (see Shuy; Walker). In-depth critical discourse analysis could assist in re-vamping the rehabilitative aspects of imprisonment. Programmes and policies that are interactive and talk-based (educational courses, counselling sessions, self-help groups, among others) could all foster occasions for reflexive discourse, especially discourse with non-prisoners. Interdisciplinary analysis of such interactions could provide new data for new understandings of crime and those who commit crimes. With more current plans to incarcerate recidivist criminals for 25-year sentences, different approaches to rehabilitation need to be researched.¹⁹ Yet, substantive talk by criminals with *non-criminals* is rarely fostered in the remote and isolated world of prisons.²⁰

Discourse analysis in particular can contribute to a study of constructions of the speakers' acts of conflict and violence by locating sites *of* or (perhaps more realistically) *for* agentive speculation that show the criminal is entering into Vygotsky's Zone of Proximal Development in relation to developing his own agency, or at the least in relation to the possible positions allowed within the hierarchical, silenced, and deadly confines of prison cultures.

I began this paper by noting both the danger ('this is the wrong place to be') and the desire ('you have to come back') in imprisonment. The inmate remark that 'there are no new conversations here' revealed a deep and intriguing understanding of the power of language to shape the self. That remark sparked me to seek a better understanding about how 'new conversations' reflect and affect the formations of self and society, especially in the closed society of prisons. What new conversations can do is help the prisoner see himself both as criminal in the past and as capable of change in the future. The silence of the carceral can be penetrated only if those who are non-criminal are willing to locate themselves inside the walls and wires along with the criminal, not closed out from, but inside discourses that allow all participants a self-positioning. This self-positioning can allow us to see ourselves as agentive, too, in the sense that agency means positioning oneself as one who does an action and as personally responsible for the action and for future acts. Such a positioning of non-criminals would have the reciprocal effect of us seeing ourselves as responsible for the kinds of prisons we create, prisons that encourage the very violence we abhor. New conversations make opportunities for a discursive presentation in narratives located in new zones for proximal development. Such instances are all too rare in imprisonment.

Notes

* Parts of this paper were presented and helpfully critiqued at the Workshop on Autobiography as Psychological Method at Georgetown University, 22 April 1995 and at the 2nd Symposium on Discourse, 1995 (Sept. 20) at Keio University, Shonan Fujisawa, Japan. The transcribed narratives by prisoners and much of the discussion herein have also been printed in various other articles and in *Speaking of Crime* (2000). I gratefully acknowledge support for this research from Georgetown University's Deans of the College and the School for Continuing Education, and from the Georgetown University English Department. I am grateful to Keio University for the opportunity to present my work in the international arena.

1. This second utterance was first published in O'Connor (1994a). Both appear in *Speaking of Crime*.

2. My thanks to Martin Mitchell, who not only taped this narrative, but designed ways to incorporate real prison experiences of inmates into the workings of the drama class he and I taught using many of the ideas of image theater and forum theater found in Augusto Boal's *Theater of the Oppressed*. Mitchell continues outreach work and research into the power of the dramatic in prisons in upstate New York.
3. Hughes's still timely poem titled 'Harlem' in 1951 or 'Dream Deferred' in 1959 was the inspirational source for Lorraine Hansberry's Broadway hit *Raisin in the Sun*.
4. Juvenile arrests are a large part of the massive strain on the criminal justice system. Juvenile incarcerations in public facilities in the U.S. totalled 57,541 in 1991 (Maguire & Pastore 1995:531). In 1996 the Federal Bureau of Investigation noted that 1,315,578 juveniles were taken into custody with over 984,000 of those cases being referred to either juvenile or adult courts (Maguire & Pastore 1998:360). The National Center for Juvenile Justice reported during 1995 1.7 million juvenile cases of delinquency in the 32 states where 67% of the nation's youth reside (Maguire & Pastore 1998:440).
5. President Clinton upheld the disparate sentencing for crack versus powder cocaine possession and trafficking, leaving in place mandatory 5 years' sentences for those who possess 5 grams of crack while requiring 500 grams of the powder form for the same sentence. African Americans are the predominant users of the crack form and whites the powder form.
6. In the U.S., the reality is quite different from the frontier ideal of 'fierce individualism'. Connections to groups, more than familial honour, are becoming more important in U.S. youth crime. See Rymes on moral agency in youth discourse.
7. Prisoners I have taught have been serving sentences as short as 2 years and as long as 97 years, having been placed in maximum security or in protective custody. All the inmates in this study are male African Americans.
8. Fewer and fewer prisons have higher education programmes now that the U.S. Congress passed the Crime Bill of 1994 that ended use of federal grants (Pell Grants) to pay for prisoners' higher education.
9. See O'Connor (1994b) for a discussion of this work as community outreach and as part of a national movement of service learning.
10. The programme I developed at the maximum security prison in the District of Columbia was welcomed in much the same light as a religious programme that brought people from the outside community into a productive proximity with offenders. Tutors from the college campus joined with inmates to discuss literature, philosophy, or history as assigned in the courses offered. This unusual (for American prisons) exchange fostered a breaking of the dangerous silence of assumptions in both groups. Japan has an interesting system of community visitors to prisoners. Priests and citizen volunteers regularly interact with prisoners as part of the incarceration system there (Hayashi, and Ministry of Justice).
11. See O'Connor (2000) *Speaking of Crime*, Chapter 2 which also discusses this data. See O'Connor (1995b:431) for earliest use of this chart.
12. Researchers have noted that witnesses are rarely allowed narrative format by prosecution questioners (see Fridland, this volume; Shuy; Walker).

13. I did record an entire interview with one inmate whose narratives were 'minimalist' – averaging 2–3 utterances per story. Later, in researching the crime for which this man was incarcerated I read that he was found guilty of kidnapping, rape and murder. My surmise is that he kept his autobiographical reflections to a minimum because the deep reflection needed to puzzle over that past had not yet occurred or he was not willing to detail such events to a female interviewer who had come to believe in his academic potential. Future follow-up work on this aspect of narrative minimisation could be fruitful.
14. Readers should realise that homemade knives, 'billies' and 'shanks', are routinely found and confiscated in most prisons. In the facility where I taught and researched, a shakedown of the prison produced 40 homemade knives in the summer of 1992 (Harriston).
15. The expression 'check in' means to present yourself to the authorities to get transferred to a safer location, a 'protective custody' or 'lock down' cellblock.
16. Malcolm-Bey's use of 'accepted' for 'expected' can be read not only as a variation in pronunciation, but as an interesting doubling: people who do not fight are not accepted in prison social hierarchies; people who do not fight are not expected to survive.
17. See Polkinghorne (1988) on reflexive language, Bruner (1986) on subjunctive reasoning, and Goffman (1974) and O'Connor (1995b, 2000) on frame breaks.
18. Note, however, that the actual number of reported crimes in the U.S. has gone down in recent years.
19. 'Three strikes and you're out' legislation was passed in California in 1994 where the largest number of U.S. prisoners are now incarcerated. Similar legislation has passed in half of the states, but California uses it most broadly. As of mid-year 1998 California had 40,511 incarcerated under this rubric. See King and Mauer.
20. As Foucault notes, the focus of criminal justice systems in the modern era is on the apparatus of the 'investigation', not the criminal. Reams of court documents attest to that focus.

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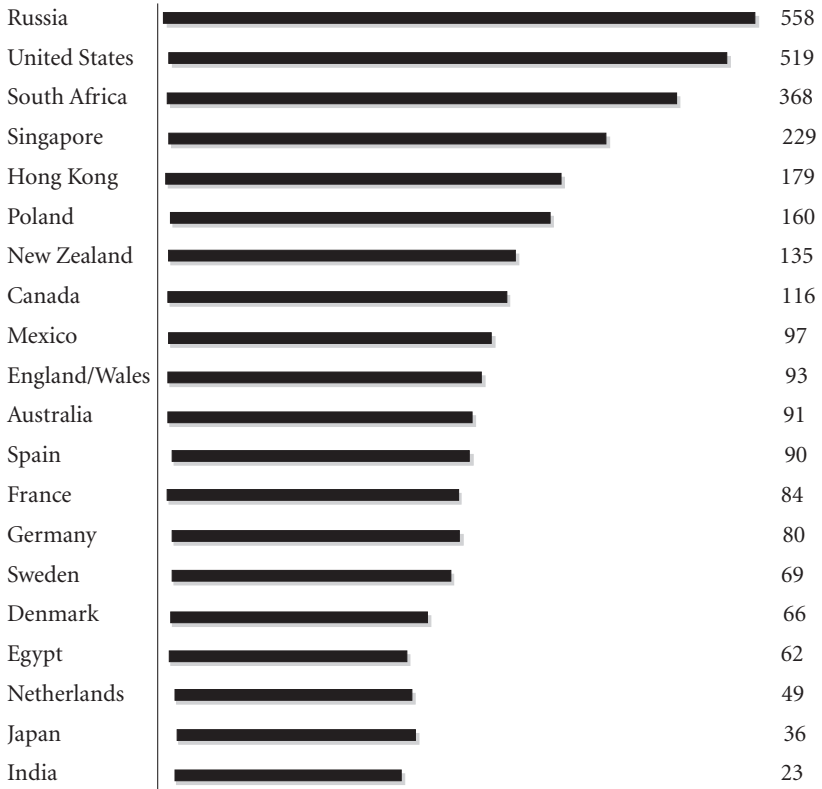
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Appendix A: Transcription conventions

The audiotapes were transcribed into idea units and utterances representing breath groups or natural breaks, adapted from the methods of Schiffrin (1987, 1994) and Tannen (1984b, 1989, etc.) Below are the general transcription conventions I use.

.	indicates sentence final falling intonation
,	indicates clause-final falling intonation
..	two dots indicates a pause of a half second or less
...	three dots and more indicate progressively longer pauses
CAPS	indicate that a word is emphasised by the speaker
//	shows overlaps with speakers
=	indicates words are latched quickly together
:	inside a word – indicates stretching or elongation of a vowel as in we:l; after a consonant – indicates stretching of the consonant sound
[?]	question mark instead of words in bracket indicates inaudible words
[unsure]	words in square brackets are unsure transcriptions
{buzzer}	words in curly brackets are my comments about the situation
→	indicates passage to be remarked on specifically in the analysis
<>	indicates a sample invented utterance

Appendix B: Rates of incarceration for selected nations per 100,000 population



From: Mauer, Marc. *Americans Behind Bars: The International Use of Incarceration, 1992–1993*. Washington, DC: The Sentencing Project, September 1994.

PART III

**National politics and the discourses
of exclusion**

Introduction

Lynn Thiesmeyer

Paul Chilton has pointed out that in the discourses of the nation and of ethnic identity, there is an ‘underlying image schema that views ideal communities as containers, with demarcated insides, outsides and boundaries. Thus, the containing boundaries of the [political] “body” must be absolute and exclude “foreign bodies” . . . Ideally, containers in this discourse should prevent mixing and contaminating’.¹ A critical example of this is given below in Ruth Wodak’s analysis of reported anti-Semitic public political discourse in contemporary Austria. Wodak’s essay is based on political speeches and media coverage relating to the presidential campaign in which the direct involvement with Nazism of one of the candidates, Kurt Waldheim, was belatedly revealed.

The discursive puzzle Wodak presents is that these are contemporary political discourses and ideologies that insist that they are non-racialist and non-Nazi. Wodak uses historical discourse analysis and critical discourse analysis to show that the discourses in question offer ‘coded’, inexplicit versions of anti-Semitic rhetoric to which citizens holding similar views will apply the appropriate racialist interpretation.

Wodak’s work shows the historical evolution of discourses that suppress other discourses. In this case, post-war anti-Nazi discourse in Austria effectively directed public attention towards the repudiation of Nazism and suppression of its discourses. In doing this, however, it also suppressed discourses about atrocities that had been committed against Jews, creating the climate for revisionist discourse and eventually for public anti-Semitic discourse. As Jessie Daniels pointed out about racialist discourse in the United States, ‘[though] challenges [from the 1960s and 1970s] have succeeded in making explicitly racist claims socially unacceptable, this change signifies that such sentiments have merely been subordinated (and sublimated?), rather than eliminated, and given voice only in a cultural and ideological space designated as “extremist”’.² As Wodak shows, the ‘sublimated’ discourse eventually begins to move out of

the 'extremist' category and demand more public space. More recent political discourse in Austria also has suppressed the discourse of past atrocities and co-exists with anti-Jewish and anti-foreigner remarks made by public figures. It also suppresses the recognition that such anti-foreigner and anti-Jewish remarks are unacceptable in a democracy and are politically related to National Socialism. The use of coded terms to convey essentially racist content without appearing to do so is a means of continuing to silence publicly unacceptable anti-Semitic statements but without erasing their contents. It is also a means of silencing potentially opposing views by not offering specifically racist terms or content to with which to argue. Wodak describes a process of the coding of discursive choices to allow meanings to be transmitted without censure by the wider public or by more politically acceptable editorial policies.

Dariusz Galasiński's analysis of Polish censorship laws prior to the democratisation of Poland uses pragmatics and content analysis to bring out both political and discursive paradoxes. The political paradox is the way in which a law is framed in order to protect freedom of speech, but curtails it. The discursive paradox is the way in which a legal text can silence other texts, removing them from publicly circulated discourse, by overtly stating that it is not doing so. Bourdieu and others long ago pointed out that a legal act is a display of the performative function of language.³ In this case the law is a textual discourse that by virtue of being legally encoded can act upon and control the discursive actions outside of it. The publicly circulated discourse that is the target of the law is discourse that could be produced by the mass media and other publications. Removal of certain discourses from such forms of public circulation is a means of removing public awareness of these discourses and the ideas and knowledge that accompany them.

Galasiński's work shows how the political framework of censorship laws can indicate which material to censor without exactly specifying it. Specifying the exact contents of censorable material would leave the law and its executors open to opposition and would counteract the stated purpose of the law, which is to act on nationally agreed upon principles for safeguarding expression. The discursive framework of the law does not indicate that material is censored for political reasons, which would also leave it open to overt and strong opposition. Rather, as Galasiński points out, 'the main function of an act of law is to create a new [legal] reality' by means of expressing it.⁴ Galasiński shows how the phrasing of the law also indicates a new political response during a transitional period in which opposition was already growing too strong to ignore or repress.

Galasiński's work also points to reasons why legal, national or political silencing can be very effective. The censorship law in Poland targeted individual texts. By making the target seem to be an individual speech act, perhaps a deviant one, rather than a representative body of public opinion, the law does not leave itself open to suspicion. This suppression of single texts seems more 'democratic' in that it appears to leave the generality of public knowledge and opinion intact. It has also taken place under democratic regimes for reasons that are justified in similar terms: national security, public welfare or public morals, justifications that appear to support prevailing public ideologies.

LaClau has pointed out that '... the discourse of the representative must fill the gap in the identity of the represented: that discourse will have the dual role ... of both being a particular filler and symbolizing the filling function.'⁵ Galasiński's essay shows how the Polish censorship law not only filled gaps in the censored texts but also symbolized the filling function by making it seem a duty of the law towards its citizens to fill representative gaps. Although censorship is literally a deletion, a clever law about censorship will seem rather to be a filling in. In authoritative discourses such as those of law and jurisprudence, representation or filling in are seen as natural and necessary. In Fridland's essay also, despite the presence of the witness who is testifying on his own behalf, the courtroom framework made it seem natural and necessary that another narrator, an attorney, re-phrase and re-construct the narrative that the witness should be telling.

An analysis of legal authorities denying access to, filtering, and replacing information is provided in Lambertus's essay on the media handling of an Aboriginal – White land use dispute in Canada. Lambertus's discursive evidence comes from media coverage of the dispute and from ethnographic interviews with journalists, police and others directly involved in it. Her conceptual framework uses discourse theories from social and behavioural science, especially those of Foucault, Goffman, and Tedeschi, together with discourse theories about strategies in interpersonal and media communications. She shows how despite normative media compliance with prevailing negative ideologies of minority or indigenous groups, one media outlet was able to resist the discursive/ideological mainstream portrayal of First Nations being largely at fault in a dispute with Whites and with police. This brings out the social and political context both of mainstream interpretations and of resistance to them in media discourses.

Lambertus looks at an exception to the notion that media normally 'support the perspectives of powerful news sources and conform to dominant mainstream news frameworks'. Ethnographic interviews with the reporters,

police and civilians involved, and an explanation of their connections with the 'news sources' both among the police and the Native protesters, form the basis of this approach. Lambertus also provides a detailed background on claims to Aboriginal title to land in British Columbia and the way in which Native title became a political issue in two national elections. This allows her to demonstrate how the media's earlier impact on public awareness of Native title had formed the discursive and ontological environment for the coverage of the standoff in question.⁶ Lambertus then addresses the issues in theories about characterizations of minorities that appear in mainstream media, and types of silencing that surround them. Precisely because media are discourse outlets, their silencing, as in Galasiński's essay, takes the form of using one discourse to silence another.

Awareness of an audience also plays a crucial role here as in the other essays. The police are aware that the media representatives can hear their police-scanner conversations with Native protesters, and can thus slant their statements, while the protesters do not have this advantage. The police use their advantage in another way: they barricade the camp and prohibit the media from entering it to talk to those inside. This also prevents 'impartial witnesses' from participating in the discourse; the police then can 'speak for' the protesters. They also define the standoff, and define it not as a dispute but as a possible criminal situation, thus reinforcing the need for their own involvement and their silencing of direct contact between the media and the protesters. Lambertus's analysis of how they thus attempt to gain control of the representations is modelled on van Dijk in looking at structures of media representations, and the concluding explanations refer to Fairclough and Parenti.

This points out another feature of effective silencing. Not only must the target group be silenced, but two other potential participants must also be provided with re-framed or filtered discourse: the audience for the discourse and, if there is overt conflict, any 'impartial witnesses'. The way the police do this is by denying access to information sources and then replacing the denied information with their own version of it.

Lambertus's essay is located at the intersection of anthropology and media studies. Her ethnographic interviews with actual participants in the situation greatly assist in modifying certain theoretical positions on media discourse. Her essay also reveals the areas of potential overlap among news reporting, political rhetoric (as Native land title became a national election issue), and law enforcement discourses. Lambertus examines relevance structures, lexical choices, syntax and the use or form of reported speech in the news and news

sources to exhibit their biases, and then plays them off against the different findings that emerge from the ethnographic interviews with the participants.

Media can silence their informants, the events they report on, and the potential knowledge to be gained by audiences. But under the right conditions media can also resist such tendencies and provide a discursive context for shifts in mainstream discourse and thus in perceptions of and decisions about social realities. Both information and its discursive context are important; both are linked to the construction of the world-views and kinds of knowledge that further inform discourse. Lambertus reminds us that ‘media share vulnerabilities with minorities’ in experiencing attempted domination by other power-holders (in this case, the police). But she also reminds us that ‘Media . . . convey their own stake in representing conflicts. This necessarily means that media are vehicles of as well as public witnesses for the forces of domination and resistance in society’. The other essays’ analyses of power and resistance can be considered in the same light, especially when, as here, the contested power consists of believability.

Notes

1. In Sue Wright (Ed.), *Language and Conflict: A Neglected Relationship* (pp. 9–10).
2. Jessie Daniels (1997), *White Lies: Race, Class, Gender, and Sexuality in White Supremacist Discourse* (p. 134).
3. See also J. L. Austin (1962) and Yon Maley (1994).
4. Cf. Bourdieu: ‘Legal discourse is a creative speech which brings into existence that which it utters’ (1991:42).
5. Ernesto LaClau, *Emanicipation(s)* (pp. 99–100).
6. William Conklin has a similar reading of the legal and political dilemma of this discourse. ‘Although an Amerindian [sic] community might consider its customs as its own, the juridical agents of the Canadian state would have to interpret the [October 1992 referendum’s] subordinate phrase “peace, order, and good government” and ultimately would have to determine the right of self-government of the Aboriginal peoples. The irony is that by recognizing the “inherent right” of “self-government” of the Aboriginal peoples, the customs of the latter would be assimilated into the master discourse of the state of Canada. . . the legal discourses of the Canadian state, not the discourses of the Amerindian peoples, would have remained the master.’ In Stephen Harold Riggins (Ed., 1997), *The Language and Politics of Exclusion: Others in Discourse* (p. 232).

CHAPTER 6

Discourses of silence

Anti-Semitic discourse in post-war Austria*

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We are now in a position to understand the anti-Semite. He is a man who is afraid. Not of the Jews, to be sure, but of himself, of his own consciousness, of his liberty, of his instincts, of his responsibilities, of solitariness, of change, of society, and of the world – of everything except the Jews.

(Jean-Paul Sartre)

Comment expliquez-vous que la presse internationale ait aussi largement critique envers vous? Mais parce qu'elle est dominée par le Congrès juif mondial, c'est bien connu!

(Kurt Waldheim in an interview with Claire Trean, *le Monde*, May 3, 1986)

1. Introduction

Es wäre unsinnig abzustreiten, daß die nationalsozialistische Rassenpropaganda bei manchen Österreichern einen gewissen Widerhall gefunden hat; aber als sie sahen, mit welchen Mitteln der Antisemitismus in die Tat umgesetzt wurde, da waren sie geheilt. Man kann ruhig behaupten, daß das Mitleid mit den verfolgten Juden den Antisemitismus in Österreich ausmerzte. Ich glaube nicht, daß diese Frage auch jemals wieder nur die geringste Bedeutung erlangen wird.

(Leopold Figl, *Shangai Echo*, cited in *Der Neue Weg*, Nr. 10, June 11, 1947)

(It would be ridiculous to deny that the racist Nazi propaganda found echo among many Austrians; but once they saw the means with which this anti-Semitism was translated into action, they were cured. One can calmly assert that compassion for the persecuted Jews has obliterated anti-Semitism in Austria. I don't believe that this question will ever again have the slightest significance [for Austria].)

Unfortunately, these words of one of the founding fathers of the Second Austrian Republic have proved to be untrue. Even after Auschwitz, after 1945, anti-Semitism in various discursive forms has continued to be virulent, in all public and private domains and political spheres (see Knight 1988; Mitten 1997; Wodak et al. 1990; Wodak 1996a, 1997). However, in contrast to the First Austrian Republic, where anti-Semitic utterances were explicit and permitted in all political parties, the situation in postwar Austria was different. Anti-Semitism was officially tabooed, but paradoxically still visible. On the one hand, a new coded discourse of anti-Semitism evolved, specifically in the public domains where the traditional anti-Semitic contents and stereotypes (like the stereotype of the Jewish world conspiracy) could be uttered in new and subtle discursive ways. On the other hand, in private conversations, and even in political meetings the anti-Semitic discourse was and is still very open and explicit. Thus, while the contents have stayed the same and even some new forms have been created, like the stereotype of the 'rich Jew who could emigrate anyway and did not suffer', we can observe a context dependency of the form of anti-Semitic discourse (see also Marin 2000; Mitten 2000).

The most important aspect of postwar Austrian history is the establishment of the myth of having been the first victim of the Hitlerite regime that relieves Austria of any guilt for the atrocities of the Third Reich. Thus, the extermination of the Jews was also projected as being the responsibility of the Germans and not an Austrian problem. This led to silence, to a taboo about the Austrian past, and if anybody dared touch these issues (as was the case during the Waldheim Affair; see Mitten 1992; Wodak et al. 1990; Wodak 1991c, 1997; Reisigl & Wodak 2001), a discourse of justification emerged and any involvement was denied. Very different strategies characterize this discourse of justification that I will elaborate below. The discourse of justification has been elaborated in various aspects since the Waldheim affair. In 2001, during the town elections of Vienna, the former leader of the Freedom Party and now regional president of Carinthia, Jörg Haider again launched implicit insinuations against Ariel Muzicant, the president of the Jewish Community. This debate lasted about one month, and the attacks became more and more explicit. The reactions of the government politicians as well as of many others added new aspects to the justification discourse: not only were all victims of World War II equated, the issue of 'freedom of opinion' was drawn upon to justify anti-Semitic prejudices, in the sense of 'Why can one not criticise Jews?' (see Wodak 2001a; Wodak & Pelinka 2001; Pelinka & Wodak 2002). Everyday discourses and also everyday prejudice stories could be sampled (Wodak & Reisigl 2001) which illustrate the everlasting 'life' of traditional anti-Semitic beliefs as well

as the silent agreement to justify such prejudices through disclaimers, 'second hand stories' or through equations. Equally, the reactions towards the exhibition '*Vernichtungskrieg der Wehrmacht*' (see the film by Ruth Beckerman 'East of War') led to very polarized debates (see Benke & Wodak 2001). In these debates, specifically, the role of historians was also questioned as was the myth of the soldiers fighting in the German *Wehrmacht* all being 'victims' and just 'having fulfilled their duty' (see Heer 1999).

'Silence' in this context thus means at least three different issues: firstly, the coding of anti-Semitic beliefs through insinuations, analogies and other vague linguistic realisations. Secondly, it means the silence of large parts of the elites when anti-Semitism is instrumentalized for political reasons (see Thiesmeyer in this volume, specifically the relationship between control and discourse). And, of course, we know that 'silence' can always also be interpreted as communication (see Watzlawick et al. 1972). Thirdly, there was an explicit denial through discourses of justification that prejudiced utterances could be viewed as such, and the staging of vehement counter-attacks against those elites, media, intellectuals and laypersons pointing to such discourses (see also Rosenberger 2001). The new wave of anti-Semitism was basically triggered by debates on restitution, which was finally decided upon over 50 years after the Shoah through the new government beginning from 2001. Specifically, the discourses of 'we are all victims' became very explicit. Many did not and still do not understand that it depends on who was a victim and why, where and under which circumstances (see also Manoschek 2001; Sandner 2001).

The German situation was very different (Stern 1991, 1993). In Germany, which was occupied by the Allied forces (as was Austria until 1955), guilt was acknowledged and the past could not be denied. As Frank Stern has analysed in detail, anti-Semitism turned into philo-Semitism, that is, suddenly everything a Jew was or did would be evaluated positively, and the negative stereotypes turned into positive stereotypes. Stern describes this attitude as the 'philo-Semitic habitus' of the Germans.

In this essay, I summarise aspects of the revival/continuance of Austrian anti-Semitism since 1945. The research from which these results derive was undertaken at the Department of Applied Linguistics at the University of Vienna, in several recent interdisciplinary projects (involving linguists, historians, psychologists and political scientists) (for example Wodak et al. 1990, 1994; Matouschek, Wodak, & Januschek 1995; Wodak et al. 1998, 1999; Reisigl & Wodak 2001; Wodak 2001a, 2002). The strategies and linguistic realisations of anti-Semitic discourse, the discourse of justification, are made explicit in this paper taking the notion of 'syncretic anti-Semitism' (Mitten 1992) as a

point of departure. This means that the old boundaries between a racist or ethnic or catholic anti-Semitism are no longer important; instead, anti-Semitic stereotypes are produced and functionalised whenever a political context seems suitable for it. In all of these studies, the theoretical framework of Critical Discourse Analysis (CDA) was applied (see below) that proposes problem-oriented, interdisciplinary research starting out from a very wide Foucauldian notion of discourse (e.g. Fairclough & Wodak 1997). The data that were analysed come from the media (TV, news broadcasts, newspapers and journals) on the one hand, and speeches of politicians and everyday conversations on the street on the other hand (Wodak 1991a, b; Wodak & Matouschek 1993). Thus, different strata of the Austrian public sphere were studied. Our methodology was developed in the course of our first research project on anti-Semitic discourse and is termed 'discourse-historical methodology' (see below). When necessary and available, data from opinion polls were analysed critically and integrated into our study (Mitten 1995; Wodak 1996a).

In the following sections, I first present our theoretical framework of CDA and our discourse-historical approach. Then, some of the facts of Austrian history are further elaborated to enable an understanding of recent political developments. I focus especially on the Waldheim affair and use examples from that event to illustrate my assumptions about 'coded anti-Semitic discourse'.

2. History of anti-Semitism

2.1 General perspectives

At the 'zero hour' (end of WWII), the Second Austrian Republic's main concern, in contrast to Germany, was whether and how Austria's ruling elite could ideologically, constitutionally, and politically do justice to the various demands it was faced with, demands that frequently arose out of opposing values (see Mitten 1997). The result was a self-image in which the 'Jewish question' was not so much denied as it was concealed. There was 'silence'. Several critical studies (Knight 1988; Rathkolb 1988; Wagnleitner 1984) tend to attribute this lack of public debate (in comparison to Germany) about the 'Jewish question' to bare cynicism or the remains of anti-Semitic hostility on behalf of the political elite. However, if one considers the conditions (for example occupation, a reservoir of anti-Semitic prejudices from the First Austrian Republic, commitment to becoming a 'Western democracy') within which a new Austrian identity, a new collective memory, or a public memory was to be constituted,

one could hardly be surprised by the outcome. The 'Jewish question' ended up taking a subordinate place in Austria's official public memory about the Nazi period. Ultimately, this new policy, as described in detail by Richard Mitten (1997, 2000), led to the creation of a new community of 'victims' where the Jews occupied an insignificant place. In other words, they were just victims like everyone else, and the Nazi policy concerning the Jews was minimized or concealed. In the eyes of the political elite who constructed these new values and myths, the 'silence' about the Jews was as much a sign of moral conviction as it was of moral deficit. This silence was first broken through the Waldheim Affair in 1986 and the commemorative year 1988 (Wodak et al. 1990, 1994). Since the beginning of the 1990s, Austrian politicians have been debating the question of Austrian responsibility (cf. Wodak et al. 1998), and, more recently, the exhibit about the crimes of the *Wehrmacht* (Manoschek 1996) has further contributed to the lifting of the taboo.

Austria became a democratic state in 1918 (First Republic), and had to survive the change from a large multi-ethnic and multi-cultural monarchy to a small state. Between 1938 and 1945 Austria was occupied by the Nazis and was part of the Third Reich. Since 1945, Austria has undergone many political and sociological changes: occupation by the Allied forces until 1955, the signing of the State Treaty in 1955, attaining the status of neutrality although clearly retaining a pro-Western orientation, and the creation of a social-welfare society on the 'Swedish Model'. A large qualitative change occurred in 1989/1990 when the 'Iron Curtain' fell and new immigrants entered the country (see above).

Politics in Austria in 1994, finally, were dominated by two events, both of which represented major breaks with the post-war era. In June, Austrians voted by an overwhelming 66.4% majority to join the European Union (EU). By October, however, the reigning euphoria among the governing parties (the Socialists and the People's Party) over the EU referendum had turned to despair as they contemplated the implications of their disastrous general election results. Both parties suffered massive losses (primarily to the libertarian party, FPÖ, a party similar to Le Pen's party in France), and although they formed a new coalition government, the SPÖ (Social-Democratic Party) and ÖVP (People's Party) no longer commanded the two-thirds majority necessary in parliament to pass constitutional laws.

The election on October 3rd, 1999 finally brought 27% for the Freedom Party. The big coalition broke down, and a new coalition was founded between the Peoples Party and the Freedom Party on February 4th, 2000 (see Wodak 2000). This was followed by an immediate reaction by the 14 other member states of the European Union (see Kopeinig & Kotanko 2000), and the so-called

'sanctions' were established which led to a new very nationalistic wave in Austria. An exit strategy was constructed through the report of the 'three wise men' that established that Austria was still a democratic country like all the other Western states. Under this pressure, restitution towards slave labour and Jewish survivors was decided upon in January 2001.

2.2 A new anti-Semitism in Austria?

1945 undoubtedly represented a qualitative break in the history of anti-Semitism in Austria. All discriminatory measures against Jews that the Nazis had introduced were rescinded, and open profession of anti-Semitic beliefs lost its previous normative legitimacy. It would be wrong, however, to assume that the elimination of anti-Jewish legal discrimination necessarily eroded the long tradition of anti-Semitic prejudice in the Austrian population. There are both historical and theoretical arguments that would strongly suggest a continuity rather than discontinuity in anti-Semitic prejudice. Historically, anti-Semitism prior to 1945 can be best understood as having what Richard Mitten has called a 'syncretic' character (Mitten 1992: 19–33 *passim*). According to this view, mass anti-Semitic prejudice, even under the Nazis, is best conceived as a cluster of religious, economic, cultural and racially-inspired beliefs relatively immune to attempts to introduce sectarian 'rigour'. If one looks at the history of the political parties in the Austrian First Republic, to cite but one example, it is clear that the lines dividing the different currents of anti-Semitism were fluid. The political currents did not fall neatly into those who embraced a 'racial' form of anti-Semitism and those who did not. If we agree that this is so, then the coming and going of the Nazi dictatorship and its anti-Jewish policies would clearly have left the underlying foundation of prejudice more or less intact. In other words, there has remained a reservoir of anti-Semitic prejudice upon which one could (and can) draw as required. Moreover, the legacy of the anti-Jewish policies of the Nazis occasioned additional perceived grounds for hostility toward Jews. To express it in the polemical words of Henryk Broder (1986), the Austrians 'will never forgive the Jews for Auschwitz'.

The collapse of the Third Reich forced many, in Austria as well as in Germany, to confront the extent of the Nazis' crimes. Doubts, guilt feelings, and the need to justify or rationalize one's behaviour encouraged the development of strategies for 'coming to terms with this past' (see for example Wodak et al. 1994). The facts of the persecution were played down when not outright denied, while the victims of Nazi persecution were made into the causes of present woes.

Moreover, Austria's officially recognised status as the first victim of Hitlerite aggression provided many Austrians with a telling argument to deflect any responsibility that went beyond the commission of individual crimes. The search for a new identity involved the validation of Austrian distinctiveness, which at the same time became a negation of all ties with the Nazi (that is to say, German) past. This in turn reinforced a specific definition of insiders and outsiders, of 'us' and 'them', of 'the others' on all levels of discourse.

Anti-Semitism in post-war Austria must therefore be viewed chiefly in relation to the various ways employed in dealing with alleged or real guilt, with alleged or actual accusations about the Nazi past. Discursive remedies may be found not only in the large, traditional reservoir of anti-Semitic prejudice and in a general discourse of collective experiences and attitudes, but in several new *topoi* as well. The forms of expression chosen vary significantly: they may be manifest or latent, explicit or very indirect. But each and every one appears to be embedded in a discourse of justification (or varieties of justification and defence) (e.g. Wodak 1991; Wodak et al. 1990).

2.3 The Waldheim Affair

The Waldheim Affair is the term conventionally applied to the controversy surrounding the disclosure of the previously unknown past of Kurt Waldheim, former Secretary General of the United Nations, which arose during his campaign for the Austrian presidency in 1986. The affair not only focused international attention on Waldheim personally, but also raised broader questions relating to the history of anti-Semitism in Austria. It also focused attention on the alleged Nazi pasts of prominent politicians, officials, and prominent scholars in other countries as well as on the attitudes and policies of Allied and other nations that knowingly accepted and protected former Nazis. Yet further, employing a coded idiom more appropriate to 'post-Auschwitz' political debate, the Waldheim camp (the Christian Democratic Austrian People's Party [ÖVP], which had nominated him) helped construct a hostile image of Jews (a *'Feindbild'*). This served both to deflect criticism of Waldheim's credibility and to explain the international 'campaign' against him. The central assumption of this *'Feindbild'* was that Waldheim (=Austria) was under attack from an international Jewish conspiracy [*'das Ausland'*].

The relatively uneventful early phase of the election campaign ended abruptly in March 1986, when the Austrian weekly *Profil* published documents revealing details of Waldheim's unknown past during the Second World War. *Profil's* disclosures were followed on 4 March by nearly identical revelations by

the World Jewish Congress (WJC) and in *The New York Times* (NYT). Waldheim had always denied any affiliation with the Nazis of any kind and had claimed in his memoirs that his military service ended in the winter 1941–1942, with his wounding on the eastern front. The evidence made public by *Profil*, the WJC and the NYT suggested the contrary: Waldheim had been a member of the Nazi Student Union and he had also belonged to a mounted riding unit of the *Sturmabteilung*, or SA, while attending the Consular Academy in Vienna between 1937 and 1939. Other documents revealed that Waldheim had served in the Balkans after March 1942 in the Army Group E, commanded by Alexander Löhr; this army group was known for its involvement in the deportation of Jews from Greece and for the savagery of its military operations against Yugoslav partisans. Hence the official and international ‘history’ of Waldheim up to that point was seen to have silenced the actual anti-Semitism of his acts, acts that took on broader significance when it was realised that the actor had become the Secretary General of the United Nations. The old silencing, that of a contemporary discourse attempting to silence disclosures about its actual, that is non-discursive history, then produced a new silencing to justify the original silencing of an officially disapproved past.

For his part, Waldheim first denied any membership in any Nazi organization and claimed to have known nothing about the deportation of the Jews of Thessaloniki. The general strategy of the Waldheim camp was to brand any disclosures as a ‘defamation campaign’, an international conspiracy by the foreign press and the Jews [*im Ausland*]. Waldheim, meanwhile, stated that he had simply forgotten to mention such minor events in his life because his injury had been the major caesura. In the course of the election campaign, the WJC became the major object of abuse, and the abundant political invective arrayed by the politicians of the ÖVP against it helped promote and legitimate anti-Semitic prejudice in public discourse to an extent unseen since 1945. Waldheim also attempted to identify his own fate with that of his generation and country by claiming that he, like thousands of other Austrians, had merely done his ‘duty’ [*Pflichterfüllung*] under Nazi Germany. This appeal won a positive response from many Austrian voters of his own generation, but also from younger generations (the children of the *Wehrmacht* soldiers). Waldheim finally won the second round of the elections on 6 June 1986 with 53.9% of the vote.

Contrary, however, to Waldheim’s expectations, interest in the unanswered questions about his past did not disappear after the election (see Wodak et al. 1994). Waldheim received no official invitation from any country in Western Europe, and some official visitors even avoided travelling to Vienna be-

cause they did not want to call on him. In April 1987, the U.S. Department of Justice announced that it was placing Waldheim on the watch list, further reinforcing his pariah status (see Mitten 1992 for more details). More broadly conceived, the Waldheim Affair symbolizes the post-war unwillingness or inability adequately to confront the implications of Nazi abominations. Had his election victory served also to legitimate a new round of the old silencing, that of protests by Jews and representatives of anti-anti-Semitism at this latest manifestation of prejudice?

3. Critical Discourse Analysis and discourse-historical methodology

3.1 Critical Discourse Analysis

Like other approaches to discourse analysis, critical discourse analysis (henceforth CDA) analyses real and often extended instances of social interaction that take a (partially) linguistic form (Fairclough & Wodak 1997; Wodak 1996b; Wodak & Meyer 2001). The critical approach is distinctive in its view of (a) the relationship between language and society, and (b) the relationship between analysis and the practices analysed. Let us take these in turn.

CDA sees discourse – language use in speech and writing – as a form of ‘social practice’. Describing discourse as a social practice implies a dialectical relationship between a particular discursive event and the situation(s), institution(s) and social structure(s) that frame it: the discursive event is shaped by them, but it also shapes them. That is, discourse is socially constitutive as well as socially conditioned; it constitutes situations, objects of knowledge, and the social identities of and relationships between people and groups of people. It is constitutive both in the sense that it helps to sustain and reproduce the social status quo, and in the sense that it contributes to transforming it. Since discourse is so socially consequential, it gives rise to important issues of power.

Discursive practices may have major ideological effects; that is, they can help produce and reproduce unequal power relations (between, for instance, social classes, women and men, and ethnic/cultural majorities and minorities) through the ways in which they represent things and position people. So discourse may be racist, or sexist, and try to pass itself off as representing common sense assumptions (often falsifying ones) about any aspect of social life. Both the ideological import of particular ways of using language and the relations of power that underlie them are often unclear. CDA aims to make more visible these opaque aspects of discourse.

CDA sees itself not as purely dispassionate and objective social science, but as engaged and committed. It is a form of scholarly intervention in social practice and social relationships; many analysts are personally politically active against racism, or as feminists, or within the peace movement, and so forth. But CDA is not an exception to the normal objectivity of social science; social science is inherently tied into values and formulations of policy, as, for instance, Foucault's work convincingly demonstrated (1971, 1972, 1979). What is distinctive about CDA is both that it positions itself on the side of dominated and oppressed groups and against dominating groups. It furthermore openly declares the emancipatory interests that motivate it. Usually, the political stances and uses of social scientific research are more covert.

3.2 New methods of analysing political discourse: Discourse-historical methodology

The distinctive feature of the discourse-historical approach is its attempt to integrate systematically all available background information in the analysis and interpretation of the many layers of a text. Relating individual utterances to the context in which they were made, in this case to the historical events that were being written or talked about, becomes crucial in decoding the discourses of racism and anti-Semitism, for example during the Waldheim Affair (Wodak et al. 1990). Otherwise current metaphors and allusions referring to 'the past', Nazism and anti-Semitism would be incomprehensible.

To illustrate this context dependent approach, I would like merely to mention some of the many layers of discourse we investigated in our study of the Waldheim Affair. Briefly, the context is that during the election, Waldheim had at first denied active involvement with Nazism and Nazi military operations in the Balkans.

There were documents of the *Wehrmacht* about the war in the Balkans in general, as well as documents relating specifically to Waldheim's activities there. There were also several statements and interviews with other *Wehrmacht* veterans who had served with Waldheim. One step removed from these was the research by historians on the Balkan war in general and on Waldheim's wartime role in particular. At still another level there was the reporting in Austrian newspapers on the Balkan war, on Waldheim's past, and on the historical research into the war and Waldheim's role. There were reports in newspapers on Waldheim's own explanation of his past; on the other side there was the reporting of all these previously mentioned aspects in foreign newspapers, especially *The New York Times*. Simultaneously, the press releases and documents of

the World Jewish Congress provided an autonomous informational and discursive source. Finally, apart from these, there were statements of and interviews with politicians as well as the '*vox populi*' on all these topics.

Though sometimes tedious and very time consuming, such an approach allowed us to record the varying perceptions, selections and distortions of information. As a result, we were able to trace in detail the constitution of an anti-Semitic stereotyped image, or '*Feindbild*', of 'the others' as it emerged in public discourse in Austria in 1986.

3.3 Data and linguistic methodology

Our data in the study of the Waldheim Affair (see Wodak 1997 for details) consisted of both oral and written texts. Three newspapers (2 Austrian, one U.S.) were examined systematically day by day for the period covering the presidential election campaign (March to June 1986), and then in regular intervals after June 1986. Additional data came from radio and TV news, broadcast interviews, televised discussions and debates, and lengthier news documentary series, altogether about 50 hours of video. We also recorded discussions in diverse institutional settings and at the vigil commemorating the Austrian resistance on St. Stephen's Square in Vienna in June 1987. Thus, we investigated very different settings and degrees of formality.

For each genre we investigated, we applied different methods of analysis. In analysing 'prejudice stories', for example, we developed a narrative schema drawing on the work of Teun van Dijk (1984). The newspaper analysis we adopted here differs largely from conventional content analysis: argumentation, lexicon, metaphors and other linguistic strategies played an important role.

The descriptive taxonomy employed in interpreting the interviews with politicians stems from the specialised literature on 'political language' (Dieckman 1975; Wilson 1990). Finally, for the spontaneous discussions we had to integrate categories of conversational analysis as well as those of discourse analysis (Wodak 1988).

Although the specific methods were dependent on the genre (e.g. story, newspapers), all data were analysed along three dimensions: the anti-Semitic contents expressed, the presentation strategies employed and the linguistic realisations on all levels of language. Our study, then, addressed the problem of 'anti-Semitic language behaviour' in contemporary Austria, in other words any linguistic manifestation of prejudices towards Jews, the discourse of difference towards Jews. It is important to emphasise that 'anti-Semitic language be-

haviour' can, though it need not, imply explicitly held and/or articulated hostility towards Jews but it does imply the presence of prejudicial assumptions about the Jews as a group. For example, the slogan 'Kill Jews' painted on the Sigmund Freud monument in Vienna (1988) clearly does contain an explicit, though anonymous, imperative call for the most hostile of actions against Jews. On the other hand, a Jewish joke, which can have various meanings depending on such things as the setting, the participants, and the function of the utterance, also forms part of what we termed 'anti-Semitic language behaviour', but only in circumstances where the joke expresses anti-Jewish prejudices.

Thus, our study suggests that the context of an utterance is indispensable in determining whether that utterance expresses anti-Semitic prejudice or not. Which anti-Semitic contents were expressed depended on the setting (such as public, private, and media), the formality of the situation, the participants, the topic and the presence or absence of Jews, among others. Second, we show that anti-Semitic language behaviour covers a wide range of speech acts, from explicit remarks or appeals for action to mere allusions. Anti-Semitic language behaviour includes all levels of language: from text or discourse to the individual word, or even to sounds, for example, the Yiddish intonation of certain words or phrases. Third, the study suggests that the larger context of official disapproval or prohibition of anti-Semitic discourse, the attempt to silence it in all contexts, is an important factor. It influences both the style of its current expression and the meta-discursive issues of reproduction of discourse and the effectiveness or ineffectiveness of silencing in general.

4. Anti-Semitic stereotypes (prejudice content)

With the exception of these dealing with sexuality, virtually every imaginable prejudice against Jews appeared somewhere in our material. Here I will only list a few of the most frequent from 1986, and indicate the contexts in which they were most often expressed.

The first group is subsumed under the category 'Christian Anti-Semitism'. According to this hoary but still salient prejudice, Jews are regarded as murderers of Christ, and/or as traitors. The character of 'Judas' provides everlasting 'proof' of the unreliability and lack of credibility of Jews. In 1986, Christian anti-Semitic motifs were found most frequently in newspapers and in the semi-public realm.

Although the stereotype of the 'dishonest', 'dishonourable' or the 'tricky Jew' has its origins in Judas's betrayal of Christ, corollary to this are the eco-

conomic stereotypes that date from the Middle Ages. Jews were forced into certain economic occupations such as lending money principally because they were excluded from most others. The clichés about the Jewish commercial spirit as well as the suspicion that Jews did business dishonourably in principle were both employed in varying ways during 1986.

The most pervasive anti-Jewish cliché, however, was that of the international Jewish conspiracy: The Jews – so it is said – in the world dominate or control the international press, the banks, the political power and capital, and they amass awesome power against their foes. In the Waldheim election rhetoric, the term ‘campaign’ became virtually synonymous with an international Jewish conspiracy against Waldheim and/or Austria.

Yet another prejudice common in 1986 was that the Jews are more privileged than others. Although such a belief was traditionally identified with the idea that all Jews were rich, this particular cliché has taken on an additional significance since the Holocaust. Those Jews who ‘emigrated’ and thereby escaped a far worse fate, so the argument goes, especially the many rich ones, had no reason to complain: nothing had happened to them anyway.

As I mentioned above, the collapse of the Third Reich in 1945 gave rise to several additional reasons for fearing the wrath of the ‘vengeful Jew’. One was the fear of the discovery of war crimes and the persecution and conviction of war criminals. Another was the fear that the stolen (so called ‘Aryanized’) property could be demanded back. Finally, there was fear that the exiles would merely wish to return to their homeland. Not only would they possibly want their property back or take legal action against their former persecutors, but they might become dominant and again ‘over-Judaize’ certain professions.

Feelings of guilt can be easily transformed into aggression towards those whose mere presence is seen as an implicit ‘attack’. One reacts defensively or by turning the tables on the victims themselves. The discourse of justification is thus characteristic of Austrian postwar political culture.

As a whole, the discourse about the ‘Waldheim Affair’ ‘spread’ to different fields of political action, involving many different genres and many different discourse topics (see Reisigl & Wodak 2001). Just to portray diagrammatically the whole discourse and the most relevant relationships between fields of action, genres and discourse topics in simplified terms:

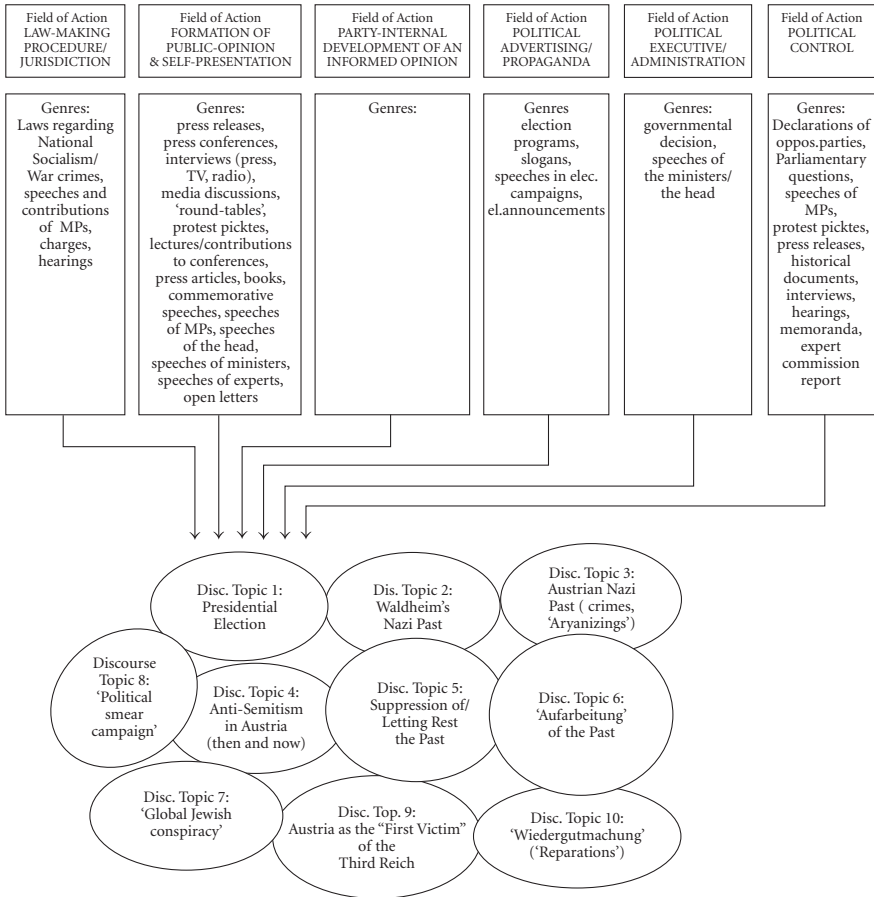


Figure 1. The Discourse about the 'Waldheim Affair'

In order to be able to study the discourse about the 'Waldheim Affair', context was unravelled into various dimensions (some of which are illustrated by this diagrammatical overview), and the research team, consisting of six researchers from three different fields (linguistics, psychology and history), decided in favour of a triangulatory approach, which made it possible to focus on the many different genres that were situated in the different political fields of action. Obviously, these different fields had an impact on the analytical methods used and the interpretation of the data. Ultimately, the team developed its own categories that led to the 'discourse-historical' approach (see Wodak,

Nowak, Pelikan, Gruber, de Cillia, & Mitten 1990. For further elaboration of this approach see Chapter 2; Reisigl & Wodak 2001).

5. How are Jews labelled and categorized?

5.1 A hierarchy of silence, coded anti-Semitism and explicitness

The different forms and degrees of directness and boldness of the anti-Semitic language use can be differentiated depending on political context, interactional setting and speaker. In analysing the material, four hierarchical stages of anti-Semitic statements, which correspond to different individual argumentation strategies of justification, can be identified. Anti-Semitism subsumed under Stage 1 could be heard or read in almost every context from which the analysed discursive data about the ‘Waldheim Affair’ were taken. While the frequency of the respective form of anti-Semitism decreases from Stage 1 to Stage 4, the form itself becomes more and more extreme and explicit.

Stage 1: Here, anti-Semitism and the negative uniqueness of Auschwitz are trivialized and relativized. The discriminatory form of anti-Semitism is played down by evasively emphasizing negative sameness and negative common features (in terms of argumentation theory: by committing the fallacy of ‘hasty generalisation’ with respect to the specific conditions and excesses of anti-Semitic discrimination), by casting doubt on the veracity of certain well documented historical facts (e.g. by employing a fallacious argumentum *ad ignorantiam* that pretends that certain crimes are not proven or that one did not oneself know anything about these crimes), and by trying to balance one thing against another, for example, the Nazi crimes against the crimes committed under the rule of Stalin (e.g. by applying the fallacy of ‘*ignoratio elenchi*’, that is to say, by introducing a point that is completely irrelevant to the actual discussion) (see Wodak, de Cillia, Reisigl, & Liebhart 1999: 36f). This form of anti-Semitism, during the discourse about the ‘Waldheim Affair’, even occurs in totally formal and official contexts, such as the mass media, news broadcasts and informative programs.

At Stage 2, anti-Semites argue that anti-Semitism is the Jews’ own fault. Here, the blame and responsibility for the Nazi crimes are put on the victims themselves. From an argumentation theoretical point of view, the linguistic realisation of this form of an anti-Semitic victim-perpetrator-reversal can, in general, be described as the application of an argumentum *ad consequentiam* or *trajectio in alium*. The respective statements are packaged differently,

as direct *accusations* or *insinuations*, as *topoi* of threats (*argumenta ad baculum* or *argumenta ad hominem*) and occur in many contexts, especially in semi-public ones, i.e. in interviews or in TV discussions just as in the memorial vigil (see below).

At Stage 3, the other traditional anti-Semitic prejudices appear, either in the explicit form of ‘hasty generalisations’, linguistically often realised with the help of generalising or particularizing synecdoches, or in implicit forms, linguistically often conveyed via stories that contain fallacious examples and allusions. Greed, dishonesty and vindictiveness constitute the content of prejudices appearing in this context, not least in the linguistic form of fallacious *argumenta ad hominem*. The prejudice of a Jewish world conspiracy is also linguistically reproduced within this context, which is primarily formed by more informal situations and especially prominent (well-known) figures. Within this stage of the discursive manifestation of anti-Semitism, the chief purpose is to justify the hostility against Jews by systematic distortion and the creation of an enemy image, a Jewish scapegoat.

Stage 4, finally, is constituted by direct and open abuse of Jews. Such insulting labels as the derogatory metaphors ‘Swine’ and ‘Cut-throat’ appear only in anonymous spheres; in the memorial vigil, for example, or in complaint calls to the state-run radio station (ORF). In this case, there are very severe restrictions or taboos when the speakers in public do not remain anonymous.

5.2 Selective illustration of some categories of analysis

Predication strategies are employed to ascribe certain characteristics and traits – either positive or negative ones – to people and groups of people. In combination with specific referential strategies, they are discursively utilised to construct a dichotomous world of ‘insiders’ and ‘outsiders’, of ‘us’ and ‘them’, and, strictly speaking, to make positive or negative judgements on the imagined or represented social actors. Predicational strategies partly overlap with referential strategies and can be part of argumentation strategies. Predications can assume the character of abuse, according to the context and explicitness of the four hierarchical levels. Let us quote a few examples of predications from the discourse about the ‘Waldheim Affair’:

[...] that whippersnapper General Secretary Singer [...] the private club with the bombastic name World Jewish Congress [...] the wheeling and dealing of the first president of the club, N. Goldmann, with the Arabs, the arch enemy of the Jewish state [...]

(*Neue Kronen Zeitung*, ‘Staberl’, 2 April 1986)

The first predication is realised in German as the metaphorical (animalising) attributive adjective *'grünschnäblig'*. This adjective would literally be translated into English as 'like a green beak', meaning 'whippersnapper-like', 'greenhorn-like'. The 'beak' stands for the 'mouth' of Singer and symbolises both metonymically and metaphorically the words that are said or written by Singer with respect to the 'Waldheim Affair'. The colour term 'green' metaphorically qualifies Singer's utterances as 'immature'. As one can see – and this illustrates once more our thesis that predication and argumentation can overlap – the simple one-word-predication is utilised by the author of the article for an *argumentum ad hominem* that aims at delegitimizing Singer by characterising him as incompetent. The second example contains two predications: the first one has the form of a noun phrase ('the private club'), the second one of a prepositional phrase ('with the bombastic name'). The collectivized 'social actor' which is the subject of the author's anti-Semitic attacks, i.e. 'the World Jewish Congress', syntactically only appears backgrounded as the second part of the juxtaposition contained in the prepositional phrase. Rhetorically, the entire double-form of predication (consisting of two predications) may be described as a condescending periphrasis that, again, has the quality of an implicit delegitimizing argumentation. By the two predications, 'Staberl', the author, tries to deny the international Jewish organisation the claim of representing or being a voice for Jews at an international level. The third predication taken from the same press article, finally, is the most anti-Semitic one. In the form of a very expanded noun phrase that contains the central social actor ('N. Goldmann') and object of anti-Semitic attack as a genitive attribute, it insinuates the prejudice of the 'tricky, spineless Jew' who, if it is only opportune, even makes a deal with his arch enemy.

An excerpt quoted from a press conference of the Jewish *Gemeinde* (community) in Vienna on 18 June 1986, is given below. It represents a collage of statements by spokespersons of the Austrian People's Party and serves as an example of the techniques of explicit anti-Semitic predication of negative, derogatory traits, e.g. of dishonesty, mendacity, untrustworthiness, primitivism, inclination to criminality, spitefulness and egocentric megalomania (the entire interview illustrates numerous strategies of justification; see Wodak, Nowak, Pelikan, Gruber, de Cillia, & Mitten 1990):

Untrustworthy and dishonourable methods. Dishonourable members of the World Jewish Congress. Untrustworthy – dishonourable and full of hate. Lies – deception and breaking promises – having no culture and simplistic and unfounded hate. The crying of the puppets of the World Jewish Congress motivated by hate and the need for admiration. Assassins. Mafia of slanderers. The

epitome of baseness. Bribed witnesses. Methods of the mafia. Astoundingly stupid. Dirty self-aggrandisement campaigns. The habitual slanderer Singer.

Anti-Semitic predications are linguistically not always realised as overt and explicit. They sometimes assume the form of allusions. Allusions themselves become linguistically manifest in very different ways of intertextual or inter-discursive tying, for example, by means of citations, formal text construction, style and word choice. All forms of allusion, however, share the feature that the connection between two contents is established implicitly rather than explicitly (very often, the allusion is characterised by elements of linguistic vagueness), and assumes previous knowledge on the part of the audience. Consequently, the responsibility for the interpretation is shifted to the hearers or readers, who are believed to know the background of the insinuation, for example, of the allusion made by negative predications like *'ehrlose Gesellen'* ('dishonourable lots'). This allusive predication was uttered during the debate about Waldheim's past in reference to the World Jewish Congress by the ÖVP politician Michael Graff (on the 25th of April 1986). *'Ehrlose Gesellen'* was used as a label for Jews in the documents and regulations of fraternities at the end of the nineteenth century in Austria, meaning that they were not allowed to join these fraternities and also not thought dignified enough to take part in a duel.

Although the differentiation is not strictly mutually exclusive, one can – at least analytically – distinguish between 'formal allusions', 'semantic allusions by quotation', 'allusions with the help of typical lexemes' and 'allusions with the help of atypical lexemes' (for this distinction see Gruber 1991: 183–191).

Formal allusions consist of the utilisation of the implicative potential of a specific stylistic register and its formal linguistic characteristics, that is to say, of a manner of speaking or writing within a particular social domain, that reminds one of a specific genre which is located within a specific field of social action. This category of allusion is also called 'evocation' (see Matouschek, Wodak, & Januschek 1995). An example is: 'those who, with hate, sow new hate and thereby accept – maybe even hope for – a harvest that can only be additional hate...' (*Die Presse*, Th. Chorherr, 5/6 April 1986: 1). These lines exploit the readers' specific knowledge of the biblical, Old Testament metaphorizing proverb 'sow the wind and reap the whirlwind' (Hosea, 8,7; in German: *'Wer Wind sät, wird Sturm ernten'*). This menacing oxymoronic allegory that combines a meteorological with an agricultural metaphor means that those who attack somebody violently will be counter-attacked even more violently still. The threatening *topos* of consequences expressed in this biblical saying is transformed in the article in *Die Presse* into an implicit *argumentum ad baculum*

and *argumentum ad verecundiam* that tries to rely on the authority of the bible, thus aiming at rationalizing and justifying the hostility against Jews.

Semantic allusions by quotation are based on the utilisation of quotes which contain specific tabooed expressions or phrases with a strong connotative potential that suffices for conveying a prejudiced content (see Gruber 1991: 185). Through this form of allusion, the speaker or author has the possibility of distancing her- or himself from the content of the quoted utterance by applying strategies of detachment and mitigation, for example, by framing the quote as direct or indirect speech and (seemingly) critically commenting on the meaning of the quote in the matrix sentence that includes the ‘verb of saying’ (see Reisigl & Wodak 2001, Ch. 2, §4.4). However, the very citation of the tabooed lexical items or phrases can have the effect of making their strong connotations gather momentum in the mind of hardened hearers or readers and drowning out the seemingly critical remarks that frame the quotations. The form of discourse representation and perspectivation can support the unhindered ‘unfolding’ of the connotations that contain the prejudices. This is the case in the following example, in which the columnist ‘Staberl’ reports on the prejudice about the ‘Jewish conspiracy’. The journalist frames the anti-Semitic utterance ‘The Jews – our misfortune’ by quotation marks, but omits to frame it also by a matrix sentence that contains a verb of saying and would comment on the utterance critically:

One of the most ridiculous clichés from the poison- and-filth kitchen of Goebbel’s propaganda ministry [...] was the myth of the disastrous effects of ‘World Jewry’. The Jews [...] supposedly united in an insidious conspiracy against the [...] Germanic super-race. ‘The Jews – our misfortune’.

(*Neue Kronen Zeitung*, ‘Staberl’, 27 March 1986)

A third type of allusion consists of ‘allusions with the help of typical lexemes’. They are realised by the selection of specific lexemes that, in the case of anti-Semitism, are designated to characterize Jews and that are associated with ‘typical’ traditional prejudice content (see Gruber 1991: 190). In the following example, the prejudice of ‘the business-minded Jew’ is alluded to and perfidiously associated with the topic of ‘compensation policy’:

and [they, = the Jews] were all back again! Came, one or two have stayed, the dentist and others, they / they / they got their things straightened out again, (and) compensation, right, and / and because of injustice and so on! And then they left again!

(Memorial Vigil, June 1987)

In contrast to this type of allusions, ‘allusions with the help of atypical lexemes’ make an intentional, but surprising, atypical use of lexemes that are ‘normally’

associated with a specific group of people. These lexemes are recontextualized and related with another group of persons. Thus, specific connotative aspects are transferred from the one group to the other. In this way, a sort of assimilation of the two groups is brought about, as in the following example: ‘Attacks from a side that thinks it is untouchable, but which has always made itself a willing tool for a handful of stick-in-the-muds, who never pass up an opportunity to make a profit from a dark past’ (*Die Presse*, Leitenberger, March 25, 1986:2). ‘Stick-in-the muds’ (in its German translation ‘*Ewiggestrige*’) is a term normally used for old (dyed-in-the-wool) Nazis and for persons who are considered to still live in the past. This second meaning and the general association with a ‘dark past’ make it possible also to refer to non-Nazis with this term without totally violating the word’s usage rules. However, by means of this usage the journalist carries out an implicit equation of Nazis and Jews.

Such implicit equations *qua* allusion as well as other equations and fallacious generalisations of statements about persons, groups or experiences (which can be either self-made or narrated by others and as such adopted) serve to present the group of ‘others’ negatively and to establish prejudices about them. In many cases, synecdoches (both in the form of a person or some persons standing for a whole group and, conversely, in the form of a whole standing for a part) and metonymies (especially those of the type ‘country standing for the population of the country’, which, in most cases, simultaneously also function as a *totum pro parte*) are linguistically employed for hasty generalisations. In the 1986 presidential election campaign, we find several equations, some of which reveal anti-Semitic sentiments (e.g. ‘Singer/Bronfman = WJC = Israel = Jews’; this equation contains several *partes pro toto* and metonymies), some of which are the expression of Austrian nationalism (e.g. ‘Waldheim = all Austrians = Austria’; this is a *pars pro toto* or/and metonymy), and some of which serve to relativize the Austrian Nazi crimes (e.g. ‘Hitler = Stalin’ are two equated *partes pro totibus*). Such equations are – in contrast to equations that appear in the counter-argumentation directed against anti-Semitic prejudices (e.g. ‘*Wehrmacht* = Nazis’, ‘Austrians = Nazis’) – especially pertinent for the justification and trivialization of Austrian National-Socialism. A trivializing equation also occurs in the following remark from the 1987 memorial vigil: ‘The guilty ones have already been hanged!’ Equating the execution of war criminals with ‘all the guilty ones’ from the Nazi era – in rhetorical terms, synecdochizingly taking the ‘hanged ones’ for ‘all the guilty ones’ – functions to shift the blame.

‘Generalisations’ are the transferring of isolated – often just narrated – situations of experiences with individuals to a whole group. They can even be

‘across-the-board statements’: ‘They take all the jobs; we’ve only got more Jews’ (1987 Memorial Vigil; see Reisigl & Wodak 2001).

Comparisons and analogies are rhetorical techniques employed for equating predication and argumentation strategies. Making explicit and implicit comparisons, or drawing analogies between actual events and fictitious ones often fulfils a persuasive function similar to the invention of ‘unreal scenarios’ that are designated to function as an ‘illustrative example’ in an argumentation. They serve additionally to minimise or exaggerate. The following speaker reproduces the prejudice of ‘the unforgiving and vindictive Jews’. He insinuates that the Jews always start from the beginning, i.e. with remembering the Nazi crimes of which they were the victims, and considers this to be the same as ‘if I said to someone who’s a friend of mine, you’re an idiot, right? He accepts it. Then he doesn’t say to me 20 years later, you said 20 years ago that I’m an idiot!’ (Memorial Vigil, June 1987). With this analogy, the speaker relativizes the Nazi crimes by comparing and equating them with a simple insulting anthroponym that denotes a mental deficiency. Moreover, it minimizes the anti-Semitic Nazi crimes by presupposing that ‘the Jews’ were once friends of the speaker and part of the speaker’s in-group and they only became opponents because they could not tolerate a rather harmless slur.

Minimizations, as a part of mitigating strategies, often appear in the form of euphemisms, that is to say, of pleasant replacements for unpleasant words with a negative denotative and/or connotative meaning. As already mentioned, the terms ‘emigration’ or ‘emigration of the Jews’ are used instead of ‘expulsion’. Further, ‘the recent emergence of anti-Semitic discussions’ is employed instead of ‘the revival of anti-Semitism’, and the ‘holocaust’ (originally meaning ‘sacrifice consumed by fire’, coming from Greek *‘holokaustos’*, meaning ‘burnt whole’), instead of ‘gassing’ or ‘extermination of Jews’. Nazi expressions can also serve to mitigate, strictly speaking, to obscure and minimize, since such functions are inherent in their literal meaning: ‘Aryanization’ linguistically disguises the systematic robbery and theft of Jewish property; ‘Crystal Night’ is used as a synecdochic metaphor to refer to the ‘November Pogrom’; ‘Jewish matters’ abstractly stands for ‘separatist treatment’ of the Jews during the Nazi era, and ‘separatist treatment’ is, of course, a euphemism as well (see Brackman & Birkenhauer 1988).

Another example which illustrates a minimization of events by the application of mitigation strategies is found in the comment and view regarding Waldheim’s past expressed by Austria’s previous Federal President Kirchschräger (22 April 1986), in which he used euphemisms such as ‘with regard to the fate of the Jews’ instead of ‘murder and expulsion’, or that of ‘the de-

portation of hundreds of thousands of Jews from Thessalonica,' or 'throughout our history, anti-Semitic sentiments have brought neither benefits nor blessings. Moreover, they are extremely inhuman.' All the three utterances by Kirchschräger have in common that they hide the responsible perpetrators who persecuted, expelled and murdered the Jews. The first euphemism shifts the blame to fate, destiny, i.e. to a deterministic power beyond human control. The second euphemism reduces the Nazi crimes against the Jews from Thessalonica to 'deportation', to the act of forcing the Jews to leave the place. The third euphemistic utterance by Kirchschräger, finally, draws a cost-benefit calculation into an issue such as anti-Semitism, and refers to anti-Semitism with its resulting extermination of millions of Jews in purely 'mentalizing' terms of 'anti-Semitic sentiments'.

The linguistic presentation of groups and their activities, especially concerning the questions of guilt or innocence, can be effected by referentially identifying and naming individuals through proper names or anthroponyms (for example by criminonyms) as well as by backgrounding or oppressing them, thus maintaining their anonymity, whichever is best suited for the authors' purposes. In the case of maintaining anonymity, persons often are only vaguely or abstractly (e.g. metonymically or metaphorically) referred to and named. Deictics or 'personal pronouns' with unclear referents, passive constructions or the complete omission of an agent can also be used for this purpose. The impersonal third-person point of view also can serve a similar purpose. This allows for the free expression of opinions normally regarded as 'taboo' in reference to the 'enemy group' (the addressees are not mentioned and the authors can thus shift the responsibility). In this way, attacks on the 'us-group' (e.g. Waldheim and Austria) can also be mystified and be made to seem menacing:

In fact, almost everything that's been 'uncovered' to date, is steeped in half-truths, and with clear or subliminal misrepresentations, [...] It may be that someone is unable to control the spirits that he's called up from the dead, but the game can be totally different too. (*Die Presse*, 6 March 1986)

Those, therefore, who make accusations and whose methods are to be denounced, remain in obscurity. Either the passive is used to avoid naming an active subject or the anonymous indefinite pronoun 'someone' is employed to refer to an unspecified person, who is then also referred to by the male third-person anaphora 'he'. The identity of the subject appears to be open to interpretation, but it is clearly pre-determined by means of the context.

The situation is reversed in the case of synecdochizing personalization, whereby the responsibility of groups of individuals is reduced to the responsibility of one or a few persons who replace 'the whole as a part' (e.g. 'that Mr. Singer and Bronfman' instead of 'World Jewish Congress', or 'Hitler' instead of 'National-Socialists' or 'Nazis').

As far as the perspectivation, framing and discourse representation strategies are concerned, which help to express the speakers' involvement or distance and to position their point of view with respect to anti-Semitic discrimination and the question of guilt, quotes (either in direct speech, indirect speech or free indirect speech), the genre of narratives, as well as the discursive construction of unreal scenarios are discursive phenomena that are often encountered.

Quotations are a recurring part of anti-Semitic argumentation that very often serve as *topoi* of authority or as fallacious *argumenta ad verecundiam*. It is precisely this form of argumentation that aims at appearing to be especially 'objective', rational and based on the authority of respectable personalities or institutions. Apart from that, quotes often fulfil the function of expressing anti-Semitic assertions without the speaker or writer having to take responsibility for the statements. That is to say: they enable the speaker apparently to detach her- or himself from anti-Semitic prejudices while simultaneously reproducing them. This is especially true of quotes by generally recognised authorities and, in the case of anti-Semitic argumentation, of those by Jews, whose words are employed to support the argumentation ('the token Jew', for example, Bruno Kreisky or Simon Wiesenthal).

In addition to being used to shift responsibility and to back an argument, quotes can also be employed for insinuations and for expressing harsh anti-Semitism. What is decisive here is the special way in which the comments of a third person are reported; this has been especially investigated with regard to reporting in the media.

The term 'discourse representation' was introduced for the analysis of this basic aspect of reporting (cf. Hak 1987). In the course of a report about a 'speech event', not only is the actual text given, but the situation in which the quote in question occurred is almost always provided as well. Views and characterisations regarding the speaker are also made by comments or evaluative descriptions framing the represented discourse: 'The Israeli Secretary of State, Ytzhak Shamir, appears to be losing his mind: yesterday in Jerusalem he appealed to the leaders of all the countries in the world to join the fight against Kurt Waldheim' (*Neue Kronen Zeitung*, 28 May 1986). In this case something Shamir said is used as an occasion for making a comment on the speaker's

mental condition. The utterance itself is reported only in an extremely brief, indirect summary and serves mainly as the point of departure for further assessments.

Often prejudices are packaged in narratives about individual Jews. These narratives have the task of verifying prejudices with examples, i.e. of rationalizing. Most often they are unreliable stories from a second source that relates supposedly bad experiences others have allegedly had with Jews. The following is a story told during the memorial vigil and is probably intended to illustrate 'the dishonesty and craftiness of Jews':

Let me tell you a story, as an example, a story that wa / that I still remember from my grandfather my grandfather was very, very poor, they were farmers. They had to fight for their existence back then. What has / there (was) a Jew who came along, brought him geese, young geese. 'You don't have to pay for them right away, pay in half a year.' What was the deal? In half a year he couldn't pay, the Jew took the fattened geese without paying, where he had given the feed. That's the other side of it, and no one talks about that!

(Memorial Vigil, June 1987)

It is precisely this strategy of packaging prejudices in stories that is also dealt with in other studies of the connection between 'language and prejudice' (cf. van Dijk 1984, 1987; Quasthoff 1980, 1989; Mitten & Wodak 1993; Wodak & Matouschek 1993; Wodak 2001). The data taken from the discourse about the 'Waldheim Affair' show that the anti-Semitic convictions of a speaker can lead to content beyond the topic of the 'Waldheim Affair' and to other stories and *topoi*, and even to other forms of social discrimination, such as hostility towards foreigners, for example towards the so-called 'guest workers'. Stories about allegedly 'bad Jews' can be employed for purposes of justification, provocation and 'empirical illustration and proof'. The few stories about 'good Jews', however, are marked as exceptions and are never generalised.

In the case of unreal scenarios, the speaker or writer describes an invented, non-existent scenario that is intended persuasively to render his or her arguments irrefutable. The argumentation purpose of unreal scenarios is to portray the speaker's point of view as the only one possible, and to induce the hearers or readers to identify with the speaker's or writer's 'we-group':

Listen, one could say so much! I could / I told you first about our general who was ripped apart, you know, just like the *Magdeburger 'Halbkugel'*. Now, I ask you: You are, if you had been a prisoner of war like us down there, okay? / the way it happened to us, and they were beyond human rights, they weren't recognised at all then, not by any power, those guys were bandits and snipers.

But if you had the choice now, that no other alternative, that you have to have to die! – and you have the choice: to be ripped apart like our general, or in a gas chamber? What would you do? (Memorial Vigil, June 1986)

Here, the speaker constructs an unreal alternative from which the interlocutor is supposed to choose, implying that the gas chamber would be the lesser of two evils. In this way, the extermination of Jews in concentration camps is euphemized and apparently ‘better’ than the death of the general in the unreal scenario described by the speaker.

6. The World Jewish Congress as political synecdoche: Anti-Semitism as coded discourse

There were even more direct associations made that suggested that the WJC had assumed a representative function – what I have termed political synecdoche – for both the Jews as a whole and for the group designated in the more nebulous but equally evocative German expression for ‘abroad’ (*das Ausland*).

The discursive manifestations of this idea were varied and could be more or less explicit. Kurt Vorhofer, for example, wrote ‘Of course it was necessary to answer the monstrous attacks which came from the Jewish side’. Since the WJC were by consensus the principal authors of the ‘monstrous attacks’, Vorhofer’s description left little doubt that it was conceptually interchangeable with the Jews. After the first round of the election, the SPÖ paper in Carinthia asked, as its banner headline proclaimed, ‘Is Waldheim Beholden to World Jewry?’ In the context of the election campaign and the frequently expressed hopes of the ÖVP for a knee-jerk electoral reaction of defiance towards the WJC’s attacks, the implication of the headline, even though (or perhaps because) it had come from a Carinthian paper that opposed Waldheim, was unmistakable. In a similar vein, Kurt Markaritzer of *the Neue Volkszeitung Kärnten* wrote, ‘Now it is not easy to counter Jewish attacks. Spokesmen of this people have a right to excessive tolerance, in light of the frightful horrors of the Nazi period. One need not and should not take what they say too literally’.

Similar examples could be found of the direct and explicit association of the WJC with world Jewry or simply Jewry, but it is probably not accidental that they tended to be found in provincial newspapers, where the use of the preferred forms of linguistic etiquette might be given low priority. In fact, the WJC also came to stand for the forces from ‘abroad’ as head of an international campaign against Austria. The Waldheim camp deployed this theme skilfully in its

electoral propaganda, and in appealing to Austrians to unite against the foreign (Jewish) danger it could call upon equally potent sources of national identity such as Austria's being the perpetual victim of international 'Diktat'. The amalgamation of the WJC with 'das Ausland' gave rise to a kind of coded language, in which the eschewing of attacks from 'abroad' could become synonymous with the rejection of criticisms 'from the Jewish side'.

In the event, the German *Ausland* lent itself particularly easily to such an amalgamation. A word for which there is no exact equivalent in English, *das Ausland* is a singular noun describing everything that lies outside the boundaries that define the country. In some usages, the word *Ausland* could connote an idea of 'those out there', but the normal translation as 'foreign countries' implies a plurality of subjects that the singular *das Ausland* simply obliterates. In the debate on the Waldheim Affair, *das Ausland* was frequently described as though it possessed capacities of action normally associated with more differentiated individual units, but that in this case could only have helped forge the link between *das Ausland* and the WJC. For example, Dieter Lenhardt of *Die Presse*, alluding to the disclosures the WJC had made, wrote of the 'now completely unvarnished foreign intervention in the Austrian presidential election'. More concretely, a spokesperson for Waldheim's campaign office referred to the disclosure of documents as the 'meddling of *das Ausland*'. This statement not only assumed that *das Ausland* was capable of intervening in the election (the phrase was not 'from abroad' [*aus dem Ausland*], but simply 'of abroad' [*des Auslands*]). It also connected an amorphous and undefined group to actions that, according to general agreement, the WJC had been carrying out.

Other references to *das Ausland* or some variant that, in the context, could only have been referring to the WJC, also helped forge the chain of associations. The then second president of the National Assembly, Marga Hubinek of the ÖVP, asked rhetorically 'whether it is, then, still necessary...to elect the president by popular vote, if some few foreign [*ausländisch*] functionaries believe that they can decide who will become Austrian president'. The only 'functionaries' who were mentioned in connection with Waldheim and influence on the election, it hardly need be said, were those from the WJC. The NVB wrote an article headlined 'Agitators in New York in the Final Push against Waldheim'. In the article itself, Michael Graff was quoted as denouncing 'the hectic activities of the lobby of the World Jewish Congress', which not only made the WJC into such an important organisation that it required its own lobby, but also signalled to those listening the relevant coded allusions. 'The stronger the foreign interventions become, the more the second round becomes an act of patriotism and Austrian self-respect'. 'The fact remains', concurred Walter Salzmann one

week later, 'that *das Ausland*, and especially the World Jewish Congress, was consciously engaged in this campaign and has unfortunately not understood that they [could] not have done their organisation and thereby their Jewish fellow citizens in Austria a greater disservice than to have taken over and to continue leading the chase [*Jagd*] after Kurt Waldheim'.

On one occasion, Viktor Reimann of the NKZ felt obliged to defend his journalistic honour, and in so doing identified clearly against whom he was protecting it. 'What we did, and what the sense of journalistic decency required of us, was to defend a fellow citizen, who had certainly not brought disgrace upon our country, from infamous accusations from outside, [which were] possibly initiated in Austria [*Inland*]. What the World Jewish Congress and the part of the American mass media under its influence [have done], will simply not do any longer'. A leaflet published by the 'Youth for Waldheim' initiative condemned in a similar bellicose manner 'the foreign organisations' that wanted to determine the outcome of the Austrian presidential election by duress.

Perhaps the most compelling evidence of the explicit association of the WJC with Jewry as a whole, however, was visual. In its 1 April 1986 issue, the weekly news magazine *Wochenpresse* carried a long background article on the WJC and an interview with Simon Wiesenthal, in which he expressed sharp criticisms of the organisation's handling of the Waldheim Affair. The article on the WJC was not in itself excessively tendentious. Moreover, the editors of the magazine were apparently conscious of the perils of publishing an article on this subject. After much consideration they decided to run it, but were determined to avoid, as Gerald Freihofer wrote, 'in any way providing ammunition for latent anti-Semitism, which is still widespread in the Austrian population'. The cover story, entitled 'Waldheim's Adversaries: The World Jewish Congress', was accompanied, as such stories are, by a photograph whose semiotic significance is so obvious that Freihofer's protestations in the magazine could almost be seen as an April Fool's joke. This photograph showed a male bust figure from the rear, with a yarmulka on his head. In the middle of the yarmulka was an embroidered Star of David. An anonymous male figure with a yarmulka could be related to the WJC alone, however, only if it were an identifying feature of the organisation or its members. In the popular imagination, of course, a yarmulka is the characteristic that marks off, not the WJC, but 'the Jews'. The message this cover photo conveyed was a simple but powerful one: when we say World Jewish Congress, we mean the Jews.

7. Conclusions

In this study, it was possible to describe and expose the range and qualities of anti-Semitic discourse in contemporary Austria, going from silence to blatant and crude expressions of prejudice. The 'Jews' form the archetypal other, and anti-Semitic discourse forms the model for xenophobic, sexist and other such discourses, for a discourse of difference (Wodak 1997). Anti-Semitic prejudice is clearly present in everyday life, in all settings, even in the most public ones.

Certain argumentation patterns were found that all form part of a new 'discourse of justification'. Anti-Semitism is part of the collective tradition and memory in Austria. It is used by all political parties, and has this very specific function in societies which the German philosopher Theodor W. Adorno mentions in his 'Authoritarian Personality': anti-Semitism as the basic typology of the 'others', 'the archetype', explains everything that otherwise remains incomprehensible (1968).

The linguistic tools developed for this study, however, have an analytical value as diagnostic measures that extend beyond their inception in the Austrian anti-Semitic context. We are now able more effectively to detect anti-Semitic and racist meanings in various contexts, as well as the impact of certain contextual features on the quantity and quality of anti-Semitic remarks.

But many questions remain unanswered, especially the question: how is all this possible after 1945? Is it possible because of an internationally generally accepted '*Lebenslüge*' of Austria and Waldheim personally? It is also possible because of the opportunity of claiming to be a victim oneself without having to face the responsibilities of having been a participant, through the fact that the silence had been accepted by almost everybody after 1945? The Waldheim Affair has at least allowed us to speak/write about these taboos and pose the question of '*Vergangenheitsbewältigung*' ('overcoming the past') (Wodak et al. 1994), an urgent question that is now being raised in many East and West European nations.

Note

* This article is a revised and elaborated version of a paper that was published in Riggins (Ed.) (1997). The theoretical framework has been broadened to cover the term of 'syncretic anti-Semitism' (Mitten 1992, 1993, 1997). The examples taken from the Waldheim affair have stayed the same although the new analysis puts different emphasis on certain parts of the interpretation due to the different focus of this article. Thus, I also draw on and elaborate

on the analysis published in Reisigl and Wodak (2001, Chapter 3). I would like to thank Lynn Thiesmeyer for her important comments and both Richard Mitten and Martin Reisigl for their brilliant insights and the fruitful discussion in our work together. Moreover, I would like to thank Teun van Dijk and Ian Parker for their comments to revise this paper and update it with new research which has evolved since this paper was first written. Therefore, I have incorporated our new thoughts on the discourse-historical approach (see Reisigl & Wodak 2001; Wodak & Meyer 2001).

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CHAPTER 7

Silencing by law

The 1981 Polish ‘performances and publications control act’*

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Introduction

As part of the final period of communist rule, a law entitled the *Ustawa o kontroli publikacji i widowisk* (‘Publications and Performances Control Act’) was introduced in Poland in July 1981. The Act marked the first time Polish communist authorities agreed to subject the act of censoring of the Polish media to the letter of the law. Although censorship of published texts had long been known to operate in Poland, this Act attempted to articulate and codify the objects of censorship. Yet in the climate of increasing opposition fostered by the Solidarity movement, of political necessity it did so in such a way as to make the law seem not to be a law of censorship. This law was part of the governing system that was eventually destroyed in 1990 after the first free elections.

Linguistically, the Act of censorship in question is an act of manipulation. The legal discourse within it is used to create the pretence of being introduced in order to protect and regulate the freedom of speech. In fact, however, it functions as a means of silencing texts that for political reasons are inconvenient from the point of view of the ruling communist party. The Act thus participates in two kinds of silencing. One is the literal, physical silencing of unwanted texts that the law is meant to enact. More significant, however, is the second kind of silencing. The Act silences its own purpose by using a discourse of freedom of speech that displaces any direct mention of the real purpose of the Act.

With the introduction of the Act on July 31, 1981, after years of semi-clandestine operation the Censorship Office (*Główny Urząd Kontroli Publikacji i Widowisk*) became subject to parliamentary law. Up until that time it had

operated on the basis of internal regulations that were kept secret. These *textual* regulations were smuggled out of Poland in late 1977 and subsequently published as the Black Book of Polish Censorship (*Czarna księga cenzury polskiej*, Aneks, London, 1977; fragments of the *Black Book* were translated in Schöpflin 1983).

The introduction of the *Ustawa* was forced by the growing forces of the ‘Solidarity’ movement formed in August 1980 during the wave of strikes that paralysed Poland. The main reason the anti-Communist opposition wanted to have the Act introduced despite its obvious violation of the right to freedom of speech was that for the first time there would be clear and overt regulations about what (and how) things could or could not be published. Indeed, there were three major achievements of this new law of censorship. These were:

1. The press (television was still subject to internal censorship regulations) now had the right to appeal against a decision disallowing a text or part of one in a court of law.
2. The bill granted the right to indicate that a censor’s cut had been made. The sign ‘[—]’ was used together with the indication of the legal basis upon which a text was struck off.
3. The Act disallowed banning an author in general, a practice that had been entertained by the Censorship Office in the past. Only the author’s text was to be subjected to the censor’s approval.

The bill was lifted in 1990 in the process of the democratisation and the de-communisation of Poland. After the first free – although not yet democratic – parliamentary elections on 4 June 1989 and the formation of the first non-communist-led government since World War II, the problem of censorship became very high on the agenda of the newly forming independent press. It was the pressure exerted both by the media and by *social discourses* of discontent that made the Parliament lift the bill. (It is worth noting, however, that in 1994 a freely and democratically elected Parliament introduced a highly controversial act enforcing the protection of Christian values in the media. This bill can be seen as an re-introduction of a form of censorship into the Polish media.)

In terms of its contents, the act of censorship in question consists of four main parts. The first part (Articles 1 and 2: see Appendix. For the text of the other parts of the Act see e.g. Schöpflin 1983) deals with information that, in terms of its contents, is not allowed in the media. The second part (Article 4) stipulates what kind of publications were not subject to the censor’s control. The third part (Articles 3 and 5–22) deals with who is commissioned, and how, to control the contents of publications and performances and what their duties

and responsibilities are. And finally, the fourth part (Articles 23–24) indicates law updates/changes necessary after the introduction of this act and announces the date of the introduction of the act. As the Act is both a means of silencing and an example of self-silencing as to its real purpose, this chapter will look mainly at its first part.

Assumptions and objectives in approaching legal and political discourse

Methodologically, the essay is situated within critically oriented discourse studies (e.g. Fowler et al. 1979; Fairclough 1992; Hodge & Kress 1993; van Dijk 1993). Language, as a social phenomenon, is both a product and a reflection of the values and beliefs of the society which produces it. Users of language decide not only which aspects of reality to include in their messages but also how to arrange them. These decisions are, in turn, are not so much idiosyncratic choices made by individual speakers, but are underpinned by the practices, values, or beliefs which are socially shared. Reality therefore is as much represented as it is, at the same time, socially constructed (Hodge & Kress 1993:5). An alternative representation of the extralinguistic is always available to the speakers who are also guided by their culturally, socially and psychologically motivated interests (Kress & van Leeuwen 1996). Moreover, the difference in the alternative representations is socially significant. In such a way the text renders what has been referred to as the ‘structure of faith’ (Menz 1989) or ‘ideology’ (Hodge & Kress 1993).

Ideologies are social (general and abstract) representations shared by members of a group and used by them to accomplish everyday social practices: acting and communicating. They are formulated, reproduced and reinforced through discourse, and other semiotic practices (for a comprehensive account of ideology, see van Dijk, 1998; also Billig et al. 1988; Fowler 1985). These representations are organised into systems which are deployed by social classes and other groups ‘in order to make sense of, figure out, and render intelligible the way society works’ (Hall 1996:26).

A legal act, however, is distinct in that it carries with it a tension between creating and conveying certain realities. First and foremost, a legal act is a display of the performative function of language (Austin 1962; Grodziński 1980; Maley 1994). Linguistically, the main function of an act of law is to create a new (legal) reality. In the case of the act of censorship, the letter of the law stipulates what kind of texts will or will not be allowed for publication and who is the one to decide about it. If so, on the basis of *Ustawa o kontroli publikacji i*

widowisk one should be able to determine what are the basic rules that apply to the control of potential publications and performances.

But as much as a new piece of law is aimed at creating a new (legal) reality, it is also a vehicle for putting into practice the ideologies of those who created it. I propose that there is a two-fold relationship between the language (letter) of the law and the enacting of ideologies. In order to understand this relationship, it is useful to refer to the distinction between ‘lived’ and ‘intellectual’ ideologies, introduced by Billig and his associates (1988). ‘Lived’ ideology is close to the definition offered above. ‘Intellectual’ ideology, on the other hand, is understood as an overall, coherent system of thought: political programmes or manifestos, philosophical orientations or religious codification.

A legal act is both an explicit attempt to construct further the intellectual ideology of those in power, as well as an implicit vehicle of reinforcing and imposing the lived ideologies of the dominant discourses. In the case of the censorship act in question, it is an explicit attempt to add another building block to the pro-Soviet Communist intellectual system of the ruling communist party; at the same time, as will be shown below, it is also a way of reinforcing the lived ideologies of the dominant group. There are ideologies which, despite public protestations, do not allow discourses of opposition or dissent.

Thus, a legal act could be seen as a negotiation between creating a new legal, and by virtue of this, social reality and on the other hand, as reinforcing the social and political status quo. To translate it to the piece of law analysed here, while apparently creating a new context in which to communicate publicly in Poland, the *Ustawa o kontroli publikacji i widowisk* reinforces the dominance of the Communist system in Poland.

Interestingly, the two kinds of reality imposed by the text of the bill (as indicated earlier, I am interested only in its first part, i.e. Articles 1 and 2) can also be seen on the textual level of the Act. As is argued by Hoey (1983, 1994; cf. also Winter 1994) one of the ways in which to see the structure of a text is in terms of Problem-Solution. The first two articles of the *Ustawa* can be seen precisely in terms of these structures, Article 1 being the Situation and the Problem of the text or its already existing reality and Article 2 providing a solution to it or the new legal reality that it attempts to create.

Now, the Situation element establishes the topic or topics of the piece of discourse. It lays down the already existing situation that the unfolding text will be concerned with. Article 1 does precisely that – it describes the legal reality of Poland insofar as the freedom of speech is concerned. At the same time it poses the problem of how to regulate the use of freedom of speech. The Solution of the problem is provided by Article 2. This is where the lawmaker

puts forth the regulations about what cannot be published. Article 1 therefore is charged with constructing the existing reality of Poland. Article 2, on the other hand, operates as the one that functions performatively: in providing the desired solution to the problem created textually, it creates a new legal reality.

I shall propose in this essay that the analysis of the Act's language in terms of the two realities encoded within it allows an insight into the potential communicative intent behind the law. In other words, such an analysis will enable me to answer the question of to what extent the *Publications and Performances Control Act* is what it claims to be, i.e. an act *merely* to control publications as to whether they adhere to the letter of the law. The discussion below will take the following route. Firstly, I shall try to retrieve the already existing legal and social reality encoded in the text of *Ustawa o kontroli publikacji i widowisk*. I will be dealing with the Situation element of the text. Secondly, I shall analyse the language of the Act in terms of the regulations introduced thereby; here the attention will be focused on the Solution element. Finally, these findings will be used as a springboard for considering the bill as an act of communication.

Situation – freedom of (controlled) speech

In the following section I will be interested in three main issues. Firstly, I will analyse how the problems of freedom of speech are represented linguistically, and secondly, I will in turn demonstrate how the State and the Act itself are constructed. The latter will be achieved by the reference to the agentive structure of the text and, in turn, the analysis of the thematic structure of the sentences.

What is freedom?

Censorship by its very nature is a curb on the right of free speech. As Daily (1973:76) puts it, any attempt to combine preventive censorship (in his terms: suppression) with freedom of the press is a fantastic waste of time. Yet, although we are dealing with a legal act whose aim is to set boundaries within which an author of a text to be presented publicly can operate, i.e. in effect curb her/his freedom of speech, Poland is presented therein as a country in which the right to speak freely is guaranteed. The *Publications and Performances Control Act* is constructed first and foremost as an enforcer of this right. The first two paragraphs of Article 1 of the bill stipulate:

1. *Polska Rzeczpospolita Ludowa zapewnia wolność słowa i druku w publikacjach i widowiskach.*

‘1. The Polish People’s Republic guarantees the freedom of speech and print in publications and performances.’

2. *Ochrona i zapewnienie realizacji wolności słowa i druku w publikacjach i widowiskach jest obowiązkiem organów i instytucji państwowych oraz organizacji politycznych i społecznych...*

‘2. Protection and securing the enforcement of the freedom of speech and print in publications and performances is a duty of the organs and institutions of the state and of political and social organisations’...

It seems that such a formulation poses a significant problem for the lawmaker, the sender of the legal message; the irony of starting the act of censorship with the guarantee of freedom of speech seems to have escaped the legislators. But, just how does one introduce a curb on the freedom of speech whose enforcement is the legal requirement in Poland? This is how the problem is dealt with in the bill:

Art. 1. (...).

3. *Korzystanie z wolności słowa i druku w publikacjach i widowiskach regulowane jest niniejszą ustawą.*

‘3. The use of freedom of speech and print in publications and performances is regulated by this Act.’

Art.2. *Korzystając z wolności słowa i druku w publikacjach i widowiskach nie można: (...).*

‘Art. 2. Using freedom of speech and print in publications and performances it is not allowed: (...).’

What happens is that the sender/lawmaker arbitrarily manipulates the meaning of the word *freedom*. Stating that the use of freedom of speech is regulated by the bill, the lawmaker presupposes that one can do it in the first place – a contention that does not seem obvious at all. In the discourse of this Act, freedom can be regulated by the letter of the law. This broadening of the scope of *freedom* is clandestine, precisely because it is introduced by a presupposition: it is proposed as something that is to be taken for granted, rather than argued for (cf. also Mey’s (1985) discussion of the use of *freedom*). Note also that the curb is actually imposed on the *use of freedom* of speech, and not on the freedom itself. The text appears to mete out not freedom but its *use* – freedom itself appearing to remain intact.

The aim of these linguistic activities on the part of the sender seems to be at least twofold. Firstly, they bring the act into line with the existing provisions of the constitution of Poland: freedom of speech was a stated part thereof also during the communist regime. Secondly, they construct the act itself as part of the state's guarantee of the right to freedom of speech. The silencing that is authorised by the act therefore is rendered in terms of people's right to speak freely, rather than a curb thereof. And if so they can be seen as a way of positively evaluating the act.

The State-benefactor

Let us now take a look at the agency structure (see e.g. Fowler 1991; Simpson 1993) of the fragments. In the whole of Articles 1 and 2 there are only two linguistic agents, one of which is also in thematic position in the sentence (cf. e.g. Halliday 1985; Halliday & Hasan 1985). The two agents appearing below – the Polish People's Republic and the Act – are put in this position in processes that are ethically neutral or even positive. Both are constructed as, in one way or another, participating in securing the right of freedom of speech. Witness:

1. *Polska Rzeczpospolita Ludowa zapewnia wolność słowa i druku w publikacjach i widowiskach.*

'1. The Polish People's Republic guarantees the freedom of speech and print in publications and performances.'

3. *Korzystanie z wolności słowa i druku w publikacjach i widowiskach regulowane jest niniejszą ustawą.*

'3. The use of freedom of speech and print in publications and performances is regulated by this Act.'

The state is constructed here as the provider for, the carer for the people. Polish *zapewniać* (somewhat inadequately translated as 'guarantee') implies not only the act of giving the freedom. The verb originates from *pewny* ('sure', 'certain') and as such it introduces an atmosphere of certainty in the guaranteeing of the right to speak freely. In other words, the right is there and it is there to stay. The state, however, is positioned here not only as the guardian of the right, it is also the controller thereof. It is the decision of the state that endows people with this right and not a result of some natural law that ensures it. Note also that while the Act, as actor, is positioned in a passive construction, the state itself is positioned as an actor in an active construction, underscoring its agency.

Such a formulation is consistent with the constitution of 22 July 1952. Interestingly, however, this is not the only formulation in which citizens' rights are referred to. Chapter 8 – dealing with rights and duties – in article 67 only asserts the fact that all citizens have equal rights:

Obywatele Rzeczypospolitej Polskiej mają równe prawa bez względu na płeć, urodzenie, wykształcenie, zawód, narodowość, rasę, wyznanie oraz pochodzenie i położenie społeczne.

'Citizens of the Polish People's Republic have equal rights regardless of gender, class, education, occupation, nationality, race, creed, and social status and origin.'

Article 83 of the Constitution, however, stipulates:

Rzeczpospolita Polska zapewnia obywatelom wolność słowa, druku, zgromadzeń i wieców, pochodów i manifestacji.

'The Republic of Poland guarantees (to) citizens freedom of speech, print, meetings, rallies, demonstrations.'

in the same way as the equality of rights, rights to, for example, health services and social assistance, education, or cultural heritage are stated. These rights are only *confirmed* in the Constitution. In contrast, only the freedom of conscience and creed, of organisation (of parties, associations etc.), the individual as a physical person (Polish *nienaruszalność osobista*) and the freedom of speech were *guaranteed* (Polish *zapewniać*): precisely the four that were systematically *violated*. Moreover, these are the only two rights that are not referred to as rights – it is not a right Polish citizens have. The state guarantees them something unclassified in terms of a higher order concept.

In the *Ustawa*, this image of the state-benefactor is reinforced by the use of the verb *korzystać* that I have systematically translated as 'use', which is predicated of those who would like to make use of their right to free speech. Yet *korzystać* implies a certain gain (it is actually related to the word *korzyść* 'gain') that is taken from what is being used. The verb normally indicates that what is used is good or positive for the user. It may also imply consent for use: in order to *korzystać*, one might have to obtain permission. In the case of the Act in question the permission must come, quite clearly, from the state.

It would seem that such a construction of the role of the state could quite easily backfire. Yet this text must be seen within a certain social and political context. The state in the form of the communist party and communist-led government had or at least tried to have an all-encompassing role in the life of society. As Głowiński (1990: 126) points out, one of the main themes of the

language of the Polish propaganda of the 70s and 80s was the cult of the state. The state becomes the main value and the main frame of reference in the official propaganda. It seems plausible, then, to assume that these features would also be found in the discourse of communist law.

Interestingly, the beginning of Article 2, the one introducing the limitations of the freedom to speak, is an agentless sentence:

Korzystając z wolności słowa i druku w publikacjach i widowiskach nie można...

‘Using freedom of speech and print in publications and performances it is not allowed: (...)’

The sender/legislator introduces an impersonal expression *nie można* (‘[it] is not allowed’). What is interesting about this expression is that it suggests a ‘natural’ prohibition, one that results from the ordinary course of events rather than from an imposition by somebody with the power to do so. The text may be taken to imply that limitations on the freedom of speech are merely relayed by the act rather than imposed. Thus while the state as well as the Act itself are constructed in the language of the *Ustawa o kontroli publikacji i widowisk* as responsible for administering the *freedom* of speech, the curbs it enacts, on the other hand, are not positioned as being the responsibility of any particular agent.

‘Protection of freedom act’

It is also the sentence structures – and more particularly their themes – that serve the purpose of creating a particular image of the Polish state and its legal output in the form of the Publication and Performances Act.

The theme of a sentence is that element about which the sentence tells us, its starting point (cf. e.g. Halliday 1985; Halliday & Hasan 1985). The element placed in the thematic position is one that is already known to the participants of the communicative situation, one they take for granted. The whole thematic structure of a piece of discourse then maps out the topical path of the discourse. The themes of the sentences of the articles under analysis are as follows:

Polska Rzeczpospolita Ludowa (‘[the] Polish People’s Republic’)

Ochrona i zapewnienie realizacji wolności słowa i druku w publikacjach i widowiskach (‘Protection and securing the enforcement of the freedom of speech and print in publications and performances’)

Korzystanie z wolności słowa i druku w publikacjach i widowiskach ('The use of freedom of speech and print in publications and performances')

Korzystając z wolności słowa i druku w publikacjach i widowiskach ('Using freedom of speech and print in publications and performances')

With the exception of the first one, the themes refer only to the *freedom of speech* and not to its limitations. The reference to the state in the first sentence of the Act is an attempt to reinforce the image of the Polish state as an entity that engages in the protection and dispensation of freedom. Moreover, the freedom of speech is *protected* and *guaranteed*, as well as *used* (Polish *korzystać*). Linguistically, the bill is constructed as one dealing with freedom and not with the curbing thereof.

Summing up the results of the analysis hitherto, the language of the initial two articles of *Ustawa o kontroli publikacji i widowisk* serves in part the purpose of creating an image both of the legal system of communist Poland and of the Act itself. It is an image of a state that has the power to decide on whether the people will have the benefit of the freedom of speech. The state, however, is also well-wishing enough to allow them the privilege. The elements constructing the image of the Act aim at positioning it in terms of protecting the freedom of speech rather than limiting it.

Solution – what's not allowed is prohibited

Let me now turn to the part of the *Ustawa* that deals with the prohibition of certain kinds of information. Article 2 of the Act explicitly bans texts that deal with the issues defined there. In this section I will be mainly interested in how the sender/lawmaker presents/describes the potential texts to be banned. As was signalled before, the form in which the prohibitions are introduced consists in the impersonal *nie można* ('[it] is not allowed'). What follows is a list of infinitives referring to the topics or problems that are not to be dealt with in the press or during performances.

Political vs. social

In terms of the linguistic form, the ten prohibitions can be divided into two groups. The two groups (one consisting of the three regulations and the other of seven) differ insofar as the evaluative lexis is conveyed.

Firstly there are those that are introduced by an emotively/evaluatively loaded verbs such as *godzić* ('undermine'), *żyć* ('denigrate'), *wyszydząć* ('deride'), *poniżyć* ('humiliate'; cf. first three points of Article 3). The verbs are collocated with objects that do not carry clear evaluative meaning. Consider for example

*nawoływać do obalenia, żyć, wyszydząć lub poniżyć konstytucyjny ustroj
Polskiej Rzeczypospolitej Ludowej,*

'call to bring down, denigrate, deride or humiliate the constitutional order
of the Polish People's Republic'

*godzić w konstytucyjne zasady polityki zagranicznej Polskiej Rzeczypospolitej
Ludowej i jej sojusze*

'undermine the constitutional principles of the foreign policy of the Polish
People's Republic and her alliances'

A comment on the meaning of *godzić* is in order. The translation of *godzić* as 'undermine' is somewhat unsatisfactory. The Dictionary of Polish edited by Szymczak (*Słownik Języka Polskiego*) defines *godzić* as *celować*, ('to aim'), *mierzyć* ('to target'), *trafiać* ('to hit', 'to score'), *uderzać* ('to hit'). The verb has strong connotations of hitting with a weapon (normally a knife, a sword or the like). Metaphorically, however, it can be collocated with such words as *honour*, *pride* and also *independence*, *liberty* and, particularly, with *alliances*. As no physical action in the above sense can be expressed in this metaphorical use of the verb, it seems to me that this meaning of *godzić* can best be translated as 'hurt' or 'undermine'. It is worth noting that the verb became a frequent feature of the discourse of Polish Communist propaganda. Such phrases as *godzić w sojusze* ('undermine the alliances') became clichés in the discourse of the Polish media under the communist regime. The phrase was used in the sense of attempting to question, undermine the validity of the alliance with the USSR and the rest of the communist bloc. *Godzić* could not have occurred in a positive context (cf. also Bralczyk 1987).

Just the use of the verb is indicative of the fact that the language of the Polish communist law was part of the overall 'discourse effort' of the group in power. The *Ustawa* together with other political acts at the same time reinforced and were reinforced by the dominant language. In such a way, the intertextual (Fairclough 1992) reading of the article could not have interpreted it in any way other than as silencing any question of the dominant position of the Soviet Union in Poland.

The verbal parts of the sentences of the remaining seven regulations do not contain obvious evaluative meanings. They either contain words in the objects

of the verbs that refer to extralinguistic phenomena considered as negative or do not contain such elements at all. In the latter case the whole clause describes an action that is referred to in negative terms. For example:

nawoływać do popełnienia przestępstwa lub je pochwalać
‘call for committing a crime or approve of it’

propagować dyskryminacji narodowościowej i rasowej
‘promote national and racial discrimination’

naruszać uczuć religijnych i uczuć osób niewierzących
‘hurt religious feelings and the feelings of non-believers’

While *nawoływać* (‘call for’) and *propagować* (‘promote’) do not carry clear evaluative meaning (in fact *propagować* could be said to have positive connotations), *crime* or *discrimination* are clearly negative. On the other hand, in the third example, it is the whole action of offending people’s feelings that is negative.

The pattern of division between the two groups goes further than their verbal parts. The three regulations that are introduced by evaluative verbs could be considered to ban *political texts* in the sense that they would concern the state, its actions, and the principles it is founded upon. They would deal with the legal framing of the state. The second set of regulations discussed above bans texts concerning – broadly speaking – the *social*: the society and problems afflicting it. Texts that are banned here might speak of social problems or disseminate information that should not – for one reason or another – be disseminated (such as military secrets).

Why would this be so? Earlier I mentioned that even under the rule of communists in Poland, the Polish constitution guaranteed the freedom of speech, opinion. Censorship is a violation thereof. Thus, instead of banning discussions, reflections, or debates, the Act bans phenomena that are necessarily seen as bad or negative. In other words, debates and discussions are not disallowed; it is denigrating, deriding or undermining that is banned. The sender/lawmaker attempts to present her/himself as somebody who does not want to curb democracy, but rather only eradicate ‘problems’ that are on its margins and can easily be done without. The problem of how to distinguish between the two types of speech activity and whether the Act helps with the task is – at this stage – beside the point. It could be seen for example as a question of the sincerity of the wish to deal with the said negative phenomena. The problem will be tackled below.

The other set of regulations, on the other hand, deals with phenomena and/or actions that are negatively valued in the society – the strategy of evaluation is not necessary.

Guaranteeing the freedom (of interpretation)

Let me now consider the way the prohibitions of the Publication and Performances Control Act were formulated. Once again the divisions between the political and social curbs seems useful; the regulations are quite different.

Political texts

Two of the three ‘political’ prohibitions stipulate a ban on the undermining (Polish *godzić*) of the independence and territorial integrity of Poland as well as the constitutional principles of its foreign policy.

Now, censorship prohibitions are necessarily metacommunicative in their nature – the very referent of censorship is people’s communicative (whether linguistic or not) activities that are intended to be expressed publicly. What is prohibited in censorial regulations must be a (potential) communicative action. The problem with the *Ustawa o kontroli publikacji i widowisk* is that this not always is the case. I think it is quite difficult to apply the notion of undermining to speaking about the foreign policies of Poland. The regulation below is hardly applicable to language:

[nie można] *godzić w konstytucyjne zasady polityki zagranicznej Polskiej Rzeczpospolitej Ludowej i jej sojusze*

‘[it is not allowed to] undermine the constitutional principles of the foreign policy of the Polish People’s Republic and her alliances’

Only a change in the constitution, which stipulated the (eternal) friendship with the Soviet Union or perhaps a coup d’état could actually have accomplished this. Even the fiercest criticism would not. The question of how one ‘aims at and undermines’ the independence or territorial integrity of a country (as stipulated by Art. 2, para 1) merely by saying things publicly is even tougher. It is difficult to imagine an average user of language in a situation that would render her/him able and authorised to do so. After all, even the slogan *A na drzewach zamiast liści będą wisieć komuniści* (‘Communists not leaves will be hanging on the trees’ – an actual slogan used during anti-Communist demonstrations in Poland) had no bearing at all on Poland’s constitutional system and

her government. As the *Ustawa o kontroli publikacji i widowisk* was expressly *not aimed* at controlling other acts of law, the regulation ascribes the capacity to change reality to utterances that cannot possibly have it.

Now, saying that something undermines means referring to at least a potential *effect* thereof. Words that undermine the constitutional order must have some detrimental effect on it. The problem with the formulation in question is therefore that it actually bans *effects* of a communicative action, rather than the action itself. In the process, it leaves open the problem of what texts are to be banned, be it for the reason that a multitude of texts can potentially have the same undermining effect.

The other remaining regulation in the initial political three articles is different insofar as it does refer to possible communicative activities. Such linguistic actions are banned as: *nawoływać* ('to call [for]'), *lżyć* ('to denigrate'), *szydzić* ('to deride'), or *poniżyć* ('to humiliate'). What is interesting about this regulation is that it refers only to actions not only indicating strong negative attitudes towards their objects, but also being themselves evaluated negatively in the Polish culture (see Grochowski 1982). Although *nawoływać* on its own can be seen as neutral, occurring in the phrase *nawoływać do obalenia* [ustroju] ('call for toppling [the system]') and in the context of the Act it must be seen as negative.

Moreover, they (with the exception of *nawoływać*) can be seen as describing a speaker with the clear goal of hurting somebody's (the action victim's) feelings. The element of hurting somebody, making somebody feel bad is so strong in the case of *poniżyć* ('humiliate') that it can hardly be used with the constitutional system as the object of humiliation. In Polish one can hardly humiliate an abstraction.

Vagueness

Now, there is a common problem with the three political bans. Their language is inherently vague. In the following discussion of vagueness I will use two perspectives. One is linguistic – coming from a recent study into the problems of ambiguity and related issues (Su 1994) – and the other is anthropological, based mainly on the ideas of ambiguity proposed by Leach (1982).

Su provides a useful distinction between ambiguity and vagueness. A linguistic item is ambiguous if it satisfies two conditions. Semantically, it must be capable of having two or more distinct meanings (senses or references) and pragmatically, those meanings must be capable of interpretation as tenable in a given context (Su 1994: 59). Vagueness, on the other hand, does not enjoy such

distinctness of meanings. It introduces the presence of uncertainty of meaning; it is – as Su (1994: 116) puts it – a semantic nebula. Pragmatically, vagueness can be described in terms of uncertainty in deciding the very applicability of a meaning.

The example that Su offers as an illustration of the difference between the two phenomena is the following. An ambiguous use of the word *sage* would involve the play on the possible references to ‘plant’ and ‘person’. Vagueness on the other hand would be at issue if a decision whether *sage* could be used in reference to a twenty-year-old man had to be made – age or oldness being one of the components of the meaning (cf. Su 1994: 116).

The three regulations under analysis are formulated in such a way that they make it impossible to identify a clear set of texts being the referent of the banning regulations. The descriptions included there are not sufficient to distinguish what might count as unpublishable. The problem with descriptions formulated in terms of deriding, denigrating and other such lexical items is that these speech acts do not have any consistent linguistic markers – with the exception of, in some cases, prosody, perhaps. The element that distinguishes them from, say, criticising or condemning is the speaker’s attitude and/or her/his goals. In order for an utterance to be an act of humiliation or an act of denigrating, the speaker must have, for example, a scornful attitude towards the object of the utterance and wish to in one way or another damage somebody. Even if one might assume that a journalist may indeed want to hurt the feelings of some officials by saying bad things about something, it would be quite difficult to prove it. In other words, it is impossible – apart from some drastic cases – for a censor to prove rationally that the author of a text did mean offence or not. In the case of interpersonal communication one might argue that humiliation could also be defined by the attitude of the addressee. If I feel humiliated I could at least try to accuse my interlocutor of that act. In the case of the bill in question even this route is impossible. The objects of these humiliations are non-sentient; they are, if anything, legal concepts that cannot talk back.

There is, however, a second level on which the ambiguity of the texts in question can be analysed. It is the level of cultural ambiguation (Leach 1982; Jaworski 1993). As is pointed out by Leach (and other structuralists), cultural categories form bi-polar oppositions. Sacred-profane, up-down, one’s own-stranger, inside-outside are but a few examples. Normally, the oppositions can be seen also in terms of value – one is good, the other is bad. There are flaws in this structured world, however. There are elements that escape the duality. They belong to the sphere in between the poles. Borders or thresholds, for ex-

ample, may be classified as in between oppositions – and precisely because of that they have a special, marked status: they are taboo. For example, according to a Polish custom one should not shake hands over the threshold of the house, and similarly, the community's outcasts or people with special duties (such as executioners) in some cultures lived on the borders of the village or town (cf. for example Leach 1982; for an interesting account of Polish culture in this respect see Stomma 1986).

Now, the two regulations disallowing the undermining of certain constitutional principles attribute powers to texts that cannot have them. Out of two unambiguous categories of texts having such powers vs. ones that do not, there emerges a third one – a set of predominantly media texts of which it is said that they may undermine the political system of the country. They have lost thereby their unambiguous character. In such a way the texts in question become culturally marked. They can also become negatively evaluated – after all they are to be censored – thus they are dirty and hence taboo, at least within the system of the (communist) intellectual ideology (for a more detailed account of cultural ambiguation in censorship, see Jaworski & Galasiński 2000).

Interestingly, nothing of this sort happens in the case of the remaining seven regulations that refer to the social problems. Although one may have reservations as to what extent 'making war propaganda' is a clear formulation, or as to whether it is a political rather than a social text, still regulations banning revealing court proceedings, revealing official or military secrets, or propagating racial or national discrimination can be deemed as relatively easy to interpret and define.

The act of silencing

What we are faced with therefore is a clear difference between the ways in which the Act under analysis deals with problems related to the political sphere of public communication as opposed to the social one. Why should this be so?

The vagueness and indeterminacy of the first three regulations allows the executors of the Act, the censors, to interpret freely and disallow publication of what they and their empowerers see fit. This, of course, must be seen within the perspective of the political context of communist Poland and her allies. It is texts dealing with the Soviet Union and the Soviet bloc in general that are the target of such censoring actions rather than texts in general. Thus, the Act is constructed in such a way that any critical mention of the Soviet Union, rather than of the United States or Brazil, can be assessed as undermining the consti-

tutional principles of Polish foreign policy and thus cut by the censor, which indeed was the case. The situation went to an extreme when the '[—]' markers together with the requisite article from the Act *were read as an indication* that a given text (or part of it) was dealing with the USSR. It was an interesting example of the way the attempt to silence was actually turned against the silencer.

Now, note that analysts of legal discourse have already noted that vagueness is one of the practices of drafting the letter of the law. Maley (1994), quoting a number of studies, writes that vagueness could be useful in allowing the courts the flexibility to interpret the law within the context of a particular case. In contrast to Maley's un-alarmed view of the situation, my view of the vagueness of the language of *Ustawa* is very negative. But the difference is not so much related to the linguistic form as it is to the social and political uses to which it might have been put. The law, and particularly that concerning censorship or other public activity in communist Poland, as in other totalitarian countries, was not much more than attempts to silence opposition discourses, not only from the mainstream, but from the public sphere altogether. It is not an attempt not to allow space for alternative messages in the mainstream media (as might be argued for example by Herman & Chomsky 1988 with regard to Western and democratic media systems); it is aimed at silencing altogether. The law is an instrument of political oppression, part of which consists in not allowing the public existence of discourses competitive to the literal 'party line'.

As I said earlier, the main function of an act of law is performative – it is to change the legal reality. Grodziński (1980:29) contends, however, that linguistically an act of lawmaking has yet another feature. According to him every performative utterance with *legal consequences* has two main functions – that of creating a new reality and that of informing about it. The performative part of the act is to introduce the law as stipulated in the regulations therein. At the same time the act informs about this fact. The beginning of the Publications and Performances Control Act introduced in Poland in 1981:

The Polish People's Republic guarantees the freedom of speech and print in publications and performances.

unequivocally presents the state as the guarantor and indeed the enforcer of the freedom of speech. Yet, the analysis of both the reality represented in the Act as well as the regulations banning certain texts indicates otherwise. *Ustawa o kontroli publikacji i widowisk* is an act of silencing. Its goal is not to protect free speech but, on the contrary, to empower its executors with the right of almost unlimited interpretation and thus *a fortiori* the right to silence others.

Hence this performative act of lawmaking is not what it claims to be. Yet it is hardly a lie: the act of lawmaking is not a statement. There is a hiatus between the informative and the performative sides of the same act. While informing the public that it is a guardian of free speech it imposes censorship and silences free speech: a contradiction of the proposition made by the informative aspect of the Act. Moreover, it imposes censorship in such a way that one cannot determine with any degree of precision what is or is not allowed for publication. As a result what is interpreted as not allowed (by the censor) is therefore prohibited.

Here, it seems to me, we get to the very essence of the communicative nature of the act. A linguistic analysis shows it to be an act of manipulation, an act of pretending to be what it is not. It is an act of silencing in the guise of an act of law claiming to enforce the opposite of silence.

Conclusion: The language of distrust

This essay has presented an analysis of the language of the two initial articles of the *Ustawa o kontroli publikacji i widowisk* ('Publications and Performances Control Act') introduced in Poland on 31 July 1981. The Act marked the first time Polish communist authorities agreed to subject the act of censoring the Polish media to the letter of the law.

Linguistically, the Act of censorship in question is an act of manipulation. It is used to create the pretence of being introduced in order to protect and regulate the freedom of speech. In fact, however, it functions as a means of silencing texts that for one reason or another are inconvenient from the point of view of the ruling communist party. The manipulation is achieved by a contradiction between the informative and performative aspects of the bill – it does the opposite to what it claims to be doing.

Interestingly, in doing so the language of the law reveals distrust in the system it itself is part of. This occurs on two levels. Firstly, it shows a political system that is afraid of things that cannot happen – of texts that cannot actually do what the law says they can. Secondly, it shows a legal system that does not trust its own effectiveness. The law has to resort to linguistic tricks rather than stand for what it claims to be. Had it been powerful, such a need would not have arisen.

Finally, the analysis of the language of *Ustawa o kontroli publikacji i widowisk* reveals a political system that needs to hide itself in order to operate. It

shows a totalitarian regime whose ‘soldiers’ realised that it was not feasible and perhaps this is the most optimistic outcome of the linguistic analysis.

Note

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Appendix

The text (and translation) of the Articles 1 and 2 of the Publications and Performances Control Act.

Art. 1

1. Polska Rzeczpospolita Ludowa zapewnia wolność słowa i druku w publikacjach i widowiskach.
2. Ochrona i zapewnienie realizacji wolności słowa i druku w publikacjach i widowiskach jest obowiązkiem organów i instytucji państwowych oraz organizacji politycznych i społecznych.
3. Korzystanie z wolności słowa i druku w publikacjach i widowiskach regulowane jest niniejsza ustawa.

Art. 2

Korzystając z wolności słowa i druku w publikacjach i widowiskach nie można:

1. godzić w niepodległość lub integralność terytorialną Polskiej Rzeczpospolitej Ludowej,
2. nawoływać do obalenia, lżyć, wyszydzać lub poniżyć konstytucyjny ustrój Polskiej Rzeczpospolitej Ludowej,
3. godzić w konstytucyjne zasady polityki zagranicznej Polskiej Rzeczpospolitej Ludowej i jej sojusze,
4. uprawiać propagandy wojennej,
5. ujawniać wiadomości stanowiących tajemnice państwową, w tym tajemnicę gospodarczą oraz tajemnicę służbową dotyczącą obronności i Sił Zbrojnych,
6. nawoływać do popełnienia przestępstwa lub je pochwalać,
7. ujawniać bez zgody zainteresowanych stron wiadomości postępowania przygotowawczego oraz rozpowszechniać wiadomości z rozprawy sądowej prowadzonej z wyłączeniem jawności,
8. naruszać uczuć religijnych i uczuć osób niewierzących,
9. propagować dyskryminacji narodowościowej i rasowej,
10. propagować treści szkodliwych obyczajowo, a w szczególności alkoholizmu, narkomanii, okrucieństwa i pornografii.

Art. 1

1. The Polish People's Republic guarantees the freedom of speech and print in publications and performances.
2. Protection and securing the enforcement of the freedom of speech and print in publications and performances is a duty of the organs and institutions of the state and of political and social organisations.
3. The use of freedom of speech and print in publications and performances is regulated by this Act.

Art. 2

Using freedom of speech and print in publications and performances it is not allowed:

1. to undermine the independence or the territorial integrity of the Polish People's Republic,
2. to call for bringing down, denigrate, deride or humiliate the constitutional order of the Polish People's Republic,
3. to undermine the constitutional principles of the foreign policy of the Polish People's Republic and her alliances,

4. to conduct war propaganda,
5. to disclose information that is a state secret, including economic secrets as well as secrets concerning the military defence and armed forces,
6. to call for committing a crime or approve of it,
7. to disclose information concerning the preliminary court proceedings without the consent of the interested parties as well as disseminate information of court trials that are conducted in camera,
8. to hurt religious feelings and the feelings of non-believers,
9. to promote national and racial discrimination,
10. to promote what is socially harmful and particularly alcoholism, drugs, cruelty and pornography.

CHAPTER 8

News discourse of Aboriginal resistance in Canada*

Sandra Lambertus

‘To impede communication is to reduce men [sic] to the status of “things”
Paulo Freire, *Pedagogy of the Oppressed* (1993:93)

Introduction

As one of the main circulators of discourse in society, the news media can play the roles of both intermediary and of catalyst in social conflicts. The media comprise an institution of symbolic systems. With regard to the discourses of majority-minority conflicts, media characterize the struggles between groups and, at the same time, convey their own stake in representing conflicts. This necessarily means that media are vehicles of as well as public witnesses for the forces of domination and resistance in society that are to be played out. Yet, as will be demonstrated in this essay, media share vulnerabilities with minorities in terms of potential domination and silencing by power-holders such as law enforcement institutions.

The case study presented here uses the media and law enforcement discourses surrounding a well-known Native-White land use dispute and Native protest that took place in Canada. The 1995 Native Indian standoff at Gustafsen Lake, Canada was a highly contentious dispute involving 18 Natives and non-Native supporters camped on a small parcel of ranch land that they claimed was unceded Aboriginal territory.¹ Previous analyses of news media coverage of conflicts involving minorities have pointed to the ways in which media project ‘us against them’ messages that support the perspectives of powerful news sources and conform to dominant mainstream news frameworks. The circumstances of this Native standoff should have resulted in the media coverage following the same pattern, but this was not entirely the case. The circum-

stances and strategies surrounding one media outlet's resistance to mainstream news discourse provide the focus of the analysis below.

The field of discourse studies includes contributions from many disciplines. The anthropological approach to discourse use has provided key concepts and methods for understanding the use of discourse in society and its function in maintaining or subverting power relationships. This essay examines the structural aspects of silencing Native protesters in the news from an anthropological perspective. This perspective combines structural theory (Levi-Strauss 1963, 1973) with situational analysis (van Velsen 1964, 1967); ethnography of communication (Hymes 1981; Tedlock 1983; Sherzer 1987; Tannen 1993; Duranti 1985, 1994); media anthropology (Silverstone 1988; Lett 1987; Allen 1994; Kottak 1996; Lambertus 2001, 2002, 2003); social psychology (Goffman 1957, 1963, 1967); critical theory (Foucault 1972, 1982; Bourdieu & Wacquant 1992; Wolf 1990); structural media discourse analysis (van Dijk 1985a, b, c, 1987a, b, 1988a, b, 1989, 1993, 1997); and critical studies of media and minorities (Fairclough 1989; Parenti 1993; van Dijk 1983, 1984, 1985b, 1987a, b, 1988a, b, 1989, 1993, 1997). This anthropological approach looks beyond the surface analysis of media texts, to seek connections with the underlying relations between media, news sources and the unique circumstances of the event. The contextual component is informed by ethnographic interviews, a primary research tool in anthropology, with journalists, editors, and news sources.² This structural interpretation of media representations allows for a recursive process between media texts and the actual circumstances that yields deeper insights into the workings of discourse, and here, of the discursive practices that can contribute to, or resist, the silencing of minorities.

The discourse analysis below uses two newspaper accounts of the same violent episode and contextual explanations from ethnographic interviews. The first news story shows the dominant news discourse that acquiesced to pressures to support the police's silencing of Native protesters. The other news story challenges journalistic conventions by breaking this silence, but this involved the journalists and editor breaking the law.³ The news analyses are supplemented by a close examination of the strategies demonstrated by the rogue outlet to resist pressures to conform to one-sided characterizations, and to respond creatively with a news framework that re-conceptualized the players. The means by which the news outlet did this, and the circumstances that enabled them to do it, evidence the ways in which both silencing and the resistance to silencing can take place within the majority discourse in a society.

Theories of mainstream media and minorities

Several media theorists explain common features of mainstream media that influence characterizations of minorities. First, the news framework itself is embedded in the dominant value systems. Warren Breed's (1955) sociological study of newsrooms found that newsroom policy is a hidden phenomenon. The policies are often not written down or stated, but are evident in the content of the news, the editing practices, the story angles, and the underlying white perceptions of ethnic or racial minority news stories. Second, mainstream press often identifies with a generic model of an audience that requires minimal accommodation for differences such as race, ethnicity, or gender. Fairclough (1989) asserts that news producers target an ideal audience with an ideal subject position, and this is mostly a reflection of a dominant ideology. Third, media also collaborate with outside sources in the production of the news. According to van Dijk (1989), the media are partly dependent on other power groupings and institutions such as the police and governments. They negotiate power with institutions and through their public presentation can act to magnify the authority of law enforcement and other government institutions. Fourth, news stories about minorities are also a major source of stereotyping. Parenti (1993) points out that the press has the power to repeat untruths over and over again until the concepts become absorbed into the consciousness of the audience (1993: 193–194). Furthermore, van Dijk (1987a, b) suggests that we base our knowledge about ethnic groups and racial minorities largely on what we see, read and hear from the news media. The everyday lives of ethnic minorities are unknown in mainstream society, but when they do become newsworthy, ethnic minorities are usually portrayed with stereotyped themes. Fifth, media have a track record of promoting a deficit or threatening image of minorities to mainstream society. According to Wilson and Gutierrez (1985) 'minority coverage in mainstream news reporting provides insight into the status of minorities' (1985: 134). Exclusion and misrepresentation of racial minorities foster an 'us against them' syndrome in the mainstream (Wilson & Gutierrez 1985: 139–141). When a minority group offers resistance to hegemonic forces, the media characterize the actions of the minority as a threat and bring this to the larger society's attention. Last, media have a tendency to agitate rather than conciliate when there is a conflict between dominant and minority groups. Van Dijk (1987b), Fairclough (1989), and Parenti (1993) reason that the press is an unsatisfactory conciliator between dominant and minority groups because the media act as both the recipient and transmitter of pressures to conform to the dominant ideology. This diminishes the possibilities of fair

representation of racial and ethnic minorities; particularly representation that would enhance reciprocated positive values for their differences.

Further analysis of the above media theories reveals that the implied circumstances of media production may be unavoidable. News production practices naturally reflect the perspectives of owners and publishers, and take into consideration economic repercussions of editorial policies and competition for a broad-based audience. Particularly during conflicts, media are not likely to present news stories that subtly affirm a marginal perspective. Furthermore, if media claim to reflect the values of a mainstream audience, it is understandable that the media would 'lead the charge' in the defence when these values appear to be challenged. Media must rely on powerful sources for 'hard' news, and these sources will likely influence the tenor of the news message. When media repetitively associate certain attributes with a group who is otherwise unknown to us, we naturally create a mental representation for future reference. Lastly, 'news' implies an exceptional occurrence, and sensationalising the news contrasts the particular event with mundane experience. Although these theories may accurately portray standard conditions of news production, the theoretical perspectives assume conformity and lack of agency among all media outlets in their portrayal of minorities. What is more, the theories place the locus of blame and expectation of reform squarely on the shoulders of the media.

The above theories and circumstances offer plausible explanations for the media characterizations of the Gustafsen Lake Native Indian dispute which threatened to destabilise a community and possibly the whole country. However, the actual media texts as well as the contexts of the news event and news production reveal deeper levels of complexity in the representation and the degree of agency within the media to contest the silencing by a powerful news source.

This essay will now examine how two news stories depicted the 1995 Native Indian standoff at Gustafsen Lake.

Context of the 1995 Gustafsen Lake standoff

Discourse of resistance and political activism is not new to Canadian Aboriginal peoples, and this is especially true in the province of British Columbia, where Gustafsen Lake is situated.⁴ Technically, nearly all of the province of British Columbia could be considered as belonging to Native Indian peoples. This is because save for Treaty 8 in the northeastern corner of British Columbia and the Douglas treaties in the 1850s, there have been no agreements with

the Indians to extinguish Aboriginal title. Between 1927 and 1951, Native Indian claims activity was outlawed. However, it went underground, continuing in a clandestine form on the north coast (Tennant 1990: 82). Starting from 1951 when discussions were formally resumed, Aboriginal peoples of British Columbia became more focused on declaring their Aboriginal title to the land and natural resources.

Since the mid-1970s there has been a series of Aboriginal protests over fishing rights and reserve matters. Blockades were established to inconvenience local Whites. The Royal Canadian Mounted Police (RCMP) responded to the blockades with reinforcements. During these conflicts, a senior police officer acted as a media spokesman (Tennant 1990: 207–208). At about this time Aboriginal land claims were initiated, beginning with the Nisga'a in 1974. However, the failure to resolve any of these led to further conflicts. During the demonstrations of the 1980s 'protest leaders actively sought the understanding of the non-Indian editors and journalists in order to influence white public opinion' (1990: 209). In the 1980s, the media became instrumental in bringing Native Indian land claims to the public forum. As a consequence, the debate concerning the resolution of Aboriginal land and resource allocation became a provincial election issue in 1983 and 1986 and a federal election issue in 1984 and 1988 (1990: 209).

In the late summer of 1995 at Gustafsen Lake, Canada, about 20 Aboriginal people and their supporters initiated a protest over property rights, perhaps with the aim of forcing a resolution for the whole province. The dispute resulted in the largest police operation in Canadian history.⁵ The local RCMP police detachment was asked to resolve a dispute between a rancher and Native Indian sundancers. The rancher, who had originally given permission for the sundance to be held at the Gustafsen Lake location in 1989, had an 'open door' policy for all visitors to enjoy Gustafsen Lake. However, he was concerned that the people involved with the sundance were overstepping their bounds. After the sundance in 1994, the sundance leader and his wife stayed in the cabin over the winter. Forestry workers, campers and ranch employees alleged shooting incidents originating from the sundance camp. During the summer of 1995, the sundancers constructed a fence. These activities contradicted the original agreement the sundance leader had made with the rancher.

The tensions between the sundancers and the rancher intensified, with both sides deepening their resolve. A few people remained in the camp after the conclusion of the 1995 sundance ceremony. Each side claimed that the other group had aggressed against them, but there was little hard evidence. At about this point, the event of the sundance was eclipsed by the people in the

camp mounting a protest concerning the rightful ownership of the property. A spokesperson for the protesters' group contacted several media outlets and announced the issues that were being defended. The protesters also rallied Native Indian support from other parts of the province, the country, the United States and Mexico. The protesters claimed that the Shuswap nation was the legitimate owner of the land, and following the advice of their lawyer, would call on the Queen of England and the British Privy Council to make an objective judgement.

Despite the support from Aboriginal groups across North America, few local Natives defended the protesters. Local Native leaders were concerned that the protesters were spoiling for a fight, one that would destroy whatever goodwill and positive relations that had developed over the years between the local Native and non-Native communities. The local RCMP, who were at first reluctant to intervene, decided to call for outside assistance to assume command over the situation when two people associated with the sundance camp were arrested on illegal weapons charges. A camouflaged police reconnaissance team surveying the camp was allegedly fired upon by the people in the camp. In response to these developments, the local and regional RCMP redefined the civil dispute as a 'criminal investigation'.

Within a few days, approximately 400 RCMP and up to 60 media personnel had converged on the area, and the closest town, 100 Mile House became the command centre and media bureau. Activists from environmental, human rights, and Aboriginal land disputes arrived to lend support to the protesters' position. According to the local inhabitants, the presence of a large contingent of police, media, activists, and camp supporters created a surreal circus-like atmosphere that did not subside until the standoff concluded and the 'outsiders' left.

The police silencing of the protesters was not immediately enforced. For about one week, the media were able to travel unimpeded to the camp to interview the protest leaders. After that, the RCMP made a decision to set up barricades to prevent the public and media from accessing the camp. The police blockade prevented the protesters from telling their side of the story to the media. The isolation of the protesters from the outside world and lack of impartial witnesses meant that the police had the power to dominate the circumstances of the conflict and to all intents and purposes dictate filtered media information. The only direct source of information about the camp was available through radio-scanners, which picked up some of the radio-telephone conversations between the protesters and the police mediators. The protesters had no way of knowing that their radio-telephone discussions with RCMP mediators

were heard by civilians with scanners. On the other hand, the police were aware of their unofficial audience. They attempted to minimize the eavesdropping by changing radio frequencies, using military-type speech codes, and eventually having a private telephone line installed.

Initially, to supplement their stories several media outlets began broadcasting and publishing information they had overheard from radio-telephone conversations between the police negotiators and the protesters. In response, the RCMP media liaison called an off-the-record meeting with the media. He informed the journalists that broadcasting and publishing the information jeopardized the negotiations and put lives at risk. He explained that the media had an important role to play in the 'multi-faceted operational plan' for a peaceful resolution of the conflict, although he never defined in specific terms the media's role during the standoff.⁶ The media liaison told the group that the RCMP would consider legal action if they continued the practice. The journalists consulted with each other, their editors, and their legal advisors. Almost all of the outlets immediately complied: stories were pulled and edited where necessary. Only one media outlet, the *Vancouver Sun*, continued to publish these classified transcripts in spite of being threatened with possible legal action.⁷ The *Sun* reporters defied all entreaties to conform.⁸ Indeed, the *Sun* published a story about the issue of RCMP media silencing.⁹

The peaceful surrender and arrests of the camp occupants followed by a trial to assess whether criminal acts that were committed should have been the natural conclusion to the Gustafsen Lake standoff.¹⁰ In the public eye, the police, with the assistance of third party Native negotiators, successfully averted a Waco-style confrontation.¹¹ However, at the preliminary trial of the Gustafsen Lake defendants, the Defence Council demonstrated to the court that the media accounts contained so many inaccuracies and false reports of violence that this became a central argument in the defence strategy. The Defence Council allegations were based on contradictions among police, police records, transcripts, RCMP wescam aerial films and RCMP training videos, Native Indian sources, and media news reports. There is no way of gauging the collective and individual harm to reputations due to the media coverage, but public opinion polls since 1990 point to decreasing support of Aboriginal issues in Canada. According to Kallen (1995), this stems from the first nationally covered Native standoff in 1990 at Oka, Quebec.¹² However, unlike the other major conflicts involving police and Aboriginal people, the Gustafsen Lake standoff provided strong evidence that the police overtly manipulated and fed the media information that would inflame public sentiments.¹³

Analysis of two news stories

The following analysis represents only two of the 561 news stories included in the study of the national media coverage of the 1995 Gustafsen Lake standoff. The two news stories detail the most violent episode of the conflict. The first account is taken from *Canadian Press*, a news service co-operative that distributes stories to approximately 90 newspapers across Canada.¹⁴ This story was originally published in the *Victoria Times Colonist* and reprinted in Canada's national newspaper, the (Toronto) *Globe and Mail*. It also appeared in near-identical form in the cross-Canada newspaper sample for large urban centres across Canada. This includes the *Edmonton Journal*, *Saskatoon Star*, *Phoenix*, *Regina Leader Post*, *Winnipeg Free Press*, *London Free Press*, *Toronto Star*, *Montreal Gazette*, and (Newfoundland) *Evening Telegram*. The second account is taken from the *Vancouver Sun*, a newspaper with the largest circulation within the province of British Columbia. The *Sun's* version was the only account in the national media coverage that contests the police accounts and engages in its own form of resistance, with embedded transcripts of a radio communication from the protesters to the RCMP mediators.

The following analysis of two news stories is modelled after van Dijk's structural analysis of news discourse (1983, 1985a, b, 1988a, b, 1989). I begin with an examination of the relevance structures, which refers to the hierarchical ordering of information and sources. Next follows a look at the linguistic structures of news discourse, which includes lexical choices (by the journalist and media sources), syntactic structures, and reported speech.¹⁵ Thematic structures then provide an assessment of the dominant themes in the news accounts. I have included an analysis of rhetorical strategies (strategies that promote authenticity, precision and persuasiveness of the story and the sources), but limited this discussion to specific examples. For each of the structural components, I contextualize the analysis with findings from the ethnographic interviews with journalists. I conclude the discussion with explanations for the *Sun's* resistance by drawing from Fairclough (1989) Parenti (1993) and ethnographic interviews with the *Sun* reporters and the editor.

Context of the news story

In the early afternoon of September 11, a pick-up truck carrying two men, a woman, and a dog from the camp drove onto a forestry road. An explosion halted the truck and two of the people ran from the truck into the bushes and

then into the lake adjacent to the camp. A third occupant fled in a different direction. An Emergency Response Team (ERT) member shot and killed the dog. The female passenger from the truck was shot in the arm but escaped with her partner when shots from the camp diverted police attention.

The news of the flash violence provoked turmoil among the media, police, and Aboriginal supporters and sent everyone scrambling to explain what had happened. During the press conference, the RCMP used rhetorical strategies such as the discourse of justification, and its strategic advantage of speaking on behalf of the protesters to discredit possible claims that they ambushed the occupants of the truck.¹⁶ With the exception of the *Vancouver Sun*, the news media responded to the crisis by employing discourse strategies within the news story structures that offered coherence with the police. The *Sun*, on the other hand, used its strategic power with the police and its media competitors to become an active discursive agent in resisting the pressures to silence the perceptions of the Native protesters.

1. *Canadian Press*

I have included approximately the first two-thirds of the article, which represents the basic story that was picked up by most of the other newspapers outside of British Columbia that were in my sample.¹⁷ I have broken down the story into convenient segments for the purpose of this analysis, and capitalized the invective labels.

- (1) *Three natives shot in firefight – Nobody is leaving the camp, Mounties told, after battle with armored carriers – 100 Mile House, B.C. (CP)*
Three natives were shot during a firefight Monday with RCMP using armored personnel carriers outside an armed camp in the B.C. Interior.
It was not known how serious their injuries were.
- (2) *REBEL leader William Ignace, known as Wolverine, “advised our negotiators that three people were injured as a result of the gun battle,” RCMP Sgt. Peter Montague told a news conference.*
- (3) *When RCMP suggested helping the wounded leave the camp, “his response was that nobody was leaving the camp and the conversation ended.”*
- (4) *Monty Sam, a Shuswap native, went into the camp after the gun battle, said Sam’s wife Jeannette Armstrong.¹⁸*
- (5) *Montague identified some of the camp’s leaders, saying that “for reasons of public interest, the RCMP is now compelled to inform the public as to whom*

we are dealing with at the camp (sic).¹⁹ There's a criminal agenda which is continually being advanced by the criminal element in that community," he said. "They have usurped any legitimate goal and objectives of the local people with their own self-serving criminal agenda."

- (6) *The gun battle began when a pickup truck tried to go outside a "no-go zone" around the camp, he said.*
- (7) *But an aboriginal negotiator said police knew the pickup truck was coming out of the camp to meet native elders. "The RCMP were well aware that these people come out of the camp, come up to the road and sit awaiting the arrival of the delegation," said Gordon Sebastian.*
- (8) *The truck was disabled when it drove over an "early warning device" police had put in a logging road in the zone, Montague said.*
- (9) *The two or three people in the truck then grabbed weapons and ran into the bush, he said.*
- (10) *A Bison armored personnel carrier on loan from the Canadian Forces then joined the fray but experienced mechanical difficulties when it was hit by fire from an AK-47 assault rifle, Montague said.*
- (11) *A second Bison was called in but both vehicles "came under heavy fire" so police started shooting back, he said.*
- (12) *He said police recovered an AK-47 and a hunting rifle from the truck.*
- (13) *It was the seventh time police have been fired on.*
- (14) *Nathan Matthew, a spokesman for the so-called liaison group between the REBELS and the RCMP said earlier that the SQUATTERS were looking for reassurance they won't be harmed if they give up and won't be abandoned when they face the justice system. "They must have some kind of safety provided to them," said Matthew, a member of the Shuswap Nation and chief of the North Thompson band. "There must be some reassurance that due process will be had for them."*
- (15) *The standoff entered its fourth week Monday in the confrontation between the armed aboriginals and police surrounding the remote piece of ranchland the natives claim as sacred aboriginal territory...*

(Toronto Globe and Mail, from the Victoria Times Colonist, 12 September 1995)

(This is where the majority of the Canadian Press stories disseminated across Canada concluded.)

Relevance structures

Relevance structures track the news hierarchy of important and relevant information, and the status of media sources. The most important information is found in the headline and lead-in, with other information ranked below in descending order. The headline, 'Three Natives Shot in Firefight' reduces a complex situation to a short phrase that neglects the agent of the shooting, although 'firefight' conveys the extremity of violence. Subsequent details of the episode privilege the RCMP spokesman who is quoted first, and most frequently. Although there is some attempt to include challenges offered by Aboriginal spokespersons to the RCMP interpretation of the incident, these quotations are placed further down the story, lodged between lengthier segments devoted to the police perspective. The separation of the quotations by Native Indian sources diminishes their rhetorical potency. These quotations appear mid-point in the story structure, and consequently the reader would not likely remember the details.

The structural hierarchy of information and media sources corresponds in many ways with what transpired during the news coverage of the standoff. The police domination of the news story parallels their domination of news gathering during much of the standoff. The police controlled access to the camp through their barricades and they controlled the press conferences held in a hotel conference room. They organised and dictated the timing of the press conferences, and they monopolized the content of authoritative information. This, plus journalistic news norms, dictated that the law enforcement spokesperson would speak first. Nevertheless, the media did have alternative news sources. The radio-communications between the camp and the police occasionally provided provocative information, but the threat of legal action by police inhibited *Canadian Press* journalists and their employer from publishing from this source.

Legitimate news sources included the spokespeople for the Native chiefs and elders who were conciliating between the police and the camp. Yet, the Native chief who spoke at the firefight press conference attempted to offset, but not directly refute, the police message. He believed that if the Native intermediaries challenged police information during the press conferences, the police might withdraw their permission for chiefs and elders to remain in direct contact with the camp. This could potentially increase the risk of loss of life for the police as well as the protesters. The Native intermediaries regarded self-silencing as their best media strategy.

Supporters of the protesters wanted to talk to the media, but as members of the press conference audience, it was considered inappropriate for them to speak out during press conferences. In response, the supporters arranged a separate venue at the vacant gasoline station next door. For the most part, protest supporters offered information concerning the history of Aboriginal relations with government and police institutions in Canada. Journalists regarded this information as useful, but it did not allow the news narrative to progress. The media wanted fresh news about the camp, which the supporters could not provide. Thus the supporters lacked the status, the news value, and the legitimacy to challenge the dominant position of the police during the news gathering process. Consequently, journalists did not consider the supporters' contributions to the news story significant.

Linguistic structures

The analysis of lexical choices, syntactic structures, and reported speech present another level of understanding the characterizations of the episode as a war and the principal antagonists as 'the enemy'. Lexical choices by the journalist and the police media source promoted wartime images, with their common use of 'gun battle'. The journalist provides further coherence with the incorporation of 'armored personnel carriers', 'AK-47 assault rifles', 'Canadian forces', as well as referencing 'the wounded', 'armed camp', 'no-go zone', 'came under heavy fire', and 'hit by fire' in the news account. These lexical choices provide vivid imagery that would most likely undermine counter-perspectives, such as that the episode was not as violent as described, or that 'the enemy' was not the aggressor.

The police's choice of language and syntactic structures are central to the rhetorical operations and thematic structures in the news account. The discourse also mystifies the activities of the police during this most violent episode of the standoff. The euphemisms 'disabled' and 'early warning device' mask the actual damage and potential for serious injury or death, and avoid the issue of police using excessive force.²⁰ Indeed, almost all of the syntactic structures used to depict violence against the camp or the people in the truck are passive constructions, missing the detail that the police initiated the violence. The exception 'so police started shooting back' is found after the police lay blame on the protesters as justification of their actions. The journalist assists the police in contrasting their moral superiority over that of the protest leader, with the journalist's introduction of the 'Rebel leader', followed by the police suggesting 'help' and the police quotation of the protest leader saying 'nobody was leaving

the camp'. The police justification 'for reasons of public interest' emphasises the authority of the law enforcement agency to suppress and release information, based on their assessment of what is good for the public. The police source disparages the people in the camp by injecting language that emphasises the criminal character of the camp, by using 'criminal agenda', 'criminal element', and 'usurped any legitimate goal and objectives'. The public notification promotes a criminal theme in the assessment of the protesters, which indelibly ruins the credibility and legitimacy of the people in the camp. The journalist's use of 'rebel' and 'squatters' supports this criminal theme.

In contrast, the Native spokesman's lexical choices and syntactic structures in Segment 14 characterize the protesters as vulnerable victims: 'looking for reassurance they won't be harmed', that they 'won't be abandoned', requiring 'some kind of safety provided to them' with 'some reassurance that due process will be had for them'. However, these appeals are not effective as rhetorical strategies: first, because they are positioned after the criminal characterizations, and second, because the journalist subverts the Native media source's reported speech with contradictory language: 'the so-called liaison group,' 'rebels,' and 'squatters' in the Native media source's reported quotation.

Unlike accounts authored by staff journalists, this *Canadian Press*-authored news story includes linguistic structures in the form of stock phrases that the *Canadian Press* circulated (with periodic adjustments) across Canada for most of the standoff. 'It was the seventh time police have been fired on' in Segment 13 constitutes a form of score keeping, although it is one-sided. This number includes a shooting incident that did not happen, and other incidents that had yet to be proven in court. During the course of the standoff, there were no tallies ever published for the RCMP. Another stock phrase is found in Segment 15, 'The standoff entered its fourth week Monday. . .'. This summary opens with a time marker that reinforces how long the dispute has lasted. The explanation for the conflict is an over-simplification. Not all the people in the camp were Native people. The police, by far, outnumbered the camp and they were better armed. The emphasis on the 'sacred territory' was the rationale for land ownership, but the explanation does not allude to the camp's challenge to the provincial treaty process. The repetition of such phrases would have a reinforcing effect on the narrow definition of the situation, which pitted Native and non-Native interests against each other. Tallies and time markers were ways of extending the news narrative from a previous account to the current one. They explained the conflict with an economy of verbiage, while assisting audience understanding. However, simplicity came at the cost of misrepresenting the complexity of the situation and the people involved.

The journalist's use of 'Rebel' and 'rebels', as well as 'squatters' in the narrative and in an indirect quotation distinguishes the identity of the 'bad guys'. The reliance on this sort of labelling by the *Globe and Mail* and the *Canadian Press* in general is significant in the assessment of the national media coverage. During the month-long standoff, the *Globe and Mail* incorporated the labels 'rebel', 'renegade', and 'squatter' more than any other newspaper in the sample of 17 newspapers across the country. It published 80 standoff stories that included 250 labels during the one-month period. This does not include an additional 58 instances where the labels were embedded within indirect quotations. Because *Canadian Press* was the primary supplier of news accounts to the *Globe and Mail* as well as other newspapers throughout Canada, the tabulation for *Canadian Press* provides a national pattern of representation of the camp. Although *Canadian Press* authored 58% of the news stories in the national sample, its news stories accounted for 70% of the invective labels and 75% of the invective labelling found in indirect quotations.

Ethnographic interviews with journalists reveal that they debated their use of language to identify the people at the camp with their editors. Media outlets wanted journalists to provide consistent terminology throughout the coverage. 'You know, this whole debate was one we all had. At some point in time, somebody was favouring calling them 'campers' and everyone sort of, like, laughed at that one – like no, they're not campers. . . .' Journalists recalled that the people at the camp and their supporters became upset with the media's use of 'rebels'. 'They didn't like us calling them "rebels" . . . They felt they weren't "rebels" – they were defending their own land'. Several journalists considered the intensity of the language used by the RCMP media sources gave tacit permission to use whatever language they wanted. 'You're getting your information from police, or politicians, getting your descriptions of the people and what's happening, and you tend to pick up their descriptions'. Although the journalists considered injecting invective labels such as 'rebels' into indirect quotations inappropriate, none of them admitted to resorting to this practice during the standoff. One reporter remembered, 'Every once in a while, we were told [by the editors] to tone down the language'. Some journalists noted that the RCMP also tempered their language, and tried to play down references to people in the camp, probably to the other extreme. *Canadian Press* journalists said that they selected 'rebels' because it was not as extreme as 'terrorists'. A few journalists commented that it was difficult to find neutral descriptors that would allow the audience to make up their own minds. Nevertheless, the labels that prevailed were not neutral and, at the time of the standoff they cast a pre-judgement of lawlessness, falling in line with the RCMP definition of the situation.

Timesaving strategies were especially important for *Canadian Press* reporters, who faced a hypothetical deadline-every-minute by having to feed news stories to several time zones. For journalists filing more than one story per day stock phrases eliminated time spent on composition. The use of computers was particularly helpful with this. 'When you do two or three stories a day on your laptop, you're storing them all the time on a disk, so if you're doing any story – I would...I think everybody would do this – call up a previous story, so you don't have to keep re-punching the background. . . . I guess some of the stock adjectives, phrases were there [too]'

Thematic structures

Thematic structures summarise the topics covered and provide the highest level of abstraction with other structural elements in the news story. The headline 'Three Natives Shot' serves as the *Globe and Mail's* (and the *Victoria Times Colonist's*) summary that the news was about Aboriginal people and extreme violence. Other themes include Aboriginal spirituality in conflict with private property. More generalised themes in the firefight news story include law enforcement versus criminals, and wartime. These themes connect with other news stories from the time large media outlets began covering the story.

The context of the news coverage reveals that the news themes were rooted in events and experiences that took place before the standoff, and that further developed as the Gustafsen Lake standoff unfolded. Most of the journalists from Vancouver covered previous Native standoffs and blockades where the police controlled media access, and few journalists developed a positive rapport with Native protesters. Many of the journalists at the Gustafsen Lake standoff sensed from the beginning of the standoff that the radical declarations from the protesters and the massive police presence bore similarities with the 1993 standoff at Waco, Texas. Several reporters anticipated that the Gustafsen Lake standoff would end in a violent confrontation between the camp and the police. These fears increased at the mid-point in the standoff, when news broke that police had shot and killed a Native protester at Ipperwash, Ontario, in eastern Canada.

There is also evidence that suggests that the police encouraged the media to criminalize the Gustafsen Lake protesters during the complimentary flight the police offered several journalists. The police media source intimated to some of the journalists that several people in the camp had previous criminal records. Days later, the police media source advised two radio announcers that most of the people in camp 'had been convicted of murder'.²¹ These exaggerations are

consistent with the police referring to the protesters as ‘terrorists’ during the breaking press announcement of the standoff, which provided the journalists with a lasting impression of the people involved. These preconceptions did not encourage journalists to develop trusting relations while they were still able to access the camp. Most of the journalists found the protesters volatile and suspicious of the media. The few journalists who gained the trust of the protesters were motivated because of media competition in securing important sources of information, not because they supported the ideology or the arguments of the camp.

A theme that *Canadian Press* disseminated connected the conflict at Gustafsen Lake with Native spirituality and land claims. However, it appears that this theme lost sight of the police’s rationale that their operation concerned illegal weapons in the camp and a series of shooting incidents. During an interview for this research, the commanding officer of the police operation was emphatic that the operation had nothing to do with religious practices or the dispute over land ownership. Unfortunately, the police did not reinforce this point during their press conferences, and *Canadian Press*, with its dependence on recycling stock explanations, carried its misguided message across the country for most of the conflict.

2. *Vancouver Sun*

I have capitalized the invective labels, and italicized the portion of the news story that most deviates from the typical mainstream model.²²

- (1) Three REBELs feared hurt in wild shootout
100 MILE HOUSE – Police and native Indian leaders presented starkly different versions Monday night of a shootout that may have left three of the REBELs at Gustafsen Lake injured.
- (2) The gunfight erupted about 2 p.m. as a negotiating committee from a native Indian liaison group approached the RCMP’s final checkpoint into the camp – a log barricade across the road.
- (3) Several hours after the gun battle, two REBELs were arrested outside the armed camp and another man was reported missing. Glenn Deneault and Edward Dick were taken into custody by police Emergency Response Team members about 9:30 p.m., said RCMP Sgt. Peter Montague.
- (4) “They came out of their own accord; they wanted to come out and they did,” he said.

The two men were escorted out of the camp area in a convoy of police cars to the RCMP detachment at 100 Mile House, where they were interrogated.

- (5) Montague also said that an unidentified woman involved in the afternoon firefight – which earlier conjecture had as being mortally wounded – had been hit in the arm and was receiving medical attention from REBELs inside the camp. He said medical assistance offered by the RCMP was refused.
- (6) Deneault has previous criminal convictions for fraud and theft, Montague said.
Montague also said late Monday that another REBEL went missing during the afternoon firefight. The man may have been hit by rifle fire of “unknown origin,” he said.
- (7) The shootout was triggered when native Indians drove a red pickup truck beyond a perimeter police had warned them not to cross, Montague said. “Yesterday, the occupants of the camp had been advised to stay within a confined area and that area was well described to them. The RCMP had tightened their security net, and they were well aware of that,” Montague said.
- (8) “When the Shuswap representatives were approximately three kilometres from the camp, the same red pickup from the camp whose occupants had previously fired upon the RCMP helicopter, departed the camp and drove outside the restricted perimeter.”
“Quite a ways” outside the perimeter, Montague said, the red pickup drove over an RCMP early-warning device “and was disabled.” Montague confirmed it was an explosive device.
- (9) He said the two occupants, or possibly three, jumped out of the truck and ran into the woods with their weapons. “The RCMP pursued the individuals but discontinued the pursuit when the two individuals commenced firing upon our members. A search of the vehicle resulted in the recovery of two weapons, an AK-47 and a hunting rifle.”
- (10) Montague said AK-47 fire from the native Indians disabled a Bison armored vehicle manned by RCMP Emergency Response Team members. He said the number of rounds exchanged were in “the thousands.”
- (11) Montague was asked why RCMP forced the issue with the REBELs by tightening the perimeter on Sunday if negotiations were so close to reaching a peaceful conclusion.
“It was a very simple thing; they went beyond the perimeter and were told

- not to,” he said. “We drew a map for them. We showed them exactly where the perimeter was.”
- (12) *After the gunfight, Montague said, RCMP contacted the camp and spoke to Jonesy Ignace, who goes by the name of Wolverine. Ignace told the RCMP that three people were injured, including an unarmed woman. When RCMP asked Ignace to return everyone to the camp so the injured could be removed, Montague said Ignace told them “nobody was going to leave the camp.”*
 - (13) *Wolverine let fly a string of expletives and accused police of betraying their promise not to hurt the campers.*
 - (14) *“You murdered one of our women, you bastards,” he screamed over the telephone. “It’s payback time, you motherf—ers.”*
(Ignace later referred to three people being injured – not killed – in the firefight.)
 - (15) *Police asked if anyone in the camp wanted to come out, but Wolverine said no one would leave.*
 - (16) *Later, Percy Rosette, one of the spiritual leaders in the camp, accused police of double-crossing the campers.*
 - (17) *“Everything went wrong with your people. It was a bomb,” he said. “You people started firing first again. Your people sent bombs.”*
He said no one would come out now because they believed the police would kill them.
 - (18) *Still later, another person in the camp, who refused to identify himself, picked up the telephone and told police to back off or they would be killed.*
 - (19) *“I’ll tell you something before you tell us. You are going to listen. That wasn’t very nice what you done, and you better expect we are going to engage you. We are not going to back down. All you f—ing people get out of here now or we’re going out now and you’ll be answering for a lot of shit, and this will spark the fire worldwide.” (sic)*
 - (20) *Shortly after the exchange of gunfire, an ambulance entered the outer perimeter, but returned minutes later without any of the injured.*
Police responded to the firefight by bringing in a large number of officers from the Emergency Response Team.
 - (21) *The firefight came as the four native negotiators reached the inner perimeter at 2 p.m. One of the negotiators, Gordon Sebastian, said police were aware that a greeting party from the camp came every day to meet negotiators.*
 - (22) *But when the Shuswap elders reached the meeting point, no one was there. Shortly after, “there was a large discharge and we felt the wind on our faces*

and clothes,” Sebastian said. “And then there was small calibre fire – about 11 or 12 shots.”

He said they did not hear gunfire again until 2:15 p.m., “at the most, 60 rounds were fired.” He disputed the RCMP’s estimate of thousands of rounds being fired.

Police later yielded to demands from the camp to allow one of the negotiators, Sam Marleau, to return unescorted to determine what happened and who was injured. Marleau had not emerged from the camp late Monday.

- (23) *Marleau’s wife, Jeanette Alexander, another of the negotiators who had entered the perimeter, said the main objective of today’s aborted negotiations was the placement of the perimeter. She said the camp was cut off from water and firewood, and the people inside had wanted the border extended.*
- (24) *Montague refused to discuss the issue of the perimeter.*
- (25) *Rather, in a dramatic move, he read off a litany of charges and convictions against at least half a dozen of the main players in the camp, including Jones (Jonesy) Paul Ignace, Joseph Adams Ignace and John Hill, known as Splitting The Sky.*
- (26) *But Sebastian, a lawyer, publicly rebuked Montague and the RCMP for what he said was a public relations “game” in talking about charges against the individuals.*

Relevance structures

At a superficial level, it appears that the news hierarchy of information and media sources in the *Vancouver Sun* story of the firefight follows the traditional pattern. But closer analysis reveals that the *Vancouver Sun* account reconfigures the traditional news structure as a debate. Several adaptations point to a debate structure that holds this news story together. First is the ambivalence of the headline, ‘Three Rebels feared hurt in wild shootout’, (which will be more fully discussed). Next is the lead-in which normally presents the most important summary of the news, but here announces that there are conflicting perspectives about the firefight. The journalist then begins to structure the debate by reviewing what is known about the episode. Then, the police information and police quotations provide the affirmative side of the debate, which the journalist counters with the Native negative side of the debate, beginning with the radio-communications transcript. The journalist then segues to other Native media sources. The turn-taking between Native and police sources near the end of the news story provides the rebuttal and final arguments in the de-

bate. This dichotomous news structure also corresponds with the presentation of two different news venues: the police press conference, and the post-firefight scene at the camp, with near-seamless transitions from one venue to the other. The structure of the question and answer format between media and the police source infers the press conference venue. The venue of the camp is apparent in the dramatic shift to an emotional, threatening and accusatory tenor of the discourse. The *Vancouver Sun's* news story elevates the status of the Native perspectives by offering an innovative news story structure. As a debate, the source having the final word has a strategic advantage, which in this case belongs to a Native lawyer, who challenges police motives.

Several contextual factors likely influenced the structure of the *Vancouver Sun's* account. The police dominance over authoritative news information at their press conferences and their suppression of radio-communications as a media source forced media outlets into 'pack journalism'. Typically, this situation inhibits critical journalism. Everyone's news stories are based on the same information, and there is little competition between outlets. The media's reliance on the police for most of the news information also meant that their stories would reflect the police's dominant perspective. However, the *Sun's* defiance of the police over the issue of police radio-communications gave them a strategic advantage over their media competitors and over the police. The other outlets were legally bound to comply with the police, despite the fact that all of the journalists were listening to the police radio-communications. Journalists from other outlets were critical of the *Vancouver Sun*, not necessarily because of the legal or ethics issues, but because of the unfair competitive advantage publishing from the unauthorised source gave them. The distinction of the *Vancouver Sun* as a rogue outlet was an incentive for them to provide critical news coverage of the standoff. This was demonstrated at the time of the firefight press conference, when journalists from other media outlets sensed that the RCMP were not being forthright, but they were not in a position to write critical news accounts. *'I had a sense that Montague was covering up, we always know they wouldn't tell the good stuff, [but on this occasion] we had the sense that things got out of control – that's what scared us.... We had no sense that the RCMP had everything under control. I don't think they were equipped for the situation'*. The *Sun* was the only media outlet that directly challenged the police press release, by publishing the camp's perspective of the firefight. In all likelihood, the *Sun* journalists conceptualized the news story structure as a debate when they heard the radio-communications from the camp.

Linguistic structures

Lexical choices, syntactic structures and reported speech in this account reveal an ambivalence in the news narrative toward the police as well as the Native protesters. Similar to the *Canadian Press* account, the *Vancouver Sun* also employs language that evokes war images: ‘gunfight’, ‘gun battle’, ‘shootout’, ‘restricted perimeter’, ‘AK-47 fire’. The police media source also contributes to these images by reporting the rounds exchanged in ‘the thousands’, police confiscating an ‘AK-47’, and using a military-style obfuscation, ‘early warning device’. The *Sun* consistently uses passive syntactic constructions when describing violence, arrests, and police interrogations. This contrasts with one active construction by the police, ‘individuals commenced firing on our members’, and several from Native people in the radio-communications: ‘you murdered one of our women’, ‘you people started fighting first again’, and ‘you people sent bombs’.

Similar to the previous news story, the *Vancouver Sun* uses ‘rebel’ several times in the news account in indirect quotations. But the *Sun* terminates this usage at the point in the story that introduces the radio-communications. The use of ‘rebel’ shows the journalist’s support of the police perspective in the first half of the news story. Conversely, the shift away from ‘rebel’ marks the journalist’s support of the Native perspective in the second half of the news story. Unlike the *Canadian Press*, the *Vancouver Sun* does not report police assertions about the criminal elements in the camp or a criminal agenda. Instead, the *Sun* account identifies individuals the police have named, and in one case the previous crimes committed. The details of criminal involvement are divided between the two sides of the story: the name and record of one individual in Segment 6, where we find the police perspective; and the names of three camp leaders (but no records) in Segment 25, where the Native perspective dominates. Although the news story incriminates four individuals having criminal records, the split presentation as well as the specificity are less damaging than the generalisation that all of the protesters have a criminal agenda.

Lexical choices made by police and the camp contrast their respective rhetorical strategies. The police’s use of ‘unknown origin’ avoids identifying the police as the likely shooters of an Aboriginal man [Segment 6]. Similarly, the camp being ‘well aware’ and ‘quite a ways’ from the perimeter exonerates the police from accusations of initiating an unprovoked attack [Segments 7, 8]. Referring to the truck as ‘disabled,’ not demolished, minimises perceptions about the force of the explosion. The radio-communications segments counter the police rhetorical strategies by casting the protesters as victims of the police’s

excessive use of force, with language that conveys violence rather than masks it: ‘you murdered,’ and ‘It was a bomb’. The transcript reveals that the police initiated the violence not only on this occasion, but also on at least one other occasion: ‘You people started firing *again*’. The measured language of the police media source contrasts with the rage and fear conveyed by the people in the radio-communications: ‘you bastards’, ‘you motherf—ers’, ‘all you f—ing people’, ‘you’ll be answering for a lot of shit’. The juxtaposition of these lexical choices points to the extent of silencing engaged by the police, and the extent that the *Vancouver Sun* broke this silence by presenting the episode through the discourse of the people in the camp.

What journalists did not report from the police radio-communications was at least as significant as what the *Sun* did report. During the standoff, most of the journalists used police communications with the camp to compose questions for the police media liaison during press conferences. On one occasion, a journalist overheard two police talking about a Native person stepping on a stun grenade and behaving in a disoriented fashion. He overheard one police officer laughing to the other, “Looks like another drunken Indian on a Friday night!” Yet when you asked Montague that same day if anyone in the camp was injured or disoriented from a stun grenade, Montague said, “I can’t comment on that.” Another reporter remarked: ‘Quite often if you couldn’t get the full picture of what was happening, you could at least sense that something was happening, and sometimes get specific information that you could go to somebody and say, “what is this?”’ One journalist recalled hearing requests for the media as witnesses: ‘The people in the camp made frequent requests for media on the radio. Their biggest concern was being treated fairly.’ The journalists frequently heard agitated and hostile remarks coming from the camp side of the conversations. Several of the journalists remarked that the RCMP negotiators demonstrated ‘a great deal of patience’ (Interviews with journalists, 1996–1997).

Many of the journalists, as well as supporters, heard fragments of the fire-fight over the police communications with the camp. One journalist recalled, ‘What I could tell from the radio transmissions – there was a helluva lot of somethin’ flyin’ out there, because both sides were breathless, and goin’ nuts – like Stop! Stop! Stop already!! It was quite something to hear first-hand’. Yet, with the exception of the *Vancouver Sun*, none of the other outlets in their publications or broadcasts reported or intimated that they had previously heard information that seriously challenged the police’s press announcement of the fire-fight. The journalists had to wait several hours for the press conference to confirm any information. The press conference was a scene of electric ten-

sion. The room was packed with journalists, as well as supporters and various Native people concerned about the situation. A few journalists recalled that it appeared to them that RCMP media relations officer Sergeant Montague came into the room with a police escort. One journalist remembered, 'The press conference took place late in the day – the cell phones 'went for a dive', with all of the media trying to access their desks at the same time. He came across like they'd screwed up – it's like when someone knows they have done something wrong, and they're trying to put their best face on – that's how it came across'. Although television cameras conveyed the demeanour of the police media liaison during the press conference, print media (except for the *Sun*) remained silent.

Thematic structures

The thematic structures in this account are more complex than what we find in the *Globe and Mail* version. One of the reasons is the ambiguity towards the two perspectives represented. This ambiguity is immediately evident with the headline that positions the pejorative 'Rebels' next to the moral appeal 'feared hurt.' The highest thematic level is a wartime theme. Yet, instead of framing this conflict as an 'us against them', which is typical of media characterisations of war, in the *Sun* news story the journalist mediates between the two combatants and switches support to whichever perspective is represented in the story. The *Vancouver Sun* account also features a criminal theme, but has taken measures to minimise it. The combination of specificity to individual perspectives, splitting this information within the story, and subverting the criminal theme with the criticism from a Native lawyer, reduces the prominence of this theme in the story. Themes from the media sources are more clear-cut. The main theme for the police is that the protesters are violent criminals. A secondary police theme is that police are acting with restraint. The central theme for the Native side is that the police cannot be trusted. This theme prevails in the radio-communications at the camp and again in the quoted Native media sources in the story. Distrust of the police was not a prominent theme in the national media coverage of the standoff. Compared to the other 560 news stories in the data, this *Vancouver Sun* account of the firefight provides the most forceful representation of this theme.

Many Aboriginal people across Canada share a common understanding of not trusting the police. This common understanding had the potential to galvanize support among Native people for the Gustafsen Lake protesters. During the Gustafsen Lake standoff, Native chiefs from the province, and 75 Natives

representing 25 bands, including a delegation from the Gustafsen Lake Native intermediaries gathered at a location two hundred kilometers from the standoff. They read their resolution as a press release, that ‘the people at Gustafsen do have our support’. Some of the delegates expressed their anger regarding the police handling of the standoff. They recognised that there might be repercussions if the standoff ended in bloodshed.²³ However, fate relegated this press release to the back pages of newspapers. While this meeting was taking place, the firefight between the police and the protesters at Gustafsen Lake had erupted, and the journalists’ full attention turned toward this breaking news.

Summary

The preceding analysis affirms the complexity of news production factors and the particular circumstances that underlie this specific media event that contributed toward silencing discourses. The silencing of minorities in the news demonstrates the shifting boundaries between the imposition of silencing, compliance in silencing, and self-silencing for Native people, the media and the police. Analysing the milieu of journalists, their routines, the motivations of news sources and the circumstances of the news event leads text analysis away from the supposition of explanatory factors by bringing the actual circumstances into the assessment. The distinction between surface and deep structures replicates how we understand media: what we hear, see and read in the news is a distillation of struggles between media and sources to define the situation. In addition, deep structures account for logistical contexts, production processes, and editorial policies that usually remain hidden from the public. The unified analysis of media texts and contexts make it possible to discern patterns of silencing in the news that otherwise may have remained unnoticed.

Contextual comparisons of the two news stories

The contexts of the news stories reveal some explanations as to why each took different approaches to their portrayals of the event. The *Canadian Press*’s targeted audience is the general public across Canada. Its stories must conform to predictable news schema in order to mesh with a variety of newspapers. *Canadian Press* has a mandate to provide what it considers the basic facts, which are obtained from recognised authorities. It would be inappropriate for them as a news service to engage in controversial news discourse by either challeng-

ing authoritative sources or breaking the law and publishing classified information. Given the geographic range of this news service and the tone of the story, this *Canadian Press* story would likely promote stereotyped images of the combatants across the country.

On the other hand, the *Vancouver Sun* has a large regional audience. It considers itself to have a successful reputation for being a media watchdog and has at its disposal greater financial resources for investigative approaches to news events. The *Vancouver Sun* still relies on the RCMP as a major source of information, but the police information is also subtly questioned. As the editor states:

Basically at that time...the conversations between the camp and the RCMP were interesting. My biggest...concern I had about the coverage in general was that we were only getting one side of the story. That was really the crux of our concern. Everything that we knew, heard, anything about that – was all coming through the RCMP.

(Interview with editor of the *Vancouver Sun*, 6 November 1996)

At the same time, both news stories demonstrate that hidden policies influenced the way they presented the news story. There is no mention of any editorial decisions regarding the strategy for presenting the sources, nor of any decisions regarding the publication of classified information that contradicted the official news release. Also, both stories have aspects that would inflame their audiences. The *Canadian Press* characterizes the event in such a way as to uniformly criminalize the people in the camp while minimising the degree of responsibility for the police attack on the people inside the truck. This might invoke public outrage from a non-Native audience about the activities of Native protesters. However, the converse is also possible for a Native audience, already sensitive to the way that they have been stereotyped by the media.²⁴ The portrayal of the protesters and the issues of the conflict may stir up feelings of empathy and solidarity and reinforce feelings of social marginality. The analysis concludes that the *Canadian Press* provides a classic mainstream media response to a dispute involving a minority group. In contrast, the *Sun* portrays the event as a conflict of perceptions by identifying a debate over the reliability of the official account. The news story also alludes to the possibility of inappropriate police activities, which might also instigate a public furore. In these respects, the *Sun* departs from the usual mainstream media pattern in ways that will be further explored.

Media resistance

A more general analysis of factors that motivate resistance in the media is taken from Fairclough (1989) and Parenti (1993) and compared to the ethnographic findings from the Gustafsen Lake news coverage.

Fairclough (1989) discusses how newspapers on occasion must represent an event that challenges their normative practices. He uses the example of a newspaper's inability to support certain police actions when it otherwise would. Such instances create a destabilization in discourse conventions (1989: 171). Fairclough points out that the news producer can address the situation by problematizing the news event in three ways. These can be applied to the response of the *Vancouver Sun* to the news event of 11 September 1995.

One strategy is for the news producer to alter the stance of the news story to provide different representations of the world. This is seen with the *Sun's* incorporation of the radio transcripts and presentation of several sources that challenged the reliability of the RCMP. The *Sun* also presents different sides of the story without accentuating the foregone conclusion that the police were the final arbiters of the truth. Fairclough also suggests here that the news producer might redefine the relations between the newsmakers and itself.²⁵ This is apparent with the *Sun* drawing the public's attention to the shift in this relationship with its story about the media 'gag order' imposed by the police. The battle lines between the *Sun* and the police were firmly established with the *Sun's* decision to publish classified information. The relationship between the *Sun* and the RCMP continued to be in conflict with the editorial comments on media favouritism and gaps in police credibility.²⁶ A second strategy is for the news producer to elevate the status of sources not usually privileged. This is exemplified with the *Sun* publishing the protesters' side of the conversation and to a lesser extent, attending to the perspectives of the Native negotiators. A third strategy is for the news producer to alter its subject position and social identity to distance itself from the subject position and social identity of the news sources. Throughout the conflict, the *Sun* reporters and the editor challenged the police accounts of what was transpiring at Gustafsen Lake. This not only shifted the alignment in the relationship between the police and the *Sun* in the news stories; it also signified a temporary rift between some of the *Sun* staff and the police media liaison.

According to Fairclough (1989), when news producers engage in problematizing conflicting ideologies, a creative force is evoked. This force requires a re-negotiation of different aspects of news production. The editor of the *Sun* explained that the coverage of the Gustafsen Lake standoff provided a sense of

excitement, energy, and resourcefulness that is rarely sustained over the course of one event. He had no regrets concerning the editorial decisions. The editor maintains that there was little or no real risk to lives for the information being published. He argues that public should have access to alternate perceptions of the situation, ones other than those based on the police interpretations. The editor concluded that

I was really proud of everything we did during that period. . .it did wonders for the morale of the newsroom. To see us going out there, way out in front of everyone else, and just saying 'YES! That's just great!' And I think privately, that other news organisations that had toed the line, or sort of you know, going 'Geez, I wish we could do what the *Sun* was doing. . . .'

(Interview with editor of the *Vancouver Sun*, 6 November 1996)

Parenti (1993) provides several scenarios to explain why the mass media periodically change ideological directions. He points out that occasionally dissenting information will slip through or be deliberately planted when it is least likely to be pulled by editors. Periods of low information and deadline pressures can also provide the opportunities for discordant information to be published (1993:213–214). While the periods of low information did not force dramatic changes in ideology at Gustafsen Lake, they may have strengthened the hold of the police on the media. Once the barricades were established there was a paucity of fresh news and journalists faced constant pressures to scrape up new stories while meeting their respective deadlines.²⁷ This tension was also compounded by the possibility of the situation changing dramatically at a moment's notice. This circumstance held most journalists within the immediate vicinity in case a breaking news conference was held. Confinement to such a tiny geographic area over a thirty-day period also escalated media pressures. Many reporters (not just those from the *Sun*) recalled that for most of the time covering this event they were 'starving for news'. Several journalists admitted that this 'hunger' for new information was so intense that when the police announced the names and criminal records of people in the camp, the journalists hungrily included this fresh information in their stories. Unless the editors pulled the information or generalised the announcement to avoid specific details, the names and charges were published.²⁸ None of the reporters from large media outlets in this study considered the ramifications for a future trial by jury at the time.²⁹

Parenti (1993) also finds that a shift in media ideology may be prompted when one of its members becomes a victim. This was the situation during the 1968 police riot against the antiwar demonstrators in Chicago during the

Democratic Party's National Convention in the United States. The event made the news 'mostly because of the deliberate acts of police violence against members of the press' (1993:215). At Gustafsen Lake, many of the media also felt victimized by the power of the RCMP media liaison officer. Although other reporters at the scene complained about rude treatment by the RCMP media liaison officer, the *Sun* reporters generally believed that they were being singled out. They felt that the RCMP media liaison threatened them and attempted to manipulate other media into rebuking them. Some *Sun* reporters believed that the RCMP media liaison denied them access to opportunities for exclusive information afforded to other media outlets that were in good favour. As the *Sun* editor recalls, 'You know, he really did isolate and ostracize our reporters after this. Basically, "That's it, you guys are cut off. Don't expect another thing from me," and – it was just – it was just set up like that' (Interview, *Vancouver Sun* editor, 6 November, 1996). Ostracism was the price the *Sun* had to pay for refusing to be silenced, and it likely motivated the *Sun* journalists to become even more resourceful.

At the same time, from the extensive interviews for this research, I did not conclude that the *Sun* staff was particularly outraged over police injustices toward the Native protesters. Indeed, several reporters seemed to be mildly sceptical about the protesters and their ideologies. Although the *Sun* challenged the police side of the story, it was also one of the few newspapers that published the names and criminal offences of the people associated with the protest. However, of all of the media outlets (television, radio and print) the *Vancouver Sun* offered the most overt resistance to being silenced by the police.

Concluding remarks

The examination of the news products and the contextual factors that contribute to conforming or resisting the silencing of minority group protesters provides an opportunity to understand the complex relations between media, powerful sources and the minority groups within a specific socio-historic context. I propose that the police media strategy of taking control of all information about the incidents at the protesters' camp set the stage for the protesters and the media to be silenced. The *Sun*'s challenge to this development required a high degree of confidence within the media industry and confidence of an appreciative audience in order to break with traditional news discourse models. The Gustafsen Lake standoff was a crisis in which the dynamic roles between news sources and the media came to the surface. The RCMP strategy during

the Gustafsen Lake standoff was to contain the protesters. Likewise, their media strategy was to contain the information going out to the public. This provided the impetus for the *Sun* to break the silence and create a critical news narrative.

This study also tests media theories against a real-life situation. The combination of discourse analysis of news stories with ethnographic research of the news event as seen through the eyes of the news producers reduces supposition in textual analysis and puts more emphasis on contextual factors that underpin the news discourse. In this way, the analysis of news discourse considers aspects of agency, particular motivations, and contextual circumstances. Ethnographic approaches to news discourse will help us to rethink media theories. Pragmatically, it will improve our understanding of media and minority representation which, in turn, may result in meaningful social reform.

Notes

* I would like to thank the University of Toronto Press for granting permission to include excerpts from my forthcoming book *Wartime Images, Peacetime Wounds: The Media and the Gustafsen Lake Standoff* (Toronto: University of Toronto Press). The research on which this essay and the book are based has been funded by Doctoral Fellowship 752-98-1227 from the Social Sciences and Humanities Research Council of Canada.

1. There were approximately 20 people in the camp when the barricades were set up, but 18 people were arrested and charged with a variety of offences from the armed standoff.
2. These ethnographic interviews consist of the accounts of 26 journalists from print and electronic media who covered the event, as well as police officials and local civilians who were connected to the event. In order to maintain promised confidentiality, the names of the sources have been withheld.
3. The British Columbia Department of Justice found that the newspaper was accountable under Section 9(2) of the Radiocommunication Act for intercepting and divulging radiocommunications without permission from the originator (the RCMP).
4. There have been three Native standoffs in recent years that gained significant national media attention: Oka in 1990 (refer to Note 11); Ipperwash in 1995; and Gustafsen Lake in 1995. The dispute at Ipperwash in Ontario, Canada, concerned the rightful ownership of land that had been appropriated for a provincial park and the land that comprised an adjacent military base (which the federal government had promised to vacate and was in the process of dismantling anyway). The dispute, which spanned several months, was quickly resolved after one unarmed Aboriginal protester was shot and killed by a provincial police officer during a protest demonstration. Both properties in the conflict were proven (with government documents) to belong legally to local Aboriginal groups. The period of conflict at Ipperwash overlapped the conflict at Gustafsen Lake, and was often twinned with it in the national media coverage. However, the protesters at Ipperwash were never isolated from the

media. The shooting of the protester at Ipperwash may have contributed to the mounting tension at Gustafsen Lake, as it was only a few days later that the major assault at Gustafsen Lake (discussed in this paper) took place.

5. This has been confirmed by several authorities including the commanding officer of the Gustafsen Lake operation, RCMP District Superintendent Olfert.

6. The journalists were not generally baffled by the implication that they had a role in the 'multi-faceted operational plan'. The majority of journalists recognized that the press conferences served mainly as a public relations exercise. However, many felt trapped in the circumstances of covering the story: the pressures of producing fresh stories at regular intervals, and the frustration of relying on sporadic and often vague official police press releases. The RCMP media liaison excused the paucity of information as being due to the potential of compromising the police operation. The journalists made jokes about the mystifying 'multi-faceted operational plan' among themselves. As one journalist stated, 'They [the RCMP] said that the media are very much a part of our operational plan – you bet we were – we were being used. They were using us to manipulate public opinion...'

7. I obtained a copy of a letter dated 8 December 1995 from the RCMP to the Managing Editor of the *Vancouver Sun* (with permission). The letter outlines the findings from the British Columbia Department of Justice that the newspaper was accountable under Section 9(2) of the Radiocommunication Act for intercepting and divulging radiocommunications without permission from the originator (the RCMP). The matter was never pursued in court.

8. In this paper, I use the 'Sun' as a shortened form for the newspaper the *Vancouver Sun*.

9. 'Reports gained by telephone anger RCMP' by Mike Crawley in the *Vancouver Sun*, 30 August, 1995, A3.

10. Of the 18 people who were arrested, two were charged with attempted murder. The remaining 16 individuals were charged with mischief and trespassing. After the arraignment, most of the defendants were immediately released on bail. The convictions and sentences were as follows: all attempted murder charges were dropped. William Ignace (Wolverine) received the longest sentence, with four and one half years for mischief endangering life and other offences; the other sentences ranged from three years to six months for convictions of mischief endangering life, possession of weapons, mischief and trespass.

11. The only reported injuries were a female protester who was shot in the arm by the RCMP during the firefight and a member of the Canadian army who was injured while handling a 'stun grenade'.

12. The dispute at Oka concerned the proposed expansion of a golf course onto property a local Mohawk community said was their traditional land. Four thousand Canadian military and numerous provincial police were pitted against 63 primarily Aboriginal people of all ages plus 10 reporters who had barricaded themselves in a Native alcohol treatment center. One police officer was shot and killed during the three month standoff. The presence of the 10 reporters may have softened the media portrayal of the conflict, and they would have been public witnesses for the protesters. After the standoff was resolved, the land in question was not appropriated for the golf course.

13. Newspaper publications concerning media manipulation were printed at the conclusion of the Gustafsen Lake standoff, including: 'Selected media get look at Zulu: RCMP allow

trips into forward base operations' by Mark Hume in the *Vancouver Sun*, 18 September, 1995, A3; and in the editorial 'All the news that's fit to be... manipulated' in the *Vancouver Sun*, 22 September, 1995, A18. During the trial, media manipulation was a central argument put forward by the senior Defence Council, and was the theme of the defence council's cross-examination of RCMP officials and one radio reporter. 'RCMP, journalists accused of conspiracy at Gustafsen' by Gerry Bellett in the *Vancouver Sun*, 24 January, 1997, A2. Subsequent to the trial, a columnist for the *Vancouver Province* wrote an opinion piece, 'Media should apologize for gullibility on Gustafsen Lake' by Joey Thompson in the *Vancouver Province*, 26 September, 1997, A12. The column received mixed audience response, including a written rebuttal from Staff Sergeant Peter Montague, the RCMP media liaison at the time of the standoff (*Vancouver Province*, 10 October, 1997, A49).

14. This is the approximate number of newspapers in the cooperative at the time of the standoff.

15. I have grouped lexical choice, syntactic structures, and reported speech together under the heading 'linguistic structures' for convenience, although van Dijk (1988, 1989) identifies these separately under the category of 'local structures'.

16. It was confirmed in the trial that the RCMP Emergency Team (ERT) were given the terms of engagement to 'shoot to kill' the day prior to the incident examined here. 'Snipers at Gustafsen able to "shoot to kill"' by Neal Hall in the *Vancouver Sun*, 12 October, 1996, A2.

17. See Appendix 1 for the full account.

18. 'Monty Sam' refers to Marlowe Sam, a key Native Indian negotiator at Gustafsen Lake. Other spellings of his name include 'Sam Marleau'.

19. Both stories used in this analysis are missing quotation marks. This is exactly how they appear in the CD ROM source.

20. Based on the testimonies in court and the RCMP wescam aerial videos, the front half of the truck was demolished from the blast and then the truck was rammed by an armored personnel carrier.

21. This quotation is taken from the news story, 'Records exaggerated: Mountie admits making "mistake" in radio interview,' in the *Vancouver Province*, 12 February, 1997, A11.

22. See Appendix 2 for the full account.

23. The information integrated in the above narrative about the meeting at Merritt is taken from the interview data with Chief Nathan Matthew, elder Bill Lightbown, and the newspaper story, 'Three rebels feared hurt in wild shootout,' in the *Vancouver Sun*, 12 September 1995, A1.

24. This complaint was identified in the Report of the Royal Commission on Aboriginal Peoples (1996) 3:6 and 5:4.

25. Although Fairclough uses mixed genders as his examples, in this situation it would be the relations between the news producer and the sources (the police and Native negotiators).

26. 'Reports gained by telephone anger RCMP' in the *Vancouver Sun*, 30 August, 1995, A3; 'All the news that's fit to... be manipulated' editorial in the *Vancouver Sun*, 22 September, 1995, A18; and 'Selected media get look at Zulu: RCMP allow trips into forward base of operations' by Mark Hume in the *Vancouver Sun*, 18 September, 1995, A3.

27. Radio deadlines had to be met every hour, television every few hours and print press in the morning and in the evening.
28. The *Vancouver Sun* and The *Vancouver Province* published the names and details of the respective criminal offences. The *Calgary Herald* published the names of the people that the RCMP identified as criminals. (*Vancouver Sun*, 12 September, 1995, A2; *Vancouver Province*, 12 September, 1995, A5; *Calgary Herald*, 12 September, 1995, A1.)
29. Only the editor of the *100 Mile House Free Press* recalls being shocked at the degree of police disclosure and access to evidence given to the media because it contradicted the local RCMP practice of not giving out information that might jeopardize a trial.

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- In addition, this research incorporates Gustafsen Lake news stories from 20 August 1995 to 25 September 1995 from the following newspapers:
Victoria Times Colonist, Vancouver Sun, Vancouver Province, 100 Mile House Free Press, Calgary Herald, Edmonton Journal, Saskatoon StarPhoenix, Regina Leader Post, Winnipeg Free Press, London Free Press, Toronto Star, Toronto Globe and Mail, Montreal Gazette, Charlottetown Guardian and the *St. Johns Evening Telegram*.

Appendix 1

The Toronto Globe and Mail

The following story is reprinted from:

Times Colonist

Tuesday 12 September 1995 A1

Newswire

Three natives shot in firefight – Nobody is leaving the camp, Mounties told, after battle with armored carriers – By Steve Mertl 100 MILE HOUSE, B.C. (CP) – Three natives were

shot during a firefight Monday with RCMP using armored personnel carriers outside an armed camp in the B.C. Interior.

It was not known how serious their injuries were.

Rebel leader William Ignace, known as Wolverine, “advised our negotiators that three people were injured as a result of the gun battle,” RCMP Sgt. Peter Montague told a news conference.

When RCMP suggested helping the wounded leave the camp, “his response was that nobody was leaving the camp and the conversation ended.”

Monty Sam, a Shuswap native, went into the camp after the gun battle, said Sam’s wife Jeannette Armstrong.

Montague identified some of the camp’s leaders, saying that “for reasons of public interest, the RCMP is now compelled to inform the public as to whom we are dealing with at the camp. There’s a criminal agenda which is continually being advanced by the criminal element in that community,” he said. “They have usurped any legitimate goal and objectives of the local people with their own self-serving criminal agenda.”

The gun battle began when a pickup truck tried to go outside a “no-go zone” around the camp, he said.

But an aboriginal negotiator said police knew the pickup truck was coming out of the camp to meet native elders. “The RCMP were well aware that these people come out of the camp, come up to the road and sit awaiting the arrival of the delegation,” said Gordon Sebastian.

The truck was disabled when it drove over an “early warning device” police had put in a logging road in the zone, Montague said.

The two or three people in the truck then grabbed weapons and ran into the bush, he said.

A Bison armored personnel carrier on loan from the Canadian Forces then joined the fray but experienced mechanical difficulties when it was hit by fire from an AK-47 assault rifle, Montague said.

A second Bison was called in but both vehicles “came under heavy fire” so police started shooting back, he said.

He said police recovered an AK-47 and a hunting rifle from the truck.

It was the seventh time police have been fired on.

Nathan Matthew, a spokesman for the so-called liaison group between the rebels and the RCMP said earlier that the squatters were looking for reassurance they won’t be harmed if they give up and won’t be abandoned when they face the justice system. “They must have some kind of safety provided to them,” said Matthew, a member of the Shuswap Nation and chief of the North Thompson band. “There must be some reassurance that due process will be had for them.”

The standoff entered its fourth week Monday in the confrontation between the armed aboriginals and police surrounding the remote piece of rangeland the natives claim as sacred aboriginal territory.

The liaison group went into the encampment Sunday and met with its leaders for several hours.

Matthew said the issues on the table are the safety and security of camp members, exactly how guns in the camp will be turned over and a guarantee of adequate legal counsel.

Meanwhile, B.C. aboriginal leaders were called to a meeting in Merritt on Monday to discuss the standoffs at Gustafsen Lake and Ipperwash park in Ontario.

Chief Scotty Holmes of the Upper Nicola band said the native leaders would discuss ways of assisting in peaceful resolutions of both disputes.

Matthew made no mention of the rebels' core demands – that the Queen and British Privy Council review the traditionalists' claim to the site because they don't recognize the jurisdiction of Canadian governments and courts.

Matthew also tried to clarify his weekend comments referring to the occupation as a "peace camp," despite the shooting incidents.

He said the term was meant to hark back to the site's previous use as a venue for sacred sundance ceremonies.

Length: Medium

Class: News

Accession Number: 00006049

Document Number: 950912TC001

Appendix 2

The Vancouver Sun – Final C

News 12 Tuesday September 1995 A1

Gustafsen Lake Standoff

Three REBELs feared hurt in wild shootout

Pete McMartin; Jeff Lee

VANSUN

100 Mile House

Story Type: News; Crime

Length: Long (> 700)

Subject: Indians; Demonstrations; Trespassing; Shooting; Crime; BC; RCMP

100 Mile House – Police and native Indian leaders presented starkly different versions Monday night of a shootout that may have left three of the REBELs at Gustafsen Lake injured.

The gunfight erupted about 2 p.m. as a negotiating committee from a native Indian liaison group approached the RCMP's final checkpoint into the camp – a log barricade across the road.

Several hours after the gun battle, two REBELs were arrested outside the armed camp and another man was reported missing.

Glenn Deneault and Edward Dick were taken into custody by police Emergency Response Team members about 9:30 p.m., said RCMP Sgt. Peter Montague.

"They came out of their own accord; they wanted to come out and they did," he said.

The two men were escorted out of the camp area in a convoy of police cars to the RCMP detachment at 100 Mile House, where they were interrogated.

Montague also said that an unidentified woman involved in the afternoon firefight – which earlier conjecture had as being mortally wounded – had been hit in the arm and

was receiving medical attention from REBELs inside the camp. He said medical assistance offered by the RCMP was refused.

Deneault has previous criminal convictions for fraud and theft, Montague said.

Montague also said late Monday that another REBEL went missing during the afternoon firefight. The man may have been hit by rifle fire of “unknown origin,” he said.

The shootout was triggered when native Indians drove a red pickup truck beyond a perimeter police had warned them not to cross, Montague said.

“Yesterday, the occupants of the camp had been advised to stay within a confined area and that area was well described to them. The RCMP had tightened their security net, and they were well aware of that,” Montague said.

“When the Shuswap representatives were approximately three kilometres from the camp, the same red pickup from the camp whose occupants had previously fired upon the RCMP helicopter, departed the camp and drove outside the restricted perimeter.”

“Quite a ways” outside the perimeter, Montague said, the red pickup drove over an RCMP early-warning device “and was disabled.

Montague confirmed it was an explosive device.

He said the two occupants, or possibly three, jumped out of the truck and ran into the woods with their weapons.

“The RCMP pursued the individuals but discontinued the pursuit when the two individuals commenced firing upon our members. A search of the vehicle resulted in the recovery of two weapons, an AK-47 and a hunting rifle.”

Montague said AK-47 fire from the native Indians disabled a Bison armored vehicle manned by RCMP Emergency Response Team members. He said the number of rounds exchanged were in “the thousands.”

Montague was asked why RCMP forced the issue with the REBELs by tightening the perimeter on Sunday if negotiations were so close to reaching a peaceful conclusion.

“It was a very simple thing; they want beyond the perimeter and were told not to,” he said.

“We drew a map for them. We showed them exactly where the perimeter was.”

After the gunfight, Montague said, RCMP contacted the camp and spoke to Jonesy Ignace, who goes by the name of Wolverine. Ignace told the RCMP that three people were injured, including an unarmed woman. When RCMP asked Ignace to return everyone to the camp so the injured could be removed, Montague said Ignace told them “nobody was going to leave the camp.”

Wolverine let fly a string of expletives and accused police of betraying their promise not to hurt the campers.

“You murdered one of our women, you bastards,” he screamed over the telephone. “It’s payback time, you motherf—ers.”

(Ignace later referred to three people being injured – not killed – in the firefight.)

Police asked if anyone in the camp wanted to come out, but Wolverine said no one would leave. Later, Percy Rosette, one of the spiritual leaders in the camp, accused police of double-crossing the campers.

“Everything went wrong with your people. It was a bomb,” he said. “You people started firing first again. Your people sent bombs.”

He said no one would come out now because they believed the police would kill them.

Still later, another person in the camp, who refused to identify himself, picked up the telephone and told police to back off or they would be killed.

"I'll tell you something before you tell us. You are going to listen. That wasn't very nice what you done, and you better expect we are going to engage you. We are not going to back down. All you f—ing people get out of here now or we're going out now and you'll be answering for a lot of shit, and this will spark the fire worldwide."

Shortly after the exchange of gunfire, an ambulance entered the outer perimeter, but returned minutes later without any of the injured.

Police responded to the firefight by bringing in a large number of officers from the Emergency Response Team.

The firefight came as the four native negotiators reached the inner perimeter at 2 p.m. One of the negotiators, Gordon Sebastian, said police were aware that a greeting party from the camp came every day to meet negotiators.

But when the Shuswap elders reached the meeting point, no one was there. Shortly after, "there was a large discharge and we felt the wind on our faces and clothes," Sebastian said. "And then there was small calibre fire – about 11 or 12 shots."

He said they did not hear gunfire again until 2:15 p.m., "at the most, 60 rounds were fired." He disputed the RCMP's estimate of thousands of rounds being fired.

Police later yielded to demands from the camp to allow one of the negotiators, Sam Marleau, to return unescorted to determine what happened and who was injured. Marleau had not emerged from the camp late Monday.

Marleau's wife, Jeanette Alexander, another of the negotiators who had entered the perimeter, said the main objective of today's aborted negotiations was the placement of the perimeter.

She said the camp was cut off from water and firewood, and the people inside had wanted the border extended.

Montague refused to discuss the issue of the perimeter.

Rather, in a dramatic move, he read off a litany of charges and convictions against at least half a dozen of the main players in the camp, including Jones (Jonesy) Paul Ignace, Joseph Adams Ignace and John Hill, known as Splitting The Sky.

But Sebastian, a lawyer, publicly rebuked Montague and the RCMP for what he said was a public relations "game" in talking about charges against the individuals.

Illustration

Bill Keay/ Vancouver Sun/ Roaring Past Roadblock: ambulance speeds by RMCP at checkpoint on road to Gustafsen Lake REBEL camp after gunbattle WOLVERINE

CP

NOTE

Native leaders fear rise in violence, A2 Dosanjh sees peaceful end dimming, A3 Standoff preceded by a vision, A3

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PART IV

**Coda:
Performance discourse and
meta-commentaries on silencing**

Introduction

Lynn Thiesmeyer

The essays in this volume have looked at silencing as an effect of discourse. The contributors looked at discourse in its widest senses: as a social field, as a form of social interaction, and as a manifestation of social ideologies. Within a discursive field, however, the effect we term 'silencing' incurs multiple responses. As we have seen throughout, the responses to silencing include silence, resistance, and a search for alternatives. The chief means of un-silencing silenced material depends in all of these cases, however, on first becoming aware of the silencing process and of its disguised nature.

One of the more interesting responses to silencing is to comment on it as a phenomenon. Adam Jaworski's essay concludes this volume by looking at the American performance artist Laurie Anderson's commentaries on silence and silencing in the American social and political landscape. Jaworski points out that like the essay writers in this volume, Anderson takes a step back from silencing in order to make manifest its (sometimes hidden) operation to the audience and allow a consideration of its nature and function.

Anderson is known for her mixture of discursive media: onscreen text, verbal discourse, and synthetic and traditional musical sonorities are combined in her performances. Jaworski shows that silence in Anderson's pieces can be constructed and emphasised using the same aural and visual techniques that she uses for non-silent portions of her performance. Jaworski uses frame theory, especially Bauman's and Tannen's theories of the discursive construction and uses of frames,¹ in order to analyse these mixed-media performances. The multiple kinds of discourse within one of Anderson's performance pieces can be looked at as frames, and the presentation of a discourse and the commentary on it that Anderson's pieces undertake are also frames. To make this point, Jaworski focuses on textualized 'quotations' from the various media frames that co-occur in Anderson's performance pieces.

Using frame and other kinds of discursive analysis, Jaworski shows how both the media and the content of a performance piece can be analysed using methods similar to the discourse analysis of non-performance text and speech. Similarly, in Fridland's essay on the narrative strategies used in the framework of courtroom testimony, the framing of the testimony was at least as important as its content. The courtroom situation itself, as well as the formalized relationship between attorney and witness, are both frames; as frames they limit and shape the sorts of testimony that can be heard. Further, in Wodak's essay on anti-Semitic discourse the framework was in some ways more important than the discourse. Wodak's placement of seemingly non-racist discourse within its historical framework allowed the decoding of its anti-Semitic content.

Jaworski looks at Anderson's work as a performative piece of art but also as a commentary on, and analysis of, social and political discourses in the United States and the ways in which silencing functions within them. Using Bauman's notion of frames, Jaworski first shows that as a type of discourse, 'the performance frame is available to all speech communities and allows for a display of particular communicative behaviour'. The emphasis here is on *display*. In a performance piece, silencing can be critiqued not only in an outright or political way, but also by being displayed for the audience to consider within an artistic frame removed from everyday discursive pressures.

We can see direct parallels here to the discursive situations presented in the essays by O'Connor and by Towns, Adams and Gavey. O'Connor's literacy programme with prison inmates temporarily removes them from the discursive environment and norms of prison society as well as taking O'Connor 'out of' the outside society's norm of discursive separation from prison inmates. This removal from the discursive norms of both environments makes it possible for her to analyse the process and the impact of silencing between inmates and the outside world. In the essay by Towns, Adams and Gavey, the discursive framework of a Stopping Violence therapy programme is used to remove perpetrators from naturalised norms and assumptions so that they may articulate the techniques of silencing and the ideologies that support it. In both the prison literacy programme and the Stopping Violence programme, what is required is the mutual recognition of silencing and its social norms by researchers and participants alike in a 'removed' discursive space. Laurie Anderson offers a similar means to consider silence together with her audience by representing it within the removed location of a performance space.

Anderson's performances frequently 'represent' silence in its personal and political manifestations. Jaworski's discussion of the way in which Anderson's work consists of both literal and meta-commentary frames can be compared

with LaClau's assertion that all representation is a framework.² In Jaworski's reading, Anderson is both presenting and representing at the same time, mixing her own discourse with the representation of others' discourse. A parallel can be drawn here to the presentation and representation of others' discourse in print media that Lambertus analysed. Lambertus showed how, during Aboriginal-White land disputes, one particular newspaper was able to mix mainstream discourse representing an ethnic minority with the discourse of the minority representatives themselves. This particular mixing thus revealed the previously hidden fact that there had been silencing or distortion of minority discourse by other media that had relied solely on mainstream representations.

Laurie Anderson can accomplish the same sort of revelation within a context (frame) of her own making and interpretation because her discourse exists as a performance. When Jaworski discusses Anderson's comments on political silencing, he shows how Anderson's representation of silence is 'revealing the hidden' or revealing the censored. This also allows the audience to see the elements of her performance discourse itself as objects for interpretation, including the elements that Anderson represents as missing or silent: 'Because the voice of the narrator operates in the performance frame we, the audience... can actually find out what is self-censored or silenced in the narrator's discourse.'

The key here lies in understanding which silences are chosen or communicative silences and which are imposed or misunderstood. Yohena's essay showed how ellipsis in conversation was not only a communicative device to demonstrate tacit mutual understanding, but also at times the result of silencing or misunderstanding. The self-silencing of the spouse in marital disagreements, as well as the intended content of the ellipsized expression, were revealed in the playback. Like Anderson's performance frame, the playback technique allowed Yohena, the 'audience', to reveal the suppressed content of the silences between partners.

We have seen in Galasiński's essay above how the political motivation behind censorship can be represented in an obvious deletion in a text. Anderson's work represents the silence as well, showing what it 'means' by replacing it with content or by encouraging the audience to do so. Jaworski shows here that Anderson's representation of silences or deletions finally also urges the audience to consider the various personal, political and social origins of such silence and its potentially deleted meanings. This volume is meant to encourage all of us, as reading and listening audiences, to do the same.

Notes

1. See Richard Bauman (1977) 'The nature of performance', in *Verbal Art as Performance*, R. Bauman (Ed.), pp. 3–58 (Rowley, MA: Newbury House); and Deborah Tannen (Ed.), *Framing in Discourse* (New York: Oxford University Press).
2. Ernesto LaClau, *Emancipatio(n)s* 99.

CHAPTER 9

Political silencing

A view from Laurie Anderson's performance art*

Adam Jaworski

Introduction

The concepts of silence and silencing have been commonly used by discourse analysts, pragmatists, political scientists, social psychologists, and cultural critics to refer to the forms and processes involving social and political control. For example, Parker (1996) demonstrates the ways in which the media silencing of discourse on serious social and political issues in New Zealand by disproportionate media coverage of trivial (sports related) matters is used in the interest of maintaining the political *status quo* in that country. Cauter (1986) argues that in situations in which knowledge is power, silence and secrecy are two strategies that enable governments to maintain control over others, and it is not always the *subject* of governmental secrets which is most interesting or relevant but the *reasons* behind keeping silent about something. Bruneau (1973:38; following Earle 1896) states that in Puritan America 'expression of diversity, however slight, against the church or state authority was often met by gags, branks, ridiculously brutal public silent penance, ear lopping, branding, tongue tortures, etc.'

The idea of silencing a group's voice has been used in research on the oppression of and discrimination against women (e.g. Belsey 1985; Cameron 1992; Houston & Kramarae 1991; Lakoff 1992), political opposition (Jaworski & Galasiński 2000), and ethnic minorities (e.g. Thiesmeyer 1994, 1995). These authors' discussions of the strategies of suppressing the dominated groups' voices through silencing and censorship find a broadly theoretical base in the discussions of power symbolizations on the linguistic market in the social theory of Bourdieu (1991).

Silencing is also an effective tool for wielding power at an interpersonal level. Albert (1964) demonstrates how the skilful use of talk and silence is a necessary component of managing an equilibrium of interpersonal and societal hierarchy among the Barundi, and 'that a superior's silence effectively silences all his social inferiors' (Albert 1964: 41). Keenan (1974) shows how withholding information in Malagasy is practised, among other reasons, to enhance the speaker's status (see also Gilmore 1985; Kurzon 1992; Watts 1997).

Tannen (1993a) has argued that silence, just like any other linguistic form, is not in and of itself either a 'negative' or 'positive' means of communication. Its meaning and 'valuation' depend on speaker characteristics, setting, discourse goals, and so on. Sajavaara and Lehtonen (1997) follow Tannen's point in their refutation of the negative stereotyping of Finns due to their strategic uses of silence perceived simplistically by members of other language groups as inarticulateness or some kind of communicative deficiency. Although Sajavaara and Lehtonen do not argue for a uniformly positive view of silence, they state that silence (or speech) is neither positive nor negative; it simply works in achieving certain communicative goals for some but not for others (see Scollon 1985 for a similar argument with regard to American Aboriginal speakers).

In my previous work, I have largely concentrated on the *positivistic* aspects of silence, especially with regard to the interpersonal uses of silence (e.g. Jaworski 1993, 2000). As the contributions to this volume attest, however, in the domain of public or political communication, when the dominant function of language use is *information exchange*, silence tends to acquire more negative connotations.

In the concluding chapter to this book my aim is to pull some of its main themes together and relate them to the body of work of the American artist Laurie Anderson. This chapter, then, is not so much a discourse analysis of a corpus of data in which silencing plays a major role in exerting control over individuals or groups. Rather, this is a meta-commentary on Anderson's work, and at the same time, one that by making links to the other studies offered here, a meta-commentary on this anthology. (For a similar analysis/commentary see Jaworski 1997b on Jaworski 1997a.)

An examination of Laurie Anderson's literary/performance work shows that the ways in which she represents or thematizes political uses of silence demonstrate a high degree of insight (or *language awareness*), which is often complementary with discourse analytic theorising and descriptions of silencing as a means of political manipulation, dominance and control. In this respect,

this chapter follows Lakoff and Tannen (1984) who accept literary writers' insights as plausible models of communicative competence.

Silence and silencing in Anderson's work

For an artist to whom language and story-telling is the stuff of her life and art (Kardon 1983; Howell 1992), silence in social and political contexts is an important concern. Elsewhere (Jaworski 1997b) I have examined how some of Anderson's performance pieces are punctuated by a slow tempo of speech, and by pauses for stylistic, aesthetic and dramatic effect. I have also discussed Anderson's use of silence as 'theme', as a marker of interpersonal relations, as a metaphor for death and as a tool of political control. The earlier paper included also a section on how the notion of silence is extended in Anderson's performances into the visual medium.

The main theoretical perspective adopted in the 1997 paper on Anderson's silences was derived from Bauman's (1977) work on verbal art: story telling, reciting poetry, ritualistic chanting, and so on, where performance is understood as a *frame* for linguistic communication. Bauman (1977) contrasts the 'performance' frame with the 'literal' frame, both of which are his interpretive devices referring to, roughly speaking, 'ordinary' and 'poetic' talk, respectively. These two frames are contrasted with one another and also with other frames, such as 'insinuation', 'joking', 'imitation', 'translation' and 'quotation'. Following Tannen (Tannen 1993b [1979]; Tannen & Wallat 1993 [1987]), I assume that frames are hierarchically structured, multilayered, and that performance and literal frames are higher level frames potentially comprising all those listed above (borrowed from Bauman 1977) and various others (e.g. 'chatting', 'gossiping', 'reciting', 'lecturing', and so on). Lower level frames can be embedded in the two higher level frames. Indeed, Bauman himself states that frames can be used singly or in combination one with another.

With regard to the performance and literal frames, Bauman argues that neither of them is superior, more 'normal' or indeed more frequent than the other. The performance frame is available to all speech communities and allows for a display of particular communicative behaviour, shared as part of their communicative competence by all members of a speech community.

In Anderson's case, 'performance' frame talk often results in meta-commentary on 'ordinary' frame talk (and vice versa). This is especially relevant for the purposes of the present paper whose remit is narrower than the earlier one's (Jaworski 1997b), as it deals only with Anderson's references to

political silence and silencing. It is important to note, however, that Anderson herself tends to blur the distinction between both frames. One interviewer comments on Anderson's interview style in the following way:

Poised, professional, and intensely private, she is adept at the art of amiable obfuscation. Questions that probe a little too close to the bone, ideologically or biographically, are deflected, invariably, with an anecdote, often one that has been honed to perfection through repetition. Like Pee-Wee Herman, Ronald Reagan, and Michael Jackson, she is *always* in character: her onstage and offstage personae are virtually inseparable. (Dery 1991:791)

This apparent fuzziness of interpretive frames becomes a topic of Anderson's own commentary in the song 'Language is a virus from outer space' (from *United States*):

Language is a Virus from Outer Space (fragment)

Well I was talking to a friend the other day, and I was saying: I wanted you ... and I was looking for you ... but I couldn't find you. And he said: *Hey ...* are you talking to me ... or are you just practicing for one of those performances of yours? (Anderson 1984)

The passage 'I wanted you ... and I was looking for you ... but I couldn't find you' is indeed a quote from another of Anderson's songs titled 'Looking for you' and the listener/reader cannot be sure whether it originated in a conversation with another person or as text in a particular performance piece. Anderson maintains that all of her stories are true, 'Except for the songs, of course. For example, I never really saw a host of angels mowing down my lawn. I don't even have a lawn. It just seems like I do sometimes' (Anderson 1994:7). The only complication is that we, the audience, cannot always be sure whether pieces like 'Looking for you' and 'Language is a virus from outer space' are *really* 'stories' or 'songs'.

The themes of political silence and silencing, be they manifest as exertion of power in interpersonal relations or in manipulation and domination of oppressed minorities, have been present in Anderson's work since the beginning of her career. Again, we find that the problem of silence construed as isolation and non-communication is important to Anderson outside of the 'performance' frame. In one of her interviews she states the following:

My biggest fear is being isolated [...] losing contact with other people, forgetting how to express things or just suddenly not being able to communicate at all. (Anderson, in Howell 1992:101)

In the remaining examples, it is not always clear whether we listen to Anderson the performer or Anderson the artist projecting her personal self onto her fans. On top of her lyrics, we find her own commentary found in interviews, and this body of discourse and meta-discourse provides an ever multi-layering elucidation of the contents of this collection.

Silence and silencing in interpersonal politics

One of Anderson's pieces in which she introduces the idea of how silence is used in interpersonal relations to exert dominance is 'Speechless' (*Bright Red*). The title itself suggests that a form of silence is at its centre:

Speechless (fragment)
 We were goin' nowhere.
 Just driving around.
 You did all the talking and me
 I didn't make a sound
 If I open my mouth now
 I'll fall to the ground
 If I could open my mouth
 There's so much I would say
 Like I can never be honest.
 Like I'm in it for the thrill.
 Like I never loved anyone.
 And I never will.

(*Bright Red*, 1994: Album lyrics)

This passage is explained by Anderson in an interview which coincided with the release of the album in the following way: 'When one person really can't talk 'cause the other person is the dominant one, it's a battle to the death: who gets to say things – that's where the power is. If you can't articulate your feelings and thoughts, you're almost not there. You're at the mercy of whoever else – they can say who you are and define you...' (Green 1994: 72). Such an account of the narrator's silence can be linked with Bourdieu's (1991) notion of the market of linguistic production in a particular field, here that of interpersonal relations between two lovers. As she is stripped of any form of linguistic capital, the narrator remains silent in an extreme form of self-censorship which legitimizes the discourse of her partner while reducing her to the position of a

hesitant and ambivalent individual. The precariousness of the narrator's situation is signalled in the lines: 'If I open my mouth now/I'll fall to the ground'. She realises that as the dominated individual, her suppressed talk is the only acceptable form of linguistic expression sanctioned by social and cultural laws. Interestingly, because the voice of the narrator operates in the performance frame, we, the audience, or superaddressee in Bakhtin's (1986) sense, can actually find out what is self-censored or silenced in narrator's discourse. Indeed, the silenced words sound extremely dangerous and subversive: 'Like I can never be honest. Like I'm in it for the thrill. Like I never loved anyone. And I never will'. Should they be spoken out, the unstable relationship between the two people would be jeopardized even further.

The idea of silence as the 'language' of dominant individuals and groups is further extended in the performance series titled *Empty Places*. Here, silence and non-communication become metaphors for a whole political era, the USA of the 1980's under Ronald Reagan's administration. In her notes about this performance series Anderson writes the following:

Like many other people, I slept through the Reagan Era politically. When I woke up, everything looked really different. Homeless men and women were living on the streets of New York, hundreds of thousands of Americans were dead or dying of AIDS, and the national mood was characterized by fear, intolerance, and straight-ahead greed. Suddenly everything seemed deeply unfamiliar. Was this really my country? I decided to write about this new place, not because I had any solutions, but because I needed to understand how and why things have changed. (Anderson 1991:113)

In this passage, Anderson states how shocking the new social and political scene of America of the late 80's was for her and invokes the sense of political lull and sedation under which she lived for almost a decade. When she 'woke up' from her 'dream' she was confronted by the silence and unfamiliarity of the place which she thought she knew well. Anderson transposes this silence into spacial-visual images of unpopulated streets of New York at night:

Empty Places begins with hundreds of images of New York City which I shot at night... empty warehouses, bombed-out buildings, abandoned car lots gleaming in eerie dim street lights. Shark light. I didn't shoot people even if I found them. (Anderson 1991:113)

This imagery might not be very original artistically but gains expressive significance if it is contrasted with the image of New York which Anderson presented in her earlier work. The picture of New York from *United States* which was

written over the 70's and early 80's was not that of an ideal place, but it was full of people and talk, even if this talk was at times deemed rather superficial:

New York Social Life (fragment)

And I go to a party and everyone's sitting around wearing these party hats and it's really awkward and noone can think of anything to say. So we all move around – fast – and it's:

Hi! How are you? Where have you been?

Nice to see you.

Listen. I'm sorry I missed your thing last week, but we should really get together, you know, maybe next week.

I'll call you.

I'll see you.

Bye bye.

(Anderson 1984)

In 'New York Social Life', people may have little to say to each other, but they want to communicate and they want to be in touch with one another. In *Empty Places*, the silence is more sinister. It is caused by people's unwillingness and inability to communicate, as is underscored by the piece titled 'Falling'. It starts in a rather surreal way by the narrator talking about her fall into an open manhole in a New York street (which happened to Anderson in 1989). When she is taken into an emergency room she sees many people who come with different wounds inflicted on them through accidents or acts of violence. Gradually, Anderson builds up a sense of people suffering in silence and isolation, until 'old people' start coming in. When an old woman starts complaining about her pain it is only an old man who can find a short phrase of comfort for her:

Falling (fragment)

And there was this old woman sitting next to me.

She was a bum and her feet were bleeding

and swollen up like grapefruits

and she kept saying:

'Look at my feet! Look at my feet!'

And I couldn't.

And there was an old man sitting on the other side of her

and she kept saying:

'My feet. Look at my feet!'

And he did.

And he said:
'That must really hurt.'

(Anderson 1991: 109–110)

'Falling' talks about people who have been damaged both physically and communicatively. Given the political framing of *Empty Places* expressed by Anderson in her book, the inability of the narrator to look at the old woman and talk to her is a commentary on the isolation of people created by the era of political drowsiness, growing hatred, intolerance and greed.

Silence and silencing in political propaganda

In *Empty Places* Anderson undertakes an explicit critique of politicians' rhetoric and its underlying silence or emptiness. In the piece 'Politics and Music', Anderson attends to the theme of politicians' speeches in a way which is reminiscent of General Semantics' work on propaganda construed as 'pseudo-communication' (Postman 1979; Moran 1979; Young 1979). In 'Politics and Music' she states that political speeches are 'quite sophisticated musical compositions' which are devoid of any content but make people feel that 'they've got to *do* something with it.' And this 'music' sets them on the move and, as in the case of Hitler's speeches, the people have 'to get out/they've got to go someplace'. Eventually, continues Anderson, they go to Poland. Such political propaganda can be described as pseudocommunication, or 'silence', because the content of talk is rather irrelevant. For example, it does not matter whom the politician chooses to name as his and the nation's enemy as long as there is a scapegoat to blame for domestic problems and governmental inefficiencies. This very point is brought up in the piece 'Defining the Enemy' from the performance/talk *Voices from the Beyond*, which deals with such issues as the Gulf War, censorship, power, art, women, AIDS, and Anita Hill (Anderson 1994: 268):

Defining the Enemy (fragment)

I've been thinking about the future because of all the things that have been happening in the last year or so, things that have made my own work more political and have opened my eyes to things in American culture that have been hidden away for a while and everybody's frantically looking around for someone to blame. I guess the standard explanation is the simplest. After decades of being told

‘THE RUSSIANS ARE COMING! THE RUSSIANS ARE COMING!’

we have to face to the fact that, after all this time, not a single Russian ever showed up.

I mean thirty years of practically bankrupting ourselves preparing for this, not to mention producing all those doomsday movies about missiles ripping out of silos, special evacuation roads, and dazed hordes of American staggering around in rags in the radioactive ruins of this country. And then all of a sudden the Russians are just over here (‘Hey, hello!’) and they’re drinking Coke and watching videotapes, shopping at the Gap. And suddenly they look so much like we do. (Anderson 1994:268)

Naturally, the rhetoric of the Cold War was the same (if not more insidious) on the other side of the Iron Curtain, where, paraphrasing Anderson, the standard line of political propaganda ran something like ‘THE AMERICANS ARE COMING! THE IMPERIALISTS ARE COMING!’ What seems important, then, is not which particular ethnic, political or national group is designated as the ‘enemy’ by a given propaganda machine, but that the idea of a common enemy is created on the principles of xenophobia, the politics of exclusion and maintaining the *status quo* wherever the power group needs to assert its right to domination.

An important point which is made by Anderson in ‘Defining the Enemy’ towards the end of the quoted passage (‘And then all of a sudden the Russians are just over here (‘Hey, hello!’) and they’re drinking Coke and watching videotapes, shopping at the Gap. And suddenly they look so much like we do’), has also been discussed by a number of cultural theorists, perhaps most notably by Said (1978, 1993). As Sarangi (1995:11) summarises this argument, the presentation of the ‘Other’ (typically a non-Westerner) in Western rhetoric is ‘a source of identity construction whereby the non-Western other is presented from the Western point of view, using a discourse of exclusion’.

The construction of the ‘Other’ or ‘enemy’ is largely rhetorical. Thus, as Anderson suggests in ‘Defining the Enemy’, when it is convenient, the Russian or any other ‘Other’ ceases to be exploited as the ‘enemy’ and, in fact, turns out to be no different from those who had perpetuated the ‘discourse of exclusion’ in the first place.

Let us briefly return to ‘Politics and Music’. The piece ends with a parody of Ronald Reagan’s speeches whose propagandizing style is related to lack of audible sounds, especially when the topic seems rather important:

Politics and Music (fragment)

But of course the all-time American master of this art form was
Ron Reagan. And when Reagan wanted to make a point,
he would lean right into the mic

and get softer
and softer
until he was talking like
this
And the more important it was,
the softer
and the more intimate
it would get.

(Anderson 1991:20)

Reagan's silence is construed here by invoking the connotations of irrelevance, unintelligibility and evasion. These are strategies used by many politicians in creating a kind of white noise, which makes only a pretence of communication.

Silence and silencing as censorship

In 'Large Black Dick' (*Empty Places*), Anderson comments on the censoring (silencing) of an exhibition of Robert Mapplethorpe's photographs for their alleged pornographic imagery.

Large Black Dick (fragment)
So the Senator [Jesse Helms] looked at the artist's photographs
and they were pictures of men
with no clothes.
And chains, black leather, and crosses.
But the picture that bothered the Senator the most
was a very large black dick sticking
out of a business suit.
So he made a law that said:
We're not going to look at this.
And you're not going to look at it, either.

(Anderson 1991:81)

Censoring of an individual artist is connected here to the idea of silencing a (sexual) minority, which is similar to the oppression of any socially disadvantaged group or individual (see references above as well as Dendrinis & Ribeiro Pedro 1997; Hall, Sarangi & Slembrouck 1997). At the same time, Anderson

herself breaks a taboo, a form of cultural silence, over homophobia and fear of AIDS, and reassesses otherwise repressed topics.

Powerful groups do not only practice censorship to deny the oppressed and underprivileged access to the mass media and public representation of their version of 'facts' (van Dijk 1996; Jaworski & Galasiński 2000). They also control the discourse by denying the powerless the right to chosen silence (Jaworski 1997c). Psychological or physical violence is often used to coerce the powerless into talking, as has been documented in various testimonials of torture, far too numerous to be listed here.

Anderson exploits the theme of imposed talk and denial of chosen silence in an interrogation situation in the song 'Stereo Song for Steven Weed' (*United States*), which is 'scored for two microphones [hence the numbers in the text quoted below – AJ] and speakers on opposite sides of a small room':

Steven Weed

¹Steven Weed ²wrote in his book ¹that the FBI ²called him in ¹to answer a few questions. ²He said it didn't look like ¹an interrogation room at all – ²There were no bright lights... ¹But he said they were very clever ²they had set it up so that ¹there was an agent ²on his right and ¹one on his left ²and they alternated ¹questions so that ²to answer them ¹he had ²to keep turning ¹his head ²back ¹and ²forth.

¹He said ²that after ¹a few hours ²he realized ¹he'd been shaking ²his head ¹the whole time ²and that ¹no matter what ²answer ¹he'd ²given – ¹yes ²or ¹no ²or ¹I ²don't ¹know – ²the ¹answer ²had ¹always ²been ¹no.

(Anderson 1994:58)

In this piece, subtle manipulation leads to elicitation of talk which is strictly controlled by the powerful. The silencing process involves a paradox and a double-bind. Steven Weed is banned from saying 'yes', and at the same time he is coerced into saying 'no'. He is denied the right to a chosen silence and he is denied the right to free speech.

In a study of how talk and silence alternate as the dominant, underlying linguistic forms in various interactive frames in Ryszard Bugajski's (1983) film script *The Interrogation* 'Przesłuchanie', I have argued that talk is the unmarked form of the two in the interrogation frame (Jaworski 1998). In a model interrogation situation, the interrogator asks questions and the prisoner answers them. However, not any answers will do. Bilmes (1994) defines 'conversational silence' as absence of talk or pausing, and 'notable silence' as absence of a particular, relevant kind of talk. The prisoner can attempt to break the interrogation frame by violating Grice's (1975) maxims of relevance and quantity, as

Tonia, a political prisoner and the main character in *The Interrogation* does when she speaks some kind of gibberish or sings incessantly in order to block off any questions which falsely incriminate her.

Of course, this leads the interrogators to fury as they insist on hearing nothing else but *their* version of the ‘truth’. In one of the examples, Tonia’s interrogator declares: *Nie ma takiego, co by nie powiedział tego, czego się od niego żąda* ‘There’s no one who won’t say what is demanded of her’ (Bugajski 1983:68; my translation – AJ). In fact, Tonia proves him wrong, by employing both conversational and notable silences as if they were her protective shields and tools for breaking the interrogation frame.

Silence is particularly effective in opposing the interrogators’ coercion and indoctrination. Being a prisoner, Tonia is not free to walk away from the interrogation room. However, she can exit the scene *symbolically*. As Ng and Bradac (1993) argue, the linguistic manifestation of power is effective only as long as the hearer is present. Therefore, the powerless party may oppose the powerful one by ‘exiting’ the scene. If the physical removal of self is not possible one can do so symbolically by adopting a ‘passive resistance angle’ (Ng & Bradac 1993:88): looking away, sulking and silence.

Freedom and well-being are not only connected in Anderson’s work to the person’s ability to talk, but, as is demonstrated in ‘Steven Weed’ above, also to the right to freedom of speech. In other words, an individual needs a *free voice* in order to express, assert and constitute his/her own identity.

The notion of *voice* as a prerequisite for human rights is expressed by Anderson in the bold and cynical-sounding piece ‘Shadow box’.

Shadow Box

Should the unborn have civil rights?
Yes, because they can thank you later.
Should the dead have civil rights?
No, because they can’t talk anymore.

(Anderson 1991:80)

Silence as a metaphor for loss of identity

In a related manner, the loss of one’s language and traditional forms of verbal expression (song) are linked by Anderson to the loss of one’s ethnic and cultural identity. In her song ‘Hey Ah’ she describes how a Cree Indian is asked

by a group of film-making anthropologists to perform a traditional Cree song. However, the task is not as simple as it may seem:

Hey Ah (fragment)

... and he starts to sing but the only words he really seemed sure of were
'Hey ah...he ah hey...hey hey hey ah hey...hey...'

As the song goes on, and the repetition of the phrase 'hey ah hey' continues, the performer leaves the stage and a film is projected onto a screen with the following text:

Hey Ah (fragment)

I am singing the songs,
the old songs... but I can't remember the words of the songs,
the old hunting songs.
I am singing the songs of my fathers and of the animals they hunted down.
I never knew the words of the old songs.
I never went hunting.
I never sang the songs of my fathers.
I am singing for this movie;
I am doing this for money.
I remember Grandfather;
he lay on his back while he was dying.
I think I am no one.

(Anderson 1984)

In his overview of the relationships between silence and music, Edgar (1997) points out that in a number of dominated social groups, silence has been replaced by music through which it is possible to regain a collective voice to express the group's concerns, assert its identity or complain about its inequality vis-à-vis the dominant group. Edgar argues that through music and song, a social group may overcome its silence to articulate its values which has a stabilizing and integrating effect on that group. To quote just one of Edgar's examples, soul music can be seen to have emerged 'as a purely black music in opposition to a jazz that had been infiltrated by white musicians and audiences, is seen to function at once to provide work for black musicians, and to assert black identity and success' (Edgar 1997: 318). In other contexts, singing helps to 'disguise' one's voice to the point of being able to break certain taboo topics be they social, political or relating to interpersonal insults and boasts expressed in a singing banter.

In 'Hey Ah' Anderson demonstrates a reverse process of an individual who forgets the language and the songs of his ancestors through which he also loses his identity, sovereignty and self-respect ('I think I am no one').

Conclusion

Three decades ago Jensen (1973) proposed five functions of silence. They may not comprehensively cover all possible uses of silence (or communication), but Jensen made an important observation about silence (again applicable to other forms of communication), i.e. that in all of its functions, silence can be assigned either a positive or a negative value. In summary, Jensen proposed that silence may perform:

1. a linkage function: silence may bond two (or more) people or it may separate them,
2. an affecting function: silence may heal (over time) or wound,
3. a revelation function: silence may make something known to a person (self-exploration) or it may hide information from others,
4. a judgmental function: silence may signal assent and favour or it may signal dissent and disfavour,
5. an activating function: silence may signal deep thoughtfulness (work) or it may signal mental inactivity.

This chapter demonstrates how Anderson picks up on the negative aspects of Jensen's functions of silence. In 'Speechless', the narrator's silence seems to be saving (for the time being) the relationship between herself and her lover, but it also manifests separation between them and may, ultimately, lead to *wounding* the Other. In 'Falling', the narrator is unable to look up and respond to the old woman's plea to sympathize with her. In 'Defining the Enemy' and 'Politics and Music', Anderson illustrates the idea of how the multitude of words may silence alternative versions of social and political reality, and additionally, in the latter piece, she links silence (soft voice) with the loss of meaningful or revelatory talk. And 'Large Black Dick', 'Steven Weed' and 'Hey Ah' exemplify negative *assent* in the sense of how dominated/suppressed groups and individuals remain silenced through censorship and the deprivation of voice.

This is not to say that Anderson's conception of silence is uniformly negative (cf. Jaworski 1997b). In her latest album, Anderson seems to express the view that silence can be a positive communicative force, especially in express-

ing profound emotional involvement (love), but only when it co-exists, or can be replaced with a *positive* word.

Broken (fragment)
 Silence can be a beautiful thing
 But only when it can be broken with a kind word
 with a soft word
 With a word
 Our love unspoken
 Our love lies broken

(*Life on a String*, 2001: Album lyrics)

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