Questioning in interpreted testimony

Azucena C. Rigney

University of Southern California
rigney@scf.usc.ed

ABSTRACT   Courtroom talk does not represent a real exchange of information between an addresser and an addressee, but a display of information for a non-speaking participant, the jury, that has to solve a dispute based on the facts as presented during testimony. The question/answer sequence and, more specifically, the linguistic manipulation of questions is a strategic instrument of domination in the legal context, where interrogation performs different communicative functions such as apologizing, complaining, challenging, signalling surprise and disbelief, ascribing blame, etc. When questioning is done through an interpreter, attorneys lose control over witness testimony, not only because the constant switch between languages slows down the interrogation process, but also because interpreters inadvertently alter the pragmatics of questions as tools of manipulation. Using examples from the Rosa López testimony during the O.J. Simpson murder trial (Los Angeles, 1995), this paper will address the dynamics of courtroom questioning through an interpreter.

KEYWORDS   court interpreting, Simpson trial, pragmatics, questions, Spanish

INTRODUCTION

The analysis of legal discourse is a relatively new field in linguistics; however, there is a considerable amount of research on the topic of courtroom questioning (Philips 1984; Woodbury 1984; Matoesian 1993; Walker 1987). The question/answer (Q/A) sequence, and more specifically, the linguistic manipulation of questions, is seen as a strategic instrument of domination in the legal context, where interrogative structures perform different communicative functions such as apologizing, complaining, challenging, signalling surprise and disbelief, ascribing blame, etc. (Matoesian 1993: 148–57).

Even though most studies of courtroom questioning are based on English discourse, some observations have been made regarding the use of other languages in court. Berk-Seligson (1990: 25) for example, states that courtroom interpreters tend to modify English questions when rendering them into Spanish, altering the degree of control that lawyers have over witness testimony. Interpreters act as linguistic bridges that allow communication between two speakers who cannot successfully communicate in the same language. They must translate accurately everything that is said in court without modifications of any kind, and they must establish cross-linguistic equivalencies that preserve the form and function that help to shape testimony in the source text. However, that

is not always the case since pragmatic meaning is sometimes lost in the interpretation process.

   The aim of this paper is to analyse the interpretation of question/answer sequences in the Spanish–English bilingual courtroom to look for possible alterations of testimony.

COURTROOM DISCOURSE

Courtroom interaction is a verbal exchange, which in many respects differs from talk in ordinary conversation (Atkinson and Drew 1979: 8–18).

   First, courtroom interaction is not a true conversation between two or more speakers, because what is said in court is mostly designed for the benefit of a non-speaking audience, the jury and/or the judge, who are the true recipients of the conversation (Drew 1985: 134).

   Additionally, discourse practices that would be considered pragmatic violations in ordinary conversation are common in legal proceedings. Such practices include: controlling the flow of information presented by the witness in the form of answers to structured questions, and compelling witnesses to answer questions about personal and sensitive matters, regardless of how discrediting they may be. This situation is the result of the uneven distribution of power in the courtroom, where, while witnesses are stripped down from any type of power and must answer all sorts of questions, institutional representatives are invested with a triple power: sociocultural power granted by a society that authorizes them to solve disputes; legal power based on the law; and linguistic power that enables them to control the interactional space of conversation, to prompt witnesses to respond, and to pursue answers to the questions they ask (Walker 1987: 58). Power in the courtroom is displayed through control of testimony, which is carried out through three common methods:

1   insistence on role integrity (i.e. if witnesses try to exceed the limits imposed on their roles, and ask questions or refuse to answer them, lawyers make them aware of their violations, and remind them that they are there to answer questions not to ask them)
2   control of the agenda through topic introduction
3   selection of question type to restrict the size and choice of speaker answers

<div align="right">(Walker 1987: 61–4)</div>

In courtroom interaction, who gets to talk, about what and when, is distributed according to convention (Atkinson and Drew 1979: 8–18). Only two parties are allowed to take part in the conversation, according to very rigid rules: attorneys manage the flow of conversation and select

witnesses, while witnesses can (and must) talk only if they are asked a question.

QUESTION/ANSWER SEQUENCES IN THE COURTROOM

In general terms, a question is an utterance that can be interpreted as such semantically and functionally, regardless of its formal structure, that is, any first part of an adjacency pair that requires an answer as a second part. But courtroom questions present special characteristics that make them different from questions in ordinary conversation.

First, attorneys' questions are not intended to seek information unknown to the speaker. In that sense, courtroom questions are similar to classroom questions: teachers, like attorneys in a courtroom, do not ask questions because they want to know the answer. But while classroom questions are used to check whether a student knows the answer (Sinclair and Coulthard 1975: 36), courtroom questions are used to elicit information for the benefit of the judge and jury. Given the fact that the trial is one of the last steps in the judicial process, lawyers already know or believe they know the answer they can expect from the witness, especially in direct examination, which is somehow a rehearsed testimony (Danet and Bogoch 1980: 38; Dunstan 1980: 64).[1]

Second, courtroom questions demand a verbal answer (a head nod or a shoulder shrug is not considered enough), an answer that must be responsive and relevant to the previous question (Walker 1987: 59). Also, the status official representatives have in court, allows them to pursue responses successfully, while in ordinary conversation addressees are free to evade answers.

Additionally, questions are the only means lawyers have to present information in the court (through the responses they elicit), as well as the resource to challenge, blame, suggest and direct witness testimony. Courtroom interaction, where truth becomes a matter of persuasion (Atkinson and Drew 1979: 18), is exclusively organized into a series of question/answer pairs aimed at eliciting two different versions of the same story and presenting contrasting interpretations of one or more events presented as facts (Woodbury 1984: 206). Courtroom questions are a powerful tool for attorneys, who use them to control the flow of discourse, requesting particular information in a certain fashion, presenting the story in the order they decide to impose, which does not necessarily follow the temporal succession of the actual events (Stygall 1994: 120).

Several typologies of courtroom questions have been established along the dimension of control aiming to shape witness testimony. The notion of control can be defined in two ways: (1) as 'coerciveness', constraint and control of the witness, through elicitation of narrow replies (Danet & Bogoch 1980); and as (2) degree to which the questioner can impose his own interpretation of the evidence (i.e. wording the evidence, presup-

posing, insinuating, challenging) (Woodbury 1984). The degree of control has regularly been assigned to the form of the question, though the degree of control or coerciveness of a question may also depend on the content of the question, as Bresnahan (1981:566) shows:

(1)   You don't recall not asking Lula, do you?
(2)   Where was his I.V. line?

(Bresnahan 1981: 566)

Although the form in (1) is more coercive in structure than the one in (2), the second question arguably functions more coercively because it is based on a controversial supposition, the presence of an I.V. line.

   However, even though questions pursue specific answers, it is possible for them to get unexpected or dispreferred answers, that is, answers that do not follow the syntactic/semantic frame provided by the question, do not give a sufficient answer or elaborate the answer further than requested. Examples of dispreferred answers are:

(3)   PA[2]:   You read the document before signing it?
      W: The girl read it to me, the secretary. (O.J. 16)
(4)   PA: You spoke to her for 2 hours, didn't you?
      W: Not 2 hours. (O.J. 17)

In these cases, a simple 'Yes' or 'No' would have been the expected answer. In (3), the witness is adding information, and in (4) she is replying to the question accepting its presupposition only partially: 'Yes I spoke to her, but not for 2 hours'.

Table 1   Types of questions according to degree of control over testimony

CONTROL	ENGLISH	SPANISH
Low control	1. Open *Wh* questions	1. Open *Wh* questions
	2. Closed *Wh* questions	2. Closed *Wh* questions
	3. Modal questions	3. Modal questions
	4. Embedded questions	4. Embedded questions
High control	5. Alternative questions	5. Alternative questions
	6. Yes/No questions	6. Yes/No questions
	7. Negative Yes/No questions	7. Negative Yes/No questions
	8. Declarative questions	
	9. Same polarity tags	8. Affirmative declarative tags
	10. Reversed polarity tags	9. Negative declarative tags
	11. Positive tags	
	12. Negative tags	
	13. Factual Questions	10. Factual questions

Despite the fact that dispreferred answers may be elicited, questions can be ranked according to the degree of control they try to impose on the answer. For English courtroom questions, I have adopted, with some modifications, the classification proposed by Walker (1987 69–77), and I have established a similar typology for Spanish questions. Both typologies are summarized in Table 1.

Low control questions
Open Wh questions
Wh questions are questions that ask for information about the referent of the interrogative adverb or pronoun that initiates them. They can be open or closed. Open *Wh* questions (i.e. those about why?, what? and how?) accept longer and more elaborate answers than closed ones. Their function is to request display of information, eliciting a story version.

   Example
(5)   DA: And why did you leave her house? (O.J. 6)

Closed Wh questions
Closed *Wh* questions are questions that elicit the display of information providing narrative orientation, as far as they request only information about specific details (who, whom, where, when):

(6)   PA: Where is the Pan American ticket office that you currently
             use? (O.J. 38)

Modal questions
Modal questions are embedded questions subordinated to a modal verb (i.e. can, could, may, might, must, will, would, shall, should, ought and need). For example:

(7)   PA: Could you try to spell it [the name 'Josefina'] for me, please?
             I would appreciate it. (O.J. 44)

Modal questions are interactional structures that serve as politeness strategies to mitigate the force of direct requests. For that reason, some authors (e.g. Danet 1980: 521) consider them the least coercive questions that can be used in the courtroom. Modal questions are a type of pre-sequence questions. A pre-sequence is a question checking whether some precondition obtains for a forthcoming action like a request, an invitation or an announcement (Levinson 1983: 346–7). Modal questions are pre-requests that question the addressee's ability to fulfil the request to be made (Yadugiri 1986: 208). In ordinary conversation respondents have the option to answer to either the modal (the pre-request, 'could you', in

example 7 above) or the embedded question (the implicit request: 'spell the name'). However, trial witnesses do not have that choice, as they are expected to answer the embedded question. If they choose to answer the modal question, lawyers usually pursue an answer to the embedded question through repetition or rephrasing of the implicit question.[3] This is what happened in the case of example (7), which was continued as follows:

(7[1]) W: Then I would have to do it letter by letter and it's a very long name.

PA: Is it spelled the normal way?

W: Yes Sir. (O.J. 44)

Here, even though the attorney does not repeat the exact embedded request (i.e. 'Spell it'), he rephrases the question in such a way that the elicited answer satisfies the embedded request (i.e. the spelling of the name).

Embedded questions

Embedded questions are formal Yes/No questions that function as *Wh* questions. They are compounded questions with an embedding question of the Yes/No type, and an embedded question of the *Wh* type. They are used to indirectly request a display of information. Even though they appear to ask for confirmation/denial of the Yes/No question, they actually request information through the *Wh* question. Example:

(8)   DA: And did you know the address where the Salingers lived?
      W: 348 North Rockingham. (O.J. 2d)

High control questions
Alternative questions
Alternative questions are questions that ask for an answer that has to conform to one of the options provided in the question. In that sense, even though they offer answer choice, they are more controlling than *Wh* questions:

(9)   PA: In English or Spanish?
      W: In Spanish. (O.J. 61)

Yes/No questions
Yes/No questions are polar questions that must be answered with a 'Yes' or 'No'. They request display of information but word the answer, as far as the witness is only required to confirm or deny the presupposition of the question. For example:

(10) PA: Is that the arrangement you have, that you pay when the
                case is over?
        W: Yes. (O.J. 27)
(11) PA: So, did you maintain a residence somewhere else?
        W: At my daughter's. (O.J. 39d)

Negative Yes/No questions
Negative Yes/No questions are Yes/No questions formulated in a negative
fashion and are always leading. According to Escandell (1988: 464–6),
negative questions are leading because negative propositions are usually
less informative than positive propositions.[4] Therefore, there is a strong
tendency to use negative propositions when they are more informative
than the positive ones, due to external circumstances (e.g. when they
reject or deny a previous positive statement). Givon (1978: 70) supports
this same hypothesis when she says that negative speech acts are presup-
positionally more marked than their corresponding affirmatives, and that
'a felicitous discourse context for the negative is the previous mention of
the corresponding affirmative, or alternatively, the belief by the speaker
that the hearer has heard of the possibility of that corresponding affirm-
ative being true, and in fact has tipped his belief toward the truth of that
corresponding affirmative' (Givon 1978: 80).
   Negative interrogatives can function as assertions rather than ques-
tions, and they are used as a tool of argumentation. Example:

(12) [The witness has admitted having made reservations to leave for El
          Salvador, as the reason why the examination should be over on
          that same day, but the PA has found this not to be true]
        PA: Ms. López, didn't you tell us that you made reservations
                prior to your coming to Court, today, yes or no?
        W: No. (O.J. 39)

Declarative questions
Declarative questions are declarative sentences with interrogative func-
tion and the high pitch associated with formal questions. They can be
formulated positively (13) or negatively (14). They are considered very
coercive because the declarative form gives them the illocutionary force
of statements more than that of questions. They are frequently men-
tioned in typologies of English questions because they do not show the
subject-auxiliary inversion characteristic of ordinary Yes/No questions.
Example:

(13) PA: OK, so when you told us that you had already made a
                reservation you were lying? (O.J. 30)

(14) PA: OK, but you didn't stop her so that you could speak to her?
             (O.J. 48)

Tag questions

Tag questions are coercive questions with a very distinctive declarative/
interrogative structure. The meaning of these questions depends on the
interaction between the meanings of the interrogative and the declarative
(Hudson 1975: 23). Tag questions are conducive because they combine a
declarative sentence with which the speaker states that the proposition is
true, and a tag that seeks for confirmation. Even though there is an ex-
tensive literature on the topic of tags, there is not much agreement on
how many tags there are, how to classify them or even which tags are
possible or grammatically acceptable in English (see McGregor 1995). A
distinction is made between grammatical tags, and lexical or 'invariant'
tags. Grammatical tags are formed by a declarative sentence and a ques-
tion-tag (auxiliary verb + personal pronoun) that replicates the person
and tense of the verb from the declarative sentence. Lexical tags are formed
by a declarative sentence, and an impersonal or generic question (e.g. 'is
it true?', 'is that right?'), or an invariant tag such as 'right', 'OK', 'eh',
etc. Grammatical tags can be classified as constant polarity tags (exam-
ple 15) or reverse polarity tags (example 16), depending on the polarity
agreement between the declarative sentence and the tag. Lexical tags, on
the other hand, can be either affirmative (example 17) or negative (ex-
ample 18), depending on the presence of a negative polarity item in the
question-tag.

(15) PA: OK. You told her that you wanted to stay in the United
             States, did you? (O.J. 17d)
(16) PA: OK, but during that 25 or 30 minute period you told her
             you didn't want to go to El Salvador, didn't you? (O.J. 17)
(17) PA: You read that document before signing it, correct? (O.J. 16)
(18) PA: You entered the house with somebody else, isn't that
             correct?[5]

Grammatical tags have received considerably more attention from
grammarians concerned with sentence structure. According to Hud-
son (1975: 27), constant polarity tags are positively conducive (i.e.,
they expect a Yes as an answer), they express shared belief between
speaker and hearer, and they seek confirmation from the interlocutor.
Reverse polarity tags are negatively conducive interrogatives that ex-
press speaker's belief in the proposition of the declarative clause, and
ask the hearer to consider whether the negation of the proposition is
really true (implying that the opposite is really true, like negative yes/
no questions). Because the presence of the negative in a question makes
it function as an assertion, reverse polarity tags are more controlling

than constant polarity tags. When the polarity is constant, the speaker is simply asking whether the hearer would agree to the proposition or not; when the polarity is reversed, the speaker suggests that he in fact believes the proposition to be true, and he enquires whether this is held to be true or false by the hearer. Lexical tags also seek confirmation from the speaker, but they are more coercive than grammatical tags because the sincerity clause of the tag presents the proposition as an objective, impersonal truth. Lexical tags imply that what the speaker says is a fact and not something he believes (e.g. in example 17, the speaker presents as a fact that the witness signed the document). Negative tags are the most coercive ones because they combine the illocutionary force of the negative with the truth of the sincerity clause.

Factual questions
Factual questions are questions that start with factual clauses of the type 'in fact', 'as a matter of fact', and are the most coercive questions because they present the information of the question as the actual truth. Lexical tags also present the information of the declarative clause as an objective truth, but factual questions are more coercive than lexical tags because preposing the factual clause makes it more salient. Factual questions can have the illocutionary force of accusations.

(19) PA: Isn't it true that this morning you told us that your niece purchased your plane ticket?
       W: Yes. (O.J. 101)

QUESTIONS IN INTERPRETED TESTIMONY
The presence of court interpreters in the courtroom has a major impact on the judicial proceedings as Berk-Seligson (1990) has shown. On the one hand, introducing a third person between speaker and hearer, who are usually in charge of negotiating communication and meaning, alters the flow of communication. On the other hand, when mistranslations and other alterations are introduced in the interpretation process, they can serve to render meaningful differences between the source and the target text. Interpreting a message is not merely finding word equivalents to lexical items, as far as interpretation is not done word-by-word but concept-by-concept. Utterance meaning has linguistic aspects (such as phonological, semantic and lexical structure), and extralinguistic aspects (context). Therefore, equivalence in translation/interpretation is not merely a linguistic and semantic issue, but also a pragmatic one. That is why court interpreters have to make a special effort to transfer the pragmatic meaning of the source text (i.e. speech acts, illocutionary force, conversational

maxims, politeness elements, etc.): these elements have considerable influence on the interpretation of meaning and on the image the interaction participants project on their interlocutors.[6]

The role of court interpreters is to translate across languages the dialogue that takes place in the courtroom, maintaining the same tone and register of the original if possible, not translating word-by-word but concept-by-concept, without adding or deleting anything from the original. This is a very difficult task, if not impossible, which requires translation of pragmatic features that may vary across cultures.

THE STUDY: DATA AND METHODOLOGY

The present study analyses the use and interpretation of questions in the English–Spanish bilingual courtroom, using data from the Rosa López testimony (the *State of California* vs. *Orenthal James Simpson*, Los Angeles, 1995). The Simpson case was a highly publicized criminal court case, which was broadcast live for millions of TV viewers. The materials used are unofficial transcripts made by the researcher, from tape recordings made directly from the TV.

The data analysed here belong to the initial part of the testimony given by Rosa López, a native speaker of Spanish from El Salvador. Ms. López was a defence witness who was allowed to testify out of turn, during the presentation of the prosecution's case, because she claimed she was leaving the country. Ms. López was interrogated for four days with the help of three skilled court interpreters.

A total of 964 questions (482 in English, with their corresponding translation), totaling two-and-a-half hours of testimony, were analysed for the present study. Each token was cross-tabulated with the SPSS [Statistical Package for the Social Sciences] program, considering the following factors: question type, translation, legal turn (i.e. phase within the trial), and answer preference. The study is based on data produced by one witness through one interpreter alone. I am aware of the limitations this imposes on the validity of my analysis, but this paper was born on the initial steps of an investigation, currently in progress, where more cases, witnesses and interpreters, as well as data from the monolingual English and Spanish courtrooms are being analysed.[7]

In the process of my investigation, I found that the interpreter tends to alter the pragmatics of certain types of English questions when translating them into Spanish. Some pragmatic alterations are due to cross-linguistic differences, but some others take place regardless of linguistic similarities. While some alterations are due to occasional interpreters' errors, others take place regularly and are the unavoidable result of what Bein (1996: 13–16) calls 'zero cross-linguistic equivalence' in translation, terms (or structures) are considered to be equivalent if they refer to

'the same' as the original, 'in the same way' or 'with the same goals'. 'The same' can be expressed through lexical loans, neologisms, analogies or periphrasis. When 'the same' cannot be said in different languages because there is no concept or word to use to refer to it, there is said to be a 'zero cross-linguistic equivalence' (Bein 1996).

In the 964 questions I studied, I found that 40.4 per cent presented some kind of interpretation deviation due to either interpreter error or pragmatic alteration between source and target text (see Table 2). Only 3.1 per cent of the cases were due to occasional interpretation errors or mistakes (e.g. omissions of text, alterations of verbal tense etc.), but the others were caused by cross-linguistic differences in the pragmatics of English and Spanish questions. I found that 30 per cent, almost a third of all the incorrect translations, resulted in Yes/No questions in Spanish. Yes/No questions were also the most correctly translated (64.5 per cent), probably because equivalencies among this type of questions in both languages facilitate the interpreting process. Cross-linguistic equivalence would also explain why *Wh* questions, factual and alternative questions, which behave the same in both languages, are always translated correctly.

Table 2   Translation by question type[8]

Type	Correct		Incorrect	Different Q	Zero-equivalent
Open *Wh* questions	50/574	8.7%	—	—	—
Closed *Wh* questions	106/574	18.5%	—	—	—
Modal questions	8/574	1.4%	9/30 30%	—	—
Embedded	18/574	3.1%	—	—	—
Alternative	4/574	0.7%	—	—	—
Yes/No questions	370/574	64.5%	9/30 30%	—	53/134 39.6%
Negative Yes/No Q	8/574	1.4%	2/30 6.7%	—	14/134 10.4%
Declarative	—		2/30 6.7%	—	67/134 50%
Constant polarity tags	—		1/30 3.3%	1/226 0.4%	—
Affirmative tags	—		2/30 6.7%	92/226 40.7%	—
Reverse polarity tags	—		5/30 16.7%	20/226 8.8%	—
Affirmative declarative tags	—		—	91/226 40.3%	—
Negative declarative tags	—		—	22/226 9.7%	—
Factual questions	10/574	1.7%	—	—	—
Total	574/964	59.5%	30/964 3.1%	226/964 23.4%	134/964 3.9 p<.001

ANALYSIS OF INTERPRETED QUESTIONS

In the following sections, I will comment on some of the alterations in interpretation that I found in my examples. This section will be subdivided into sections about specific types of questions. Nothing will be said about question types where no alterations were found (e.g. *Wh* questions, Yes/No questions and alternative questions etc.), because they do not appear to suggest cross-linguistic differences.

Modal questions

Modal questions have been defined as embedded questions subordinated to a modal verb. The list of English modal verbs was given above (i.e., can, could, may, might, must etc.). Spanish has two modal verbs: *poder* ('can', 'to be able to') and *deber* ('must', 'should', 'to have to'). I also stated above that modal questions are interactional structures that serve as politeness strategies to mitigate the force of direct requests. Berk-Seligson (1990: 149–55) explains the role of linguistic politeness in the courtroom, and how it can be used to show different attitudes towards the witness, from esteem, fairness and courtesy, to sarcasm (during the hostile examination of a witness). Even though English has more modal verbs than Spanish, and Spanish has the possibility of using imperfect past to express politeness (e.g. *podía*, 'could' and *debía* 'should'), I believe modal questions are cross-linguistically equivalent in English and Spanish. Both languages use modal questions to make requests from the speaker, and both convey linguistic politeness through the use of temporal/aspectual/modal devices (TAM devices) that increase or decrease interpersonal distance.[9] The cross-linguistic equivalence is seen in the following example, where despite the hesitations, the interpreter manages to preserve the degree of politeness of the original question, using the modal verb *poder* in the present:

(20) DA: Can you describe for the Court how the Bronco was parked?
     I: *¿Puede* (PRES) *ud. describirle al abogado, a la Corte, cómo es que estaba, cómo estaba parqueado ese Bronco, estacionado ese Bronco?*
          (Can you describe for the attorney – for the Court, how is that it was – that Bronco was parked – that Bronco was parked?)[10] (O.J. 158E)

According to Chodorowska-Pilch (1998: 42), when the utterance is removed from the actual and/or factual perspective through TAM displacement, the expression of politeness of the utterance increases. If one accepts this hypothesis, one has to believe that altering the verbal tense in the interpretation of a modal question, will affect the degree of linguistic politeness the question encodes, and consequently, the degree of control

the attorney is trying to impose over the testimony. This is exactly what I found in some of the modal questions in my data, as in:

(21) DA: Can (PRES) you tell us about how long the dog continued
            to bark? if you know
      I: *¿Podría* (COND*) decirnos por cuánto tiempo permaneció el
            perro ladrando?, si ud. sabe.* (O.J. 168E)
(22) DA: And would (COND) you look at 62-D?
      I: *¿Puede* (PRES*) mirar a la 62-D?* (O.J. 159E)
(23) PA: OK. Could (COND) you repeat that, spell it, please?
      I: *¿Lo puede* (PRES*) deletrear?* (O.J. 21)

In these examples, one can see that the interpreter is inconsistent in the translation of the verbal tense, translating present for conditional (example 21) and vice versa (examples 22 and 23).

The interpreter sometimes removes the elements that convey interpersonal distance, transforming polite modal questions into direct Yes/No questions, as in:

(24) PA: Can you see him in the Courtroom right now?
      I: *¿Lo ve ud. en el tribunal en este momento?*
            (Do you see him in the Courtroom right now?) (O.J. 23)

Politeness forms are also removed here:

(25) DA: All right. Can you point out or direct Mr. Harris to your
            home, where you lived when you resided with the Salingers?
      I: *¿Puede uh – indicarle al señor uh Harris adónde – en el
            número 4 ahí donde vive usted,¿es la casa de los Salinger?*
            (Can you uh – point to Mr. Uh Harris where – in number 4,
            there where you live – is that the Salingers' home? (O.J. 152E)
(26) DA: All right. So use your glasses and look at defendant's 1044
            on the monitor there and can you – Mr. Harris will use the
            little arrow. And can you show us what part of the property
            did you go to uh after 8:10 or 8:15 p.m. uh on June 12th,
            1994?
      I: *Use usted estos anteojos y mire al monitor ahí en la – ¿Puede
            usted mirar ahí con la flecha? ¿En qué parte de la eh de la casa
            se dirigió usted después de las 8 y 10, 8 y 15?*
            (Use these glasses and look at the monitor there in the – Can
            you look there with the arrow? What part of the uh – house
            did you go to after 8:10, 8:15?) (O.J. 156E)
(27) DA: Would you look at 62-B?
      I: *Mire a la 62-B.*
            (Look at 62-B) (O.J. 159E)

In examples (25) and (26) the interpreter abandons the modal frame after a false start. In (25), the interpreter starts translating the modal 'Can you point out' as *Puede indicarle*, but she ends the turn with a Yes/No question: *¿Es la casa de los Salinger?* (Is that the Salingers' home?). And in (26), even though it could be argued that the interpreter maintains the same level of politeness of the turn, because she uses a modal in *¿Puede usted mirar ahí con* (SIC) *la flecha?* (Can you look there with the arrow), the interpreter is removing the politeness device from the original question 'Can you show us what part …', that becomes the Yes/No question *¿En qué parte de la casa …?* (What part of the house …?). In (27), a polite request becomes an unmitigated command with the use of the imperative *Mire* (Look), which the interpreter could have softened inserting a 'please'. Even though, depending on the context, the force of a command may be mitigated, as in the typical Spanish request *Dame la sal* (literally, 'Give me the salt'), I believe such directness in court is not a sign of politeness.

In example (28), the interpreter uses a modal verb too, but of a different sign, while 'can' is used to make polite requests, 'should' is the modal of obligation:

(28) DA: Can you point show and tell him where to put the green
            light as to the Salingers' home?
      I: *Tendría que indicar cómo – dónde – dónde tiene que poner él
            la lucecita verde en lo que se refiere a la casa de los Salinger.*
            (You should show how – where – where he has to put the
            green light as to the Salingers' home) (O.J. 152E)

In all these cases, the interpreter is 'interpreting' modal structures (in the literary sense of giving a personal version of speaker meaning), and removing their pre-sequence condition. Curiously, in doing this, she is altering the dynamics of control of the courtroom in the opposite direction to what Berk-Seligson observes (1990: 137–9). What the interpreter is doing here by removing politeness from the source text, is making the lawyers' questions more coercive.

Tag questions

I stated above that tag questions are coercive questions formed by a declarative sentence and a question-tag. As I explained, English has four types of tag questions: grammatical tags of constant and reverse polarity (examples 15 and 16), and lexical positive or negative tags (examples 17 and 18). Spanish tags have not received much attention from grammarians, and only occasional mentions to the topic. Quilis (1993: 451), who calls them *preguntas confirmativas* (confirmatory questions), a name based on their pragmatic function, says that confirmatory questions can

be identified by an almost lexicalized item (*no* or *verdad*, 'truth') with rising intonation, that follows an utterance with falling intonation. Escandell (1988: 480) provides a list of tags which, according to her, signal positive agreement. Among the tags, she includes also *¿no es verdad?*, *¿no es eso?* and *¿no es así?* ('isn't it true?', isn't it that?', 'isn't it so?', respectively). She says that tag questions are oriented questions similar to negative yes/no questions, but different from them in that tag questions commit the speaker to the truth of the proposition contained in the declarative sentence. The first attempt to classify Spanish tag questions is done by Boretti (1996: 172), who talks about tag questions of negative and tag questions of positive polarity. According to her, tags of negative polarity are those containing a negative either in the proposition or in the tag. I believe, however, that even though Spanish has two types of tag questions (i.e. positive and negative), the polarity sign is in the declarative sentence, not in the tag, which for me is interchangeable (i.e. implies no difference in meaning). Examples:

(29) PA: *Entró a la casa acompañado, ¿verdad? / ¿no?*
          (You entered the house with somebody else, right?)
(30) PA: *No entró a la casa acompañado, ¿no? /¿verdad?*
          (You didn't enter the house with somebody else, right?)

Therefore, while the meaning of English tag questions (i.e. shared knowledge, speaker's belief, and objective truth) depends on the interaction of the declarative proposition and the closing tag, the meaning of Spanish tag questions lies on the affirmative or negative proposition, not in the tag. Positive and negative tag questions in Spanish are conducive, because when the speaker produces a declarative proposition, it is because he believes that the proposition is true (even though all Spanish tags are lexical and present the proposition as objectively true). If the speaker asks the hearer if the proposition is true or false, it must be because he, the speaker, has a hidden agenda (i.e., he seeks hearer confirmation). The difference between both types of tag is in the presence of the negative, which as I explained in the section about negative yes/no questions, gives the question the illocutionary force of an assertion (Pórtoles 1988: 72). The interpretation of tag questions into Spanish is problematic not only because it means a reduction of structures, but also because the structures are organized differently in each language. In my data, I found that the interpreter uses the formal structure of tags as a guide for interpretation, transferring items that may have a different pragmatic meaning in English and Spanish. For example, if the source tag question contains a negative in the tag or the proposition, the interpreter automatically translates the question with a negative tag, as in:

(31) PA: You read English, don't you?

I: *Usted lee inglés, ¿no*   (O.J. 15)
(32) PA: OK, and you heard what the reporter said during that news
            cast, didn't you?
I: *Y usted oyó lo que el reportero dijo durante ese programa,*
        ¿no? (O.J. 16d)
(33) PA: Well, when you left the Salingers you told them that you
            were heading for El Salvador, didn't you?
I: *Cuando usted se marchó de donde los Salinger, usted les dijo*
        que se iba a El Salvador, ¿no? (O.J. 32)

In these examples, propositions in English that express speaker's belief,
are presented in Spanish as unquestionable objective truths. There may
not be a more adequate – pragmatically speaking – translation of these
tags but I believe this interpretation neutralizes the difference between
the English lexical tag and the reverse polarity tag (that is, objective truth
vs. speaker's belief, which can be conveyed by the same Spanish tag ques-
tion). So while source and target text may present negative polarity in
the tag question, the implications of having the negative in the tag vs.
the proposition, differ in both languages.
    In other instances, I found that the interpreter omitted the question
tag reducing the coerciveness from the original question as intended by
the lawyer. For example:

(34) PA: You spoke to her for 2 hours, didn't you?
I: *¿Habló ud. con ella durante dos horas?*
        (Did you speak to her for 2 hours?) (O.J. 17)
(35) PA: You also told Ms. Villalpando that you were willing to
            testify, didn't you?
I: *¿También dijo usted a la Sra. Villalpando que estaba usted*
        dispuesta a declarar?
        (Did you also tell Ms. Villalpando that you were willing to
        testify?) (O.J.19)

They omit it especially when it is a reverse polarity tag question with a
positive tag. This type is difficult to translate into Spanish, because the
possibilities of asking a question with an auxiliary verb and a subject are
very limited.[11] For example:

(36) PA: OK, but during that 25 or 30 minute period you told her
            you didn't want to go to El Salvador, did you?
I: *Pero en esos 25 ó 30 minutos, ¿usted le dijo que no quería*
        regresar a El Salvador?
        (But during that 25 or 30 minute period did you tell her you
        didn't want to go to E=l Salvador) (O.J. 17)

(37) PA: But your family hasn't made plans to go to El Salvador, has
           it?
      I: *¿Pero su familia no ha hecho planes para volver a El Salvador?*
           (But has your family made any plans to go to El Salvador?)
           (O.J. 102)

Removing the tag of the question, the interpreter is turning a directive
question, which puts words in the witness's mouth, into an information
seeking one.

Sometimes, even though the tag is removed, the coerciveness of the
question can be inferred from other contextual elements such as discourse
markers that help to interpret the Spanish Yes/No questions as conducive,
such as the *pero* ('but') in example 37 (above), or *sin embargo* ('however-
er') in example 38.

(38) DA: You knew he lived next door however, is that correct?
      I: *Sin embargo, usted sabía que él vivía en la uh – en la*
           vecindad?
           ('However, you knew he lived in the uh – in the
           neighborhood?') (O.J. 147E)

I believe that English tag questions allow lawyers to play more power
games than their Spanish counterparts. Even though Spanish has two
structures to play with, in fact most instances in my data are affirmative
tags (i.e. tag questions with an affirmative declarative proposition), which
happen to be the least conducive kind of Spanish tags.

Declarative questions
Another question type that is subject to misinterpretation in Spanish is
the English declarative structure with final rising intonation that func-
tions as a question, such as: 'You entered the house with somebody?'
Declarative questions are considered very coercive because the declarative
form gives them the illocutionary force of statements instead of ques-
tions. Declarative questions are very common in English-speaking courts
– 69 out of the 482 English questions I looked at were declarative ques-
tions – and they are considered highly conducive (Walker 1987; Wood-
bury 1984). According to Woodbury (1984: 217–21), declarative
questions, or prosodic questions, as she calls them, allow lawyers to word
the evidence, to signal their beliefs about the truth of the evidence, and to
indicate the answer they expect. According to her, when heard in con-
text, declarative questions focus the hearer's attention on given informa-
tion, and attorneys use them to introduce new information suggesting
that they are only raising given information.

English declarative questions are formally different from yes/no questions in that they do not show subject-auxiliary inversion. However, in Spanish, where there is no mandatory SV order in questions, and interrogation is marked intonationally, form alone cannot be used to differentiate between true interrogatives and conducive ones. Spanish not only allows both orders, SV and VS, in questions, but also tacit subjects (i.e. subjects conflated in the verb form). Therefore, SV order is not a good clue to sentence mood in Spanish.

There have been some attempts to correlate Spanish SV order in questions with neutrality vs. conduciveness of the question. However, there is no agreement on which order is more neutral. Traditional grammars (Esbozo (Real Academia Española) 1973; Gili-Gaya 1960) say that the verb usually goes first but it can accept subject preposition. Pórtoles (1988: 80) uses SV order, together with mood and negative polarity terms, to distinguish formally between true negative questions and argumentative negative questions, which have a similar degree of assertiveness to English declarative questions. According to him, the order SV favours the true interrogative interpretation, but his fabricated and decontextualized examples allow for both interpretations. In contrast, Boretti (1996: 99), who analyses recordings from actual conversations between Spanish speakers from Rosario, Argentina, supports the opposite hypothesis. According to Boretti, subject postposition is an indication of neutrality, and it is used in authentic interrogatives that seek information.

Intuitively speaking, it would be easier to accept VS order as typical of neutral questions, because SV order is the unmarked order of assertions, however, more research is needed. I am currently conducting quantitative analysis on courtroom recordings from Valencia, Spain, to verify if the SV order hypothesis in fact has any validity.

In the data I have analysed for this study, I have not found any consistency in subject expression and/or SV order, not even in questions that are clearly true information seeking questions, and that translate English Yes/No questions, as the following:

(39) PA: Did you make it (the reservation) today?
      I: *¿La hizo hoy?*
           (It (OBJ) make (YOU, PAST) today?) (O.J. 12)
(40) DA: And did you know the address where the Salingers live?
      I: *¿Y sabe usted la dirección de dónde viven los Salinger?*
           (And know (YOU, PRES) you the address of where live
           (THEY, PRES) the Salingers?) (O.J. 2d)
(41) DA: And are you presently employed?
      I: *¿Usted ahorita tiene trabajo?*
           (And you now have (YOU, PRES) a job?) (O.J. 2)

While in (39) there is a tacit subject, in (40) the order is VS, and SV in (41). It is the intonation, together with the fact that these propositions initiate a Q/A adjacency pair, that distinguishes them from declarative propositions.

   If it is true that there is no Spanish equivalent to English declarative questions, the meanings of blame, challenge, irony, etc. that English declaratives convey can be lost in the translation unless interpreters use other linguistic devices to preserve them. Examples of these devices could be discourse markers, or a different intonation.[12] In my data, I found that most declarative questions were interpreted as neutral Yes/No questions, with no particular differences in intonation. In some cases, discourse markers help to convey the conduciveness of the original question, but not always. For example, in the following case, the discourse marker *así que* ('so'), preserves the argumentative nature of the question:

(42)   DA: So you've planned to go to El Salvador for quite a while?
       I: *Así que ¿tiene usted planeado ir a El Salvador desde hace un tiempo?* (O.J 11)

But, discourse markers are sometimes omitted in the translation, as OK in this example, in the second question from the PA:

(43)   PA: OK. You purchased the ticket because you were planning all along to go to El Salvador, is that correct?
       I: *Compró el boleto porque pensaba todo el tiempo ir a El Salvador, ¿correcto?*
       W: Yes.
       PA: **OK**, You paid the plane ticket for that uh – to go back to El Salvador?
       I: *¿Usted pagó el boleto de avión para regresar a El Salvador?* (O.J 13)

And even translating the discourse markers, the idea of argumentation from the source text is not always conveyed in the target text, because discourse markers are multifunctional and have multiple meanings. This seems to be the case in the following example:

(44)   PA: OK. Did you watch the preliminary hearing from Court TV?
       I: *¿Vio usted el enjuiciamiento preliminar en Court TV?*
       W: *No todo el tiempo, no porque no tengo tiempo.*
       I: Not all the time, because I don't have the time.
       PA: OK. **But** you watched some of the preliminary hearings on Court TV?
       I: *Pero ¿vio usted parte de la vista preliminar en Court TV?* (O.J. 60d)

Here, the English 'but' has an adversative meaning which helps to interpret the PA argument as a partial contradiction to the witness testimony: 'You didn't watch the entire preliminary hearing, but you watched part of it?'. However the form of the Spanish question, that replicates the VS order of the previous question, helps to interpret a connective/additive meaning in the Spanish *pero*.[13] *Pero*, as its English counterpart, usually has an adversative meaning, but in this case, it is only connecting both questions from the PA: 'You didn't watch the entire preliminary hearing, but did you watch part of it?'.

The conduciveness of the English declarative interrogative question can also be conveyed with a negative Yes/No question in Spanish, as in the following examples. Here, the presuppositional markedness of the negative (Givon 1978: 70), helps to interpret the question as a leading argumentation:

(45) PA: Mrs. López, didn't you tell us that you made reservations prior to your coming to Court, today? Yes or no?
      I: *Sra. López, ¿no nos dijo usted que había hecho sus reservaciones antes de venir al tribunal hoy? ¿Sí o no?*
      PA: You didn't just tell us that?
      I: *¿No nos acaba de decir eso?* (O.J. 31)
(46) PA: You weren't sitting back there in the backbench, speaking to Mr. Cochran in English?
      I: *¿No estaba usted sentada ahí en el banco de detrás, hablando con Mr. Cochran en inglés?* (O.J. 58d)

In other instances, interpreters tend to compensate the linguistic difference by searching for conduciveness strategies in Spanish, such as the use of tags, as in:

(47) PA: You have – You don't have a ticket?
      I: Usted no tiene boleto, ¿no?
            (You don't have a ticket, do you?)[14] (O.J. 12d)

But these cases are very rare, and usually the conduciveness of the source question gets lost in the translation because of a mismatch of structures in both languages.

Negative questions

Another type of question that has been reported as problematic by English/Spanish court interpreters is those containing negatives (Berk-Seligson 1990: 73).

Control over testimony through the use of questions depends on answer expectation. If the answer expected to a certain question in one

language were to differ from the answer expected in the other language, the illocutionary force of the question could be modified. Berk-Seligson reports a difference in the linguistic habits of English and Spanish speakers when answering to negative questions, that can cause communication problems. Even though Spanish, like English, has the possibility of asking questions through negative interrogative structures, the preferred answer varies from one language to the other. While English speakers would answer 'No' to a negatively worded question, Spanish speakers can answer either *Sí* or *No* to the same question, and still be answering the question negatively, as in:

(48) A   So she wasn't at the bar that night?
      B   (American):   No (= no, she wasn't).
      C   (Latin American): Yes (= yes, you're right: she wasn't there).
                             No (= no, she wasn't).
                                    (Berk-Seligson 1990: 73)

But according to Lane (1993: 167–73) miscommunication of responses to questions containing negatives can arise in monolingual English also, because 'Yes' and 'No' are multifunctional discourse particles which can, among other things, give an answer, or express agreement or disagreement. 'Yes' and 'No' can be paraphrased as positive or negative versions of the questioned or asserted proposition, or signal agreement with the negative proposition included in the question, as in example (48) above, where 'Yes' means ' yes, you're right: she wasn't there.' Bald (1980: 184) says that when the question is negative, the polarity or signal of agreement/disagreement of Yes/No responses with the question is neutralized. However, as far as 'Yes' and 'No' are usually contained in extended utterances, it is possible to infer their meaning in most cases, or to make it explicit. The language has resources to clarify ambiguity, such as the repetition of the proposition which the Yes/No answer stands for, or the elaboration of the answer with further details which specify the meaning of the Yes/No answer, for example, adverbs, as in 'Yes, indeed' (Pórtoles 1988: 81). In fact, even if the answer to a negative question is ambiguous, it can be clarified in the context of the courtroom with subsequent questions from the lawyer to the witness.

   In my data, where negative questions are rare (only 24 out of 964 questions were negative yes/no questions, 22 of them in cross-examination. A few more of the tag questions also contained negation in the declarative part of the question.) I found only one example where the witness answer could be ambiguous (49, which is a continuation of 45 above), and its meaning became obvious through repetitive questioning:

(49) PA: You didn't just tell us that?
      I: *¿No nos acaba de decir eso?*

>W: *Sí se lo dije.*
>I: Yes I told you. (O.J. 31)

In the rest of the examples I found that the answer given in Spanish was the expected answer in English, and that there appears to be no pragmatic alteration of illocutionary force or miscommunication, not even when a negative question is combined with a tag question, as in the following example:

(50) PA: All right, But you have not purchased the ticket yet, correct?
      I: *Pero no ha comprado el boleto todavía, ¿no?*
      W: No. (O.J. 12)

Here, the answer could be paraphrased as 'No, I have not purchased the ticket yet'.

One could say then, that even though 'Yes' and 'No' are multifunctional and ambiguous particles, they are usually identifiable in context, in English as well as in Spanish, and no pragmatic alteration seems to take place in the interpretation.

CONCLUSION

Court interpreters are required to translate across languages the dialogue that is conducted in the courtroom, maintaining the same tone and register of the original, without adding to or deleting from the original. Since courtroom interaction is organized through a series of questions and answers, and the selection of question type by attorneys is intended to restrict the size and choice of the speaker's answer, the incorrect translations of a question may elicit an unexpected answer. In some cases, cross-linguistic differences with zero or marginal equivalence may be responsible for a systematic alteration of witness testimony. In particular, tag questions and declarative questions are a challenge for interpreters who have to use additional linguistic resources to convey the conduciveness of these types of leading question. Modal questions must also receive special attention, since they require the use of TAM devices that can alter the degree of linguistic politeness of a particular turn.

While pragmatic equivalence may be difficult to pursue and establish, it is an important factor in cross-linguistic equivalence. Even though most interpreter education puts emphasis on problems of vocabulary, speed, and omission of parts of the text, interpretation of meaning depends not only on what is said and how, but also on what is communicated indirectly. Speaker meaning is intentional and it aims to produce some effect on an audience by means of the recognition of the intention. Equivalence in translation/interpretation is the result of the interaction between syntax, semantics, pragmatics, intonation (if the text is oral), and non-

verbal communication. If the task of the interpreter is to attain the highest possible level of cross-linguistic equivalence, none of these levels should be left aside.

   Interpreters should make an effort to convey the pragmatic meanings of questions in the courtroom (e.g. argumentation, accusation, rebuttal ...), and be aware that these meanings may be encoded differently in English and Spanish. For example, the 'statement' value of an English declarative question may well be conveyed in Spanish through a discourse marker, and a Spanish negative tag may not be as conducive as an English negative tag if the declarative portion of the question is affirmative. If pragmatic meaning is not interpreted adequately in court, the participants may suffer important consequences.

NOTES

1   'Direct examination' is the American term for the term 'examination-in-chief' used in other English-speaking countries.

2   PA stands for Prosecution Attorney, I for Interpreter, W for Witness, D for Defendant, J for Judge, and DA for Defence Attorney.
     The source of the example is indicated in parenthesis (e.g O.J. 16). O.J.refers to the trial, and the number indicates the page from the transcripts (see The study: data and methodology p. 92). O.J. is the nickname of the defendant: Orenthal James (Simpson).

3   According to Walker (1987: 77), modal questions are highly manipulative, because they allow lawyers 'to play power games': if the witness answers a simple Yes or No, the lawyer can repeat the question, but if the witness gives an answer to the implicit request, the lawyer can tell him to limit his/her answer to a yes or no.

4   Intuitively speaking, Escandell says, describing a state of affairs provides more information about the world than denying a state of affairs (1988: 194). She gives the following example and explanation from Leech (1983): 'If I say "Ivan Mazeppa didn't kill Lincoln", I am not giving much information, because the number of people who didn't kill Lincoln is much higher that the one of those who did'.

5   This example is fabricated. I didn't find any negative tags in my data.

6   Berk-Seligson (1989) shows the impact the misinterpretations of 'pragmatic' elements such as forms of politeness, hedges and style, has on the evaluation of witnesses by mock jurors, in terms of competence, intelligence, trustworthiness and convincingness. According to her, misinterpretations affect even the judgement of bilingual jurors who should be able to understand the source text directly.

7   The monolingual data are recordings from the courts of Valencia, Spain, which I personally conducted in the summer of 1996, thanks to a grant from the Del Amo Foundation.

8   The numbers in the left cell of the column indicate tokens of each question type by the total of questions in the column. The right cells indicate column

percentage. In cross-tabulation with SPSS, column percentage is the most important value in the table, because it gives information on the relative frequency of the analysed variable, according to each factor considered (Silva-Corvalán 1988: 53). For example, looking at the values for the translation of Yes/No questions in Table 2, we can establish that yes/no questions favour a correct translation in 64.5 per cent of the cases, while 30 per cent of the cases are the consequence of incorrect translation and 39.6 per cent of them result from zero cross-linguistic equivalence. The line for the totals indicates the total number and percentage of correct, incorrect, different and zero-equivalent translations.

9   Chodorowska-Pilch (1998: 42) defines linguistic politeness as 'the linguistic encoding of interpersonal distance … between the speaker (S) and the hearer (H) with the purpose of (a) showing the recognition of social conventions (e.g. honorifics) or (b) modifying the force of impositive speech acts (e.g. the use of verb forms other than the present'. Interpersonal distance for her is an abstract notion that includes such concepts as deference, consideration, respect, restraint and also camaraderie between the S and the H.

10 The interpreter uses two different terms to translate 'parked', *parqueado* and *estacionado*, that represent a dialect variation in Spanish.

11 It would be possible with modal verbs in some contexts, as in: *Yo no puedo ir, ¿puedes tú?* (*¿y tú?*, 'and you?', would be more common, though) ('I can't go. Can you?')

12 According to Escandell (1996: 51) Spanish Yes/No questions have three different intonation patterns that encode different interpretations, associated with the notions of neutral and leading questions.

13 This is what Porroche Ballesteros (nd) calls valor continuativo de pero ('continuing meaning of pero').

14 A negative interpretation of the tag (i.e. 'don't you') would reflect the presence of the negative in the Spanish tag, but I am aware that for some speakers of English, same polarity negative tags are ungrammatical (McGregor 1995: 94).

REFERENCES

Atkinson, J. M. and Drew P. (1979) *Order in Court: The Organization of Verbal Interaction in Judicial Settings*, Atlantic Highlands, NJ: Humanities Press.

Bald, W.-D. (1980) 'Some functions of Yes and No in conversation', in S. Greenbaum, G. Leech, and J. Svartvik (eds) *Studies in English Linguistics for Randolph Quirk*, London/New York: Longman, 178–91.

Bein, R. (1996) 'La equivalencia cero interlingüística', *Voces*, 24: 2–10.

Berk-Seligson, S. (1990) *The Bilingual Courtroom: Court Interpreters in the Judicial Process*, Chicago: University of Chicago Press.

Boretti de Macchia, S. (1996) *Estructuras interrogativas. Análisis de actos de habla coloquiales*, Buenos Aires: A–Z editora.

Bresnahan, M. I. (1981) 'Linguistic limbo: The case of the non-native English speaking defendant in the American courtroom', in D. Sankoff and H. Cedergren (eds) *Variation Omnibus*, Edmonton: Alta. Linguistic Research, 565–73.

Chodorowska-Pilch, M. (1998) 'Encoding of politeness in Spanish and Polish: A cross-linguistic study', unpublished PhD thesis, University of Southern California.

Danet, B. (1980) 'Language in the legal process', *Law & Society Review*, 14: 445–564.

Danet, B. and Bogoch, B. (1980) 'Fixed fight or free-for-all? An empirical study of combativeness in the adversary system of justice', *British Journal of Law and Society*, 7(1): 36–60.

Drew, P. (1985) 'Analyzing the Use of Language in Courtroom Interaction', in T. Van Dijk, *Handbook of Discourse Analysis: Discourse and Dialogue*, London: Academic Press, vol. 3: 133–47.

Dunstan, R. (1980) 'Context for coercion: Analyzing properties of courtroom "questions"', *British Journal of Law and Society* 7(1): 60–77.

Escandell Vidal, V. (1988) 'La interrogación en español: Semántica y pragmática', Madrid: Universidad Complutense.

Escandell Vidal, V. (1996) 'Intonation and procedural encoding in interrogatives', in J. Gutiérrez-Rexach and L. Silva-Villar (eds) *Perspectives on Spanish Linguistics*, vol. 1, Los Angeles: UCLA, 35–54.

Gili-Gaya, S. (1960) *Curso superior de sintaxis española*, Barcelona: Spes.

Givon, T. (1978) 'Negation in language: Pragmatics, function, ontology', in P. Cole (ed.) *Syntax and Semantics vol. 9, Pragmatics*, New York/San Francisco/London: Academic Press, 69–112.

Hudson, R. A. (1975) 'The meaning of questions', *Language*, 51: 1–31.

Lane, C. (1993) 'Yes, I don't understand: Yes, no and European-Polynesian miscommunication in New Zealand', *Journal of Pragmatics* 20: 163–88.

Leech, G. (1983) *Principles of Pragmatics*, London/New York: Longman.

Levinson, S. (1983) *Pragmatics*, Cambridge: Cambridge University Press.

Matoesian, G. M. (1993) *Reproducing rape. Domination through talk in the Courtroom*, Chicago: University of Chicago Press.

McGregor, B. (1995) 'The English "Tag Question": a new analysis, is(n't) it?', in R. Hasan and P. H. Fries (eds) *On subject and theme: A discourse functional perspective*, Amsterdam/Philadelphia: John Benjamins, 91–122.

Philips, S. U. (1984) 'The social organization of questions and answers in courtroom discourse: A study of changes of plea in an Arizona court', *Text*, 4: 225–48.

Porroche Ballesteros, M. (n.d.) 'Las llamadas conjunciones como elementos de conexión en el español conversacional: pues/pero. Universidad de Zaragoza, MS.

Pórtoles Lázaro, J. (1988) 'La respuesta sí/no a interrogativas generales', *Español Actual*, 49: 65–83.

Quilis, A. (1993) *Tratado de fonología y fonética españolas*, Madrid: Gredos.

Real Academia Española (1973) *Esbozo de una gramática de la lengua española*, Madrid: Espasa-Calpe.

Silva-Corvalán, C. (1988) *Sociolingüística: Teoría y Análisis*, Madrid: Alhambra.

Sinclair, J. McH. and Coulthard R. M. (1975) *Towards an Analysis of Discourse*, London: Oxford University Press.

Stygall, G. (1994) 'Stories by question and answer: The evidence stage', *in Trial language. Differential discourse processing and discursive formation*, Amsterdam/Philadelphia: John Benjamins, 117–54.

Walker, A. G. (1987) 'Linguistic manipulation, power and the legal setting', in L. Kedar (ed.) *Power through Discourse*, Norwood, New Jersey: Ablex, 57–82.

Woodbury, H. (1984) 'The strategic use of questions in court', *Semiotica*, 48(3/4): 197–228.

Yadugiri, M. A. (1986) 'Some pragmatic implications of the use of Yes and No in response to Yes-No questions', *Journal of Pragmatics*, 10: 199–210.