

Cultural Filters in Courtroom Communication

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Cultural filters are constantly at play in all forms of communication, often in subtle ways but sometimes in quite forceful ways, with results that range from something as trivial as not getting the point of a joke all the way to something as life-threatening as losing credibility in the courtroom.

This paper deals more specifically with the cultural filters observed to be at play in an "interlingual" courtroom and the dynamics that propel them. This study is based on the complete transcript of a trial in 1977 of two Filipino nurses who were accused of conspiring and poisoning a number of patients at the Veterans Administration Hospital in Ann Arbor, Michigan. On the one hand, we had two defendants who were nonnative speakers of English and on the other, we had prosecutors and defense lawyers, judge and jurors, and witnesses who were native English speakers.

Our observations show that what basically happens in the case of a Tagalog speaker of English at certain levels of competence is as follows:

The Tagalog speaker of English is actually "speaking" in Tagalog even as he utters English words. This sort of English, in turn, is perceived by the native speaker of English as conveying implications or connotations which the underlying Tagalog mode of expression does not convey and which the Tagalog speaker of English never intended. In some instances the underlying Tagalog mode of expression is dictated by cultural norms; in other instances, it is dictated by grammatical constraints. In either case, the surface forms are processed by the native English-speaker hearer in

terms of English structure and what their connotations may be within American culture and what may ultimately be inferred from them as to the speaker's character and credibility.

At the same time, the mismatch between such subsystems of Tagalog and English as verbal aspect, for example, which is crucial in the attempt to reconstruct reality in the courtroom, gives rise to misapprehension and miscomprehension of English questions resulting in infelicitous responses which ultimately redound to their disadvantage, as their errors are taken at face value or processed in terms of American cultural filters by the native speakers of English.

Although many studies of the bilingual courtroom particularly in terms of the use of court interpreters have been done, with the exception of M. Bresnahan (1989, 1991), hardly any have been done on the interlingual courtroom since Bresnahan (1979) and Naylor (1979) and Gumperz (1982). Although this trial took place many years ago, there are many aspects of cross-linguistic interference and cross-cultural miscommunication that the transcript reveals that are timeless and deserve further study.

(Lecture in English)