

Lesson Eight

Language, Power and Identity

Aims

The aims of this lesson are to enable you to

- examine how variations in language use can convey information about relative power and status
- understand the concepts of influential and instrumental power
- evaluate how contexts of production relate to language use

Context

In the last lesson of this module, we will examine how variations in register and discourse can convey information about power and status. Here, a variety of texts will introduce the concept of language and power. This introduces the field of **sociolinguistics**, which will be examined further in Module Three.



Clayton: *Introduction to Language and People*, pp. 56-59.

Simpson, P et al. *Language and Power: a resource book for students*. Routledge, 2009.



Oxford Open Learning

Language and Power

Advanced study requires students to demonstrate an understanding of how language can be used to represent individuals, groups, attitudes and ideas.

In this lesson the relationship between language and power will be examined. Two types of power which will be explored will be:

Influential power

The sphere of advertising, politics, media and culture. Influential power is that which inclines us to behave or think in particular ways, without force or intimidation. Sources of influential power include traditional media, advertising and social media.

Instrumental power

Instrumental power is explicit and is supported by laws and conventions. It is in many cases state-supported. The legal system, education and corporate management provide structures and contexts for instrumental power. It is power that can be enacted and enforced.

The topic of language and power is examined at advanced level through unseen texts. A theoretical approach will be required, combining pragmatics, conversation theory and discourse analysis.

Some language contexts demonstrate both forms of power in action. Politicians operate within governments and pass laws into statute which affect the lives of many. They are a prime example of instrumental power. In the lead up to general and regional elections, MPs canvass voters to provide support for policies and ultimately to elect them as future representatives. This type of interaction requires influential power.

Instrumental language in politics

The lesson will first examine the relatively frozen discourses of parliamentary language, a rich source for exploring language and representation.

Language examinations may provide transcripts from parliamentary debates as part of the unseen analytical task. There are a number of language features which mark parliamentary language as distinctive from normal discourse.

The House of Commons has a Speaker who moderates all speech in interactions in the chamber. There are clear rules governing turn-taking and 'holding the floor' which the speaker enforces.

Any intervention must follow procedure. Prime Minister's Questions, which is held every Wednesday when the parliament is in session,

involves a series of controlled questions from the floor. The questions are in fact directed towards the prime minister and as a recent BBC2 documentary has shown, the Chief Whip contacts party members and encourages them to emphasise the particular policies that the party is either celebrating or trying to introduce.

An edited clip from a PMQ session became almost comical in the Conservative members' attempts to shoehorn in the phrase '*long-term economic plan*', a reference to the progress the party felt they had made with the national economy since coming to power, regardless of the topic of their original contribution. This phrase was also used at least once by any member of the party appearing on national television programmes such as the *Daily Politics*, *Newsnight* and any interviews on general news programmes.

Another aspect of instrumental power relating to language is *parliamentary privilege*. Unlike the rules governing what may be said in public about another person, an MP speaking in the Commons may speak free from the liability of slander. This has become problematic since parliamentary sessions have been televised. An example in early 2015 involved the Labour leader Ed Miliband, who named a Conservative advisor and former HSBC employee as a potential tax avoider. The Prime Minister David Cameron challenged him to repeat the accusation in the public domain. In this instance, he did and the named individual did admit to some culpability regarding personal taxation.

While someone may be accused of wrongdoing or falsehood under parliamentary privilege, the linguistic rules governing the house do not allow personally abusive epithets. The Prime Minister came in for attack in late 2014 and early 2015 for increasingly combative language, and was asked to withdraw the adjective 'despicable', aimed at the leader of the Opposition.

David Crystal, in the *Encyclopedia of English Language*, draws attention to some of the idiosyncratic ways in which parliamentary language flouts conversational maxims.

In interactions outside the House of Commons, ministers can be seen to observe Grice's maxims for the most part – although the habit of politicians answering the question they wanted to be asked does subvert the maxim of relevance.

Depending on political persuasion and personal perspective, some participants may not feel that the speaker is being relevant, truthful or clear. The success of the more combative interactions, as take place at the beginning of each *Prime Minister's Questions*, may rely on exchanges not being particularly accommodating or polite.

Political lexicon

Another instrumental aspect of parliamentary exchange is that the field-specific lexis relating to parliament often denotes the physical and spatial

aspects, alongside institutional terms. The moderator and chairperson for parliamentary debate is the speaker, at the time of writing John Bercow, who must be referred to as ‘Mr Speaker’. Other participants can be labelled as *backbenchers*, *the Whip*, or *the Father of the House*, while the *House of Lords* is euphemistically referred to as ‘another place’ or ‘the other place’. The BBC News website has a glossary of terms used.

Forms of address

In parliament, Members are referred to as ‘*my honourable friend*’ or ‘*the honourable Member for constituency X*’. A ‘*friend*’ is an MP from your own party.

Former ministers are addressed as ‘*the right honourable*’, while qualified barristers are ‘*learned*’. Generally speakers are not interrupted but the person holding the floor may permit another to speak by ‘giving way’.

Participants must address their comments through the Speaker or Deputy Speaker. Technically all comments made are being addressed to the speaker and the MP the comments make reference to should be spoken of in the 3rd person as ‘He/She/Title’. The direct second person address of ‘You/Your’ is not permitted and will be called to ‘*order*’, itself an imperative command to the person speaking to comply with the linguistic rules. The content itself is often overlooked; scathing comments can be permitted as long as they are made in the 3rd person! Prime Minister David Cameron was chastised for this on several occasions between 2012 and 2015.

Allowing for the exception of parliamentary privilege described earlier in the lesson, MPs may not accuse other speakers of lying. This act and swearing are expressly forbidden and may result in a ban from the chamber. There are video clips available on the *BBC Politics* page which show the Speaker John Bercow reprimanding various members for infringements of parliamentary discourse.

Example of Parliamentary Language

Cultural Olympiad

Oral Answers to Questions — Culture, Media and Sport

House of Commons debates, 1 March 2010, 2:30 pm

Ann Winterton (Congleton, Conservative)

What recent progress has been made on the programme for the Cultural Olympiad; and if she will make a statement.

Margaret Hodge (Minister of State, Department for Culture, Media & Sport; Barking, Labour)

Three major cultural projects have been launched so far, and nearly 150 projects have been awarded the Inspire mark. More than 1,400 open weekend events were held

during 2008 and 2009. In July 2009, the Cultural Olympiad Board was established, placing delivery of the Cultural Olympiad in the hands of our world-renowned cultural sector.

Ann Winterton (Congleton, Conservative)

Does the right hon. Lady believe that further progress could be made if the rather pompous title "Cultural Olympiad" was dropped for something in plain English that describes to the general public what it actually means? Will she ensure that if there is a lasting cultural legacy from the Olympics, it is spread throughout the United Kingdom and not just confined to London?

Margaret Hodge (Minister of State, Department for Culture, Media & Sport; Barking, Labour)

I have a lot of sympathy with the views of the hon. Lady.

Peter Luff (Mid Worcestershire, Conservative)

On this issue.

Margaret Hodge (Minister of State, Department for Culture, Media & Sport; Barking, Labour)

On this issue. It is for the London Organising Committee of the Olympic Games and Paralympic Games and the Cultural Olympiad Board to look at the name, and I know that Tony Hall, as chairman of the board, is suggesting a new title.

I also have a lot of sympathy for the view that the benefits of the Cultural Olympiad-as it is known now-should be shared throughout the country. Many of the events to date have been outside London, and we need to do more and more to make sure that they take place throughout Britain.

Activity 1

Read the extract from the Commons' debate and try to summarise the views in the table. In your summary try to refer to the language frameworks when you can.

Example: *Hodge uses an extended metaphor to...*

	Summary/ linguistic analysis
What recent progress has been made on the programme for the Cultural Olympiad; and if she will make a statement	
further progress could be made if the rather pompous title "Cultural Olympiad" was dropped for something in plain English that describes to the general public what it actually means	

Three major cultural projects have been launched so far, and nearly 150 projects have been awarded the Inspire mark.	
Will she ensure that if there is a lasting cultural legacy from the Olympics, it is spread throughout the United Kingdom and not just confined to London?	

Influential language in politics

Politicians use language to exert both influential and instrumental power. When seeking approval or aiming to influence social behaviour, they are reliant on influential and persuasive modes of spoken interactions. This can be in a variety of contexts – public speeches, interviews with journalists or members of the public, televised debates.

Televised interviews also make use of what is known as the ‘*soundbite*’. The **soundbite** is a pithy slogan or statement that is inserted into a politician’s response to questions on policy or topical issues. The ‘*long-term economic plan*’ is an example of this, as is the phrase ‘*northern powerhouse*’ in response to comments about economic regeneration in the regions outside London and the south-east.

There is also the element known as ‘spin’, parodied a number of years ago in America in the comedy *Spin City* and more recently made famous by BBC’s *The Thick of It*. **Spin** borrows heavily from the sphere of advertising and encompasses the process by which politicians often employ teams of junior ministers and public relations specialists to filter unpalatable messages for public consumption and also to cast political developments or economic figures in the most favourable light.

A real life example which was leaked to public outcry was a junior minister’s e-mail on September 11th, 2001. As the Twin Towers began to crumble to the ground, leading to a death toll in the thousands, she emailed a group of colleagues suggesting it was a good day to ‘*bury bad news*’, a cliché familiar to ‘spin doctors’. Needless to say, her career in that post was short-lived.

Rhetorical devices in political language

Most political speech-making borrows heavily from Ancient Greek orators and employs techniques which have survived for millennia.

Politicians, particularly when supporting party policies, rely heavily on the use of **similes and metaphors**, which are designed to engage with voters. Often these are **extended metaphors**, developed and expanded throughout a speech or series of speeches. Recent examples have included the terms *roadmap*, *Northern powerhouse*, *race to the bottom* and the use of *thermometer* as a reference to gauging public reaction.

Alliteration has been used on occasion to provide memorable slogans and sound bites, borrowing from advertising techniques. Politicians will also employ wordplay using patterns in similar words with different meanings or puns, where the disparate meanings of a word can be used for effect.

Allusion is also employed. This is a reference to a phrase or idea which may already be known to the listeners. These can be difficult to detect in older texts. More recent texts may have cultural references that should be easily accessible.

Repetition is a rhetorical feature that lodges ideas in the audience's minds. It can be a single word or a whole phrase, as in long-term economic plan. This links to a traditional rhetorical device of **anaphora**.

Parallelism is a formal feature which can draw attention to either ideas which are going to be given equal weight, in the case of **synonymous** parallelism – '*tough on crime, tough on the causes of crime*' – and antithetical parallelism, or antithesis, which contrasts two opposing features. This is a feature which has survived from ancient sources of rhetoric. Parallelism can be identified as **balanced phrases**, which promote the interpretation of two ideas as being equivalent or memorably contrasting.

Rhetorical or redundant questions are questions that assume the answer is so obvious that it is not required, enabling the speaker to suggest a shared perspective with the audience. Another use of a question or questions preceding a statement provides a way of presenting an exposition of policies.

Tripartite structure or 'rule of three' may be a familiar term from earlier language study. These are essentially three related items on a list provide a climatic and emotional appeal. In his 2008 victory speech, Barack Obama extended this to a 'rule of four', perhaps aiming to be even more emphatic in his appeal to listeners. Tony Blair campaigned for 'Education, Education, Education'.

Connotations of vocabulary are manipulated to appeal to the audience's desires. It is worth bearing in mind that the same word can have negative or positive connotations depending on the subject of the speech and attitudes of the listeners.

Parody of Political Language – the Pub Landlord/ FUKP Manifesto

In 2015, comedian Al Murray decided to register his protest against UKIP and their policies by standing as an independent candidate in South Thanet, opposite UKIP's leader, Nigel Farage. He aimed to stand as his alter-ego, the jingoistic Pub Landlord (the Guv'nor), as a way of parodying UKIP's nationalist agenda and mocking the lack of real choice between the other major political parties. He named his 'party' FUKP (Free United Kingdom Party).

I, Al Murray - The Pub Landlord, intend to stand in the general election for the hotly contested Kent constituency of South Thanet as part of the Free United Kingdom Party.

My 13-point common sense action plan to save this country includes:

- **The pound in your pocket**

The pound will be revalued at one pound 10p, so it will now be worth 10p more. Common sense.

- **The NHS**

If you come to A&E and it's neither an accident nor an emergency then you will be sent to a random hospital department to be practised on. Common sense.

- **Foreign Policy**

Germany has been too quiet for too long. Just saying.

- **Immigration**

Of course the reason they are coming here is because this is the greatest country in the world. The only way to stop them is for a government to change that and make things a whole lot worse. Look no further. However, in the meantime, we brick up the Channel Tunnel. With British bricks. Probably have to get some Poles in to do it. Common sense.

- **Education**

I believe the children are the future and there's no way you'll get me knocking teachers. Teachers are on the front line, coalface. Doing their bit to create a level playing field for our kids, although I'm not sure they're going about it the right way by making sure none of the kids can read and write. So instead of a postcode lottery a new improved Street Raffle will determine which schools your kids get in to. Common sense.

- **Scotland**

Alex Salmond to be made First Minister for Norwich, so he can get to understand what being ignored by the rest of the country is really like. Common sense.

- **Europe**

I pledge that the UK will leave Europe by 2025 and the edge of the Solar System by 2050. Common market sense. In the meantime Greece to be bought and operated by Kent County Council. Couldn't be worse. Someone to do the bins at least.

- **The environment**

Boris Johnson to be put on an island. He keeps saying that's what he wants.

- **Corporations and Globalisation**

Blah blah blah blah blah paradigm blah blah blah, blah blah dialectic blah blah blah blah blah game-changer.

- **Homes for hard working families**

Build some houses but without bringing down house prices. How hard can it be?

- **Defence**

National Service, but only for people who don't want to do it.

- **Law and Order**

Unemployment causes crime: I propose to lock up the unemployed. Common sense.

- **On Local issues**

South Thanet to be made the new capital of the UK. Demilitarised zone to set-up between North and South Thanet.

Activity 2

Looking at the text above, analyse how he has used political language to comic effect in his 'manifesto'. You should discuss:

Lexis and semantics/Grammar and discourse/ Pragmatics

It is important that you realise he writes as an alter-ego and does not necessarily hold the views of the character of 'Pub Landlord', although it is appropriate to comment on any words which may be regarded as offensive by particular audiences.



Influential power of advertising

Advertising works by persuading consumers to ‘buy into’ products and services, and increasingly, lifestyle. In earlier forms, advertising was more direct but over decades advertisements have become more implicit and oblique, conflating the product with concepts and values which the audience may wish to aspire to.

Guinness has become a renowned brand which operates in this way – in the 1990s and early years of the 21st century they produced a series of broadcast advertisements based on conceptual art with little reference to the drink. More recently in 2014 the ‘Sapeurs’ advertisement gained attention by profiling the *sapeurs* of Brazzaville in the Congo. These men, who have been identified as the ‘society of elegant persons of the Congo’, demonstrate an extremely fashion-conscious ethos in their private lives, dressing and parading in extravagant and expensive clothes, despite their arduous work lives and limited means. This advertisement works by influential means by stressing the power someone can hold by retaining their individuality, ability to think differently and style.

Print advertising also serves to create aspirations in readers’ minds and serves to create links between particular products and lifestyle. Advertising texts can be relatively short but create this link through lexical choice and register. **Rapport** is sometimes created through the use of buzzwords which are part of popular culture at a particular point in time.

What values are being suggested in the text? Is it linking the product with value, or style? Is it offering the potential customer status or benefits to health?

Parallelism: Balancing opposition

Some advertisements try to persuade by presenting a product or service’s characteristics through the use of oxymorons. At a time when people are more economically aware, a number of products emphasize that they can combine high quality with low cost. This in itself is a common collocation and is seen even with luxury items such as fragrance, as evidenced with the *Moschino ‘Cheap and Chic’* range.

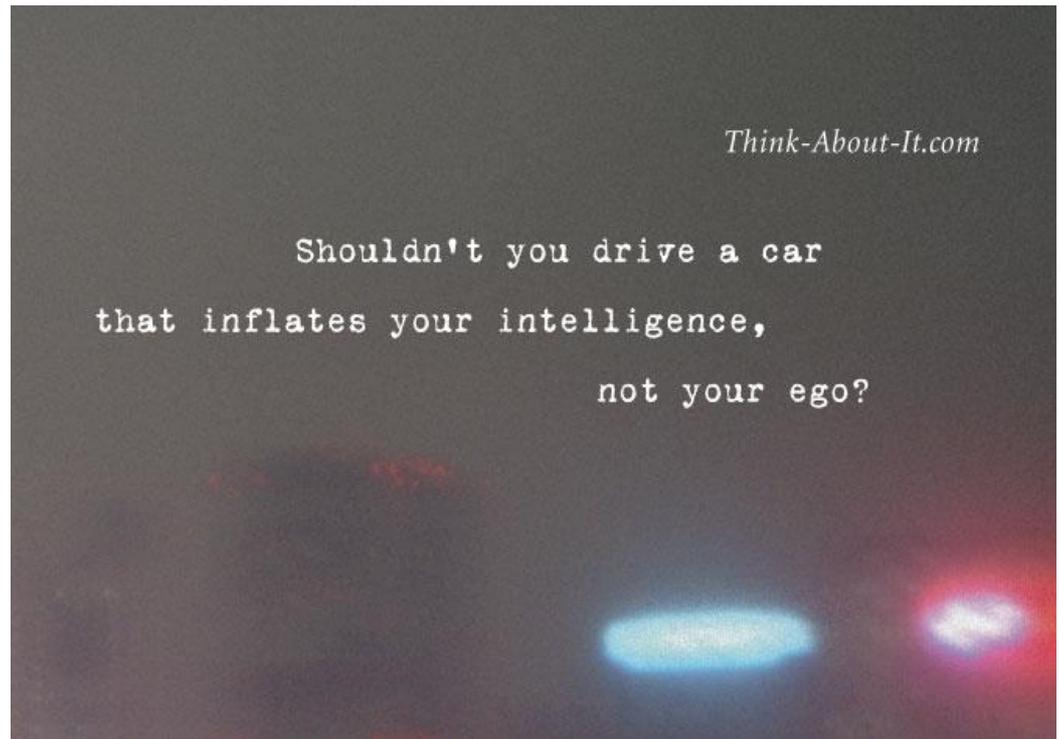
The oxymoron serves to contrast the named characteristics and claims it can offer both. Sometimes other linguistic features may be combined. *Renault* successfully marketed a diesel *Clio*. Diesel is a dependable fuel but is regarded by some as sluggish – *Clio*’s alliterative tagline *Va Va Voom* was a neologism, which was also used as an adjectival phrase to create a sense of fun and dynamism, connotations created to over-ride the denotations related to diesel cars.

Grammar and advertising

More likely to depart from standard forms. Advertising uses a **condensed** form of grammar and there can be a high frequency of **minor sentences**.

The pragmatics of this discourse are that the advertiser feels it's acceptable to tease the audience and not provide full information.

Hyundai launched a campaign in Canada which did not even feature the car and was identified by the tag *thinkaboutit.com*. Consumers had to visit the site to see the product being advertised. This proved successful in reinvigorating the brand which had been experiencing falling sales.



Nouns, noun phrases and verbs are used and the audience fills the gaps. Slogans and taglines are rarely grammatically complete constructions. One speciality paint company has the slogan '*Does Exactly What it Says on the Tin*'. The audience knows that it is a condensed version of the sentence 'Ronseal (the product) does exactly what it says on the tin'.

Grammatical conversion is also used to influence the reader. From the earliest days of advertising, companies use their brand name and convert it from a noun to an adjective, adverb or verb. Words are not adapted with -esque or -ish suffixes. A successful if ubiquitous example is the recent price comparison site campaign where various people are introduced before the viewer is told they are '*so Money Supermarket*'.

Semantics – denotations and connotations

Semantics in advertising relies upon suggested meaning, i.e. connotations, rather than the denoted, or literal, meanings.

Beauty products adopt a register which has been referred to in a pejorative manner as pseudo-science. Neologisms are used to suggest that technology and science have contributed to the development of the

product and this endorsement suggests the product will be effective and successful. This is particularly the case with skincare products.

Below is the text accompanying a cream which is sold as 'anti-ageing' and referred to as 'Magic Blur':

Benefits

Instant effect: Blurs wrinkles, fine lines, pores and imperfections.

Everyday anti-wrinkle action: Wrinkles appear reduced, skin feels firmer and complexion looks more even.

Opti-Blur technology + Pro Retinol A

For the first time our Laboratories have fused a powerful anti-ageing formula with blurring polymers inside a moisturising, skin smoothing texture.

The Opti-Blur Technology diffuses light on the skin to instantly blur lines, wrinkles & pores. Skin feels smoother.

The formula, enriched with Pro-Retinol A, targets the signs of ageing day after day. Skin looks younger.

The product asserts using a **rule of three** that there will be reduced wrinkles, firm skin and even complexion. The term 'Opti-Blur' suggests an optical illusion, while 'pro-retinol' suggests a scientific component which is 'professional'. The chemical 'polymers' are made to sound like a positive element. The verb choice – *fused*, *diffuses*, *targets*, along with the noun *formula* suggest that the product is a carefully engineered result of scientific research. Some companies go as far as creating an image of a series of facilities at work to create the perfect skincare – you may or may not be surprised to discover there is no conglomerate of labs called *Laboratoires Garnier* in existence. In reality, scientific lexis as found on medicines, can be off-putting as ingredients and effects are listed plainly in an unappealing way.

These products are generally expensive and the ways in which they are sold to a general audience exhibit another element of influential power and how it operates through language.

L'Oreal as a global brand successfully marketed its products with the phrase '*Because I'm Worth It!*' This phrase was originally coined in 1973 and was seen as a strong feminist statement that a woman could be in control and empowered, but might still wish to use cosmetics as a luxury item. The phrase has over time come to be regarded as ego-driven and narcissistic. By 2005, it was altered to '*Because You're Worth It!*', which put the emphasis back on the consumer after decades of celebrity-led campaigns which had somewhat alienated the audience, while in 2009

further amendments led to '*Because We're Worth It!*' The shift in pronoun choice was a result of consumer research and motivational psychology findings which suggested that '*we*' created a collective sense of philosophy and lifestyle making the customer feel more involved and satisfied. Campaigns are still advertising the products using famous and glamorous women of various ages, yet it is the subtle shift in language use which has maintained customer loyalty. Language can reflect cultural trends and the so-called rise in 'pester power' – the influence of young children upon the consumption of parents and carers – is reflected in the slogan used to launch the L'Oreal Kids ranges, '*Because We're Worth it Too!*'

The skincare lines of many cosmetics companies also provide evidence of how language can subtly shape attitudes and behaviours. A significant number of cleansing, toning and moisturising products are sold as part of a skincare regime. Teenagers are told creams and scrubs will *attack* breakouts and *fight* spots. The semantic field of warfare and military routine reinforces the idealised image of flawless perfection that will be the unattainable goal for many as they progress through life.

A similar semantic field can be identified in the products designed for male consumers. These products have grown in popularity in recent years. Again words like '*fight*' and '*formula*' appear – the product line '*Pure Power*' uses both *alliteration* and *connotations* of masculine strength to appeal to the consumer. In contrast to the female products, the key ingredient 'charcoal' sounds unappealing and tough, the perfect choice for a man who may regard skincare as a feminine pursuit. That some product reviews complained it turned baths and sinks black and led to an overly pale appearance in some users does not seem to have affected its growing sales, again a testament to the power of language to influence our actions.

Analysing advertising texts

Television advertising is multi-modal in that a single text may include music, voiceover, dialogue, moving text and static copy to advertise features. If tested in an examination, the transcript would make reference to these features.

It is more likely that the unseen text would take the form of a print advertisement from the public domain, be it newspaper or magazine, billboard, bus stop or point of sale. Internet advertising may appear as part of a larger text and should be commented upon if it appears on the side bars of an article, forum or blog.

The approach to these texts (essentially the same as the key to evaluation) is to consider the point-of-view or position of the audience in relation to the product or producer of the text.

Does the advertisement make the assumption that you want the latest gadget or assume that you want the latest deal? In another mode, call centres making cold calls rely on these assumptions. Callers operate from

a set script and struggle to respond when the potential customer states that they are not interested in hearing about the latest deal or do not have debts to clear. Does the print advertisement also run the risk of alienating the reader?

It is also fruitful to consider the form of address in grammatical constructions. In the skincare examples above, *L'Oreal* found it prudent to change the pronouns used. Is the advertiser using second-person address to directly target you? Does the copy use a number of imperatives to force the reader to buy the product? Alternatively, do a large number of declarative sentences indicate that the producer is confident about their product, and can rely on a series of statements to persuade the consumer to buy?

Influential power and Media

That the various forms of communication in print, broadcast and electronic media warrant academic study in their own right stands testament to their relationship to power and influence in society.

Many texts are produced with explicit objectives to promote or convey specific values, ideas and attitudes.

For advanced language studies, your focus will be on **editorial perspective** – what position has the writer taken and how does this affect the point-of-view of the intended audience(s)?

Lexis and semantics

Seemingly objective and factual texts will reveal the producer's views through lexical choices and the connotations of these choices.

For example, there was a sustained interest in immigration across Europe and its impact on the UK as various parties presented their positions in the lead up to the 2015 UK election. What are the differences implied if the same group of people are described as *asylum seekers*, *refugees*, *illegal immigrants* or *economic migrants*?

Some argue that new media texts provide more space for individual expression as there is less centralised editorial control. Is this the case? What role do website moderators fulfil?

Media texts often reflect the context of production – shifts in meaning and connotations can be traced through lexical choices.

Register

Context will influence language use – topical news and political programming will use traditional forms close to Standard English while programming aimed at children or the output of BBC3, which is aimed at a younger demographic, will use informal register more closely aligned to

everyday speech, although there may well be constraints on taboo elements or content.

Pragmatics of Broadcast News

In Lesson Seven, you considered language use in televised interactions.

Before analysing representations of power and influence, an evaluation of the degree of awareness of wider audience and degree of spontaneous versus planned speech. Examinations may provide transcripts of programmes. Be aware this may be an edited version of a conversation and the discourse structure may not be a true reflection of topic links.

Some forms of live television have pre-planned chains even though the content will change with each interaction. If broadcast news is considered, there will be patterns emerging relating to the greeting used by the presenter to the viewers.

There may be varying degrees of interaction between newscasters depending on the style of the news programme, with entertainment-based breakfast formats allowing more dialogue between presenters. The format for linking to outside broadcasts and correspondents will follow a set structure. The presenters will address the audience through tone and prosodic features.

In A-level Language you are not required to analyse images but if these are referenced in an extract from a televised script, some comment should be made on the link between language and images. The question ultimately requires a consideration of the positioning of producer and target audience.

Grammar in Broadcast News

News headlines and topic sentences repeat set grammatical structures. A common construction is

Subject+past imperfect tense +adverbial clause (most often of time and place).

You will have encountered this earlier in your Language studies as the '5Ws – Who? What? Why? Where? and When?'

This structure is repeated throughout the bulletin. This is an example of language use being intrinsically linked to context. Journalists are working to tight deadlines to produce up-to-date stories and this is why the construction can seem formulaic.

Discourse structure

Persuasive texts are also part of print news. Political and social campaigns seek the support of the readers.

Editorial or opinion pieces explicitly use persuasive rhetoric in a style similar to public speeches.

Instrumental power: the language of law

Historical context

Following the Norman rule of England, which had already established Latin as the language of spheres of power and governance, French was established as the language of court and gained currency in legal and political spheres. While English replaced Latin as the language of law in the 17th century, many Latin and French terms remained.

Grammatically, modal verbs are important as a way of discriminating between obligations and legal responsibilities with actions or responses that parties may choose to enact. Unusual pronouns and non-gendered nouns are used to provide general circumstances, while highly specific language is used on other occasions to differentiate between liability and ownership. This can be critical – when someone is ‘killed’, the law recognises the difference between ‘murder’ and ‘manslaughter’.

Grammar in legal contexts

What may now seem to us as overly complex and lengthy sentences full of subordinate clauses and lengthy adverbial phrases in legal documents were actually once quite close to an adult ‘educated’ standard, as may be evidenced in earlier prose and non-fiction work, such as the writing of Charles Dickens. Reformers would argue that reducing the complexity and increasing the use of punctuation in legal documents would clarify and support understanding.

Major changes were enacted in civil law in 1999, when Woolf (with the archaic title of Master of the Rolls) successfully implemented the modernisation of legal terminology in the civil courts. Examples of the changes will be considered in Module Three. The effect of such changes was to render civil and small claims proceedings more transparent for the general public. There is still some way to go, as the average small print on car or home insurance, or on any mortgage document will testify.

Language, discourse and the criminal court

In criminal cases, barristers (also known as advocates) enact a highly stylised discourse which is just as frozen in register as some parliamentary proceedings.

When a barrister becomes the advocate for a particular party they must outline and present the case. It is the Prosecution’s role to prove their case beyond all reasonable doubt and so they speak first. Questioning of witnesses must not coerce or guide through leading questions (these are questions where the respondent is manipulated to give a particular response).

Unlike normal conversation or speech interactions, each side makes their case without interruption, eschewing normal **turn-taking**.

The jury forms a specific audience with instrumental power of their own. They may interrupt or request additional information during proceedings.

One exercise of the politeness principle is when a barrister has to remind the judge of a legal point or precedent. While all parties would accept that it would be impossible for one person to retain all knowledge of laws and statutes in their mind, any such reminder is given with deference to the judge's position. The advocate will use the phrase '*As your Lordship will remember...*' This is a respectful way of conveying the information without the senior participant losing **face** or **status**.

Ironically, when barristers address each other, the phrase '*with respect*' is used in relation to the opposing counsel to imply the opposite evaluation. Some practitioners wryly remark that the greater the qualifier, the less the speaker values the viewpoint of the opposite counsel. In this context, '*with great respect*' conveys that their view is completely wrong while the construction '*with the greatest respect*' indicates that the barrister believes their peer to be an idiot.

As in the political arena, the case will largely rest on the degree to which each barrister influences the views of the jurors before they present their verdict.

Task: Language, Power and Status

In the following extract, Susannah Reid, a breakfast time BBC news presenter, is interviewing members of the Dale Farm travelling community as the threat of eviction looms. Normally a gentler interviewer than Paxman, here she has to pose difficult questions to those on both sides of the argument. At times, she appears as 'devil's advocate', turning from sympathising with Jake Bowers to criticising the Roma and Irish traveller way of life by comparing it to 'My Big Fat Gypsy Wedding'.

Read the extract and complete the analytical grid at the end of the lesson.

Susanna: Jake Bowers, Editor of Travellers' Times, a Romany gypsy, joins us in the studio. A very good morning to you.

Jake: Morning.

Susanna: Do you think it's racist?

Jake: I think it's undeniably motivated by racism to evict that amount of people on the guise of a planning dispute is undeniably racist and the thing that makes it racist.

Susanna: Aren't they just enforcing the law?

Jake: They are enforcing planning law but that's a bit of a smokescreen because actually the people, if you go down there, they're prepared to leave but the issue that they're fighting is that they shouldn't have to move out of the district. There are other bits of land in that area where they've put in planning permission, land which is publicly owned which Basildon Council could look at. They've refused to look at it, so the thing that is racist is to evict people, to set a quota, which is effectively what Basildon District Council has done, on a particular race of people and say, "We have enough gypsies in this area." You would not ever be able to apply that to any other ethnic group. You wouldn't be able to go to Leicester and say, "We have enough Pakistanis here, the rest of you need to leave."

Susanna: Where's your evidence that there is a quota?

Jake: I've heard it from Malcolm Buckley who's the former head of Basildon District Council. I interviewed him on BBC Radio and he said we have enough gypsies in our area and that is a policy which has continued into the current leadership of Basildon District Council.

Susanna: He might be talking about the fact that there is already a welcoming, tolerant attitude to a large number of people from that community. That's not the same as saying there is a quota.

Jake: In effect, by default, it is a quota because he said, and the Council has stood by this, that there are already enough, they say, gypsy sites in Basildon.

Susanna: That's what you claim but ...

Jake: Well, it's on the public record on BBC Radio, that's what he said.

Susanna: Ok, but we are talking here about a site which has no planning permission so that is an enforcement of the law, pure and simple, isn't it?

Jake: Well, you have to look at it in the context of the legislative framework which has led to it, which is that nomadic life in this country has been outlawed since 1994, there aren't enough public sites. Getting planning permission on private ground is pretty much impossible, so when you find that your traditional culture is outlawed, yes, you have to break the law in order to survive.

Susanna: Ok. Richard, so this isn't simply a planning issue. This isn't simply enforcement of the law. There's something much more sinister going on here.

Richard: It's a nice move of Jake's and it's a good move. I think it is a straightforward planning thing that Irish travellers have been very clever over the years at buying land very cheaply as paddock and then turning it into a building plot. If you and I could do that, we'd be multimillionaires. It's a good ruse from their point of view and I understand why they want to do it.

Jake: House builders do that all the time.

Richard: No, they don't, because they've got to get planning permission and they can only do it in plausible places. Irish travellers do it in deeply implausible places where they would never get planning permission. But the idea that there should be a quota, I think there's something in it, that people are saying, "We've got enough Irish travellers, thank you very much." Because this traditional way of life, it's no longer traditional because they're moving, not moving, they're in a hinterland of staying put and not staying put which makes life for their children in school a nightmare and gives them very poor prospects and so on. But sure, I think Councils are well within their rights to say there is a strict limit to the amount of land and tolerance that our neighbourhood will provide because this way of life, unlike Pakistanis or others, imposes a real strain. People do not like having Irish travellers near them and that is not a pretty thing but it's their right too.

Susanna: Ok, Jake? And these are separate sites, this is not integration into a community.

Jake: This is much, much better than Dale Farm. Dale Farm is just the tip of the iceberg. For Romany gypsies and Irish travellers which are two ethnic groups, living as part of an extended community which can be nomadic is an essential part of their identity which is not chosen. It's not debatable in the same way as finding men attractive is an essential part of the identity of somebody who's homosexual but it is a key part of their identity.

Richard: It's not unlike a Durham coalminer saying, "I've got a right to dig coal forever and my children as well."

Jake: No, because what you're doing is you're equating a lifestyle with an ethnicity and we're talking about an ethnicity and living on a site is an essential key part of that identity. You're a Right Winger, you should believe in family values. The reason they want to stay there is so that they can look after their old people. You should be down there fighting for them, Richard.

Susanna: Can I just say that for those of us who aren't familiar with this what's regarded as a lifestyle, my knowledge of travellers and gypsies is from 'Big Fat Gypsy Wedding,' ok? And as far as a traditional lifestyle goes, it didn't look very traditional to me. It looked incredibly ... it seems to me there's a picking and choosing going on and when it's useful to be regarded as a traditional ethnic group, then that's ... but when you actually want to listen to Christina Aguilera and get married in pink neon chiffon, then all that goes out the window. And I have to say, looking at the amount of flat screen TVs, the amount of money there appeared to be, if I was as local person who had wanted to convert a building in my garden into an office and had been turned down and then I saw Dale Farm, I would be absolutely furious. Because the rest of us, it's about fair play. The rest of us have to live by certain rules.

Jake: But listen, you putting an extension on your house is not the equivalent of somebody who's maybe terminally ill as some of these people are down at Dale Farm, having somewhere to live and ...

Susanna: And a lot of people who weren't terminally ill.

Jake: If you're drawing your knowledge about my community from 'Big Fat Gypsy Weddings,' then you need to come on a visit with me and I'll show you what it's really all about because that was a complete misrepresentation of us.

Feature	Examples	Analysis of representations/ power
Lexical choices (vocabulary)	Something more <i>sinister</i> going on	Reid adopts an accusatory tone here.
Register/ level of formality		
Choice of verbs/ tenses		
Sentence types		
Cohesion		
Discourse Structure		

Other prosodic features		
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Lesson Review	In this lesson, we have considered the following objectives:
	<ul style="list-style-type: none"> ➤ Examine how variations in language use can convey information about relative power and status. ➤ Understand the concepts of influential and instrumental power. ➤ Evaluate how contexts of production relate to language use.

Feedback for Activity One: Parliamentary Language

	Summary/ linguistic analysis
What recent progress has been made on the programme for the Cultural Olympiad; and if she will make a statement	You may have commented on the nature of a 'live transcript' - this begins in the middle of a construction as it is timed at exactly 2.30pm. It is worth noting that this fragment still utilises balanced clauses - we can guess that it is part of a 'tripartite structure'.
further progress could be made if the rather pompous title "Cultural Olympiad" was dropped for something in plain English that describes to the general public what it actually means	Here attitudes and values are made clear - the speaker objects to the title 'Olympiad' and indicates their derision with the word 'pompous'. This is balanced with an appeal for 'plain' English - you may have noted the term 'general public' is formal.
Three major cultural projects have been launched so far, and nearly 150 projects have been awarded the Inspire mark.	Here you may have commented on the use of number to quantify success. Occupation/ field specific lexis is evident in the use of 'Inspire' as a proper noun. We do not know what that entails, but assume the politicians do.

Will she ensure that if there is a lasting cultural legacy from the Olympics, it is spread throughout the United Kingdom and not just confined to London?	You may have commented on the unusual use of 3rd person, which reflects the archaic modes of address of the House, where all comments are directed through the speaker, not to the person referenced.
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Feedback for Activity Two: Al Murray mock manifesto

Here you may have found the task initially challenging, as Murray's language does not immediately suggest the formality of parliament (this was his satirical point). The text is field-specific in its use of headings that reflect typical concerns during general elections. There is a degree of 'journalese' used for humour here, as when he breaks the formality of the election pledge with the detail that the seat he is running for is '*hotly contested*'. This is an over-used phrase on news reports covering national elections.

The education section does provide room for evaluation, particularly the following extract;

'I believe the children are the future and there's no way you'll get me knocking teachers. Teachers are on the front line, coalface. Doing their bit to create a level playing field for our kids...'

By positioning a range of clichés linked to discussions of education side-by-side, he exposes how meaningless political rhetoric can be. This is emphasised when he revises the metaphor 'Postcode Lottery' (a phrase used to describe how the quality of education or healthcare received can be affected by where you live) to the term '*Street Raffle*'. Equally ludicrous is the conclusion drawn in relation to law and order;

'Unemployment causes crime: I propose to lock up the unemployed.'

The purpose of the text is satire and while exaggerated, he is trying to highlight how empty political claims can be. The repetition of '*Common Sense*' as a refrain at the end of each policy mocks the fact that each political party when interviewed tends to repeat an agreed slogan or mantra. In the 2015 election, phrases such as 'northern powerhouse' and 'long-term economic plan' were repeated until meaningless.

It could be argued that the text is only humorous if you have a grasp of political language or are familiar with the persona of the 'Pub Landlord' and his jingoistic views on creating a 'Great Britain'. Read out of context, the text can seem simplistic and offensive to a number of groups. People are often surprised to learn that Al Murray is an Oxford graduate with a keen grasp of modern history, as he has chosen to create a comic alter-ego who interprets everything at face value and holds controversial 'non-PC' views.