

دراسة لغوية اجتماعية للقوة و التآدب في جلسات محاكم القضاء العربي

A Sociolinguistic Study of Power and Politeness in Customary–Law Court Sessions

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الملخص:

يعد البحث دراسة تحليلية لبعض مقتطفات من جلسات محاكم القضاء العربي وذلك من منظور لغوي إجتماعي لفحص تأثير عامل القوة في استخدام التآدب اللغوي من قبل كل من القاضي والحضور. يهدف البحث إلى التحقق من مدى تطبيقية نظرية التآدب لبراون وليقنسون في مجتمع البدو العرب عن طريق تحليل جلسات محاكم القضاء العربي. حيث أقتح براون و ليقنسون (١٩٨٧) حتميه استخدام الأكثر قوة لأستراتيجيات الأمر المباشر في جميع الاحيان ، و احتمالية استخدامهم لأستراتيجيات التآدب الإيجابي. بينما يقوم الأشخاص الأقل قوة بإستخدام أستراتيجيات التآدب السلبي. و على العكس من ذلك، أثبت كاشيون (1985) و ساندرسون (1995) أن الاشخاص الأكثر قوة لم يستخدموا أستراتيجيات الأمر المباشر طوال الوقت بل استخدموا أستراتيجيات التآدب السلبي. وكذا الأشخاص الأقل قوة لم يستخدموا أستراتيجيات التآدب السلبي بل استخدموا أستراتيجيات التآدب الإيجابي. كما يأمل البحث إلى تقديم صورة عن صيغ التآديب المختلفة التي يتم إستخدامها داخل جلسات محاكم القضاء العربي. وبالاعتماد على نوعين من الوسائل لتجميع المادة العلمية: تصوير الفيديو لبعض الجلسات والمقابلات الغير رسمية مع القضاة وعن طريق تحليل البيانات تحليلاً كفيلاً توصل البحث لفهم العلاقة بين القوة و التآدب اللغوي في جلسات محاكم القضاء العربي. حيث خلصت الدراسة إلى أن كلاً من القاضي والحاضرين أستخدما إستراتيجيات التآدب الإيجابي على حد سواء. كما توصلت الدراسة إلى وجود تأثير عدد من العوامل الإجتماعية بجانب القوة و منها: النوع، رسمية السياق، السن، و الخلفية الثقافية للمجتمع.

English Abstract

This article examines the deep relation between linguistic politeness and social power in customary-law court sessions. The article is an attempt to exhibit the different realizations of linguistic politeness in relation to power in the language used by both judicator and litigants. The article also investigates the universality of politeness strategies proposed by Brown & Levinson (1987). They suggested that high power interactants are always less polite than low power interactants and vice versa. Contrarily, Cashion (1985) and Sanderson (1995) provided counter evidence to what Brown and Levinson suggest. In courtrooms, superordinates did not use the least politeness, neither subordinates use the most politeness. Applying a qualitative type of analysis, the analyst reached a comprehensive understanding of linguistic politeness in relation to power. The study concludes that the judicator tends to show positive politeness to the face of those lower in power. Attendants, similarly, employed low rated positive strategies mixed with negative politeness strategy in their use of address terms. The analysis has also proven other social variables to affect the use of linguistic politeness, namely: formality of context, cultural background, and age.

Introduction

This article examines the relation between power and politeness in customary-law court sessions. North Sinai has enough social and geographic complexity to provide ample room for differentiation of linguistic behavior. Bedouins are the largest group of population. They are originally from Arabia, who settled in Egypt after the Islamic conquests. They are following the tribal system to which they belong and which is divided into different tribes. Each tribe has its own customs and traditions, to which they are still obedient.

Customary-law court sessions, *maʒalis "urfijah* or *maʒalis al-'arab*" the term used by Arabs to refer to these sessions, are from these customs that are still practiced by every tribe. In North Sinai, Bedouins settle their disputes depending on their customary law. It is not that different from the civil law, but they have a different punishment system. Since power is where one interactant has a prerogative over another. In this context, the judicator is the one who possesses a similar kind of power to that of the civil judge. In such an asymmetrical encounter, according to Brown and Gilman (1960), superordinate would expect their interlocutors to address them with 'Vous', while they use 'Tu' in return. In other words, subordinates will tend to

show more politeness to their superordiante and superordinates will be less polite to their subordinates. Superordinates speak freely out of the authority they possess, knowing that no one would dare to correct them.

Courtroom discourse

The talk in customary-law court sessions is similar to institutional courtroom discourse; in the way that both are different from everyday social interaction (e.g., Atkinson and Drew, 1979; Fisher, 1984; Penman,1987a). Unlike everyday conversations, examination is witnessed by a third party other than the speaker and hearer in what researchers tend to call a 'double frame' of listeners (Sanderson, 1995). Those others present in courtrooms are the judge, the jury, and the courtroom staff. They rarely participate in the current conversation, although questioning is always for the sake of a third party- the jury (Little, 1979, Drew and Heritage, 1992). Interactants, during trial proceedings, are assigned to use transactional language to elicit the kind of needed information from the witnesses (Lakoff, 1989; Penman, 1990).

Conversations in courtrooms follow Question/Answer pattern of adjacency pairs where the judge has the right to ask, and the witness is obliged to respond in a fixed structure

(Sacks et al., 1974; Cicourel, 1982; Penman, 1987a; Sanderson, 1995). This is due to restrictions imposed on the linguistic behavior of participants in institutional discourse (Drew and Heritage 1992, pp. 22-25; Levinson, 1992, p. 97). As a result, this kind of restrained discourse is categorized as "highly formalized and atypical" which is just "an extreme in conversational type" (Penman, 1987a, p. 217). What's more is that disruption to any of the turn-taking organization rules is considered "deviation from the formally prescribed procedures" (Tkačuková, 2010, p. 51). Any deviation from predetermined regulations of institutional talk is punished by force of law_ a trespasser, for example, would be sent to prison (Sanderson, 1995, p. 3). Penman (1987a) proposes that the model of politeness introduced by Brown and Levinson (1987) is the key answer to these deviations. As they explained the importance of the "formal protocol" of the courtroom to mitigate any possible threat that might take place between parties to the conflict (p 1, 52).

Similarly, customary-law court sessions are attended by a third party who randomly interrupts the flow of talk for clarification purposes. Interactants, employ transactional language for the sake of informational goals, but in the same time they also use interactional language to build and maintain social relationships. The type of the speaker turn is fixed to the acting role. Drew and Heritage define

institutional discourse as 'characteristically asymmetrical', where the context of the talk restricts participants to perform in a certain way (1992, p. 47). In this case, the judicator, using closed questions, is to ask questions and the convicted is to provide answers according to a "systematic variation and restriction of activities" (Drew and Heritage, 1992, p. 19).

Cooperation between participants in courtroom discourse is not an intentional act, contrarily "courts need to coerce the participants to be cooperative" (Penman, 1987a, p.214). Courtroom discourse is conflictual and adversarial in nature where cross examiners press charges and question the credibility of testimonies casted by witnesses (Gibbons, 2003, p. 112). In association with authority markedly manifested in courtroom discourse, an inherent threat to both positive and negative face, is present in the talk among participants (Sanderson, 1995; Liao, 2019). Since "[t]he human personality is a sacred thing; one dare not violate it nor infringe its bounds" as suggested by Durkheim, politeness is main feature in institutional discourse to help keep the talk smooth and cooperative (1915, p. 299).

Brown and Levinson (1987) in their model of politeness, assume that high-powered interactants should use the least polite strategies, while those lower in power use the most polite saving-acts. They suggest that superordinates_ judges_

would use the kind of bald on-record without redress strategies addressing those lower in power or the low-rated positive politeness strategy. On the other hand, subordinates_ the witnesses_ would rather decide to choose whether not to do the FTA, indirectly do it using off-record strategies or softening it using the most formal strategies_ negative politeness strategies. This assumption is less true in courtroom discourse; judges do not use the least politeness neither witnesses use the most politeness (Cashion, 1985). Kurzon (2001) demonstrates that judges would use highly rated politeness strategies due to the high degree of risk involved during the time of conviction (p. 64). Harris (2011) further emphasizes that judges will employ face saving-acts addressing those lower in power than they are- lay participants and legal professionals- even if those subordinates committed a faux pas to the face of the judge. Therefore, courtroom discourse involves different realization of facework practices (Lakoff, 1989; Penman, 1990; Archer, 2011).

Politeness

Politeness has taken the interest of a large number of linguists, sociologists, anthropologists and many other scientists of different majors. Leech (2014) explains that politeness can be assessed from two different approaches. To study politeness linguistically, that is how certain utterances

are formed, is pragmalinguistic politeness. While studying the appropriateness of these utterances in context—the interest of this study— is sociopragmatic politeness. Upon studying politeness, sociolinguists do not intend to put the grammaticality of linguistic utterances into question. They are more interested in the social appropriateness of such utterances.

Over the last twenty-five years, linguists investigated the meaning of politeness in various languages, cultures and communities. The huge number of politeness publications reflects the importance of linguistic politeness as a universal phenomenon, and suggests that there are more areas of study yet to be untrod. Researchers render the politeness of an utterance to the cultural background that vary from one community to another (Gu 1990; Ide et al. 1992; Mao 1992, 1994; Matsumoto's (1988, 1989, 1993).

Linguistic politeness is that form of language used by participants of an interaction to save their face and keep it from any possible threat. Sifianou defines it as “the set of social values which instructs interactants to consider each other by satisfying shared expectations” (1992, p. 86). She believes that people should meet the needs of the faces of their interlocutors to achieve “the necessary equilibrium of relationships” which makes “you feel satisfied as a person,

contributing simultaneously to the satisfaction of others and thus to a more satisfying, comfortable life for everybody” (p. 83). Kasper suggests that the motivation for showing consideration to the face of an interlocutor is asserting “comity, social harmony, and counterbalancing potential conflict” (1990, p. 19).

Brown and Levinson's theory of politeness

Although, there have been many attempts to theorizing politeness, Brown and Levinson's theory of politeness remains to be a fundamental tool for analyzing the use of linguistic politeness. Brown and Levinson's theory of politeness is said to be the best " clearly articulated theory", and that the "monograph" has been a reference to all those who are interested in studying politeness (Leech, 2014, p. 28). However, the theory is not error free. It has been severely criticized for criticized for their western bias (Gu, 1990; Ide, 1982, 1989,1993), limiting the affecting variables to P, D and R (Kasper, 1990), and the universal classification of FTAs (kasper & Blum-kulka, 1987).

Brown and Levinson's model of politeness (1987) is considered as an extension to Grice's CP. They, moreover, take the social behavior into account upon studying the concept of politeness. Brown and Levinson build their model of politeness on Goffman's definition of face (1967), and the

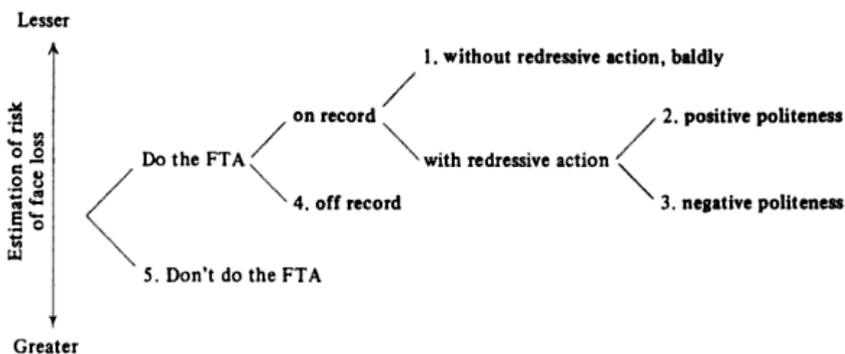
English folk term " which ties face up with notions of being embarrassed or humiliated, or 'losing face'. (B&L,1987:61). Goffman has defined 'face' as "[t]he positive social value a person effectively claims for himself by the line others assume he has taken during a particular contact" (1967, p.5). Likewise, Brown and Levinson explain the notion of 'face' as " the public self-image that every member wants to claim for himself" (1987, p.61).

It is necessary to make clear distinction between the two aspects of face Brown and Levinson adopted in their politeness theory: negative face and positive face. 'Negative face', as defined by Brown and Levinson (1987), is "the basic claim to territories, personal preserves, rights to non-distraction – i.e., freedom of action and freedom from imposition."(p.61). 'Positive face', on the other hand, is " the positive consistent self-image or 'personality' (crucially including the desire that this self-image be appreciated and approved of) claimed by interactants."(p.61).

Brown and Levinson, in their theory of politeness, introduce the term face threatening-acts (FTAs) to refer to those acts which oppose the face wants of both the addressee (H) and the speaker (S). Brown and Levinson have made clear distinction between speech acts that threaten H's negative face and others that threaten H's positive face. In addition,

Brown and Levinson, in their classification of FTAs, illustrate the kinds of speech acts that threaten the speaker's (S's) face wants either negative or positive.

Since certain kinds of speech acts are intrinsically threatening to the hearer's/ speaker's negative or positive face, in contexts of mutual cooperation, a competent agent is expected to refrain from doing these face threatening acts and tend to employ certain strategies to lessen the threat. In this sense, Brown and Levinson claim that the speaker, in doing the FTA, will focus on both delivering meaning and saving the face of the hearer, unless the need to be 'efficient and urgent' is greater, otherwise S will fail to maintain H's face (p.68). The speaker will have to choose from a set of five strategies in order to save the face of the hearer from any possible threat and achieve the least damage. Therefore, a speaker gets to choose one of the following strategies: don't



do the FTA, off-record, baldly on-record, negative politeness or positive politeness, according to social context and

depending on his rationality in assessing these social variables.

(Brown and Levinson, 1987, p. 69)

According to Brown and Levinson, the speaker will either do or do not do the FTA. In the case of doing the FTA, he may decide upon going on or off record. If the speaker chooses to go on record, an FTA will be done baldly without redressive action, or with redressive action. Doing an FTA with redressive action is applying one of two strategies; positive or negative politeness, taking into consideration the type of face he needs to observe. In other words, the speaker has to go through a quick mental reasoning and to decide which polite strategy would achieve the most efficiency and the least transgression.

A speaker adopts the bald on record strategy in performing the FTA, only in case the 'communicative intention' is explicit to both participants (p.68). Brown and Levinson explain that going baldly on record is doing the FTA "in the most direct, clear, unambiguous and concise way possible" (p. 69). On the contrary, by going on record with redressive action, Brown and Levinson mean utilizing negative or positive politeness strategies to attend to H's face wants and mitigate any possible face threat. Negative and

positive politeness strategies are divided into a wide variety of sub-strategies, of which Brown and Levinson suggest fifteen positive and ten negative strategies. Positive politeness strategies are the kind of redressive actions a speaker employs to adhere to the positive face of his addressee. Unlike positive politeness strategies, negative politeness strategies are the kinds of redressive actions that adhere to H's negative face. They are all the possible forms used in an interaction to show consideration to the feelings of H's negative face, assure social distance between participants and keep the addressee's claims of territory from being coerced.

Since going on-record is essential to achieve honesty and efficiency in an interaction, going off-record is of great paramount to indicate tact and avoid blame for the actions of the speaker at the same time. By going off-record, Brown and Levinson mean to use language indirectly and covertly communicate meaning. They assume that if the speaker has to do the FTA, but does not want to take charges for doing it, he should go off-record. In such case, a speaker only gives hint to get things done, leaving the hearer with a question in mind; of 'what does S want by saying those words?' For the speaker to realize what is intended by those off-record utterances, he has to make some inferences.

In their work, Brown and Levinson proposed three different sociological variables upon which the speaker would

be able to assess how risky an FTA could be. The speaker would be further able to determine which politeness strategy that best fits a given context. The seriousness of a certain FTA is estimated by the following equation as suggested by Brown and Levinson:

$$w_x = D(S, H) + P(H, S) + R_x$$

(Brown and Levinson, 1987, p. 76)

By w_x , Brown and Levinson refer to the numerical value by which the weightiness of an FTA x is measured. The weightiness of an FTA is the sum total of compounding $D(S, H)$, $P(H, S)$ and R_x . $D(S, H)$ is the social distance between S and H , $P(H, S)$ is the amount of power exercised by H over S , while R_x is the ranking of imposition in a certain culture. Henceforth, the more the value of an FTA x increases, the more an FTA becomes threatening to face. Therefore, S is required to employ the most indirect politeness strategy or even the largest number of strategies to soften the threat of an FTA.

Brown and Levinson, then, assume that all three variables; D , P and R are responsible for the assessment of x , and hence put forward a clear-cut prediction about what strategy should be used in what context. They identify four kinds of speech communities in which a certain social

variable is more dominant than others, and assume a decisive distribution of politeness strategies between interlocutors. In societies where power relations are more dominant, and the hearer's power is greater than the speaker's, while social distance is low between them, S is supposed to employ negative politeness and off-record strategies, and H should be using bald-on record (and perhaps positive politeness). The previously mentioned assumption remains true in societies where P and D are both high, except that more softening strategies would be used by subordinates. In different context where a symmetrical relation occurs, when H has no power or is exactly the same as or lower than S's power, and D is the dominant high factor, both S and H are expected to employ symmetrical high numbered strategies; negative and off-record politeness strategies. In the fourth community, where H's power is the same as or lower than S's, but D is of low value between them, S and H are expected to use symmetrical low-numbered strategies; baldly on record and positive politeness. Brown and Levinson, here, attempt to present a 'typical social dyad', and expect those who experience the same circumstances to function exactly the way they proposed (p.249).

Power and Politeness

The interplay of power and politeness is an area of great interest; many linguists have been studying the close relation

from different perspectives. Brown and Levinson, in their theory of politeness, discuss the effect of power as a social dimension on politeness. They even define it as " the degree to which H [hearer] can impose his own plans and his own self-evaluation (face) at the expense of S's [speaker] plans and self-evaluation" (1987, p.77). Over a decade, linguists suggest superordinates use no or less politeness towards their subordinates and vice versa; subordinates are expected to show great consideration to their superordinate addressees (Brown and Levinson, 1987; Holtgraves, 1994, 1997; Morand, 2000; Wood and Kroger, 1991).

The reason behind employing more politeness strategies when interacting with higher power actor, is mainly one of three reasons. Firstly, the face of superordinates "has greater worth and hence is accorded greater consideration" than those lower in power status (Morand, 1996a, p. 548). The second reason is the superordinate's ability to freely exercise his authority and even inflict sanctions on their subordinate addressee for violations. Clarity of communication would be a third reason of why superordinates use less politeness as they believe politeness clashes with clarity. Therefore, it is acceptable as a polite act to show familiarity on the behalf of superordinates towards subordinates and only use first name instead of title-last-name. while, a title-last-name is more

acceptable if used by a subordinate in an 'upward' speech (Morand, 1996a, b; Slobin et al., 1968). Even in European languages with Tu/Vous distinction, "the superordinate says T and receives V" (Brown and Gilman, 1960, p. 255).

After all, a higher power agent would employ polite forms, but not too much politeness in order to avoid looking weak. Linguists postulate that showing consideration to the face of others is, sometimes, considered as a sign of weakness. However, judges, with the most power, use the most polite expressions to mitigate the face-threatening acts they will have to perform, and witnesses, with the least power, use the least politeness. judges tend to show politeness as a way of making the judicial process clearer and smoother in the courtroom (Joan L. Cashion, 1985). However, in 'hostile cross-examination', the most noticeable behavior is 'rudeness' (ibid).

Sanderson (1995) examines the relation between power and politeness in courtrooms using Brown and Levinson's theory of politeness. In her analysis, Sanderson depended on five excerpts taken from a court transcript of a trial of an attempted murder charge which was held in Vancouver, B. C. in early 1993. Focusing on the discourse of a judge and a lawyer in their interactions with witnesses, Sanderson provides counter evidence of what Brown & Levinson predict about judges using bald on-record strategy in all

circumstances. The study concludes that judges use three negative politeness towards the witness, namely: “Be conventionally indirect”, “Question, or Hedge”, and “Give deference”. Meanwhile, the lawyer uses one of the positive politeness strategies which is repetition to claim common ground with the witness. Sanderson’s analysis is on concord with what Cashion discovered of unexpected politeness strategy selection by courtroom speakers contrary to Brown and Levinson’s prediction.

Application

The three excerpts below are naturally-occurring data taken from a customary-law court session held at Mag'ad El-Sheikh Ayeesh at El-Ferdan, where he has moved a very long time ago. He is an old man, almost in his seventies, and has been taught judiciary since he was a child. He is wise and fair that is why people appeal to him and come from far and wide to ask for his help settling their disputes. This session was held at 14/3/2014 after Al-'sr prayer; around 4 pm.

Both tribes of Sa'dyeen and Ba'ar are the parties to dispute in question in this session. The circumstances of the case are as follows: one of the Sa'dyeen's kids wanted to play in some playground, where the kids of Ba'ar are already playing. As a consequence, kids fought using bottles of glass.

The problem did not stop here; it escalated to involve the mother and the female cousin of the kid from Ba'ar tribe. Women are very much respected in such societies, therefore the Ba'ar tribe headed to Mag'ad Sheikh Ayeesh to demand compensation due from the offender. These examples illustrate the exchanges between the judicator and litigants. 'J' refers to the judge, while 'A' refers to one of the attendants.

Excerpt 1

J: ʔajb nesma' el-ʔaraf el-tanee.

Ok, let's hear what the other party has to say.

Excerpt 2

J: gool ya seedy el...

Tell my master ...

Excerpt 3

A: Ezayak ya 'am elhāj

How are you, uncle Hajj (pilgrim)?

In their model, Brown and Levinson (1987) predicts use of bald on-record and (perhaps positive politeness) by the judge in all circumstances. Instead, Excerpt 1 demonstrates the use of a positive politeness strategy, namely: include both S and H in the activity. It is the twelfth sub-strategy of

positive politeness. The use of this strategy indicates that S and H are equally interested in the performance of an action. The judicator, in this example, added the letter "ن" or "n" at the beginning of the verb "jasma' " or "hear". It is the Arabic equivalent of the inclusive/exclusive 'we' in the English language. Inclusive 'we' is the use of first-person plural to evoke a sense of commonality and rapport between a speaker and his audience. The judicator, in the above example, employed the letter "ن" or "we" to include the hearer, the audience and himself in the performance of the action, while in fact he really means himself as a means of dignifying self.

Excerpt 2 shows the use of a bald on record strategy. However, the bald-on record strategy, in the above example, is redressed by a positive politeness use of an in-group identity marker. In this utterance, the judicator was addressing the defendant who is a young boy, using "ya seedy". The word (seedy) is another variety of the word (saily) which is used as one of the address terms in the honorific systems of Arabic-speaking communities. It is likely to be pronounced as (saily), which have the same meaning of the English word (my master), in more formal situations. However, the change of the vowel in the first syllable to be the close front long vowel /i:/ instead of the closing diphthong /ai/, gives the word a different meaning. The word

is now categorized as an-ingroup marker after being one of the honorifics someone uses to dignify superordinates. In this case, the superordinate employs a positive politeness strategy addressing the subordinate young boy during the process of examination.

On the other hand, in excerpt 3, the attendant chose to use the address term of " 'am elḥajj" (uncle Hajj (pilgrim)) to come after the wellbeing question of "Ezayak?" or (How are you?). It is more common to use the term "elḥajj" than " 'am elḥajj" addressing older people in Arab societies. Revisiting Parkinson's (1985) analysis of the word "Ḥajj", the term would encode absolute deictic information in case the hearer has been to Mecca to perform pilgrimage, but relational when used to signal the social relationship between participants. There is not confirmed information about whether the judicator has performed pilgrimage or not. However, in Bedouin Arab societies, the term pilgrim or "Ḥajj" is used in both cases to show respect to older people. But once again, the addition of an ingroup term "'am" (uncle) which is one of the positive politeness strategies, reinforces the relation of solidarity between interactants. Among Arabs, the kinship term " 'am" (uncle) is commonly used to address family members; the brother of the father in specific. However, the term can be used to address non-family members, for example those who are socially distant, or belong to older age

group. In the above excerpt, the attendant used a compound phrase where he employed two of the address terms which are likely to be used one at a time. The term "am elḥajj" is a positive politeness marker in the form of a negative politeness strategy.

Discussion

The above analyses confirm the selection of politeness strategies contrary to Brown and Levinson's premises. They introduced universal premises about the use of linguistic politeness and expected speakers of all languages to act accordingly. Brown and Levinson (1987) propose that interactants in asymmetrical contexts should use certain patterns of politeness; superordinates be less polite while subordinates be more polite. On the contrary, judicator of customary-law court sessions tends to show consideration to the face of their interlocutors using positive politeness strategies. Include both S and H in the activity is one example of positive politeness strategies used by the judicator in '*ṭajb nesma' el-ṭaraf el-tanee'* or '*Ok, let's hear what the other party has to say'*, where the judicator includes himself and all other attendants in the talk. Even if superordinates used direct orders, judicators soften the use of bald on-record using

positive politeness in-group identity markers to soften the threat implies in the use of direct imperatives. Whilst, litigants employ positive politeness strategies to save the face of the judicator throughout the session.

The nature of the customary-law court session requires the analyst to put other social variables into consideration. Formality of context is one of the social variables that affects the use of linguistic politeness. Linguists assume that positive politeness strategies should prevail informal types of contexts. This leads us to the conclusion that customary-law court sessions are informal speech community. Another social variable is age; the litigant in this context is a young-aged boy. The judicator addressing the little boy used the address term, '*seedy*' or '*my master*' in which the vowel changed from close front long vowel /i:/ instead of the closing diphthong /ai/. The changes of vowel categorized the address term from being one of the honorifics to be an in-group marker. Correspondingly, one of the attendants used the compound phrase address term '*am elhajj*' or '*uncle hajj*'. The term composes of the kinship term '*am*' or '*uncle*' which is commonly used to address family members; the brother of the father in specific, in addition to the honorific '*hajj*' which is use to dignify old-aged people in Arab societies. Gender is also a social variable that affects the use of linguistic politeness in mixed-gender context, where females

are more politeness than men. Linguists suggest women to use positive politeness strategies. In customary-law court session, gender as a social variable is of no use; since it is male-dominated context. However, males are less polite in such contexts. Conversely, participants of customary-law court session mainly use positive politeness strategy.

Conclusion

The present article has examined the deep relation between politeness and power in customary-law court sessions. Data are analyzed using Brown and Levinson's model of politeness (1987). In customary-law court sessions, the judicator is as powerful as the judge in a local court; he possesses the highest degree of power over all other attendants. The kind of power the judicator possesses is the outcome of the fusion of the personal aspects he has, in addition to the hierarchical rank given to him either by government or by his own people. The judicator is characterized by: good reputation and morally upright; charisma and prestige; high status and above all earns the respect of his people. In this case, the judicator enjoys the possession of coercive and expert power. The judicator enacted power through imposing control over the organization of the session, and the ability granted to him to issue a judicial decision.

According to Brown and Levinson (1987), the kind of linguistic politeness should be employed in asymmetrical contexts like customary-law court sessions, is bald on-record (and perhaps positive politeness) from the part of superordinates and negative politeness from the part of subordinates. That is not the case in customary-law court session. The judicator mainly used positive politeness strategies in addition to bald on-record, however, softened with positive politeness strategies. This is due to the fact that social variables, other than what Brown and Levinson proposed, affect the use of linguistic politeness, namely: cultural background, age and formality of context.

The study of customary-law court sessions in Bedouin societies has also concluded that linguistic politeness in relation to power can be approached from two different perspectives. The perception of politeness in the Bedouin society as a whole. The second is more related to the context of customary-law sessions, in specific. Hence, Arabs are classified as collectivist society, they tend to show consideration to each other's face wants. Interactants in Arab cultures, further, place considerable importance on the use of linguistic politeness strategies owing to the religious teachings they receive from the Qur'an and the prophet's sayings and practices. This is clear in the use of negative politeness devices like address terms and honorifics and positive politeness

strategies like offering greetings, taking leaves and wellbeing inquiries. Arabs generally show great respect to elders and significant icons, hence provide the proper treatment due.

Strictly speaking, Arabs in customary-law court sessions show great consideration to the face of the judicator; the symbol of justice in their community. Customary-law court sessions are conflictive and adversarial by nature. The use of linguistic politeness is the only way to mitigate the threat of the adversarial nature of the session. Therefore, Customary-law court sessions are based on cooperation and solidarity by all parties to administer justice. They settle their disputes amicably. Arabs further are very careful in their choice of words and keeping order inside ma3alis al-'arab for fear of being fined.

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