How to show the interpreter on screen? The normative organization of visual ecologies in multilingual courtrooms with video links[☆]

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Abstract

This paper discusses different aspects of participation in judicial settings which combine a reliance on video conferencing technology, to allow for remote defendants in prison, and the presence of interpreters in the courtroom, to interpret for the former when they do not speak the language of the court. In such a multimedia and multilingual courtroom setting, distinctive participation-related concerns emerge with respect to the face to face multilingual courtroom situation. Based on video recordings of naturally occurring courtroom activities, we discuss a relatively neglected issue regarding interpreters' visibility in video-mediated courtrooms, and show that the ways in which the interpreter is made visible enact relevant participation frames for him/her. The paper shows how the choice of video shots and where these are placed in sequences of talk-in-interaction displays the participants' view of the interpreter's role within a continuously evolving multimodal participation frame. While interpreters are usually shown in medium shots, and as much as possible not alone but together with the participants whose talk they are interpreting, there are times when the interpreter is made visible through a close shot. The paper discusses such a deviant case and explains how such a move is made relevant by an unusual configuration of footing in the talk to be interpreted.
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Keywords: Court interpreting; Video communication; Visibility; Participation; Courtroom interaction

1. Introduction

Courtrooms are increasingly incorporating video communication technologies to accommodate remote defendants in prison, asylum seekers in overseas territories, experts and witnesses living far away from court, etc. Within a multimodal, interactional perspective (Mondada, 2011; Streeck et al., 2011; Goodwin, 2013), "the term *participation* refers to actions demonstrating forms of involvement performed by parties within evolving structures of talk" (Goodwin and Goodwin, 2004:222). The presence of cameras and screens in courtrooms raises new issues with respect to the management of visibility and participation in the distributed courtroom (a courtroom with a number of remote participants appearing through a video link). At any given moment, there are many different options available from which to select a specific shot, resulting in moment by moment adjustments of the camera which reshapes what is visible in the courtroom (Licoppe, 2015). As with other activities in which a live video recording is part of the activity itself, such as TV production (Broth, 2009; Mondada, 2009; Broth et al., 2014) or (tele)surgery (Mondada, 2003; Koschmann et al., 2011), the production of a given image at a particular moment is oriented to as an occasioned[1] and meaningful occurrence, which displays the camera holder's current

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[1] "Occasioned" is used here to describe something which is being responsive to local events.

understanding of what is going on at the time, and reflexively contributes to the relevant ecology for subsequent actions. Camera motions and the active management of visual 'fragmented ecologies' (Luff et al., 2003)[2] which they involve are an integral part of the orderly way in which participation is continuously and visibly enacted in the distributed courtroom.

When such distributed courtroom environments also happen to involve a remote defendant in her/his prison or an asylum seeker in an overseas territory who speaks a minority language[3] and requires the presence of an interpreter, the interrelated issues of where the interpreter should be placed and how s/he should be made visible (or not) at any given moment in the proceedings arise. Such visual concerns make the body of the interpreter and the notion that interpreting is an embodied activity especially salient. As shown by a significant strand of interpreting research, it is fruitful to consider interpreting not only as a mere operation on language, but as a fully embodied activity which involves the accomplishment of multimodal participation in multilingual speech events (Wadensjö, 1998, 2001; Baraldi and Gavioli, 2012; Pasquandrea, 2011). Such research has mostly dealt with collocated medical interaction and face-to-face interpreting, whereas the focus here is on issues which are specific both to courtroom interaction and the presence of remote participants.

In criminal courtroom settings where the presence of an interpreter is not a regular feature of the proceedings, the interpreter is often treated as an occasional participant for whom there is no pre-defined place. The issue of where s/he should sit is often managed locally, in an ad hoc way: we will show empirically how professional participants place the interpreter so that s/he may be visible on screen at some point, and manage her/his visibility on a moment by moment basis, through a set of camera-based 'tacit practices' (Hindmarsh and Pilnick, 2002), which displays a normative orientation toward 'putting the current speaker/recipient on screen' (Licoppe and Morel, 2012). While this is a general orientation in video-mediated settings, this paper will show how it is adjusted to the contingencies of multilingual interaction in distributed courtrooms. For instance, participants elect not to show the interpreter alone, but together with the co-present parties s/he is interpreting for, whenever it is possible. In video communication being shown on screen is treated as a sign of potential relevance with respect to the ongoing talk-in-interaction: in choosing to make the interpreter appear on the screen together with those s/he is interpreting for, participants may be publicly displaying their stance with respect to her/his participative status, namely that s/he is a speaker, albeit one who might not be fully speaking for himself/ herself (see also Wadensjö, 2008, for a similar approach to an interpreter-mediated TV interview case), that is, a stance which considers interpreting to be a speech activity involving multi-layered participation frames (Goffman, 1981).

More generally, being made visible is not just a perceptive concern. It also involves power issues. Being made visible in work processes equates to being highlighted as a voice, endowed with rights and obligations, while, conversely, being visually ignored may enact one as non-person (Star and Strauss, 1999). In this sense, visual ecologies are also arenas of voice. Visibility issues, that is the way the interpreter is made (in)visible in bilingual distributed courtrooms and talk-related participation issues, are continuously elaborated with respect to one another in the course of the activity: they are part of a single 'gestalt contexture'[4] (Garfinkel, 2002:158 ff). In this perspective, the paper discusses how framing the interpreter with other participants on screen (the most common practice in our data) enacts a particular representation of the interpreter as a distinctive voice, albeit not as one which fully speaks for itself.

2. Methodology

The research presented here is data-driven and based on fieldwork done in two types of French courts: pre-trial criminal courts handling remand hearings (where the proceedings occasionally involve an interpreter), and the National Court of Appeal for Asylum Law (CNDA) in Paris (in whose proceedings interpreters are almost systematically involved). In both cases we observed and video-recorded hearings over a year. This provides the primary material for our analysis, which is conducted within the framework of ethnomethodology and conversation analysis. We used this 200-hour corpus to gather a collection of instances in which the visibility of the interpreter was an explicit concern for the participants, as evidenced by specific camera motions displaying attention to the management of the visual ecology for spatially distributed bilingual courtroom interaction. We transcribed our data according to the conventions developed to account for multimodal interactions (Mondada, 2007).

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[2] Any setting provides evolving configurations of visibility and invisibility, as well as resources which shape and constrain the way relevant entities may become visible, which may include the geometry of the built environment and its arrangement of walls, furniture, doors, windows, semi-transparent panels, etc., or screens and cameras. At any given moment, the particular distribution of what is visible and what is not, and the way something might become visible, can be described as the currently relevant visual ecology.

[3] In what follows, the majority language will be the language of the court (French) and the minority language that of the remote party.

[4] ''A 'gestalt contexture' is a particular phenomenological conception of context in which the elements in a given contextual pattern are said to 'exist through each other'. The functional significance or specificity of sense of these elements is, in any particular instance, dependent on that of the others. If an element is torn from a locally given pattern then the significance of both particular and pattern are modified. The gestalt contexture has, then an 'instanced', locally specific, patterned coherence in which each element is reflexively related to the other and in which the elements and the pattern are, in a back and forth way, constitutive of each other'' (Watson, 2015:37).