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The interactional ventriloquization of written records in the service of authority

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Abstract

In this article, we analyze three cases in which subordinates' oral claims are refuted by superiors who draw on written documents of which the subordinates are the (in)direct authors. In this ventriloquization process (Cooren, 2012), the superiors construct these written documents as facts, which have institutionalized the evidential status of the claims. In particular, we use courtroom data and data from performance appraisal interviews in a medical organization. This comparison revealed that the latter allowed for a more flexible handling of written documents, while the former displayed a much more rigid structure in which the 'incorporation' of written records immediately entailed a number of interactionally non-negotiable implications. Overall, it became clear that by drawing on the different ontological status of written records, superiors subject subordinate participants to their authority, as such constituting the organization in the name of which they are acting and which reflexively entitles them to act in this way.

Keywords

discourse analysis – performance appraisal interviews – courtroom interactions – written documents – ventriloquization – authority

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1 Introduction

In discourse-analytical studies, it has long been established that texts of many different kinds are connected to one another in various intricate ways. The notions of intertextuality, polyphony and dialogism as developed by Bakhtin (1981) have drawn attention to the fact that the words participants produce, contain various ‘voices’ and are loaded with recycled meanings. As such, they are not only responding to earlier discourses, but they also anticipate on texts that have not yet been produced. This connection between texts may be highlighted explicitly, for example when people shift footing and quote the words of others, thus reducing their role to that of “animator” or “sounding box” (Goffman, 1979) and distancing themselves from the “author” and “principal” of these words (see e.g. Clayman, 1992). Even though referring to the words of others by means of direct reported speech may create the suggestion of authenticity and objectivity (see e.g. Holt, 1996; Schiffrin, 2003), reported speech in spontaneous talk is usually not an accurate rendition of another participant’s words, rather it is “a construction of ‘what was said’ for the reporting speaker’s own purposes” (Buttny and Williams, 2000: 112), thus explaining why the alternative concept of “constructed dialogue” (Tannen, 1989) is often used for this.

Reporting the words of others may happen in various forms. Up till now, research has extensively focused on how interlocutors use what they or others have *said*—or *thought* (Haakana, 2007)—in interaction. However, much less attention has been paid to how interlocutors interactionally draw on what was *written* by themselves or others, even though research on written texts can be traced back to early ethnomethodological studies (Garfinkel, 1967). However, in practice, people often make use of ‘reported *writing*’ while interacting with others. Importantly, the processes of quoting written documents are quite different from reporting speech (or thought) due to their different ontologies. For example, the accuracy of a specific formulation can be verified by the interlocutors in the case of written documents, while this matter tends to be bracketed in the case of oral sources. This is due to the fact that texts possess the quality of the “Derridian concept of *restance*” (Cooren, 2000: 217). Through this “quality of *restance*”, texts have the capacity to last throughout space and time. Thus it is not surprising that one of the characteristics that organizations and institutions have in common, is their reliance on established procedures through written texts. Because they are relatively permanent and impersonal, such written procedures can act as a reassurance against arbitrariness by individual decision-makers. The routine creation of a record of some official action allows for the use of that register on subsequent occasions by social agents inside or outside the organization or institution, regardless of which organizational

or institutional representatives were involved in its inscription. Thus, *restance* gives texts the potential to maintain the norms of an organization (through policy documents) or of societies (through constitutions and laws), as they can always be returned to in order to verify their exact formulation and to interpret their meaning (cf. Cooren, 2000).

Furthermore, this *restance* quality also attributes a different status to written texts, which is often higher than that of oral words, which tend to be ephemeral. For example, Cicourel showed how physicians accrue power from their ability to create “objective” representations (Cicourel 1999). Furthermore, in their study of a medical center, Cook-Gumperz and Messerman point out that:

The very process of creating a record in accordance with some set of rules or criteria for what makes for a suitable inclusion in such a record actually results in a re-statement of the rules on a situated case by case basis.

COOK-GUMPERZ and MESSERMAN, 1999: 146

Official records are thus recognized as evidence of past activities and such status imbues them with value within the discursive and the social system of the organization. Furthermore, any attempt to challenge records must overcome the shared assumption that they both reflect and constitute reality. Due to this evidential status, records tend to be alluded to, reproduced or embedded into later texts, both written and interactional ones. The written voice incorporated is thus often an authoritative voice, thus demonstrating the key role that written documents can have in the achievement of authority (Benoit-Barné and Cooren, 2009). In particular, authority “is linked to an agent’s capacity to speak for or in the name of someone or something” (Benoit-Barné and Cooren, 2009: 23) and it is viewed as something that is not only achieved, but also co-constructed among interlocutors. By appealing to the status of records in an organization and embedding their authoritative voice into the current talk, one can not only strengthen or defend a stance, but also shape the present activity. Furthermore, controversies about the past may be resolved by drawing upon the representation of reality inscribed in a record. Finally, in cases of divergence in the co-participants’ interests or of open confrontation between them, the interactional impasse can be solved by drawing on the authoritative voice from the past in the form of written documents. Importantly, while engaging in this practice of resorting to records in later events, members of organizations or institutions reassert the valued status of records as well as their constitutive force, thus confirming their authoritative status.

Crucially, this achievement of authority through the use of written documents is related not only to their ontological status, but also to the way these

texts are drawn upon by co-participants in an interaction. In relation to these processes of rallying texts in interaction, Cooren refers to the concept of ventriloquization (Cooren, 2012: 7). As such, attention is drawn to the fact that texts may be fixed objects that endure and remain due to their *restance* quality, but that the many ways in which interlocutors in various situations may draw upon them are very diverse. As these processes not only involve the agency of the interlocutors who use these texts in interaction, but are also related to the agency of the authors who created these written documents,¹ the matter of *how* such texts are ventriloquized in interaction is a relevant matter which requires extensive discursive scrutiny.

2 Research question

As we aim to study how written documents are drawn upon in interactions in relation to the achievement of authority, we focus on (1) the interactional negotiation of compliance with and (2) attempts at resisting the consequences of the interactional invocation of the record content. Therefore, rather than concentrating on intertextual relations between written document and oral exchanges, we analyze the pragmatics of the use of a written, allegedly legitimized, instrument in verbal interactions in which power relations are at issue. Such a close look at the interactional processes will allow us to disclose the concrete, practical mechanisms of the use of written documents in relation to the achievement of authority in face to face encounters in institutional settings. While a conversational analytic perspective has already been applied to study authority (see e.g. Heritage and Raymond, 2005; Stevanovic and Peräkylä, 2012), this paper not only has a different focus (*viz.* on written documents), but also adopts a wider, discourse analytical approach that integrates sequential as well as discursive features of the interaction into the analysis (*cf.* Holmes, Marra and Vine, 2011) and looks at them from a social realist perspective (Holmes and Marra, 2017), which implies also taking into account extra-textual information that was obtained ethnographically.

In particular, we have chosen to observe interactions among participants with asymmetrical statuses, and we investigate (1) how *hierarchically superior participants* appeal to the evidential status of previous written registers in

1 In this respect, Cooren (2012) also refers to the agency of the texts themselves, which is a matter that we will not zoom in on here as this requires a different research perspective from the one we adopt in this article.

the course of the development of a routine task that is an integral part of their job, and (2) how these hierarchically superior interlocutors can rally written texts of *co-present participants* in order to strengthen their own case and draw on the reality-creating value of a record of which the content is unfavorable for the subordinate addressee. How these written documents are ventriloquized is closely related to the context as well as the particular activity type (Levinson 1992) in which this use of written documents occurs. In order to explore this, we not only consider two different settings (*viz.* one in the private sector, a biochemical laboratory, and the other in a state institution, a criminal court), but also two different genres, *viz.* performance appraisal interviews and (cross)examinations of witnesses in criminal trials. These are ideally suited for our research question, as they both contain interesting cases in which authority and the use of written documents coincide. We provide a brief account of these genres in relation to our research question here:

- Performance appraisal interviews tend to be part of ongoing evaluative procedures in organisations. Often, these interviews are structured by means of fixed topic lists or questionnaires that employees and superiors have to reflect on and prepare in writing in advance (see e.g. Van De Mieroop and Vrolix, 2014) as well as by official documents stipulating the results of the employee's performance. These various types of documents are discussed in the course of the interview and this interaction, in turn, forms the basis of a report on the employee's performance. This then goes into the employee's personal file and as such, the report may have repercussions to the employee's future career or status. These performance appraisal interviews can thus be regarded as forms of intraorganisational gatekeeping (Holmes, 2007). Importantly, the interaction itself is a crucial moment in the appraisal process, as the oral negotiation between participants is decisive to the content of the final written report (see e.g. Van De Mieroop and Schnurr, 2014). Furthermore, as in many current-day Western organizations, hierarchies have—seemingly—flattened due to the New Work Order (Gee, Hull and Lankshear, 1996) and explicit attempts of superiors to regulate their subordinates' behavior tend to have become unacceptable, leading to extensive negotiations between employees and their superiors instead (Van De Mieroop and Clifton, 2018; Van De Mieroop and Schnurr, 2017). This is especially the case when specific targets need to be met and performance scores are measured as (in)sufficient, as we will discuss below in the cases we focus on here.
- Courtroom hearings are part of a long judicial process and they are preceded not only by earlier interactions, but also by a wide range of docu-

ments, *authors* and *figures* (i.e., laws, precedents or facts) (Cooren, 2015: 269, Denault and Cooren, 2016a: 3)) that are often staged into a theatrical performance (Denault and Cooren, 2016b: 345) during the hearing. Selectively appealing to the records of the past is a widespread practice and one that is relevant for the development of the institutional event in which it takes place. Furthermore, they are quite formal interactions characterized by extensive turn-type pre-allocation (Atkinson, 1982) and hierarchical differences. For example, on the one hand, one judge, the president of the tribunal, is in charge of directing the proceedings, viz. opening up each stage of the hearing, allowing certain actions and assigning turns in the alternation between examiners and cross-examiners, while on the other hand, a witness' testimony is crucially shaped and conditioned by the trial lawyers' turns.

Both performance appraisal interviews and (cross-)examinations display the common, systematic practice of binding an interaction that is in progress with pre-existing written texts as an integral part of business-as-usual in the organization or institution. As mentioned above, our interest is centered on the cases when the hierarchically superior participants attempt to achieve the upper hand by appealing to written documents somehow provided by the subordinate co-participants prior to the interactions. In both settings, the subordinate participants are being 'corrected' by texts of which they themselves can be considered the agents, but that are being ventriloquized by the 'opposite' and hierarchically superior interactional party. This specific type of ventriloquization has, to our knowledge, not received much attention so far (but cf. Carranza, 2007a, 2010). We will now scrutinize in detail how this very specific type of ventriloquization is executed and reacted to from an interactional perspective, but first, we briefly discuss the corpora from which the data were extracted.

3 Data description

On the one hand, the performance appraisal interviews were selected from a corpus of ten Dutch-spoken performance appraisal interviews that took place in the northern part of Belgium in 2010–2013. The fragments under discussion come from two performance appraisal interviews recorded in a medical laboratory in which such interviews are carried out annually. The interviews that we analyze here each last for an hour or slightly more and they were conducted by the same interviewer, who is the head of one of the departments of the laboratory. All the employees of the lab are trained

chemical analysts but they have different hierarchical positions, namely either level 3, level 2 or level 1-analysts, representing respectively the lower, middle and upper category of the staff. While the interviewer is a level 1-analyst, the interviewees are analysts of respectively level 2 (viz. in interview 1) and level 3 (viz. in interview 2).

We extracted two fragments from two performance appraisal interviews in which the interlocutors discuss the employee's attendance score during training sessions. As chemical analysts, the lab employees are required to participate in minimally 60% of training sessions which are held on a (bi)monthly basis, as the lab emphasizes the importance of self-development and permanent learning in order to maintain a high quality level. Importantly, if this threshold is not met, this is noted in the employee's personal file as an official point of improvement that will be evaluated in the subsequent year and that will result in professional repercussions if no improvement can be attested after this one-year period. Importantly, this training attendance score is calculated on the basis of paperwork: for every training session they participated in, employees need to fill out and submit a particular form (a so-called ESF-form), which serves as an official proof of attendance. Thus depending on the existence or absence of these filled-out forms, all the employees' attendance scores are calculated and subsequently discussed during their performance appraisal interviews.

On the other hand, the Spanish-spoken courtroom data were collected through observation and recording of twenty-four criminal trials in the city of Córdoba, Argentina, that have been examined in a broad research program (Carranza, 2004, 2007b, 2008, 2015). Complex criminal trials display a wide variety of discursive phenomena, in part because the more serious the crime, the larger the number of participants, and this results in an increase in the number of controversies. For that reason, homicide cases were observed and recorded. The particular case discussed in this paper is about a clash between rival families. Onlookers saw a wounded man and his sister leave for the hospital and soon after that, the man's brother-in-law showed up in his car, drove past some people on the opposite sidewalk, made a U-turn, parked across the street and started shooting. The participants involved—the attorney, the witness and the presiding judge—are males, which is also typical of the cases observed.

We extracted a fragment from the courtroom data in which a witness' earlier deposition is made relevant in the (cross-)examination of that same witness during a trial. It is important to note that witnesses' depositions at the preparation stages of trials are not entirely under their control. This is because the court clerks who hear their statements, type the records but do not make an entirely verbatim transcription of what was said. Yet, the deponents' signatures make them responsible for the content of these records. During the (cross-)exami-

nation of a witness in the trial, reading such a written deposition is justified when the past and present testimonies are “very different”. During the reading, the contradiction tends to be pointed out to the witness explicitly, yet the fact that such a past testimony will usually be privileged because it is considered to be more accurate and complete, is generally left implicit. This read-out witness’s deposition results in the embedding of this text into the wider file that is being generated about the events of the hearing.

4 Analyses

In the analyses, we will first zoom in on two excerpts showing the prevalence of the record over current oral statements, after which we zoom in on one excerpt showing successful resistance to the version of reality inscribed in the record. The discussion of these excerpts will then allow us to draw conclusions about ventriloquizing processes in which subordinate’s earlier words or texts are recycled by hierarchically superiors.

4.1 *Prevalence of the written records*

In this section, we discuss two cases in which written records are successfully rallied for the superior’s achievement of authority. First, we discuss a fragment extracted from a performance appraisal interview, after which we zoom in on an extract from the courtroom data.

4.1.1 Record prevalence in a performance appraisal interview

The employee that is being evaluated in this performance appraisal interview has a fairly good training attendance score as measured on the basis of the paper trail (viz. the existence of ESF-forms). As she attended 63% of the sessions, she scored above the 60% threshold and it will be noted in her file that the self-development score is ‘good’. This is discussed in the following fragment.

Excerpt 1A—performance appraisal interview 1, IR=interviewer; IE=interviewee

- 1 IR *bijsholing tweeduizend negen (.) vijf van de acht (.)*
 2 *is drieëndert- drieënzestig procent (.)*
 3 *de bis neet aanwezig geweest bij casus twee de hartmakers (.)*
 4 *casus vier kwaliteitscontrole en de XE-plotjes has se toen gemist (.)*
 5 *maa:r de huls n[og drieënzestig procent dus da’s nog steeds goed*
 6 IE [°m-°

- 7 (.)
 8 IE *maar is d- was dat xE-plotjes met de ↑firma=*
 9 IR *=jo[a*
 10 IE *[want die heb ich [waal ge↑had*
 11 IR *[joa*
 12 IR *doa stons se als zijnde vakantie op*
 13 IE *ich heb die gehad*
 14 IR *↑oh (.) want eu:h in die*
 15 *in die tabel stons se op als zijnde vakantie*
 16 IE *tiens*
 17 IR *dus had se wel gehad*
 18 IE *dach ich waal joa*
 19 IR *°ok°*
 20 (1.1)
- 1 IR *schooling two thousand nine (.) five out of ↑eight (.)*
 2 *is thirty thr- sixty three percent (.)*
 3 *you were not present during case two the heartmakers (.)*
 4 *case four quality control and the xE-plots you missed then (.)*
 5 *bu::t you have st[ill sixty three percent so that's still good*
 6 IE *[°m-°*
 7 (.)
 8 IE *but is th- was that xE-plots with the ↑firm=*
 9 IR *=ye[s*
 10 IE *[because I did [↑have those*
 11 IR *[yes*
 12 IR *you were mentioned there as being vacation*
 13 IE *I had that*
 14 IR *↑oh (.) because e:rm in that*
 15 *in that table you were mentioned as being vacation*
 16 IE *well well*
 17 IR *so you did have that*
 18 IE *I think I did yes*
 19 IR *°okay°*
 20 (1.1)

In the initial lines of this fragment, the superior initiates the topic of the employee's training attendance score of 2009 by reading out loud² the general

2 This is clear because the superior uses a 'reading voice' in lines 1–4.

result (lines 1–2) and a detailed overview of the three sessions the employee had missed (lines 3–4). She ends her turn by a repetition of the employee's score and a general positive evaluation (line 5). However, in this final part of her turn, the initial contrastive conjunction, pronounced with a lengthened vowel (*maa:r*, 'but') as well as the addition of the adverbs *nog* and *nog steeds* (both translated as 'still') both mark a contrast between this final positive evaluation and the list of training sessions that were missed in the preceding lines. Thus in spite of the sufficiently high score, the employee's absence from these sessions is emphasized and this is done by drawing on written documents that are read out loud.

After a short pause, the employee self-selects and asks a follow-up question oriented at disambiguating one of the training sessions the superior had mentioned in her list, viz. the XE-plots. Even though the potential disambiguating element is fairly vague ('with the firm', line 8), the superior latches on an affirmative particle (line 9). This is then overlapped by the employee with an account (hence the initial causal conjunction *want*, 'because') in which she claims that she was present during this session. This turn is especially marked by the use of the Dutch particle *wel* (pronounced as *waal* here, translated as '[I] did [have]'), which typically serves "to contradict a previous denial of a certain fact" (Hogeweg, 2009: 520), in this case thus refuting the superior's claim concerning the employee's absence during the 'XE-plots'-training session.

In the subsequent turn (line 12), the superior explains why she concluded the employee was absent, viz. that the employee was mentioned 'there'—viz. on a certain list—as 'being vacation' (line 12), thus accounting for her earlier claim regarding the employee's absence by again referring to a written document. The employee then continues with a very factual sounding refutation (line 13) which has a direct turn shape, thus clearly orienting to argumentation as context (Kotthoff, 1993). The superior responds with the news receipt marker *oh* (Heritage, 1984), but, after a short break, continues with a repetition of her earlier account that is related to a written document (line 14–15). Interestingly, this time she makes the referent of the earlier deictic form *doa* ('there', line 12) explicit by formulating its referent *in die tabel* ('in that table', line 15), thus again emphatically bringing in the written record into the discussion. In turn, this is met with an expression of surprise by the employee (*tiens*, translated as 'well well', line 16).

At this point, both interlocutors have expressed their contradicting positions explicitly and repetitively and both have responded with change-of-state tokens (lines 14 and 16) marking their mutual surprise. While the superior rallies written documents and their evidential status regarding the employee's absence from particular training sessions for this discussion, the employee

draws on her knowledge of the session by bringing in a detail (with the \uparrow firm, line 8) from her personal memory.

In line 17, the superior then seems to move into a concluding phase (as marked by the initial conjunction *dus*, 'so') of this argument, that may potentially lead to a solution for this interactional impasse. She formulates an understanding check which contradicts her earlier claim, which is again marked by the presence of the particle *wel* (line 17). The employee responds affirmatively to this (by means of two affirmative particles: *waal/joa*, '[I] did yes', line 18), but she also hedges her answer by adding the "shield" 'I think' (*dach ich*, line 18). This reflects the lower degree of the speaker's commitment to the truth-value of the whole proposition (Prince, Frader and Bosk, 1982). As such, her turn has a dispreferred turn shape and this marks her shift away from orienting to argumentation as context.

The superior then utters a quietly pronounced token of agreement (line 19), which is followed by a short pause (line 20), after which she self-selects again, as we see in the following excerpt:

Excerpt 1B—performance appraisal interview 1, IR=interviewer; IE= interviewee

- 21 IR *dan kums se dus oet op }^odan klopt het nimeer^o*
 22 *dan kums se oet op zes van de: zes van de acht*
 23 *dus dan geit dat gewoon hoger (.)[↑]ok*
 24 *want op die tabel ston=e::h*
 25 *doa had een aantal dinge:*
 26 *aantal ESF-formulieren ingescand en*
 27 *vervolgens derachter in die tabel*
 28 *en in die tabel ston bie diech vakan[↓]tie*
 29 IE *ja misschien is dat toch £nog een andere=euh£*
 30 *sch[oling gewest d[at kan zeen da[t weit ich neet hé*
 31 IR [joa [joa [joa
 32 IR *joa*
- 21 IR so then you end up at }^othen it is not correct anymore^o
 22 then you end up at six out of: six out of eight
 23 so then that just goes higher (.)[↑]ok
 24 because in that table wa=e::rm
 25 there had a few thi:ngs:
 26 few ESF-forms scanned in and
 27 subsequently behind in that table

28 and in that table it was mentioned for you vaca↓tion
 29 IE yes maybe was that yet £still another=erm£
 30 sch[ooling that [is possible tha[t I don't know hey
 31 IR [yes [yes [yes
 32 IR yes

In the initial lines of this excerpt, the superior discusses the implications of her agreement with the employee's rebuttal, viz. that the latter's overall training attendance score is wrong (line 21) and that it should be corrected to a higher score (lines 22–23). Yet, after the seemingly topic closing particle 'ok' (line 23), the superior re-opens the discussion by re-iterating her previous account for the employee's alleged absence from this particular training session, again by drawing on a particular written record ('that table', line 24). Yet, after an almost literal repetition of the first part of her account in lines 14–15, she breaks off and explains the genealogy of this particular document (viz. 'the table'). Even though the formulation of this explanation is initially fairly vague ('a few things', line 25), agentless and elliptical (e.g. lack of a verb in line 27), it alludes to the chronological nature of the procedure (cf. 'subsequently', line 27), the exact place of 'that table' (viz. 'behind', line 27) and to some of the particularities of the process (viz. scanning forms, line 26) and of the paperwork-jargon (viz. 'ESF-forms', line 26). After this description, the superior concludes her turn by repeating her earlier statement based on the written record, viz. that in 'that table' it said 'vacation', which is uttered with a falling intonation (line 28).

This line of arguing is relatively similar to the one used before but, this time, it turns out to be convincing, as the employee concedes in the next turn. After an affirmative particle, she formulates an account for her refutation, viz. that she may have mistook it for another training session. This account is hedged in many ways, namely by means of various adverbs (*misschien*, 'maybe', *toch nog*, 'yet still' line 29), the "smile voice" (Buttny 2001), and the "shields" ('that is possible that I don't know', line 30) which again mitigate the employee's commitment to the truth value of her statement (Markkanen and Schröder, 1997: 8). This is overlapped by affirmative particles by the superior (line 31), who then responds with yet another affirmative particle (line 32). After this turn, the superior shifts topic and the actual outcome of the discussion is not explicitly mentioned in the rest of the interaction anymore, but it is implied that the employee's initial score remains unchanged and thus that the evidential status of the written documents prevailed.

So in this interaction, we observed that the two parties disagreed about the employee's presence in one of the training sessions: while the employee claims

she was there, the superior refutes this on the basis of her paperwork. So this is a case of an oral versus a written claim. Initially, the former seems to be winning the case, yet, the tide is quickly turned when the actual paperwork procedure is explained by the superior in excerpt 1B. Importantly, even though it is not explicitly stated here, if there *had* been an ESF-form, the employee would have been its author. And so when the employee abandons her claim after the superior has mentioned this ESF-form, she actually concedes to her own paperwork, or, in particular, to the lack thereof. Finally, the outcome of this discussion is implied, rather than stated explicitly by the superior.

4.1.2 Record prevalence in a courtroom cross-examination

In this section, we discuss another example of the prevalence of written records over the subordinate interlocutor's oral version of the events, but we now turn to an entirely different context, viz. the courtroom. The extracts were selected from a homicide trial and they were produced soon after the attorney begins to examine the witness. At this point, the latter has been narrating that when he was sitting on a fence with some other people, he saw a car go by along the block. This is relevant to the trial because this can help to attest the presence or absence of certain people who are of central interest to the trial, viz. in this case Moncha and *El Nariz* (The Nose).

Excerpt 2A—cross-examination,³ A=attorney; W=witness

- 1 A ¿y? ¿qué pasó ahí cuando pasó?
 2 W cuando se van ell↑os se va: el Mon[↑cha
 3 A [no pero per↓dón per↓dón
 4 pasa el aut↓o ¿usted dijo que se siente que qué?
 5 W sí como diciendo ahí está:: mirá que está::
 6 se siente algo así como que [dijo: algo
 7 A [¿quién dice eso?
 8 W el que va adentro del aut↓o
- 1 A and? what happened there when it went by?
 2 W when they go aw↑ay Moncha goe:s [aw↑ay
 3 A [no just excuse ↓me excuse ↓me
 4 the car goes ↓by you said that you hear that what?

3 In the transcription of the excerpt, the names used are pseudonyms while the nicknames have been maintained.

- 5 W yes like someone saying there he i::s look who is there::
 6 something like that is heard like he [sai::d something
 7 A [who says that?
 8 W the one in the c↓ar

The excerpt begins with a question that urges the witness to proceed with the storytelling (line 1). However, the witness picks up the story at a point well ahead ('when they go away', line 2), thus skipping a sequence of actions. Even though this does not in itself constitute an omission, the attorney orients to it as an omission, as the latter interrupts the ongoing utterance and explicitly stops its development ('no just excuse me excuse me', line 3). He then proceeds by repeating a sketch of the scene ('the car goes by', line 4) and by subsequently zooming in on a particular aspect of this episode—viz. of what the witness *heard* at that point—thus shifting the focus from the witness' visual to his audible perceptions.

Interestingly, he does this by asking a question with a convoluted syntax: instead of beginning with the relative pronoun 'what', the utterance begins with a main clause and its object clause ('you said that you hear that what', line 4). This is particularly noticeable because in the turns before this point, the witness has not said that he heard anything. Hence, this question indicates that, at an earlier time, the witness provided the information requested now. The witness answers the peculiarly structured question by ratifying that he heard 'someone saying (...) something' (line 5). The further identification of *what* was said, as formulated in line 5 (viz. 'there he is', 'look who's there'), remains largely vague (*algo así*, 'something like that', line 6) and hedged (cf. repetition of *como*, 'like', lines 5–6). Furthermore, when the attorney asks a follow-up question about the agent of this statement, he attributes it to someone in the car (line 8), thus once more formulating a rather vague answer to the attorney's questions.

Excerpt 2B—cross-examination, A=attorney; J=judge

- 9 A }°El que va adentro del auto°{
 10 Señor Presidente↑ solicito la incorporación por contradicciones
 11 en la declaración efectuada con anteriori↓dad
 12 J Si la puede hacer notar al: público presente.
- 9 A }°The one in the car°{
 10 Your Honour↑ due to contradictions
 11 I request the incorporation of the deposition produced prev↓iously
 12 J Would you point it out to: the audience in the room.

In line 9, the attorney produces a verbatim repetition of the witness's response, which is quite a frequent strategy in (cross-)examinations to increase the chances for the utterance to be noticed by the judges and the jury. This practice, typical of the oral trials in the observed jurisdiction, has been observed in a different legal tradition where court reporters keep a record of everything participants say (Heffer, 2005) and is akin to the use of damaging echo questions (Cotterill, 2003). So in this case, the repetition does not signal the attorney's ratification or his agreement with the answer, but rather the opposite, as his next course of action indicates. In particular, the attorney finds that the answer is at odds with what the witness stated in the past, so he asks the judge for permission to read that deposition (line 10–11). So at this point, the attorney not only proposes to draw on earlier written documents to make his case, but, by using the noun *la incorporación* ('the incorporation', line 10),⁴ he also immediately requests that this written record (viz. this witness's deposition) would be embedded into the file that is being generated about the events of the current hearing. The judge grants the attorney's request in the subsequent line⁵ and the attorney starts reading the witness' deposition, as we see in the following excerpt.

Excerpt 2C—cross-examination, A=attorney; J=judge

- 13 A ((he reads)) *dice que está completamente seguro*
 14 *>de que en el rodado iba solo una sola persona<*
 15 *>que le resultó (al deponente) desconocida<*
 16 *pero cuando ((the car)) pasó frente a ↑ellos*
 17 *MONcha le dijo a su hermano mirá quién va ↓ahí*
 18 *mi cuña↓do (.) El Nariz*
 19 *inmediatamente Silvio dijo que se marchaba*
 20 *po- porque si se queda↑ba iba haber tiros ((he stops reading))*
 21 J *bien vamos a incorporar entonces por contradicción↓*
 22 *Señor Roca como habrá percibido*
 23 *de lo que le ha leído el Señor Fiscal (.)*
 24 *es muy distinto a lo que usted dijo el 10 de enero de ((year))*
 25 *en la Unidad Judic↑ial con lo que está relatando ahora*

4 This is the technical meaning of this noun in criminal trials.

5 This intervention by the judge is indispensable for the reading to take place.

- 13 A ((*he reads*)) ((*the deponent*)) says that he is completely sure
 14 >that in the vehicle only one person was riding<
 15 >who looked unfamiliar (to the deponent)<
 16 but when it ((*the car*)) went by in front of †them
 17 MONcha said to his brother look who goes †there
 18 my brother-in-†law (.) The Nose
 19 immediately Silvio said he was going away
 20 be- because if he stay†ed there were going to be shots ((*he stops*
reading))
 21 J all right we are going to incorporate then by contradiction†
 22 Mr. Roca as you may have realized
 23 from what the Attorney has read to you (.)
 24 it is very different from what you said on January 10 ((*year*))
 25 in the Judicial Off†ice in relation to what you are narrating now

From lines 13 to 20, the attorney is reading the deposition, thus drawing on the witness' own words as they were noted by the court clerk prior to the hearing. In the initial part of this reading sequence, it is noticeable that the attorney reads very quickly (lines 14–15) and slows down his reading pace from line 16 onwards. As such, he uses a technique similar to a conversational rush-through (Schegloff 1981), which typically enables a speaker to maintain floor holding rights across the completion of a turn constructional unit. In this case, it allows the attorney to hold the floor until the significant part of the deposition is reached, in which the audible perceptions of the witness are topicalized. After setting the scene in line 16, the crucial information about *who* spoke to *whom* about *what* is uttered in lines 17–18. Importantly, the attorney pronounces one of the nicknames more loudly ('MONcha', line 17), thus displaying an orientation to this particular person-reference as crucial for the (cross-)examination activity. Moreover, this louder pronunciation draws attention to the contrast between this particular identification and the lack thereof in the immediately preceding conversational exchange (see excerpt 2A). In the subsequent lines, the final phase of the witness' story is read out loud (lines 19–20).

Thus by drawing on the witness' earlier words, the attorney implicitly demonstrates that the former contradicts himself. This is explicitly ratified by the judge, who announces in line 21 that the written deposition will be taken into consideration ('all right we are going to incorporate [the complement 'what has been read' is omitted] then by contradiction', line 21). The judge then addresses the witness at the start of line 22 (*Señor Roca*) and accounts for this ratification by explicitly pointing out how this 'contradiction' should be understood, viz.

that the two versions of the events are ‘very different’ (line 24). It is interesting to note that quite a lot of attention is thus paid to explaining to the witness what the contradiction consists in, yet, it is left implicit that when a past and a present testimony are ‘very different’, the past one is privileged because it is taken to be more accurate and complete, thus once more confirming the evidential status of written records in comparison to spoken words.

The witness subsequently utters his response to the judge, as we see in the final excerpt extracted from the courtroom data.

Excerpt 2D—cross-examination, J=judge; W=witness

- 26 W *m: hace- no- hace un año que pasó esto y que hablé con él*
 27 *hace mu↓cho yo bien así-*
 28 *como decir- de movida te digo me acordaba de to↓do pero:*
 29 J *¿de decir qué?*
 30 W *decir- mire no sé cómo le [dije*
 31 J *[es como dijo*
 32 *con anterioridad se acordaba más que ahora*
 33 W *sí*
 34 J *°bien° continúe Señor Fiscal*
- 26 W *m: it is- no- it is a year since that happened and that I talked to him*
 27 *long a↓go I really well-*
 28 *it's like- right away I tell you I remembered every↓thing bu:t*
 29 J *to say what?*
 30 W *to say- look I don't know how I [told him*
 31 J *[it is as you said*
 32 *before you remembered more than you do now*
 33 W *yes*
 34 J *°all right° Attorney continue*

On being confronted with the inconsistency of his present statement in comparison to the written record (see excerpt 2C), the witness accounts for this contradiction on the grounds of the past events having taken place one year before (line 26). After having emphasized once more the duration of the time lapse (*hace mucho*, ‘long ago’, line 27) and having uttered a self-repair (line 27), the witness uses the metacommunicative marker *como decir* (equivalent to ‘it’s like’, line 28). This introduces the highly informal expression *de movida*, which is employed here to mean ‘right away’ or ‘immediately after it happened’ (line 28). This, in turn, is followed by an emphatic fixed expression made up by

the informal second-person pronoun *te digo* ('I tell you', line 28) and a statement about the witness' memory at that time, which incorporates the extreme case formulation (Pomerantz 1986) *todo* ('everything', line 28).

There is a mismatch between the witness' informal lexical and pronominal choices in line 28 and the register in the surrounding discourse which is characterized by formality, both on a lexical and a pronominal level. The latter can be observed, for example, when the witness is addressed with *usted* (formal second person pronoun) or with its corresponding verb inflections by the attorney (line 4) and by the judge (line 24, 31, 32), as well as when the witness himself addresses the judge with *mire* ('look', line 30). Next to a relatively self-evident reason for this—viz. the witness' inexperience with the norms of courtroom interaction—, one can also hypothesize that the awkwardness of having to justify the contradiction in one's own words may have contributed to the use of this unusually informal register here.

After a brief exchange between the judge and the witness, in which the judge probes further for 'what' was said (line 29) and the witness further emphasizes that he does not remember it well (line 30), the judge produces two rather peculiar affirmative statements in lines 31–32. The first one, *es como dijo* ('it is as you said', in the sense of 'the events happened as you said', line 31), seems rather ambiguous, but in the light of the ensuing statement in line 32, it is clear that it should be interpreted as 'the events happened as you said on the previous occasion before a clerk', which thus implicitly points to the prevalence of the written record over the spoken words, even though the witness is the author of both.

The second statement by the judge is a truism, viz. 'before you remembered more than you do now' (line 31). This statement is not only a very frequently uttered statement by trial-lawyers after having read out loud earlier depositions, but it also paraphrases the witness' earlier statement 'I remembered everything (then)' (line 28), thus qualifying this statement as a ratification of the written record. This is then confirmed by the witness in the subsequent line (line 33), after which the judge closes the sequence by softly uttering *bien* ('all right', line 34) and by explicitly instructing the attorney to continue the witness examination.

For our analytical interests, it is important to note that in this final excerpt, the witness spontaneously accepts the prevalence of the written record over the oral testimony he uttered a few turns earlier (see excerpt 2A), as he immediately accounts for the contradiction in his words by temporally juxtaposing his two testimonies and claiming memory loss for the final one.

When briefly summing up the findings of this section, we have observed that in both cases, superiors successfully rally written records of which the

other interlocutors are the authors. As such, the former win the argument by refuting the words of the latter by drawing on an earlier version of these same interlocutors' words as these were 'fixed' in the form of written documents. In both cases, due to their different ontological status, the written versions prevail over the oral versions of the events, but this process is not pointed out explicitly to the subordinate interlocutors, as the superior nor the judge point out to, respectively, the subordinate nor the witness, that their oral claims are disregarded so that the written records can be prioritized in the interactional joint construction of meaning.

4.2 *Resistance to the written records*

As shown in the section above, the employees' oral claims are not treated as sufficient proof to surpass the evidential status of the factually framed written documents of which they themselves are the authors. Yet when additional evidence is provided by the subordinate, there may be more room for negotiation, as this final case, extracted from the performance appraisal interview data, illustrates.

This case focuses on another discussion of an employee's training attendance score. As this employee attended two out of eight training sessions, her score is thus only 25%, which is far below the required threshold of 60%. Hence, it will be noted in the employee's file that she has a problematic absence concerning training. There is thus much more at stake here than in the excerpts 1A–1B discussed above. Prior to the excerpt below, the interlocutors have established the problem. Subsequently, the superior pursues the topic further by inquiring whether the employee has an explanation for this low training attendance score and by listing the training topics she has missed. This is where the excerpt starts:

Excerpt 3—performance appraisal interview 2, IR=interviewer; IE= interviewee

- 1 IR *maar wat ich jammer vind*
 2 *die die casussen wat se allemaal mist*
 3 *over trombositen, hartmakers, mc- mcv=*
 4 IE =jo[a
 5 IR [de XE-plotjes
 6 (1,3)
 7 IE joa ↑joa:::
 8 (.)
 9 IE *de XE-plotjes heb ich volgens mich wel al gehad*

- 10 IR °daar stons se neet bij°
 11 IE met dè man toen nog
 12 IR ↓ja (.) oh [doa stons se ()] neet op die liest
 13 IE [ja doa ben ich gewèst]
 14 IR oh
 15 (1,2)
 16 IR m- (.) °ja° dan mot ich dat waal effe op die liest
 17 doabij zetten want doa steis se neet op
 18 (1,2)
 19 IR dat [wor (neet)
 20 IE [wat wor dat?
 21 IR het ESF-formulier is neet ingevuld
 22 dus dan bes de drie van de acht
- 1 IR but what I regret
 2 those those cases that you all miss
 3 about trombosites, heartmakers, mc- mcv=
 4 IE =ye[s
 5 IR [the XE-plots
 6 (1,3)
 7 IE yes ↑ye:::s
 8 (.)
 9 IE the XE-plots I did already have in my opinion
 10 IR °you were not mentioned there°
 11 IE with your man still then
 12 IR ↓yes (.) oh [you were there ()] not on that list
 13 IE [yes I was there]
 14 IR oh
 15 (1,2)
 16 IR m- (.) °yes° then I do have to put that on that list with that
 17 for a minute because you are not mentioned there
 18 (1,2)
 19 IR that [was (not)
 20 IE [what was that?
 21 IR the ESF-form is not filled out
 22 so then you are three out of eight

In lines 1–5 of this excerpt, the superior is listing the cases the employee has missed so far. This is followed by a pause (line 6), two affirmative particles uttered by the employee (line 7) and another short pause (line 8). As the

superior remains silent in these three lines and does not self-select, it is clear that she is waiting for an account of some sort from the employee. The latter then initiates a rebuttal, in which she contradicts the superior's claim of her absence during the XE-plot training session, as marked by the particle *wel* (Hogeweg, 2009). However, she also hedges her refutation by means of the 'shield' *volgens mich* ('in my opinion', line 9), thus mitigating her commitment to the truth value of this statement. In the subsequent line, the superior draws on the evidential status of written records and she refutes the employee's claim by implicitly referring to the paperwork in which the latter was not 'mentioned' (line 10). Even though she pronounces this turn rather silently, as such mitigating her rebuttal of the employee's claim, she also uses a factual tone and her turn is characterized by a preferred turn shape.

Interestingly, the employee continues by providing additional proof for her claim, viz. that she knows the superior's husband was present there (*dè man*, 'your man', line 11). Even though she does not provide any specifications as to the latter's specific role, nor as to how she obtained this information, the superior's response demonstrates that this argument has some impact. She first responds with an affirmative particle with a falling intonation, thus ratifying the information, and then, after a short pause, by the news-receipt marker 'oh', thus showing that she realizes the implications of this information. Yet, the superior then continues by repeating her earlier account for the employee's absence, viz. that the latter was not 'on that list' (line 12), thus again referring to the missing paperwork and invoking its evidential status regarding the matter at hand. However, at that point, the employee overlaps with a statement (line 13) in which she factually claims that she was present. Again, this is met with 'oh', thus once more demonstrating that the superior registers the receipt of new information (line 14).

Then there is an inter-turn gap (line 15) and turn-initial delay (line 16), which mark the upcoming turn as a dispreferred response. In this turn, the superior concedes to the employee's claim and proposes to correct the paperwork. In this concession, she again repeats her account based on written records of lines 10 and 12, viz. that the employee is not on the list. Then, after a pause (line 18), a false start (line 19) and an open-class repair initiator (Schegloff, Jefferson and Sacks, 1977) by the employee (line 20), the superior further elaborates on this account by stating that the ESF-form 'is not filled out' (line 21). As such, as in excerpts 1A–1B, she refers to the administrative procedure that has not been carried out correctly. Interestingly, she uses the passive voice here, thus avoiding to attribute blame to the employee. Instead of further inquiring about this absence of the required paper trail, the superior closes this topic, as marked by the concluding conjunction *dus* ('so', line 22). In this final line of the

excerpt, she confirms her concession to the employee's claim by increasing the latter's training attendance score from two to three out of eight (line 22).

Thus in this interview, the employee is successful in refuting the superior's statement, and thus the former's oral claim overrules the written documents that prove her wrong. The turning point in this discussion is clearly line 11, as before this line, the superior used a preferred turn shape to rally evidence from written documents to support her claim (line 10), while the employee hedged her contradicting claim by means of a shield (line 9). Yet, after line 11, this is reversed, as the superior's turn has a dispreferred shape in line 12, which is overlapped by a directly formulated rebuttal by the employee in line 13. This is not surprising, as in line 11, a crucial piece of evidence is provided for the employee's presence which causes the superior to concede. Yet, this concession is only uttered in line 22, after the superior has performed a few displays of reluctance which are related to the paperwork that needs to be changed (line 16–17) and that is still incomplete (line 21). As such, the importance of the written records remains unquestioned, as the interlocutors both orient to the necessity of correcting the written documents so that there would be an adjusted evidential basis for the employee's new training score.

5 Discussion and conclusions

In all the cases discussed above, we observed that one interlocutor ventriloquizes another interlocutor's words. This action is particularly interesting in our data because the origin in the inception of the record is the other interlocutor her/himself, who was a direct or an indirect agent in its production. This is somewhat similar to the rhetorical device used in parliamentary debates and described by Antaki and Leudar (2001) of recruiting the opponent's recorded words to support one's own argument. In contrast, our cases have shown that the use of institutional records is not restricted to the exact quotation of oral utterances, but that various forms of documents can be rallied to support one's cause as well. In the cases discussed here, the subordinates' oral claims during the interaction are refuted by superiors who base their counter-argument on the formers' own deposition or on their management of their own paperwork. As such, the subordinates are being rebutted by themselves, as ventriloquized by the superiors. In this ventriloquization process, the superiors draw on the different ontological status of written documents (in comparison to that of the oral word) and construct these written documents as facts, which, due to their "quality of *restance*" (Cooren, 2000: 217), have 'fixed' and subsequently institutionalized the evidential status of the claims, viz. the employees' presence at

the various training sessions (excerpts 1A–1B and excerpt 3) and the witness' audible perception of a certain event (excerpts 2A–2D).

We observed that by bringing these written records into the interaction, the hierarchically superior interlocutors often—though not always (cf. excerpt 3)—prevailed over the subordinate interlocutors. This may on the one hand be related to the asymmetrical relation between the interlocutors, which tends to give superiors an advantage in comparison to subordinates as the latter represent the voice of the powerful which more easily overrules that of the powerless than the other way around. Yet, on the other hand, we aimed to demonstrate that interactional ventriloquization mechanisms also endowed these participants with authority, due to the fact that they allowed the participants to “multiply the sources that support their arguments” (Denault and Cooren, 2016a: 3) and create a carefully balanced polyphony of voices. Moreover, this multiplication of voices is strengthened further because these written records are authored by the opposing interactional participants themselves, which gives them a specific evidential voice. The evidential quality of these documents was particularly visible in the first two cases in which the written documents prevailed over the other interlocutors' spoken words. As these were cases of arguments versus counter-arguments, of one person's word against another's, it is intriguing that when the written records are prioritized in the participants' understanding of the past events under discussion, this fact remains largely implicit in the interaction. This emically shows that the participants all orient to written documents as having a superior status, viz. as having a higher evidentiality than spoken words, and thus to the documents' prevalence as a logical outcome of the discussion. We observed this clearly in the courtroom setting (excerpts 2A–2D), in which there were limited possibilities for challenging the previous deposition's value as a carrier of statements allegedly produced by the witness. The past reality depicted in that text had been endorsed by the same witness through his/her signature and this is conventionally taken to be 'fixed', that is to say, ready to be alluded to in subsequent procedures in uncontested ways. In excerpts 1A–1B, it is interesting to note that although the employee's questioning of the record failed, the initial discussion over the facts expressed in the record indicates that contentions against the reliability of the record are possible in the observed setting. This thus illustrates that the evidential status of written documents may often be oriented to as self-evident, but that interlocutors *can* challenge this status as well, and that they may do so successfully in case they manage to provide additional proof, as was discussed in relation to the final case (excerpt 3). As demonstrated in this case, it is only after the subordinate manages to provide a concrete piece of additional evidence that refutes the claim made on the basis of the written records, that the superior

takes the subordinate's oral claims into consideration and that the argument turns around in favour of the latter's claims.

As such, these three cases have shown that written documents' evidential status is interactionally treated as higher than that of oral words, and that this status can only be overruled if participants manage to bring in additional evidence. Thus on the one hand, the participants display an orientation to prioritize the reality as represented in written records over that in oral claims, as such ratifying the perspective that written documents 'fix' reality. By this we mean that these written texts are interactionally treated as definitively determining what happened in the past, which makes them hard to challenge. Yet on the other hand, it was also shown that the ventriloquization processes are of essential importance as well, as the way the interlocutors make the written records relevant has a crucial impact on how these will be dealt with on a turn by turn basis. This became particularly clear from the comparison across organizations: while the medical organization in our data allowed for a certain amount of negotiation and thus for a more flexible handling of written documents, the justice system, as shown here, displayed a much more rigid structure in which the 'incorporation' of written records immediately entailed a number of implications which are treated as interactionally non-negotiable. Thus in any use of official records, an organization's norms are invoked and reinforced, but as the analysis has also revealed, the organization is constituted in concrete instances of the application of norms by the individual superior's discretion in ratifying the value of a record and adhering to its version of the past. Institutions and organizations differ in the degree in which superiors have leeway either to impose or flexibly override the factuality of certain records. Yet, it has become clear that through making records matter for the development of the interaction, superiors subject subordinate participants to their authority (cf. Benoit-Barné and Cooren, 2009). By ventriloquizing the subordinates' writing, the superiors actually make two entities speak, namely the texts as well as the persons who authored them, who, in this case, were the very same people of whom the words were being refuted. Thus by mobilizing these documents, the participants' words gain more weight, as they are now based on a multiplication of authors, and as such, this ventriloquization enhances—or 'augments'⁶—the speaker's authority. Finally, by means of these ventriloquization processes, sub-

6 The word authority comes from the Latin word *augere*, which means 'to augment' (Cooren, 2016: 404), thus showing the relation between 'authority' and 'augmenting' one's words with the voices of others.

ordinates are subjected to the superiors' authority, and as such, the participants constitute the organization in the name of which they are acting and which reflexively entitles them to act in this way.

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