

Book Review

Speak English or What?: Codeswitching and Interpreter Use in New York City Courts

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***Speak English or What?: Codeswitching and Interpreter Use in New
York City Courts***
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Speak English or What?: Codeswitching and Interpreter Use in New York City Courts by Philipp Sebastian Angermeyer published in the Oxford Studies in Language and Law series offers an investigation of interpreted-mediated hearings in small claims court in New York. The book raises important questions about the fairness of trial for speakers of languages other than English (LOTE) as it explores how language ideologies and institutional practices affect litigants' opportunity to tell their story. Grounded in an ethnographic research across three different sites and focussed on litigants who speak Haitian Creole, Polish, Russian or Spanish, the analysis is anchored in detailed examination of spoken interactions drawing on conversation analysis tradition.

The book is clearly structured with seven chapters. After introducing the aims and objectives of the book in Chapter 1, where the author argues that language choice in small claims courts indexes specific social meanings, the main body of the analysis focuses on different types on participants on one hand, and specific linguistic practices on the other. Chapter 2 then sketches a picture of the types of litigants who attend the court and the types of cases they bring with them. A brief description of the small claims court system, which is meant to widen access to justice, is also offered. The author notes that, unlike in traditional court proceedings, speakers of LOTE tend to be claimants. Speakers of four different languages are targeted, with Spanish being the most requested language in all three courts included in the study and Russian following. The motivations for the

choice of Polish and Haitian Creole are also well grounded, for example through regular schedules of interpreting sessions in those languages, but I feel that they could be better articulated, because their relevance is not immediately clear from looking at the number of speakers of those languages in the city, which the book describes in detail. Nevertheless, the focus on different languages allows Angermeyer to demonstrate phenomena that are not unique to a specific variety and allows him to build a strong case for thinking about an underlying language ideology. The author is also very careful to state that while the participants are grouped by the language they speak, their individual repertoires are often much more complex and not limited to the single variety.

The focus of the following chapter is on arbitrators, who decide in the majority of cases in small claims court. The role is assumed by attorneys on a voluntary basis and contributes to a more informal character of the proceedings. Echoing Conley and O'Barr's (1990) distinction between judges focused on enforcing rules or building relationships, as well as a categorisation provided by Philips (1998) who differentiated between procedure- and record-oriented judges, the author characterises arbitrators as either "slow" or "fast". The terminology derives from the typical length of proceedings but also reflects other arbitrators' qualities, such as willingness to engage in detailed questioning or attempts to broker a compromise. Angermeyer suggests that arbitration styles are one of the factors affecting litigants' opportunities to tell their story. Chapter 4 takes as its object interpreters and specifically in its analysis deals with one specific variable: direct vs indirect translation, that is the use of first vs third person when representing voices of others. The author argues that while courts' guidelines insist the norm of direct translation, a more flexible approach especially in interpreting from English into LOTE may be more appropriate and allow litigants to participate fully on more equal terms.

The attention of the book moves from people to processes with Chapter 5, which investigates the consequences of the interpreting modes used in proceedings. Consecutive interpreting, which is normally used with litigants' contributions, results in narratives being fragmented. Simultaneous mode, on the other hand, normally used by interpreters to interpret contributions made by other participants for the benefit of the litigant, places a greater cognitive load on interpreters and often leads to some propositional content being missed. The author notes that the resulting problems only affect LOTE speakers, who tend to be interrupted more and might not receive all relevant information. Angermeyer suggests that standby interpreting might be a viable alternative for those litigants who display some proficiency in English, with interpreters only intervening in response to local needs. In Chapter 6, codeswitching practices are analysed. The author notes that most LOTE speakers use English at some point and to varying degrees, and suggests that they do so in an attempt to accommodate to other English speakers, who, in turn, are not likely to accommodate to litigants for fear of appearing partisan in the case of arbitrators and because of specific beliefs held about the nature of translation or what constitutes standard language by interpreters. Angermeyer argues that LOTE speakers, for whom codeswitching is natural, may pose a threat to the role of interpreters by challenging the expectation that they should not speak any English. In his analysis, he also addresses the problems of defining what belongs to a given language.

The concluding chapter reviews the analyses presented in the preceding chapters and suggests that the idea of interpreted communication as putting LOTE speakers on an

equal footing as other participants is an elusive one. Angermeyer stresses that not only are institutional norms important in sustaining disadvantages faced by litigants but also that individual practices of interpreters and arbitrators vary greatly. The importance of language ideologies in this context is also discussed. Furthermore, the author considers the applicability of the research outcomes to contexts others than small claim courts, such as asylum hearings or formal trials. Perhaps it would have been useful for the final chapter to further develop the idea of indexicality, introduced in Chapter 1, although I do recognise that doing so would be a difficult task given the scope of the book.

The ethnographic detail and thorough analyses make for an engaging and interesting read. The inclusion of four different languages makes the case even more persuasive and the research even more impressive given the detail and care needed to transcribe and translate the multilingual source material. The author does address the issue of working with multilingual assistants in the introductory chapter, but it seems that there are many fine methodological points that could be explored in relation to the process of researching multilingual practices and interpreter-mediated communication.

One of the major strengths of the book is the fact that it manages to combine insights from studies of bilingualism with research in interpreted-mediated communication, and it does so with reference to language ideology. As such, it will be of interest to researchers and postgraduate students working in the fields of linguistics as well as translation studies. The context of the study means that legal professionals might also find the book useful, and although the analyses are described in linguistic terms, the style is accessible and all main concepts are well introduced and explained.

In sum, the book offers a great contribution to the field. It adds to the growing body of work in courtroom interpreting (for example Berk-Seligson, 1990; Hale, 2004 and it does so using the unique context of small claims courts and adding the ethnographic angle to the detailed interactional analysis which allows for a nuanced characterisation of interpreted-mediated communication underpinned by a discussion of language ideologies prevalent in a courtroom setting. It will certainly be most useful in research and teaching of multilingual practices in a legal context.

References

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