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"WOMEN'S LANGUAGE" OR
"POWERLESS LANGUAGE"?

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INTRODUCTION

The understanding of language and sex in American culture has progressed far beyond Robin Lakoff's influential and provocative essays on "women's language" written only a few years ago.¹ The rapid development of knowledge in what had been so significantly an ignored and overlooked area owes much to both the development of sociolinguistic interest in general and to the woman's movement in particular. But as a recent review of anthropological studies about women pointed out, this interest has grown so quickly and studies proliferated so fast that there is frequently little or no cross-referencing of mutually supportive studies and equally little attempt to reconcile conflicting interpretations of women's roles.² A similar critique of the literature on language and sex would no doubt reveal many of the same problems. But in one sense, these are not problems—they are marks of a rapidly developing field of inquiry, of vitality, and of saliency of the topic.

Our interest in language and sex was sharpened by Lakoff's essays. Indeed, her work was for us—as it was for many others—a jumping off point. But unlike some other studies, ours was not primarily an attempt to understand language and sex differences. Rather, the major goal of our recent research has been the study of language variation in a specific institutional context—the American trial courtroom—and sex-related differences were one of the kinds of variation which current sociolinguistic issues led us to consider. Our interest was further kindled by the discovery that trial practice manuals (how-to-do-it books by successful trial lawyers and law professors) often had special sections on how female witnesses behave differently from males and thus special kinds of treatment they require.

In this paper, we describe our study of how women (and men) talk in court. The research we report here is part of a 30-month study of language variation in trial courtrooms which has included both ethnographic and experimental components.* It is the thesis of this study that so-called "women's language" is in large part a language of powerlessness, a condition that can apply to men as well as women. That a complex of such features should have been called "women's language" in the first place reflects the generally powerless position of many women in American society, a point recognized but not developed extensively by Lakoff.³ Careful examination in one institutional setting of the features which were identified as constituting "women's language" has shown clearly that such features are simply not patterned along sex lines. Moreover, the features do not, in a strict sense, constitute a *style* or *register* since there is not perfect co-variation.

This chapter proceeds as follows: first, it examines the phenomenon of "women's language" in the institutional context of a court of law; second, it shows that the features of "women's language" are not restricted to women and therefore suggests renaming the concept "powerless" language due to its close association with persons having low social power and often relatively little previous experience in the courtroom setting; third, it examines briefly some experimental studies which were conducted to answer the question of whether "powerless" language makes any difference in how mock jurors evaluate testimonies of witnesses; and finally, it calls for a refinement of our studies to distinguish powerless language features from others which may in fact be found primarily in women's speech.

HOW TO HANDLE WOMEN IN COURT— SOME ADVICE FROM LAWYERS

One of the means which we used in our study of courtroom language to identify specific language variables for detailed study was information provided to us in interviews with practicing lawyers. More useful, however, were *trial practice manuals*—books written by experienced lawyers which attempt to discuss systematically successful methods and tactics for conducting trials. Typically, little effort is devoted to teaching and developing trial practice skills in the course of a legal education. Rather it is expected that they will be acquired through personal experimentation, through watching and modeling

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one's behavior after successful senior lawyers, and through reading the advice contained in such manuals. Those who write trial practice manuals are experienced members of the legal profession who are reporting on both their own experiences and the generally accepted folklore within the profession. In all these situations, the basis for claims about what works or what does not tends to be the general success of those who give advice or serve as models—judged primarily by whether they win their cases most of the time.

One kind of advice which struck us in reading through several of these manuals was that pertaining to the special treatment which should be accorded women. The manuals which discuss special treatment for women tend to offer similar advice regarding female witnesses. Readers are instructed to behave generally the same toward women as men, but to note that, in certain matters or situations, women require some special considerations. Some of this advice includes the following:

1. *Be especially courteous to women.* ("Even when jurors share the cross-examiner's reaction that the female witness on the stand is dishonest or otherwise undeserving individually, at least some of the jurors are likely to think it improper for the attorney to decline to extend the courtesies customarily extended to women."⁴)

2. *Avoid making women cry.* ("Jurors, along with others, may be inclined to forgive and forget transgressions under the influence of sympathy provoked by the genuine tears of a female witness." "A crying woman does your case no good."⁵)

3. *Women behave differently from men and this can sometimes be used to advantage.* ("Women are contrary witnesses. They hate to say yes. . . . A woman's desire to avoid the obvious answer will lead her right into your real objective—contradicting the testimony of previous prosecution witnesses. Women, like children, are prone to exaggeration: they generally have poor memories as to previous fabrications and exaggerations. They also are stubborn. You will have difficulty trying to induce them to qualify their testimony. Rather, it might be easier to induce them to exaggerate and cause their testimony to appear incredible. An intelligent woman will very often be evasive. She will avoid making a direct answer to a damaging question. Keep after her until you get a direct answer—but always be the gentleman."⁶)

These comments about women's behavior in court and their likely consequences in the trial process further raised our interest in studying the speech behavior of women in court. Having been told by Lakoff that women do speak differently from men, we interpreted these trial practice authors as saying that at least some of these differences can be consequential in the trial process. Thus, one of the kinds of variation which we sought to examine when we began to observe and tape record courtroom speech was patterns unique to either women

or men. We did not know what we would find, so we started out by using Lakoff's discussion of "women's language" as a guide.

Briefly, what Lakoff had proposed was that women's speech varies from men's in several significant ways. Although she provides no firm listing of the major features of what she terms "women's language" (hereafter referred to in this paper as WL), we noted the following features, said to occur in high frequency among women, and used these as a baseline for our investigation of sex-related speech patterns in court.

1. *Hedges*. ("It's sort of hot in here."; "I'd kind of like to go."; "I guess . . ."; "It seems like . . ."; and so on.)
2. *Superipolite forms*. ("I'd really appreciate it if . . ."; "Would you please open the door, if you don't mind?"; and so on.)
3. *Tag questions*. ("John is here, isn't he?" instead of "Is John here?"; and so on.)
4. *Speaking in italics*. (intonational emphasis equivalent to underlining words in written language; emphatic *so* or *very* and so on.)
5. *Empty adjectives*. (*divine; charming; cute; sweet; adorable; lovely*; and so on.)
6. *Hypercorrect: grammar and pronunciation*. (bookish grammar; more formal enunciation.)
7. *Lack of a sense of humor*. (Women said to be poor joke tellers and to frequently "miss the point" in jokes told by men.)
8. *Direct quotations*. (use of direct quotations instead of paraphrases)
9. *Special lexicon*. (in domains like colors where words like *magenta, chartreuse*, and so on are typically used only by women)
10. *Question intonation in declarative contexts*. (For example, in response to the question, "When will dinner be ready?", an answer like "Around 6 o'clock?", as though seeking approval and asking whether that time will be okay)

WHAT WE FOUND

During the summer of 1974, we recorded over 150 hours of trials in a North Carolina superior criminal court. Although almost all of the lawyers we observed were males, the sex distribution of witnesses was more nearly equal. On looking for the speech patterns described by Lakoff, we quickly discovered some women who spoke in the described manner. The only major discrepancies between Lakoff's description and our findings were in features which the specific context of the courtroom rendered inappropriate, for example, *tag questions* (because witnesses typically answer rather than ask questions) and *joking* (because there is a little humor in a courtroom, we did not have occasion to observe the specifically female patterns of humor to which she referred).

In addition to our early finding that some women approximate the model described by Lakoff, we also were quick to note that there was considerable

variation in the degree to which women exhibited these characteristics. Since our observations were limited to about ten weeks of trials during which we were able to observe a variety of cases in terms of offense (ranging from traffic cases, drug possession, robbery, manslaughter, to rape) and length (from a few hours to almost five days), we believe that our observations cover a reasonably good cross-section of the kinds of trials, and hence witnesses, handled by this type of court. Yet, ten weeks is not enough to produce a very large number of witnesses. Even in a single witness may spend several hours testifying. In addition, the court spends much time selecting jurors, hearing summation remarks, giving jury instructions, and handling administrative matters. Thus, when looking at patterns of how different women talk in court, we are in a better position to deal with the range of variation we observed than to attempt any precise frequency counts of persons falling into various categories. Thus, we will concentrate our efforts here on describing the range and complement this with some non-statistical impressions regarding frequency.

Our observations show a continuum of use of the features described by Lakoff.* We were initially at a loss to explain why some women should speak more or less as Lakoff had described and why others should use only a few of these features. We will deal with our interpretation of these findings later, but first let us examine some points along the continuum from high to low.

- A. Mrs. W,† a witness in a case involving the death of her neighbor in an automobile accident, is an extreme example of a person speaking WL in her testimony. She used nearly every feature described by Lakoff and certainly all those which are appropriate in the court room context. Her speech contains a high frequency of *intensifiers* ("very close friends," "quite ill," and so on often with intonation emphasis); *hedges* (frequent use of "you know," "sort of like," "maybe just a little bit," "let's see," and so on); *empty adjectives* ("this very kind policeman"); and other similar features. The first example below is typical of her speech and shows the types of intensifiers and hedges she commonly uses.†† (To understand what her speech *might* be like without these features, example (2) is a rewritten version of her answers with the WL features eliminated.)

*Actually each feature should be treated as a separate continuum since there is not perfect co-variation. For convenience, we discuss the variation as a single continuum of possibilities. However, it should be kept in mind that a high frequency of occurrence of one particular feature may not necessarily be associated with a high frequency of another.

†Names have been changed and indicated by a letter only in order to preserve the anonymity of witnesses. However, the forms of address used in the court are retained.

††These examples are taken from both the direct and cross examinations of the witnesses, although Table 1 uses data only from direct examinations. Examples were chosen to point out clearly the differences in style. However, it must be noted that the cross examination is potentially a more powerless situation for the witness.

(1) L. State whether or not, Mrs. W., you were acquainted with or knew the late Mrs. E. D.

W. Quite well.

L. What was the nature of your acquaintance with her?

W. Well, we were, uh, very close friends. Uh, she was even sort of like a mother to me.

(2) L. State whether or not, Mrs. W., you were acquainted with or knew the late Mrs. E. D.

W. Yes; I did.

L. What was the nature of your acquaintance with her?

W. We were close friends. She was like a mother to me.

Table 7.1 summarizes the frequency of several features attributed to WL by Lakoff. Calculated as a ratio of WL forms for each answer, this witness's speech contains 1.14—among the highest incidences we observed.

B. The speech of Mrs. N, a witness in a case involving her father's arrest, shows fewer WL features. Her ratio of features for each answer drops to .84. Her testimony contains instances of both WL and a more assertive speech style. Frequently, her speech is punctuated with responses like: "He, see, he thought it was more-or-less me rather than the police officer." Yet it also contains many more straightforward and assertive passages than are found in A's speech. In example (3), for instance, Mrs. N is anything but passive. She turns questions back on the lawyer and even interrupts him. Example (4) illustrates the ambivalence of this speaker's style better. Note how she moves quickly to qualify—in WL—an otherwise assertive response.

(3) L. All right. I ask you if your husband hasn't beaten him up in the last week?

W. Yes, and do you know why?

L. Well, I . . .

W. Another gun episode.

L. Another gun episode?

W. Yessiree.

(4) L. You've had a controversy going with him for a long time, haven't you?

W. Ask why—I mean not because I'm just his daughter.

C. The speech of Dr. H, a pathologist who testifies as an expert witness, exhibits fewer features of WL than either of the other two women. Her speech contains the lowest incidence of WL features among the female witnesses whose speech we analyzed. Dr. H's ratio of WL features is .18 for each answer. Her responses tend to be straightforward, with little hesitancy, few hedges, a noticeable lack of intensifiers, and so on. (See Table 7.1.) Typical of her speech is

example (5) in which she explains some of her findings in a pathological examination.

(5) L. And had the heart not been functioning, in other words, had the heart been stopped, there would have been no blood to have come from that region?

W. It may leak down depending on the position of the body after death. But the presence of blood in the alveoli indicates that some active respiratory action had to take place.

What all of this shows is the fact that some women speak in the way Lakoff described, employing many features of WL, while others are far away on the continuum of possible and appropriate styles for the courtroom. Before discussing the reasons which may lie behind this variation in the language used by women in court, we first examine an equally interesting finding which emerged from our investigation of male speech in court.

We also found men who exhibit WL characteristics in their courtroom testimony. To illustrate this, we examine the speech of three male witnesses which varies along a continuum of high to low incidence of WL features.

D. Mr. W exhibits many but not all of Lakoff's WL features.* Some of those which he does employ, like intensifiers, for example, occur in especially high frequency—among the highest observed among all speakers, whether male or female. His ratio of WL features for each answer is 1.39, actually higher than individual A. Example (6), while an extreme instance of Mr. W's use of WL features, does illustrate the degree to which features attributed to women are in fact present in high frequency in the speech of some men.

(6) L. And you saw, you observed what?

W. Well, after I heard—I can't really, I can't definitely state whether the brakes or the lights came first, but I rotated my head slightly to the right, and looked directly behind Mr. Z., and I saw reflections of lights, and uh, very, very, very instantaneously after that, I heard a very, very loud explosion—from my standpoint of view it would have been an implosion because everything was forced outward, like this, like a grenade thrown into a room. And, uh, it was, it was terrifically loud.

E. Mr. N, more toward the low frequency end of the continuum of male speakers, shows some WL features. His ratio of features for each answer is .64, comparable to individual B. Example (7) shows an instance of passages from the testimony of this speaker in which

*This speaker did not use some of the intonational features that we had noted among women having high frequencies of WL features in their speech.

TABLE 7.1 Frequency Distribution of Women's Language Features^a in the Speech of Six Witnesses in a Trial Courtroom

	Women			Men		
	A	B	C	D	E	F
Intensifiers ^b	16	0	0	21	2	1
Hedges ^c	19	2	3	2	5	0
Hesitation Forms ^d	52	20	13	26	27	11
W asks L questions ^e	2	0	0	0	0	0
Gestures ^f	2	0	0	0	0	0
Polite Forms ^g	9	0	2	2	0	1
Sir ^h	2	0	6	32	13	11
Quotes ⁱ	1	5	0	0	0	0

Total (all powerless forms)	103	27	24	85	47	24
# of Answers in Interview	90	32	136	61	73	52
Ratio (# powerless forms for each answer)	1.11	0.84	0.18	1.39	0.64	0.46

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Notes: ^aThe particular features chosen for inclusion in this table were selected because of their saliency and frequency of occurrence. Not included here are features of WI which either do not occur in court or ones which we had difficulty operationalizing and coding. *Based on direct examinations only.* ^bForms which increase or emphasize the force of assertion such as *very, definitely, very definitely, surely, such a, and so on.* ^cForms which reduce the force of assertion allowing for exceptions or avoiding rigid commitments such as *sort of, a little, kind of, and so on.* ^dPause fillers such as *uh, um, ah, and "meaningless" paths* (such as *oh, well, let's see, now, so, you see, and so on.* ^eUse of question intonation in response to lawyer's questions, including rising intonation in normally declarative contexts (for example, "thirty?, thirty-five?") and questions asked by witness of lawyer like "Which way do you go...?". ^fSpoken indications of direction such as *over there, and so on.* ^gInstitute please, thank you, and so on. ^hUse of *sir* counted separately due to its high frequency. ⁱAssumed to be an indication of more polite speech. ^jNot typically allowed in court under restrictions on hearsay which restrict the situations under which a witness may tell what someone else said.

Source: Original data

there are few WL features. Example (8), by comparison, shows the same hedging in a way characteristic of WL. His speech falls between the highest and lowest incidences of WL features we observed among males.

- (7) L. After you looked back and saw the back of the ambulance, what did you do?
 W. After I realized that my patient and my attendant were thrown from the vehicle, uh, which I assumed, I radioed in for help to the dispatcher, tell her that we had been in an accident and, uh, my patient and attendant were thrown from the vehicle and I didn't know the extent of their injury at the time. to hurry up and send help.
- (8) L. Did you form any conclusion about what her problem was at the time you were there?
 W. I felt that she had, uh, might have had a sort of heart attack.
- F. Officer G, among the males lowest in WL features, virtually lacks all features tabulated in Table 7.1 except for hesitancy and using *sir*. His ratio of WL forms for each answer is .46. Example (9) shows how this speaker handles the lack of certainty in a more authoriatative manner than by beginning his answer with "I guess . . .". His no-nonsense, straightforward manner is illustrated well by example (10), in which a technical answer is given in a style comparable to that of individual C.
- (9) L. Approximately how many times have you testified in court?
 W. It would only have to be a guess, but it's three or four, five, six hundred times. Probably more.
- (10) L. You say that you found blood of group O?
 W. The blood in the vial, in the layman's term, is positive. Rh positive. Technically referred to as a capital r, sub o, little r.

Taken together these findings suggest that the so-called "women's language" is neither characteristic of all women nor limited only to women. A similar continuum of WL features (high to low) is found among speakers of both sexes. These findings suggest that the sex of a speaker is insufficient to explain incidence of WL features, and that we must look elsewhere for an explanation of this variation.

Once we had realized that WL features were distributed in such a manner, we began to examine the data for other factors which might be associated with a high or low incidence of the features in question. First, we noted that we were able to find *more* women toward the high end of the continuum. Next, we noted that all the women who were aberrant (that is, who used relatively few WL features) had something in common—an unusually high social status. Like Dr. H, they were typically well-educated, professional women of middle-class

background. A corresponding pattern was noted among the aberrant men (that is, those high in WL features). Like Mr. W, they tended to be men who held either subordinate, lower-status jobs or were unemployed. Housewives were high in WL features while middle-class males were low in these features. In addition to social status in the society at large, another factor associated with low incidence of WL is previous courtroom experience. Both individuals C and F testify frequently in court as expert witnesses, that is, as witnesses who testify on the basis of their professional expertise. However, it should be noted that not all persons who speak with few WL features have had extensive courtroom experience. The point we wish to emphasize is that a powerful position may derive from either social standing in the larger society and/or status accorded by the court. We carefully observed these patterns and found them to hold generally.* For some individuals whom we had observed in the courtroom, we analyzed their speech in detail in order to tabulate the frequency of the WL features as shown in Table 7.1. A little more about the background of the persons we have described will illustrate the sort of pattern we observed.

A is a married woman, about 55 years old, who is a housewife.

B is married, but younger, about 35 years old. From her testimony, there is no information that she works outside her home.

C is a pathologist in a local hospital. She is 35-40 years old. There is no indication from content of her responses or from the way she was addressed (always *Dr.*) of her marital status. She has testified in court as a pathologist on many occasions.

D is an ambulance attendant, rather inexperienced in his job, at which he has worked for less than 6 months. Age around 30. Marital status unknown.

E is *D*'s supervisor. He drives the ambulance, supervises emergency treatment and gives instructions to *D*. He has worked at his job longer than *D* and has had more experience. Age about 30-35; marital status unknown.

F is an experienced member of the local police force. He has testified in court frequently. Age 35-40; marital status unknown.

"WOMEN'S LANGUAGE" OR "POWERLESS LANGUAGE"?

In the previous section, we presented data which indicate that the variation in WL features may be related more to social powerlessness than to sex. We have presented both observational data and some statistics to show that this style is not simply or even primarily a sex-related pattern. We did, however, find it related to sex in that more women tend to be high in WL features while

*We do not wish to make more of this pattern than our data are able to support, but we suggest that our grounds for these claims are at least as good as Lakoff's. Lakoff's basis for her description of features constituting WL are her own speech, speech of her friends and acquaintances, and patterns of use in the mass media.

more men tend to be low in these same features. The speech patterns of three men and three women were examined. For each sex, the individuals varied from social statuses with relatively low power to more power (for women: housewife to doctor; for men: subordinate job to one with a high degree of independence of action). Experience may also be an important factor, for those whom we observed speaking with few WL features seemed more comfortable in the courtroom and with the content of their testimony. Associated with increasing shifts in social power and experience were corresponding decreases in frequency of WL features. - These six cases were selected for detailed analysis because they were representative of the sorts of women and men who served as witnesses in the trials we observed in 1974. Based on this evidence, we would suggest that the phenomenon described by Lakoff would be better termed *powerless language*, a term which is more descriptive of the particular features involved, of the social status of those who speak in this manner, and one which does not link it unnecessarily to the sex of a speaker.

Further, we would suggest that the tendency for more women to speak powerless language and for men to speak less of it is due, at least in part, to the greater tendency of women to occupy relatively powerless social positions. What we have observed is a reflection in their speech behavior of their social status. Similarly, for men, a greater tendency to use the more powerful variant (which we will term *powerful language*) may be linked to the fact that men much more often tend to occupy relatively powerful positions in society.

SOME CONSEQUENCES OF USING POWERLESS LANGUAGE

Part of our study of courtroom language entailed experimental verification of hypotheses about the significance of particular forms of language used in court.⁷ We conducted this part of our research by designing social psychological experiments based on what we had actually observed in court. First, we located in the original tapes we had recorded in the courtroom a segment of testimony delivered by a witness in the powerless style. For this study, we chose the testimony given under direct examination by individual A described above. Her original testimony was used to generate the test materials needed for the experiment.

The original, powerless style testimony was edited slightly to make it more suitable for use in the experiment.⁸ The testimony was then recorded

⁸This editing involved only minor changes in the testimony. Specifically, we changed the names, dates, and locations mentioned in the original testimony in order to fulfill our promise to the court that we would protect the privacy of those involved in the actual taped trials. In addition, we removed attorney objections and the testimony to which the objections were addressed. The removal of this material was prompted by our observation in an early stage of the study that objections tended to divert attention from the relatively brief segment of testimony used in the experiment. We are currently studying the effect of objections as a style topic in its own right.

on audio tape with actors playing the parts of the lawyer and the witness. In this recreation of the testimony the actors strove to replicate as closely as possible the speech characteristics found in the original testimony. Another recording was then made using the same actors. In this second recording, however, most of the features which characterize the powerless style—the hedges, hesitation forms, intensifiers, and so on—were omitted from the witness' speech, producing an example of testimony given in the powerful style. It is important to note that the powerful and powerless experimental testimony differed only in characteristics related to the speech style used by the witness. In both samples of testimony exactly the same factual information was presented.

TABLE 7.2 Comparison of Linguistic Characteristics of the Four Experimental Tapes

	Female Witness		Male Witness	
	Powerful	Powerless	Powerful	Powerless
Hedges ^a	2	22	2	21
Hesitation forms	13	73	18	51
W asks L questions	2	5	2	6
Use of <i>sir</i> by W	0	3	0	4
Intensifiers	0	35	0	31
Running time of tape ^b	9:12	11:45	9:35	12:10

Notes: ^aFor definitions, see Table 7.1. ^bTime given in minutes and seconds.

Source: Original data

The first two columns of Table 7.2 present the results of linguistic analyses of the two experimental testimony tapes described above. As may be seen from an examination of the table, the two testimony tapes differed markedly on each of the features which distinguish the two styles. Differences between powerful and powerless modes are illustrated by Example 1 (powerless original) and Example 2 (powerful rewrite) above.

The original testimony on which the experimental tapes were based was delivered by a female witness. To have conducted the experiment only with a female witness would have limited the conclusions to be drawn from the results. To assure that we would be able to determine whether any particular effects of the speech style factor were restricted to one sex of witness or the other, the process described above was followed using both a female and a male actor acting as the witness. The four tapes thus produced presented the same infor-

mation. The differences consisted of a female witness speaking in either the powerful or the powerless style and a male witness speaking in either the powerful or the powerless style.

As may be seen from Table 7.2, for both witnesses the intended differences between powerful and powerless styles are presented in the tapes used in the experiments. It will be noted from Table 7.2 that the powerful versions of the testimony taped by the male and female actors are quite similar. The powerless tapes, however, contain some important differences between the male and female versions. In frequency of powerless characteristics, the male version has relatively fewer instances of the powerless features. It contains, for example, fewer hesitations and intensifiers than the female version. In general, the male powerless tape contains many elements of powerless language, but it is a less extreme variant of the style than that utilized by the original witness and replicated in the female experimental version. These differences between the male and female powerless version were intentionally programmed in making the experimental tapes because members of the research team were in agreement that a faithful replication of the original female witness's speech style and powerless mannerisms—although suitable for a female witness—were not within the normal range of acceptable male verbal usage.

Once the four experimental tapes had been produced, it was possible to proceed with the experimental test of the results of the two styles. Ninety-six undergraduate students at the University of North Carolina at Chapel Hill participated in the experiment.⁸ The participants were scheduled to report to the experimental laboratory in groups of five to seven at a time. Upon arriving at the experiment, the participants were given written instructions describing the experiment. These instructions, also read aloud by the experimenter, explained that participants would hear a segment of testimony from an actual trial. The instructions then briefly outlined the details of the case and the major issues to be decided.

The case involved a collision between an automobile and an ambulance. The patient in the ambulance, already critically ill and en route to a hospital, died shortly after the collision. The experimental participants were told that the patient's family was suing the defendants (both the ambulance company and the driver of the automobile) to recover damages for the patient's death. The participants were also told that the witness under examination in the trial segment they would hear was a neighbor and friend who had accompanied the now-deceased patient in the ambulance and was therefore present during the collision. The participants were informed that they would be asked questions about their reactions to the testimony after listening to the trial segment. Note taking was not allowed.

The participant-jurors then listened to one of the four experimental tapes described above. After the participants had heard the testimony, the experi-

⁸Of the 96 participants, 46 were males and 50 were females. The experiment was later repeated at the University of New Hampshire with essentially similar findings.

menter distributed a questionnaire asking about the participants' reactions to the case and the individuals involved. The responses to these questions formed the basis of our statements below concerning the effects of the style in which testimony is delivered.

The average-rating-scale responses to each of five questions about the witness are shown in Table 7.3. For each of these questions, a rating of "+5" indicates a very strong positive response to the question, while a rating of "-5" indicates a strong negative response. The effects of the testimony style on impressions of the female witness may be seen by contrasting the first and second columns of the table. The results for the male witness are presented in the third and fourth columns of the table.

Statistical analyses confirm the patterns of testimony style influences seen in the table.* These analyses permit us to state with a generally high degree of certainty—that, compared to those who heard the female witness give her testimony in the powerless style, those who heard her use the powerful style indicated that they believed the witness more ($p < .01$), found her more convincing ($p < .06$), and more trustworthy ($p < .02$). Obviously, the female witness made a much better impression when she used the powerful style than she used the powerless style.

The same pattern of results was found in the comparison of the powerful to the powerless style testimony with the male witness. Again the statistical analyses indicate with high certainty that participants who heard the powerful style testimony responded more favorably than those hearing the powerless style testimony to questions asking how much they believed the male witness ($< .05$), and how convincing they thought the witness was ($p < .05$). As was the case with the female witness, participants who heard the male witness testify in the powerful style thought the witness was more competent ($p < .001$), more intelligent ($p < .005$), and more trustworthy ($p < .02$) than did those who heard the witness testify in the powerless style. Thus, it is apparent from the results of the experiment that, for both male and female witnesses, the use of the powerless style produced consistently less favorable reactions to the witness than did the use of the powerful testimony style.

Although the results just presented are quite clear, we undertook a further investigation of testimony style effects in order to accumulate additional information relevant to the topic. Specifically, we sought to discover whether the powerful-powerless style distinction is of importance in contexts other than testimony delivered orally in court. To test the influence of style in another common mode of evidence presentation, we repeated the experiment described above using transcripts of testimony rather than tapes of spoken testimony. If this second experiment were to produce results similar to those described above,

*The significance of the results reported in this section was assessed by the appropriate multivariate or univariate analysis of variance technique. Only those differences that are reported to be significant should be regarded as "true" or real differences.

TABLE 7.3 Average Rating of Witness

	Female Witness		Male Witness	
	Powerful	Powerless	Powerful	Powerless
"How convincing in general was this witness?"	3.00 ^a	1.65	3.52	2.09
"To what extent did you believe the witness was telling the truth?"	3.70	1.88	4.24	2.86
"To what extent do you feel that the witness was competent?"	2.61	0.85	2.44	0.18
"To what extent do you feel that the witness was intelligent?"	2.57	0.23	1.80	0.18
"To what extent do you feel that the witness was trustworthy?"	3.04	1.65	3.48	2.00

Note: ^aAll differences are significant at $p < .05$ or less.
Source: Original data

there would be evidence that differences in reaction to powerful/powerless styles could not be said to be based solely on characteristics of spoken language, such as intonation.

The transcript experiment was begun by asking a free-lance court reporter to transcribe the four experimental tapes as she would for testimony given in court. The transcripts thus produced were given to 56 participants similar to those who took part in the first experiment.* With the exception of the fact that the participants read, rather than heard, the testimony, much the same method of experimentation was used as in the first study. The responses of the participants in the transcript experiment showed no major differences from those observed in the corresponding conditions of the tape experiment. Thus, the second experiment, in showing that the testimony style affected impressions of the witness in transcribed, as well as taped, testimony, provides striking evidence of the general importance of the powerful-powerless distinction in testimony style.

The two experiments described above demonstrate that the style in which testimony is delivered has strong effects on how favorably the witness is perceived, and by implication, suggest that these sorts of differences may play a consequential role in the legal process itself.

CONCLUSION

In this study, we have attempted to argue that our data from studying male-female language patterns in trial courtrooms suggest that Lakoff's concept of "woman's language" is in need of modification. Our findings show that, in one particular context at least, not all women exhibit a high frequency of WL features and that some men do. We have argued that instead of being primarily sex-linked, a high incidence of some or all of these features appears to be more closely related to social position in the larger society and/or the specific context of the courtroom. Hence, we have suggested a re-naming of the phenomenon as "powerless language". What has previously been referred to as "women's language" is perhaps better thought of as a composite of features of powerless language (which can but need not be a characteristic of the speech of either women or men) and of some other features which may be more restricted to women's domains.

Thus, Lakoff's discussion of "women's language" confounds at least two different patterns of variation. Although our title suggests a dichotomy between "women's language" and "powerless language," these two patterns undoubtedly interact. It could well be that to speak like the powerless is not only typical of women because of the all-too-frequent powerless social position of many American women, but is also part of the cultural meaning of speaking "like a

*Twenty-nine of the participants in the second experiment were female, while 27 were male.

woman." Gender meanings draw on other social meanings; analyses that focus on sex in isolation from the social positions of women and men can thus tell us little about the meaning of "women's language" in society and culture.

In addition to investigating language as a reflection of social position, we have also in this study attempted to consider how powerless language in particular might affect those situations in which it is found. We reported experimental research in which our major conclusion is that speakers using a high frequency of powerless features, whether they be male or female, tend to be judged as less convincing, less truthful, less competent, less intelligent, and less trustworthy. The major implication of these experimental findings is that using this type of language—for whatever reason—tends to feedback into the social situation. Powerless language may be a reflection of a powerless social situation, but it also would seem to reinforce such inferior status.

NOTES

1. Robin Lakoff, *Language and Woman's Place* (New York: Harper & Row, 1975).
2. Naomi Quinn, "Anthropological Studies of Women's Status," *Annual Review of Anthropology* 6 (1977):181-225.
3. Lakoff, *Language and Woman's Place*, pp. 7-8.
4. Robert E. Keeton, *Trial Tactics and Methods* (Boston: Little, Brown, 1973), p. 149.
5. Keeton, *Trial Tactics*, p. 149; F. Lee Bailey and Henry B. Rothblatt, *Successful Techniques for Criminal Trials* (Rochester, N.Y.: Lawyers Co-Operative Publishing Co., 1971), p. 190.
6. Bailey and Rothblatt, *Successful Techniques*, pp. 190-91.
7. Detailed descriptions of the experimental studies can be found in Allan E. Lind and William M. O'Barr, "The Social Significance of Speech in the Courtroom," in *Language and Social Psychology*, ed. Howard Giles and Robert St. Clair (Oxford: Basil Blackwell, 1979). The research on powerful versus powerless language summarized here is described in greater detail in Bonnie Erickson et al., "Speech Style and Impression Formation in a Court Setting: The Effects of 'Power' and 'Powerless' Speech," *Journal of Experimental Social Psychology* 14 (1978):266-79.