Impression Management and Face Sensitivities in Delta State Courtroom Interactions

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Abstract
Participants in courtroom interactions consciously or subconsciously construct identities and impressions that influence the way they are perceived. This study investigates the management of impression and face sensitivity in courtroom interactions in High Court proceedings in Delta State. Within the theoretical framework of Rapport Management Model (Spencer-Oatey), the study examines how impression management mediates legal processes and decisions by highlighting the strategies that courtroom participants employ in creating specific impressions of themselves or others, with the motive of maintaining face concerns. It also identifies the place of cultural norms in the deployment of the strategies and explains how these norms influence judicial proceedings and decisions. Data for this research comprise audio recordings of naturally-occurring speech of participants in the courtroom and personal observations of courtroom interactions in three divisions of the state's High Courts. It was found that to manage face sensitivities, courtroom interactants created diverse impressions of themselves or others by deploying impression management strategies such as self-promotion, intimidation, apologies, ingratiation and conformity as determined by the peculiarities of legal procedures and cultural norms. In addition to enhancing public perceptions, these strategies mediate judicial proceedings, interpretations and decisions.

Keywords*: impression management, face sensitivity, IM strategies, courtroom interactions, cultural norms.*

1. Introduction

Courtroom interactants often use linguistic strategies in creating impressions aimed at managing face sensitivities. Face concerns constitute people's need or desire to portray their positive traits. This desire or need is achieved through the deployment of diverse impression management (henceforth IM) strategies, including self-promotion, intimidation, apologies, ingratiation and conformity. In the process of enacting these strategies, certain cultural norms are activated, which, together with the strategies, often determine the direction of judicial proceedings. A major motivation for this study is the desire to show how the notions of IM and cultural norms mediate judicial proceedings and interpretations, as well as to reveal some factors that inform both legal participants' and lay persons' interactional activities in the Nigerian courtroom.

2. Review of Related Literature

Courtroom discourse, a sub-genre of professional or institutional discourse, is distinct from the usual verbal exchanges that characterise the daily interactions of people. It is regarded as talk-in-interaction or conversation within an institutional setting and it involves both "talk at work" and "talk as work" (Kurzon, 1995). "Talk-in-interaction" is conducted in several social domains, including the social worlds of law, medicine, corporate and business negotiations, as well as other institutional and workplace settings (Drew & Heritage, 1992). IM, considered as the process by which people influence the impression others form of them (Leary & Kowalski, 1990), is a dynamic practice that happens often in the course of interpersonal relations because as people work together they usually seek indicators of how others perceive them (Rosenfield et al., 2002; Fapohunda, 2017); as such, they strive to influence the manner in which they are perceived. Although IM deals with people's innate desire to create positive perceptions of themselves, sometimes people create false impressions of themselves, probably with the intention of hiding their deficiencies. Certainly, most people desire to create impressions that can help emphasise their legitimate positive qualities (Dubrin, 2011) in their bid to influence their evaluation by the target audience (Bolino & Turnley, 2003).

Several IM studies (e.g., Sanderson, 1995; Rosulek, 2007; Bolino & Turnley, 2003; Ginah & Akpotu, 2016; George & Zeb-

Obipi, 2016) have been conducted in diverse domains, including business administration and management, advertising, organisational behaviour, and law. In law, particularly, it is observed that IM studies on courtroom discourse seem to have concentrated more on Western climes, with works by Sanderson (1995), Hobbs (2003) and Rosulek (2007) serving as examples. There appears to be a paucity of similar scholarly efforts in non-western settings like Nigeria. Where they exist, such works are situated in other institutional discourses, such as business administration and management (Ginah & Akpotu, 2016; Zeb-Obipi, et al., 2017), telecommunications (George & Zeb-Obipi, 2016) and organisational behaviour (Bolino & Turnley, 2003). A review of IM works on courtroom discourse reveals that while some of these studies address an aspect of the field relating to identity management and suggest that impression management is used by lawyers to construct a particular identity type and to achieve specific goals, including persuading the jury or the judge to accept one's stance (as found in Hobbs (2003) and Rosulek (2007)), others emphasise the reason for which interactants deploy impression management tactics, one of which is face concerns (e.g., Sanderson, 1995).

Hobbs (2003), for instance, investigates how lawyers use IM in their opening and closing arguments to construct a shared identity with jurors, with a view to persuading the jury to accept the lawyers' views. She analyses a segment of a prosecutor's rebuttal argument in a criminal trial and demonstrates how a black jury uses the stylistic and rhetorical dimensions of African American Vernacular English (AAVE) to construct this shared identity. Two stylistic and rhetorical dimensions identified in the study are spontaneity – where the rebuttal speech is marked by hesitations, restarts and repairs – and personalisation, i.e. the use of personal pronouns to pass a message to jurors.

In a similar study, Rosulek (2007) examines the closing arguments of lawyers in criminal cases. She hinges her work on the theoretical foundation of Koven (2002), who combines the ideas of footing, voicing, evaluation, intertextuality and deictic references. The work suggests that speakers take on three main roles in a discourse: interlocutor, narrator, and character, which roles may also be combined. Analysing the closing arguments of criminal trials, Rosulek examines the functions of these voices by studying the topics discussed in each voice. It was concluded that every lawyer in a courtroom

interaction takes on the three voices and that by so doing the lawyer creates two selves: an authoritative self and a personal self. This implies that lawyers make use of "verb tenses, pronouns, speech acts, topics and linguistic codes to create a dual-faceted lawyer persona, that is, both an authority that can convince the jurors on a logical level, and a person who can appeal to the jurors' need for a shared identity."

Chaemsaithong (2012) also focuses on identity management, with the work drawing insights from Goffman's notion of "footing" and the framework of stance and engagement. The work examines the ways in which an expert witness draws from a range of interactional devices to create the desired identity. The study is based on a historical case of murder in which a medical doctor, the expert witness, is called upon to give his testimony in the court after examining the corpse (a murdered baby). Based on the doctor's response to court interrogation, Chaemsaithong extrapolates that "instead of asserting their dominance and expertise over the interlocutors, experts construct and negotiate their identity by aligning with other participants and establishing a relationship with them" (465). In this case, the doctor admonishes the court to confirm his findings by asking the opinion of another medical practitioner, who obtained the same result as himself, which is, that the baby was not murdered but was delivered as a stillbirth. The study, therefore, concludes that during an interaction professionals have a duty to communicate their expertise in an acceptable manner.

While Hobbs (2003), Rosulek' (2007) and Chaemsathong's (2012) studies address identity management (one aspect of IM), Patrick's (2018) research focuses on the manner in which first impressions are formed in a discourse. Patrick analyses a criminal case and highlights the influence that an investigating officer (IO) can wield on the jury. The writer notes that first impressions are formed within seconds and that because they are difficult to change, IM strategies need to begin well before an IO walks into the courtroom. She points out that no matter how strong a case is factually, the IO has to "look the part" in order to win over the jury. Besides the IO's demeanour, Patrick also observes other determinants that influence the court's decisions, one of which is the use of language. In this light, she observes that the jury is not necessarily impressed by the IO's use of "highbrow language." Instead, the jury is influenced by the use of straightforward language to provide an easy-to-follow roadmap of the

evidence in the case. This helps the jury not only to follow the evidence but also to effectively deliver judgment on the case.

Patrick's work concentrates on strategies used to influence a jury, while Sanderson (1995) deals with 'face' concerns. Employing Brown and Levinson's (1987) politeness model, Sanderson examines the courtroom as a workplace and argues that within the courtroom context, face can be threatened. This is obvious, for example, in a cross-examination where a lawyer challenges or contradicts a witness' testimony. Sanderson suggests, therefore, that the courtroom can be viewed as a site of substantial threat to both negative and positive face. The writer further enumerates three factors that Brown and Levinson's politeness model suggests that speakers should consider in handling face-threatening situations appropriately while weighing their seriousness: the social distance between the speaker and the hearer (D), their relative power (P), and the degree to which the face-threatening act is rated as an imposition in that culture (R). The study concludes that in the courtroom those holding the most power, such as the judge, will choose the least "polite" strategies, while those with the least power, such as the witnesses, will choose the most "polite" strategies.

Although Sanderson (1995) provides insights into the philosophy that underlies how participants behave in the courtroom or even normal conversation, the study nonetheless ignores other aspects, such as sociality rights/obligations and interactional goals (Spencer-Oatey, 2008). Sanderson (1995) also ignores the mediating role of cultural norms in IM studies of courtroom discourse, thus marking the point of departure of Sanderson's study from the current work.

In recent times, IM studies have gone beyond people's conscious or subconscious attempts at influencing public perceptions of themselves during communication in the real world; nowadays IM studies also involve how people manage impressions in their interactions on social media (Sukmayadi & Yahya, 2019). Notwithstanding the domain where IM is applied, Singh et al., as cited in Fapohunda (2017), note that people's main goal for managing the impression they generate is to build "enviable distinctiveness" through which their public selves draw closer to their model selves. Consequently, individuals try to manipulate how they are seen and, by extension, the ways in which others treat them, with the outcome of such behaviour sometimes openly influencing material results. In

situations where the results are not positively inclined or not the desired ones, people change their tactics of generating desired impressions of themselves. For instance, where individuals perceive that their image is damaged or not being properly conveyed, they make conscious efforts to alleviate the discrepancies by employing corrective adjustments through the use of impression management tactics (Haber & Tesoriero, 2018; Tsai & Huang, 2014).

In the light of the review of related literature, it seems that the concept of impression management or the management of face sensitivities, with its attendant influences on judicial processes and interpretations, has not been adequately explored. Therefore, this study, driven by naturally-occurring data, aims to provide more insight into the nature of courtroom interaction, especially with regard to the interactional principles that mediate court proceedings and decisions.

3. Theoretical Framework

This study is based on Spencer-Oatey's (2008) Rapport Management Model (RMM). RMM emerged as a reaction to Brown and Levinson's (1987) model, largely criticised for its failure to acknowledge the interpersonal and social perspective of "face" and its over-emphasis on the notions of freedom and autonomy (Matsumoto, 1988). In reacting to these criticisms, Spencer-Oatey proposes a modified framework that builds on the politeness model in relation to the concept of face. She posits that rapport management is the management of harmony or disharmony among people and maintains that the model entails three interconnected components, namely: the management of face, the management of sociality rights and obligations, and the management of interactional goals. These components, according to Spencer-Oatey (2008), also constitute three factors that influence people's desire to create specific impressions of themselves during conversation. These three factors or components form the point of convergence between the fields of RMM and impression management.

Although the notion of IM was originally introduced by Goffman (1956), Spencer-Oatey's view on the concept appears broader and more encompassing. Goffman (1956) posits that IM entails self-presentation and suggests that people project themselves in certain ways because they are aware of the perception others hold concerning them, as well as the implications of these perceptions. This projection,

according to Goffman, is aimed at maintaining "face concerns" or positive personal values. Goffman (1967) argues that 'face' is "the positive social value a person effectively claims for himself" (p. 5). For him, maintaining face transcends the individual and includes the influence that other members of the group have in determining the impression built of them. This suggests that when one loses face, one feels bad about how one is seen by other people.

Goffman's (1956) notion of IM emphasises face sensitivities alone and does not capture other reasons underlying people's desire to create an impression. It is this limitation that Spencer-Oatey's (2008) RMM attempts to overcome when she suggests that people's desire to create an impression is influenced by three factors: the management of face, the management of sociality rights and obligations, and the management of interactional goals. The management of face deals with people's sense of worth, dignity, honour, reputation and competence. The management of sociality rights and obligations involves people's concerns over fairness, consideration and behavioural appropriateness. And the management of interactional goals focuses on the specific tasks and/or relational goals that people may have when they converse with others (Spencer-Oatey, 2008).

Spencer-Oatey identifies several interrelated domains through which these goals can be studied, including the illocutionary domain, the discourse domain, the participation domain, the stylistic domain and the non-verbal domain. In order to manage face, sociality rights and interactional goals, interactants employ certain linguistic options or strategies. These strategies are encapsulated in the general impression management strategies that exist in the literature, viz: self-promotion, ingratiation, exemplification, intimidation, supplication, conformity, apologies and excuses (Matoesian, 2005; Bolino et al, 2008; Tsai and Huang, 2014; Gwal, 2015; Haber and Tesoriero, 2018).

4. Materials and Methods

The data for this study comprise audio recordings of naturally-occurring speech of participants in the courtroom and personal observations of courtroom interactions. Audio recordings are preferred in this study because they are not only more detailed but also portray interactional activities more accurately than other data collection formats (Drew & Heritage, 1992). To account for ethical considerations, the researcher obtained permission from the office of

the Chief Judge of Delta State, who then sent a memorandum to all the Registrars of the selected High Court divisions to assist the researcher in this undertaking. The recordings were made during the proceedings of three State High Courts of Justice in Delta State, located in Asaba, Warri, and Oghara. These divisions were selected for two major reasons. The first is that all the State High Court divisions have coordinate jurisdictions, that is, they have the same powers and employ the same rules and procedures (*High Court of Delta State: Civil Procedure Rules*, 2009). The second reason is the high level of importance attached to the High Court, being the court where evidence (a vital content in litigations) is taken. This is what is relied upon in the event of dissatisfaction with a judgment and a subsequent appeal to the Court of Appeal or the Supreme Court, which are higher or appellate courts.

The data were first transcribed using Jefferson's (2004) standard transcription method. Thereafter, the different recordings were analysed using Spencer-Oatey's (2008) Rapport Management Model. Analysis of the strategies of IM that court participants employ in the management of face are examined under three domains of language use: illocutionary, discourse, and participation domains. The notion of IM is used to explore how participants attempt to alter people's perceptions and present themselves in ways that satisfy their needs, as constrained by cultural norms and interactional goals.

5. Data Presentation and Analysis

The management of face (people's sense of worth, dignity, honour, reputation and competence) is a factor that influences interactants' actions to create specific impressions. These impressions are formed through the deployment of strategies such as self-promotion, intimidation, apologies, supplication and conformity. These points are elaborated upon using the following extracts from live court proceedings in selected High Courts of Justice in Delta State. In terms of the symbols that are used in the extracts, (.) indicates a micro-pause, (0.7) indicates a timed-pause, − indicates a dash showing a cutoff, [ ] signifies square brackets showing where speech overlaps, ><signifies arrows showing that the pace of the speech has quickened, <> stands for arrows showing that the pace of the speech has slowed down, ( ) suggests an unclear section, (( )) portrays an entry requiring comment but without a symbol to explain it, __ is underlining denoting a rise in

volume or emphasis, ↑ ↓ indicates a marked shift in pitch, up (↑) or down (↓), ALL CAPS signal louder or shouted words, (h) signals laughter in the conversation, and = appears at the end of one sentence and the start of the next, indicating that there was no pause between them (Jefferson, 2004, p. 24-30).

EXTRACT 1: Counsel-Witness-Judge Interaction

1. DEFENCE LAWYER: Madam, in your police practice (.) when you arrest a man when the offence is caught (.) when everything is fresh (.) you take him to his house immediately (.) before others will have opportunity to hide anything = Is that not the practice?↑
2. IPO: ( )
3. DEFENCE LAWYER: [When you arrest (.) you take him to his house before people could plan anything (.) To search = Is that not how you do it? ehn?↑]
4. IPO: ( )
5. JUDGE: [Go on] I can't hear you.↑
6. IPO: I said yes ↓
7. DEFENCE LAWYER: You know when it comes to this (.) your voice will be smaller (( ))
   (h)
8. JUDGE: To search (.) before what? = You said to search before?↑
9. DEFENCE LAWYER: To search (.) to see incriminating material.
10. JUDGE: (Addresses the IPO) To search before (.) you said to search before?↑
11. IPO: To see if there is anything he is hiding↓
12. JUDGE: I thought you were listening to him before and you said yes.
13. LAWYER: That's what she said earlier.
14. JUDGE: (To the lawyer) You said to search before?↑
15. DEFENCE LAWYER: Yes (.) Before people could remove anything from the house (.) ↑
16. JUDGE: Yes
17. DEFENCE LAWYER: And it is true also that when you bring an accused to the station (.) at the time that the matter is fresh (.) considering the fact that he is in a stable state to make a statement (.) you take statement

immediately from him in your statement in your police station.

18. JUDGE: [(To the lawyer) Don't add another question to the first one; let her answer the first question, then you can go on to the second one.] (To the IPO) Your normal practice ( ) Did you make any arrest?
19. DEFENCE LAWYER: Exactly
20. IPO: Yes sir.
21. JUDGE: When it was in the?
22. IPO: It was in the night.
23. JUDGE: In the case of?
24. IPO: It was in the case of...
25. JUDGE: Okay.

Source: Case 1, Record20180725104817.ogg

In the extract above, the defence lawyer deploys the IM strategies of self-promotion and intimidation (which are expressed through the speech acts of declaratives and interrogatives) to question the competence of the IPO and test the veracity of the given evidence in order to determine whether the arrest was done lawfully. The self-promotion strategy is used when the defence lawyer presents himself as one who is knowledgeable about police practice as well as about the procedures involved in the arrest and trial of a suspected criminal, as shown in turns 1, 3 and 17, where he states thus:

> (1) Madam, in your police practice, when you arrest a man when the offence is caught, when everything is fresh, you take him to his house immediately, before others will have opportunity to hide anything. Is that not the practice?
>
> (3) When you arrest. you take him to his house before people could plan anything. To search. Is that not how you do it, ehn?
>
> (17) And it is true also that when you bring an accused to the station, at the time that the matter is fresh, considering the fact that he is in a stable state to make a statement, you take statement immediately from him in your statement in your police station.

It is this knowledge also that becomes the tool with which he intimidates the IPO into answering in the affirmative, thus confirming the lawyer's suspicion of foul play in the arrest of his client, i.e. the defendant. Expressions that reveal the lawyer's use of the intimidation strategy are visible in turns 1: "Is that not the practice? and 3: "Is that not how you do it, ehn?", which are rendered in high tones and strongly emphasised as portrayed by the underlining. The intimidation strategy, as used in the text, is likened to what Matoesian (2005, p. 755) calls the tactic of nailing down a witness where "counsel will ask a series of repetitive questions, sometimes intertwined with reformulation in order to extract a preferred answer from a witness." It is aimed at eliciting a response that has an overall damaging effect on the witness or their testimony. Given the latter part of the cross-examination, the lawyer's questions in turns 1 and 3 – "Is that not the practice?" and "Is that not how you do it?" respectively – it is obvious that the lawyer employs these repetitive questions (some of which are reformulated) to elicit the preferred response of affirmation from the witness, as shown in turn 6, where the witness eventually responds by saying: "I said yes."

The intimidation strategy is evident in the interaction as the lawyer challenges the IPO's testimony by intensively questioning her in high tones, to the extent that "she lost her voice" at some point in the interchange. At this point, the IPO becomes silent and refuses to answer further questions, thus necessitating an interruption. As Liao (2019) argues, "whenever the defendant [or witness] is being reluctant, irrelevant, hesitating or more informative than required, he or she will be interrupted" (49), this explains why the IPO's first and second turns are interrupted, first by the lawyer and then by the judge. Implicated in the IPO's silence is the fact that the witness is thrown off balance as a result of the intensive session, which usually characterises the cross-examination stage. From the IPO's inaudible responses as revealed in turns 2 and 4, where she utters no sound, hence forcing the judge in turn 5 to state: "Go on. I can't hear you," the lawyer achieves the IM strategies of self-promotion and intimidation and the IPO is seen as incompetent.

One determining factor in the use of the self-promotion and intimidation strategies by the defence lawyer is the issue of cultural norms − the shared expectations and rules (in terms of belief system, practices, feelings, values, customs and traditions) that guide the

behaviour of people within a social space – in this case, the courtroom. It is illustrated in the effect (inaudible responses) that the interrogatory session has on the IPO. The IPO's loss of speech is perhaps traceable to a feeling of guilt and it exemplifies the popular belief that the innocent is as bold as a lion. Indeed, the silence lends credence to the fact that the IPO may have been compromised in some ways. The defence lawyer capitalises on this weakness and intimidates her with additional questions.

The highlighted utterances present the pragmatic acts of intimidation and self-promotion and the lawyer uses them to manage his face concerns, thus resulting in enhanced self-worth, as observers are likely to regard him as highly intelligent and competent. The opposite is, however, the case for the witness, whose self-worth declines. The effect of the witness' portrayal as incompetent is aggravated, especially as the lawyer in turn 17 intimidates her further by asking a second question "... you take statement immediately from him in your statement in your police station," which she obviously could not answer immediately.

EXTRACT 2: Clerk-Counsel-Judge Interaction

1. COURT CLERK: My Lord, the first defendant is present = Others are absent.
2. DEFENCE LAWYER: With all respect sir, I am R. C. ... I sincerely apologise for their absence.
3. CLAIMANT'S LAWYER: With due respect sir, I am.... My humble appearance is for the claimant (0.4) My Lord, I observe ..... = This is actually my first time of appearing before this court.
4. JUDGE: I see = This is your first time here.
5. CLAIMANT'S LAWYER: It is quite exciting sitting here ... I can see that this is a very, very serious court = very, very serious court...
6. JUDGE: Yes.
7. CLAIMANT'S LAWYER: There's a motion which was filed on the 2nd of October...
8. JUDGE: [(To the Defence Lawyer) Have you been served?]
9. DEFENCE LAWYER: Yes, my Lord (.) we've been served (.) but I'm not with it.
10. JUDGE: You're not with it?

11. DEFENCE LAWYER: My Lord, I've just been (.) we've just been briefed. We were briefed yesterday ... need to effect a change of counsel. My Lord, as I speak (.) I've not been able to get the file. I got across to the counsel formerly handling the matter yesterday....
12. JUDGE: So I won't ....

Source: Case 4, Record20181030093021.3gpp

Extract 2 is a preliminary procedure of a civil suit in which there is a change of counsel. Although the text is devoid of the details of the case, it features different IM strategies, including apologies, excuses and flattery or ingratiation. All these strategies are employed by the different courtroom interactants in managing face sensitivities. In the discourse, the defence lawyer begins her contributions by expressing an apology (in turn 2) for the absence of some of the defendants (her clients):

With all respect, sir... I sincerely apologise for their absence.

The counsel recognises the fact that the judge would prefer that all the defendants are present in court when their case is being called. Thus, she sees the need to apologise quickly before any question is asked in that regard that she may not be able to answer satisfactorily. By employing this strategy, she creates the impression that she is a courteous, responsive and competent lawyer who appreciates the importance of admitting responsibility for an unpleasant situation and expressing an apology to that effect. This act enhances her self-worth and serves as the means through which her face concerns (competence and dignity) are managed.

However, the defence lawyer deploys a completely different strategy in turn 11, especially as she realises that the unpleasant situation this time is not due to a fault of hers in any way. It reads thus:

> My Lord, I've just been … we've just been briefed. We were briefed yesterday ... and need to effect a change of counsel. My Lord, as I speak, I've not been able to get the file. I got across to the counsel formerly handling the matter yesterday ....

This time, the unpleasant situation is that her firm had just been briefed by the defendants and the counsel formerly handling the matter was

yet to hand over all documents relating to the case to the new lawyer, especially the motion that had been served on the defendants through their lawyer. It is this undesirable situation that informs her choice of the IM strategy of excuses, since her failure to bring the motion to the court results from the former lawyer's failure to hand over all relevant documents to her. This is why she pauses or hesitates in the middle of turn 9 before adding: "but I'm not with it." The impression that is created from her responses is that she is not to be blamed, an idea that she backs up with the reason highlighted above. Under such circumstances, the legal implication is a likely adjournment, since the impression that is conveyed to the court is that the lawyer could not be ready to proceed with the case that day.

It is not only the defence lawyer that uses IM strategies in the discourse to manage face sensitivities; the claimant's lawyer also utilises a strategy named ingratiation as shown in his comments below:

> (3) ... This is actually my first time of appearing before this court.
> (5) It is quite exciting sitting here ... I can see that this is a very, very serious court, very, very serious court...."

The claimant's lawyer employs it in turns 3 and 5 and reiterates his observation from the middle of the fifth turn (by adding "very, very serious court") at the end of the same turn in order to flatter the judge over the manner in which the specific court was being managed, especially in comparison to other courts where the lawyer had previously appeared. This flattery gives the judge the impression that the lawyer, despite appearing before him for the first time (turn 3), is very observant and pays attention to details. The claimant lawyer's confidence is not only boosted as the judge responds to his flattery but his self-worth is also enhanced and he is mentally ready to proceed with the case.

A noticeable feature in the claimant lawyer's use of the ingratiation IM strategy is that he has a preconceived impression or mindset of how people's moods influence their interactions. Therefore, he employs this strategy to "loosen" the atmosphere and create a favourable atmosphere for the serious business of litigation that is about to commence. This situation reveals how the factor of cultural norms sometimes mediates court proceedings and judicial

interpretations. It is also reflected in the apology tendered by the defence lawyer in turn 2, which reads: "I sincerely apologise for their absence." Embedded in the apology is 'genuine' regret for an undesirable circumstance, which feeling is conveyed by the word "sincerely". Therefore, the feeling of regret occasioned by the absence of her clients portrays how the issue of cultural norms influences a court process.

Asides the issue of cultural norms influencing participants' contributions, asymmetrical relations is also a determining factor in the discourse, as reflected in the judges' interchanges. By asking questions and acknowledging certain points, the judge displays power and controls the general direction of the interaction through the use of these acknowledgements and interrogatives:

(4) "I see. This is your first time here." (made by the judge to acknowledge the remark of the claimant's lawyer)
(6) "Yes." (yet another acknowledgement of the judge and probably a prompting to the lawyer to proceed to the day's business, justifying his earlier comment that the court is indeed a "very serious court")
(8) JUDGE: (To the Defence Lawyer) "Have you been served?"
(10) JUDGE: "You're not with it?"

EXTRACT 3: Counsel-Judge Interaction

1. PETITIONER'S LAWYER: The issue is that we prefer that the applicant will have access to ehn ... (0.4) The applicant should have access to the two children.
2. JUDGE: Hmm…
3. PETITIONER'S LAWYER: At the time until they will be 18.
4. JUDGE: [I don't think that's a problem] = She doesn't want custody.
5. PETITIONER'S LAWYER: She doesn't want custody.
6. JUDGE: She just wants access.
7. PETITIONER'S LAWYER: She just wants access.
8. RESPONDENT'S LAWYER: >We do not have a problem with her having access.<
9. JUDGE: [And you know that the judgment I'm giving now include when they are in secondary school] = So if you are

telling me that when the man is around (.) are you saying that on the visiting day (.) as the children are in boarding house (.) she can't go and see them in the boarding house. Ehn? it's for me to know (.) When they are in the university, before they are 18, will she have access to go and see them? Can she attend their recitals when they have a performance in school? Can she go (.) I mean...

10. RESPONDENT'S LAWYER: [These are some of the issues...]
11. JUDGE: [So tell me, so tell me!]
12. RESPONDENT'S LAWYER: I will come and tell you.
13. JUDGE: [You don't need to come and tell me = Just tell me.]
14. RESPONDENT'S LAWYER: [That's why I said it's a very narrow situation.]
15. JUDGE: So what do you want?
16. RESPONDENT'S LAWYER: [I would have loved a situation (0.3) like I told my learned friend (.) we want a situation where I can sit down with my learned friend and we'll work out something for (.) ( ) on that issue alone on that issue alone.
17. JUDGE: On which issue?
18. RESPONDENT'S LAWYER: On this issue of access = It's the idea of what the man wants = What he told me before is that he wants a situation where (.) because right now they are saying one is with the mother and one is with the elder sister (.) that he can say when he is around (.) let me take the children to her and all that = But, like My Lord said now (.), it's going to last till when the children can also move on their own = So the time may come when she wants access to them "I want to see my children" then they can transport themselves to go and meet her wherever she is and all that = So I want a situation where I can sit down with my learned friend and work out something that we would submit to the court.

Source: Case 4, Record201810300930.21.3gpp

This text highlights a divorce case where, because a divorce suit is ongoing, a woman (the petitioner) seeks to have access to her children who are in the custody of their father. The defence lawyer agrees with the petitioner's lawyer's position and cooperates with him in ensuring

that the issue of access is resolved quickly. From the respondent lawyer's contributions in the text, there is the general impression that this lawyer is an advocate of peace, as he expresses his desire to cooperate with the petitioner's lawyer to achieve the wishes of the petitioner. The petitioner's lawyer wants a legal back-up for the right to access for his client, who is not allowed to see her children because they are in their father's custody while the divorce case lasts. It is presented thus:

> The issue is that we prefer that the applicant ... should have access to the two children.

The respondent's lawyer agrees with the petitioner's lawyer on this issue by stating thus:

> We do not have a problem with her having access.

He proposes that both should meet and work out the possibility of the petitioner being granted this prayer by the court:

> On this issue of access, it's the idea of what the man wants.... So, I want a situation where I can sit down with my learned friend and work out something that we would submit to the court.

The above statement captures the desire of the respondent's lawyer and it is targeted at achieving both lawyers' mutual goal of ensuring that the petitioner gets access to her children. At some point, the judge interrupts the respondent lawyer's contributions by reacting to his comments and asserting that the issue of access is not a problem, because the petitioner does not request custody of her children but only access to them (turns 4 and 6).

By agreeing or conforming to the petitioner lawyer's stance on the issue of access, the respondent's lawyer creates the impression that he is a peacemaker and thus seeks to make peace between the respondent and the petitioner, with such peace consequently affecting their children positively. Since it is in his client's interest, this move would encourage the petitioner's lawyer to work more amicably with the respondent's lawyer in resolving the issue faster than if they were to address it in opposition. This suggests that use of the IM strategy of conformity as employed by the respondent's lawyer yields a positive result, as it does not only enhance his face sensitivity in terms of

projecting his person as a peace-loving individual but also attracts the cooperation of the petitioner's lawyer.

A second IM strategy in this interaction is association, which is also used by the defence lawyer to project his client in a favourable light. Through the statements in turns 16 and 18, the lawyer manages information about his client in order to "save his client's face." This is achieved when the defence lawyer portrays his client, who is the petitioner, as one who does not want to deprive his wife (or his children's mother) from gaining access to their children because of their impending divorce. This act is used to manage the face concerns of the petitioner as the utterances below reveal:

> 16. I would have loved a situation (0.3) like I told my learned friend (.) we want a situation where I can sit down with my learned friend and we'll work out something ... on that issue alone. [we, here, referring to both the respondent and his lawyer]
>
> 18. On this issue of access, it's the idea of what the man wants.... So, I want a situation where I can sit down with my learned friend and work out something that we would submit to the court.

Finally, one important aspect of the use of the conformity strategy by the respondent's lawyer is that it is grounded in the cultural norms of marriage, which advocates peace and harmony between couples and among family members. Thus, even though the respondent's lawyer knows that the respondent and the petitioner will be divorced after the required judicial procedures have been concluded, he is still committed to ensuring a harmonious relationship between both parents and their children. This explains why he states in a high tone that "We do not have a problem with her having access," thus suggesting the importance he attaches to allowing a mother to see her children anytime she wishes, especially when it does not pose any problem to the children. It presupposes that the factor of cultural norms also plays a significant role in court proceedings and judicial interpretations.

6. Discussions and Concluding Remarks

Courtroom interactants create specific impressions of themselves or others during interactions by employing diverse IM strategies in order to manage face concerns. The study reveals that use of these IM strategies is sometimes determined or influenced by cultural norms in the form of values, practices, standards, rules, expectations, shared beliefs, attitudes and behaviour. For instance, in Extract 1, the deployment of the IM strategies of self-promotion and intimidation by the defence lawyer is influenced by a specific cultural norm, that is, the belief system of a people. The defence lawyer deduces from the IPO's expression of reluctance in answering the questions she is asked that she is probably guilty, going by the popular belief that "the innocent is as bold as a lion." Thus, the fact that she responds inaudibly confirms that she is not confident about her answers and so may not be innocent, since she might have been somehow compromised during the investigation at the police station, hence the difficulty she faces in stating exactly what happened after the arrest was made.

In the case of Extract 2, the intervening cultural norm in the discourse (largely reflective of the culture in many Nigerian communities) is the "mindset" of how individuals' moods influence their interactions, as evidenced in the defence lawyer's use of the ingratiation IM strategy. With this preconceived impression or mindset, the lawyer employs the strategy to "loosen" the atmosphere and set a favourable atmosphere for the serious business of litigation. This situation reveals how the factor of cultural norms sometimes influences interactants' use of IM strategies, all of which mediate courtroom proceedings. Extract 3 presents the factor of cultural norms in the form of values. The respondent lawyer's use of the conformity IM strategy in the text is influenced by the cultural norms of marriage. This value is foregrounded in the interaction, as it advocates peace and harmony between husband and wife as well as among family members. It explains why the respondent's lawyer works at ensuring a harmonious relationship between both parents and their children, even though he knows that the respondent and the petitioner will be divorced after the required judicial procedures have been concluded.

The study found a difference in the choice of strategy deployed by legal professionals and litigants. Whereas legal professionals use mostly direct and more assertive IM strategies (in the form of self-promotion, intimidation, ingratiation and conformity) in

managing face concerns, litigants make recourse to indirect and less assertive strategies (such as inaudible speech, minimal speech and clarifications) in the portrayal and defence of their positions. One factor that is accountable for this trend is that legal professionals use more IM strategies than litigants, since their knowledge base and status enable them to wield more control over the discourse and they tend to engage in more verbal activity than litigants.

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