

NOTES ON A “CONFESSION”: ON THE CONSTRUCTION OF GENDER, SEXUALITY, AND VIOLENCE IN AN INFANTICIDE CASE¹

Charles L. Briggs

I went to the bathroom to go pee, then I couldn't stand the pain that I was having, then I strained myself (*hice una fuerza*) and the child came out of me and fell in the bathroom, but in the toilet bowl, then—I got dizzy (*me dio un mareo*), when it passed, I picked up the child, which had been crying but now had become silent, I thought that she was dead and I took some [toilet] paper and I put it in her mouth, then after this I got dizzy again, I left the child in the wastebasket that was near the toilet, immediately I went to lie down in my bed, and I remained asleep then until about seven-thirty in the morning, when CARLOS and his wife got up[,] I didn't tell him anything, they got dressed and called me to leave with them, to where they worked, Carlos' wife stayed there, and [so did] I, immediately Carlos returned to the house, then he entered the bathroom and saw the blood that was on the wall, he thought that something had happened in his house and went outside to check the trash can, and there was the child, immediately he went to the place where his wife works and he told her what had taken place (*lo sucedido*), afterwards they called me and asked what had happened in the house, then I told him what had taken place, and immediately they took me to the Luis Razetti Hospital, in this City, that's all. [*Expediente* for Herminia Gómez, Fiscal Tercero del Ministerio Público de Tucupita, Delta Amacuro, Venezuela, p. 34]

This statement is taken from the court secretary's transcript of a conversation between the defendant, Herminia Gómez,² and the judge of the Court of First Instance for Criminal

¹ I deeply appreciate the comments made by Allen Grimshaw and Michael Silverstein, discussants at the session in Mexico. Aaron Cicourel, Gunter Senft, and María Eugenia Villalón kindly provided me with detailed and helpful criticisms. My work on the case was conducted jointly with Clara Mantini Briggs, MD, who generously shared her insights with me and critiqued a draft of this essay. Ms. Herminia Gómez and her aunt, uncle, and grandmother kindly shared their perceptions of the case with us. Dalia Herminia Hernández offered invaluable perspectives on how the proceedings were discussed within the community, and William C. Briggs and Hector Romero helped me make sense of numerous legal issues. This research was supported by the Anthropology Program of the National Science Foundation, the John Simon Guggenheim Memorial Foundation, the Social Science Research Council, and the Wenner-Gren Foundation for Anthropological Research, Inc.

² In order to minimize potential risks to the defendant, her family, and the individuals who have been involved in the case, all names have been changed. The translations from the Spanish and Warao are my own. I have retained the original punctuation and capitalization in court documents; when words and phrases are quoted in the Spanish original, the use of accents and other diacritics has not been standardized.

Cases and Safeguarding the Public Patrimony of the Judicial District of the States of Monagas and Delta Amacuro in Tucupita, a small city in eastern Venezuela. The text is construed as a murder “confession.” This article details how the “confession” was constructed and how it came to have powerful legal consequences for Ms. Gómez as well as political ramifications for women, the poor, and “indigenous people” in the region.

Shortly after the abortive delivery occurred on 5 September 1992, Ms. Gómez was placed in jail. She was charged with Certified Intentional Homicide (*Homicidio Intencional Calificado*); since the “victim” was a consanguineal descendent, she would have been sentenced to 20-30 years of incarceration. A number of us, including two local activists (one of whom is Ms. Gómez’s uncle), a physician, an attorney, and two anthropologists, worked at regional, national, and international levels to secure her release, entirely in vain. She was freed in September, 1995, for reasons that had little to do with the criminal proceedings (of which, more later), although she is still facing the possibility of spending considerably more time in prison.

This “confession” consists of a narrative, a representation of a segment of social life in such a way as to create a series of sequentially ordered events (see Bauman 1986). This is not the only story that Ms. Gómez could have told; indeed, testimony and affidavits that emerged later in the criminal proceedings and narratives that circulated locally constructed quite different narratives. Some portrayed her as a victim of rape, asserting that the father of the infant was “Carlos,” her employer; these accounts represented her silence regarding possible involvement by him in the pregnancy and the death of the infant as a response to a threat that he would kill her if she revealed his paternity. Other narratives portray Ms. Gómez as the victim of a public health system that provides terribly inadequate care to individuals who are classified as *indígenas* ‘indigenous persons,’ as is Ms. Gómez. Such stories construct these phenomena in quite distinct ways, and they include episodes that do not appear in the “confession”; at the same time, they transform the narrative functions of the events depicted by Ms. Gómez. Being residents of a small city in which gossip and rumor circulate rapidly and widely at the same time that they were central participants in the proceedings, it would be difficult to imagine that the medical and legal professionals who controlled the case were not privy to this broader range of narratives. The yawning gaps in the “confession” are extremely consequential in that the mode of emplotment it adopted helped preclude the attribution of legal significance to other possible readings. It is accordingly of great importance to understand how this “confession” was constructed.

My goal in this essay is to explore some of the ways that varieties of pragmatic analysis might assist such an inquiry. To be sure, this “confession” and the trial as a whole are hardly common fare for pragmatic research. In some varieties of formal analysis, utterances are selected for scrutiny due to their structural characteristics; their embeddedness in such a compelling set of circumstances would not be deemed relevant to the recovery of universal structural properties. Of course, analysis of the socially situated character of stretches of talk that are longer than single sentences has a long trajectory in other areas of pragmatics, and it has gained a great deal of currency in recent years. Nevertheless, the center of attention here has largely been focused on “ordinary” or “mundane” conversation; “everyday interaction” will, it is often claimed, provide greater insight into universal, foundational dimensions of social life than discourse tied to such unusual circumstances.

A growing number of researchers in conversation analysis (CA) have come to focus

on talk in institution, and this literature provides a useful point of departure for analyzing Ms. Gómez's "confession." A number of researchers have looked closely at how talk is tied to the specific characteristics of institutional settings in medicine (see for example Heath 1986; Sharrock and Anderson 1987; West 1984), law (Atkinson and Drew 1979; C. Goodwin 1994; Levi and Walker 1990; Matoesian 1993; Maynard 1984; Pomerantz 1987), police work (Sharrock and Turner 1978; Watson 1990; Whalen and Zimmerman 1987), scientific research (C. Goodwin 1994; Ochs, Gonzales, and Jacoby 1996), a wide range of work situations (C. Goodwin and M.H. Goodwin 1996; Heath and Luff 1996; Merritt 1976), and other fields. A number of other studies of talk in institutional settings are less directly aligned with CA (see for example Cicourel 1982, 1992; Conley and O'Barr 1990; Erickson and Shultz 1982; Fisher and Todd 1983; Mehan 1979; Mishler 1986; Philips 1986). Drew and Heritage (1992: 21) suggest that one should not take either the contextual parameters or institutional identities that are commonly attributed to these settings as being of a priori relevance; analysts are rather urged to focus on the way that social categories and institutional parameters are produced and rendered consequential in particular interactions. In the present case, it is not only crucial to see how Ms. Gómez's "confession" reflects its embeddedness in both legal and medical contexts but also how she came to be construed as the "accused" in a prosecution for "homicide"—rather than the "victim" of "rape," "medical malpractice," or the like.

Nevertheless, one feature of the present case would seem to place it outside the orbit of CA. Sacks (1984) lays out a number of key methodological tenets accepted by CA practitioners. First, research is centered on "actual occurrences" of social interaction. Heritage and Atkinson assert that "Within conversation analysis there is an insistence on the use of materials collected from *naturally occurring* occasions of everyday interaction by means of audio- and video-recording equipment or film" (1984: 2; emphasis in original). Schegloff (1992: 106) recently reiterated the way that CA analysis "departs from, and can always be referred to and grounded in, the details of actual occurrences of conduct in interaction." Goodwin and Duranti (1992: 22) similarly state that "face-to-face interaction provides the primordial locus for the production of talk." Secondly, an "actual occurrence" becomes a legitimate source of data once it is recorded on either audio or video tape (see Heritage and Atkinson 1984: 4 and Sacks 1984: 26 for two of the many statements to this effect presented by CA researchers). Finally, segments of these recordings are presented within published texts in the form of transcripts that adopt the format presented by Gail Jefferson in her appendix to the paper by Sacks, Schegloff, and Jefferson (1974).

However, in analyzing the case against Ms. Gómez, I lack access to any sort of video or audio recording of the criminal proceedings; the texts of the exchange between Ms. Gómez and a functionary of the Technical Division of the Judicial Police (PTJ), as recorded in the case file (*Expediente*), constitutes my primary evidence, along with interviews with Ms. Gómez and several of her relatives and with other local residents. Article 194 of the *Venezuelan Code of Criminal Prosecution (Código de enjuiciamiento criminal)*, stipulates that a statement by a defendant must be presented aloud (*de viva voz*) and be recorded "without any correction of language, in the very terms in which it was expressed."³ Since I was not able to record this *de viva voz* presentation, I cannot construct

³ Article 175 of the *Código de enjuiciamiento criminal*, the relevant body of law that directs criminal trials, stipulates that "The statements of the witnesses will be made aloud (*de viva voz*), without permitting

my own transcript, let alone incorporate CA conventions.

Rather than constituting a fatal flaw, however, I argue that these methodological limitations can point us in the direction of resolving some of the profoundly puzzling features of this “confession” as well as to learn more about how discourse emerges in institutions. Emanuel Schegloff (1992: 128) presents two challenges for the study of institutional talk:

- 1 How can we show that what is so loomingly relevant for us (as competent members of society or as professional social scientists) was relevant for the parties to the interaction we are examining, and thereby arguably implicated in their production of the details of the interaction?
- 2 How can we show that what seems inescapably relevant, both to us and to the participants, about the “context” of the interaction is demonstrably consequential for some specifiable aspect of that interaction?

I agree with Schegloff that it is crucial to avoid imposing social categories in an a priori fashion; we must see how modes of classification are constructed and invoked in ways that are both relevant to the parties in question and “demonstrably consequential” for their interaction. I wish to demonstrate, however, that relevance and consequentiality cannot be assessed solely with respect to a single interaction, in institutional settings at least, whether the interaction is tape recorded or not. Viewing identities and contextual parameters as “inherently locally produced, . . . transformable at any moment” (Drew and Heritage 1992: 21) is similarly incompatible with grasping their relevance and consequentiality.

In this essay I defend three methodological departures from the assumptions that ground CA-based study of institutional discourse. First, CA researchers generally place the boundaries of their analysis at the what they deem to be the beginning and the end of the interaction, rendering anything that takes place before, after, or otherwise outside of it as “exogenous to the interaction” (Drew and Heritage 1992: 53). Here I point to the need to trace intertextual links between utterances that are produced in a particular interaction and ones that emerge in a range of other settings. To assume that categories and modes of reference are “inherently locally produced” and can be adequately analyzed without making reference not simply to other contexts but especially *to how talk circulates between settings* would be particularly dangerous in this instance in that it would place researchers squarely within the frame of reference constructed by the judicial police and the court.

Second, the privileging of “ordinary conversation” that pervades CA is often extended to the study of institutional discourse in one of two ways. Some researchers assert the “ordinary” character of the institutional talk that they record; Christian Heath (1986: vii) thus suggests that his study of visual and verbal dimensions of medical communication “is based upon many hours of video recordings of ordinary, everyday general-practice or primary-health-care consultations.” Other writers invoke a distinction between “ordinary” and “institutional” interaction that deems the latter to be derived from the more primordial form, “ordinary conversation.” Drew and Heritage (1992: 19) assert that “the basic forms of mundane talk constitute a kind of benchmark against which other more formal or

them to read any statements or to make replies that they bring in written form.” This procedure applies as well to taking testimony from defendants.

‘institutional’ types of interaction are recognized and experienced.”⁴ I argue here that such a position constitutes just the sort of a priori, non-empirical reasoning that conversation analysts reject; moreover, these assumptions can keep researchers from grasping the way that particular social formations, many of them profoundly unequal and at times oppressive, emerge in institutional discourse.

Third, CA is, to use Derrida’s (1974[1967]) term, fundamentally phonocentric, meaning that it deems what is characterized as oral, face-to-face speech to be a privileged, primordial mode of communication. In a classic statement, Sacks argued that

conversation is something that we can get the actual happenings on tape and that we can get more or less transcribed. . . . I figured that sociology could not be an actual science unless it was able to handle the details of actual events, handle them formally, and in the first instance be informative about them in direct ways in which primitive sciences tend to be informative — that is, that anyone else can go and see whether what was said is so. . . . [Sacks 1984: 26]

Tape recordings of conversation are thus granted ultimate and unimpeachable authority on the basis of a positivist epistemology of science; while transcripts can be approximate and interpretations can be contested, it is the facticity of the recording that will confer the mantle of science not only on CA but on sociology as a whole.

In the years since Harvey Sacks tragically died in 1975, CA researchers have claimed more authority for transcripts that are based on the system outlined in Jefferson’s appendix to the article by Sacks, Schegloff, and Jefferson (1974); these conventions have been modified over the years. According to Schenkein (1978: xi), this method generates a “reader’s transcript—one that will look to the eye how it sounds to the ear.” This powerful claim casts transcription as a transparent process that merely reflects what is “there” on the tape rather than as the product of modes of representation that have complex histories, epistemologies, and politics. It also seems to suggest that CA research place themselves within the participants’ frame of reference at least in so far as they hear not only what the speakers said but what their interlocutors heard.⁵

If we are to grasp the significance of talk in institutions, however, I suggest that writing cannot be theoretically and methodological marginalized in this fashion. Such statements organize texts hierarchically, according primary (if not sole) authority to texts that hide their distance from the primordial recording and marginalizing (if not dismissing) those that do not adopt literary conventions designed to minimize the readers’ awareness of this gap. This rather old-fashioned and commonsense view of writing (the primary target of Derrida’s 1974[1967] critique) proves far from sufficient to grasp the social, political, and communicative power of writing. Researchers are not the only persons who inscribe talk in institutional settings; long ago, Max Weber (1968: 219) stressed the centrality of writing as a means of codifying knowledge and practice in bureaucratic settings and in imbuing institutional speech with authority. The form, content, and consequentiality of talk

⁴ I would like to thank Richard Bauman for drawing my attention to this facet of research in CA on institutional discourse.

⁵ This point is developed at some length in a chapter that deals with CA and related fields in a book that I have co-authored with Richard Bauman (Bauman and Briggs 1997).

that takes place in such settings emerge from complex relationships with other communicative modalities. An impoverished theory of writing or, more broadly, entextualization (see Bauman and Briggs 1990; Silverstein and Urban 1996) thus thwarts the potential of research conducted in institutions for realizing the central goal in CA of grasping the “indigenous frameworks of commonsense knowledge, and within the practical circumstances and particular activities that parties to the talk are engaged in” (Goodwin and Duranti 1992: 28).

Fortunately, several investigators have concluded that talk-in-interaction in institutions is inextricably tied to objects, such as airplanes, computer screens, and control boards as well as communicative mediation associated with video, radio, radar, computer, and other technologies. Recent studies have examined relationships between what is spoken and what is written, mapped, and drawn in such settings as airline and subway operations rooms (C. Goodwin 1996; C. and M. H. Goodwin 1996; Harper and Hughes 1993; Heath and Luff 1996; Suchman 1993, 1996), laboratories and other sites of scientific and technical research (C. Goodwin 1994; Heath and Luff 1993; Lynch 1985; Ochs, Gonzales, and Jacoby 1996; Woolgar 1988), police work (Benson 1993), and architectural design (Luff and Heath 1993). These studies present a number of challenges for foundational CA assumptions regarding the primacy of both orality and ordinariness and the analytic separability of discrete “interactions” from events that take place in other places and at other times. I argue here that this type of research offers the possibility of going on to explore questions as to which parties command the ability to shape which modalities are deemed to be authoritative and in what ways, what epistemological and political limits constrain different types of representation and their interaction, and who can produce and receive them. I take up these issues in examining the institutional construction of a “confession” of infanticide.

1. The power of race and institutional life in Tucupita

The purported act of infanticide and the criminal proceedings took place in Tucupita, a city of some 41,000 inhabitants that serves as the capital of the Delta Amacuro State. Located at the mouth of the Orinoco, Venezuela’s largest river, the state is dominated geographically by a vast network of small pockets of marshy forested land dispersed among the many tributaries of the Orinoco.

Two aspects of the social and political-economic cartography that goes with this location are of crucial significance for interpreting the infanticide case. First, Tucupita, where 48.6 of the state’s population resides according to the 1990 census (OCEI 1992: 19), lies on the edge of *terra firma*; in terms of the regional cultural geography, Tucupita is seen as a bastion of modernity, civilization, and of *criollos*—Spanish speaking, non-indigenous Venezuelans. (To be sure, the cartography that looks out from Caracas, the national capital, paints Tucupita in quite different terms.) The fluvial region that extends from Tucupita east to the Guyanese border and north to the Caribbean, on the other hand, is seen as having been largely left behind by modernity and civilization and as inhabited primarily by “the Warao,” an *étnia* (“indigenous ethnic group”) that is deemed to differ in basic social and cultural terms from “criollos.” The idea that “the Warao” constitute a bounded indigenous group whose “culture” differs fundamentally from the Venezuelan mainstream has been

granted scientific authority through the extensive writings of anthropologists and missionaries (see Barral 1964; Heinen 1988; Wilbert 1993). Born in the fluvial area, Ms. Gómez and her relatives are classified as “Warao,” while all of the institutional officials who participated in the case deem themselves to be and are recognized as “criollos.” When “Warao” individuals come to Tucupita to visit or, as in Ms. Gómez’s case, to live, racism structures their experience in multitudinous ways.

Second, Tucupita is not only the state capital but also the seat of a vast number of institutions that administer programs targeted for the fluvial region. Such national bureaucracies as the Ministry of Education, the Ministry of Health and Social Assistance, and the Office of Indigenous Affairs have regional headquarters in Tucupita that administer schools, clinics, hospitals, development program offices, and other sites throughout the state. These institutions employ a large segment of the work force, and they exercise a great deal of control over the lives of members of “Warao” communities.

2. Construction and confusion in the “confession”

Before examining the confession and the circumstances in which it was produced, I wish to follow the process by which the criminalization of Ms. Gómez’s alleged actions were inscribed in the documents that make up the case, which is referred to as the *Expediente*, examining the documents in the order in which they were filed. This paper deals with the texts that preceded the “confession” as well as to that document itself; materials that come later in the proceedings are treated in another article (Briggs and Mantini Briggs 1998). The items in question are as follows:

Figure 1
Key documents in the opening section of the criminal proceedings

- 5 September 1992
 - Telephone call by hospital physician to police
 - Visual Inspection of infant’s corpse by police commission
 - Employer’s statement to the police

- 8 September 1992
 - Autopsy performed on infant

- 10 September 1992
 - Ms. Gómez’s “confession”

2.1. The accusation by the physician-on-call

The first document in the *Expediente* is an affidavit which reports that the daily log in the Tucupita office of the Technical Division of the Judicial Police (PTJ) contains an entry for a telephone call made by the physician on duty at the Luis Razetti Hospital, at 7:30 a.m. on 5 September 1992, who reported admitting “the Minor: Herminia Gómez, 16 years of age, who aborted a fetus of approximately six months of gestation.”

Although this paragraph-length entry is a *pro forma* bureaucratic communication, it played a crucial role in shaping what followed in the trial—indeed, in the decision to criminalize Ms. Gómez. This document constitutes a discursive opening, a point of departure that defines the nature of the purported criminal act and marks the beginning of the events in question. It powerfully constrains the nature of the narrative that criminalizes Ms. Gómez; from here on out, everything that is said and written will be taken as referring, however obliquely, to this act of “aborting a fetus.” The call and its representation in the *Expediente* defines a border, one that places everything that is deemed to have taken place prior to the “abortion” or to lay outside the abortion narrative in the margins of the discourse—or erases them entirely. On the other hand, the questions of “intentionality,” “guilt,” “responsibility,” and “negligence” that are purported to link the bodies of the mother and baby become central. The document establishes an auto-referential discursive domain; talk, documents, and objects will, like the physician’s call, only enter into this speech economy when they are inscribed by a responsible official in the form of an *auto*, a document relating to the case and literally sewn into the *Expediente*.

This call also initially establishes the locus of subsequent representations of the act of “aborting a fetus”—an exchange between medical and judicial officials and institutions. Here contrastive forms of professional authority intersect. The physician invokes not only her obligation to cure a patient but her forensic responsibility to report a possible crime. The voice of the judiciary, now lodged in the Technical Division of the Judicial Police, assumes its obligation to decide where participation in a medically significant act—the birth of a baby—becomes a criminal act. Note the displacement of agency that emerges from this document—medical and judicial institutions are purportedly responding to an event that is not of their making, providing the types of responses that they are legally committed to adopt.

Finally, the document at first glance poses itself as an inscription of an oral statement, conveyed via the telephone. It is, however, a highly mediated bit of speech, being an official communication from the PTJ to the court that recontextualizes an entry in the police log, which in turn represents a communication from one government official (a physician in a state-run hospital) to another (the PTJ dispatcher), thereby converting the provision of medical services into a formal accusation. Once inserted into the *Expediente*, it becomes further embedded in a chain of mediated discursive events, positioned as the act that started the whole process in motion.

2.2. Visual inspection

That same day, 5 September 1992, the PTJ officially launched an investigation into a “crime against persons” in connection with the “abortion,” and the Judge of the Criminal Court of First Instance and the Fiscal del Ministerio Público the Procurador Segundo de Menores, who has jurisdiction in crimes against minors, and Ms. Gómez were notified of the proceedings that same day.

By 1:30 that afternoon, a commission formed by the PTJ conducted a Visual Inspection of the infant. They reported that

We could observe on top of a metal table where autopsies are performed the cadaver of an

infant EXTERNAL EXAMINATION MADE OF THE CADAVER: A wad of toilet paper impregnated with substance of dark red color was evident, introduced into the mouth in the form of a plug (*tapón*) [*Expediente*, p. 7, emphasis in original].

As established by Articles 244 and 251 of the *Code of Criminal Prosecution*, the Visual Inspection (*Inspección Ocular*) constitutes a key line of evidence for use in criminal trials.

The appearance of the word *tapón* in this document is striking for a number of reasons. First, the information which was in the hands of the commission at the time was only that a woman had been admitted to the hospital “who aborted a fetus of approximately six months of gestation” and that the cadaver of the fetus was in the morgue. These professionals should have relied strictly on the visual evidence at hand—this is the purpose of the Visual Inspection. But the use of *tapón* implies agency; this statement not only asserts that a wad of toilet paper was in the infant’s mouth but that it had been placed there to *plug* (*tapar*) it. Use of the term thus inserts a enormous inference into the record that is not based directly on visual evidence that would indicate the function of the wad of paper, its effects on the infant, or the presence or absence of any intention to *tapar* ‘plug’ the infant’s mouth. The same visual evidence could have been used in suggesting that the paper had been used to wipe blood, “the substance of dark red color,” off the baby, which is Ms. Gómez’s claim. Nonetheless, this inference plays a crucial role in transforming the infant’s death into an act of ‘Intentional Homicide.’

Lexically, *tapón* is a colloquial term that is also used in professional discourses (for example, in surgery). Unlike *obturador* (or the verbal form, *obturar*), which are positioned within a more refined lexicon and refer only to physical forms of obstruction, the verbal form, *tapar* is commonly used in vernacular discourse to refer to covering up or dissimulating in the face of a lie or other offense. As such, it positions this key element of the document simultaneously within both technical and vernacular discourses, creating a highly marked sign that jumps out of its techno-bureaucratic background and connotatively suggests that whoever inserted the *tapón* was blocking not only the free passage of air into the infant’s lungs but also *tapando* ‘covering up’ a crime. By embedding this construction in a prepositional phrase that is attached to the description of the “wad of toilet paper impregnated with substance of dark red color,” the syntactic construction naturalizes this inference as if it were merely a part of the Visual Inspection. Poetically, the marked quality of the term is enhanced by its phonological structure, being a bisyllabic word that ends in a stressed stop consonant; its placement in clause-final position further enhances its markedness and re-mark-ability—it simply invites recontextualization in future documents and in oral accounts of the case.

Indeed, the *tapón* becomes the central leitmotif of the trial; transforming a visual image into a legal trope—the function of the Visual Inspection—it opens up powerful relations of implicature. In textually constructing a pathetic murder weapon, the allusion to the “plug” simultaneously transforms the birth into an act of Intentional Homicide and organizes the discourse of the trial in advance. Preserved in the PTJ station, the wad of paper becomes, literally, Exhibit A, the only physical evidence that is entered in the case.

Another PTJ commission went to the Hospital that same afternoon and spoke with the Physician on Duty, who confirmed that at approximately 9:00 that morning “the minor was admitted: HERMINIA GOMEZ, 16 years of age, along with a Fetus of approximately six months of gestation, which she aborted, as the above-mentioned minor herself declared” (*Expediente*, p. 8).

2.3. Ramón Mata's spontaneous declaration

The last entry for 5 September, the day on which the “crime” was committed, is perhaps the most unusual. The PTJ Official-in-Charge of the investigation took a deposition that was provided when “there appeared at this Office, spontaneously,” at 6:00 p.m., Ramón Mata, Ms. Gómez’s employer; he made the following declaration:

I am appearing before this Office to declare that today, at approximately 9:00 in the morning, I went to the bathroom in my house, and when I was inside the aforesaid place, I saw blood stains on the floor, on the shower drain, and on the tile. I immediately went to inspect the a bag that had been in the trash can in the bathroom, where the toilet paper is thrown, and the same was not in its place. I immediately proceeded to the front of the house, where there was a trash barrel, and, having arrived there, when I raised the cover on the barrel, I found the plastic bag that had been in the bathroom. Since the same is semi-transparent, I lifted up the bag and I saw the form of a head, on which hair could be seen. Then I went to look for my wife in Yabinoko, Inc., in this city, and after that I went to the house next to the aforementioned business, to look for HERMINIA GOMEZ, who looks after a child of mine, after I got her we went to my house once again, I took the above-mentioned bag from the trash can, put it in the trunk of the car, and I went to the Luis Razetti Hospital, of this city, accompanied by my wife, who is named MARIA ELENA ROMERO, and the citizen who takes care of the child, named HERMINIA GOMEZ, when I arrived at said hospital, I went to the Emergency Ward, so that they would assist HERMINIA, since at about three o’clock in the morning of the same day 05-09-92, I had taken her to that hospital, because she told me that she had a strong pain in her belly, then I spoke with the doctor and I told her that I had a fetus in the car, and that it was HERMINIA’S, because she told me, and then the doctor told me to give it to them, so that it could be placed in the morgue, I went to the car, I took it and gave it to an orderly of that medical center, who took it and placed it in the morgue, by which time the fetus had no vital signs, that’s all. [*Expediente*, p. 13]

Mr. Mata was then questioned by the Official-in-Charge. Mr. Mata stated that he had not known that Ms. Gómez was pregnant, but that he was aware that she was seeing a young man. He also noted that Ms. Gómez had told him that the fetus was hers.

Cited repeatedly in later documents in the case, this declaration played a key role in convicting Ms. Gómez. Mr. Mata is treated as a witness, rather than either an expert or a suspect. His social position, as a cattle rancher, is established in the preamble to the statement; his wife’s employment Distribuidora Yabinoko, a wholesale distribution firm that is one of the leading businesses in the city (and is owned by her parents), is also made explicit. Clearly a lay participant in the proceedings, his declaration nevertheless reads like the reports prepared by PTJ professionals. He uses legal formulas to indicate anaphora, such as his use of the phrase *antes nombrado* ‘previously mentioned’. He places himself in the role of a detective, not only providing an exquisitely detailed description that draws attention to the legally relevant elements but recreating, step by step, the inferential process in which he was engaged as he studied the scene of the crime and then executed the actions that logically followed from his reading of the facts. The underlying logic that imbues his declaration with cohesion and coherence is the obvious conclusion that a crime had been committed; the necessary response is accordingly to record the evidence and then to turn the case over to the proper authorities—the Physician in Charge at the Hospital and the Official-in-Charge at the PTJ station. Mr. Mata’s narrative is exquisitely linear, a nearly

perfect Labovian synchronization⁶ between narrative clauses and the temporal sequence of the actions to which they refer. Figure 2 presents a schematic representation of the purported events surrounding the “abortion”:

Figure 2
Purported succession of events on 5 September 1992⁷

Ms. Gómez wakes up with intense pain
summons employers
employers take her to hospital at 3:00 am
Dr. Ruíz orders injection of Baralcina
Ms. Gómez is released
additional Baralcina is purchased at pharmacy on way home
Ms. Gómez awakens around 5:00 am
goes to bathroom
unexpectedly gives birth to infant
goes into shock
removes infant from toilet; attempts to cleanse it
faints again
leaves child in wastebasket
goes to bed
Ms. Gómez is woken up by her employers
Ms. Gómez, her employers, and the employers’ child go to Ms. Romero’s
place of employment
Mr. Mata returns home
discovers blood in bathroom
finds infant’s corpse in trash can in front of house
gets wife and Ms. Gómez
places infant’s corpse in trunk of car
all drive to the hospital
Ms. Gómez is admitted as patient
physician places corpse in morgue

Mr. Mata does depart from the purported chronological unfolding of the events at one crucial point—his fleeting allusion to the trip to the hospital that was undertaken at about 3:00 a.m. Given his devotion to narrative fidelity, it would have seemed logical to *begin* the story at this point or during the immediately preceding events. In response to questions posed by the PTJ official taking the statement, Mr. Mata reveals that Ms. Gómez was attended by Dr. Rudolfo Ruíz, that the physician asked her if she was pregnant, that she responded negatively (asserting that she was menstruating), and that Dr. Ruíz gave her Baralcina (an antispasmodic medication). Beginning the statement in this fashion would have focalized the failure of the physician to examine her, raising questions of malpractice and the way that people classified as “Warao” are treated by the governmental public health system. On the contrary, this series of events is embedded in a parenthetical subtext within

⁶ The allusion here is to Labov’s and Waletzky’s (1967) classic paper.

⁷ This chronology of the purported events is derived from a range of documents presented in the *Expediente*; it is presented in order to assist the reader in grasping the order of events asserted in the narratives rather than as any sort of assertion that these events “actually” occurred.

the main narrative, one that ends with a phrase that seems to elide the distinction between the two visits—“then I spoke with the doctor and I told her. . . .” Mr. Mata thus marginalizes the legal significance of the first visit to the hospital within the narrative that he is constructing.

Mr. Mata’s declaration complements the Visual Inspection by taking two additional powerful visual images and textualizing them as legal tropes, thereby furthering the criminalization of Ms. Gómez. Mr. Mata begins by describing the way that blood was smeared on the floor, the shower drain, and the wall tile, thus providing a strikingly violent image. Mr. Mata carefully recreates how he realized that the trash bag kept in the bathroom was missing, went to the garbage can in the front of the house, and discovered the fetus. Since it is commonly believed that placing tissue in the toilet will create plumbing problems, soiled toilet paper is placed in such receptacles in most homes in Tucupita. Mr. Mata’s testimony thus constructs the image of a mother who is so insensitive to the birth and death of her own daughter as to place the infant’s corpse alongside fecally soiled toilet paper and throw the bag in the garbage can. This image of Ms. Gómez as being extremely callous, a person who demonstrates a contemptible disregard for the value of a human life, even that of her own baby, will prove crucial in convicting her.

In response to a question from the Official-in-Charge regarding the physiological characteristics of the infant, Mr. Mata notes that he only saw the fetus through the semi-transparent trash bag. Both this response and his description of the infant clearly suggest that the bag was tied shut—and that he did not open it. As such, the evidence was purportedly sealed shortly after the crime was committed; no one, including Mr. Mata, could have tampered with the evidence. Beyond laying the blame on Ms. Gómez, this assertion also seals Mr. Mata’s own role in the narrative as that of a scrupulous narrator-detective, closing off in advance any attempt to suggest that he might have played a role in shaping the events associated with the crime. Interestingly, the action of taking the bag out of the trash can and bringing it to the hospital constitutes tampering with evidence, a crime under Venezuelan law. The footing that Mr. Mata adopts with respect to these events, holding himself aloof from them in the guise of a detective, helps insulate him from some of the crucial questions that might be raised, both about his account and his role in the affair.

Narratives that circulated around town while the criminal case was pending asserted that Mr. Mata is the father of the infant; having sexually exploited Ms. Gómez, he is said to have told her that he would kill her if she revealed his paternity. This possibility is raised implicitly in the *Expediente* in an affidavit submitted by an attorney who was contracted by the Office of Indigenous Affairs. He asserts:

It would only be necessary for the accused to allege in her defense—as the cause of her "attitude" in the face of the purported events—the motive of saving her HONOR, honesty or sexual reputation with respect to her family or ethnic group. . . . One must remember that the ancestral indigenous (Warao) custom penalizes the indigenous (Warao) woman who is descended from/has relations with a JOTARAO ("white") man with *moral exclusion* from the group. [*Expediente*, p. 169; emphasis in the original]

Rather than accepting the claim presented in Ms. Gómez’s “confession” that the father is “Warao,” the attorney simply takes it as fact that the father is a *jotarao*, the term for “criollo” in the language referred to as “Warao.” It is similarly of interest to note that Ms.

Gómez calls her employer by his first name, while “Mr. Mata” would be ordinarily required, at the same time that she refers to Ms. Romero as “the Mrs.” or “Carlos’ wife.” The question of Mr. Mata’s role in the case is treated in greater detail in Briggs and Mantini Briggs (1998).

Early the next morning, the PTJ sent a commission to examine Mr. Mata’s house. All traces of the blood or other evidence had disappeared, because “the owner of the house informed us that she had cleaned the house”; since she thereby destroyed evidence, this action also violated the Code of Criminal Prosecution. The commission’s detailed description reveals that the house has only one bathroom. Oddly, it did not occur to the PTJ officials to ask Mr. Mata or his wife, María Elena Romero, how they could have gotten up in the morning and dressed for work without ever entering the bathroom.

2.4. The report on the autopsy

On 8 September, a pathologist employed by the hospital conducted an autopsy, as was requested by the PTJ. Her report concluded:

The subject is a Newborn of feminine sex, who was “viable and was born alive,” who shows a plug of paper in its mouth, producing obstruction of the larynx and of the free passage of air. The death took place within six hours after birth. [*Expediente*, p. 20]

The autopsy added medical authority to the toilet paper “plug” trope, making it explicit that the infant was alive at the time of birth and that inserting a “plug” was the cause of death. The pathologist noted that the infant’s head showed “light cerebral edema with small point-like hemorrhages.” The pathologist’s certainty that the child had been mechanically suffocated was, however, not unplugged by the possibility that the swelling and hemorrhaging, which likely resulted from or were exacerbated by the fall head-first into the toilet bowl, might have contributed to the infant’s death. By this point, the “plug” provided such “clear signs” that no other possibility is entertained.

Article 131 of the *Code of Criminal Prosecution* provides specific evidentiary standards for cases of suspected infanticide; in particular, medical testimony regarding a) the fact that the infant was born alive, b) how the death might have taken place, and c) how long after birth the death occurred are necessary. The pathologist not only appears to be aware of these specific evidentiary standards but to be convinced that an act of infanticide had taken place.

Additional medical authority was lent to the criminalization of Ms. Gómez on 9 September when she was examined by two forensic physicians; they ascertained that she had given birth recently.

2.5. Ms. Gómez’s “confession”

Having been released by the Hospital, Ms. Gómez was taken to the PTJ station on 10 September in order to obtain a statement. Along with visual inspections, documents, and testimony taken from witnesses, confessions constitute one of the primary lines of evidence in criminal trials (*Code of Criminal Prosecution*, Art. 244). To be legally valid, a

confession must a) “have been given freely and without being under duress,” b) clearly prove the substance of the crime (*cuero del delito*), and c) there be some other “form of supporting evidence that incriminates the defendant” (Art. 247). The “confession” thus begins with a statement that Ms. Gómez appeared “wholly without being under duress, and free of all forms of threat and compulsion” (*Expediente*, p. 34). After providing biographical details and in the presence of the Second Prosecutor of Minors, Ms. Gómez “declares that she is willing to give a statement” (*ibid.*); I presented a translation of her declaration at the beginning of this article, minus the questions posed by the PTJ official.

The language of her statement is in some ways more complex than that of Mr. Mata’s account. She begins with a phrase that is not only marked as colloquial but uses an infantilizing lexical item: “*Yo fui para el baño a hacer pipi*” ‘I went to the bathroom to go pee pee.’ Compare the lexical features of her opening line to that of her employer: “*Comparezco por ante este Despacho, a manifestar, que en el día de hoy*” ‘I am appearing before this Office to declare that today’. The manner in which two individuals refer to Mr. Mata’s alleged discovery of the blood in the bathroom provides a good example of the contrast in the degree of detail and referential delicacy or specificity of the two statements. While Ms. Gómez notes that Mr. Mata “entered the bathroom and saw the blood that was on the wall,” he declares that “when I was inside the aforesaid place, I saw blood stains on the floor, on the shower drain, and on the tile.”

At the same time, however, some features of legal discourse creep into Ms. Gómez’s account. On three occasions in the body of the statement a means of indicating temporal juncture that is common in legal discourse, *seguidamente* ‘immediately’, is used, and *de inmediato* ‘immediately’ appears once as well. These expressions and such referentially redundant details as providing the full name of the Hospital, followed by “in this City,” would seem to have more to do with the way that police and judicial officials narratively (re)construct crimes than a statement that was “given freely” and “without any correction of language, in the very terms in which it was expressed” by Ms. Gómez.

One of the most striking aspects of this text is its fidelity to the modes of emplotment that were established by the preceding *autos* in the *Expediente*. Like Mr. Mata’s account, Ms. Gómez’s “confession” begins with the events that form the focus of the criminal investigation rather than by relating other events or providing background information that might cast what took place in a different light; she could, for instance, have started with the 3:00 am visit to the hospital. But these preceding incidents are entirely absent from her “confession,” with the exception of a reference to having taken medication that is prompted by the Official-in-Charge’s question.⁸ Like Mr. Mata’s deposition, the “confession” not only sticks to “facts” that lay within the parameters established by medical and judicial officials but lays them out in chronological fashion.

By preserving the narrative style of the employer’s account and its significant silences, the “confession” echoes the narrative and legal epistemology that Mr. Mata created. The “confession” not only reproduces the same segment of this dominant narrative, the birth and its immediate aftermath, but foregrounds the narrative elements on which the homicide charge rests: The fact that the child was born alive (“the child . . . had been crying”), inserting a wad of toilet paper in the child’s mouth, placing the child in the trash

⁸ When she was taken to the PTJ station again on 14 September, Ms. Gómez provided an account of how she woke up in the middle of the night and was taken to the hospital (*Expediente*, pp. 56-57).

bag, failing to inform her employers of what had taken place, and subsequently admitting her guilt to them (“Afterwards they called me and asked what had happened in the house, then I told him what had taken place”).

Dr. Mantini Briggs and I interviewed Ms. Gómez in her jail cell on 12 July 1994. This interview and a number of discussions with Mr. Gómez further call into doubt some aspects of the narrative presented as her “confession.” In the *Expediente* statement, Ms. Gómez asserts that “I took some [toilet] paper and I put it in her mouth,” and she further specifies in response to a question regarding “the characteristics of the paper that you put in the mouth of said child” that “it was white in color, it was toilet paper, small” (*Expediente*, p. 35). In the course of the interview, Ms. Gómez stated how she learned about the “wad of toilet paper”:

I didn’t know anything about it when they were taking me [to the Hospital]. How could the paper have gotten in there? Since I can’t remember, perhaps after the baby fell [into the toilet]—I might have been trying to clean her mouth and thus have put the paper in her mouth, but I don’t remember. The Mrs. [María Elena Romero] told me then [in the Hospital]. When she told me, I became silent. I said, I told the Mrs., “I can’t remember.”

Ms. Gómez added at the end of the interview, in response to my question, “[Mr. Mata] didn’t tell me [about the wad of paper]. Later, the doctor that he told, when he was putting in the IV, he told me that [the infant] had paper in its mouth. I told him then, “How can that be?” If indeed Ms. Gómez did insert a wad of toilet paper into the baby’s mouth, it is odd that this detail was conveyed to the physician on call by Mr. Mata on arrival at the hospital—given his contention that he never took the infant out of the trash bag and all he could see on the inside was the shape of a head and the texture of hair.⁹ Although the “confession” frames this crucial statement as the direct knowledge of a narrator-principal regarding her own actions (“I took some [toilet] paper and I put it in her mouth”), it seems clear that the toilet paper trope first emerged in the account that Mr. Mata told his wife and the physician; Mr. Mata, the physician, and the PTJ examiners then appear to have placed this phrase in Ms. Gómez’s mouth. We might thus suspect that the “confession” is a bit more complex and problematic than first meets the eye and ear.

Ms. Gómez’s statement that she “left the child in the wastebasket that was near the toilet” is similarly puzzling. In our interview with her, Ms. Gómez stated that “since there was a sack there, I put [the infant] neatly (*yakera*) on top of it. After putting her on top, I don’t remember anything from that point.” The question is not simply whether she placed the infant neatly on top of the sack or threw her inside. In the “confession,” Ms. Gómez goes on to tell, step-by-step, what Mr. Mata did after leaving Ms. Gómez, his son, and his wife at the latter’s place of employment. Remarkably, she shifts to *his* footing entirely:

Immediately Carlos returned to the house, then he entered the bathroom and saw the blood that was on the wall, he thought that something had happened in his house and went outside to check the trash can, and there was the child, immediately he went to the place where his wife works and he told her what had taken place (*lo sucedido*),

⁹ Mr. Mata states that he placed the bag of trash—not the fetus alone—in his car. Similarly, he responds to a question posed by the Instructing Official who took his statement at the PJT regarding the ‘physiological characteristics’ of the infant by saying: ‘I don’t know by virtue of the fact that I saw it through the semi-transparent bag where it was found’ (*Expediente*, p.13).

The “confession” thus not only reports what Mr. Mata saw but the timing of his actions and the inferential processes in which he engaged. In response to the Official-in-Charge’s question, Ms. Gómez expands on the question regarding the disposition of the child and the bag:

QUESTION: Tell me where you put said child after you took her out of the toilet bowl in the bathroom in which she was found? ANSWER: I put her in a black bag that was in a trash can in that bathroom, I took her out to the front of the house, and I put her in a trash can which was there.

In spite of her statement (made in other court documents as well) that she does not remember anything after she placed the child on/in the sack, Ms. Gómez is somehow able to report both Mr. Mata’s and her actions in her own words. Ms. Gómez also goes on to recount how Mr. Mata reported what he had discovered to his wife; like the trip to the house, this discussion took place beyond the limits of Ms. Gómez’ vision and hearing.

Space does not permit me to analyze the *autos* that appear subsequently in the *Expediente*; in any case, the key issues on which the case was decided as well as the discursive parameters in which it would be developed were, by and large, defined by this point—that is, five days after the “crime” was committed. The judge’s decision to try Ms. Gómez on the charge of Culpable Homicide (Art. 411), the Prosecutor’s presentation of the more serious charge of Certified Intentional Homicide (Art. 408, 3A), and the final conviction on the lesser charge on 9 October 1995 all reproduce the texts that I have analyzed, almost in their entirety, in the course of providing a basis for these decisions. In stating the rationale for her initial finding of culpability, the judge concludes—after first repeating and then summarizing these documents—that “There is enough evidence to be certain that a deed warranting public action that deserves corporal punishment has been committed.” After retelling once again the story of the child falling from the birth canal into the toilet, the judge concludes that “In her condition as a woman of the Warao ethnic group, giving birth for the first time, completely inexperienced in these affairs, she believed, according to her version, that the newborn was dead, for which reason she opted to put paper in its mouth, place it in a bag and throw it in the garbage, which is proven in the proceedings” (*Expediente*, p. 90). Ms. Gómez’s statement is construed as a “confession,” taken as proof not only that she committed these acts but that she did so intentionally.

3. On constructing a “confession”: Knowledge, authority, violence, and intertextuality

D.R. Watson’s (1990) study of the elicitation of confessions in murder interrogations provides a useful point of departure in broadening the analysis. Drawing on a CA framework, he analyzes video recordings of police questioning of two murder suspects in a North American city in characterizing interrogation as a particular type of “speech exchange system.” Watson calls attention to the deployment by interrogators of knowledge claims as persuasive devices for inducing suspects to confess. By framing their accounts with such phrases as “we know that X” (rather than using such verbs as “believe,” “think,” or “suppose”)—even when they are based on a hunch or conjecture—police officials create

a preference for confirmation. These sorts of knowledge claims seem to require suspects to provide detailed information that addresses the specific contentions embedded in allegations if they wish to contest the veracity of their interrogators' allegations; they can't, as it were, just say "no."

A number of features of Ms. Gómez's "confession" point to the operation of just the sorts of knowledge claims and persuasion devices that Watson describes. As Watson suggests, interrogators imbue their accounts with a sense of facticity by demonstrating their command of disparate sorts of evidence, such as statements by witnesses and physical evidence. In the course of her interview with us, Ms. Gómez suggested that she was repeatedly confronted by her PTJ interrogators with these sorts of claims: "They themselves told me, 'Now what happened with this newborn? We just saw it!' They themselves told me [about the wad of paper]. I never said anything to them—they told me!" One might add that the ability of police departments to produce or to contract for scientifically based authority adds powerfully to the asymmetry of the epistemological claims that they can make; the use of DNA evidence in the murder trial of O.J. Simpson points to the authority that accrues to the discourse of "hard science" in criminal trials. While Simpson could hire his own experts to counter the prosecution's scientific claims, suspects being interrogated (particularly when they are not accompanied by lawyers) and poor defendants throughout the proceedings against them generally lack access to the means of mustering alternative readings of scientific evidence. Ms. Gómez could not, for example, hire a pathologist to perform a new autopsy of the infant; this could have enabled her to argue that the death was caused by the fall into the toilet (as evidence by the lacerations to the head) or by drowning.

At the same time, I think it would seem misleading to suggest that the construction of the "confession" can be explained in terms of the conversational dynamics of the interrogation itself. Invoking a fundamental premise of ethnomethodology and CA, Watson (1990: 280) argues against the "according of privileged status to the characterizing concepts of power and/or authority" as operating apart from "the observable features of the interrogation." He rather suggests that power and authority "must be firmly located in the systematic examination of features integral to the discourse itself," that is, to the "detail and organization being attended to and established by co-participants themselves" (ibid.). For Watson, power and authority emerge entirely from exploitation of the constellation of conversational devices that are part of the speech exchange system evident in interrogations. Moreover,

Some elements of what is sometimes taken to be the policeman's control (including his capacity to "pressure" or "persuade") over the interrogation by virtue of his objective position turn out in fact to be at the disposal of any recipient, and particularly a story-recipient. [1990:282]

Beyond some of the theoretical and political questions that this position raises, the methodological limitations that emerge from relying entirely on a video tape of the interrogation create problems here. No matter how "naturally situated and naturally occurring" (1990: 264) these interrogations may be, some forms of persuasion are less likely to be apparent when the questioning is being video-taped.

In the course of the interview we conducted with her, Ms. Gómez described how the "confession" was produced during a period in which she was still weak and bleeding:

They took me to the PTJ [station]. While I was there, I told them. One PTJ [officer] said: “What happened?” I was going to tell them the truth, but since it was the first time that I had ended up there, I was shut up in that room there, I got scared; there were *criollos* everywhere. A PTJ [officer] said: “Tell the truth!” (*Nome waranu!*) I replied, “I don’t remember anything, . . . I don’t remember anything.” They wrote it all down then.

Two police officers, one male and one female, were listening as we conducted this interview, even though they did not understand much of the exchange (it took place mainly in Warao, Ms. Gómez’s first language). Dr. Mantini Briggs and I came with Ms. Gómez’s uncle, Ramón Gómez, an activist who had been employed for many years by the Regional Office of Indigenous Affairs, whom I had known for nearly a decade. Our link to Mr. Gómez and the use of Warao in the interview seemed to provide Ms. Gómez with enough space to speak about some aspects of the situation that had not come out in depositions taken by the PTJ and the court. Nonetheless, there were clear limits as to what she felt comfortable saying.

During a discussion that took place at our house afterwards, her uncle accordingly decided to fill in what he saw as gaps in Ms. Gómez’s account. Mr. Gómez did not adopt the narrative canons that were established by the medical and judicial officials and Mr. Mata. Rather than seeing the case against Ms. Gómez as an isolated event and focusing on her psychological profile or her condition at the time of the birth, Mr. Gómez places these events within much larger patterns of the treatment of “Warao” individuals by the judicial system. He noted that it is common for “Warao” parents to be arrested when a child dies in predominantly “*criollo*” ‘non-indigenous’ areas. Mr. Gómez also described the 9 September 1992 interrogation as an example of how the PTJ obtains “confessions” from residents of “Warao” communities within the delta:

“They grab you by the arm, they throw you in jail, and they say: ‘tell the truth! If you don’t tell the truth, I’ll kill you!’ And the police *will* kill you! And if you’re Warao, you get scared, and you even have to tell a lie sometimes, you tell a lie—so that they won’t kill you, so that they won’t torture you. . . . The way that offenses committed by Warao are treated is *different*. It’s quite different from the way that offenses committed by *criollos* are treated, (Charles Briggs: Uh, that’s true.) by Warao. That’s why she’s in there.

Now you’ve heard a few of her words, but a few more words remain to be said. The PTJ officials smacked her with the barrel of a pistol. It still hurts where they smacked her with the pistol.

Mr. Gómez’s perspective on the practices that are involved in obtaining statements from “indigenous” defendants is generally shared by members of “Warao” communities. Placing interactions between the PTJ and “Warao” individuals within broader parameters of criminalization and violence, Mr. Gómez suggests that when a PTJ official exhorts the accused to “tell the truth!” and a “Warao” prisoner responds with an account of a purported crime, this broader pattern of violence and subordination shapes the form and content of what is spoken and recorded.

My point here is hardly that police always physically abuse suspects. Nevertheless, the conversational dynamics of extracting “confessions” operates within the larger economy of violent exchanges between people categorized as “police,” “suspects,” and “criminals”; even when physical violence is not used in interrogations, this larger economy certainly limits the access of suspects to conversational devices. Moreover, as Ms. Gómez’s

remarks to us suggest, issues of race, class, gender, and violence are relevant here even when they are not lexicalized or otherwise expressed directly in interrogation discourse.

While the speech exchange system that emerges in this setting is certainly crucial, it is hardly the only social force that shapes both the structure and content of “confessions” or questions of power and authority. While Dr. Mantini Briggs, Mr. Gómez, and I clearly invited Ms. Gómez’s narrative in the interview, the sorts of persuasive devices used by her PTJ interlocutors were absent. We would accordingly expect her to construct a very different sort of narrative in that setting. To the contrary, the account that Ms. Gómez gave us did not depart in any wholesale fashion from the mode of emplotment that emerges from the “confession.” She did provide background information, begin her narration by noting that she had fallen during the day before the “abortion” took place, relate the late-night visit to the emergency room, and attempt to provide alternative explanations for several key features. Nonetheless, Ms. Gómez continued to focus on the same events surrounding the birth, the interview narrative preserved the linear structure and literal tone that we saw in Mr. Mata’s account. She did not adopt an ironic or critical voice in repeating the words of others, nor did she place broader social-historical circumstances (such as the treatment of “Warao” clients by government institutions) or the actions of others (such as Mr. Mata’s or the physician’s conduct) at the center of the narrative. Two years later, speaking in her first language, encouraged by her uncle to provide her side of the story, Ms. Gómez could not overcome the constraining power of the individuals, institutions, and institutionalized words that had put her in jail. The two jailers in the room spoke no words, used no persuasive devices, but their presence was crucial, for reasons that I will discuss later.

Aaron Cicourel’s (1992) work on talk in medical institutions provides a valuable point of departure in trying to make sense of why these constraints proved so powerful. In the course of analyzing a tape recording of a conversation between three physicians regarding a particular patient, Cicourel argues that knowledge of the interaction alone does not provide a sufficient basis for grasping the meaning of what is said. He rather suggests that analysts must explore “a complex set of interpenetrating contexts” that shape the meaning and significance of medical discourse (1992: 309); he suggests with regard to the exchange between the physicians that the original interview with the patient, medical school course work and resident training in which relevant diagnostic information is given, and textbooks and handouts that summarize this material crucially shape the form and content of the conversation.

I think that it is important to keep Cicourel’s point in mind as we take up the challenge posed by Schegloff—demonstrating the relevance and the demonstrable consequentiality of features of institutional settings and identities. I have tried to show that the “confession” attributed to Ms. Gómez is not simply a “local production.” Recall the key portion of Ms. Gómez’s statement: “I picked up the child, which had been crying but now had become silent, I thought that she was dead and I took some [toilet] paper and I put it in her mouth, then after this I got dizzy again, I left the child in the wastebasket that was near the toilet. . . . I didn’t tell [Mr. Mata] anything.” My analysis suggests that it would be very difficult to gauge the interactional production or the relevance of such accounts without seeing how they are linked to accusations of suspected crimes to the judicial police, affidavits issued by PTJ commissions, autopsy reports, and statements provided by witnesses; a number of conversations that took place off record, such as the discussion between Mr. Mata and the physician on duty, are also crucial. The lexical and syntactic

complexity of the text point to the blending of the voices and perspectives of Mr. Mata and the judicial and medical officials who were advancing the homicide charge against Ms. Gómez. The formal parameters of her account focalize key dimensions of the case against her, and they involve a number of features that are expressed in first-person terms but are derived from accounts that were told to her by the emergency room physician, by Ms. Romero, and by judicial officials. In other words, what is framed as her statement consists of her accusers' words—as recontextualized in keeping a narrative straight-jacket that was constructed in preceding conversations, depositions, and documents. This “confession” is, one might say, a Bakhtinian nightmare of *polyglossia*, or, to use Michael Taussig's (1987, 1997) metaphor, a complex work of state-sponsored *montage*. Blueprints for judicial proceedings laid out in the *Venezuelan Code of Criminal Prosecution* similarly shape the form and content of the “confession”—in that interrogators press suspects to include all the types of evidence that would be needed to make a case against them—even though the *Code* and its stipulations are not overtly referenced in these interactions. Medical and judicial forms of institutional authority are crucial here.

My analysis would seem to coincide here with a wide range of studies of professional-client interaction that point to communicative and cognitive gaps that emerge from the way that professionals are tied into this wider range of contexts while their clients are not. But my point is quite different; the words and institutional authority associated with these professional discourses emerge *within* Ms. Gómez's “confession” itself—alongside language that makes her seem infantilized, incompetent, and guilty. These words were used in creating a condescending portrait of her as “a woman of the Warao ethnic group, giving birth for the first time, completely inexperienced in these affairs”, the words that the judge used to describe Mr. Gómez in the initial decision, or as “characterized by accentuated retardation. She is sober, serious, silent, and not very communicative. . . . Her intellectual capacity is Inferior in the middle range,” to cite a court-ordered psychiatric evaluation (*Expediente*, p. 303). The image of an ignorant and incompetent woman who is unable to think rationally played a key role in the judge's assessment of culpability. These depictions seem to say much less about Ms. Gómez, who is perfectly intelligent, articulate, and lucid, than about the social identity that was constructed in her “confession.”

4. Relevance, consequentiality, and the circulation of discourse

In scrutinizing the way this denigrating and incriminating identity was produced, we need to go beyond an analysis of interlocking contexts and forms of knowledge to map how particular words (such as *tapón*), lexical registers, stylistic parameters, modes of emplotment, and the like were extracted from previous reports, conversations, and interrogations and inserted into the “confession.” This point recalls Volosinov's (1973[1930]) analysis of how words and contexts are linked by reported speech and the substantial literature that has emerged on this topic in recent years. While the concept of reported speech can be of great value to the analysis of institutional discourse, I think that it is necessary to modify models of reported speech that are derived from Bakhtin's (1981) and Volosinov's (1973[1930]) emphasis on the open-ended polyphony and heteroglossia of the novel. Ms. Gómez seems to have no more power over the way that utterances, accusations, and epistemologies are extracted from other discursive settings and inserted

into the “confession” than she has equality of access to the persuasive devices occasioned by interrogations.

Richard Bauman and I drew on the concept of intertextuality in attempting to locate forms of reported speech within the practices that people use in positioning ongoing acts of writing and reading, speaking and hearing in relation to events that precede and follow them (Briggs and Bauman 1992). We outlined a range of techniques that are used in foregrounding either the gaps between communicative settings and events or the links that draw them closer, thereby relating their respective social formations, forms of authority, and discursive practices. What the case of the “confession” brings home is the extent to which this process is embodied in discursive practices that greatly constrain how gaps and links may be created, what techniques are available to which participants, and who is able to imbue utterances with authority. These practices are particularly closely regulated in institutional settings; as Cicourel (1968) and Sudnow (1965) have shown, they consist of both official, overtly stated as well as unofficial and often implicit ones. At the same time, these institutional roles are set within larger social relations. Recordings of exchanges that take place within one type of institutional setting, such as an interrogation, will not prove sufficient to document the way that discourse circulates within and between organizations and other contexts. Unless we widen the inquiry in this fashion, we will be unable to grasp how discourse is produced and received in institutions or how this “talk” shapes social relations in institutions and beyond.

This point brings me back to the question of the epistemological foundation on which evaluations of relevance and consequentiality are to be based. Drew and Heritage (1992: 3) make it clear that “talk-in-interaction is the principal means through which lay persons pursue various practical goals and the central medium through which the daily working activities of many professionals and organizational representatives are conducted.” In studying “institutional interaction,” “the basic forms of mundane talk constitute a kind of benchmark against which other more formal or ‘institutional’ types of interaction are recognized and experienced” (1992: 19). Drew and Heritage follow most researchers in CA in defining “ordinary conversation” in terms of “casual conversation between peers,” that is, in face-to-face interaction. Questions of relevance and consequentiality are to be assessed in terms of how identities, contextual features, and the like are “locally produced” (ibid.) and are empirically observable vis-à-vis what the participants say and do in the course of a particular interaction—as it appears on the transcript.¹⁰

Viewing institutional discourse as derived from a privileged realm of “casual conversation between peers” marginalizes the pervasiveness of inequalities of power in institutional discourse for two reasons. First, Drew and Heritage (1992: 50, 43-44) note that differential states of knowledge are pervasive in interactions between professionals and lay persons and that such encounters are largely organized by professionals. This fundamental observation contradicts the assertion that “casual conversation between peers” provides the bedrock for producing and receiving institutional talk. This premise can produce a false image of conversational equality, since it seems to suggest that institutional representatives and their clients enjoy equal access to “the basic forms of mundane talk.” In my view, this assumption blunts the analytic and political value of Watson’s (1990) fascinating study of the production of murder “confessions.” With respect to Ms. Gómez’s “confession,” the

¹⁰ See Bauman and Briggs (1997) for an extended critique of these dimensions of CA research.

question seems to be not only one of differences in access to expert knowledge and discursive practices and to discourse that emerged in testimony from witnesses and physicians, autopsies, and examinations of physical evidence but of a fundamental asymmetry in the power to determine how utterances can circulate between contexts, epistemologies, and institutions, the way that narratives can be structured, and what sorts of legal effects can accrue to particular discursive relations.

Second, the political and discursive importance of regulating the circulation of discourse leads me to disagree with the basic CA methodological that we should “turn to factors that are exogenous to the interaction” only after exhausting “endogenous” (Drew and Heritage 1992: 53). Schegloff argues that “professional characterizations of the participants [must] be grounded in aspects of what is going on that are demonstrably relevant *to* the participants, and at that moment — at the moment that whatever we are trying to provide an account of occurs” (1992: 109; emphasis in original). But the present case suggests that considerations of relevance and consequentiality cannot be limited to one bounded interaction, at least in the case of institutional talk. Institutional exchanges are commonly placed within long chains of interactions between individuals and institutional officials (as evident in the treatment of a serious illness or injury, a court case, an educational career, and the like). For this reason, the way that clients and professionals alike are oriented to what is said and done in a particular interaction orients them simultaneously to events that have taken place previously and to how the ongoing interaction will shape further talk and action—such as judicial decisions, courses of medical treatment, and responses to emergencies. Limiting the scope of our analysis or even according methodological and epistemological priority to analytically isolated institutional interactions would thus fail to capture what is relevant to the participants and what they deem to be consequential. These effects may emerge in the form of *silences* in the transcript and of ways that the form and content of the discourse as a whole are shaped and constrained (see Gal 1991 and Patricia O’Connor’s article in this special issue). Such effects cannot be recovered by analysis of the semantic and/or indexical features of what is said and done without having recourse to data on the circulation of discourse. While this broader understanding is critical for the study of institutional discourse, Amy Shuman’s (1986) work on adolescent gossip suggests that the circulation of discourse is also vital in the case of “ordinary conversation” and narrative as well.

It would be easy to dismiss my analysis as being of only marginal relevance to many pragmatic approaches to institutional talk, particularly to CA, since it is based on a court record of the “confession” rather than a recording of the interaction and a detailed scholarly transcript. To do so, however, only adds the force of methodological mandate to the guiding premise regarding the analytic priority of bounded contexts. Only rarely do we have recordings of successive “naturally situated and naturally occurring” (Watson 1990: 264) recontextualizations of utterances. One of the useful features of conducting research on legal, medical, or other institutional settings (see Cicourel 1982; Conley and O’Barr 1990; Matoesian 1993) and verbal art performance (see Bauman and Briggs 1990; Sherzer 1983) is that successive representations of events are often accessible. Nevertheless, not only is it seldom possible to record in the full range of discourses and settings in which discourses are recontextualized, but only allowing recorded examples of “naturally occurring” interaction to count as data creates just the sort of a priori constituting factors that CA was designed to eliminate; researchers are required to rule out study of a vast range

of settings. The question is not simply whether researchers should study texts—the study of texts has always been part of pragmatics—or whether tape recordings or written texts are better sources of data.¹¹ The question is rather one of how rigid methodological postulates protect the epistemological priority of commonsense theoretical notions.

Moreover, according validity only to analyses based on tape-recordings and scholarly transcripts fetishes the researcher's own practices of inscription in a manner that is a priori, empirically untenable, and theoretically indefensible, at least for the study of institutional discourse. This is not to say that working from recordings and presenting transcripts derived from them is irrelevant or misguided. The problem is that participants in institutional interactions are themselves intimately involved in and oriented to the inscription of discourse, and their efforts to determine the form and content of what is written "*has determinate consequences for the talk,*" to quote Schegloff (1992: 111; emphasis in original). Watson's data are unusual in that a video tape of the entire interrogation is available. But it is telling that we are not provided with any sense as to how these "confessions" were used in court, i.e., what sorts of written records and oral retellings were constructed by the court and what sorts of legal weight accrued to them. While grasping interactional dimensions is invaluable, it does not provide a sufficient basis for determining the social weight that will be attached to the production and reception of discourse. While the oral arguments heard by the US Supreme Court and debates on the floor of Congress are extremely consequential, their lasting impact largely springs from written opinions and legislation that is signed into law.

CA practitioners are not alone in suggesting that the domain of empirical analyses of discourse should be confined to recorded, "naturally occurring" talk; Joel Sherzer (1987) defines the "discourse-oriented" approach in precisely this way. And the contention that validity should be accorded only to transcripts that open up no gaps between the spoken and written word is not confined to the discursive practices that constitute certain fields of pragmatics (see Blommaert 1997) or even to scholars—the Venezuelan criminal system stipulates that a confession must be presented aloud (*de viva voz*) and be recorded "without any correction of language, in the very terms in which it was expressed" (*Venezuelan Code of Criminal Prosecution*, Art. 194). My decision to analyze this case emerged, in part, from a desire to question the empirical, theoretical, and political authority of these assumptions. While the nature of the material at my disposal limited my grasp on some aspects of how the "confession" was interactionally produced, the court records—along with the interview materials—revealed a great deal about what was relevant to and consequential for the participants.

Fortunately, a growing body of work that is located squarely with CA is now moving beyond these methodological limitations in two fundamental ways. As I noted at the beginning of this article, researchers have examined the use of video cameras, computer monitors, written documents, radios, and other modes of producing, circulating, and receiving discourse in institutional and other settings. Accordingly, words uttered by interlocutors in face-to-face interactions are in many cases no longer analytically isolated from or methodologically privileged with respect to these other modalities. Second, what is said and what it means in, for example, an airline control room, is now studied in relation to communications that are produced in other settings (like cockpits and baggage handling

¹¹ I thank Allen Grimshaw for raising this question.

stations) and other times (such as previously formulated plans) (see C. Goodwin 1996; C. and M. H. Goodwin 1996; Harper and Hughes 1993; Suchman 1993, 1996).

I see this work as being of great importance not only to empirical understandings of discourse and institutions but also in exploding the methodological constraints that I have been criticizing. One danger here is that canons pertaining to exhaustiveness and transparency in data collection may simply be greatly *extended* in the wake of this new research agenda, resulting in claims that only “high tech” recordings that involve multiple, synchronized video cameras and will render authoritative data. Discourse not captured by this complex web of video and computer technology might once again be marginalized as a subject of scholarly inquiry, thereby placing researchers who lack access to this expensive technology at a disadvantage. When such research on institutional discourse is funded by institutions that market the types of hardware and software that are being studied, the need to scrutinize questions of access, definitions of research topics and methods, and issues and subject relations—who gets to study whom—is acute, just as for research agendas as a whole. The drive to see and hear everything brings to mind Jeremy Bentham’s plan for the Panopticon (1791), a political technology that permits observation of every detail of everyday life in a quintessential total institution, the prison (see Foucault 1979[1977]). It is critical that this emerging body of research confront methodological dilemmas not only with technological solutions but with a rigorous questioning of theoretical assumptions. As I have argued, this step is crucial if students of pragmatics wish to question—rather than simply to reify—the epistemological premises and political practices that underlie forms of social inequality that lurk not only in institutions but in social life as a whole.

I also chose Ms. Gómez’s case in view of its consequentiality, if you will allow me to shift to a very different sense of this term. This “confession” played a key role in keeping Ms. Gómez in jail for more than 3 years. She might well have served 20-30 years if the judicial process had not been interrupted by *another* abortion. Ms. Gómez was again admitted to the Luis Razetti Hospital in Tucupita in September of 1995. This time the father was one of the guards assigned to the small cell in which she had been held, the individual who observed our interview. When Ms. Gómez became pregnant after she was raped repeatedly, the guard attempted to induce an abortion; she nearly died. When an anthropologist leaked this information to the local paper, the state government was confronted with a scandal. Reportedly responding to pressure from the governor’s office, one month later the judge declared Ms. Gómez to be guilty of the lesser charge, Culpable Homicide (Art. 411), determined that she had served her sentence, and released her. Even though this sort of abortion is also punishable under Venezuelan law, the guard never became an inmate himself—he was rather required to wed Ms. Gómez in a sham marriage. Nevertheless, after the governorship was secured by the opposing political party, the prosecutor filed a petition in the Court of Appeals, arguing that Ms. Gómez is guilty of Intentional Homicide and thus should serve the full 20-30 years. Moreover, the consequences of this case were much broader; becoming a local *cause célèbre*, it was widely seen as a signal on the part of the state government that protests regarding land expropriation, environmental degradation, lack of political representation, and human rights abuses that were being advanced by individuals who are deemed to be “Warao” would be met by increased repression rather than any sort of political opening.

If we concern ourselves with this broader sense of consequentiality—the impact of a given discursive event on institutional outcomes and on society at large—analyzing how

individuals and institutions gain control over the practices that shape how discourse is recontextualized seems crucial. By enlarging the scope of the analysis in this fashion, I believe that pragmatic inquiries into institutional discourse can become more consequential themselves, providing us with vital new perspectives on old Weberian questions (that remain pressing social and political issues) regarding how institutions work and why they exert such powerful effects on contemporary life.

References

- Atkinson, J. Maxwell & Paul Drew (1979) *Order in court: The organization of verbal interaction in judicial settings*. London: Macmillan.
- Bakhtin, M.M. (1981) *The dialogic imagination: Four essays.*, Michael Holquist (ed.), Caryl Emerson and Michael Holquist (transl.). Austin: University of Texas Press.
- Barral, P. Basilio María de (1964) *Los indios guaraunos y su cancionero: Historia, religión y alma lírica*. Madrid: Departamento de Misionología Española, Consejo Superior de Investigaciones Científicas.
- Bauman, Richard (1986) *Story, performance, and event: Contextual studies of oral narrative*. Cambridge: Cambridge University Press.
- Bauman, Richard & Charles L. Briggs (1990) Poetics and performance as critical perspectives on language and social life. *Annual Review of Anthropology* 19: 59-88.
- Bauman, Richard & Charles L. Briggs (1997) Authorizing discourse. Manuscript in possession of authors.
- Benson, Douglas (1993) The police and information technology. In Graham Button (ed.), *Technology in working order: Studies of work, interaction, and technology*. London: Routledge, pp. 81-97.
- Briggs, Charles L. & Richard Bauman (1992) Genre, intertextuality, and social power. *Journal of Linguistic Anthropology* 2: 131-72.
- Briggs, Charles L. and Clara Mantini Briggs (1998) Can intersectional performativity become a hegemonic tool? Gender, race, class, and institutional authority in an infanticide trial in Venezuela. *Law and Social Inquiry* (in press).
- Cicourel, Aaron V. (1968) *The social organization of juvenile justice*. New York: John Wiley and Sons.
- Cicourel, Aaron V. (1982) Language and belief in a medical setting. In Heidi Byrnes (ed.), *Contemporary perceptions of language: Interdisciplinary dimensions*. Washington, D.C.: Georgetown University Press, pp. 48-78.
- Cicourel, Aaron V. (1992) The interpenetration of communicative contexts: Examples from medical encounters. In Alessandro Duranti and Charles Goodwin (eds.), *Rethinking context: Language as an interactive phenomenon*. Cambridge: Cambridge University Press, pp. 291-310.
- Código de enjuiciamiento criminal*. (1995) *Gaceta Oficial de la República de Venezuela*, Num. 5.028.
- Código penal venezolano*. (1994) *Gaceta Oficial de la República de Venezuela*, Num. 915.
- Conley, John M. & William M. O'Barr (1990) *Rules versus relationships: The ethnography of legal discourse*. Chicago: University of Chicago Press.

- Derrida, Jacques (1974[1967]) *Of grammatology*. tr. Gayatri Chakravorty Spivak. Baltimore: Johns Hopkins University Press.
- Drew, Paul & John Heritage (1992) Analyzing talk at work: An introduction. In Paul Drew and John Heritage. (eds.), *Talk at work: Interaction in institutional settings*. Cambridge: Cambridge University Press, pp. 3-65.
- Erickson, Frederick & Jeffrey Shultz (1982) *The counselor as gatekeeper: Social interaction in interviews*. New York: Academic Press.
- Fisher, Sue & Alexandra Dundas Todd (1983) *The social organization of doctor-patient communication*. Washington, DC: Center for Applied Linguistics.
- Foucault, Michel (1979[1977]) *Discipline and punish: The birth of the prison*. Tr. Alan Sheridan. New York: Vintage.
- Gal, Susan (1991) Between speech and silence: The problematics of research on language and gender. In Micaela di Leonardo (ed.), *Gender at the crossroads of knowledge: Feminist anthropology in the Postmodern Era*. Berkeley: University of California Press, pp. 175-203.
- Goodwin, Charles (1994) Professional vision. *American Anthropologist* 96.3: 606-33.
- Goodwin, Charles & Alessandro Duranti (1992) Rethinking context: An introduction. In Alessandro Duranti and Charles Goodwin (eds.), *Rethinking context: Language as an interactive phenomenon*. Cambridge: Cambridge University Press, pp. 1-42..
- Goodwin, Charles & Marjorie Harness Goodwin (1996) Seeing as situated activity: Formulating planes. In Yrjö Engelström and David Middleton (eds.), *Cognition and communication at work*. Cambridge: Cambridge University Press, pp. 61-95.
- Harper, R.H.R. & John A. Hughes (1993) 'What a f-ing system! Send 'em all to the same place and then expect us to stop 'em hitting': Making technology work in air traffic control. In Graham Button (ed.), *Technology in working order: Studies of work, interaction, and technology*. London: Routledge, pp. 127-44.
- Heath, Christian (1986) *Body movement and speech in medical interaction*. Cambridge: Cambridge University Press.
- Heath, Christian & Paul Luff (1993) Disembodied conduct: Interactional asymmetries in video-mediated communication. In Graham Button (ed.), *Technology in working order: Studies of work, interaction, and technology*. London: Routledge, pp. 35-54.
- Heath, Christian & Paul Luff (1996) Convergent activities: Line control and passenger information on the London Underground. In Yrjö Engelström and David Middleton (eds.), *Cognition and communication at work*. Cambridge: Cambridge University Press, pp. 96-129.
- Heinen, H. Dieter (1988) Los Warao. In Walter Coppens, Bernarda Escalante, and Jacques Lizot (eds.), *Los aborígenes de Venezuela*. Vol. 3, *Etnología contemporánea*. Caracas: Instituto Caribe de Antropología y Sociología, Fundación La Salle de Ciencia Naturales, pp. 585-689.
- Heritage, John & J. Maxwell Atkinson (1984) Introduction. In J. Maxwell Atkinson, and Paul Drew (eds.), *Structures of social action*. Cambridge: Cambridge University Press, pp. 1-15.
- Labov, William & Joshua Waletzky (1967) Narrative analysis. In June Helm (ed.), *Essays on the verbal and visual arts*. Seattle: University of Washington Press, pp. 12-44.
- Levi, Judith N. & Anne Graffam Walker (eds.) (1990) *Language in the judicial process*. New York: Plenum.

- Luff, Paul & Christian Heath (1993) System use and social organisation: Observations on human-computer interaction in an architectural practice. In Graham Button (ed.), *Technology in working order: Studies of work, interaction, and technology*. London: Routledge, pp. 184-210.
- Lynch, Michael (1985) *Art and artifact in laboratory science: A study of shop work and shop talk in a research laboratory*. London: Routledge & Kegan Paul.
- Matoesian, Gregory M. (1993) *Reproducing rape: Domination through talk in the courtroom*. Chicago: University of Chicago Press.
- Maynard, Doug (1984) *Inside plea bargaining: The language of negotiation*. New York: Plenum.
- Mehan, Hugh (1979) *Learning lessons: Social organization in the classroom*. Cambridge, MA: Harvard University Press.
- Merritt, Marilyn (1976) On questions following questions (in service encounters). *Language in Society* 5: 315-57.
- Mishler, Elliot G. (1984) *The discourse of medicine: Dialectics of medical interviews*. Norwood, New Jers.: Ablex.
- OCEI (Oficina Central de Estadística e Informática) (1992) *El censo 90 en Delta Amacuro: Resultado básicos*. Caracas: Taller Gráfico de la Oficina Central de Estadística e Informática.
- Ochs, Elinor, Patrick Gonzales & Sally Jacoby (1996) "When I come down I'm in the domain state": Grammar and graphic representation in the interpretive activity of physicists. In Elinor Ochs, Emanuel A. Schegloff, and Sandra A. Thompson (eds.), *Interaction and grammar*. Cambridge: Cambridge University Press, pp . 328-69).
- Philips, Susan U. (1986) Reported speech as evidence in an American trial. In Deborah Tannen (ed.), *1985 Georgetown University Roundtable on Language and Linguistics*. Washington: Georgetown University.
- Pomerantz, Anita (1987) Descriptions in legal settings. In Graham Button and John R.E. Lee (eds.), *Talk and social organisation*. Clevedon, UK: Multilingual Matters, pp. 226-43.
- Sacks, Harvey (1984) Notes on methodology. In J. Maxwell Atkinson and John Heritage (eds.), *Structures of social action*. Cambridge: Cambridge University Press, pp. 21-27.
- Sacks, Harvey, Emanuel A. Schegloff & Gail Jefferson (1974) A simplest systematics for the organization of turn-taking for conversation. *Language* 50.4: 696-735.
- Schegloff, Emanuel A. (1992) On talk and its institutional occasions. In Paul Drew and John Heritage (eds.), *Talk at work: Interaction in institutional settings*. Cambridge: Cambridge University Press, pp. 110-34.
- Schenkein, James (ed.) (1978) *Studies in the organization of conversational interaction*. New York: Academic
- Sharrock, Wes & Roy Turner (1978) A conversational environment for equivocality. In James Schenkein (ed.), *Studies in the organization of conversational interaction*. New York: Academic, pp. 173-97.
- Sharrock, Wes & Bob Anderson (1987) Work flow in a paediatric clinic. In Graham Button and John R.E. Lee (eds.), *Talk and social organisation*. Clevedon, UK: Multilingual Matters, pp. 19-53.
- Sherzer, Joel (1983) *Kuna ways of speaking: An ethnographic perspective*. Austin: University of Texas Press.
- Sherzer, Joel (1987). A discourse-centered approach to language and culture. *American Anthropologist* 89: 295-309.

- Shuman, Amy (1986) *Storytelling rights: The uses of oral and written texts by urban adolescents*. Cambridge: Cambridge University Press.
- Suchman, Lucy (1993) Technologies of accountability: Of lizards and aeroplanes. In Graham Button (ed.), *Technology in working order: Studies of work, interaction, and technology*. London: Routledge, pp. 113-26.
- Suchman, Lucy (1996) Constituting shared workspaces. In Yrjö Engelström and David Middleton (eds.), *Cognition and communication at work*. Cambridge: Cambridge University Press, pp. 35-60.
- Sudnow, David. (1965) Normal crimes. *Social Problems* 12: 251-76.
- Taussig, Michael (1987) *Shamanism, colonialism and the wild man: A study in terror and healing*. Chicago: University of Chicago Press.
- Taussig, Michael (1997) *The Magic of the state*. New York: Routledge.
- Volosinov, V.N. (1973[1930]) *Marxism and the philosophy of language*. Ladislav Metejka and I.R. Tirunik, trans. New York: Seminar Press.
- Watson, D.R. (1990) Some features of the elicitation of confessions in murder interrogations. In George Psathas (ed.), *Interaction competence*. Washington, DC: International Institute for Ethnomethodology and Conversation Analysis and University Press of America, pp. 263-95.
- Weber, Max (1968) *Economy and society: An outline of interpretive sociology*. Guenther Roth and Claus Wittich, eds. New York: Bedminister Press.
- West, Candace (1984) *Routine complications*. Bloomington: Indiana University Press.
- Wilbert, Johannes (1993) *Mystic endowment: Religious ethnography of the Warao Indians*. Cambridge, MA: Harvard University Center for the Study of World Religions.
- Woolgar, Steve (1988) Time and documents in research interaction: Some ways of making out what is happening in experimental science. In Michael Lynch and Steve Woolgar (eds.), *Representation in scientific practice*. Cambridge, MA: M.I.T. Press, pp. 123-52.