

## ANALYSIS OF THE TYPE OF INTERRUPTION IN COURTROOM CONVERSATION

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**ABSTRACT:** *This paper analyzes the performance and the role of two types of interruptions: Intrusive interruption (II) and Cooperative interruption (CI), which were distinguished by Murata from the pragmatic perspective, and all conversational materials used in this paper are from China Court Trial Online. Different from the daily communication, the courtroom conversation has a specific situation, which reflects the the power and status of the participants. Through the analysis of the interruptions in the courtroom conversation, this paper can provide reference for the analysis of other institutional interruptions.*

**KEYWORDS:** courtroom conversation, conversational interruptions, intrusive interruption, cooperative interruption

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### INTRODUCTION

The current research on conversational interruption in China is mainly concentrated in the field of institutional conversations, while courtroom conversation is typical of institutional conversations. Bogovh and Brenda Danet were the first to analyze the court conversation. They found that the interruptions of lawyers are more frequently and occur in the middle of the turn, while the interruptions of litigants are less frequently and occur at the end of the sentence. Therefore, the lawyer has more control rights over the conversational topics, and the interruption of the litigator is used to supply and explain the content of the conversation[12][5]. Chinese scholar Liao Meizhen (2003) analyzed the corpus of interruptions in Chinese courtroom and found that intrusive interruptions occurred more frequently in the court, and prejudges and lawyers took the initiative to interrupt conversations more often than litigants[4]. In the later studies, Liao Meizhen (2009) analyzed the words of trial interruption, and found that interruptions of the trial are asymmetrical in terms of quantity and function[6]. The prosecutors interrupt most, the defense lawyer interrupted the least, the judge is in the middle of them. But courtroom conversations are inextricably linked to factors such as power and social status. O'Barr and Conley(1998) first proposed the factor of power needed to be considered in relevant studies[5]. And Liao Meizhen (2004) also proposed that power exists in everywhere and any form of legal activities[5]. Therefore, it can explain the asymmetry of interruptions in the trial. As for the study on the relationship

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between interruption and power in courtroom conversation, Jiang Ting, Li Meiqi and Yang Yumei (2016) explored the relationship between interruption strategies and power in the trial, and the results showed that interruption strategies of prosecutor were flexible and varied, which would adjust according to different communicative purposes and promote the smooth process of the trial[2]. As for conversation analysis, Ge Yunfeng (2011) started from the concept of "institution" and analyzed the institutional characteristics of courtroom conversation[1]. Zhang Liping and Jin Xiaobo (2004) analyzed the verbal communication between the prosecutor and the defendant based on the Cooperative Principle of Grice[13]. Starting from the theoretical framework of conversational structure, Lv Wanying (2005) made an in-depth discussion on the pragmatic function, interactive characteristics, power relations and functions of intrusive interruptions in judicial mediation[7]. This paper analyzes the phenomenon of interruptions in the courtroom conversation, which all materials are from China Court Trial Online.

### **Conversational Interruption**

In daily communication, people tend to adhere to a certain conversational pattern, which encourages the conversation to continue to develop. On the basis of the analysis of these conversation patterns, Sacks, Schegloff and Jefferson (1974) put forward the turn-taking theory. They believe that turning should take place at the transition - relevance place (TRP), and there is only one speaker in a turn. After the speaker has reached the transition - relevance place, the other speaker takes the next turn in order fashion to start speaking, which can promote the smooth development of the conversation[11]. However, during the process of the communication, the conversation will not exactly follow this pattern. Interruptions occur when participants in a conversation tend to start speaking before the previous turn reaches the transition - relevance place. Zimmerman and West (1975), the famous American sociologists, first conducted a systematic study on conversational interruptions[14]. They believed that interruptions violated the rules of turn taking and infringed on the speaker's right to construct a turn. Under the condition that the speaker's turn has not yet ended, if another speaker emits two or more syllables, the conversation is regarded as interruptions. Although the frequent occurrence of conversational interruption in daily communication will affect the interpersonal relationship, the trial conversation is different from it, and it has obvious institutional characteristics. Therefore, there is a great significance to study the phenomenon of the trial conversation interruption.

After understanding the definition of interruptions, many scholars have classified interruptions. Firstly, Roger et al. (1988) studied the structure of interruptions. They classified interruptions as a (an) /multiple successful/unsuccessful interruptions[10]. A successful interruption is one in which the interrupter stops the speaker from speaking

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and succeeds in gaining the conversation, while an unsuccessful multiple interruption is one in which the interrupter tries several times to speak without interrupting the conversation. All the interrupt corpus used in this paper are a successful interruptions. Secondly, Murata (1994) divided interruptions into Intrusive Interruptions and Cooperative Interruptions from the perspective of the function of interruptions[8]. Intrusive Interruptions aim to prevent the speaker from continuing to speak by changing the topic, competing for taking the floor, or showing the opposite opinion, while cooperative interruptions promote the development of the conversation by means of helping , agreeing and clarifying. There are also domestic scholars to distinguish the function of interruption. Gu Yueguo (1999) believes that conversation has three functions: upward, downward and forward[12][3]. If the interruption turn has semantic connection with the previous word turn, it has upward function. If the interruption will affect the content of the subsequent session, it has the downward function. All interruptions have a forward function to help the conversation continue. On the basis of Roger et al. (1988), Li Yue'e and Shen Zhiqi (2003) made a detailed analysis and description of the interruptions in conversation from the perspective of functions, and revealed the rules and modes of the three functions of conversation proposed by Gu Yueguo[3]. Finally, from the semantic point of view, different types of interruptions have different degrees of semantic connection with the content of the conversation.

Based on the classification of interruptions distinguished by Murata (1994), this paper classifies interruptions in courtroom, and analyzes the characteristics and functions of different types of interruptions in courtroom conversation.

### **Cooperative interruptions in courtroom conversation**

The cooperative interruptions proposed by Murata mainly include Agreement, Clarification and Tangentialization.

#### **Agreement interruption**

Agreement interruptions refer to the way in which the current speaker agrees with the content of the speech. In order to follow the conversation after the interruption, the interrupter often makes the same point of message as the interruptee to promote the harmonious development of the talking. In the courtroom conversation, the prosecutor usually makes statements or asks questions about the facts of the case, and the clients need to answer according to the actual situation. However, when the words of prosecutor are still not over, the clients will interrupt with agreement words and confirm part of the information in the conversation. Agreement interruption is shown in

Example 1:

Prosecutor: You wanted to divorce, didn't you? What is your reason for making

this request?

Accuser: The reason is that we have parted nine years and our relationship has broken down.

Prosecutor: The main reason is that (Interrupt)

Accuser: Yes.

Prosecutor: Nine years, your relationship (Interrupt)

Accuser: Yes, our relationship has broken down.

In the Example 1, in order to understand the reasons for the divorce of the couple, the prosecutor asks the reasons for the divorce and some details during the proceedings of the accuser. The accuser then stated the reasons for the divorce. For the sake of the further determine whether the reason is true, the prosecutor is going to repeat the words of accusers. But before the end of the turn of the prosecutor, the accuser predicts what the prosecutor will ask, and answers affirmatively with the tone of "Yeah" to show the approval of the restatement. After getting the affirmative answer of the accuser, the prosecutor continued his unfinished words to determine the reason of divorce provided by the accuser again. At the same time, the accuser interrupts again to firmly answer the question what the prosecutor is about to repeat. Agreement interruption plays an important role in the courtroom. It is beneficial to help the prosecutor to understand clearly the facts of the case. It can also help to clarify the truth of the statement of the accuser and the defendant, and to ensure the fairness of the trial.

### **Clarification interruption**

Clarification interruptions are those that questions are asked to seek further explanation or clarification of part of the conversation. In the courtroom conversation, this type of interruption often occurs in the speaker's turn. During the process of stating the facts of the case, the accuser or the defendant is not clear about some information, which requires the prosecutor interrupts in time and ask questions about the stated part of the information to seek more detailed explanation and explanation. Clarification is shown in Example 2:

Prosecutor: What is the specific loan of 230,000 yuan that accuser advocate? How is it lent?

Accuser: That's the house he built (Interrupt)

Prosecutor: I ask you how is it lent? Why did you borrow the money? How did you lend 230,000 yuan?

Accuser: It's my pay card, and then lent it by my sister, brother and my own savings (Interrupt)

Prosecutor: How did your sister and brother give money to you? Did you transfer the money to him?

Accuser: Yes, the cards of my sister and my brother. He owned my card. My brother and sister give money to me and I transferred to him, and then transferred to

me. So he took the money directly. At that time (Interrupt)

Prosecutor: Do you mean that you handed over your bank card to the defendant to use and the defendant withdrew money through your bank card?

Accuser: Yes, yes, yes, yes.

As shown in Example 2, the prosecutor asks how the money is to be lent, but the accuser's answer is not relevant to the question. At this time the prosecutor interrupted the accuser for retelling the question to further ask. After the accuser made relevant answers, the prosecutor interrupted the accuser for a second time to ask how the money was transferred, and the accuser clarified the reason for the loan of 230,000 yuan. However, because the words of accuser is redundancy and the logical relationship is not clear. Therefore, the prosecutor interrupted again to express the accuser's idea in a more concise and clear way, and asked whether it was consistent with the accuser's lawsuit. The accuser answered affirmatively. This type of interruption occurs in the form of questioning. In order to understand the basic demands of the litigants and the basic facts of the case, the prosecutor has the right to interrupt and ask further questions about unclear information. Therefore, Clarification interruptions in the courtroom are conducive to the prosecutor to understand the details of the case and lay a foundation for a fair judge.

### **Tangentialization interruption**

Tangentialization interruptions are closely related to the content of the conversation, especially the connection between the interrupting and the interrupted turn. Interruptions are meant to follow up the next turn of conversation to express something that participants in the conversation agree with. In the courtroom conversation, the litigants cannot fully express their requests, or they cannot state clearly because of nervousness, they need the prosecutor to help supplement the litigation information. Therefore, the prosecutor can better understand the trial content. Tangentialization interruption is shown in Example 3:

Accuser: Actually, except for the construction project, the accuser financed the defendant's cement money at this time. After the accuser paid the money, we reserve the right to ask the defendant to return the money because the original copy was found, but the copy was not found. (Interrupt)

Prosecutor: That is to say the cement money paid should be advocated.

Accuser: That's the one we keep (Interrupt)

Prosecutor: Authorization?

Accuser: Yes, we keep authorization.

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As shown in Example 3, the accuser stated his appeal and indicated the cause and effect of the case. But his words are too long to make the main information is not clearly expressed. The prosecutor interrupted the accuser's speech and asked whether the purpose of his lawsuit is to advocate the cement money. At this time, the interruption of prosecutor helps the accuser clarify the main purpose of the lawsuit and his litigation needs. However, the accuser's answer is still not clear. Therefore, the prosecutor interrupts the statement of accuser again and asks whether the purpose of the accuser was to retain the authorization. Finally, the accuser answers in the affirmative. In the courtroom conversation, the prosecutor often uses the Tangentialization interruptions to inquire and complete the litigation purpose, so as to help the litigant to sort out the case smoothly, thus promoting the efficient and smooth progress of the whole trial.

### **Analysis of the type of interruption in courtroom conversation**

The Intrusive Interruption proposed by Murata(1994) mainly includes the Floor Taking Interruption, Topic Changing Interruption and Disagreement Interruption.

#### **Floor Taking Interruption**

During the proceeding of courtroom, the statement of the clients is easy to deviate from the theme and describe other circumstances unrelated to the case. In order to make the case more concise and clear, the prosecutor needs to interrupt the speech of the clients in time. The prosecutor has the right to take the floor and guide the clients to state the relevant circumstances of the case. Floor taking interruption is shown in Example 4:

Prosecutor: Let me ask the accuser again. Because you have paid the legal costs in advance, if you win the case, do you agree to voluntarily bear the legal costs after the victory?

Accuser: You say that the defendant will bear the litigation costs.

Prosecutor: I just ask whether you are willing to voluntarily undertake?

Accuser: Well, this is (Interrupt)

Prosecutor: There is nothing else needs to say. You just say Yes or No directly.

This is your decision. Could you Look at the problem again? The problem is that do you want to undertake the if you win the case (Interrupt)

accuser: No, I don't.

As shown in Example 4, the prosecutor asks the accuser whether he is willing to bear the litigation costs after winning the lawsuit, but the accuser hesitates to answer. At this time, the prosecutor interrupts the accuser to control the floor to ask and remind the accuse again what the problem is. When the prosecutor retold the question, the accuser understood the question clearly. Therefor, he regains the right to speak and give a clear answer. In this type of interruption, the prosecutor and the litigant can alternately compete for the right to speak. By scrambling for the right to speak type of interruption,

the prosecutor can quickly understand the real demands, the litigants can also more briefly explain the details related the case. It is not only used to save the time of the trial, but also to promote the trial smooth running.

### **Topic Changing Interruption**

Topic changing interruptions are impolite in daily conversation. This type of interruption has no relation with the current content of the conversation. On the contrary, it abruptly shifts the conversation to a new topic. During the courtroom conversation, when the prosecutor believes that the content of a certain part of the lawsuit has been clarified and there is no need for further statement, he will interrupt the litigant's appeal and move on to a new topic related to the case. Topic-changing interruptions are shown in Example 7:

Prosecutor: What is your position? Are you the general manager or a cashier of the company?

Defendant: Well, I am the executive director.

Prosecutor: Are you also an executive director?

Defendant: About my identity, Because my status has been agreed upon in our shareholder agreement.

Prosecutor: Are you the director or executive director? How can a company have two executive directors?

Defendant: That's us (Interrupt)

Prosecutor: Well, I'm not going to check your identity right now. You don't have to report this. Is the entrusted agent ×××? Is it a general authorization?

Defendant: Yes.

As shown in Example 5, the prosecutor needed to verify the identity of the defendant before the formal trial. However, the identity of the defendant is in doubt, the prosecutor needs to repeatedly confirm whether the defendant was an executive director. When the defendant tried to explain the question of identity, the prosecutor interrupted the defendant. He will not spend time on examining the question of identity any more. In contrast, the prosecutor asks who is the agent and whether the case is general authorization. This type of interruption is mostly controlled by the prosecutor. For the reason that the prosecutor has the dominant power during the trial. Therefore, the prosecutor mostly uses the topic changing interruption to understand the comprehensive information of the case. At the same time, he owns the right to stop the litigants from wasting too much time on unnecessary statements.

### **Disagreement Interruption**

In contrast to agreement interruption, the agreement interruption will not occur on the basis of confirming the content of the conversation. The disagreement negates and

refutes the relevant points of view in the conversation, and then present one's own opinion about the idea. Disagreement interruption is also impolite in daily communication. In the courtroom conversation, however, disagreement interruption is used to correct misinformation so that the accurate information can be provided about the case. This type of interruption is shown in Example 6:

Defendant: The defendant collected the disposal of money of other shareholders and my own own money. There is total of 35,000 yuan, including the commission of 29,800 yuan, 200 yuan deposit.

Prosecutor: Why is the commission so high?

Defendant: The commission is always like this. The total amount received is 292,215 yuan. In 20 (Interrupts)

Prosecutor: When? In the statement, the time does not revolve around the sum of money (Interrupt)

Defendant: No, it has something related to this, Prosecutor.

Prosecutor: OK, then tell me the time?

As shown in Example 6, when the defendant states the basic information of the income and expenditure of the company, the prosecutor interrupts the defendant and thinks that the income and expenditure in the lawsuit submitted by the defendant had not been sorted according to the time relationship. The defendant also thinks that the prosecutor's opinion is wrong. Therefore, he interrupts the prosecutor in a negative way and explained that there is a relationship between the time and expenditure. After that, the prosecutor ask the defendant to continue. During the courtroom conversation, the litigant also holds the initiative of this type of interruption. The first step is negating inaccurate or ambiguous information, and then making corrections to ensure the accuracy of all information in the trial.

## CONCLUSION

This paper briefly analyzes the types of conversational interruptions in court proceedings and their roles. Based on the analysis of conversational interruptions by Murata (1994) from the perspective of pragmatic functions. They mainly include two categories: Cooperative Interruptions and Intrusive Interruptions. These two types of interruptions are conducive to the smooth process of the trial, clear the thoughts of the participants in the trial, clearly present the facts of the case, and ultimately help the prosecutor to make a fair trial. Although interruption is a form of interference to the current speaker, Cooperative Interruptions require timely interruptions by the participants involved in the conversation to respond in time and promote the conversation continues to develop, which is particularly important in the trial.



In addition, power and social status also affects the frequency and effectiveness of interruptions. During the courtroom conversation, the prosecutor is in a powerful position and needs to control the whole trial process. Therefore, the prosecutor is often on the side of active interruptions and controls the discourse power, and the prosecutor also is in a dominant position in both types of interruptions. However, the clients are in the low-power position. The number of active interruptions is less in the trial process and the interruptions mainly occur in the response to the prosecutor's questions.

This paper analyzes the phenomenon of interruptions in courtroom conversation from the pragmatic point of view. As one of the institutional conversations, the analysis of interruptions in courtroom conversation is helpful to provide ideas for other institutional conversation analyses.

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