

Deception in Forensic Interrogation: A Pragma- Linguistic Study

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Abstract:

This study tries to explore what kinds of deception are used in police interrogations and what are their aims. In this type of interaction which is composed mainly of questions and answers- each of which are used routinely as vehicles for other actions such as blaming/accusing and denials/defending. Police interrogation provides an ideal setting in which to study the phenomenon of deception kinds; that is how they are constructed and related to the Gricean maxims as far as their observances and non-observances are concerned. The study proves that suspects use different types of deception, they often flout Gricean maxims to save their legal position; therefore, police detectives have to be trained on how to detect and deal with them.

Key words: Interrogation, Deception, Linguistic Indicators, Grice Maxims.

1. INTERROGATION: DEFINITION AND NATURE

Police interrogation is now a well-established area of study within the forensic linguistic domain of language, of the court

and of the judicial processes, thus, takes a worldwide dimension.

Interrogation is defined as a formal type of dialogue between two people where an interrogator poses questions for the purpose of acquiring some information that the person being interrogated presumably has (Walton, 2003:1772).

Royal and Schutt (1976:21) define interrogation as "the art and mechanics of questioning for the purpose of exploring or resolving issues". They also point out that interrogation style is more formal than interviewing style.

It seems that the main purpose of conducting an investigation is information-seeking. "The information may be needed to assist a police investigation, or for security purposes, before an intended crime or terror activity is committed" (Walton, 2003:1775). In a similar view, Dillon (1990:75) asserts that "the purpose of interrogation is to obtain factual, truthful information about some criminal matter at issue".

2. SOME CHARACTERISTICS OF INTERROGATION

Shuy (1998:42) sees that interrogation is conventionally advocacy and does not contextualize the subject's narrative to suit the interrogator's goal. Interrogation is a descriptive process, not advocacy; it is a fact-finding process, not litigation. Walton (2003:1771) argues that in the light of the argumentation theory, a dialogue is usually considered to be balanced and rational forms of argumentation and that "interrogation is scarcely a model of how to conduct balanced rational argumentation" (ibid.).

Linell (2001:11-2) believes that the *ideal dialogue* is basically an open interaction characterized by cooperation and asymmetry with equal opportunities for participants to take turn and develop topics. Braz (2010: 4) argues that interrogation, on the contrary, is an asymmetrical interaction because the goals and methods of argumentation used by both

parties are different and determine the strategies that each party uses during the course of interrogation as well as the level of cooperation of the person interrogated. The interrogator, on the one hand, keeping a certain purpose in mind, makes use of questions strategies to get information from the interrogated person, while the interrogated person, on the other hand, considers his/her own interests and goals to be the ones who will benefit him/her the most (Braz, 2010.)

Walton (2003:1777) indicates that as "the interrogation is essentially an asymmetrical type of dialogue, so the goals and methods of argumentation used by the one side are quite different from those on the other side".

In spite of the fact that the interrogation seems to be a species of information-seeking dialogue, it tends to contain elements of some of the other types of dialogue. Moreover, interrogation frequently involves negotiation. For example, bargaining is a common aspect of police interrogations (Williams, 2000: 212).

3. THE COOPERATIVE PRINCIPLE

Grice formulates the cooperative principle as follows: "Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged (Grice, 1975:47)

This means that during conversations, the two parties assume that the other party follow these principles in order to produce meaningful and productive utterances under the assumption of cooperativeness (Widdowson, 2007: 56).

3.1. Grice's Conversational Maxims

In order to illustrate how speakers interpret meaning Grice presents, in addition to the cooperative principle, the four maxims. Thanks to these maxims, people can interpret and understand the implied implication of each other's utterances.

Thus, they can communicate effectively with each other (Thomas, 1995: 62).

Thomas (ibid.) observes that Grice divided the cooperative principle into four maxims: **quantity**, **quality**, **relation** and **manner**. Grice conversational maxims are like rules that should be followed to achieve the goals of the interaction (Yule, 2000: 37). According to Griffiths (2006: 135) "a maxim is a pithy piece of widely applicable advice". He goes on to say that Grice's maxim play as "if" role because Grice does not put them as advice to show people how to talk, but he says that communication through conversations proceeds as if speakers are generally guided by these maxims.

3.1.1 The Maxim of Quantity

It is the first maxim of the cooperative principle that is about the amount of information the speaker gives in an utterance in conversations. In other words, it requires speakers to give the right amount of information when they speak. This means not to be too brief or to give more information than required (Cutting, 2002, 34-5).

3.1.2 The Maxim of Quality

Cruse (2000:355) indicates that this second maxim is about the *truthfulness* of the information provided in interaction and (Thomas, 1995:64), the maxim of quality is a matter of *giving the right information*. This maxim requires speakers to provide true information when communicating and avoid providing any false information or without sufficient evidence. In other words, they must avoid lying. Thus, people can only talk, when they are sure of the truthfulness of what they are saying (Cutting, 2002:35).

3.1.3 The Maxim of Relation

This maxim requires the speakers to be relevant to what was said before (Cutting, 2002: 35). In other words, what speakers

say ought to be relevant to the 'topic' or the 'purpose' of communication (Widdowson, 2007:61).

3.1.4 The Maxim of Manner

The last maxim is that of manner which is regarded as less important than the three previous ones. It says that speakers' utterances should be clear and easily understood (Cruse, 2000:375). According to Cutting (2002:35), to observe this maxim, "we should be *brief* and *orderly* and avoid *obscurity* and *ambiguity*". Widdowson (2007:62) says that to apply this maxim speakers must "be *clear*, avoid *ambiguity* and *obscurity*."

4. NON OBSERVANCES OF CONVERSATIONAL MAXIMS

Gricean maxims can be broken or breached which lead to generating a conversational implicature. If the speaker breaks these maxims, he would provoke the hearer(s) to infer the implicit meaning and its reasons with the aid of the cooperative principle for the interaction to continue.

In everyday language, however, people fail to observe or fulfill the maxims on many occasions. This may be possible because they are incapable of speaking clearly (they are nervous, frightened, have a stammer, etc.) or because they deliberately choose to lie. Grice (1975: 49) distinguishes three ways of failing to observe a maxim: **flouting a maxim**: the speaker blatantly fails to observe a maxim, **violating a maxim**: unostentatious non-observance of a maxim, and **opting out a maxim**: the speaker indicates unwillingness to cooperate in the way the maxim requires of a maxim. Later on, he adds a fourth category of non-observance: **infringing a maxim**: the speaker fails to observe a maxim without any intentions. Several writers since Grice have argued the need for a fifth kind of non-full observance — **suspending a maxim**:

the speaker indicates unwillingness to cooperate in the way the maxim requires.

5. DECEPTION

Most researchers believe that it is not an easy task to present or provide a clear and satisfying definition of the phenomenon of *deception* (Hartwig, 2005: 1).

Bond & Robinson (1988: 296) (cited in Hartwig, 2005: 1) have argued that deception is not a phenomenon exclusive to the human world, and that even animals or plants can deceive. "The philosopher Montaigne, in the sixteenth century, stated that deception "has a hundred thousand faces and an infinite field" (ibid.). O'Hair and Cody (1994: 183) see deception as the deliberate attempt to produce or maintain false impressions among individuals. However, Masip et. al. (2004: 148) define deception as:

The deliberate attempt, whether successful or not, to conceal, fabricate, and/or manipulate in any other way, factual and/or emotional information, by verbal and/or nonverbal means, in order to create or maintain in another or others a belief that the communicator himself or herself considers false.

Vrij (2000:6), agrees with Masip et.al. (2004), and states that deception is a "successful or unsuccessful deliberate attempt, without forewarning, to create in another a belief which the communicator considers to be untrue". However, the human deception in the legal system refers to the deliberate, intentional deception, not unknowing or mistaken deception.

5.1. Classification of Deception

Many scholars have studied and classified the phenomenon of deception and they have presented many classifications such as:

5.1.1. Ekman's (1985) Classification

Ekman (1985:41) divides deception into two basic forms; **falsification** and **concealment** as follows: "concealment is leaving out true information; and falsification, or presenting information as if it were true". When individuals try to hide truth, such actions reflect kinds of deception.

(1) Detective: ... After that, where did you go?

Suspect: I went home, watched TV, dinner, and went to bed....

*The suspect pretends to answer the question orderly while observing the maxims of manner and quantity. But, in fact, he **violates** these maxims. Later on, the police discovers that he is involved in the murder, so he also **violates** the maxim of quality. The suspect also **conceals** information and gives other **distorted** information which represent two kinds of deception. (Al-A'mery, 2014: 81)*

5.1.2. Metts's (1986) Classification

Metts's (1989:165) (cited in McCornack, 1992: 2) reviews the types of deception identified by several authors and concludes that there are four basic ways of altering information:

- (a) Manipulating the amount of information offered,
- (b) Distorting the information offered,
- (c) Presenting the information in an equivocal or ambiguous fashion, and
- (d) Presenting information that is irrelevant to the preceding discourse.

(2) Detective: When was the last time you saw Mrs. M.?

Suspect: Last night, when I unloaded her baggage from the car. She was on a business trip as usual...

*The suspect **flouts** the maxim of quantity as he provides information which is not necessary. He can simply reply "Last night". He also **violates** the maxim of quality as later on the*

*police discovers that he is directly involved in the murder. He also **flouts** the maxim of relevance as most of his answer is not related to the question. The suspect provides **distorted** information and **conceals** other information which represent two kinds of deception. This is also **a manipulation** of information for the aim of keeping his position safe and to avoid implicating and relating himself to the murder. (Al-A'mery, 2014:80)*

(3) Detective: Do not take all this by yourself! Tell me who is your partner?

Suspect: R. I asked him to help me and he agreed.

*The suspect observes the maxims of quality and relevance in his first part of the answer. In contrast, in his second part he **flouts** the maxims of quantity and relevance as he provides more information than required. He can simply mention the name of his partner. Moreover, by not mentioning which R. represents an **opting out** to the maxim of quantity in his first part of the answer. This makes his answer not clear and **ambiguous** and might indicate that he is unwilling to cooperate or reveal more than he wants. (Al-A'mery, 2014:95)*

5.1.3. DePaulo et. al.'s (1996) Classification

DePaulo et. al. (1996: 980-1) agree with Metts's (1986) distinction, but add **distortions** as another kind of deception which represents "the starting point in what really is true, but is tailored to mislead by including for example exaggerations or understatements".

(4) Detective: When was that?

Suspect: I arrived home about 7:00 P.M. I guess....

*The suspect uses **hedges** as one of the **deception language indicators** to avoid giving the exact time which is regarded as a violation of the quantity maxim. He also violates the maxim of quality as tells a lie. The suspect **conceals** information and*

*provides other **distorted** information which represent two **deception kinds**.*

These violation tactics of the maxims help the suspect to avoid any commitment if the police discover the exact time of his arrival to his house in addition to avoiding implicating himself. (Al-A'mery, 2014:82)

5.1.4. Masip et. al.'s (2004) Classification

Masip et. al. (2004: 152) believe that in addition to the concealment and falsification types of deception, there are such processes of *minimization* and *maximization*. They characterize *maximization* (or exaggeration) as "showing great happiness when one is moderately happy as a form of falsification in which what is fabricated goes beyond the truth", while they see *minimization* as "a kind of concealment of little intensity in which the real information is only partially concealed" (ibid.).

They (ibid.:155) conclude that:

Lying consists of manipulating the information offered to a receiver or receivers for instrumental ends... presenting the information ambiguously, or giving information that is irrelevant to the preceding question. Since the receiver assumes that the quantity, quality (veracity), manner (nonambiguous) and relevance of the information will be adequate, the manipulation of these elements will pass unnoticed and the receiver will then be deceived.

(5)Detective: ...Before you said anything, we searched your car and found this key. It is a duplicated key for the back door.

Suspect: So what? I made a copy in case I need it. Ok.

*The suspect violates the maxims of quality and manner. Nevertheless, he also uses the strategy of **minimizing** the event which represents a **kind of deception** by trying "**softening the accident**". He observes the maxim of relevance in his answer. He also provides a justification for copying the key. His answer,*

above all, shows a contradiction with his previous answers. (Al-A'mery, 2014:89)

(6)Detective: Did you steal anything?

Suspect: No, but R. stole her jewelry before she arrives. I knew that later. Then we left. He left from the back door to avoid the building cameras as he entered. That's why I made a copy of the key.

The suspect tries to clear himself from the responsibility of the theft. He denies his participation or even the knowledge of the theft. The suspect violates the maxims of quantity and relevance as he gives more information than required and not related to the question. He can answer by "no" only as the rest of his answer can be answers for other questions. He also uses the maximization kind of deception by accusing his partner of stealing. (Al-A'mery, 2014:101)

5.2. Linguistic Indicators of Deception

It seems that the phenomenon of deception has especial language and particular indicators. There are many attempts, whether theoretical or practical, to study, detect and analyse these indicators. Here are a few of them:

5.2.1. Knapp et. al. (1979)

In examining narratives for possible areas of deception, Knapp et. al. (1979:15-29) identify linguistic indicators of deception in the following five categories: uncertainty, reticence tendency, dependence (disassociation with remarks), negative effect (unpleasantness) and, vagueness (tendency to equivocate). They (ibid.) also claim that deceptive messages contain more speech errors and fewer statements regarding specific facts than truthful messages. For instance, Vagueness is reflected in example (4).

5.2.2. MacDonald and Michaud (1998)

MacDonald and Michaud (1992: 36-8) (cited in Shuy,1998: 46) offer a list of clues to deception which include: brief answers, excessively delayed answers, repeating the questions, hesitation in answering, memory problems, qualified answers, references to honesty, references to religion, softening terms of violence and theft, speaking in the third person, overpoliteness or irritability, and short-lived anger.

(7)Detective: ... But you told me that she had no enemies, didn't you?

Suspect: I do not know, but...but... I did not... did not... kill her.

*The suspect's answer shows **signs of hesitation** which is one of the **clues of deception**. As a result, he infringes the maxim of quality as he does not provide any relevant information. He also infringes the maxim of manner as his answer is not orderly. He infringes the maxim of quantity as he is not so informative.*

These infringements indicate that the suspect is confused and shocked from the detective's questions and his own contradictions.(Al-A'mery, 2014:91)

(8)Detective: You said that Mrs. M. was very comfortable with you, right?

Suspect: Yes, I am hard-working, you know... not being late for her appointments... She was a very busy and rich woman... meetings, parties...

*In his first part of the answer, the suspect observes the maxim of relevance. But he flouts the maxims of quantity and relevance in the second part. In the second part of "**I am hard-working**", he tries to point out his honesty with Mrs. M., which is the strategy of "**references to honesty**" which is one of the clues of deception. His answer shows signs of pauses or hesitations, these can be indicators for thinking or lying as one of the **linguistic clues of deceptions**. (Al-A'mery, 2014:79-80)*

5.2.3. Bachenko et. al. (2008)

Bachenko et. al. (2008: 44) report that "laboratory studies of deception have found that deceivers tend to use fewer self-referencing expressions (I, my, mine) than truth-tellers do and fewer references to others". They (ibid.) also confirm that "changes in the use of referential expressions, like changes in verb tense, have also been cited as indicative of deception", and these changes can be captured formally. Such changes in reference often involve the distancing of an item; deceptive statements may also omit references entirely (ibid.).

5.2.4 Fitzpatrick and Bachenko (2010)

Fitzpatrick and Bachenko (2010: 184) identify a subset of language deception indicators that can be formalized as a linguistic model. The model incorporates three classes of language-based deception clues. They (ibid.: 194) affirm that the deception indicators may include hedges, negative forms, verb tense changes, pronoun changes, memory loss, noun phrase changes, overzealous expressions, qualified assertions, negative emotions, rationalizations of an action, time loss, thematic role changes, topic changes and balance of narrative detail at the beginning, middle, and end of a discourse.

(9)Detective: Who do you think that killed Mrs. M.? Did she have any enemies?

Suspect: No, As far as I know she had no enemies. She was a very nice person

*The suspect flouts the maxim of quantity as he provides more information than required. He also uses **hedges** as an **indicator of deception** and to avoid any self-commitment through his answers. He also violates the maxim of quality as he gives a different reply after that, and he **conceals** information as he already knew the killer(s) and he is one of them. He simply lies. (Al-A'mery, 2014:85-6)*

(10) Detective: Since when do you work for Mrs. M.?

Suspect: I worked for her for three years. I lasted longer than any driver who worked for her. She was very comfortable with me.

*The suspect's answer observes the maxim of quality but violates the maxim of quantity by giving so much information. He also violates the maxim of relevance as this answer is not related to the detective question which is about the duration of the suspect work. This answer contains **irrelevant information** which infers that this represents one of the deception kinds. In his second part of the answer "**She was very comfortable with me**", he tries to indicate that he was honest with Mrs. M. as an indication of innocence and honesty. This is a strategy of "**references to honesty**" that represents one of **the clues of deception**. (Al-A'mery, 2014:78-9)*

6. CONCLUSIONS:

A deliberate distortion, concealment, ambiguous, manipulative information as well as among the most important and frequent deception tool used by the suspects to hide information that can engage them with crimes. By using different kinds of deception, suspects use a variety of linguistic indicators and clues to keep their position safe and clear themselves from legal reliability. It is noted that, in the case studied here, the suspect did not use all the linguistic indicators and none of Bachenko et. al. (2008) which indicates that the suspect selects whatever deception indicators and kinds that achieve their purposes.

It seems that suspects use the non-observances of Grice maxims when they lie or give distorted or manipulative information about the accidents, thus, violating Grice maxims. In some cases, the irrelevant answer violates the principle of "relevance observance". Or the answer is uninformative and this reflects the suspect's unwillingness to cooperate with the

detectives or their unwillingness to implicate themselves to crimes or to shock or confusion.

It also seems that detectives use a variety of linguistic indicators of deception. In the case under study the suspects use

A full account of deception in police interrogation could be found in *Al-A'mery, A'mer (2014). A pragmatic Analysis of Interrogation in Selected Forensic Texts. University of Baghdad, College of Languages. Unpublished M.A. thesis. Supervised by Prof. Dr. Riyadh Khalil Ibrahim.*

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