

Linguistic Ideology and Praxis in U.S. Law School Classrooms

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This article explores the relationship between linguistic ideology and praxis through an examination of the language of U.S. law school classrooms. These classrooms afford an exciting opportunity for examining the socially powerful role of linguistic ideology as it intersects with and regiments linguistic practice. The language of professional socialization is at once a key part of the process whereby social identities are forged and changed and an expression of the epistemologies of professional cultures that have important connections with the power structures of our society.

Legal socialization is particularly intriguing because legal institutions serve a special translating function in Western society. When rendering diverse realms of cultural experience in a common language, legal institutions use language as an important and integral part of a socially transformative process. Thus, the act of translation¹ into legal language is one in which linguistic and social regimentation mesh—and law school classrooms are accordingly heavily focused on the role of language in social process, predictably rich in linguistic ideologies.

Bourdieu and Passeron (1977) have described the educational process as one in which a new relation to language and culture is transmitted, in an apparently autonomous institutional setting that nonetheless constantly contributes to the reproduction and legitimization of the established social order. Similarly, anthropologists and sociolinguists working in classroom settings have frequently found

the use of language in the classroom to be a powerful orienting social practice (Anyon 1981, Collins 1986, Gee 1985, Heath 1983, Mehan 1979, Philips 1972). Hidden behind the apparent content of any lesson are deeper messages about how the world operates, about what kind of knowledge is socially valued, and about who may speak and in what manner—a cultural worldview that is quietly conveyed through classroom language. Thus, broader social patterns and struggles are played out and transformed in the smaller-scale dynamics of classroom education (see Wertsch 1985a, 1985b; see also suggestions in Bourdieu 1987 and Halliday 1982 that legal educational institutions play a role in the rationalization of the legal system).

Studying Law School Classrooms

To study the linguistic exchanges that constitute law school classroom interaction, we taped the first semester of a Contracts class in eight different schools across the country. In-class coders kept track of who was speaking, the kinds of turns involved, and various other aspects of the classroom dynamics that weren't adequately captured on tape.² The tapes were then transcribed and the exchanges were timed and coded in order to generate an overarching quantitative "map" of the classroom interactions. Each class transcript was also analyzed qualitatively,³ and we created an "ethnography" for each class and then an overarching qualitative summary for each school in the study. We were also able to interview the professors and small groups of the students in a number of the schools of the study.⁴

The schools were selected from across the status hierarchy range of law schools: there were two of the "elite" or "top-five" law schools, one "prestige" or "top-fifteen" law school, two "regional" and two "local" schools, and, in addition, one night school class.⁵ Five of the professors were men; three were women. Two were professors of color; five were "white."⁶

Linguistic Ideology and Language Socialization in the Law School Classroom

In order to frame this material, I build from two theoretical approaches. On the one hand, I draw on work that suggests ways in which linguistic ideology is a crucial part of the social grounding of language use and structure—rather than, for instance, treating ideology as an autonomous "cultural" level of phenomena (see Brenneis 1984; Gal 1987, 1989; Hanks 1989, 1990; Hill 1985; Irvine 1989; Woolard 1985, 1989a, 1989b; Woolard and Schieffelin 1994). In this view, the conceptions that speakers hold about language and how it works—whether at the conscious level or at the less explicit level of presupposed cultural assumptions—affect and are implicated in the daily use of language in social situations that are laden with power dimensions and politics. As Woolard notes in her introduction, the study of linguistic ideology provides a much-needed bridge between linguistic and social theory because it relates the microculture of communicative action to

political economic considerations of power and social inequality, confronting macrosocial constraints on language behavior.

On the other hand, my analysis approaches the study of linguistic ideology at the intersection of language use and structure, using a linguistic anthropological framework developed by Silverstein (1993), Bauman and Briggs (1990), Lucy (1993), and others. This framework takes linguistic ideology not as a mere false frame that distorts our vision of "reality," but rather as part and parcel of the linguistic structure and praxis that we study (see Mertz 1989, 1993). Thus, as people interact through language, they draw on and create ideologies about language, thereby developing linguistic worldviews or epistemologies that guide them in deciding how to speak and what to say. For example, if people view speech as a contest, and utterances that are marked in particular (metalinguistic) ways as challenges, this is likely to inform their responses to such utterances. Ideologies of language emerge at the meta-level, where language signals reflexively about its own signaling. A linguistic ideology may be very explicit, as when speakers overtly discuss aspects of language use or when political factions battle over whether monolingualism is necessary for national unity. Alternatively, linguistic ideology may appear more subtly, for example, as when a set of meta-level structural linguistic features indicates what kind of speech is occurring (or ought to occur) (see Silverstein 1979, 1993). In either case, linguistic ideology is a part of the structure and practice of speaking (or writing or signing), emergent in linguistic structure but not completely determinative of or identical with the linguistic praxis in process. Thus, linguistic ideology can simultaneously distort or misrepresent, and shape or reflect, linguistic practice. This approach to linguistic ideology allows us to examine the ways in which social power and change are implicated in language structure—often through this process of ideological reflection and refraction.

Combining these two approaches in order to study the language of law school classrooms, we examine the linguistic exchanges in class, with particular attention to underlying ideologies or meta-level characterizations of language that might be at work in the daily practice and structure of law school teaching. We further ask how these ideologies are involved in power relations both within and beyond the classroom. Is there, for example, an ideology of how language functions that is commonly imparted to students—and, more broadly, is there a shared epistemological structure that powerfully embodies the way legal language "works" in society more generally? Are there points of contest in the law school classroom that evidence struggles over this meta-level? Because the law school process is one in which students are socialized to a new identity and a new way of talking, we can also draw on the language socialization literature for insights into how minute aspects of the linguistic structure and interaction constrain and channel socialization of "new" speakers (see Ochs 1988, Ochs and Schieffelin 1984, Schieffelin and Ochs 1986).

This analysis draws in particular on Silverstein's conception of a dialectic between pragmatics and metapragmatics, one aspect of which is the way "explicit metapragmatic registers instantiated in metapragmatic discourse encapsulate ideologies of language use and play an obvious role in the institutionalization of dis-

cursive mechanisms of society" (1993:55). The ongoing pragmatics of discourse achieve coherence only through some kind of metapragmatic structuring, which construes that ongoing discourse as being a certain type of discursive event. There is an affinity between this Silversteinian formulation and Gumperz's conception of "contextualization cues," which are the "constellations of surface features of message form [that] are the means by which speakers signal and listeners interpret what the activity is, how semantic content is to be understood and *how* each sentence relates to what precedes or follows" (1982:131). It is often through very subtle combinations of intonation, meta-level framing devices, and so forth that speakers signal that an utterance is to be interpreted as a particular kind of talk (e.g., a friendly exchange, a request for help, an irritated signal to back off). There is a dialectical process at work here in which ongoing pragmatics—at times even accidentally—contribute to a continuing typification process. For example, if one participant inadvertently uses passive constructions to describe an event for which the other participant wants him or her to take responsibility, the pragmatics of the ongoing conversation might contribute to a growing typification on the part of the listener that could be labeled "denial of responsibility." At the same time, the meta-level typification frames and shapes the interpretations speakers make of the ongoing pragmatics. The negotiation of this typification is ongoing in conversation. For instance, an interaction that starts as a fight can become a friendly exchange, all the time marked and created through meta-linguistic signaling. Like Silverstein, Gumperz notes that this process of shifting and reframing through contextualization cues often occurs without conscious recognition—that it is "habitually used and perceived but rarely consciously noted and almost never talked about directly" (1982:131).

Not only is this process of meta-level signaling ongoing throughout linguistic interaction; it is constantly subject to negotiation or even contest. Participants in the same event may, of course, construe it differently, so several meta-level interpretations may be "on the floor" at the same time. Herein lies some of the potential for struggle over the construction of discourse in key institutional arenas.⁷ In order to move beyond idiosyncratic interpretations of individual interchanges to a broader social view of this regimenting process, however, it might be productive to focus on moments when this typification process becomes more generally shared and explicit, approaching what Silverstein calls "noncancelability" or "interactional nondeniability." To use a crude example, it may always be possible to retrospectively alter a meta-level formulation ("I didn't mean to insult you"), but it becomes much harder to do so when one has used an explicit metapragmatic marker ("I'm insulting you, you idiot"). An unfamiliar audience listening to an exchange like this might be able to rely less on individualized knowledge of the speakers and more on a socially shared interpretation of "what is happening" (to the degree that explicit markers invoke that more overt and shared level). As struggles over "what is happening" become part of institutional processes, the dialectic between pragmatics and metapragmatics becomes less an issue of the vagaries of individual dynamics among participants and more an articulation of general levels of social definition, redefinition, and contest.

Of course, this use of a register that signals to participants what type of event is being indexed is always enmeshed in linguistic ideology,⁸ for only through some

sort of ideological formulation about language and how it works do we have a notion of types of discourse or events.⁹ At the same time, typologizing discourse also permits it to function socially, even in less institutionalized or socially constrained interactions. This is not to say that at any conceivable moment only one understanding of what is happening in the discourse is possible. Rather, ideological struggle over the social meaning of discourse takes place against the backdrop of explicitly typifying (i.e., socially sedimented) metapragmatic registers. Thus alternative meta-level ideological formulations can provide avenues of resistance to settled practices.¹⁰ And where an exchange takes place within an institutional framework in which one kind of meta-level interpretation fits institutional interests in a particular way, invocation of an alternative metapragmatic filter through and in speech pragmatics may well signal resistance to these very institutional frames and processes.

As noted, this conception of linguistic ideology and its relationship to language pragmatics can fruitfully be brought together with work on the social foundations of language that analyzes language dynamics as deeply implicated in broader social power dynamics and structures (see, e.g., Woolard 1985, 1989a, 1989b; Errington 1988). Combining the two perspectives, we see that there is a point at which the institutionalization of language can be understood at once as constantly at work in the structuring of discourse and as dependent on an ongoing process of ideological sedimentation of metapragmatic types. This understanding is exciting because there are parts of the ideological process that are more accessible to conscious reflection (presumably, the sedimentation of types), and others that are at a level that Bourdieu (1977) refers to as *habitus*, or habitual structure. Applying Bourdieu's notion here, we would say that there is a habitual structure of language pragmatics and metapragmatics that operates without conscious reflection to orient speakers in nonneutral ways. This dual character to linguistic ideology accounts for both the sometimes resistant or nontransparent reactions of language to conscious (ideologically motivated) attempts at change and the central character of ideological reflection in institutionalized language use. As an initial step toward developing an adequate view of this complex process at work in law school classrooms, I now turn to an examination of a number of exchanges that occurred in the classes studied.

Classroom Exchanges

In this section I focus on several classroom exchanges in which students did not conform to the discourse format encouraged by the professor. Note that in these classes the reigning mode of interaction is a highly stylized genre known as the "Socratic method," in which the professor addresses a series of questions to a single student. Each question supposedly builds on the student's previous answer and draws the student closer to the response the professor is seeking (see Philips 1982). Although a frequently expressed ideology in law school teaching is that there are "no right answers" to questions, it is clear that there *are* wrong answers. This is indicated by everything from pitch and intonation of professors' responses to overtly

negative assessments of previous answers. The exchange of questions and answers pushes students toward certainty, urging them to take definite positions that they must then defend. (It matters not whether the position taken is "right" or "wrong," for, as one professor told me in an interview, frequently the "wrong" answers are more useful as teaching devices. He noted that these incorrect responses permit a building up of suspense; after the professor gets more and more students to adopt the incorrect position, he can then "spring" the correct answer on them. This is a procedure, I was told, that is designed to burn the correct answer more indelibly into students' brains.) It is therefore a violation of the metapragmatic rules to refuse to take a position—or to refuse to give reasons for a position that lend themselves to this kind of back-and-forth. In particular, references to affect or emotion as a basis for a position just "don't work" within this kind of metapragmatic frame.

In the analysis that follows, I look at Socratic exchanges as both pragmatic structures and instantiated metapragmatic ideology. That is, Socratic dialogue is seen at once as a pragmatic structuring of the ongoing discourse and as a practice that carries with it certain metalinguistic ideological assumptions. These assumptions are deeply linked to the institutional structure to which students are being socialized as they enter the legal profession. I have elsewhere suggested one key aspect of this language-metalanguage link, arguing that in classroom discourse professors rupture the "textualist" ideologies that so many students bring with them from prior educational experiences (Mertz 1996). Instead of being a metapragmatic ideology that approaches texts as fixed and transparent, classroom dialogue imparts an ideology of legal texts as fundamentally always open to—and in a process of—reconstitution and recontextualization. This ideology is conveyed in and through the pragmatic structure of classroom discourse. Susan Philips has also noted that the insistent channeling of discourse through the professor that is a feature of Socratic dialogue prepares students "to function effectively in focused interactions involving many people where a single person controls the talk of others . . . where one key characteristic of the status differentiation is that the person in control, namely the judge, asks repeated questions of the person under control, who must answer those questions in a highly specialized language" (1982:192). This effect is only heightened by the mandatory participation that is often a feature of the Socratic classroom. Thus, the structure of classroom language is focused on breaking down fixed approaches to texts and orienting students to a discourse in which power and authority are seen as manifest in particular ways through language structuring.

Here, I analyze aspects of the pragmatic structure of law school dialogue, focusing on points of conflict and breakdown. At these moments, we can see another fundamental aspect of the pragmatic-metapragmatic dialectic that is occurring in law school language. I begin with an exchange between a male professor and a female student.¹¹ The student has voiced an objection to the fairness of a case result:¹²

- STUDENT The contract, the original contract itself had a provision in it for prices that change due to an advance in case of the rise in the wages which actually happened causing the forward contract to be so much more expensive. So, if we're looking

at expectation damages then the point that, I mean, in his contract that he had he would have, his original contract that the coke in that would have been subject to rise as well, would it not?

PROFESSOR I don't know. What's the relevance of that to—

STUDENT —well—

PROFESSOR —how we

solve the problem?

(silence)

STUDENT (rising intonation) It just bothers me. I . . .

(class laughter)

PROFESSOR What bothers you?

STUDENT (silence, smiles, looks down)

PROFESSOR What bothers you, I take it, is the parties thought about the problem of labor and the increased price in labor. And you're suggesting this was something they recognized. Now, do you want to go from there to say, if they recognized that . . . there was a problem with the cost of the labor . . . if there was going to be a stunningly disturbed market they should have said something about it, is that what you want to say? If that's what you want to say, where does that lead you?

STUDENT (again, silence, looks down)

Note that at the end of the exchange, the professor essentially adopts the student's voice, using indirect speech ("you're suggesting this was something they recognized"). The student has refused to budge from her chosen register ("It just bothers me") and has indexed that refusal with silence. And so the professor speaks for her, taking her place in the dialogue, and, in the absence of any cooperation from her, imbues her with the correct voice. His insistent continuation of the dialogue, even without help from his interlocutor, forces on this segment of speech the metapragmatic interpretation he seeks to impose—that this instance of speaking is an event of a particular discourse type (Socratic dialogue with its accompanying metapragmatic rules). One key rule of this type of discourse is that interlocutors keep talking, keep coming up with reasons and justifications for articulated and antagonistically defended positions ("Where does that lead you?"). Her silence indicates a competing interpretation; this chunk of speech is an exchange in which she wishes to express a felt dissatisfaction with a case outcome. The power differential between interlocutors is perhaps evidenced by the fact that the final interpretation goes to the professor; yet her strongly maintained, smiling silence is a resistance that is not ultimately overcome by him. The timing of the class's laughter, incidentally, reinforced the professor's signal that her response was inappropriate.

The technique of taking a student's place in the dialogue when the student does not respond as desired is used in many of the classrooms in the study. More rare, but dramatic illustrations of the general metapragmatic struggle at work here, are times when the professor dictates to the student which words to use, as in one exchange in which the professor, after rephrasing a question several times (and

receiving the same, "incorrect" answer—"no") told the student, "Try yes." The student initially responded with silence. The professor repeated, with rising intonation and added stress on each word, "Say yes." "Yes," said the student at last. The professor then proceeded to attempt a continued dialogue by asking, "Why?" Note here that there was a movement from more implicit metapragmatic indicators that the student's answers were unsatisfactory to a breakthrough into very explicit regimentation when all else failed. This more explicit metapragmatic regimentation, directing the student to repeat ("Say yes"), is identical in form to the metalinguistic formulations found across many cultures in child language socialization routines, which typically take "the form of explicit prompting by the caregiver or other member of the group. . . . The prompting routine is itself marked by characteristic linguistic features. For example, the routine is usually but not always initiated by an imperative verb form meaning 'say' or 'do,' followed by the utterance to be repeated" (Ochs 1986: 5).¹³ The modeling of correct language use in Socratic routines, then, may be an invocation of one of the more powerful linguistic socialization techniques available in the human repertoire (see also Ochs and Schieffelin 1984).

Here metapragmatic regimentation of the discourse over resistances is the mode of socializing students, molding them into new social identities (lawyers) by literally putting new voices into their mouths and, at the same time, thoughts into their heads. This regimentation occurs through multiple layers of language, from subtler typification of chunks of speech as legal argument to overt appropriation of interlocutors' voices where necessary. At times the connection between putting new voices into students' mouths and reformulating their identities becomes quite explicit, as in the following exchange:

PROFESSOR Tell me. Why are you in law school, Ms. C.? Why are you studying the law? Don't tell me to become a lawyer; I understand that.

STUDENT It interests me.

PROFESSOR Because it interests you. What a quaint way to put it. Why aren't you in business school? where every sensible person probably ought to be now.

STUDENT I'm thinking of changing right now.

PROFESSOR A possibly wise move. But why didn't you go directly to business school?

[I omit several turns in which the student reiterates that law school interests her, and the professor repeats his question about her motivation for choosing law school.]

STUDENT To do something different.

PROFESSOR What is it that's different about the law from business?

STUDENT It's not certain; it's ever-changing.

PROFESSOR Well, it is that. It is ever-changing. Or is it just that you like variety? Come, Ms. C., you're not that shallow a person. Let's be honest. Let's force you to say something maybe you don't

really mean. Let's psychoanalyze you. You're in law school rather than business school because you find it at bottom more deeply satisfying or at least you thought you could, to study the law than go to business school. You are not some lucre-seeking monster who would go to business school. You may be right, however, to be a lucre-seeking monster at the present time in history, but that's not what you are. There is deep emotional fulfillment that you are supposed to be getting from the law school. That's why you came here.

Here the student is actually put in the position of giving "incorrect" answers about her own inner thoughts and motivations, and the professor in supplying the "correct" answers imports for her not only a way of talking but also an entire persona and set of normative orientations. These orientations oppose the purported purely money-seeking motivations of those who attend business school to the alternative, more lofty goals of those who pursue law.

A more subtle but still powerful and pervasive version of this occurs when professors rephrase students' answers to questions, telling them what they "meant":

PROFESSOR We can say that the gift was given as an inducement for that behavior, right, because the promise to refrain comes after the gift. That's what you mean when you say that a contract as opposed to the gift has its own [inaudible], right? "I'll give you the money, if you refrain." Not, "I'll give you the money," "Thanks, I'll refrain." All right. That's what you mean when you say it's conditional.

Here, the professor imputed a precise, legally framed meaning to the student's words, telling her what she should have meant when using the term "conditional." As in the previous example, there is an ideological movement from words to thoughts in the professor's reformulation of the student's speech, a powerful metapragmatic reframing that teaches an approach to texts and language as it attempts to reshape identities and ways of thinking.

Professors differed in their rationales for using a Socratic discourse format: it imitates courtroom dialogue, it keeps the students engaged, it is efficient in large classrooms, it imitates the mental process of "thinking like a lawyer" that the class dialogue attempts to inculcate. There was also variation in the degree to which professors followed the most "pure" form of the Socratic method, with some professors using a style that involved fewer lengthy one-on-one exchanges and more free-floating exchanges involving multiple students.¹⁴ What is intriguing are the apparent continuities in metapragmatic structuring beneath these rationales and pragmatic differences, continuities that express a more subtle ideology about language that is part of the larger system to which students are being socialized, of the texts they are being trained to read, of the way of speaking that the professors urge on them.

Language ideology concentrates not so much on why a certain form of classroom speech is useful or desirable, but rather on the transparency of metapragmatic

form to social result. This is the case on several levels. The metapragmatic form of at times forced dialogue is ideologically represented as transparent to the social result of a transformed social identity for the students (language form inculcating new forms of talking and, at the same time, professional identity), as we have seen in the examples. However, metapragmatic form is also represented as transparent to the social results of cases that are won by speakers able to hold up their end of similar dialogues, those who are able to take on and speak roles fluidly. At a still deeper level, metapragmatic form mirrors legal epistemology, which derives its legitimacy in part from an act of translation of social events and actors into their legal categories and roles. These categories and roles, like the legal texts re-contextualized in new legal opinions, are always part of an oppositional discourse in which one of two opposing parties—and interpretations—will “win” (see Mertz 1990, 1996).

“Taking a position” as an interlocutor in a dialogue is a necessary part of gaining power for legal actors. This taking of a position is a role-playing, and it doesn’t matter which role is played as long as some role is played. Again and again, professors play roles—they take the parts of their students, and of various characters in the case dramas as those dramas unfold in classroom speech. Again and again, professors push students to take these roles themselves and play them with certainty. Indeterminacy, breakthroughs of genuine affect (indexing through tone and gesture a failure to play the role), and silence are gaps in the dialogue or, worse, refusals to acquiesce in the ongoing metapragmatic structuring of discourse.

That structuring is a key ideological message of law school socialization. It prepares students for a legal world that constantly effects a translation of people into their roles (plaintiff, defendant) and actions into their legal categories (tort, breach of contract). This translation occurs within a system in which either of two opposing results is always possible (guilty, not guilty) and in which effectual and “correct” metapragmatic regimentation (in courts, in legal documents, in law office talk) yields powerful social results. A key presupposition of the legitimacy of those results in our society is the untying of the drama as legally translated from its usual social moorings, the putative objectivity of the story once told in the apparently dispassionate language of the law. As the people in the cases become “parties,” strategic actors on either side of a legal argument, they are stripped of social position; their gender, race, class, occupational, and other identities become secondary to their ability to argue that they have met one or another aspect of a legal test (for example, the requirement that there be some form of “objectively manifested assent” to an agreement in forming a contract).

Social context enters only through the backdoor, as when the professor warns the students about the way that the “equities”¹⁵ of a situation can skew legal results (for example, if the legal requirements for “assent” are not met, but the judge or jury finds that there is a contract because of sympathetic feelings toward an indigent plaintiff). Even then, these “equities” become one more tool in the strategic toolbox, just one more argument to use in an effort to win. This bracketing of social context is deemed to be a crucial way in which law achieves objectivity and lawyers achieve dispassionate professional competence (see Mertz forthcoming).

One of students’ main tasks in the first year of law school is to gain an understanding of legal categories and how to “use” them.¹⁶ A realistic assessment of the

“equities,” of the possible effects of social context and emotions, is a small part of this task, necessary to effective strategy. The more central lesson is one of translating people and events into legal categories. To learn this new language, students must learn not to concentrate on the history and politics and emotional import of the situation but to inquire only as to whether the events fit the prescribed legal tests (“Was there an offer and acceptance?” “Did the defendant breach?”). This institutionalized linguistic ideology teaches that professional distance is obtained through translation of people and events into legal categories so that they can be used strategically in a struggle for the dominant interpretation. “Taking a position on either side,” “playing either role,” is a feature of the metapragmatic regimentation of discourse that takes that institutionalized ideology to the heart of the speaking that constitutes the legal arena.

NOTES

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1. James Boyd White 1990 uses essentially this notion of “translation,” though there are differences between his approach to language and the anthropological linguistic approach drawn upon here (see Mertz 1992).

2. For example, coders noted nonverbal signals that became part of the interaction—as when a student responded to a professor by nodding or shaking her head or using some other kind of nonverbal signal.

3. Qualitative notes examined aspects of the ongoing discussion, such as how social context or emotion was dealt with; they also traced aspects of the developing classroom “culture,” such as the ways in which particular students became regular “characters” on whom the professor drew.

4. I personally interviewed the professors and some of the student groups, and I taped and coded one of the classes; the rest were taped and coded by members of the “team” listed in the acknowledgements. Interviews focused on how professors and students viewed the classroom process. In terms of the transcript coding: at the end of the coding process, each school had been completely coded by a single coder to ensure uniformity (this involved some recoding in a few cases). I performed intercoder checks with the in-class coders; the transcript coders were cross-checked both at the beginning and the end of the lengthy coding process by the project managers.

5. The schools were selected using what could be called a “modified snowball” approach; in many cases it was difficult or impossible to obtain access “cold” or without use of some networks or prior contact (although we were able to obtain access that way in two of the schools in the study). We first located schools of the appropriate status levels in

areas in which it was possible to obtain coders with graduate training in linguistics, anthropology, and/or qualitative sociology. We then sorted out classrooms by gender and race of professors, in an effort to obtain a diverse group of professors. And then we frequently worked through available networks to get access. In several cases, even after using this approach, we were refused. However, over a period of several years we were able to obtain access to classrooms that varied along the dimensions we sought to study. The study, then, can be viewed as a set of case studies that provides an opportunity for comparative analysis not offered by single case studies; it is not a random sample.

6. Because of the small numbers of men and women of color teaching in the first-year curriculum, especially in the limited number of elite schools, I do not give more specific information here to avoid inadvertently identifying study participants.

7. Gumperz's observation that the meta-level process is rarely dealt with at a conscious and direct level may find its limit here, for as speakers come into conflict, it may become more likely that they will consciously reflect on and even argue about meta-level typifications.

8. For example, "Class, please take your seats; we're beginning our lesson now," or, "You jerk, you're going to get an argument from me on that," both of which attempt to impose a meta-level typification of the ongoing speech event (formal classroom speech, argument).

9. When these formulations become part of institutionalized social processes, they are arguably likely to become less fluid—more "set" or "gelled"—less a function of vagaries of individual interpretations and preferences.

10. As, for example, if a pacifist responded to the argumentative comment in note 8 by saying, "I'm not going to fight with you about this," contesting the typification that the first speaker sought to impose.

11. It may seem striking that all of these examples involve female students and male professors. However, there are examples of similar breakdowns that involve male students. Whether there is a gendered distribution to this kind of exchange is beyond the scope of this inquiry.

12. In these transcriptions, use of a dash to end an utterance (—) indicates an interruption with overlap, while use of ellipsis (...) indicates that a speaker "trailed off" the ending without using the usual pragmatic markers to communicate that the utterance had ended.

13. A particular apt comparison can be made with the *elema* routines used to socialize Kaluli children (see Schieffelin 1990:75–80).

14. Interestingly, it appears that it is the law school from which a professor obtained the original J.D. or L.L.B. degree, in combination with gender and race, that is the best predictor of high degrees of use of "pure" Socratic method in the classrooms of this study. Thus, the three white male professors who were trained in top-five schools stood out as by far the most Socratic teachers (86 percent, 81 percent, and 74 percent of class time spent in one-on-one focused dialogue). The remaining professors ranged from 60 percent to 16 percent of class time and included professors of color (both male and female) who had trained at top-five schools, and white male and female professors who had trained at less elite institutions. (The class with only 16 percent of the turns spent in focused dialogue was something of an outlier; the next lowest class had 34 percent focused dialogue turns.)

15. The concept "equities," deserving of an entire article by itself, is an interesting residual category that includes any social contextual or emotional aspect of the situation not strictly relevant to the legal tests but still likely to sway judges or juries concerned about "fair" results.

16. I assert this on the basis of both how much class time is devoted to teaching this task and comments in professor interviews.

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8

Mediating Unity and Diversity

The Production of Language Ideologies in Zambian Broadcasting

DEBRA SPITULNIK

The seven (7) main vernacular languages on the Media represent all seventy three (73) tribes found in Zambia.

Kapeya 1988:3

The problem is, we have been recognized as a language, so why be mis-treated? . . . It remains that the big two or the big four get most of the time. . . . But you can't raise these issues because you may be called a tribalist.

Anonymous

The Production of Language Ideologies in Media Practice

The central concern of this chapter is to investigate the role of powerful institutions in the production and reproduction of language ideologies. While language ideologies are most readily identifiable in explicit metalinguistic discourse (i.e., language about language), I demonstrate here how language ideologies are also embodied in a very fundamental and implicit sense within the everyday practices of institutions.

As several contributors to this volume point out, one of the critical challenges in the analysis of language ideology is to keep the sites of ideology in sight (e.g., Silverstein, Woolard; also see Woolard and Schieffelin 1994:58 and Fairclough 1995:71). Taking the politics of language in Zambian radio as a case study, I argue here that this is not just a matter of locating *where* ideologies are produced but also *how* they are produced. I maintain that the structural grounding of language ideologies in institutional practice is best understood as a process of *language valuation* and *evaluation* which occurs through specific kinds of semiotic processes. These semiotic processes are manifold and complex, but the important thing about them is that in most cases they function to naturalize or neutralize language value; that