

2011

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## Recommended Citation

Jacquemet, M. (2011). Crosstalk 2.0: asylum and communicative breakdowns. *Text & Talk*, 31(4), 475-497.

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# Crosstalk 2.0: asylum and communicative breakdowns

MARCO JACQUEMET

## *Abstract*

*Using ethnographic evidence on asylum proceedings for refugee recognition from various sources (Italy, Belgium, United Kingdom, and Canada), this paper updates Gumperz's notion of crosstalk by exploring the massively flexible and multilingual nature of late-modern communication as epitomized in one of the most complex adjudication procedures performed by Western nation-states. Every year thousands of displaced people seek the protection of various European countries by filing asylum claims, which are examined by national commissions. This paper explores how the problematic nature of these encounters can be traced to the nature of late-modern communication, characterized as it is by asymmetrical power; multiple communicative agents with competing agendas, multilingual and hybridized talk, and creolized forms of interaction.*

*Keywords:* Intercultural communication; multilingual institutional talk; superdiversity; credibility; asylum seekers; interpreters.

## **1. Introduction**

Throughout his career, John Gumperz's preoccupation with the large-scale sociological effects of small-scale interactions has led him to investigate the surface speech features (prosody, rhythm, lexicalizations) by which speakers signal and listeners interpret what their speech activity is; how content must be understood; and how sentences relate to each other. He has argued that the proper interpretation of what he has labeled *contextualization cues* requires interactants to have intimate knowledge of the communicative styles and practices of particular social networks; and that failure to attend to the proper cues leads to communication breakdowns (Gumperz 1982).

This focus on context-building strategies has given his work an important applied perspective. Most notably, he collaborated with BBC to produce

*Crosstalk*, a popular educational documentary on the problems faced by individuals (mostly immigrants) who are unable to use the appropriate codes in institutional encounters (Gumperz et al. 1979). In this piece, he suggested that one of the best ways to overcome prejudice was through raising communicative awareness (especially that of institutional gatekeepers). He pointed out that people speaking the same language but having different communicative backgrounds (such as British English speakers and South Asian English speakers) may run into intercultural problems derived from the different cultural assumptions, different ways of structuring information, and different ways of speaking they bring to the interaction.

One of the interactions he analyzed in *Crosstalk* took place between a British English (BE)-speaking bank teller and a South Asian English (SAE) speaking customer. Gumperz used this interaction to show how the contrast between two different ways of conveying meaning through prosody produces communicative misunderstandings which can lead to feelings of animosity. He compared the way in which the SAE-speaking customer addressed a negative remark to the teller for having provided the wrong bank form with the way in which a BE-speaking customer made a very similar negative remark to the same teller for the same reason. He transcribed the two interactions, paying particular attention to prosody:

- (1) Gumperz et al. (1979: 21)
- |                              |  |
|------------------------------|--|
| British English speaker:     | “oh no. this is the wrong <u>one</u> ”             |
| South Asian English speaker: | “Yes. <u>No No</u> . This is the <u>wrong</u> one” |

Gumperz noted that the BE customer stressed the terminal word in the sentence (“one”), enabling the two BE speakers to reach the mutual understanding that they had both experienced a mistake common in bureaucratic settings and to correct the mistake without assigning blame. He explained that the SAE speaker used a much more marked emphasis, electing to stress the accusatory word (“wrong”), and that this emphasis was unexpected by the teller, who interpreted the remark to be hostile and saw the SAE customer as being rude and impertinent. In this interaction, both customer and teller blamed each other for the misunderstanding before the correct bank form was procured. Gumperz understood the animosity to be the result of both parties’ failure to attend to the proper contextualization cues (in this case, the prosody).

On the basis of such findings, Gumperz has claimed that intercultural communicative misunderstandings result when speakers pursue non-checked communicative strategies that are not shared by their interlocutors and that reside below the level of awareness. To solve intercultural breakdowns he has therefore called for increasing the metacommunicative awareness of all speakers, and in particular of those in positions of dominance (institutional gatekeepers, educators, examiners, and so on).

Gumperz's sociolinguistic optimism has led some critics to fault him for neglecting the power technologies through which elites guard access to upward mobility and institutions resist change. These critics have argued that awareness is only seldom used to solve communicative difficulties (Pennycook [2001: 167] for instance mentions that he is "skeptical about the notion that awareness can lead to emancipation," see also Coupland et al. 2001; Eades 2004).

Even though communicative dominance did not constitute an explicit focus of Gumperz's writing, a careful reading of his work reveals a fluid understanding of power relations, in which power resides not in opposing blocks but in myriad asymmetrical everyday encounters, which are shaped by culture-bound judgments carrying within them the seeds of ideological struggle. In this way Gumperz seems to have listened to Foucault's (1991) insistence that power needs to be explained through a detailed analysis of discourse: where the communicative analysis of the micro-physics of power would aim to explore how power may operate, rather than to merely demonstrate its existence (see also Blommaert 2005, 2010; Codó 2008).

In this context, current scholarship has turned its attention to specific linguistic devices able to presuppose and create asymmetrical encounters, and in particular to those linked to *metapragmatic awareness*, that is, to the awareness speakers have about the implications of activating the social meanings conveyed by speech. Metapragmatic awareness is shaped by a speaker's realization that speech forms are used to establish the indexical order between interactants: the speaker's situational stance vis-à-vis the interlocutor (one-up/one-down); the social relations or relative status of the participants; and special attributes of particular individuals (see Silverstein 1976). During interactions (especially in institutional settings), participants tend to be keenly aware of the specific use of signs used by their interlocutor (style of delivery, prosody, or underlying rhetorics). At times, metapragmatic awareness may turn vicious and manifest itself in a *metapragmatic attack*: a strategy of consciously and overtly calling attention to and/or mocking the other's performance for the purpose of interactional control. Metapragmatic attacks put an interlocutor on the defensive without the speaker having to level any specific accusations and require the former to address the attack at the metapragmatic level. Metapragmatic attacks unravel the raw fabric of communicative interactions, exposing the interactants' maneuvers as they struggle for control, respect, and interactional dominance (Jacquemet 1994, 1996).

In *Crosstalk*, Gumperz captured a metapragmatic attack during the interaction between the South Asian English speaking customer and the British English speaking teller. After the exchange about the wrong bank form, the customer explained to the teller that his account was in a different bank: "I got my account in Wembley." The teller then replied, in an irritated tone, with a

metapragmatic attack: “Why didn’t you say so the first time?” An analysis of this attack would have pointed to the strained social relations in post-colonial context of Indian migrants to the United Kingdom, which clearly influenced the interaction, as well as the social and political asymmetries characteristic of this bureaucratic setting.<sup>1</sup>

The proper context to understand intercultural communication should be one that looks at communication as a contested field and as a practice to be inserted in wider and long-standing power struggles. Intercultural communication in this view is less like a cooperative enterprise and more like a battlefield interactants enter more or less well equipped with cultural and sociolinguistic resources. As such they are acutely aware of language use and of the possibility to use their resources for achieving a position of interactional dominance.

In sum, in the study of intercultural communication we must render explicit a power-centered perspective where the linguistic analysis of intercultural encounters must be cross-pollinated with an analysis of the power technologies brought onto the field. This is what the remainder of this paper sets out to do. First, I will discuss the nature of communication and power in late modernity by exploring the power-saturated context of asylum proceedings (both preliminary interviews and formal hearings), analyzing the role played by technolinguistic devices (such as metapragmatic attacks) in implementing successful talk in institutional settings. Then, I will engage with Gumperz’s theoretical mapping by revisiting the three categories he identified at the basis of intercultural miscommunication (cultural assumptions, rhetorical structures, and ways of speaking) through an analysis of asylum proceedings. Finally, I will discuss the multilingual reality of contemporary institutional talk, where national ideologies of monolingualism are increasingly difficult to be implemented as mobility (human, cultural, and semiotic) increases.

## 2. Power, institutional talk, and the asylum process

In all intercultural encounters, participants must confront the tension between their expectations and resulting interpretations—a tension caused by the commonsensical urge to interpret the other’s communicative behavior based on one’s own expectations of what is appropriate. In *Crosstalk*, Gumperz discusses the consequences of unmatched expectations in this light, warning British and American English speakers, who are used to a certain prosody, not to take the excessive loudness on the part of South Asian English speakers as a sign of contempt or rudeness but as a culturally appropriate way of speaking in their speech community.

When expectations are not matched and interpretations are not kept in check, communicative breakdowns are more likely to occur. This situation is compounded when the interactants do not have equal power—whether that power

comes from interactional or institutional contexts. Although no intercultural encounter should be considered devoid of power dynamics, there is a wide spectrum of possible variations in the relative power of interactants, ranging from the almost neutral meeting of two equal business partners to the extremely asymmetrical examination of an asylum seeker.

In order to develop fully our understanding of late-modern intercultural communication, we must center our analysis on those intercultural encounters happening in bureaucratic/institutional settings between state officers and transnational subjects (migrants, asylum seekers, expats). In these encounters, state officers operate as mid-level agents activating both broader political and ideological imperatives as well as locally based practical (but impersonal) concerns, whereas the (very personal) outcome of the interaction for the client could lead to access to precious resources or to its denial, with life-changing consequences. To manage these encounters, nation-states (and international organizations) have developed new forms of professionalism and expert knowledge with their attendant power structures, extending to mobile people the power technologies developed for the control and regulation of the national citizenry (Agar 1985; Drew and Heritage 1992; Sarangi and Slembrouck 1996; Sarangi and Roberts 1999; Codó 2008).

Faced with the influx of foreigners seeking refuge and/or a better life, nation-states have responded by creating institutional adjustments able to handle these transnational clients and their multiple languages. As various scholars (Heller 2001; Moyer and Martín Rójo 2007; Codó 2008) point out, most Western nations had to extend rights previously limited to territorially based populations to people who speak various languages and come from various foreign territories. Therefore, they set up various programs for the access to institutions (from bilingual classrooms, to translation services, to asylum boards) run by bureaucrats and able to accommodate the various needs of a migrant population by providing them with interpreters, and occasionally with the services of counsels, social workers, and cultural mediators. Interpreters in particular have come to play a significant role in the administration of services during institutional encounters (see below, and Wadensjö 1998; Davidson 2000; Inghilleri 2003; Jacquemet 2010; Angermeyer 2009).

These adjustments did not lessen the authority of institutional agents, but allowed for hybrid forms of power relations, making necessary some significant changes in the techno-linguistic devices activated during multilingual institutional encounters. Among the techno-linguistic devices most impacted by immigration we want to focus our attention on three, interrelated ones: the *examination|interview*, the *entextualization* process, and the use of *metapragmatic practices*. Let me briefly illustrate these devices in relation to the asylum process, one of the most complex adjudication procedures in contemporary Western bureaucracies (Good 2007).

As Foucault pointed out, the examination is a particularly severe and effective power technology set up to provide institutions with a clear way of observing, recording, cataloguing, and archiving all people subjected to its control (Rabinow 1984). In the asylum process, asylum seekers are probed and questioned about their story by bureaucrats showing a particular virulent version of the “ideology of mistrust” found in all institutional settings (i.e., an ideology where “assumptions of sincerity hold differently for bureaucrats and clients,” Sarangi and Slembrouck 1996: 48). Scholars working on asylum have spoken of a “culture of suspicion,” at times so rampant as to derail the purpose of the examination (Maryns 2006; Bohmer and Shuman 2007; Jacquemet 2010). Up until the late 1970s, agencies in charge of asylum determination relied mostly on the applicant’s account. In the absence of written evidence, applicants were prompted to demonstrate their sincerity by means of a detailed narration of their stories. Evidence provided directly by the asylum seeker was awarded a high value and was generally accepted at its face value (Fassin and Rechtman 2009). Starting in the 1980s, however, more restrictive policies were introduced in almost all Western nations (the final destination of most asylum cases) and asylum agencies felt the need to reduce their reliance on the applicant’s testimony. As a result, asylum depositions increasingly assumed the flavor of cross-examinations, with asylum officers systematically and harshly questioning applicants’ answers, seeking to pinpoint their referential accuracy, and at times curtailing their stories altogether (Jacquemet 2010).

These interviews are usually centered around a *script*, produced by the granting agency based on its institutional imperatives. This script is designed to determine the identity of the applicant (not a simple task, see Bohmer and Shuman 2007; Jacquemet forthcoming), reconstruct the essential episodes of the case, and probe the applicant’s grounds for asylum, especially his or her fear of persecution (as mandated by the UN Human Rights Declaration). By appealing to the script, examiners can minimize responsibility for their questions, and their underlying implication of mistrust. To assess an asylum case, officers now elicit, look for, and rely on a variety of references (person and place names, temporal markers, body parts, etc.) to locate the asylum claim in socio-historical space and time in order to assess its accuracy and reliability (Jacquemet forthcoming). Moreover, the format of the script (especially its sequential organization, see below) is most of the times at odds with the asylum seekers’ understanding of the process they are undergoing. Expecting to tell their stories, they are confronted with examiners who cut them off at the first sign they are veering from the script, in fact preventing them from sharing their narratives, with at times traumatic consequences (Jacquemet 2010).

This process of stringent and skeptical questioning is exacerbated by the role of the interpreters, who frequently assume stances most of the times shaped by the perceived expectations of the officials in charge, which lead them to

modify statements, volunteer explanations, and at times antagonize the asylum seeker (Berk-Seligson 2000; Pollabauer 2004; Jacquemet 2010).

Second, all examinations need to enter the institutional record through *entextualization*, the process of rendering a single instance of talk into text, detachable from its local context. The entextualization process is one of the most powerful structuring instruments used by nation-states to handle institutional encounters, process claims, and adjudicate on valuable resources (Bauman and Briggs 1990; Silverstein and Urban 1996; Bucholtz 2000; Bucholtz and Park 2009). Entextualization tactics are communicative practices that both produce representations of the social world in accord with a given ideology and seek to persuade others to comply with these representations.

It is on the basis of this entextualization that asylum is granted, or in case of denial an appeal can be launched. Given the complex nature of communication in a multilingual environment, we could expect inaccurate transcriptions of the applicant's performance during the examination. Here again, public officials, faced with the intrinsic alterity of the asylum seekers' talk and the tension between foreign performances and national codes, produce transcripts based on commonsensical, but at times inappropriate, local knowledge. They produce in other words a public transcript based on their cultural assumptions and institutional expectations, all firmly anchored by dominant national values (Jacquemet 2009).

Third, in their questioning asylum officers routinely use *metapragmatic practices* to call attention to the underlying ideology of the asylum process. In order to do so, they have to shift their orientation to the multiple orders of indexicality shaping the efficacy of these practices (Blommaert 2005, 2010). The examination of an asylum case remains a site where multilingual practices come into conflict with national language ideologies, where nonlocal conversational styles are indexed as inferior, and where applicants are routinely constructed as unreliable. Through metapragmatic statements, state bureaucrats impose dominant norms and forms of their institutional culture on people barely able to understand the nation's local language, let alone state officials' processes of conducting in-depth interviews, writing reports, and producing the record required in order for institutions to grant them access to resources (Eades and Arends 2004; Pollabauer 2004; Maryns and Blommaert 2001; Blommaert 2009).

Let me illustrate this point with an example from my fieldwork in the United Nations High Commission for Refugees (UNHCR) office in Tirana, Albania, immediately after the Kosovo war. During their interviews, some asylum seekers attempted to use English to plead directly with the UNHCR officer. But to no avail: they were gently but firmly metapragmatically redirected to the interpreter to be duly interviewed about their local knowledge of Kosovo (Jacquemet 2010). Speaking English was not only unnecessary, but also



subject to backfire: proper refugees were not expected to know foreign languages. Demonstrating too much cosmopolitanism would have threatened an applicant's eligibility for refugee status, because it undermined, in the eyes of the UNHCR, his or her performance of authenticity.

In such a hostile environment, communicative breakdowns ("crosstalks") are then attributed to the applicants' nonconformity to the expectations of the examiner and/or adjudicator, to their inability to master the institutional register and adapt to the script, and to unmatched pragmatics. These communicative failures were quickly taken to confirm institutional expectations of deceit.

Unfortunately, asylum cases do not come with communication manuals containing culturally and institutionally appropriate instructions. They are high-risk games of institutional roulette, in which the granting of refugee status or its denial depends on the luck of the draw: the availability of competent interpreters/cultural mediators and attentive and well-informed adjudicators cannot be taken for granted, because they are few and overstretched among a plethora of suspicious, uninformed, and, at times, arrogant bureaucrats.

### **3. Communicative breakdowns**

One of the most problematic issues in the asylum process is the determination of the asylum seeker's credibility. In making this determination, state officials routinely rely on their own indigenous understanding of the factors that establish credibility, an understanding that asylum seekers do not necessarily share. As a result, the performances of asylum seekers are routinely framed by officials as "difficult" and "problematic" and are handled with suspicion.

Credibility is in large part shaped by officials' expectations of narrative fluency, a fact also implicitly acknowledged by the United Nations High Commission for Refugees:

(The interviewer must) assess the credibility of the person being interviewed by examining the testimony for internal consistency (the coherence of the statement) and external consistency (agreement with known facts). You may also consider the fluency of the testimony (that is, the incidence of hesitation) as well as its clarity and detail. (UNHCR 1995: 16)

The suggestion that interviewers pay attention to "fluency" in their determination of credibility is derived from a Western commonsensical notion that storytelling should be smooth and uninterrupted, preferably rendered in a coherent national language. Asylum seekers, on the other hand, may not only have their own understanding of what constitutes a good verbal performance, but may also utilize a massively flexible multilingualism—which is by its very nature broken, elliptical, and scattered.

Consequently, confusion and lack of understanding (either intentional or not) are routine occurrences during asylum proceedings. Among the many forms this institutional confusion can take, ethnographic analysis in three European countries, Italy, Belgium, and the United Kingdom, reveals three communicative areas where systematic and patterned breakdowns occur. Three of these areas loosely match the analytical categories explored in *Crosstalk: cultural assumptions, semantic maps, and ways of speaking*.<sup>2</sup>

In the remainder of this paper, I will analyze in detail some symptomatic cases of communicative breakdowns attributable to the intercultural, power-saturated nature of the asylum process. The cases all come from data collected by different ethnographers working on asylum: Inghilleri (2003), Good (2007), and Bohmer and Shuman (2007) for the United Kingdom, Maryns (2006) for Belgium, and my own fieldwork for Italy (2005–present). They have been selected following Llewellyn and Hoebel’s (1941) dictum that situations in which a system breaks down often yield the richest information about the nature of the system. The extreme—some could say “Monty Pythonesque”—examples discussed below are the best available windows into the asylum proceedings because these communicative breakdowns highlight basic mechanisms of these encounters, otherwise obscured by taken-for-granted institutional routines.

### 3.1. *Breakdowns caused by unexpected cultural assumptions*

Intercultural encounters require people to enter a middle ground (Holliday et al. [2004] call it a “culture of dealing”) where participants draw on the specific resources from their cultures of reference that they believe instrumental in dealing with the cultural other. Problems arise when individual participants draw on cultural resources that are either too alien (or considered as such) from those of other participants or when the power asymmetry of the encounter allows the participant in the dominant position to dismiss any need to take into account the cultural alterity of the interlocutor. Although asylum seekers are provided with linguistic interpreters, the asylum procedure does not require examining officers (or for that matter, interpreters) to be culturally fluent (let alone to be empathetic) in the specific resources activated by the asylum seeker in the encounter.

In this context, Good (2007) discusses how UK immigration officers in many instances lack the knowledge necessary to understand the cultural resources of the claimants, such as complex kinship arrangements. He mentions the hearing of a Bengali woman, during which the Home Office Presenting Officer (HOPO) attempted to use discrepancies between her testimony and her husband’s testimony to invalidate her credibility. Immediately following her husband’s interview, where he had stated that their marriage had been arranged

by his grandfather, she was also asked about the marriage. She said that her grandfather had suggested the marriage. The officer pounced on this claim:

- (2) Immigration Appellate Court, Glasgow (Good 2007: 179)  
 AS = woman, Bengali; I = Bengali, O = British English (Home Office Presenting Officer, HOPO); J = British English (Adjudicator)
- 1 HOPO: He says that his grandfather suggested the marriage!
  - 2 AS: My grandfather did, yes.
  - 3 HOPO: (eagerly) His or yours?
  - 4 Adju: Mr. M, they are cousins; they have the same grandfather.

Good (2007: 179) concludes: “The HOPO looked utterly baffled, but got the message that for reasons unclear to him the adjudicator was not impressed by this major ‘discrepancy’ he had unearthed.” We can well imagine a situation where an adjudicator not so familiar with South Asian cross-cousin marriage patterns would have been misled by the apparent discrepancy, with dire consequences for the asylum seeker’s credibility. In a similar vein, Good also discusses how the Tamil pattern of addressing both brothers and first cousins as “brothers” causes innumerable problems during asylum examinations (see below, 3.2).

Another area in which asylum seekers frequently fail to conform to the expectations of the examiners is when the latter demand proper identification of the characters emerging from the testimony. Knowledge of proper names (personal and place names) in particular is deemed by examiners to be essential in establishing the credibility of a story. This Western/bureaucratic focus on being able to provide consistent personal names was in the foreground during a Belgian examination of an asylum seeker (AS) from Cameroon analyzed by Maryns (2006). The final report is chock-full of passages where the *rappporteur* mentions the fact that the asylum seeker does not know the names of the people evoked in his story:

- (3) Belgian Asylum Courts (Maryns 2006: 152–153); my italics  
 AS spent a lot of time there [secret gendarmerie’s prison], was tortured, didn’t see his family. Until somebody died (*AS does not know his name*). He was in the same cell as AS. In July 2000 he was transferred to the army hospital [ . . . ] One day, a boy came to give food to a patient of him. Before that, a nurse had warned him already that he should escape but AS said that he did not have the strength to do so. When that boy came (*AS does not know his name, NW 4060B*), he told him to go to his work place, to Pete, for AS’s driving license and not to tell this to anyone. [ . . . ] AS was there [in the army hospital] until March 2001, then a brother of a police commissioner was brought in. The very same day the commissary came with a higher official (*AS does not know names of any of them*), he

said that brother had to be released and some of the arrested were transferred to hospital.

This man's asylum claim was denied because of his perceived lack of credibility. In the final decision the commission cited, among other factors, the applicant's lack of knowledge of personal names, which was seen as proof of the unreliability of his deposition:

(4) Belgian Asylum Courts (Maryns 2006: 161)

These declarations further undermine the credibility of the asylum account of the person concerned. It is little acceptable that the person concerned does not know the name of the boy who died and who was locked up in the same cell as the person concerned (cf. interrogation report CGVS, p. 6). It is striking that the person concerned does not know the name of the brother of the police commissioner, who was brought into the cell of the person concerned, the police commissioner himself and the higher officer who came to release him.

The commission's judgment shows complete lack of self-consciousness about Western bureaucrats' taken-for-granted habit of establishing credibility based on the applicant's ability to provide proper (i.e., verifiable and objective) identification. However, knowledge of personal names is highly variable across cultures: while Western institutions are obsessed with unequivocal identification, non-Western cultures are not so inclined. Some prefer kin terms in referring to people (Hanks 2003), others discourage sharing personal names with strangers (for instance, the Tuareg studied by Youssouf et al. 1976), or prefer nicknames or generic names (Jacquemet 1992). Calame-Griaule (1986), in her ethnography of the Dogon, a population living in Burkina Faso and Mali, pointed out the complex patronymic system in place in this culture, where different names (from personal to taboo) are used in different contexts and situations.

Problems arise when individual participants draw on cultural resources that are either too alien (or considered as such) from those of other participants or when the power asymmetry of the encounter allows the participant in the dominant position to dismiss any need to take into account the cultural alterity of the interlocutor.

This lack of cultural awareness was also extended to place names, given that toponyms are also culturally produced fact, and the decision on which topographical features deserve names must be considered on a culture by culture basis (for a rich ethnography of place names, see Basso 1996; on toponyms during asylum proceedings, see Jacquemet forthcoming). Again Maryns (2006) discusses a case where credibility of the applicant was questioned based on her inability to provide a name for the street on which she lived:

- (5) Belgian Asylum Courts (Maryns 2006: 299)  
 AS = woman, Sierra Leone, prob. Njala; O = woman, Belgian
- O: ok. . . your address in Sierra Leone  
 AS: Puba  
 O: Puba. . . no street name  
 AS: Puba  
 O: that is the city hen. . . Puba  
 AS: xxxxxxxx  
 O: what is it. . .  
 AS: I don't understand. . . that  
 O: Puba. . . is the city or the village?  
 AS: it's a VILLAge  
 O: yes. . . and the name of the street. . .  
 AS: what?  
 O: name of the street  
 AS: Puba  
 O: ALSO Puba?  
 AS: the name of the street  
 O: yes. . . your street has no name

Coming from a census-based, large-scale society, asylum officers very often do not easily relate to applicants' topographical universe, such as the Puba village in Sierra Leone where streets have no names or, as in the following case, where one does not need to know the address of a building to be able to get there:

- (6) Immigration Appellate Court, Glasgow (Good 2007: 163)  
 AS = Kurd; I = Kurd; O = British English; J = British English
- O: According to your statement and your interview, you actually attended the HADEP building, but you didn't know the address of it. Why would it be?
- I: xxx  
 AS: xxx  
 I: There was a party building in N---. I knew the building, I knew where I was,  
 I didn't have to know address. It's like in this country,  
 I know where my friend lives, I don't have to know his address.

In this case, the quick-thinking applicant offered a rationale for the construction of a parallel universe in which people can navigate without toponyms.<sup>3</sup>

To conclude this section I want to mention the case, reported by Bohmer and Shuman (2007), of a US judge who found an asylum seeker's story noncredible because the applicant had said his brother was in a prison hospital but he did not know the name of the hospital. They noted that this was a case of

different cultural assumptions: “in Afghanistan the name of a hospital is not common knowledge as it is in the US” (2007: 156). Lack of shared cultural assumptions produced in this case a culture of suspicion with negative implications for the applicant’s human rights.

### 3.2. *Breakdowns caused by unexpected semantic clusters*

Claim denials can also arise from reasons related to semantic clusters of indigenous classifications, which do not map onto those of the dominant language of the hearing. For instance, Good (2007) discusses a case involving a discrepancy between kin terminology in Tamil and in English. Everyday Tamil has no composite term for *brother*, only the terms *annan* (‘elder brother’, ‘senior parallel cousin’) and *tampi* (‘younger brother’, ‘junior parallel cousin’). In this particular hearing, the asylum seeker was asked about his siblings and whether any of them were active militants. He replied that he had one *annan* and one *tampi*, which was translated by the interpreter as “he has two brothers.” He then proceeded to discuss them separately, focusing first on his *tampi*’s militancy, which was then translated as “his militant brother.” According to Good (2007: 180), due to the “characteristic eagerness of the caseworker to press on,” the asylum seeker was not allowed to complete his testimony and to clarify that also his *annan* had joined the Tamil Tigers. As a result, the militancy of this second “brother” remained in the wings, only to resurface during a second hearing to sow doubt into the mind of the adjudicators.

In an expansion of Berg-Seligson’s (1990) model for examining interpreting in the courtroom, Inghilleri (2003) focused on the reduction of polysemic statements to monosemic statements in the transfer from the source language to the official language in asylum hearings in the United Kingdom. In her analysis of the case of a Central American asylum seeker, she discussed how the semantic ambiguities of the Spanish word *fracaso* were lost in the transfer from the asylum seeker’s deposition in Spanish to the interpretation in English. In the regional variety of Spanish spoken in Central America, this term is used in two radically different contexts: it can refer to economic or financial failure as well as to physical harm and structural body failure (including torture). In this case, the interpretation of the term became a crucial element for officials examining the applicant’s motives for escaping from his Central American home. The applicant had explained that he fled because of fear of *fracaso*. The interpreter translated this as fear of economic failure, and the applicant’s statement was recorded as such. In a series of successive judgments, bureaucrats of the Home Office relied upon this entextualization to deny the asylum application on the grounds that the applicant was an “economic migrant” rather than a “political refugee” (a recurrent political theme in Western attitudes vis-à-vis asylum seekers, one shaped by decades of cold war ideology).<sup>4</sup>

Confusion over calendars can also lead to serious consequences for the asylum seeker, especially in cases where non-Gregorian dates (such as those of a lunar calendar) do not align with Gregorian dates. This is quite convincingly illustrated in the following case, where a poor match between the Western calendar and the Tamil “luni-solar calendar” caused a loss of applicant’s credibility:

(7) Immigration Appellate Court, Glasgow (Good 2007: 173)

xxx marks untranscribed text

AS = Tamil; I = Tamil; O = British English

O: when did you arrive in Colombo?

I: xxx

AS: xxx

I: twenty-first September Ninety Nine

O: in your interview, page A4, you say you went to Colombo in August Ninety Nine?

I: xxx

AS: xxx

I: I went in August

O: remember the date in August?

I: xxx

AS: xxx

I: twenty first

O: so, twenty first August Ninety Nine

[long dialogue between AS and I involving use of names of various Tamil months]

I: I went on twenty first September Ninety Nine

O: You just said you went in August.

I: xxx

AS: xxx

I: I went in September

O: so can you explain why in your interview you said you went in August?

I: xxx

AS: xxx

I: must have forgotten, was frightened for my life,  
so must have given wrong date.

Although the applicant himself can only suggest his precarious psychological state as the reason for his confusion between August and September, Good has a much more convincing explanation:

Months in the Tamil luni-solar calendar are out of phase with those of the Gregorian calendar. Thus the Tamil month of *Avani* begins in mid-August and ends in mid-September, although the exact dates differ each year. It only takes the Home Office interpreter to render *Avani* as “August” at the asylum interview, and the court interpreter

to translate it as “September” during the hearing, and the HOPO can triumphantly provide the court with a credibility-damaging “discrepancy,” though there may have been no inconsistency whatever on the part of the hapless appellant. (Good 2007: 173)

Lack of cultural awareness about different ways of keeping time can have a direct impact on referential accuracy (in this case, both internal and external), with serious consequences for the applicant.

Asylum agencies routinely elicit reference to body parts to determine credibility, since most asylum procedures rely also on medical reports to prove a link between the applicant’s narrative of past abuses and the body present at the deposition. Most authors noted that many cases hinged on issues of scarring, since agencies believe that the credibility of an applicant could be directly proven by matching his/her story with the referential presence of bodily scars. Given the inherent suspicion about asylum claims on the officers, the applicants’ narratives were systematically questioned for corroborating evidence and, as Fassin and Rechtman put it, “their bodies were summoned to testify” (2009: 257; see also Fassin and d’Halluin 2005 and 2007; Good 2007).

However, the representation of the body is also culturally mediated, and this could lead to misunderstood semantic clusters. Discrepancies may arise when comparing applicants’ reference to body parts with reference to scars on their bodies as reported by medical examiners or observed during the deposition by adjudicators. For instance, Good (2007) reports a case of adverse credibility of a Tamil applicant based on discrepancies regarding the location of bayonet wounds. Good’s discussion focuses on the everyday use of the Tamil term *kal* to refer to both foot and leg, with people specifying more precisely between *kanukkal* ‘ankle’, *kutikal* ‘heel’, and *mulankal* ‘knee’, only when strictly necessary. He speculates that this case of adverse credibility could have been “the artifact of translation choices made by different interpreters on separate occasions” (2007: 181)—choices that produced misaligned body maps.

In all these cases, the semantic transfer of applicants’ testimonies into English could not accommodate the semantic maps of the original language. Because of various forms of constraints in the hearing (institutional, interpretational, and temporal), these different semantic territories were left unexplored. Nevertheless they played a role in damaging the credibility of the asylum seeker—here again with dire consequences.

### 3.3. *Breakdowns caused by unexpected ways of speaking*

The third and most common area of communicative breakdowns is situated at the surface level of the utterance. *Crosstalk* has already highlighted the



role of prosody in conveying both information and attitudinal stance, but by looking at intercultural encounters from the perspective of transidiomatic communication we can add both a power-focused and xenoglossic perspective (Pennycook 2007).

Let us look at another case studied by Maryns (2006), in which we can clearly see the fuzzy, hybridized nature of late-modern communication. The officer and the asylum seeker in this case were not only driven by radically different power positions and motivations (the asylum seeker needing to tell her story, the officer seeking incontrovertible evidence that could be checked and cross-examined) but also used a *lingua franca* (English in this case) with which they were both uncomfortable. In the example below, the officer was French Belgian, while the asylum seeker was from Darfur:

(8) Belgian Asylum Courts (Maryns 2006: 285–286)

AS = woman, Sudanese (prob. Fur); O = woman, Belgian

- 1 O: I gonna start with the story  
[ . . ]
- 2 so what happened to you in Sudan
- 3 that you have to leave the country  
[ . . ]
- 4 AS: don't- when they are fighting we run
- 5 O: you just run away uhum
- 6 and what happened to you
- 7 run away. . . so where to
- 8 AS: one man. . . one man. . . carry me, help me. . .
- 9 O: Karimi
- 10 AS: yeah
- 11 O: it was a man or a woman?
- 12 AS: man

Unfamiliarity with different ways of pronouncing English words, combined with the official's need for concrete evidence in the form of a name, produced a classic transidiomatic communicative breakdown: the asylum seeker's mention of a person who "carry me" (line 38) became the personal name "Karimi." To compound the mistake, the claimant seemed to confirm the name suggested by the official (line 40)—a common instance of gratuitous concurrence in an institutional setting, whereby the claimant's preferred second pair-part is usually in agreement with the first pair-part, spoken in this case by the official (see Eades 2004). Later on, the asylum seeker was asked to provide more information about Karimi. She obviously could not comply with the request since she did not understand to whom the officer was referring. This communicative breakdown had the predictable result of undermining her credibility and her claim was also denied (Maryns 2006: 291).

Moreover, the difficulty of communicating during institutional encounters that involve different ways of speaking is compounded in many cases by the use of interpreters. Faced with the necessity to process asylum claims from all over the world, public officers increasingly rely on professional linguistic *passeurs*—the interpreters—to help them cross the treacherous boundaries between languages. Yet almost all asylum agencies (the exception being the Swiss one, see Michaud 2007) face serious financial limitations, which restrict the number of languages for which interpreters can be provided as well as interpreters' skill levels.

In Italian asylum hearings, it is not uncommon to find individual interpreters providing translation from two or three languages, including languages of which they were not native speakers. In the example below, a Serbian interpreter was asked to translate for an asylum seeker from Sierra Leone. Because no interpreter was available who spoke his native language, the asylum seeker had to provide his testimony in French. The interpreter, on the other hand, was initially hired to translate for asylum seekers from former Yugoslavia, but over time was also asked to translate from French, to reduce the number of interpreters necessary to cover a full day of hearings (the Italian commission on asylum in Rome would typically handle eight to ten cases a day). The coming together of two non-native French speakers with very different socioeconomic and cultural backgrounds produced a situation ripe for serious misunderstanding. In the excerpt below, the interpreter had just finished telling a very credible story of violence in which all his family members were killed and the family farm was burned to the ground. The officer decided to close the hearing with the scripted final question about “fear of persecution” in his country of citizenship.<sup>5</sup> Due, however, to the interpreter's pronunciation, the asylum seeker understood that they were asking him if he had a father in his home country (this after he had just testified about the murder of his father):

(9) Italian Asylum Hearings (12 July 2008)

- 1 O: *avete paura*  
 2 *di tornare al vostro paese?*  
 3 I: *de quoi avez-vous p[œ|ɛ|r]r?*  
 4 AS: *de quoi?*  
 5 I: *avez-vous p[œ|ɛ|r]r au pays?*  
 6 AS: *no, je n'ai pas de père*  
 7 O: *ma come?*  
 8 (. . .)  
 9 I: *quelle est votre p[œ|ɛ|r]r?*  
 10 AS: *je n'ai pas de père*  
 11 I: *lui non ha più padre*

- 12 O: *non capisco*  
 13 (. . .)  
 14 [intervention of the researcher to explain the confusion]
- 1 O: are you afraid  
 2 to go back to your country?  
 3 I: what are you afraid/father of?  
 4 AS: what?  
 5 I: are you afraid/have you a father in your country?  
 6 AS: no, I don't have a father  
 7 O: WHAT?  
 8 (. . .)  
 9 I: what's your fear/father?  
 10 AS: I don't have a father  
 11 I: he doesn't have a father anymore  
 12 O: I don't understand  
 13 (. . .)  
 14 [intervention of the researcher to explain the confusion]

The communicative breakdown here was caused by the interference of Serbian and French phonetics, since the interpreter spoke French with a Serbian-inflected pronunciation. In this case, the interpreter showed phonetic interference in the pronunciation of *peur* ('fear') which came to resemble the word *père* ('father'). The Serbian phonetic system has no front rounded vowels, whereas French has several front rounded vowels (including <ɛ> as in *père*). As a result, the asylum seeker interpreted the less-rounded [œ] as unrounded [<ɛ>], that is, he understood *père* instead of *peur*. As it happens with phonetic processing (and in experiments), the asylum seeker perceived the rounded–unrounded continuum in discrete terms: “unroundedness” <ɛ> started somewhere where “roundedness” ended. This could be expressed in Figure 1.<sup>6</sup>

If it were not for the intervention of this author (who was observing and recording the proceedings), the contradiction and utter confusion visible in the transcript could have led to a loss of credibility for the asylum seeker, with negative repercussions for his claim.

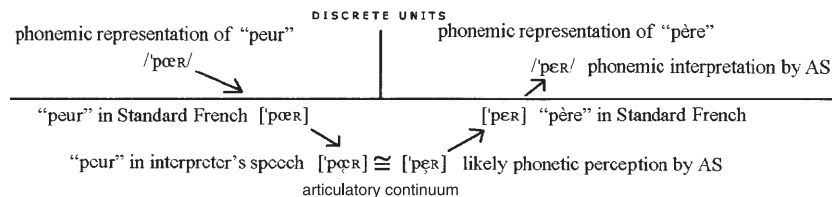


Figure 1. Perception and phonetic interferences in [œ] vs. [ɛ]

#### 4. Conclusions

Anybody familiar with John Gumperz's work will recognize that the discussion above owes a great deal to the formulation of crosstalk problems by Gumperz et al. (1979). For Gumperz, the problems were the result of the clash of "different cultural assumptions, different ways of structuring information, and different ways of speaking" (1979: 4–5). In the present discussion I have, however, elected to remove the qualifier "different" from Gumperz's three main concepts as explored in this paper and replaced it with "unexpected."

I believe that we need to consider asylum hearings through a paradigm that goes beyond the dominance/difference divide. In the power-saturated environment of these hearings, we are not dealing with intercultural interactions between equal partners holding "different cultural assumptions," etc. (as we can find in an international business meeting), but with clearly asymmetrical encounters, in which one side seeks help and provides personal information and the other listens and adjudicates.

In this context, the burden of potential misunderstanding has dramatic consequences only for the asylum seekers. Consequently they are the ones who need to adjust their conversational style, or face the consequences of their inability to do so. On the other side, examiners and adjudicators are using the communicative power of their techno-linguistic devices (questioning, procedural objections, metapragmatic requests, and so on) to ensure that the asylum hearings reflect the wishes of the dominant class.

At the same time, we should avoid a deterministic understanding of power relations, opposing people with power against those without it. Any interactions, including the institutional proceedings discussed above, still have to be accomplished through the turn-by-turn organization of the performance. Even participants in a weaker structural position may use their superior communicative skills to bring about a favorable outcome.

Even though Gumperz, throughout his career, privileged the "difference pole," he was always very aware of the relationship between performative force and power relations, and he recognized that any interactions, including asymmetrical encounters, are shaped by culture-bound performances carrying within them the seeds of ideological struggle, and thus social change.

At the same time, I believe there is a marked difference between the materials analyzed by Gumperz in the 1970s and current scholarship on asylum proceedings (Maryns 2006; Blommaert 2005, 2009; Codó 2008; Bohmer and Shuman 2007; Jacquemet 2009, forthcoming). Late-modern communication as experienced in these proceedings is no longer embedded in a single dominant language relating to a strong minority language, but in the multilingual practices that arise with global cultural flows and their power relations. We are witnessing a more complex kind of diversity that the one encounter by

Gumperz, where the origin of people, their presumed motives for migration, their “career” as migrants (sedentary versus short-term and transitory), or their sociocultural and linguistic features cannot be presupposed—we have entered, in the words of sociologist Steve Vertovec (2007), a “super-diverse” world. The comfort of the old migration studies, where the people, their trajectories, and their lives were known, has disappeared, and we are facing a form of complexity that is currently barely understood. Practically, this raises critical questions about the capacity of bureaucracies to handle these very diverse groups of people, and in particular about the ability of asylum agencies to handle their proceedings successfully (a process, I hoped to have shown, in which language issues play a critical role).

Participants in such proceedings need to consider that a successful outcome is more and more determined by their ability to attend precisely to the flexible, fuzzy, and massively multilingual nature of these institutional encounters. In other words, they need to realize the differential power and linguistic skills of all participants, the ideological play among languages, and the asymmetrically distributed ability to tiptoe through the different frames of an increasingly hybridized institutional talk.

### Acknowledgements

An earlier version of this chapter was presented to the Department of Anthropology, University of California, Berkeley, on November 15, 2007 at the invitation of the Linguistic Anthropology Working Group. I particularly thank the lecture organizers, Xochitl Marsilli and Mara Green, and Charles Briggs, William Hanks, Dan Slobin, and a cohort of very engaged graduate students for their questions and comments. Another version was presented at the International Pragmatics Association (IPrA) international meeting in Goteborg, Sweden on July 12, 2007. I thank my panel co-organizer Evelyn Ho for her organizational skills and comments; and panel members John Gumperz, Kristine L. Fitch, and Mimi Harvey for their queries and comments. Finally I want to thank Dawn Cunningham, Peter Auer, and *Text and Talk* reviewers for their advice in the development of the final version of this article.

### Notes

1. The conscious and overt monitoring of language use for the purpose of interactional dominance is ingrained in the history of contacts between British colonizers and Asian colonized. As Cohn (1996) pointed out in his discussion of language manuals for colonial administrators, this practice of linguistic consciousness was recognized as crucial for the maintenance of symbolic dominance by administrators of the British Empire. Language manuals for the colo-

- nists tried to enhance linguistic awareness by giving instruction on how to recognize “impertinent” talk, that is, language used as indicator of disrespect. For instance, colonists were trained to recognize the social indexicality of pronominal forms and in particular to recognize the T-form “*too/tera*” as an impertinent form of address: “It’s rather surprising that servants and sipahees, etc. should be allowed to take such advantage of their master’s ignorance of the language and customs of the country, as to *too* and *tera* them on every occasion: a liberty they dare not take with one another” (Gilchrist, *East India Guide*, as quoted in Cohn 1996: 43).
2. In *Crosstalk*, Gumperz (et al. 1979: 4) spoke of “different cultural assumptions, different ways of structuring information and arguments, and different ways of speaking.”
  3. This is a particularly common practice among migrants: in his book on undocumented migrants to the United States, Conover (1987) comments—obviously impressed—on the ability of a family of Mexican farm workers to travel from Northern Oregon to Florida without maps, relying only on past knowledge, cardinal points, and the occasional land marker.
  4. We should remember that human rights discourse in Western countries has been shaped by decades of cold war ideology, according to which people coming from “friendly” nations (such as San Salvador or Haiti) were considered “economic migrants,” whereas people coming out of “communist” countries (such as Cuba or the Soviet Union) were automatically considered “refugees.”
  5. Whoever compiled the Italian script for deposing asylum seekers failed to consider the communicative implications of asking asylum seekers *at the end* of the hearing a hypothetical question about what they had to fear if they were to return to their country. I witnessed in more than one occasion the panic in their eyes, convinced that they had failed the hearing and were going to be sent back. The sequential power of the script had struck again.
  6. I wish to thank Celso Alvarez Caccamo, professor of Linguistics at the University of A Corunha, Spain, and fellow participant in many of Gumperz’s seminars at UC Berkeley, for his help with this phonetic analysis. He also pointed out that, psychologically, the asylum seeker’s trauma about his *père* might have been a factor in his decision to solve this perceptual puzzle along kinship lines instead of fear of persecution.

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