

Power and resistance in interrogations of suspects in the Egyptian judicial process

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The common cultural perception of interrogations in Egypt is one of injustice and torture, a perception which is mainly created and emphasised in works of art such as movies, television series, novels and in newspapers. This idea is consolidated in narratives about torture in police stations and prisons, for example in the novel *Honor*, by well-known Egyptian writer Sonallah Ibrahim (1997), which traces the experience of four prisoners during interrogations and torture in Egyptian prisons. Interrogations are called *tahqīq* in Egypt, a term that has negative connotations because its meaning indicates that a member of a formal institution has the right to question and interrogate members of the public to reach the 'truth'. Having such terms to describe the process of interrogation adds to the idea of asymmetry of power and coercion in the legal system.

While there are undoubtedly real cases of abuse which have been recorded in Human Rights reports (e.g., IBHARI 2014), public perceptions are likely built on societal suspicions of the interrogation system, hearsay stories of police abuse and cultural stereotypes. As an attempt to change the public perception of Egyptian interrogations, this thesis investigates the normal everyday practice and the mundane tactics used by prosecutors and suspects in the prosecution interrogation room. In other words, by investigating the ordinary mundaneness of prosecutors' questioning tactics, this thesis aims to open up Egyptian interrogations for discussion and thus to be useful to prosecutors who work in interrogation rooms from day to day and also to forensic linguists studying interrogation practices around the world. It is worth noting that the term *prosecutor* is used to refer to the person doing the interrogation, instead of terms such as *interviewers* and *police officers*, because in the Egyptian context, it is prosecutors who interrogate suspects. This study aims to explore and respond to the following questions:

1. What are the discursive practices used by prosecutors and suspects in Egyptian interrogations?
2. What are the different forms of power, status and control found in the interviewers' questions?
3. What are the different resistance strategies used by suspects?
4. What is the relationship between question types and resistance?
5. What is the social impact that results from the study of such discursive practices?

Specifically, the thesis uses a discourse pragmatic approach to give insight into the complexities of interrogations. The discourse pragmatic approach follows Heydon's (2005) critical discourse approach to identify and analyse signs of power and control in interrogations, pragmatic features such as Grice's (1975) co-operative principle, politeness and presuppositions (Brown and Levinson 1987) to explore interviewees' responses and Drew and Heritage's (1992) interactional sociolinguistics that explores the underlying social structure of interro-

gations. The data used came from two sources. The first set includes 13 cases collected from a prosecutor in Egypt, and they all came in the form of photocopied handwritten documents written in Arabic (a mix of Modern Standard Arabic and colloquial Arabic varieties), the official language in Egypt. These include interrogations with ordinary workers, traders and company managers taking place between the years 2007 and 2011. All interrogations in this set formed part of criminal investigations about a variety of offences such as drug crimes, murder and embezzlement, which are representative of the types of cases Egyptian interrogations deal with. The second set of data includes five published interrogations with ex-president Hosni Mubarak and his two sons, Gamal and Alaa (see Shalaby 2012), which took place in 2011 after the 25 January revolution. Even though the Mubaraks' cases were high-profile cases, they were added to the analysis to compare the strategies and practices used in high-profile cases to everyday cases.

This study examines the pragmatic and linguistic choices that prosecutors and suspects make to express power relations, modes of resistance and information gathering/confirmation in inquisitorial interviews. This analysis gives insights into the questioning practices in Egypt's interrogations and the interactional goals and methods of such speech events. In addition, the analysis explores the challenges of analysing and translating a written record and establishing the journey of a suspect's statement in Egyptian interrogations.

The discourse pragmatic analysis focuses on three linguistic features: the use of 'I don't know' (IDK) as a suspect resistance and evasion strategy, *wa/and*-prefaced questions (e.g., *And what was the reason for their choice to arrest you from all the people in the place?*) and put on record (POR) questions (e.g., *And what do you say about what has also been also affirmed that thousands of the participants in these peaceful demonstrations were injured by the police force's gun shots and rubber bullets of the police forces?*) as questioning techniques. The analysis starts with an investigation of one of the resistance strategies used by suspects during interrogations (i.e., 'I do not know'). Based on Harris's (1991) evasion scale, responses are organised from the least resistant to the most resistant, emphasising the effect question types have on the form and level of resistance of suspect responses. Findings revealed that responses to 'do you know' questions (e.g., *What is the extent of your knowledge of the victim's pregnancy?*) are the least resistant because 'I do not know' is licensed and expected because prosecutors ask about the suspect's knowledge. In addition, it was found that responses to implied accusations are more resistant because suspects shift the blame to other people to evade questions, weakening their position and claims. The most resistant category of IDK responses is that related to POR questions, and these are divided into three categories: emphatic responses, IDK only and IDK with explanation responses. PORs differ from 'do you know' questions and questions with implied

accusations because they are not meant to simply challenge suspects' statements. Therefore, the more controlling the questions become the less able suspects are to answer cooperatively while maintaining their innocence on the record.

Another linguistic feature investigated is the pragmatic functions of prefaced questions in interrogations to build on Egyptian research into the *wa/and* particle and the literature on *and-* and *so-*prefacing in interrogations in English (e.g., Cotterill 2003; Johnson 2002). *And/wa*-prefaced questions are valuable tools for prosecutors with which they can evaluate suspects' statements and build an institutionally valuable suspect narrative. As a questioning strategy, *and/wa*-prefaced questions invite suspects to provide their narratives, even if they are challenged afterwards. The data reveal that prefaced questions play two important roles in Egyptian interrogations. First, they are common tools used by prosecutors to build a suspect's narrative and also build in evidential detail that is important, such as an indication of intention and cognitive state. It is this narrative that is later challenged by the prosecutor by the use of probing questions if an interrogation results in a trial. Second, prosecutors use them as a sign of shift from narrative building to a more evaluative and probing function where the prosecutor attempts to achieve his interrogating agenda and to produce an institutional version of the event.

The final linguistic feature investigated shifts the focus from questions that aim at constructing narratives, or highlighting contradictory details in a suspect's narrative, to a less inviting and restrictive type of question: Put on Record questions. After analysing the type of IDK responses that POR questions trigger, focus was given to the nature of POR questions and the different functions they play in interrogations. Analysing PORs was an interesting and thought-provoking section of the study, as it involved discussion of the ongoing conflict between the interrogation record as a representation of the institutional voice on the one hand, where the prosecutor is responsible for presenting and supporting a narrative other than that of suspects, and the calls for having impartial interviews where suspects are truly given a voice and are treated as individuals and not just a means to follow an institutional agenda. The data show the institutionally powerful side of questions because PORs do not invite suspects to answer. They record the institutional version of events that will be dealt with in more detail during the trial phase.

To sum up, in this study, reference has been made to the different discursive features that are used both by prosecutors and suspects. Examples of these are the use of *and/wa*-prefaced questions, the use of Put on Record questions and 'I do not know' responses. Analysis of such features has revealed the structure and functions of Egyptian interrogations in relation to different criminal cases and categories of suspect. It is worth noting, however, that the findings of this study

are not restricted to the Egyptian context per se. The methodology and analysis used in the current study are applicable to other Arab contexts, for example, and also internationally. I believe that the findings are relevant and applicable to all studies investigating interrogations, questioning strategies and issues of resistance and control. The findings of the study have also helped reveal the complex nature of the hand-written interrogation record, the role of textual travel and the many contributors to the actual interrogation record, such as clerks and prosecutors.

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