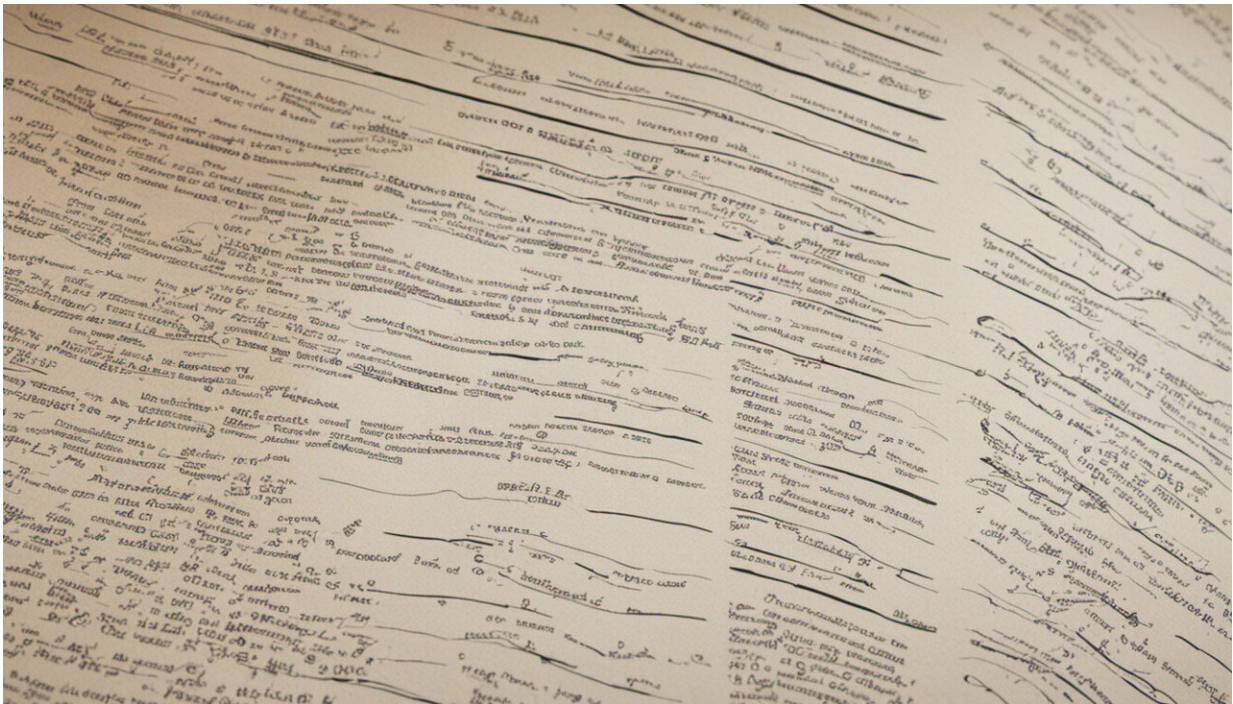


Prejudice toward African American dialect can result in unfair rulings

December 3 2014, by Marguerite Rigoglioso



Credit: AI-generated image ([disclaimer](#))

As outrage over the shooting deaths of African-American teens continues to fill the airwaves, Stanford linguistics Professor John Rickford says more attention needs to be paid to prejudices toward language differences in the judicial system.

When it comes to the 2012 shooting of Trayvon Martin in Florida, in particular, Rickford said, "Widespread ignorance and hostility about authentic linguistic and cultural difference in America" led to a verdict that may well have been different had the key witness been better understood and viewed as more credible by the jury.

George Zimmerman, the man who shot Martin, claimed he acted in self-defense. Yet Martin's friend Rachel Jeantel, who was on the phone with Martin before and during the altercation until minutes before his death, said Zimmerman was the instigator. Jeantel's testimony in the summer 2013 trial was key to the prosecution, but Rickford said prejudice diminished her impact.

Rickford, one of the world's leading experts on African American Vernacular English (AAVE), or Ebonics, said that Jeantel was misunderstood and discredited by the jury because of the way she talks.

Jeantel was subjected to cruel public commentary for her "ungrammatical blather." But Rickford noted that Jeantel is actually "fluent in a variety of English that's been in existence for centuries. She speaks a very systematic, regular variety of AAVE."

The J.E. Wallace Sterling Professor of Humanities, Rickford is the author of numerous books, including *Spoken Soul: The Story of Black English*. His scholarly opinions and research in the areas of Ebonics and education have appeared in publications across the globe over the last 25 years.

Not fluent in AAVE themselves, the transcribers, attorneys and jury members involved in the Martin trial missed or misunderstood crucial elements in Jeantel's testimony, said Rickford, who blogged during the trial.

The problem is widespread, he said, with people speaking African American Vernacular English and other dialects often being misunderstood, disbelieved or otherwise unfairly evaluated in courts, schools and other settings.

"People speaking non-standard English are even seen as being of poor character," said Rickford, a native of Guyana, where a Creole English variety similar to AAVE is spoken. He said he sees the politics of language at work every day from both research and personal perspectives.

Rickford, with linguistics graduate student and research collaborator Sharese King, has spoken widely about the case involving Rachel Jeantel. They are currently exploring research on dialect and credibility and writing up their linguistic analysis of the testimony for scholarly journals.

Since one cannot restrict witnesses to those who speak fluent standard English, Rickford said, it is up to jurors and the court to make greater efforts to understand them. The problem is exacerbated for speakers of English dialects, who do not get access to translators as witnesses from foreign language backgrounds do.

A crucial misunderstanding

Although remarks on social media sites claimed that Jeantel's testimony was incoherent and nearly incomprehensible, "Speakers of AAVE and linguists who have studied this most distinctive variety for more than 50 years knew exactly what she meant when she used certain systematic features," Rickford said.

These include her use of stressed BIN, as in, "I was BIN paying attention, sir," meaning, "I've been paying attention for a long time, and

am still paying attention."

Jeantel also used the preterit had, as well as ax and inverted did in embedded sentences, as in, "He had ax me did I go to the hospital," meaning, "He asked me whether I had gone to the hospital," Rickford said.

Another feature of AAVE exemplified by Jeantel is the absence of copula or auxiliary is and are, as in, "He ___ by the area where his daddy fiancée house is." The verb is is absent before by but present at the end of the sentence, where stress rules prohibit its absence.

"African Americans on the jury – especially fluent AAVE speakers – would have understood Jeantel, and the presence of even one such juror could have helped the others to understand what she was saying," Rickford said. "But the defense did a good job of making sure there were no African American jurors in this trial."

Rickford said one crucial possible misunderstanding concerned defense attorney Don West's relentless cross-examination of Jeantel about her April 2012 pre-trial deposition with prosecutor Bernie de la Rionda. In that interview, she said that during the scuffle between Zimmerman and Martin, which she could hear over the cellphone, someone said, "Get off!"

When asked, "Could you tell who was saying that?" the transcript reads, "I couldn't know Trayvon," and then "I couldn't hear Trayvon." But, as Rickford pointed out, "neither of these makes semantic sense in context."

"When another linguist and I listened to the TV broadcast of the recording played in court we heard, instead, 'I could, an' it was Trayvon.' Now we would need to listen to an excellent recording of the original

deposition, using good acoustic equipment, to verify these exact words," Rickford said. "But she definitely did not say what the transcript reports her to have said."

Social prejudice

The issue goes deeper than auditory blips, said Rickford, whose studies often focus on linguistics as it applies to urban education, social class and ethnic identity.

"As is often the case, particularly in formal settings, unfamiliarity with and negative attitudes toward vernacular speech rendered Jeantel simply ignorant in the eyes of the jury – and therefore not a credible witness," he said.

Further, much was made of the fact that Jeantel's testimony in the deposition seemed to contradict her claims on the stand.

What became clear in the trial, Rickford said, was that despite her fluency in the spoken vernacular, Jeantel was not fully literate. This seemed to limit her ability to read transcripts of her earlier depositions that West kept putting before her in the courtroom.

Rickford said Jeantel's limited literacy "reflects the failure of public education in minority-dominant schools in Florida and across the United States."

In his teaching, speaking, writing and research, Rickford's aim is to help students and the general public understand and overcome prejudices they often have regarding non-native and dialectical speakers of English. "It's particularly important for teachers, employers and those in the criminal justice system to do so," he said.

Rickford said recent research shows that non-native or vernacular speakers are less believed even when uttering innocuous statements. "It's likely this stems from social prejudice rather than mere lack of comprehension on the part of the listener," he said.

When it comes to the case of Trayvon Martin, Rickford said, "I don't think justice was served. One wonders why jurors voted for acquittal without seeking clarification of Jeantel's crucial testimony."

Provided by Stanford University

Citation: Prejudice toward African American dialect can result in unfair rulings (2014, December 3) retrieved 17 July 2024 from <https://phys.org/news/2014-12-prejudice-african-american-dialect-result.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.