

# Discourse of Silence

Dennis Kurzon



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## DISCOURSE OF SILENCE

# *Pragmatics & Beyond*

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*In memory of my brother-in-law*

Marcel

“Silence is deep as Eternity”

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## PREFACE

"Discourse of silence" is a sufficiently general title to cover all that is found in this work. But why is the title "discourse of silence," and not "the discourse" or "a discourse"? Has English suddenly developed a feature found in Slavonic languages in which noun phrases do not have any articles? This inherent ambiguity in article-less noun phrases, usually solved by contextualization, may be seen as an aid in enabling us to cover the two interpretations of the title – this is a discourse about silence ("**the** discourse of silence") and a discourse about how people relate to silence in specific texts (each text being "**a** discourse of silence"). One way of showing these two meanings is the hybrid form *a/the*, but since in a title, articles may be left out, I have adopted a far better solution.

Discourse, in one of its various meanings, refers to the interaction of a text with the environment in which the text is used. Discourses may be analysed in terms of pragmatic parameters such that a speech act theory would provide, e.g. the felicity conditions of a Searlian approach. They may be seen from a sociological perspective with a focus on parameters such as gender, age, socio-economic status. Discourses may be analysed in terms of the performance features of everyday conversation, which would offer contextual explanations for hesitations, false starts, and even silences or pauses. They may be seen from a grammatical point-of-view, with the examination of sentence structure and, perhaps in natural conversation, the grammar of ellipsis. The discourse of silence will be discussed from all these perspectives.

However, let us concentrate here on the fourth and final item on the list above. How can we relate, for example, to a "grammar of silence"? If we mean by grammar those traditional divisions – morphology and syntax, then it has to be shown that in discussing silence, we may talk about the morphology and syntax of silence. In grammatical terms, we may say that *silence* is a noun that refers to a state, more specifically to the absence of a particular activity; this ac-

tivity is, of course, speech. In English there is no monolexical verb form to denote that the verbal subject is silent. In other words, there is no structure

NP + Verb, with the meaning 'be silent'

for silence in such a structure is not coded. We have to use, instead, the structure:

NP + be + silent

which is stative par excellence through the use of the verb *to be*. There are languages that do have a monolexical verb equivalent to 'be silent.' In French, for example we find the reflexive verb *se taire*, so "taisez-vous" is the imperative (and "je me tais," 'I am silent,' could be considered in certain circumstances to be self-contradictory). Hebrew, too, has one single verb denoting 'to be silent' *lishtok*. In his analysis of metapragmatic verbs from 81 languages, Verschueren (1989) cites eighteen languages in which there is found a monolexical verb with the meaning 'to be silent.' Despite the stative nature of the phrase "to be silent," we shall see that one of the two types of silence – intentional silence – is very much an activity, in which case it has to be considered dynamic in meaning. The typical stative form of "be silent" in fact does not prevent its being used with dynamic meaning. *To be* in English may be used in the progressive aspect, for example, to connote activity, cf.

|                       |   |                                                                 |
|-----------------------|---|-----------------------------------------------------------------|
| "He is foolish"       | – | state                                                           |
| "He is being foolish" | – | activity, at the time of speaking,<br>he is behaving foolishly. |

When it comes to the interpretation of silence, the gloss given to a silent response is modal in form, e.g. "I must not talk." A major component of the grammar of silence concerns modality, both as a formal feature, covering the verbs *may*, *must*, *will*, *shall*, *can* (and the quasi-modal *need*), and also as a set of semantic features.

But we have not completed our survey of the morpho-syntax of silence, for by analogy with the creative possibilities found in English word formation, the noun can be transformed into a verb – by zero-derivation. The noun *silence* is transformed into the verb *to silence*. Moreover, it becomes an active verb, both in the syntactic sense (subject + verb + object), and in its real-world sense in that silencing is an activity. The verb *to silence* is now a transitive verb whose subject, in the active form, is the agent who imposes silence on the object or patient (allowing for both formal and functional views of grammar). As with the monolexicality of *be silent* in languages grouped into one set on the basis of linguistic typology, this transitivity of *silence* (and of silence – the phenome-

non in the real world, as we shall see) is not found in many languages; exceptional cases are those languages with a morphologically distinct causative form, e.g. in Hebrew *lehashitik*, 'to silence.'

The "discourse of silence" may be seen from two viewpoints: (1) A modal perspective of silence, which integrates grammatical, semantic and pragmatic analyses, involving a discussion of the interpretation of silence as an integral part of a conversation, almost exclusively in terms of the question-answer adjacency pair. (2) The syntactic perspective of the transitivity of silence, in which an agent has the power to impose silence on other persons.

"Discourse of silence" has another meaning not yet touched upon, but nevertheless important to this work. This derives from the ambiguity of the preposition *of*. One of its meanings is 'belonging to,' and that is the meaning that has been discussed until this point. Its other meaning is 'about.' The question we may now ask is: how do discourses talk about silence? This involves the integration of the first meaning of "discourse" with the second. So, the first part of the book – the first two chapters – deals with the grammar of silence, where "grammar" may approximately be interpreted as rule-governed and model-based systems. The use of the term "grammar" should not be considered analogous to Kenneth Burke's definition of grammar (in his *Grammar of Motives*, 1962) as principles that are applied to temporal situations; in our case, the explanation of silence through grammar is more complex. Chapter One examines the application of semiotic tools to explore several facets of silence in everyday conversation, and reviews various studies of silence that have been published. In Chapter Two, silence is interpreted in terms of modality, which helps, among other things, to distinguish between intentional silence and unintentional silence. A model that integrates a number of different approaches to human interaction is presented as a means by which the silent answer may be interpreted. On the whole, the first two chapters offer perspectives on silence directed to the more semiotics-oriented reader, providing the "beyond," as the title of the series puts it; these perspectives are constantly in the background to the more pragmatically based analyses that follow.

The second part of the book consists of analyses of different types of silence and their context. In Chapter Three, silence – especially the silent answer – is discussed within the legal context. Moreover, the concept of the transitivity of silence (see above) is set out. This is followed in Chapters Four, Five and Six by the analyses of the silence of characters in fictional, biblical and cinematic texts in which the terms of reference gradually expand – from the silent answer, through the silencing of characters by authors, to silence as a feature of the generation gap.

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# **Chapter One**

## **The Semiotics of Silence**

### **1. Silence as a sign**

It is an old adage that silence is meaningful. The central problem of silence in discourse is to discover that meaning. The question to be addressed in this work is how silence in discourse is in fact interpreted. In the initial stages at least, we shall concentrate on the silent response to a question; the context will be gradually expanded as we relate to different discourse types. In order to find a solution to the problem, we have to use an approach that is not only linguistic but, more broadly, semiotic in nature. Such a solution should include not only the immediate linguistic environment of the silence, the second member of the "question-answer" adjacency pair, if we take the silent answer as our paradigmatic case. It should also take note of the broader extralinguistic situation in which the silence takes place. For this, we have to address the relevant aspects of symbolic human interaction, as it is discussed in the literature on conversational analysis, social psychology and general sociolinguistics.

Although in the opening two chapters, a model will develop through the examination of various possible approaches to silence, especially the silent answer, this model will become less significant in the course of the discussion of various discourse types, since we shall be moving away from the silent answer as a typical instance of silence, and shall be looking at silence in a variety of other contexts. Other analytical, mainly pragmatic, tools will be applied as the need arises.

But let us start the investigation within an apparently narrower structural, more linguistically oriented, field, which will show us some of the relationships between silence and its opposite – speech. Jakobson's seminal paper (1939) on the zero-sign is not the first work on the subject, but is certainly cen-

tral both to the question of silence in interaction and, perhaps more importantly as far as theoretical linguistics is concerned, to the issue of zero as a linguistic sign. In linguistics zero has meaning; as Jakobson puts it (1939: 211): "le langage peut se contenter de l'opposition de quelque chose avec rien" [a language can make do just with the opposition between something and nothing]. Jakobson is interested in zero as a sign on the various levels of linguistic analysis. He illustrates this in his discussion of various declensional forms in Russian morphology: the nominative case of the masculine noun *suprug* ('male/unmarked spouse') with its zero ending contrasts with the oblique forms that have morpheme suffixes, e.g. genitive *supruga*, instrumental *suprugom*. Note, too, the zero ending of feminine nouns in the genitive plural, e.g. *stran*, 'of the countries' in contrast to the nominative singular form, *strana* 'country'.<sup>1</sup> Jakobson also discusses vocabulary items in Russian such as *devica* and *devushka*, both of which mean 'a young girl,' but the latter, according to Jakobson (p.215), has an added meaning (a sememe) of 'virgin'; hence the unmarked form is *devica* with its zero semantic feature.

In English grammar, we have the plural form of *sheep* as an example of zero number; and in lexis, we have *dog* as opposed to *bitch* as the unmarked term with a zero semantic feature, since the word *dog* need not distinguish between male and female. Likewise, Jakobson speaks of the zero sign as the unmarked form, especially in the field of word order; he explicitly talks of zero word order ("l'ordre zéro," 1939: 217). Jakobson's approach reflects the then current universe of linguistic discourse; it should not be forgotten that linguistic paradigms have undergone extensive changes since the heyday of structuralism.

This initial approach is based on the Saussurian linguistic sign, which is made up of two elements:

signifier  
signified

If we are examining the linguistic value of zero, then we should first make a distinction between zero (or silence) as a signifier ("signifiant"), and zero as a signified ("signifié"). Zero is taken as a "forerunner" of silence, because the absence of an overt linguistic element, if that absence is in contrast to the presence of that linguistic element, is meaningful; this is the argument usually put forward for the meaningfulness of silence.

The notion of zero links the zero signified with neutralization, as the French semiotician A.J. Greimas does explicitly, so the neutral term is the one with a zero feature, hence *dog* is neutral in that it has a zero gender feature (Schleifer 1987: 53). In an unpublished paper, Dinguirard (1979), pointing out the ambiguities of the term "markedness," likewise argues that silence in a con-

versation should be considered marked, as opposed to unmarked speech ("the zero mark is a mark, and not a non-mark"). This position has also been advocated by Sobkowiak in his persuasive "attempt to apply markedness theory to a pragmatic concept," i.e. silence (1997:56).

A further example of zero signifieds is discussed in Jakobson's early work on nonsense words in contemporary Russian poetry. Words are used which have no meaning, in other words we are again talking about signifiers with zero signifieds (1921: 67). The Dada movement also provides material relevant to this discussion, illustrated here by an extract from "Phonetic poem," written by one of the leaders of the Dada movement, Hugo Ball, in 1917:

### KARAWANE

jolifanto bambla ô falli bambla  
*grossiga m'pfa habla horem*  
**égiga goramen**  
 higo bloiko russula huju

Extending Jakobson's exposition, Dinguirard, in the same unpublished paper (1979)<sup>2</sup>, distinguishes three types of silence. Firstly, he posits "nothing" ("rien"), which is not a linguistic sign (see also below). Secondly, there is zero, which is paradigmatic in nature and of the same type discussed by Jakobson, e.g. morphological features such as zero ending in the nominative in contrast to oblique case endings. As his third type, Dinguirard proposes a syntagmatic category of silence – the interruption of continuous speech ("solution de continuité"). The examples he gives of this last type include elliptical utterances, abbreviations and clipping (*ciné* for *cinéma* and its derivatives). Moreover, he includes discourse as an integral part of linguistic analysis, which is not the case in Jakobson's paper.

Can we use an analysis of the linguistic sign as the initial point in a more general discussion of silence as a semiotic feature? Let us attempt this by looking at one of the important features I shall be taking into account in my discussion at a later stage – intention. What we need is a comprehensive picture of silence as a linguistic phenomenon, in which it is placed side-by-side with speech. Silence – lack of speech – as a zero signifier may be taken to be intentional silence when it is interpreted by a signified in the form of a proposition of the type "I must not speak" or "I will not speak." However, we do find instances of silence, a zero signifier, as a response to some verbal stimulus (the paradigmatic case that I shall be examining initially is the silent answer to a question), which may have a zero signified as well. If such is the case, we can

argue that we do not have a linguistic sign in the normal sense; the silent addressee lacks intention in his or her silence. For silence to have meaning in the linguistic sense, the speaker must have an intention – hence a zero signifier has an utterable signified, a meaning that may be expressed in words. But when the speaker has no intention behind his or her behaviour, we may refer to this silence as unintentional and therefore as linguistically meaningless. It is, however, meaningful in a more general sense as in the expression "red sky at night means a nice day tomorrow." This corresponds to Grice (1968)'s distinction between natural and non-natural meaning, the latter only being linguistic in essence.

The above case of a zero signifier and a zero signified does not seem linguistic in nature (unintentional silence), but it may be asked whether it is possible to have a linguistic sign of silence in cases in which there is a zero signifier and a zero signified. Sebeok argues that such a case is oxymoronic (1976: 118). The late American composer John Cage, in his "Lecture on Nothing" (1961: 123-124), introduces a possible candidate for a linguistic sign with zero signifier and zero signified. There are two silent subparts or empty spaces after the following:

|                  |                 |                     |                |
|------------------|-----------------|---------------------|----------------|
|                  | we were nowhere | ;                   | Originally     |
|                  | we are having   | the pleasure        | and now, again |
| of being         | slowly          | nowhere.            | If anybody     |
| is sleepy        |                 | let him go to sleep |                |
|                  |                 | ⌘ ⌘                 |                |
|                  |                 | ⌘                   |                |
|                  |                 | ⌘                   |                |
| That is finished | now.            | It was a pleasure   |                |

When delivered orally, there are two timed silent periods, indicated in the written version by the ⌘, which are zero signifiers, and there does not seem to be a straightforward signified or meaning to fill those periods. It may be a representation of the invitation Cage offers his audience to go to sleep. If so, then it is iconic in essence, iconic of what the audience may do, but not symbolic – it cannot be translated into words, which our cases of silence may be.<sup>3</sup> If that is the interpretation, then Cage empathizes with his sleepy audience in his use of "that" and "it" in the line after the silence; these pronouns would then refer to

"sleep." Or is Cage having fun? The audience would probably react to that silence with laughter, or at least with smiles. In such a case, silence may be a zero signifier, but its signified is context-bound to such an extent that no generalization may be made.

A similar case may be the feeling of Murke in Heinrich Böll's short story *"Doktor Murkes gesammeltes Schweigen"* ("Doctor Murke's collected silences"; 1978), when he listens to Rina's silence in real-time and on tape:

wenn du wusstest, wie kostbar mir dein Schweigen ist. Abends, wenn ich müde bin, wenn ich hier sitzen muss, lasse ich mir dein Schweigen ablaufen. (Böll 1978: 48)

[if only you knew how precious your silence is to me. In the evenings, when I am tired, when I sit here alone, I play back your silence.]

There are no words that can replace the silence, so here again we find a zero signifier with a zero signified.

## 2. Silence and non-verbal communication

It seems that if we take the traditional linguistic sign as the basis of an analysis of silence in discourse, we would be limiting our perspective. Since the object of this work is to present a more general picture of the meaning of silence in the context, at least in the initial stages, of question-answer adjacency pairs, silence should be contrasted with speech. For such a purpose we can go further than the Saussurean linguistic sign, and examine silence as a semiotic concept in relation to speech. To do this, we shall set up a logical square that shows the possible relationships. Such an approach will be seen to offer insights into the meaning of silence in discourse, but it has its limits, as will be shown, and will not be used as a model for further investigation.

Based on Aristotelian logic, the square originally presented logical relations such as contraries and contradictories, but the potential of such a square has been expanded by A.J. Greimas (e.g. Greimas and Rastier 1968; Greimas and Courtes 1982) into the semiotic square, especially in the negation of the negation ( $\sim S_2$ ). The following straightforward example of such a square shows the semiotic – or in Greimas' terms, semantic – relationships among basic matrimonial conditions, but without going into Greimas' elaboration in terms of licit and illicit:

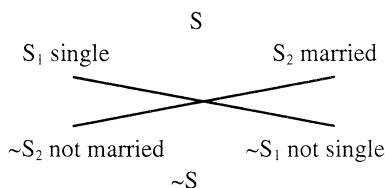


Figure 1. *Matrimonial relationships*

Firstly, we look at the 'S' axis on which are placed the contraries "single" (S<sub>1</sub>) and "married" (S<sub>2</sub>). This is an either/or situation; one can be single or married, but not both at the same time, at least in official terms, for it is, of course, possible to be married but live as a single person; a couple who have separated are still married to each other. The contradictory of "single" is "not single" (~S<sub>1</sub>), which implies S<sub>2</sub> "married," and the contradictory of "married" is "not married" (~S<sub>2</sub>), which implies "single." The verb *imply* here has the technical meaning of 'include', so that one possible state of being "not single" is "married," but there are others, e.g. "cohabiting," indicated by the ~S axis. The two terms on this latter axis are not converses, and may set up a both/and relationship. This is an example of the potential offered by Greimas' expansion of the traditional logical square into a semiotic tool. The two subcontraries on the ~S axis describe the situation in which people have extramarital affairs – they are not married to their partner (~S<sub>2</sub>), but because they do have a partner, they cannot be considered single (~S<sub>1</sub>).

I shall set up a similar square to examine the relationship between silence and speech. As a first step, the axis of alternation in dyadic interaction is established, that is to say, normal human conversation is made up of the sequence:

speech   silence   speech   ...

When one person speaks, the other in order to listen should be silent, and then the second person takes up his or her turn, while the first speaker is silent. This, of course, is the ideal situation; I am ignoring interruptions and cases in which two people are talking at the same time, features that frequently occur in natural conversation. A corollary to this ideal turn-taking procedure is that the same person in a conversation has alternating periods of speech and silence. The intuitive approach to this alternation would result in the following square:

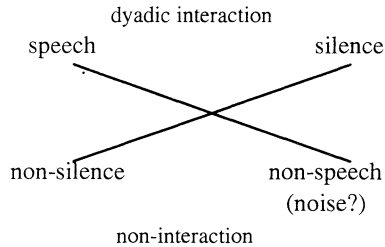


Figure 2. *Speech and silence as contraries*

On the axis of dyadic interaction, we find the contraries "speech" and "silence" alternating with each other. One cannot speak and be silent at the same time; this is necessarily an either/or relationship. What this square also shows is that non-speech (the contradictory of speech) implies silence. But non-speech may have one of at least two meanings. If it means the lack of communication, then it cannot imply silence in the sense in which I am analysing it – as a communicative activity. Secondly, if non-speech means non-verbal communication, which includes kinesics and body language, proxemics (distance between participants in a discourse or conversation), paralinguistic cues (such as intonation, tone of voice, pitch and volume), as well as chronemics (timing and rhythm) of which silence is usually considered a part, then such behaviour may also accompany speech, and in the case of paralinguistic cues) must do so.

The speaking individual uses all sorts of physical cues, most of them unconsciously, while speaking; this is reflected in Goffman's distinction (1971) between "given information," which stems from the propositional content of the utterance, and "given-off information," all those other features of natural conversation. Such communication does not imply silence, because silence may not occur simultaneously with speech if we are dealing with one individual. Silence may co-occur, however, with other non-verbal means of communication; for example, when someone raises his or her eyebrows without saying anything, this may be as communicative as saying "I have my doubts." What is usually termed non-verbal communication does not have an either/or relationship with speech. It tends to have a both/and relationship. It could be more accurately termed "co-verbal communication," as used by Siegman (1978: 197) to refer to hand-gestures and other non-verbal correlates of speech.<sup>4</sup>

We therefore have a problem with the square in Figure 2.: since it states that non-speech implies silence, we come across a factual error. Silence cannot co-occur with speech, unlike the other non-verbal (or co-verbal) devices, but may function only as an alternative device. Silence may then imply non-verbal

communication in that messages are conveyed through means other than speech, but silence is not a member of that set of non-verbal devices. It is non-verbal in essence, but plays a different role from the other devices. The other, co-verbal, devices do not necessarily co-occur with speech; they may equally co-occur with silence. As has been mentioned, people may make gestures or eye movements without saying a word. This seems to suggest that on the one hand we have speech and silence, which are complementary in terms of one individual, who can either be silent or be talking at any one time, and on the other, we have all those other devices which occur with either speech or silence. What is lacking is a term that binds speech and silence together in contrast to the other devices. 'Verbal' cannot be felicitously used even though silence can be glossed as utterable speech acts (with modal verbs; see Chapter 2). It could even be argued that co-verbal devices may also be expressible in speech acts; raising one's eyebrows may be glossed "I have my doubts," as I have mentioned above. Most terms related to speech situations have the Latin (*verb-*) or Greek (*gloss-/ log-*) word for "word" or "speech" as its stem, so in many respects silence cannot fall under rubrics with such names. But a lack of a satisfactory term for a concept does not mean that the concept has no psychological reality. The distinction I am making, then, is

speech/silence <—————> co-speech/silence

Let us see what else the square in Figure 2. may produce even though it seems to have some flaws. Despite weaknesses, this manipulation of the terms in a semiotic square certainly allows for problems to arise, and provides ideas as to the meaning of silence. The contradictory of silence is non-silence, and is set up as the contrary of non-speech. This is the so-called negative complex term, which in our case is neither speech nor silence. We may call it "noise." For one thing, the idea of non-intention may be added in the negation of the negation. If speech and silence are intentional, and let us assume for the time being that other means of non-verbal communication may also be intentional, then noise could be considered unintentional. John Cage's best-known work for piano solo, *4'33*," reflects this distinction between silence and noise, and between intention and non-intention. The pianist deliberately places his fingers on the keys but does not press them. This is intentional silence. The actual noises that are heard during the work – the coughing in the audience, the shuffling of chairs, the crinkling of paper – are unintentional.<sup>5</sup> The pianist's silence is intentional, having non-natural meaning in Grice's terms, while the noises in the auditorium are to a great extent non-intentional with natural meaning. Viewing Cage's work from a musicological point of view, however,

Edgar argues that it was perhaps Cage's intention to "open music to heterogeneous noise" (1997:312).

But this discussion of intention does not account for two matters. Firstly, intention is not part of the Greimasian model, and if we use the semiotic square, we should not make too much fuss of intention. This may be contrasted with the conventional approach to meaning in ordinary language philosophy, following philosophers such as Wittgenstein and Searle, according to which the speaker's intention is part and parcel of the meaning of an utterance. Linked to this is the second matter: I have not allowed for the possibility that silence may be either intentional or unintentional, and the same is true for verbal and non-verbal communication in general. Du Bois (1989), for example, argues that divination formulae are an example of speech with intentionless meaning. One may also argue that many paralinguistic devices are unintentional, too. Blushing and arm-movements while talking are usually beyond the control of the speaker; they therefore have to be labelled unintentional. Novice actors (and actresses), public speakers, and anyone else who has to speak in front of an audience for whatever reason do not often know what to do with their arms. When they consciously become aware of the fact, the situation usually worsens, and those unintentional movements appear to be intentionally awkward. So, intention, perhaps, cannot be a factor in this semiotic model, as it is not in Greimas' scheme.

Furthermore, as we have seen, speech and silence are mutually exclusive – they may not co-occur in the same utterance of one speaker (but speech and silence do usually alternate within one interaction), but noise and non-speech (co-verbal communication) – the subcontraries – may function together, where the noise may be somatic in nature (i.e. a feature of any communicative activity emanating from the body), but is unintentional. If we take intention into account, then speech may be considered, within limits, as noise with intention added, and we may say the same for silence: on the one hand, there is intentional (linguistic) silence, and on the other, unintentional silence. But even here we find counter-arguments. Intentional noise can and does exist; applause in the form of hand-clapping is one common example, or even clearing one's throat to attract attention (and perhaps to release the tension between movements of a symphony at a concert). Moreover, the implications of the square above (Figure 2.) have to be reversed. Noise does not imply speech, but there is a physical connection between speech and noise in terms of acoustic activity; similarly, non-verbal communication does not imply silence, since the former is usually co-occurrent with speech. Silence, in fact, does imply non-verbal communication, but only as a genuine alternative to speech, and not as a co-occurrent feature.

This seems to indicate that on the physical plane we have a different situation. Speech does entail noise, since both result from the movement of sound waves. Noise is "the random nature of the air particle movement" in contrast to the "regular, patterned character of the movement" of air particles in speech (Fry 1987: 83-4). This is clearly visible on the spectrogram, even in the case of voiceless sounds in which some regularity of formants at transition points with vowels and other voiced sounds may be observed in contrast to the irregularity and randomness in the spectrographic presentation of noise. This is illustrated below in Figure 3. in the left-hand spectrogram of the syllable /tai/ (*tie*) in which there is some regularity in the voiceless plosive in anticipation of the following vowel, in comparison with the right-hand spectrogram which shows the randomness of noise.

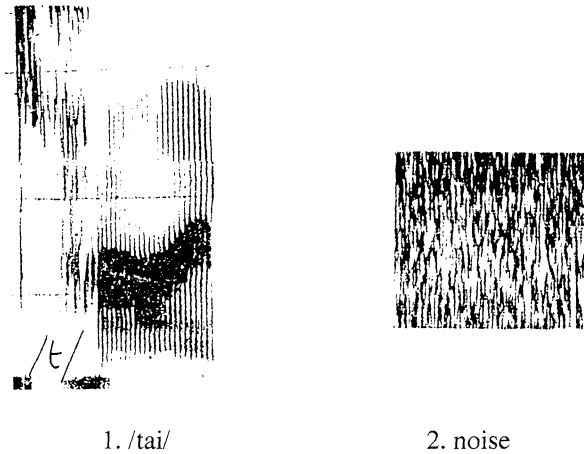


Figure 3. *Spectrograms of /tai/ and of noise*

The square discussed above (Figure 2.) does not present a satisfactory picture of the relationship of silence with other types of human communication, especially where possible implications are concerned, but its shortcomings do show other possible relationships, which may not be logical, but are certainly semiotic. If noise is accepted as the fourth term in a possible semiotic square, but not necessarily the square in Figure 2., then we may build another square with the physical phenomenon of noise as the term on the left side of S (Figure 4.).

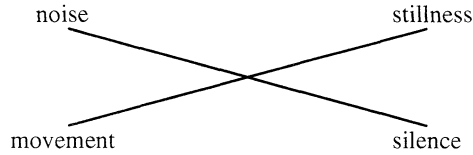


Figure 4. *Noise and stillness as contraries*

In terms of acoustic properties, the contrary of noise is stillness. That is to say, noise is the movement of sound waves, so the lack of movement is stillness, which seems to support Poyatos' (1983) approach (see below). The contradictory of noise is silence, as we have seen in the original square (Figure 2.), and the contrary (subcontrary) of silence is movement. Again, this may be seen from an acoustic perspective. The movement of sound waves implies noise; its contradictory is non-movement, i.e. stillness, while on the purely physical level (not necessarily acoustic) the subcontrary of movement is silence. Although noise and stillness cannot be co-occurrent (so they have an 'either/or' relation between them), movement and silence may be (so they have a 'both/and' relation). The relationship between silence and distance (i.e. movement away) shall be examined in the course of this work. What I am suggesting here is that the S axis is acoustic, which is then included within the general physical axis, and the  $\sim$ S axis is not acoustic. The principal oppositions derived from these two squares are then (1) the alternation of dyadic interaction, as against non-alternation, or even non-interaction, i.e. outside normal human communication, and (2) physical acoustic movement as against other types of physical movements, e.g. movement away, thus creating distance.

Let us examine another possible form of the square that may shed some further light on the phenomenon of silence from a semiotic perspective. The following (Figure 5.) may be considered a stepping stone for a complete square:

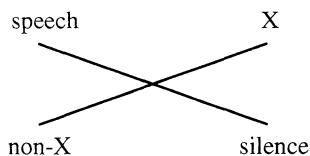


Figure 5. *Speech and silence as contradictories*

If the contradictory of speech is indeed silence (i.e. non-speech), then the problem here is what the contrary of speech would be, represented by X, which

is  $S_2$  in the semiotic square (see Figure 2.). It cannot be non-speech, since this must be equivalent to silence ( $S/\sim S$ ). One may use 'non-verbal communication'. But, as I have shown, this cannot enter into an either/or relationship with speech since they are often co-occurrent. Neither may 'inactivity' be the contrary of speech, since I argue that silence is an activity, as it can be interpreted as a speech act in the form of a modal utterance (see Chapter 2). Silence then cannot imply inactivity. Furthermore, if inactivity is regarded as  $S_2$ , the fourth term would then have to be 'activity', which is implied by speech; but in our model this is also implied by silence. In the normal semiotic square, activity then should imply speech, which it does not; the opposite in fact holds. Armstrong's process (1981; also discussed by Schleifer 1987: 27) seems to point, however, to this particular square, viz. once  $S_1$  is conceived, we think of its absence  $\sim S_1$  – so speech is thought of first, and its absence is silence; at the same time we conceive of an opposite system of meaning  $S_2$  (X), implying immediately its own absence ( $\sim S_2$  – non-X). But since speech is interpersonal activity, and so is silence in the present context, silence therefore cannot be its contradictory. In the same way, speech may be viewed as 'verbal communication' and so its absence would be non-verbal communication, which brings us back to the original square and the problems that accompany it.

Nevertheless, Greimas, in his work on Maupassant's short story "Deux Amis" (1988), proposes in the context of the story the following square, whose S is the axis of verbal vs. non-verbal communication (32):

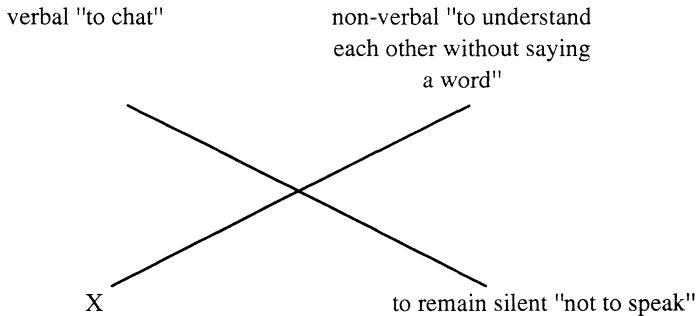


Figure 6. *Verbal and non-verbal communication in Maupassant's "Deux amis"*

Whatever fills the X, as in the square in Figure 5. above, is a problem, but this may be appropriate to the description of silence in a different way from that in Figure 2. above. However, Greimas suggests a connection between somatic

communication and silence (1988: 194). The descriptions of the two French fishermen's somatic behaviour precede that of their verbal behaviour, e.g.

Les deux pêcheurs restaient debout et silencieux.

[The two fishermen remained standing and silent]

Is this the link that Poyatos makes between silence and stillness (i.e. kinesics), or may we say that their behaviour is also on the proxemic plane? Greimas does not distinguish between kinesics and proxemics, including both under "somatic." Certainly, one of the expressions of their somatic behaviour may be seen as proxemic: "Ils demeuraient immobiles sans ouvrir la bouche" [They remained motionless without opening their mouths]. However, when the Frenchmen remain silent, it is the German officer that moves:

il changea sa chaise de place pour ne pas se trouver trop près des prisonniers

[He moved his chair so as not to be too near the prisoners]

The two friends' silence turns back on them; the officer gives the order to 'silence' them forever. We shall see in the course of this work that the 'intransitive' silence of the person who refuses to speak may be turned into the process of transitivizing silence (the verb *to silence*) used by people in authority. The German officer's closeness to them in trying to convince them to give the password is transformed into distance – after being voluntarily adopted, the silence is imposed on the two friends. The distance is therefore widened.

But Greimas' analysis may be challenged when one considers silence in real-life situations. Can literature give us the answer to a more general model of silence being set up? The literary writer may make his own connections between verbal and non-verbal communication, which reflect his or her view of behaviour in the world, or which may be part of the world s/he is creating, although an author who is sensitive enough is able to depict natural behaviour. And the opposite also holds: Goffman (1971) uses a host of literary quotations to make many of his points. Literary examples include Jane Austen's linking proxemics with silence in *Pride and Prejudice*, and Maupassant's linking both kinesics and proxemics with silence, according to Greimas' study.

Poyatos suggests (1983: 215f.) that silence is linked to stillness, i.e. to kinesics and not to proxemics, and the pair silence/stillness contrasts with the pair speech/movement. His focus on kinesics is understandable in the context of his "basic triple structure" of communication consisting of language, para-language and kinesics. However, stillness implies non-activity, while in the contexts under discussion, silence is regarded as an activity. Poyatos is aware of the problems that might arise over the term "non-activity", since "if we af-

firm that [silence and stillness] produce signs, that is also an activity" (1983: 218). A sociological approach to silence in terms of distance suggests that proxemics, and not kinesics, is in a close relationship to silence, which may also be shown in some of the analyses in this book.

Silence, then, is non-verbal communication proper because it may alternate only with speech, and does not accompany it in the communicative behaviour of one individual within one speech event, as do other co-verbal devices. Since silence may be unintentional – people are sometimes silent without meaning anything specific by their silence – it may in that context be in contrast to noise, which is basically any movement, random or otherwise, of sound waves. So intentional silence is in contrast to speech, and unintentional silence to noise. Noise can now be set up as S on the semiotic square, thus bringing in stillness and movement into the picture, which allow us to relate to other co-verbal devices, especially proxemics.

The semiotic square, nevertheless, has not given us an acceptable analysis of silence in relationship to other speech and auditory activities. A straightforward application of the semiotic square as far as silence is concerned has been shown to be lacking in rigorousness and consistency. However, its importance lies in its capability of pointing out features that have to be discussed, possibly within a different and more flexible framework. Although I shall return below to such an approach to discuss other aspects of silence, we may attain a more satisfactory picture if we move away from logical relationships and set up a matrix to reflect dyadic interaction. This has been suggested by Malandro et al. (1989), who introduce the concept "vocal" into the analysis.<sup>6</sup> Speech and silence are verbal in that even the latter may be expressed by propositions, as I suggest; however, silence and speech may be distinguished in that the former is non-vocal, while the latter is vocal. On the other hand, other forms of communication – the co-verbal forms – are non-verbal, since they are not easily, if at all, translatable into propositions. Moreover, hand gestures, eye movements, body movements are non-vocal, while paralinguistic devices, of course, are vocal. We therefore arrive at the following matrix (Figure 7.):

|           |         |                      |
|-----------|---------|----------------------|
|           | Verbal  | Non-verbal           |
| Vocal     | speech  | paralinguistics      |
| Non-vocal | silence | body movements, etc. |

Figure 7. Matrix showing dyadic interaction (Malandro et al. 1989)

The term 'non-verbal' can alternate with 'co-verbal' depending on whether the gesture or expression is co-occurrent with speech or not, and the fact that speech and silence cannot co-occur is indicated by the opposition vocal/non-vocal.

### 3. Survey of research on silence

Although the discussion in 2. has placed "silence" in a set of semiotic relationships, in order to look at silence in everyday situations, we would have to expand the perspective, and move away from a theoretical point of view that is represented by means of semiotic squares or at least by critical discussions of them. For this, not only should the immediate linguistic environment be taken into account, but also psychological and sociological factors that form the back-cloth for the interpretation of silence. With this in mind, I will now examine a number of studies on silence that have been carried out from psychological, sociological and sociolinguistic points of view. All three perspectives are interconnected, with the psychological point of view permeating the others.

In the field of social psychology, Gurevich (1989) sees silence as a way of opening up distance in conversation. The speaker by participating verbally declares his or her presence, and the addressee also indicates presence by responding verbally, but if the latter remains silent, thus indicating his or her non-presence, the gap between the two participants opens up. Gurevich argues that there are two instances in which the addressee remains silent: firstly, when s/he is listening to the speaker, the addressee allows, as he puts it, the speaker to be the Other (in sociological terms, see Schutz 1962)<sup>7</sup>; secondly, when s/he refuses to respond, the addressee signals non-presence. However, paradoxically, although the addressee wishes to signal non-presence by his or her silence, for the addresser or observer this silence is indicative of the addressee's actual presence. By remaining silent when expected to speak, the addressee is in fact drawing attention to him- or herself.

In a more linguistically oriented approach, Bruneau sees silence as defined by language (1973: 20). He posits three types of silence. Firstly, he speaks of psychological silence used, for example, by the encoder to help the decoder to understand the message; this is manifested by hesitations, sentence corrections, etc., which are common occurrences in any natural conversation. Secondly, interactive silence, occurring as intentional pauses in conversation, allows the addressee(s) to draw inferences concerning the meaning of the conversation. Finally, we have socio-cultural silence, when instances of silence are interpreted on the basis of specific cultural codes; for example in western cul-

ture, silence is often linked with religious contexts such as silence in worship (e.g. the use of silence in the Catholic Charismatic Renewal movement in Ireland; Szuchewycz 1997). In other societies, silence may have other functions as in the Apache's silence when with a bereaved person (Basso 1972), or in Spartan silence associated, among other things, with rigid discipline and obedience (David 1997).

Verschueren (1985) focuses on the semantics of verbs that denote speech and the lack of speech, which he calls in a later work (1989) "basic linguistic action verbs." While he deals primarily with the lexical aspects of the topic, he does posit eight causes of silence (1985: 96-106): (1) the speaker is temperamentally disinclined to talk; (2) the speaker is unable to decide what to say next; (3) the speaker is unable to speak because of amazement, grief, or other strong emotion; (4) the speaker does not have anything to say; (5) the speaker has forgotten what s/he was going to say; (6) the speaker is silent because others are talking; (7) the speaker is concealing something; and (8) the speaker is indifferent. I maintain, however, that these eight may be reduced to two types, which are presented in the model being worked out in this discussion; psychological inhibitions, usually leading to unintentional silence, cover (1), (2), (3), (5) and possibly (8), and intentional silence is covered by (7).

The fourth cause, "the speaker does not have anything to say," could be considered unintentional silence when the addressee is inhibited from saying that s/he cannot contribute to the conversation, but it could be intentional in that the addressee believes that it would not matter one way or the other whether s/he admits that there is nothing to say, so s/he decides to keep silent. However, this case is not as clear-cut as all that. We shall see this problem develop in subsequent chapters, especially where the choice is between silence or small talk (see in particular Chapter 4). The very fact that the potential speaker has a choice may point to intention, although what s/he actually says if small talk is resorted to (i.e. phatic communion) may be so formulaic and without thought that no conscious effort is needed. Finally, silence in the case of (6) is not part of the possible verbal and non-verbal responses being considered here.

Silence is also discussed as a feature of spoken discourse in linguistic analyses of conversations. In their seminal paper on turn-taking, Sacks et al. (1974) see silence as an indication that not everything is running smoothly in turn-taking, especially when the choices are either that the next speaker selects him/herself (rule 1b), or the current speaker continues his or her turn if no other participant self-selects (rule 1c). So, when no one picks up the turn in a conversation, silence ensues, which may terminate the conversation. If, however, the participants want to continue their conversation, then someone will take the initiative and break the silence.

In her introduction to a collection of papers on types of silence, Saville-Troike (1985) sets up a broader ethnographic framework in which to view silence. She argues that silence may have a propositional content, which has to be ascertained from the context. It "is more context-embedded than speech" (1985: 11). Furthermore, silence has illocutionary force, for it "may be used to question, promise, deny, warn, threaten, insult, request or command" (ibid.). Other papers in this collection will be referred to where relevant to the particular point made.

As distinct from the approach presented here, Jaworski (1993) does not regard speech and silence as contraries but as phenomena on a continuum. He takes a look at prototypical cases of silence. However, by doing so, he extends the meaning of silence from "not speaking" to "not speaking about a particular topic," in other words, he is also taking into account the fact that a person in the course of speaking may be silent *about* something. When one says that a person is silent, this may not necessarily mean that s/he says nothing, but may not have anything relevant to say in the context. He illustrates this by the use of verbs in Polish that mean "to be silent" (based on the stem *milcz-*); some of the sentences are given below (1993: 72-77):

- (1a) Jan was silent during the whole meeting.
- (1b) During the meeting Jan fell silent.
- (1c) During the meeting Jan was silent about the issue of the deficit.
- (1d) During the meeting Jan was silent.

Only the fourth example (1d) points to silence as opposed to speech; the other three, so argues Jaworski, do not deny that Jan spoke, but the words he used were irrelevant to the point at issue. Although this may be true for the original Polish version of 1a):

- (1a') *Podczas całego zebrania Jan milczał*  
*during entire meeting J. was silent*

the English translation does not have this connotation. Jaworski continues with this metaphorical analysis of silence in his own contributions to the recently published book on silence which he edited (Jaworski 1997). He argues that

a pause in discourse, a question left unanswered, a refusal to greet someone, a whisper which is not to reach a third party, avoidance of a topic in conversation, deafening noise, irrelevant talk, or a frozen gesture of an artist on stage are all different instances of "silence."  
 (1997: 3)

The papers in this collection also address the wider meaning Jaworski attributes to silence. References to some of the papers in the collection appear in the present book where relevant.

Silence has been discussed from a number of other perspectives, but they will not be explicitly taken up as part of the general discussion, although these approaches may well be implied in what I discuss. Silence in the form of pauses in the speech of an individual has been widely discussed (see, for example, the work of Goldman-Eisler, e.g. 1961, 1972; and the papers in Dechert and Raupach 1980). Silence as a philosophical concept is the subject of Dauenhauer's book (1980), in which the phenomenology of silence is treated with reference to philosophers such as Husserl, Sartre, Kierkegaard and Merleau-Ponty. A further philosophical treatment of metaphorical silence is given in Rotman (1987), which deals with zero as a meta-sign in mathematics, painting and economic exchange. Jaworski (1993), in his penultimate chapter, extends his concept of silence to abstract art, while in Jaworski (1997), some of the contributors also address silence in art (e.g. Hafif 1997). Becker (1992) looks at the silence in memory ("prior texts") when a person speaks a language other than his or her own, but without the cultural background necessary for a full understanding; his case is of an American who speaks Malay without a deep knowledge of Malay culture.

We also have the case of silence when people are faced with a catastrophe of some kind. Some of Steiner's papers in *Language and Silence* (1967) come under this, with specific reference to the Nazi Holocaust, and Foot (1982), too, deals with silence in face of catastrophe in his treatment of postwar German poets such as Nelly Sachs and Paul Celan, although there is a tradition of "poetic" silence in the works of Hölderlin, the French poet Mallarmé, and others.

Feminist critics also speak of the silence, and the silencing, of women (Olsen 1979, Sontag 1987). This topic has become a major part of feminist linguistics; this may be seen, for example, in the collection of papers in *Discourse and Society*, Vol. 2:4, especially the papers by Houston and Kramarae (1991) and Defrancisco (1991); Lakoff (1995) and Mendoza-Denton (on "gap length"; 1995) in Hall and Bucholz (1995); and more recently, Dendrinos and Ribeiro-Pedro (1997). Neither will these cases be included, for the focus of the work is on silence seen initially as an alternative response to a verbal stimulus. It may be argued that what I discuss towards the end of the book is a type of metaphorical silence which could include the silencing of women, but the source of the discussions in the last three chapters is narrative, and in the main fictional,

not related to current social phenomena associated with groups such as the feminists. Moreover, the analysis in these chapters basically derives from verbal non-response to questions as depicted in the book as a whole.

#### 4. Review of book

Taking into account the work carried out in the fields of psychology, sociology and linguistics, especially conversational analysis, I shall examine situations in which silence plays a significant part. The discourse types will be expanded, but in the early stages focus is on the silent answer, hence the socio-pragmatic model proposed in Chapter 2. In the case of a silent answer, the addressee is given a verbal stimulus, to which s/he does not respond verbally. A cognitive model will be worked out that has explanatory power in that it presents the communicative competence of the addresser or of the observer who has to interpret the interlocutor's silence. Another but related cognitive model will then be set up, based on story schemata, which will show the stages through which the interpreter has to pass in order to arrive at the meaning of the silence. This set of schemata will then be reset in the form of a flow diagram, which displays the various choices made at each stage of interpretation in terms of affirmative and negative answers. The unasked, and therefore unanswered, question such a flow diagram implies is whether a computer can be programmed in such a way that an instance of silence is correctly interpreted. The aim is to set up a type of communicative competence with regard to silence within a semiotic framework, especially as a study in pragmatics. In terms of a Peircian approach, silence as *silence*, it will be seen, is symbolic since it is a word that has arbitrarily conventional meaning; but as silence, it is indexical in that it is a symptom of intentional or unintentional behaviour, and it is, furthermore, iconic by virtue of the transitivity process.

This is not an empirical study of data collected in the field; my understanding of situations in which silence is a response derives from experience, from competence, from discourses on silence – from discourses of silence. The interpretations of silence discussed in this work may be compared to the reader's intuitive reactions as to the appropriateness of the interpretation. The interpretation of silence must be culture-specific in that each society tolerates a different length of silence in conversation (see papers in Tannen and Saville-Troike 1985, and Basso 1972's paper on the Apaches mentioned in 3. above). The culture this work relates to is principally Anglo-American (with some ex

ceptions in Chapters 3 and 5), although this itself is a broad generalization that ignores cultural differences among English speakers, and may be relevant, too, to other Western cultures.

Once the model has been set up, the next task will be to examine its application in various fields, beginning with a context in which answers are expected, but inferences may not be openly made if a response is not forthcoming – the silence of the accused in police custody or in court. The focus of this discussion in Chapter 3 is on Anglo-American law, but similar questions have been asked in French and other continental legal systems, in modern Israeli law, and in traditional Talmudic discussions. This is followed, in Chapter 4, by a literary case of the silence that occurs in the relationship between Elizabeth Bennet and Darcy in Jane Austen's *Pride and Prejudice*. Chapter 5 deals with a semi-literary text, the narrative of Moses in the early chapters of the Book of Exodus, in which the text itself emphasizes the inability of Moses to act as an orator by almost silencing him. This Chapter also discusses an operatic Moses, in Schoenberg's opera, whose non-singing voice represents silence. Chapter 6 extends the discussion of silence to the cinema, in which song replaces words when the protagonist has nothing to say to his elders; this is an analysis of a mid-1960s version of the generation gap, Mike Nichols' film *The Graduate*.

## **Chapter Two**

### **The Modality of Silence**

#### **1. Question-answer adjacency pair**

For the purposes of exposition, I shall concentrate on the silent answer to a verbal question, a variant of the question-answer adjacency pair. The model presented here is built on this specific linguistic environment, which is perhaps the most common of linguistic situations in which silence takes on an active role.<sup>1</sup> The question-answer adjacency pair has been extensively discussed in the literature. What is of interest in the present context is the distinction between preferred and dispreferred seconds (e.g. Levinson 1983, Pomerantz 1984, Bayraktaroğlu 1991, Goloubéva-Monatkina 1995), and reference will be made to research in this area where appropriate.

On being asked a question, the addressee has been given a verbal stimulus, but s/he has a choice between speech and silence as the answer. This choice creates meaning, thus silence has meaning. If so – and I think that this assumption is generally accepted, we must ascertain firstly whether silence is regarded as an act and whether its meaning may be derived from equivalent speech acts following Searle's approach (as in, for example, Searle 1969). If an act is the deliberate activity on the part of an individual, then an addressee's decision to remain silent is such an act. Since the alternative to this act of silence is speech, then we may say that such silence is also a speech act. Of course, not all acts are deliberate; in fact we all find ourselves every day doing things – and saying things – we do not intend. One can be silent without intending to be so, as we shall see. But, as mentioned already in the previous chapter, the intentional act is taken as the paradigmatic case.

In the following table the left-hand column consists of acts performed in speech in terms of illocutionary forces, while the right-hand column consists of non-actions suggested by silence:

|                                            |    |                                                  |
|--------------------------------------------|----|--------------------------------------------------|
| statement                                  | v  | no statement                                     |
| assertion of fact,<br>positive or negative | v. | no assertion                                     |
| expression of feeling                      | v. | no feeling in the matter                         |
| command                                    | v. | no command (perhaps, no<br>authority to command) |

Table 1. *Illocutionary forces and silence*

But such an approach does not tell us much, and it is misleading. After all, an act which is not a statement may, nevertheless, be an expression of feeling or even a command, i.e. it may be verbal. So, "no statement" does not imply silence only, but may imply other types of expressions as well. Moreover, if a person remains silent instead of expressing a positive feeling of, say, praise, this may be interpreted as dispraise (Leech 1983: 136; also Sifianou 1995: 102). It seems that we cannot leave the problem in the area of illocutionary forces of a Searlian speech act theory. The question we must address is how the interpreter of the silence – the addresser or questioner, or even the neutral observer (the linguist in the present case) – arrives at the meaning of the silence in a specific context, that is to say, what the assertion would have been, had the addressee spoken, or had replied to the question.

Thus, limiting the discussion initially to the question-answer adjacency pair, I shall present a sociopragmatic model of the interpretation of silence that will include socio-psychological and linguistic (pragmatic) components. This adjacency pair occurs in a large number of contexts. Examples include the following sets of addressers and addressees, which are placed on a scale from the most to the least institutional:

- a passport officer questioning a tourist at a border checkpoint
- the lawyer in court cross-examining a witness or accused,
- a policeman questioning a suspect,
- a teacher asking a pupil questions,
- a doctor asking a patient where the pain is,
- a TV reporter interviewing a politician,
- a stranger to a neighbourhood asking directions from a local resident

Table 2. *Addressers questioning addressees*

Apart from the question-answer sequence, which may be considered purely linguistic, or often specifically syntactic, in nature (e.g. the interrogative structure of the question, and the declarative of the answer), all of these examples have additional dimensions to them which do not necessarily appear in a syntactic or even in a semantic analysis. By asking a question, the addresser is imposing him- or herself on the addressee; s/he is threatening the addressee's face (Brown and Levinson 1987). In some cases, the addresser may not be bothered by such considerations, while in others, it is an important element that s/he should take into account when formulating the question. In this type of case, we find the use of politeness formulae prevalent. The stranger in the street asking his or her way would often say:

(1) Could you kindly tell me where the post-office is?

instead of a gruff

(1a) Where's the post-office?

although this gruffness can be softened with an added "please." In the case of the doctor, we may often find:

(2) Now, Mrs. Smith, could you tell me what the matter is?

and not

(2a) What's up?

At the other extreme, we find cases in which the addresser wants an answer almost at any cost (short, we hope, of physical violence), so the policeman interrogating a suspect does not beat about the bush; he will ask:

(3) Where did you stash the cash, eh?

and not, although we can imagine a comedy film with such a questioning routine:

(3a) Would you be so kind, sir, as to tell us where you concealed the money you stole from the bank?

However, such a style of questioning may occur for purposes of irony or sarcasm even in real-life situations.

Somewhere in the middle, not only in terms of politeness but also on the institutional to non-institutional continuum (Table 2.), is the case of the reporter interviewing a politician. The reporter wants to glean as much information as possible from the interviewee, while the latter is out to make an impression that s/he is saying something worthwhile but is in fact not saying

anything at all.<sup>2</sup> For the purposes of his or her public image, s/he cannot say "No comment"; that is acceptable for "faceless" civil servants, but not for people whose sign of success may be measured by the number of times they appear on the television screen. The politician has not been forced into a situation in which s/he is being interviewed, but the reporter still has to be polite in his or her questioning, but not overpolite.

One factor distinguishing these styles of questioning is, therefore, politeness. Another is power (see, for example, papers in Kedar 1987). This is clear in the case of officials asking questions of suspects, tourists or witnesses, or in the case of the teacher asking a pupil questions. The addressee in all such instances cannot ignore the situation s/he finds him- or herself in, and walk out.<sup>3</sup> The suspect is confined to the interrogation room, and is threatened by force if s/he tries to leave. The witness is confined to the witness box, and is in danger of committing contempt of court if s/he attempts to step out. Tourists will just be put on the next plane home if they ignore their position of weakness vis-à-vis the passport officer. They do what they are told. Let us take a brief look at the following short dialogue (quoted by Mey 1993: 236), which took place at the US Immigration Service checkpoint at Toronto airport:

- (4) Immigration Officer: Where do you live?  
 Passenger: Evaston, Illinois.  
 Officer: Are you an American citizen?  
 Passenger: No, I'm a resident.  
 Officer: May I see your Green Card?  
       The passenger hands over his Green Card  
       back card): Do you have a driver's licence?  
 Passenger: Yes.  
 Officer: OK, Pass on.  
 Passenger (somewhat astonished): But don't you want to see it?  
 Officer: No, just pass on.

The Immigration Officer has set up a set of expectations by asking a question, and then requesting proof. However, he is in the position of frustrating this expectation by asking a question in the same manner, but without following up with a request for proof – much to the passenger's surprise. The officer has in a way flouted the Gricean maxim of quantity (Grice 1975) by giving information that seems in excess of his needs. The passenger, however, has no choice but to obey.

The control the teacher has over the place of the pupils in the classroom, apart from the type of exception indicated in Note 3, is of the same type, but perhaps a little less coercive these days. Even with the other cases in Table 2., power may play a part in those cases which are more institutional. The doctor has power over the patient on the basis of his or her authority derived from medical qualifications. When it comes to medical matters, the lay person admits, on entering the doctor's surgery, that the doctor has authority, i.e. power. (A set of interesting studies of this type of asymmetry may be found in Drew and Heritage 1992.) Moreover, this power is of such a nature that the patient may tell the doctor many things s/he would refrain from divulging in other situations.

The stranger in the neighbourhood, on the other hand, does not have power in the same way as the teacher or doctor or lawyer; s/he has power only by virtue of his or her imposing him- or herself on the addressee, or threatening the addressee's face. The addressee may ignore the approach, and walk away, and lose very little in esteem since the two would-be participants in the interaction are in any case strangers to each other.

The power relationship between the reporter and the politician is of a different nature. The politician, after agreeing to be interviewed, may put him- or herself in the clutches of the reporter, especially if the reporter is good at the job. So, despite his or her power base, the politician is being subjected to questions and thereby to the power of the interviewer. Let me illustrate this in the following excerpt from an interview between Robin Day, a well-known British television interviewer and the then British prime minister, Jim Callaghan, in late 1975 (quoted in Day 1989: 276-7):

- (5) Day: I ask you the question, Prime Minister, because it has been suggested this morning that, as a result of the loan and tighter money which may result, people should be prepared for higher prices, higher mortgage payments, higher rates, higher VAT to curb spending, perhaps higher unemployment because of spending curbs. Now is this possible?
- Callaghan: When you say what's said this morning do you mean at Conference?
- Day: No, no, no, no, no, in the press, in the press.
- Callaghan: or do you mean on the front page of a daily newspaper?
- Day: Particularly on the front page of the *Daily Mail* but also in other newspapers.
- Callaghan: That's right, yes, yes, yes, yes, I saw that, but that I think is pure newspaper speculation.

Day: And no truth in it at all?

Callaghan: Speculation.

Day: Is there any truth in it?

Callaghan: Speculation.

Day: Is there any possibility in it?

Callaghan: Look, the only certainty is death. There will be a Budget next April; what will happen I don't know and I think it would help a great deal if the press were not to speculate about all the worst things that could possibly happen.

Day: I was only asking you, Prime Minister.

Callaghan: No, and I am not attacking you, Mr. Day, on this.

Day is attempting to extract from Callaghan some substantive reaction concerning the reports of higher prices. By asking the question four times, he is imposing himself on the prime minister, demanding something more than "speculation." His defensive "I was only asking you" is, however, a form of attack, and an attack on Callaghan's request to the press not to speculate. Day's persistent questioning, by which he can claim power in the context of the interview, is well foiled by the prime minister who then denies ("I am not attacking you...on this") that he is playing a power game.

What we have in all these more institutional cases, except perhaps that of the reporter and politician, is an asymmetric power relationship. The distance between the questioner and the addressee is fairly wide in the course of the conversation; rules of politeness may be at work, or in the legal field, a coercive situation is set up. This distance, in the sense used in sociology and social psychology, may widen to such an extent that one of the participants no longer participates, i.e. s/he is "non-present." S/he may walk away if able to do so, or remain silent while being physically present. But, at other times, the distance may be narrowed on the initiative of the power-holder (the questioner), by including the addressee in the in-group along with him- or herself. This can be done through the use of expressions such as "my friend," "mate," through the use of the addressee's first name, or of the plural pronoun "we." The addressee may be shown that s/he is part of the "we" of the addresser, that "a speaker can minimize the face-threatening aspects of an act by assuring the addressee that [the speaker] considers himself to be 'of the same kind', that he likes him and wants his wants" (Brown and Levinson 1987: 71-2). The following expressions may be considered fairly typical within an English-speaking culture:

(6a) Come on. You can tell me. We're all together in this.

(6b) There's just the two of us. You can talk to me.

The use of such devices in coaxing silent addressees will be discussed below. It should be added that the addressee with the weaker status cannot initiate distance-narrowing without taking the risk that s/he be considered impertinent. In such a case, the interaction will take on a hostile turn. We can imagine the consequences of a witness at a trial who begins chatting to the judge as if they were friends! On the other hand, a limited degree of impudence may be acceptable in certain other circumstances.

Another form of the power inherent in the questioner is syntactic in nature – the structure of the question. Stubbs has commented on the different uses of polar and *wh*-interrogatives in relation to power (1983: 106). By choosing one or the other form, the questioner can control the type of answer s/he will receive. When the questioner is looking for unequivocal answers ("yes" or "no"), polar interrogatives are used; these contain all the components of the propositional content of the requested answer except for its polarity (see also Philips 1987). The question is asked in order that the addressee confirm or refute the proposition. So "is it raining outside?" has as its underlying proposition 'it is (not) raining outside,' and what is unknown, and awaiting confirmation or refutation by the addressee, is whether *not* occurs or not. *Wh*-interrogatives, on the other hand, have incomplete propositions underlying them, for example "When did he arrive?" has as an underlying proposition 'He arrived at x.' Incidentally, instead of asking *wh*-interrogatives which have a missing component (the *x* in the proposition indicated by the *wh*-word), polar questions may be asked which presuppose the polarity of the important part of the answer; this is the case of leading questions, which give the addressee information that s/he is expected to answer for him- or herself. An acceptable form of a question (in a court of law, for example) would be "When did Jones leave the house?" but this may be replaced by a leading question such as "Did you see Jones leave the house at 7?" The presupposition of such a question is not 'You saw (not) Jones leave the house,' but in fact 'Jones left the house at 7.'

In functional terms, *wh*-interrogatives are used when the questioner is ignorant of the identity of the missing element. They require much more information, and therefore speech, from the addressee; the answer to polar questions need be no longer than one syllable ("yes" or "no") – or even a nod or a headshake, while there is no way of telling how long an answer to a *wh*-question could be. Of course, some *wh*-interrogatives are not used to obtain unknown information; an example is the examination question that tests the knowledge of the addressee, and the answer is (or should be!) known to the questioner (what may be called a non-bona fide question; Attardo 1993: 551).

Despite this asymmetrical power relationship between the addresser and the addressee, the situation may be reversed in some cases by the addressee keeping silent. If the questioner exercises power over the addressee by initiating the exchanges, refusal by the addressee to answer is an attempt to break the addresser's power and take over (Kurzon 1992). S/he reverts back to distance, implying that "I am a stranger...you cannot take me for granted" (Gurevich 1989). A speaker signals his or her presence by speaking, and a silent addressee, then, may signal his or her non-presence by keeping silent. This may be taken as an example of what Burton (1981) refers to as challenging moves, which are strategies used to hold up the conversation. She argues that these moves are of two principal forms: (1) "[W]ithholding an expected or appropriate reciprocal act" that was expected from a preceding move; this is exemplified by the absence of a reply to a question (p. 71). (2) Supplying an unexpected or inappropriate act where another act was expected. This may be effected by changing the topic of discourse, which in its wake opens up a new transaction. (See also Watts 1997 on the function of silence in short-term acquisition of status in conversation.) In this context, we may also talk of preferred and dispreferred seconds (Levinson 1983). In an adjacency pair, the preferred second is the one expected, e.g. an answer as the preferred second of a question-answer adjacency pair. Other responses, including non-verbal responses (e.g. silence) are dispreferred.

A somewhat different situation would arise when an addressee may be answering questions, but then in the face of a particular question or series of questions s/he refuses to speak. This phenomenon has been discussed by Danziger in the context of political prisoners in South Africa and prisoners-of-war in North Korea (1976: 13-19). These have been reported attempting to remain silent in the face of interrogation. However, interrogating techniques shift guilt and other negative implications on to the prisoner. Prisoners may be asked innocuous questions, which they answer without a moment's thought, but when they are then asked pertinent questions, they do not answer, and their silence is thrown back at them to create a guilty conscience. If, however, the prisoner constantly remains silent, Danziger argues, this may turn out to be a weapon that may even demoralize the interrogators.

Here follows an example of the police interrogation of a young woman who refuses to answer some questions, while answering others. The suspect is Margolit Har-Shefi, a young student, who was alleged to have had prior knowledge of Yigal Amir's plan to assassinate the Israeli Prime Minister, Yitzhak Rabin in November 1995. Part of the interrogation appeared in the press (Harel 1997; my translation):

- (7) Interrogator: Didn't Yigal [Amir]'s ideas to set up an underground movement and to steal arms seem serious enough?  
 Har-Shefi: No, no, they didn't seem serious enough.  
 Interrogator: ...Did you tell Yigal that you were afraid of buying digital clocks because he may use them to carry out attacks, which wasn't to your liking?  
 Har-Shefi refuses to answer, claiming the right of silence.  
 Interrogator: Did you refuse to buy digital clocks because you were afraid that Yigal will hurt innocent people?  
 Har-Shefi continues to keep silent.  
 Interrogator: Why did you decide to answer some of the questions and remain silent on the others?  
 Har-Shefi: Now I choose the right of silence.

## 2. Unintentional silence

Let us turn our attention to the reasons why many people do not respond when asked a question, and when their action (or lack of action) is unintentional. Many people feel inhibited by being asked questions because this inhibition is part of their psychological make-up – they are of a shy disposition, easily embarrassed, even though they may have something to contribute by responding to the question (they are often said to be "tongue-tied"). Sifianou (1995: 103) noted that acts that threaten the speaker's negative face such as acceptance of thanks (e.g. "It was nothing, don't mention it") may not be performed because of embarrassment or shyness. Moreover, she has recently argued that silence in effect may be capable of "realising positive, negative and off-record politeness" (Sifianou 1997: 79), each according to context. Alternatively, the silence of a person who has been asked a question may be due to the fact that s/he is too embarrassed to admit ignorance – s/he does not know the answer to the question, and feels too embarrassed to say "I don't know." Silence in many cases may even be the result of the fear that the questioner discover something about the addressee – even discover the fact that s/he is shy or ignorant – which may prevent the addressee from speaking. Silence in such circumstances may be considered a speech dysfluency.

Another such dysfluency is stuttering. Bergmann and Forgas (1985) claim that the more involved a person is, and the more important the message is for his or her self-image, there is more need to control one's behaviour and accompanying speech performance. However, attempts to affect such behaviour may lead to speech dysfluencies in those prone to such impediments. This

mental state may be overcome by the addresser carefully coaxing, and expressing solidarity with, and not power over, the addressee, as mentioned in 2. above. In other words, by narrowing the distance between the questioner and the addressee, the latter will be made to feel more at ease, and then be more willing to respond. In order for the addressee to become more pliable, the interrogator may accommodate him- or herself towards the addressee, to show that they are on the same wavelength. By using similarity-attraction processes (Giles and Smith 1979: 46), a silent addressee will be persuaded that s/he can get on well with the interrogator. As Berger argues (1979: 131), close conformity is required at the beginning of an interaction. Such initial conformity need not be highly informative, hence the use of phatic speech when strangers meet (cf. Elizabeth and Darcy's opening dialogue in Jane Austen's *Pride and Prejudice*, discussed in Chapter 4). In order to coax the silent or hesitant addressee, the interrogator has to show that there is something to gain from the interaction. If not, the addressee will not cooperate at all.

Coaxing may give way to hoaxing, as in the following example quoted by Goffman (1974: 467), in which two interrogators are used to obtain information from a suspect. One frame is established by the unfriendly interrogator, who enables the second, friendlier, interrogator to be outside out of it:

After Interrogator B (the unfriendly one) has been in the interrogation room for a short while, Interrogator A (the friendly one) re-enters and scolds B for his unfriendly conduct. A asks B to leave, and B goes out of the door with a pretended feeling of disgust toward both the subject and A. A then resumes his friendly, sympathetic approach.

This technique has been effectively applied by using a detective as the friendly interrogator and a police captain as the unfriendly one. As the captain leaves the room after playing his unfriendly role, the detective may say, "Joe, I'm glad you didn't tell him a damn thing. He treats everybody that way – persons like you, as well as men like me within his own department. I'd like to show him up by having you tell me the truth. It's time he learns a lesson or two about decent human behaviour."

The two participants in a conversation must create "a meshing of each of their social drives and social skills" (Argyle 1972: 106). Interaction cannot take place if they speak at the same time, if both shout orders, or if both ask questions. Chronemic features (see Chapter 1.2) are necessary. There should be a given sequence of behaviour – A acts, then B, then back to A, then reaction by B, as in a question-answer sequence or, rather the three-part question-answer exchange, as Tsui (1989: 551) argues, to allow for the third move – the

follow-up move, i.e. the response to the answer. If there is no response by B, then there is no interaction. In Western cultures, social interaction should be filled with speech, not silence (Argyle 1972: 107-8).

Addressees may be silent in stressful situations. Seven such situations proposed by Argyle et al. (1981: 328-330) are (1) intimacy, (2) assertiveness, (3) focus of attention, (4) complex social routines and etiquettes, (5) failure and rejection, (6) pain and, lastly, (7) loss and bereavement. The third one, focus of attention, not only includes activities such as giving a speech or performing in public, but an event such as close questioning, too, which is the type of situation being described here. Such behaviour patterns may be considered examples of state of anxiety, a temporary condition of people, which may fluctuate over time and vary in intensity (Argyle et al. 1981: 320). We should also consider cases of trait anxiety, which is "a stable and relatively permanent personality characteristic" (ibid.). One such example is embarrassed silence; this may be a psychological symptom of some sort. It should be noted that in some of these cases of stressful situations, a person may use speech, frequently in the form of shouting or screaming, but in the present context, we are looking at reaction in the form of silence.

The link between silence and embarrassment, shyness or even shame<sup>4</sup> has been frequently indicated in psychoanalytical literature. The case studies published in this field tend to portray extreme examples of neuroses, where we read of patients either in a mental clinic or going through long-term treatment in a psychoanalyst's consulting room. But such reports do say something about the condition of normal people, since it is the normal person who can cope with any potential neurotic tendency. In one study (Wurmser 1981: 134-9), a twenty-year-old girl was "alternating between severe chronic 'detachment' and psychotic breaks." She was ashamed of her weaknesses and feared lest people laugh at her. If she talked, all those characteristics that she did not consider part of her ideal self-image would be exposed. So she withdrew into silence, which, according to Wurmser, "was power, was self-control and control of the situation."

Miller (1985) maintains that when a person is embarrassed, the self is moving in two directions – outward into view, and inward through worry about the outward motion. The outward motion may be exemplified by blushing, which cannot be covered, but the embarrassed person may attempt to cover up some of the embarrassment by averting his or her gaze, or by ceasing to talk – by silence. Likewise, the humiliated person may use silence as a weapon against the humiliator, who by his or her humiliation is in control of the situation. The addressee uses the silence to gain power, and not to play the other's game (Kaufman 1980: 26).

We normally have no difficulty in recognizing embarrassment. There are many signs that display such an emotional state. Fidgeting, averting one's eyes, increase in self-contact, and other so-called adaptors, shifting in one's seat (which may be a way of creating distance). These have been adequately documented in various research papers. Christian Heath (1988), for example, discusses embarrassing moments in doctor-female patient examination, which are indicated by silence, breathlessness, looking away from the doctor's gaze, and looking away from the part of the body the doctor is examining, and finally, "not knowing where to look" (p.145).<sup>5</sup> (See also Ruggieri et al. 1982, and other works cited in Malandro et al. 1989: ch.4.) The person who deliberately remains silent would most likely stare straight ahead, and sit or stand like a statue, trying to prevent any body movement that would betray a message, especially the answer to the question that has been asked.

The type of silence discussed in this section may be considered primarily psychological in nature and is what will be termed "unintentional," that is to say, the silent addressee has no control over his or her response to a question, and lapses into silence because of psychological inhibitions. This unintentional silence is not an alternative to speech, since I am assuming (see Chapter 1.2) that speech is intentional, apart from those exceptions which in essence prove the rule. So, whereas intentional silence is a genuine choice made by the addressee and may be verbalized through a speech act if the addressee so chooses<sup>6</sup>, e.g. "I will not talk" (see below), unintentional silence cannot be verbalized in the same manner. Its interpretation by the addresser or observer is in their terms only, and not as a possible alternative expressible by the silent addressee. We are in fact faced with a paradox when we say that such a silence may be glossed "I cannot speak" (where *can* is equivalent to *able to*), since the silent addressee is unable to make any choice at all in the matter. One may say, in that case, that s/he biologically and not verbally expresses through the silence his or her inability to respond verbally.

Moreover, a distinction has to be made between a psychological factor which is the immediate cause of silence, as in the cases discussed above, and an intentional silence that reflects the psychological make-up of the addressee. If the addressee is of such a disposition that s/he is inimical to authority in any form or is simply obstinate, s/he will deliberately choose silence as a weapon against the addresser. Gilmore, in his study of classroom silence (1985: 155), shows that a pupil's silent sulking may be seen as a means of turning "the loss of face back to the teacher." The *immediate* reason for the silence is a conscious decision of the addressee, i.e. intentional behaviour, and not his or her personality.

The possibility of glossing silence by a speech act with a modal verb (as in "I will not talk") enables us to use the modal verb as the linguistic-pragmatic basis of the model. Even unintentional silence may be glossed accordingly (by *cannot*). We have to take three types of silence into account: intentional silence, unintentional silence and silence of a different type, the pause in the course of an everyday conversation (as discussed, among others, in Dechert and Raupach 1980). These may be distinguished on the basis of contrastive stress in propositions, as suggested by Dascal and Gruengard (1981). Of a person who is silent we may say

(8) He has something to say but will/must not say it.

or

(9) He has something to say but cannot say it.

or, thirdly,

(10) He has something to say, and will eventually say it.

The difference between (8) and (9) involves the modals *will/must* and *can*. They may be said to be in contrastive stress in the two utterances. Stress on the last lexical item of the utterance "say," the unmarked pattern, may entail its contrast with a verb like *write*. In other words, the silent person may be prepared to write down what he knows, but not say it. But this is not the situation facing us. We assume that the silent person refuses to divulge the information – in writing or in speech, or in using any other communication system, for example, sign language. So the relevant contrast in the present context is between *will*, which makes the person's silence an intentional matter, in contrast to the unintentional *can*, which means 'ability', whose meaning may not include intention. The silence indicated by the third utterance (10) is not an act of silence in our terms, but a short pause in the course of conversation. This distinction between intentional actions, unintentional actions and non-actions in terms of contrastive stress seems to be, then, accommodated within our approach to silence.

### 3. Knowledge and ability

The distinction presented here between intentional and unintentional silence parallels that made by Grice (1968) between natural and non-natural meaning where natural meaning is unintentional, such as in "these spots mean measles," while non-natural meaning (meaning<sub>nn</sub>) is the conventional meaning of lan-

guage. I am assuming, with Searle, Wittgenstein, and with Grice himself, that intention is a necessary condition for most speech acts. This is a controversial issue, to say the least. There are instances of unintentional speech, for example Du Bois' study of ritual divination (1987; cited in Chapter 1.2), although here it may be argued that although the speech act of divination is performed unintentionally, the speech event takes place through the intentions of the person who requests the divination. There are notorious examples within legal discourse of unintentional speech acts, too. Signing a document which puts the signatory under some legal obligation expresses the intention of the signatory to abide by the wording of the agreement including the "small print" which the signatory – the person in the street – often ignores. Some recent court cases, however, have recognized the lack of unfairness in such small print, and the signatory has not been held liable, with the result that the small print may not be construed as a part of his or her intention. Another case of unintentional speech would be that of a person who is tricked into admitting something s/he prefers to remain unsaid. It is not his or her intention to reveal the information s/he is forced to divulge, but the utterance, although unintentional, is meaningful. Unconscious slips of the tongue are, likewise, unintentional, but are meaningful, at least to psychoanalysts, in that they are often indicative of the innermost and unconscious thoughts of the speaker.

But is the basic distinction between types of silence based on intention, as argued here? There may be other possibilities, one of which is knowledge. After all, the silent addressee may know or not know the answer to the question s/he is being asked. If s/he knows, then there are two possible responses – verbal response as the cooperative way of responding to a question, or silence, which is uncooperative, to say the least. If, on the other hand, the addressee does not know the answer, s/he has also the possibility of two ways of responding – by saying "I don't know," or by keeping silent. I have claimed that since people are often embarrassed when they have to reveal their ignorance, they can hide this ignorance behind a wall of silence in situations where they are not forced to speak. A pupil sitting at the back of the class often plays this game. When asked by the teacher to respond, s/he remains silent, and unless the teacher has time and patience (which is doubtful, given the size of class and other pressures that are prevalent today), the pupil is not coaxed into giving an answer, or into admitting ignorance; in this case, the silence would usually be read as ignorance.

Silence may also be analysed from the point of view of ability, where we begin with the opposition between the ability to speak and the lack of ability to speak. Again, a lack of ability to speak could be further divided into a lack of knowledge on the one hand, and psychological disabilities (shyness,

etc.), on the other. The ability to speak also carries with it its contradictory "ability not to speak" or "ability not to say anything," which is our intentional silence. The form of this possible model is given in Figure 1.:

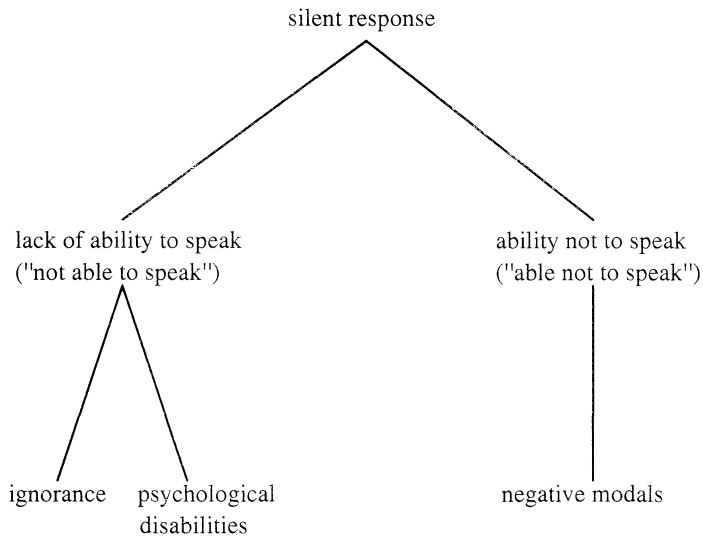


Figure 1. *Silence and the inability to speak*

Both these approaches, taking knowledge or ability as the initial points, do give us a general picture of how to interpret the silence of the addressee, but since my wish is to integrate them into a broader sociopragmatic model, the model must include the parameters of presence and non-presence, taken from the field of social psychology, and an explicit mention of the basic pragmatic feature of intention, too. But note that the topmost node of Figure 1. is "silent response" and not "silent answer"; I have used a more general term to enable me to generalize and, subsequently to include reaction to non-verbal stimuli. The uppermost node in the final model (Figure 3., see 4. below) is "response," which covers both verbal and non-verbal reactions, and so offers a more generalized model.

#### 4. The basic model of silence

Let us now investigate the various meanings of the modal glosses that, it is claimed, constitute the interpretation of the silent answer. The context alluded to in this discussion is some official interrogation (to be enlarged upon in Chapter 3.), but the model may be given weaker interpretations the further we move away from institutional settings. We first have to eliminate from intentional silence the modal *can*, since this is ambiguous. It may gloss both intentional and unintentional silence; 'I cannot say anything' may mean 'I am not allowed to say anything,' where *cān* is equivalent to *may* with the meaning of permission in this case. On the other hand, it may be glossed 'I am unable to say anything,' which, as discussed above, is the gloss put on the silence by the addresser/observer, and not as an alternative by the addressee. What we have to analyse are the following<sup>7</sup>:

- (11) I may not say anything
- (12) I must not say anything
- (13) I will not say anything
- (14) I shall not say anything

Let us start with the first two. I shall interpret both *may* and *must* deontically; in other words, the negative *I may not* and *I must not* may be glossed 'I am not permitted to say anything' and 'I am under an obligation not to say anything,' respectively. Other readings of these modals, viz. epistemic, do not seem directly relevant in our context. For example, 'I may not say anything' interpreted in terms of possibility – 'it is not possible for me to say anything' – may indicate either inability where *may* is equivalent to *can* (i.e. unintentional silence), or a deliberate wish not to speak: behind the *may* lies a *will*, where 'I may (=will) not say anything' means 'I don't want to say anything.'

Both these deontic interpretations suggest outside sources of authority that have power over the silent addressee. Such sources may be a person or persons, or even a code of honour. One such code of honour is the *omertà* – or code of silence – of the Sicilian Mafia. However, *omertà* is not necessarily imposed obedience to an external organization. It may be seen as a behaviour pattern common to groups that have been victims of persecution.

*Omertà* is the only form of social cooperation [a member of the group] engages in and this he does primarily because it does not require the individual to surrender or sacrifice anything. (Albini: 1971: 108-9)

It is expressed as an unwillingness to testify in court, or to have any official contact with the authorities. But it is not known whether this is backed by an oath, whether the Mafia is a secret organization that controls its members by such oaths, or whether it is "an attribute of inner-directed, personal character or a function of other-directed social obligation" (Smith 1975: 42). Hence, despite widespread belief that the silence of the Mafiosi is due to some code, it looks as if we are dealing with a more personal "I will not say anything" than an external "I am not permitted to say anything" (or in our terms "I may not say anything").<sup>8</sup>

This may also be the case among detainees in Northern Ireland. May we say that their silence in the face of interrogation is due to some external threat such as murder by the IRA if they speak, or is it a question of group loyalty, i.e. "I will not (=don't want to) say anything"? In Anne Devlon's television play *Naming the Names*, broadcast in 1988, the heroine, a young girl who occasionally helps the IRA, is arrested after the murder of a judge's son with whom she has had a brief love affair. After innocuous questions concerning her identity, which she answers (cf. Danziger's study cited in 1. above), she refuses to give any information about her contacts. She does not say "I must not say anything." She is not even silent. She simply lists the names of streets in Belfast ("Falls Road, Shankill Road..."). Her non-response – a non-response it is despite her verbalizing – is the result of group loyalty, and not because of some secret oath. So, the code is fairly vague in content, and cannot really be evoked in such situations.

*Will* and *shall* are not normally considered together with the other modals; while *may*, *must* (and *need*; see below) are either epistemic or deontic in meaning, these two are often referred to as "dynamic." *Will* is ambiguous; in one of its meanings, it indicates future time in assessing what will happen, and in its other meaning, it expresses intention. *Shall* has various pragmatic restrictions on its meanings. "I shall not say anything" seems to imply strong intention, another version of *will*, and not prohibition. The latter modality probably works only with the second and third person, so "she shall not say anything" may be regarded as deontic prohibition, whose source is clearly external to the potential speaker, as well as strong intention. The same person, on the other hand, cannot say of herself "I shall not say anything" with the deontic meaning.

I have offered a general interpretation of intentional silence in terms of modality, especially what is usually called deontic and dynamic modality. We now have to ask whether there are any differences between the modals. If not, then I can classify the modals within one category. I am leaving *can* out, since this is the proposed interpretation of unintentional silence. The interpretation of intentional silence could be said to be the speech act implied by the silence, but

the interpretation of unintentional silence is the one offered by the observer and not by the silent addressee him or herself. S/he is silent not because of his or her own conscious choosing.

Let us take, then, the modals given in (11)–(14) above – *must*, *may*, *will*, *shall*, and add *need*, which, although a quasi-modal (see note 7), fits into the semantic pattern being suggested here. The first question that might be asked is whether ignorance can be claimed as the reason for the silence if one of these modals is used. After all, what the observer or interrogator initially wants to know when faced with a silent answer is whether the addressee knows or does not know the answer. If the addressee apparently does know the answer, then the next stage in the process is to obtain the answer. (In legal proceedings, the importance of asking preferably polar interrogatives of a witness who may prove hostile further narrows the interpretation of the silence.) The presence of ignorance or otherwise may be shown in the acceptability or unacceptability of the following utterances:

- (15) ?I will not say anything, because I do not know.
- (16) \*I may not say anything, because I do not know.
- (17) \*I shall not say anything, because I do not know.
- (18) \*I must not say anything, because I do not know
- (19) \*I need not say anything, because I do not know.

The *because*-clauses are all sentential adverbials outside the scope of negation. Sentence 15 may be acceptable given one meaning of *will* – as the indicator of future, and so the *because*-clause may be a verb modifier (adjunct), but it is not acceptable in its other meaning of 'wish'. This is made clearer in the abbreviated form with unstressed "won't":

- (15a) I won't say anything because I don't know.

in which the modal *won't* can indicate future only. Furthermore, a sentence such as (18) may be considered a gloss of Grice's maxim of quantity – "don't speak unless you have sufficient evidence" (Grice 1975). The unacceptability here refers to conversational style, not to semantic glosses found in philosophical and linguistic discourse.<sup>9</sup> However, sentences 16 to 19 are normally unacceptable. But that does not imply the general unacceptability of *because*-clauses as sentential adverbials in such contexts. After all, one can say, for example:

- (16a) I may not say anything because I've been told not to.
- (18a) I must not say anything because I've been told not to.
- (19a) I need not say anything because I don't want to.

Adverbial clauses may be subordinate to the main clause that has the form

- (20) I + Modal + not say + NP,  
or  
I + Modal not + say + NP

either embedded or outside the scope of negation, so the unacceptability of 16 to 19 is not syntactically derived.

The only conclusion we may then draw is that sentences 16-19 are semantically anomalous; therefore, the reasons for not speaking is not ignorance. The silent addressee *does* know the answer to the question, but refuses to give it. In other words, pragmatically there is no difference between the five modals (including *need*). If that is the case, then they may be classified under one category, and set up in contrast to *can* which is, in the negative, the gloss for unintentional silence; this, then, supports the claim made by the model. That is, we have on the one hand *can*, and on the other the remaining modals. This interrelationship among the modals can also be shown in the logical square (Figure 2.):

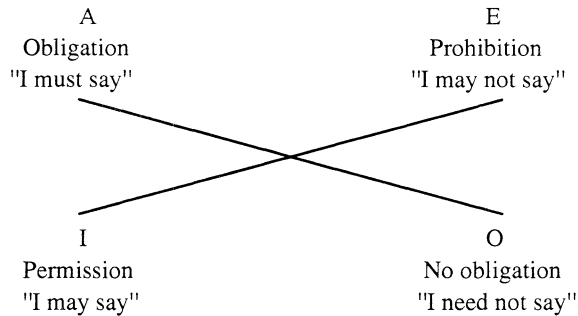


Figure 2. *Interrelationship between modals*

Let A = obligation, i.e. "I must say." Its contrary E is prohibition, viz. "I must/may/(shall) not say." The contradiction of E is permission (I) "I may say," while the contradiction of A is the lack of obligation (O) – "I need not say." This analysis holds logically, according to truth values. The contradictories A and O, E and I have polar truth values, so if one is true the other must necessarily be false. Either "I must say" (A) or "I need not say" (O) is true, but not both, and the same is true for "I may not say" (E) and "I may say" (I) – one can permit or prohibit a person from doing something, but not both at the same time. Contraries usually have polar truth values, but they may have the same truth value in that A and E can both be false, and O and I can both be true. So, "I must say" and "I may not say" are incompatible – one cannot be under an

obligation to speak and be given permission not to speak at the same time. With "I may say" and "I need not say," the speaker has the discretion whether to speak or not. Moreover, in terms of entailments, an obligation to speak entails permission to speak (but not its opposite), and a prohibition to speak entails a lack of obligation to speak, but not vice versa. If we use the semiotic approach presented in Chapter 1, in which Greimas suggests that I and O imply A and E respectively, we may say that obligation is included within permission, i.e. any act that is obligatory is an act for which permission is given, but on the other hand, not all permissive acts are obligatory. A similar analysis may be suggested for prohibition and lack of obligation.

Furthermore, underlying these modals in their negative form is the intention not to speak. Since the addressee is under no obligation or does not have permission to speak, s/he, therefore, has no intention of speaking. So we may bring in "will not" and "shall not," which have been glossed in this way, and successfully cover all the modal interpretations.

In conclusion, we may say that there are three possible modal interpretations of silence:

- unintentional "I cannot speak"
- intentional – internal (willingness): "I will/shall not speak"
- external: "I must/may not speak"

The one left remaining "I need not speak" is apparently internal, that the source of the silence is the addressee himself or herself.

I can now present the basic model for the interpretation of the silent answer (again, primarily in an institutional setting). The silent addressee is asked a question. S/he has a personal choice to respond or not. If s/he responds, then s/he signals his or her presence in Gurevich (1989)'s meaning (see Chapter 1.3) by answering the question verbally, or by admitting explicitly that s/he does not know the answer. On the other hand, the addressee may signal non-presence. This may take on the form of speech by him or her stating that s/he refuses to answer, or the addressee may remain silent. Since we are focusing on silence, it must be further asked whether this silence is intentional or unintentional. If it is unintentional, then the witness could be persuaded by various means to overcome his or her shyness to answer the question. If, on the other hand, the silence is intentional, then this silence is interpreted modally, and conclusions may be drawn concerning both the addressee and the information s/he is not giving:

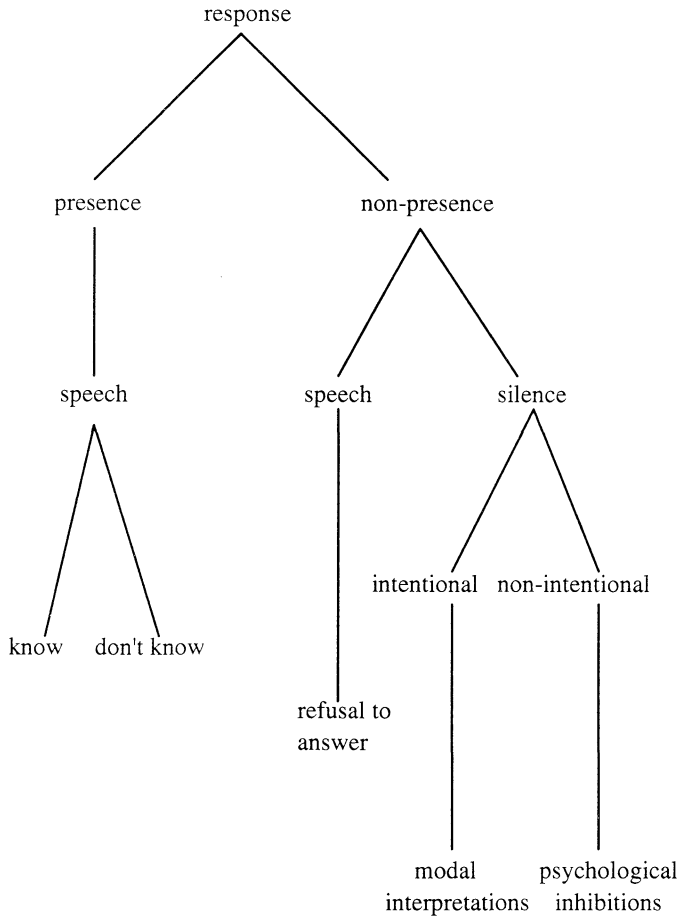


Figure 3. *Interpretation of silence. Basic model*

## 5. The interpretation process

Armed with such a tool, we are now able to work through the procedures how a specific instance of a silent answer is interpreted. The above model lays the basis for the building of a schema within which each and every case of a silent answer may be treated. The focus of the model, as I have stated a number of

times, is on a question-answer routine in an institutional, e.g. judicial, setting, but it may be applied in a weaker version to more everyday speech events. A schema here is taken to be a stereotypical scenario which allows for a pragmatic interpretation of the speech event I am investigating. Let us start with the basic schema:

- (21) If A asks B a question, A expects B to answer it.

A and B refer to any two people, i.e. *person*<sub>1</sub> and *person*<sub>2</sub>. On to this schema we may add Gricean maxims (Grice 1975), since what is being assumed, in everyday discourse at least, is that A and B are being cooperative. In this schema we can say that B's answer obeys at least the maxims of quantity, quality and relation; in other words, B is giving an answer that appears to be truthful and relevant to A's question. (The other maxim – of manner – does not seem applicable in our case.) I have said that B's answer "appears to be truthful," for we are assuming cooperation unless we have evidence to the contrary. So, fulfilling the maxim of quality is assumed as are the other two maxims mentioned here, until, for example, there is counter-evidence to the statement made, and the questioner understands that the person answering must know the answer. Intentional silence is usually interpreted as the lack of cooperation on the silent addressee's part, but until we get to that stage, at which we realise that the addressee's silence is intentional, we assume cooperation.

So, our schema now becomes:

- (22) A wants to know something and asks B a question concerning the matter. A expects B to give an answer which provides A with the information s/he is requesting.

However, I have to distinguish between two types of questions corresponding to two different syntactic forms, as I noted above (1.) in my discussion of the addresser's power when formulating the question. One way of obtaining information from a recalcitrant addressee would be by using polar interrogatives; the form of the question and its underlying proposition that is an integral part of the interrogative would enable the questioner to guess with a high percentage of accuracy whether the silent addressee means 'yes' or 'no' (Kurzon 1995). So, (22) has to be changed into:

- (23) a. A wants to know something, and asks B a *wh*-interrogative which will provide A with an answer s/he is requesting.  
 b. A wants confirmation of something s/he does not know, or is not sure about, and asks B by means of a polar interrogative to confirm or refute the proposition. B gives a "yes" or "no" as an answer, with possible added material.

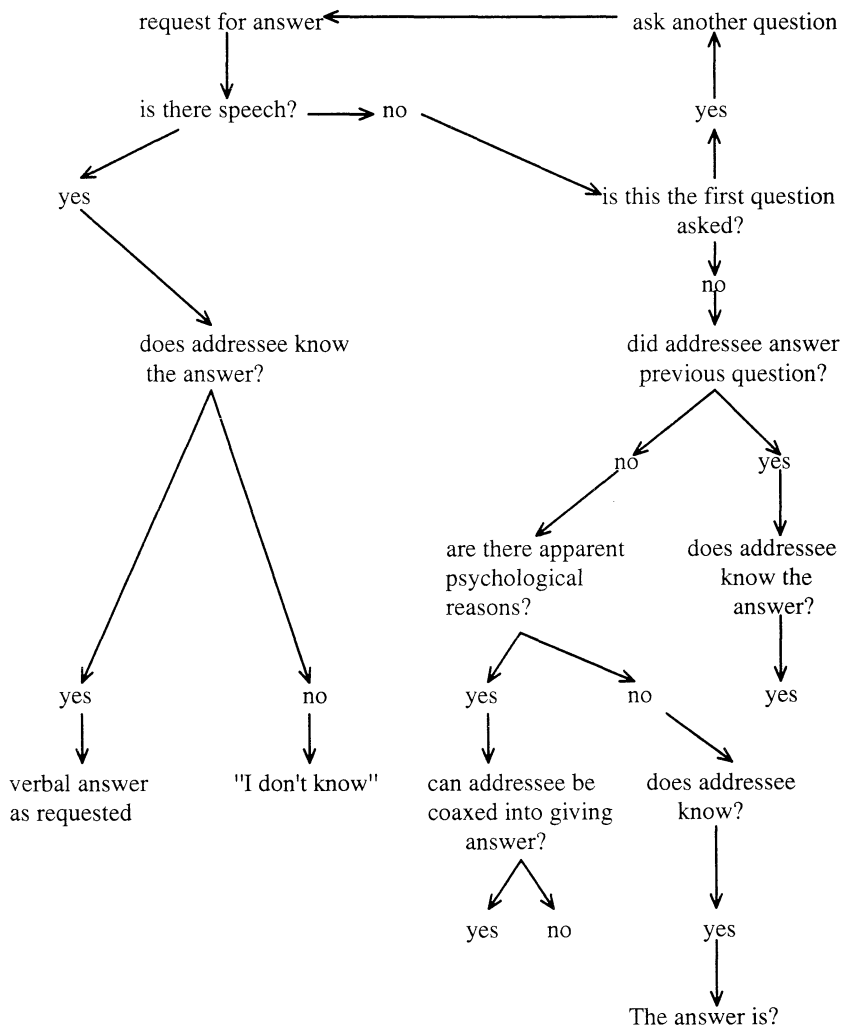
With such a schema, the addresser/observer now has to decode the meaning of an addressee's silent response to a question. The schema provides a set of expectations which in the case of the silent answer is not fulfilled. By using the question-answer adjacency pair, the addresser is able to decode, and draw conclusions concerning the meaning of the addressee's silence. If the silence appears intentional, then we assume that this is caused by the addressee's being uncooperative. Recognition of unintentional silence derives from another schema concerning the behaviour of shy, embarrassed people, a schema that is built up in the minds of people over the years through experience. We may set up a schema of the following type (the details may vary but the general idea, I believe, is typical of western societies):

- (24) When addressed or related to, shy people blush, fidget, try to look inconspicuous, behave as if they were not 'present', do not say anything or mumble something which is often incomprehensible.

A more sociologically based schema would include a list of circumstances or events that are "potential tongue stoppers"; such a list would include funerals, police inquiries, job interviews, tax interrogations, television interviews, and first dates (McDermott 1988: 38). In police reports, the statement "The suspect is not cooperating with the police," used to persuade the court to remand the suspect in custody until trial, usually means that the suspect has not answered, or refuses to answer, the police's questions. In the first case, the suspect may have given irrelevant answers or half answers (thus not fulfilling the maxim of quantity). In the second, the suspect has not opened his (or her) mouth.

Using the two schemata (23) and (24), the addresser can at least decide whether the silence is caused by psychological inhibitions or not. If the addressee's silence is unintentional, then various strategies may be used to coax an answer from him or her. The addresser has to be less face-threatening, for example. S/he has to verbally include the addressee within the circle of people close to the addresser. But after careful coaxing, once the addressee's psychological block has been removed, then we may assume that the usual question-answer schema (23) will apply.

Let us view this process from a more detailed point of view, in the form of a flow diagram. The model presented above is fairly static in structure. It shows the communicative competence of speakers who are faced with a silent answer. The schemata are also cognitive in nature, and list the set of expectations in the order of processing. The flow diagram is perhaps the most dynamic of ways of presenting the processing of interpreting a silent answer:



#### 4. Process of interpreting silence

Let us work our way through this diagram. We shall see that it partly covers what has been discussed within the cognitive schemata, while it offers at the same time a different perspective on the interpretation of a silent response to a question; one may say that it relates to performance factors in the interaction. The interpretive process begins with the addresser requesting a response. The first question to be asked is whether there is speech, that is whether the addressee has said something in reply. If s/he has, then we simply go down the left side of the diagram which shows that the addressee either gives a verbal answer to the question, or admits ignorance ("I don't know"). If the addressee states that s/he knows the answer but refuses to give it, this may be treated as intentional silence, as suggested above. However, if there is no verbal response, then we proceed with the negative answer to the question whether there is speech. But the interpreter now wants to set up a pattern of behaviour in relation to the addressee in so far as this interaction is concerned. It is important to take into account whether the addressee is silent only when the particular question is asked, or whether there has been a lack of response for some time. The diagram relates only to the previous question, but the question "is this the first question asked?" may be changed or extended to cover a series of previous questions, i.e. it may be made recursive by asking a series of questions of the type "is this the  $n$ th question asked?" The number of such questions should be minimal to set up the desired pattern; for the purposes of this exposition, I shall assume that  $n$  equals two.

If this is the first question asked, then the questioner may not insist on an answer, but ask another question, which if carefully formulated may also indirectly give the required information that was asked for in the unanswered question. But if this question is not the first to be asked, we have to see whether the previous one has also been left unanswered, in other words, whether a pattern of silence has been established. If the previous question has been answered, then we may assume that, since the addressee does not admit ignorance, s/he knows the answer to the present question.

But let us concentrate on the addressee who has failed to answer at least two questions. At this point, we bring in part of the cognitive model relating to unintentional and intentional silence. If there appear to be psychological reasons for the addressee not answering, then various strategies should be resorted to in order to coax an answer, as discussed in 2. above. Once an answer has been coaxed from the silent addressee, then we return to the beginning and ask the next question. I have left open the possibility that the addresser fails to persuade the addressee to answer the question. The moment that psychological inhibitions have been removed, speech would be forthcoming. If these inhibitions cannot be removed in the course of interaction, then more expert assistance, a psycholo-

gist or even psychiatrist, would be needed; the end result may well be a halt to the questioning of the addressee, who would be considered incompetent in matters related to the information required. Of course, such a case holds only in institutional settings. If this interaction were part of everyday conversation, silence instead of the answer to the question – whether the silence is intentional or unintentional – would probably end the conversation (see Chapter 1.3).

But if there is no apparent psychological reason for the silence, i.e. the addressee is intentionally silent, then the interpreter may well ask him- or herself whether the addressee knows the answer, but is refusing to divulge it. Even with this flow diagram, with its instructions to the questioner to consider the number of times a question has been asked, we do not have a clear answer to the question whether the silent addressee knows the answer to the question being asked, and what that answer is. But after taking all the facts into consideration, the addresser would probably draw the conclusion that the silent addressee does know the answer (represented by the modal structure presented in 4. above). The ultimate question is: what is the answer to the question? There is no answer in the normal course of things.

Contextualization of the silence is the best aid in interpreting it and answering that ultimate question. In the following chapters, that is what I shall be doing. However, it will be seen that as we move from discourse type to discourse type, direct reference to the model presented in this chapter will be reduced. The model may be directly relevant to the treatment of silence in a legal context, as we shall see in Chapter 3, but as we expand the terms of reference, I will be bringing in other pragmatic features.

## **Chapter Three**

### **The Transitivity of Silence**

#### **Legal Discourse**

#### **1. Introduction**

We shall now consider specific cases in which silence is regarded as a significant feature of the discourse, and in which what I call the transitivity of silence may take place. The first field is that of law, both Anglo-American law and other legal systems, too, and this is the subject of this chapter. This field may also be seen as one in which the model set out in the previous chapter may be directly applied. In subsequent chapters, I shall deal with other discourses – literary, biblical, musical and cinematic. The application of the model, worked out for a question-answer exchange, will gradually make room for other pragmatic tools.

The discussion of silence in the Anglo-American legal context invariably centers around the so-called right of silence. We have set up a model in the previous chapter which at most enables us to draw the conclusion that the silent person is hiding some information, and we may arrive at an intelligent guess as to the contents of this information, but to know for certain what the contents are is usually impossible; or, if the line of questioning is polar in form, then the polarity of the proposition is unknown. Bilmes has commented on the lack of a definite meaning to a silent answer in terms of Gricean maxims (1993: 389-390); the absence of denial following an accusation may indicate that the accusation is true (which fulfils the maxim of quantity). This may also be seen in terms of silence as a dispreferred second instead of the denial, which is the preferred second (Levinson 1983: 336). A denial is more informative than silence, so silence implicates that the accused admits guilt. But the opposite interpretation is also possible: silence is not as informative as an admission, so the silent accused must be denying guilt. In the light of these pragmatic features, and be-

cause of the possibility that juries may misinterpret the silence, some legal systems have placed limitations on the explicit interpretation of the silence of an accused or suspect. In the more recent past, some of these restrictions have been lifted, but the principle has remained.

Let us firstly spell out the law on an accused's right of silence by looking at a number of American and British court cases at the centre of which lies the right of silence (2.). This is followed by a discussion of changes and proposed changes made in Britain, especially in the context of the troubles in Northern Ireland (3.). The right of silence in two other legal systems will be discussed – in France and in Israel (4.). In the latter the question of the interpretation of silence has revolved around the status of the silent witness, whether s/he is to be considered a witness or s/he has no witness status at all. I shall then briefly relate to Talmudic discussions that centre around the maxim "Silence means consent" (5.). Finally, we return to the notion of the transitivity of silence and discuss the silencing of IRA spokesmen in British broadcasting (6.).

## 2. Silence in Anglo-American criminal proceedings

I shall examine concrete examples in the legal field and show how the model may be applied. Firstly, I have taken three American cases which cover the two contexts in which silence is of legal significance.<sup>1</sup> *Griffin v. California* (1964) deals with a defendant who fails to testify in court, while *Commonwealth v. Dravec* (1967) and *US v. Hale* (1974) focus on a suspect who remains silent in police custody. The broad outline of the *Griffin* case is as follows: the defendant did not testify at the original trial, at which he was found guilty of murder, but spoke on his own behalf at the hearing at which the penalty was determined. He was subsequently sentenced to death for the murder of one Essie Mae. He was seen in the alley where the victim's body was found. The judge told the jury at the original trial that if the defendant had knowledge which would enable him to deny the evidence or the facts against him, but did not testify or failed to deny such evidence, then

the jury may take that failure into consideration as tending to indicate the truth of such evidence and as indicating that among the inferences that may be reasonably drawn therefrom those unfavorable to the defendant are the more probable. (p. 610)

But, the judge added, if the defendant had no knowledge, such inferences may not be drawn. In any case, he went on, the defendant's silence does not relieve

the prosecution from bringing proof beyond reasonable doubt that Griffin had actually committed the crime. Since he was seen in the alley with the victim, the prosecutor pointed out, as an answer to the question whether Griffin had the required knowledge or not, "in the whole world, if anybody would know, this defendant would know" (p. 611). The prosecutor was attempting to persuade the jury to accept his interpretation of Griffin's silence in the form discussed in Chapter 2.3. The dispreferred response (Levinson 1983; see Chapter 2.2) – silence in this case – would naturally lead them to the conclusion that Griffin knows who committed the murder. A preferred response to an accusation would be a denial, which Griffin does not give.

The question put to the Supreme Court on appeal was whether the judge's comment, which was permitted according to the Californian rules, violated the Fifth Amendment, which was designed to prevent self-incrimination.<sup>2</sup> There was no doubt that if it were a federal trial, then "reversible error would have been committed," but a ruling was sought on the application of the Amendment to state trials.<sup>3</sup> The Supreme Court decided to reverse the original verdict because of the violation of the Fifth Amendment. It was argued that the defendant had knowledge, but the trial court should not have commented on the possible inferences, nor drawn attention to them. As Justice Douglas, who delivered the majority opinion, said:

What the jury may infer, given no help from the court, is one thing.  
What it may infer when the court solemnizes the silence of the accused into evidence against him is quite another. (p. 614)

In other words, while such inferences are quite legitimate in the process of interpretation, a process which the model set up in the previous chapter tries to capture, silence is imposed on the court to prevent it from drawing attention to such inference-making. The jury does not have to give reasons for their decision. The verdict is of one or two words in length ("guilty" or "not guilty", and also "not proven" in Scotland), and that is all. This may be compared with legal systems which do not have a jury, as in Europe and South Africa, where the law is based on Roman or Roman-Dutch law, and in Israel. In these jurisdictions, the judge gives a detailed account of the way s/he has reached his or her decision, taking into account both the facts and the law, which can be commented on in appeal.<sup>4</sup>

So, in terms of our model, the focus of the court's concern in the *Griffin* case was on knowledge. The defendant was assumed to have knowledge of the state and condition of the murder victim. But he signalled his non-presence by not saying anything, by not saying whether he knew or did not know how the victim arrived to such a state. If he really did not know, then his silence meant

"I don't know." But if he did know, and this is the part of the inference that was drawn to the jury's attention, then he either was unable to speak, or was able not to speak (see Chapter 2.3). The former is inappropriate because Griffin does eventually speak at the second hearing, so his not speaking at the trial itself may be interpreted as the ability not to speak, that is "I know, but I cannot say." The jury could then have drawn a further inference that Griffin did know what happened to Mae, and if he had said something he would have incriminated himself. That is to say, he was the one who had committed the murder, but he was leaving it to the prosecution to prove it. There are other possibilities, and that is why courts have decided that silence should not be commented upon. One such possibility is that Griffin may have seen someone in the alley with the victim, someone he knew but did not want to inform on. Nevertheless, the natural inference drawn from Griffin's silence is that he was guilty; the judge's referring to this possibility led to the quashing of the verdict.

The defendant in *Commonwealth v. Dravec* did not make any comment when the police read out to him a statement by a fellow worker accusing him of stealing equipment from their place of employment. On conviction, he appealed, and the case reached the Pennsylvania Supreme Court on the question whether the defendant had been deprived of his constitutional rights against self-incrimination (again, a question of the Fifth Amendment). The Court declared that the so-called "tacit admission rule," one of the reasons for Dravec's original conviction, is "too broad, wide-sweeping, and elusive for precise interpretation" (p. 760). This rule states that

when a statement made in the presence and hearing of a person is incriminating in character and naturally calls for a denial but is not challenged or contradicted by the accused although he has opportunity and liberty to speak, the statement and the fact of his failure to deny it are admissible in evidence as an implied admission of the truth of the charges thus made. (quoted, p. 760)

A number of questions may be asked at this juncture. What, for example, is the meaning of "naturally"? As Justice Musmanno, reading the majority opinion, said, "what is natural for one person may not be natural for another." Admissibility of the rule would mean that an accuser has to be answered wherever and whenever an accusation is made "whether on the street, in the fields, in an alley or a dive." Musmanno claimed that the source of the tacit admission rule is what he termed the "spongy" maxim "Silence gives consent." Maxims and proverbs do not "necessarily represent universal truths." He then lists a number of proverbs which contradict this maxim:

Silence is golden;  
 Closed lips hurt no one, speaking may;  
 Speech is of time, silence is of eternity;  
 For words divide and rend, but silence is most noble till the end;  
 And silence like a poultice comes to heal the blows of sounds;  
 Be silent and safe, silence never betrays you.<sup>5</sup>

The judge then compares the tacit admission rule to a forced confession; both are given unwillingly, though a tacit admission is "more gentle because it is silent." If Dravec knew of his right of silence, which may be doubtful because of his lack of education, then it is unjust to spring a fellow-worker's fairly long statement on him, and expect him to react according to rules. Furthermore, an accused's silence may be due to psychological reasons, for "not everybody responds spontaneously to stimuli."

In *US v. Hale*, the silence that is at the centre of the case is the suspect's silence as the answer to a question put by the police concerning the source of the money that was found on him at the time of his arrest. He was accused and later convicted of robbery. On appeal, the verdict was reversed, and the court ordered a new trial. The prosecution appealed to the Supreme Court, which confirmed the Appeal Court's decision.

In the original trial, the prosecutor questioned Hale on his silence, that he did not offer an alibi at the time of police interrogation. The judge told the jury to disregard the questioning, but did not declare a mis-trial. The prosecution's argument was that it has the right to draw the jury's attention to the fact that the defendant did not supply an alibi in custody, but did later on when he testified at his trial. He may therefore be tested for credibility. To support this position the prosecution cited as precedent another case, in which an accused was questioned at his second trial on his failure to testify at the first. The Appeal Court, however, rejected this argument on the grounds that there was a difference between pointing out the inconsistency in behaviour of the accused in two trials, which is admissible, and drawing attention to a possible inconsistency in his behaviour in police interrogation and at trial, which is inadmissible.

Hale was told on his arrest at the police station that he had the right to remain silent (the so-called "Miranda warning"). Since, the court argued, the accused had the right to remain silent, no inference may be drawn from that silence. As the Appeal Court stated, "inquiry into the respondent's prior silence impermissibly prejudiced his defense and infringed upon his right to remain silent" (p. 173). Prior statements may be inconsistent, and these can be brought up if the court is convinced that the two statements are as such, but the silence

of the accused after the Miranda warning "lacks any significant probative value and must be excluded" (p. 176).

In both the *Griffin* and *Hale* cases, the respective courts pointed out various reasons for people keeping silent, especially psychological reasons. Justice Douglas, in the *Griffin* case, gave the following list, quoting a previous case:

Excessive timidity, nervousness when facing others and attempting to explain transactions of a suspicious character, and offences charged against [the accused], will often confuse and embarrass him to such a degree as to increase rather than remove prejudices against him. (p. 613)

Justice Marshall, too, in the *Hale* case, gave a fairly comprehensive list of reasons why a suspect may remain silent:

In these often emotional and confusing circumstances [of arrest, etc.], a suspect may not have heard or fully understood the question, or may have felt there was no need to reply... He may have maintained silence out of fear... Or the arrestee may simply react with silence in response to the hostile and perhaps unfamiliar atmosphere surrounding his detention. (p. 177)

These psychological reasons lead to unintentional silence, and may be glossed in our model by "I cannot (= psychologically unable) speak," the modal verb *can* used, as we have seen (Chapter 2.2), to cover unintentional silence, which still leaves the penultimate question unanswered – whether s/he knows or does not know the answer to the question, not to mention the ultimate question: the contents of the information required. Objectively, we are no closer to an unambiguous interpretation of the silence.

Marshall does add one more reason in the middle of the list given above (one of the missing pieces indicated by the three periods):

He may have maintained silence out of...unwillingness to incriminate another.

that is to say, "I may not speak (or must not speak) because of some code of honour." Marshall, therefore, does not make the distinction presented here between unintentional silence and modal interpretations of intentional silence, for he places both types in one list. It may be argued in his favour, though, that he uses a modal noun "unwillingness," derived from the modal verb *will*, which may reflect some psychological state in the sense that "I don't want to," especially uttered by a child, is more an emotional than a rational response. But, on

the other hand, not only has *will* been interpreted as an expression of intention (see Chapter 2.4), but Marshall also adds "incriminate," which is one of our contexts for the interpretation of silence as intentional, i.e. "I must not speak."

A British case, or more accurately a Jamaican case that went up to the Privy Council on appeal in 1970, *Hall v. R.*, also concerns an accused's silence when he was faced with an accusation during police interrogation. He was accused of being in the possession of drugs. One of his flatmates told the police that the shopping-bag in which the drugs were found belonged to Hall. When he was told by a policeman that this is what was said, Hall

made no comment upon this. He remained silent. All three defendants [Hall and his two flatmates] were then cautioned and none of them said anything. (p. 109)

Firstly, the Privy Council argued that even if the caution is not given, the accused's right of silence is guaranteed. The caution is merely a reminder that the accused has the right "which he already possesses at common law" (p. 112). Secondly, and more central to our discussion, it is up to the jury to decide whether the defendant's "words, action, conduct or demeanour at the time the statement was made amount to an acceptance of it in whole or in part" (p. 111), which is a quotation from a 1914 case, *Christie v. Director of Public Prosecutions*, considered authoritative on the question of an accused's response. The judge, Lord Diplock, argued that the *Christie* decision applied to the present case in that Hall did not show "by word or by any positive conduct, action or demeanour" that he accepted the codefendant's statement or accusation. "All that is relied upon is his mere silence," continued Diplock. That is to say, silence is not positive conduct. The court is saying that nothing should be inferred from silence, so in the circumstances of the case, silence is not communicative. On the basis of our previous discussion, silence is regarded very much as an activity, especially when the silence is intentional. In any case, it is up to the jury to draw whatever conclusions it believes feasible in the light of the evidence. A court, therefore, must exercise prudence and discretion before allowing such evidence to be presented to a jury.

### 3. Changes in the law on the right of silence

The reasons given for reversing the verdicts in the cases cited above point to the transitivizing nature of silence, not only in criminal procedure and evidence, but in other discourses, too. Silence by the accused leads to silence being imposed on whichever side in the case would benefit from pointing out the

various interpretations of the silence; usually the prosecution would be the benefiting side. The jury is left with the task of making decisions by, among other things, drawing inferences from the evidence, including such phenomena as the silence of the accused during police interrogation, or his or her refusal to testify in court. The process of changing the status of the noun *silence* is grammatical in essence. What is happening is that the noun, which describes a state of "not speaking," changes its grammatical class into a verb *to silence*.<sup>6</sup> This verb is a transitive verb, with the agent as the person or body who has power to perform the action, in this case the common law as interpreted by the judge in court when coming to his or her decision. The object (or affected) of the verb is the person who is not permitted to speak, again in this specific legal example, the prosecution and sometimes the trial judge. However, the agent and affected may change according to circumstances. We may talk of an author of a narrative who silences one of his characters by not letting him or her speak. At other times, an author, instead of giving the original words, may report the speech in indirect speech. We shall see in the course of this work that this extension of the transitivity of *silence* gives rise to several interesting phenomena.

Let us for now return to the judicial process. How will the jury view the silence? The *raison d'être* behind the silence imposed on counsel is that silence can have a number of interpretations, but in normal discourse – the situation taken in order to set up our model – silence is less ambiguous than what is being assumed in the legal world. There seems to be no inherent difficulty in distinguishing between unintentional silence and intentional silence. In the latter case, it would be generally held that the silent person is hiding something, as it is the preferred answer to a question requesting information.

The British Government decided to change the law on the right of silence. The Criminal Law Review Committee in their eleventh report in 1972 suggested changes, dealing primarily with the silence of the suspect when arrested and during interrogation, and secondarily with the accused's silence at trial. Specifically the committee referred to

the rule that, if the suspect, when being interrogated, omits to mention some fact which could exculpate him, but keeps this back till the trial, the court or jury may not infer that his evidence on this issue at the trial is untrue.

The committee proposed that "it will be permissible to draw this inference if the circumstances justify it" (p. 16). To forbid such inferencing "seems to us to be contrary to common sense," and is, furthermore, advantageous to the criminal, but probably does not help the innocent. The report goes on:

Hardened criminals often take advantage of the present rule to refuse to answer any questions at all, and this may greatly hamper the police and even bring their investigations to a halt. (p. 17)

It may be argued that "it is somehow wrong in principle that a criminal should be under any kind of pressure to reveal his case before his trial," but the committee counters this:

There seems to us nothing wrong in principle in allowing an adverse inference to be drawn against a person at his trial if he delays mentioning his defence till the trial and shows no good reason for the delay. (p. 18)

There may be reasons why the suspect is silent in interrogation: shock on hearing the accusation, embarrassing situations (e.g. the suspect was in the company of a prostitute, or a woman who is not his wife), a wish to protect members of his family, and this must be taken into account by the court (p. 21).

With regard to the accused's silence in court, the committee believed that "the present law and practice are much too favourable to the defence" (p. 68), and seem "to us wrong in principle and entirely illogical" (p. 69). They conclude that

the same kinds of adverse inferences, such as common sense dictates, should be allowed to be drawn from the accused's failure to give evidence as those which we have proposed should be allowed to be drawn from his failure to mention, when interrogated, a fact on which he intends to rely at his trial. (p. 69)

The phraseology should be noted here (not to mention the tortuous syntax): the current law is said to be "contrary to common sense," it is "entirely illogical," and silence should be interpreted in such a way "as common sense dictates." That is to say, the normal everyday inferences should be drawn, and not ignored.

However, at the time nothing was done about these proposals at either the ministerial or the parliamentary level. But in the course of 1988, in the wake of an increase in the number of cases in which IRA terrorist suspects did not cooperate with the police by keeping silent (cf. Anne Devlin's television film *Naming the Names*, referred to in Chapter 2.4), the British Government changed the law of evidence as it pertained to Northern Ireland. The extent of the "stay-silent" campaign can be seen in the report of the Home Office Working Group on silence, which stated (1989: 21) that

in 1987, around 50% of all those suspected of serious offences refused to answer any substantive questions and a large proportion of those answered none at all.

It was decided that a curb be placed on the right of silence in order to combat this pattern of behaviour adopted by IRA suspects, with the possibility of extending the restrictions to the rest of Britain.

Tom King, the then Secretary for Northern Ireland, stated in the House of Commons in October of that year that

the whole system of justice in Northern Ireland is under assault because of the abuse in the way in which this right is being exploited.  
(*Times*, Oct. 20, 1988)

The change proposed in the right of silence concerned possible negative inferences that can be drawn from a suspect's persistent silence during interrogation. Now, the refusal to answer questions put by the police may result in such silence being taken into account when deciding on the case at trial. A set of four conditions was set down in the Criminal Evidence (Northern Ireland) Order of 1988, under which courts may "draw whatever inferences [that] appear proper from the accused's silence" (Working Group 1989: 22):

- (i) if he fails to mention during questioning or upon charge any fact on which he later relies in his defence;
- (ii) if he refuses to be sworn or to answer any questions at his trial;
- (iii) if he fails to explain to the police any objects, substances or marks upon him or his clothing or in his possession at the time of his arrest;
- (iv) if he fails to account for his presence at a particular place when he is arrested.

Despite these changes in the law as it pertains to Northern Ireland, King continued in the same speech, "the right to silence remained absolute and no one can be convicted solely on the fact they remained silent." That is to say, the change in the law affected the suspect's right of silence during interrogation, but did not change the right not to appear as a witness in his or her own defence, and the prosecution cannot rely on the silence as the deciding factor in the case against the suspect.

The right of silence has become so sacrosanct in Anglo-American law that mention of a suspect's silence by counsel or by the judge himself may result in the quashing of the verdict, as we have seen in the discussion above of several of the leading cases. This may be illustrated by the consequences of a

trial that was held at the same time as Tom King's speech, known as the trial of the "Winchester Three" (*R. v. Cullen, R. v. McCann, R. v. Shanahan*), in which the three men were tried for conspiring to murder Tom King himself. Two of the defendants at the trial did not give any evidence either to the police or to the court. The judge in his summing up told the jury not to pay any attention to the discussion in the media concerning the changes in the law of the right of silence. Having been found guilty, the three men appealed their conviction, which in April 1990 was allowed. The Appeal Court felt there was a possibility that the jury was influenced by the media, so a new trial should have been ordered.

In May 1988, earlier in the year of Tom King's Northern Ireland speech, the British Home Secretary set up a working group on the right of silence, which reported in July 1989. As with the Criminal Law Review Committee, they concentrated on the silence of the suspect in interrogation, and references to that silence at trial. The only comment permissible at the trial is the judge's invitation to the jury "to consider that, by saying nothing to the police, the suspect has deprived them of the opportunity to investigate his story" (p. 10). The Working Group's recommendations include a change in the law of evidence and procedure in effect by ministerial Order from 1988 and should be put into operation in the rest of Britain, with a necessary change made in the caution read out to arrested persons. Instead of the traditional

You do not have to say anything unless you wish to do so but what you say may be given in evidence

a longer caution was proposed, taking into account the possible inferences to be drawn from keeping silent:

You do not have to say anything. A record will be made of anything you do say and it may be given in evidence. So may your refusal to answer any question. If there is any fact on which you intend to rely in your defence in court it would be best to mention it now. If you hold it back until you go to court you may be less likely to be believed. (p. 33)<sup>7</sup>

Moreover, in the question of the defendant's refusal to give evidence, the Working Group also came out with an explicit change in the law. They admitted that they find it difficult to understand the then current law; what they could say was

*roughly speaking*, [the judge] may tell the jury that they may not use [the defendant's] failure to give evidence as evidence against him, but that the prosecution evidence is unexplained and uncontradicted. (p. 47; my emphasis)

They proposed that both judge and prosecution be allowed to comment on the silence. In addition, they believed that "judges should make more frequent and robust use of their existing right to comment" (p. 48).

No longer is the right of silence treated as a sacred cow. But this attitude is not new. Jeremy Bentham, in his *Treatise on Judicial Evidence*, published in 1824, argued against the silence of the accused. In those days, in order to protect another of those sacred principles, "the burden of the proof is on the prosecution," the defendant could not testify in his own defence. It was up to the prosecution to persuade the jury of the guilt of the defendant beyond any reasonable doubt, while the defendant could use witnesses to establish his innocence and his good character, but he could not tell his own story on oath. (This position was finally changed in 1898!) Bentham did not see any reason for not putting the defendant on the witness stand. Instead of protecting the innocent, the law was markedly in favour of the criminal defendant:

If all criminals of every class had assembled, and framed a system after their own wishes, is not this rule the very first which they would have established for their security? Innocence never takes advantage of it. Innocence claims the right of speaking, as guilt invokes the privilege of silence.

The origin of the rule was bound up with the question of the burden of proof and the limits placed on the possibility of self-inculpation, which in the American context, as we have seen, is protected by the Fifth Amendment. Bentham goes on to show that the law ("a rule of common law"; p. 242) contradicts statutory law dating from the sixteenth century. According to two statutes from the reign of Mary, the justices of the peace in a case of felony were to examine the accused. "With what view?" asks Bentham. "In order that the answers thus obtained may contribute to the conviction of the guilty," is the answer in the statute. The magistrate has the unwritten option either to conduct the examination as laid down by the law, or to warn the accused, as is the common law rule, not to say anything "which may turn to his disadvantage." If the accused's silence is not sacrosanct according to these statutes, then why not change the generally accepted law, allow the accused to give evidence on oath, as was not the case in Bentham's time, and subsequently draw adverse inferences from the accused's silence?

There is considerable opposition to a change in law, argued from the point of view of fundamental human rights. This right of silence should be considered one of the means by which the citizen may legitimately combat state power. Given the means at the disposal of the police to produce convincing evidence, all the burden of proof should remain on the prosecution, and no inference should be drawn from the suspect's silence (Easton 1991; McElree and Starmer 1993). Moreover, some suspects have to be protected from themselves:

For weaker, ill-educated, inarticulate and poorer defendants, there may well be genuine fears of making themselves understood during cross-examination and they may prefer to take a risk and remain silent. A nervous and unprepossessing individual, ignorant of criminal procedure and lacking interpersonal skills, intimidated by the atmosphere of the court, is likely to make an unfavourable impression on the tribunal. (Easton 1991: 61)

However, Easton realised that even though jurors are told to ignore the silence, common sense probably enters into the deliberation. Her solution is not to legitimize these inferences as an integral part of the normal interpretation of silence, but to change the judge's directions to the jury accordingly:

If it is the case that juries do, despite judicial direction, draw inverse inferences from silence, then it may be that the directions need to be strengthened rather than weakened. (Easton 1991: 63)

Arguments for and against a change in the right of silence among legal practitioners and scholars are considered, as we can see from these works, basic legal questions – to be decided by reference to legal rights, and not to the findings of discourse analysis. In the next section, we shall deal with the attitude towards silence in other jurisdictions.

#### **4. Silence in French and Israeli law**

The accused's right of silence is not sacrosanct in other legal systems, either; for example, the French Criminal Code, in Article 114, states:

Lors de la première comparution, le juge d'instruction ...l'avertit qu'il est libre de ne faire aucune déclaration. Mention de cet avertissement est faite au procès-verbal.

[At {the accused's} first appearance, the examining magistrate shall...advise him that he is free to make no statement. Mention of that warning shall be made in the official report.]

The detailed procedure, based on that article, is set out in the *French Criminal Procedure Code* (1988: 22):

the court interrogates the accused and receives his statements, *if any...*  
The accused is not put under oath and cannot be legally compelled to answer any of the questions, but he cannot prevent the questions from being asked, nor can he prevent the court from drawing adverse inferences from his silence. [my emphasis]

There is nothing here that prevents the judge from thinking, along with Bentham, that "innocence claims the right of speaking, as guilt invokes the privilege of silence."

From these discussions, it may be seen that the prevailing view, apart from, perhaps, American jurists, is that decision-makers, a jury or judge, must interpret any discourse in the normal way, and attention may be drawn to behaviour which does not follow the norms of everyday discourse, that is a dispreferred answer may be regarded as an intentional act on the part of the addressee, and is interpreted accordingly. The fear that a jury may not be able to differentiate between relevant and admissible evidence in contrast to the irrelevant and inadmissible is more a question of the value of the jury system than of some time-hallowed right of silence. Most jurisdictions that do not have juries do not regard the defendant's silence as unassailable.

But it is interesting to note that although the Israeli legal system, which is partly derived from English law, has no jury, the silent witness is a concept that has recently been at the centre of important judicial decisions. In September 1991 the Israeli Supreme Court (in a majority decision) decided, in the *Haj* case, that if a witness is silent on the stand, then what s/he has said outside the court (e.g. in police investigation) will not be taken as evidence unless the court is convinced that illicit means have been taken to prevent him or her giving evidence. In this case, of a bank robbery, a recording of what was said in a detention cell was presented as evidence in the original trial. One of the men involved in the robbery mentioned to a fellow prisoner that the accused Haj Yehia was also involved, acting as the driver in the raid. This accomplice, called as a witness for the prosecution at the trial, was silent in court, so the judge in

the original trial admitted as evidence the recordings made in which the accused's name was mentioned as one of the participants in the robbery. The judge based his decision on the Evidence Ordinance (New Version) par. 10A(B), which lay down that when a witness remains silent in court, his previous statements outside the court may be considered if the judge is convinced that illicit means have been taken to silence him (which adds another type of agent to the grammar of *to silence* – criminal elements actively supporting the accused). The trial judge claimed that from his experience the silence of witnesses derives from fear of retribution from the accused or from those friends of the accused. The relevant section of the Ordinance reads as follows:

10A. (A) A written statement that a witness gave outside the court will be admissible as evidence in criminal proceedings if the following conditions hold:

- (1) the uttering of the statement can be proved in court;
- (2) the person who gave the statement is a witness in the case and the sides have the opportunity of examining him;
- (3) the testimony is different, in the opinion of the court, from the statement in an essential detail, or the witness denies the contents of the statement, or claims that he cannot remember its contents.

(B) The court is empowered to admit the statement under sub-paragraph (A) although the person who made the statement is not a witness, either because he refuses to testify or is not capable of testifying, or because it is not possible to bring him to court, since he is no longer alive or cannot be found, on condition that the court is convinced that it appears from the circumstances of the case that illicit means have been used to prevent the person who gave the statement from giving his testimony.

On appeal the majority judges declared that according to sub-paragraph 10A(A) of this Ordinance verbal evidence obtained outside the court will be admissible in certain conditions, but this does not include the case of the silent witness. Sub-paragraph (B) of the Ordinance refers to witnesses who refuse to testify or cannot testify because of illness or even death. The silent witness is regarded in this judgment as a witness who refuses to testify even though s/he may take the witness stand. In such cases, then, illicit means preventing the witness from testifying have to be proved before statements made by the silent witness outside the court can be taken into consideration. The principal argument is the lack of opportunity for cross-examination. If, then, the silent witness is covered by sub-paragraph (A), and not by sub-paragraph (B), the opposing side is denied the right to cross-examine such a witness. However, this

contradicts, according to the minority judge Theodor Or, the decision of the Court in the "*Levi* case" in November 1990 in which five Supreme Court judges laid down that statements of the silent witness to the police will be accepted by the court even if it is not proved that illicit means were taken to silence the witness. That is to say, the silent witness is not to be regarded as a witness who refuses to testify (as under sub-paragraph (B)), but as a normal witness for all intents and purposes; his previous statements may be taken into consideration even if duress cannot be proved (as according to sub-paragraph (A)). This new judgment in the *Haj* case restores the law to the judgment in the 1985 "*Ashkenazi* decision," which laid down that a silent witness is not a witness.

One of the problems that the case highlights is that Supreme Court decisions do not necessarily bind future Courts (as in the British House of Lords), which is not usually followed in practice, for without such precedents the law cannot be known properly, and may be regarded as unstable. As one of the judges (Justice Gabriel Bach) said in his opinion:

Between truth and stability, truth is preferable; between truth and truth, stability is preferable.

In order to confirm which of the two decisions (*Ashkenazi* or *Levi*) should be considered the law, as applied to the *Haj* case and subsequent cases, eleven of the Supreme Court judges were asked to deliver opinions. In May 1993, on a vote of six to five, it was decided to determine the law as it was declared in the *Levi* case. i.e. the silent witness's statements outside the courtroom are admissible as evidence even if it cannot be objectively proved that illicit means were used to silence him or her.

## 5. Talmudic discussions of silent legal parties

Reservations that are found in legal systems concerning the silent accused or witness derive from the natural reaction people have when facing silence in such circumstances, that "silence means consent." This is a maxim in Jewish law, too. By keeping silent, a person accused of a crime is assumed to be admitting his guilt, although in principle Jewish law requires two witnesses to give evidence. However, as in the legal systems discussed above, matters are not as clear-cut as all that, as we may see from the following discussion, which is based on three texts, all from the Babylonian Talmud. Firstly, a short text from the Tractate Yebamoth<sup>8</sup>, followed by an even shorter text from the Tractate Baba Metzi'a, and then a fairly lengthy discussion of silence but from a dif-

ferent perspective, set out in a rather esoteric-looking tractate, *Nedarim*. In all three texts, partly given in a literal translation in Appendix I, the question of silence is not the main topic of the passage. Nor is it the main topic of the section of the particular tractate, but it is brought in as a legal principle and discussed in relation to the broader issues of the section of the tractate. However, these broader issues sometimes seem to be narrow in the extent of the more general issues that are discussed in the Talmud as a whole. The impression is often that of hair splitting and a focus on unimportant details; however, behind such meticulousness are significant religious principles that still have relevance for the observant Jew today, although the detailed behaviour may no longer be considered relevant. Note, too, that there is no difference between religious and civil law; under Jewish law, everything is accountable in terms of the religious precepts.

In *Yebamoth* (p. 87b),<sup>9</sup> we are concerned with a married woman whose husband leaves her to travel overseas for business reasons, for example, and does not return. There is no question of desertion in this context, but a bona fide business journey. The woman is then informed that her husband has died. The questions that arise are (1) whether she can remarry, and (2) what her status is if she does remarry, and her first husband finally returns. The first question concerns the way the woman is informed, incorrectly it seems retrospectively, of her husband's death, which releases her from her previous marriage, and allows her to remarry. In Jewish law, two witnesses are necessary to prove any point at law; for example, two witnesses are necessary to prove that a particular person committed a crime, and two witnesses are needed to validate a marriage. If, then, two witnesses state independently that the husband is dead, this is sufficient evidence for the woman to be considered a widow, and be open to offers of marriage. If, however, there is only one witness, the testimony that her husband is dead may be confirmed by a court of law (*beth-din*), and on confirmation, the woman is free to remarry. The second question, concerning the woman's status on her husband's return – the broader question at issue – is not of direct concern to us here.<sup>10</sup>

In relation to the first question, then, there is a discussion in the tractate concerning the validity of the testimony of one witness, not only with regard to the question of informing a wife of her husband's death, but in general in Jewish law. The rabbis in this discussion give other examples by way of analogy to support the argument that one witness is sometimes sufficient. The first analogous case that is discussed is that of a person who, according to the testimony of one witness, has eaten forbidden fat (*helev* – 'suet'). If he denies eating such fat, he is exempt from giving a sin offering. However, if confronted with the accusation from one witness that he has eaten such fat, and the accused person

remains silent, then he has to give a sin offering. It is asked at this point why one witness is regarded as sufficient. The answer offered is that the one witness is trusted because "silence means consent" (*'shtika kehoda'a damya'* in the original Aramaic, literally "silence is like admission").

This legal principle, that silence means consent, i.e. by being silent the addressee means "I did it," for the dispreferred response to an accusation would be admission, presented here by silence, does not however cover all cases. Our next text is found in the Tractate Baba Metzi'a (37a-b). This case concerns a person who has borrowed a sum of money from another person but cannot remember exactly who the lender is. In this case, there is an argument concerning what the borrower should do when more than one person claims the money. The principle that each of the potential lenders should be paid is not accepted, since the borrower would then have to pay much more than he has borrowed. An analogous case is then given of a robber who has repented of his crime and wants to return the stolen money, but does not know the exact identity of the victim. If there are two possible victims, then each of them should be given the alleged sum of money. But what if there are five? He may verbally deny that he knows the claimants, or he may be silent. In both cases, he should place the stolen sum or article in front of the claimants, and go away (a number of interpretations of this last action are then discussed in the original).

However, it is then brought to the reader's notice that there is a maxim, as we have seen, that silence is regarded as consent. If so, the repentant thief should not get off lightly. But a counter-argument is then given, and this is what we have called unintentional silence, which is psychologically motivated. It is suggested that this silence may be interpreted as "I cannot say anything because I do not know which one of you is the victim." In this case, it is clear that in terms of our model, the silence of the accused derives either from his lack of knowledge, or poor memory, or from his bewilderment when facing his accusers. If it were a question solely of ignorance, then the accused could have said "I don't know from whom I took the money," but his silence indicates the awkwardness of his position vis-à-vis his claimants; thus the silence is unintentional.

In the Tractate Nedarim (67-79), we find the case of a betrothed girl (aged 12-12,6) who still has to obey her father, but also owes obedience to her betrothed (*arus*).<sup>11</sup> The source of this discussion is Numbers, Chapter 30: 4-17, where it is stipulated that her father, while the girl is still living at home, or her betrothed has the right to invalidate her vows. In the Talmudic passage, however, we are dealing with a girl living at home, but who is betrothed to her future husband. If she takes a vow at any time, her father and her betrothed may cancel it on the day they hear she has taken it, and not necessarily on the same

day she takes the vow.<sup>12</sup> If they are silent, this silence means that they confirm her vow; they have not explicitly invalidated her vow and she has to behave according to it. If they do decide to invalidate her vow for her, then this is another case of the transitivity of silence. Their decision silences her vow – it is no longer a vow. This is similar to the cancellation of the speech act, not by the original performer but by other people in authority, as when a court of appeal cancels the decision of a lower court (Kurzon 1986: Chap. 4).

The discussion is then extended to cover problems that may arise when the father and the betrothed do not both cancel the vow, including cases when the father or the betrothed dies before cancelling it. For example, if a betrothed man hears his betrothed's vow, says nothing and dies on the following day, then the father cannot invalidate it, for the husband-to-be's silence means confirmation, and it is too late to invalidate a vow on the following day.

The final question discussed is how to interpret a husband's silence on hearing about his betrothed's, or his wife's, vow. He has only until the end of the day to react. On the surface, this seems to be a confirmation of the vow for the reasons put forward above. If a vow is confirmed silently ("in his heart"), then, as we have seen, it is confirmed, but if he invalidates it silently, then it is not invalidated. It is then asked what happens if a husband refuses to speak to his wife to annoy her, and continues his silence when he hears of her vow. It may be argued that if the husband remains silent "in order to annoy her" for more than a day, then the vow is confirmed. Although it seems to be generally accepted that silence means confirmation, so a silent cancellation cannot be considered valid, this point still appears controversial, and the rabbis may be left with a dilemma.<sup>13</sup> In other words, we may adapt the cognitive model presented in Chapter 2 to cover this case. Instead of the potential answers "I know" or "I don't know" we have:

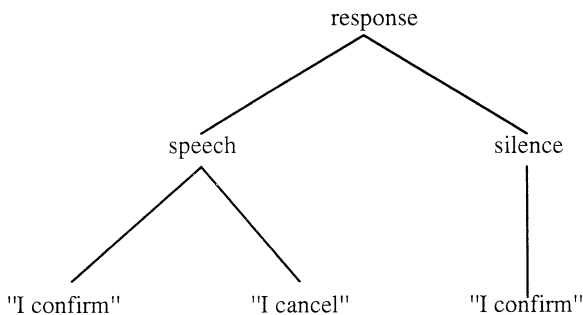


Figure 1. *Silence and confirmation*

## 6. Transitivity of silence and reported speech

Up to this point I have been discussing the concept of the transitivity of silence principally in terms of the power of the courts to silence any reference to the silence of an accused or of a witness. I shall now be expanding the discourse types, moving gradually away from silent answers to questions, to silence in other contexts, and in the context of the transitivity of silence, from judicial silencing of references to silence to the silencing of people by suppressing their words. This may occur in the political and legal fields, as will be seen in this section, and in literary and cinematic texts, too, as will be shown in the subsequent chapters.

Another interesting feature of the British government's decision in relation to Northern Ireland (discussed in 2. above) was the banning of interviews with known IRA members or sympathizers, included among whom are Sinn Féin members of parliament. Disregarding the whole question of freedom of speech and freedom of the press, I would like to consider this ban from a linguistic-pragmatic point of view, and relate it to the verb *to silence*. In discussing the right of silence, we have found that at least in the Anglo-American legal system, there are limits, varying according to the jurisdiction, on the rights of the judge or counsel to refer to the silence of the accused both in the court by not taking the witness stand, and during police interrogation. In effect, the silence of the accused, as I have said, is transitivity into the verb *to silence*, which silences the party that can best gain from referring to the silence.

Silencing may be accomplished in other ways as well, of course. Governments, the police, and other authoritative bodies may silence all kinds of people and other matters whenever the need may arise, as long as it is given parliamentary approval (in a democracy) directly – by statute, or indirectly – by ministerial orders (statutory instruments in Britain). Thus, until recently pornography in all its forms was censored – silenced for almost everybody, at least publicly. Adverse comments made about religion, totally silenced in the past, may be given some scope today. The same is true with regard to reports on the behaviour of members of the British royal family, which in the not too distant past were silenced. And the list may be lengthened by numerous examples throughout history.

The British government had banned broadcast interviews with extremist elements on both the Catholic and Protestant sides of the Northern Ireland conflict (the ban was lifted in September 1993 following the IRA acceptance of the Anglo-Irish agreement). However, the ban was not on reporting news from the province, but only on broadcasting the direct speech of these extremists.

That is to say, television and radio news editors could not broadcast a live interview with such people, but they could have reported such interviews, or could have reported indirectly what had been said at a particular time. So, instead of the direct interview exchange, as in this fictitious case:

- (1) Q: Is your organization planning to continue this campaign?  
 A: We will continue this campaign until we achieve a united Ireland, whatever the cost. There is a price to pay in any struggle, even if innocent people get hurt.

the reporter could present the interview in the form of indirect or reported speech:

- (2) The spokesman for the organization stated that the campaign would continue until they achieve their objectives of a united Ireland even at the price of innocent lives.

which retains almost all of the propositional content of the original, except for the last section, which is more of a summary of what was originally said rather than an indirect report. We may find the report of the speech act, which is even further removed from the original:

- (3) The spokesman for the organization asserted their right to continue their present policy until the achievement of their aims.

Another method was to use actors to read out the words of the particular individual, an instance of which I came across while listening to a BBC World Service news broadcast (on November 30, 1993), in which an Irish actor read out the words of Gerry Adams, leader of Sinn Féin, the political wing of the IRA. For a brief discussion of the same phenomenon, but on television, see Jaworski 1997a: 394-395.)

The ways the original may be rewritten are numerous, and there is no need here to examine all the possibilities, but I would like to point out that original, direct speech may be silenced, and what replaces it is in the hands – in the power – of the editor. This will be our next stop in examining silence, as will be discussed in the following chapter on silence and silencing in a literary text.



## **Chapter Four**

### **The Silence and Silencing of Darcy**

#### **1. Authorial power**

The authority or power to silence is found not only in the context of state organs, whether it be courts or governments as discussed in the previous chapter, but also among individuals – journalists, news editors and writers for example. We have seen that news editors, in the case of interviews with IRA sympathizers, had some scope within the ban on direct speech (Chapter 3.6). Hall et al. in their paper on social work narrative (1997) discuss the way certain voices are silenced by social workers in their reports. Creative writers, too, have the "power" to decide how much the characters in their novels or short stories may talk, and how this talk may be presented. There have been extensive analyses of the "omniscient narrator" (Booth 1961), or of "narratorial authority" (Rimmon-Kenan 1983: 88) in this context. Further removed the dialogue is from direct speech, the more control the narrator seems to exercise. I am not considering the real-life situation in which the human author of a fictional work has complete control over what s/he is writing, since s/he is the creator of the work. Texts have a narrator who may be distinguished from the actual author, and it is this narrator to whom I am referring. Direct speech indicates the least amount of interference from the narrator (but see below on "constructed dialogue"), especially if it is in the form of free direct speech, which does not have a narrative verb; hence this freedom is considered excessive in the light of the publicity given to events in Ireland, as discussed in Chapter 3.6.

Examples of the categories of speech presentation abound in literature, and the following have been taken from Norman Page's work on speech in the novel (1988). Page quite rightly points out that no clear distinction may be made between direct speech, on the one hand, and indirect speech on the other. What usually happens is "a merging of one form with another and with narrative style" (Page 1988: 35), by which he probably means "narrative voice."

Here is an example of free direct speech, from Hemingway's *In Our Time* (Page 1988: 18):

- (1) "Do many men kill themselves, Daddy?"  
 "Not very many, Nick."  
 "Do many women?"  
 "Hardly ever."  
 "Don't they ever?"  
 "Oh, yes. They do sometimes."

There is no explicit indication of who is talking; such information must be gathered from the text.

One removed from this is direct speech with a narrative verb, as in the following passage from Stevenson's *The Ebb-Tide* (Page 1988: 85), with the relevant phrases emphasized:

- (2) "My name is Hay," *said he*, "since introductions are going. We shall be very glad if you will step inside."  
 Attwater leaned to him swiftly. "University man?" *said he*.

It should be pointed out that, as Tannen (1989) has shown, direct speech may not represent what is supposed to have been said. In what she calls "constructed dialogue," people very often verbalize as direct speech what was not actually said. What this means is that even in direct speech, the narrator has more control than is obvious at first sight. But in the context of fiction, this is not directly applicable, since there is no real "dialogue" except for the one created by the narrator, and we assume that what the narrator presents as direct speech is a dialogue in the fictional world created by him/her.

Then comes free indirect speech (indirect speech without the introductory reporting clause), which would not be used in news broadcasts with any clarity. But Short (1988) suggests that it may be found in newspaper articles, for example, in

- (3) Rotherham District Hospital later said that Mr Scargill was being detained overnight. He was not seriously hurt but was being treated for arm, leg and head injuries. (quoted by Short 1988: 72)

in which the second sentence may be interpreted as free indirect speech, but it may also be considered indirect speech, dependent on the reporting clause "Rotherham District Hospital later said" in the first sentence. Free indirect speech is a favourite device of twentieth-century authors especially Virginia Woolf, as in this example from *Mrs. Dalloway* (ibid. 43):

- (4) For Lucy had her work cut out for her. The doors would be taken off their hinges; Rumpelmayer's men were coming.

The occurrences of *would* and *were* are indicative of indirect speech when future time in the original speech is being represented (what older grammar books would call "future-in-the-past"), which results from changes made to the "original" by the narrator, but the style of the passage apart from these syntactic changes is the character's own (Mrs Dalloway herself). The mode of writing called "the stream of consciousness" is free indirect thought, not directly relevant to our discussion on the narrator's control over speech, since the ability to provide the reader with the thoughts of the character indicates, if anything, the narrator's omniscience. The following is a fairly mild excerpt from James Joyce's *Ulysses* (ibid. 46):

- (5) Heavenly weather, really. If life was always like that. Cricket weather. Sit around under sunshades. Over after over.

The next stage in increasing narrator power is indirect speech, an example of which is the indirect speech of the news broadcaster given in the previous chapter, repeated here:

- (6) The spokesman for the organization stated that the campaign would continue until they achieve their objectives of a united Ireland even at the price of innocent lives.

The following level of narrator control is where the narrator mentions the speech act through the verb and the general topic of the dialogue, which is represented by an example from our previous discussion, repeated here:

- (7) The spokesman for the organization asserted their right to continue their present policy until the achievement of their aims.

while five removed is where the narrator gives only the illocutionary force of the speech act, which in the case of broadcast news would be something like:

- (8) The organization do not propose any change in their present policy.

or even:

- (9) The organization gave an affirmative answer.

This latter is equivalent in fiction to sentences such as "He agreed"; the "original" words could range from saying just "Yes," to a more elaborately worded utterance, or it may even be non-verbal with a nod of the head. The narrator exercises control by deciding on the actual presentation of the speech.

In the eyes of the television viewer, when given a report of a person being interviewed, the actual interviewee may be regarded as being silent, and the broadcaster, or the news editor, does the talking.

So, what we have are six methods of presenting speech which may be placed on a continuum indicating the increase in narrator control from the least amount of interference in the original (or "original" if we are talking of fictional texts) to the most in the narrative report of the action, with the provision that what is direct speech may in fact be constructed dialogue, following Tannen (1989). Taking Leech and Short's (1981: 324) discussion of the topic as a representative model, we may set out this concept in the following way, in which the arrow moves from less to more control (in contrast to the cline of interference in Leech and Short's diagram):

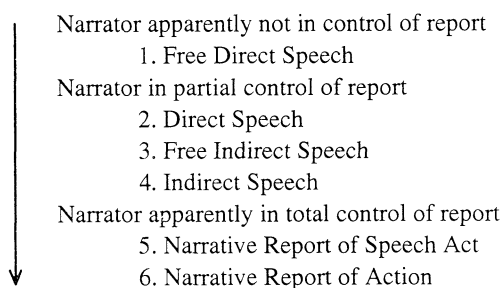


Figure 1. *Cline of narrator interference*

Reference to this model will be made in the ensuing discussion, which deals primarily with the silence of the male protagonist, Fitzwilliam Darcy, in two scenes in Jane Austen's novel *Pride and Prejudice* (1986 [1813]). The first scene (2.) is the Netherfield Ball (Chapter 18) and the second (3.) is Darcy's visit to the Collins', and his finding Elizabeth Bennet on her own (Chapter 32).

## 2. The Netherfield ball scene

I shall analyse the silence of the two characters, Elizabeth Bennet and Darcy, who find themselves in a situation in which discourse – conversation – is a necessity, since silence is embarrassing and is, therefore, unacceptable. The reader up to this point in the novel (Chapter 18: 133-136; the text is given in Appendix II, line numbers being used as reference in the following discussion) understands that Fitzwilliam Darcy is a proud man, and Elizabeth Bennet, the

heroine of the novel, is somewhat prejudiced against him. His apparent pride and her prejudice (one possible interpretation of the title of the novel) are more than hinted at in the ball scene which takes place at Netherfield, an estate neighbouring on that of the Bennet family, and which is the home of Bingley, Darcy's friend. It is this situation that I shall focus on.

The dance in Austen's novels offers an intimate social meeting which has its own conventions as in any other social gathering. It is "a social ritual which permits something approaching private conversation in public" (Tanner 1986: 131). Elizabeth and Darcy both come to the dance with psychological inhibitions, which have an effect on the dialogue that ensues between the two while they are dancing. Following the model presented in Chapter 2, we may say that these inhibitions could lead to silence, which indeed they do. Dancing together gives them an opportunity of developing their mutual acquaintance. Their activity in the dance also points to the vacillations in their relationship until Elizabeth's final acceptance of his proposal of marriage in chapter 58 of the novel.

The dialogue between Elizabeth and Darcy is inhibited from the very beginning. Elizabeth has already met Darcy; she is not favourably impressed, and does not wish to have more contact than necessary with him, an attitude reinforced after she has just heard from Wickham, a young officer who has just arrived to serve in the nearby town of Meryton and is later to become the centre of controversy, about the history of the relationship between Darcy and himself, a history that turns out to be one-sided, to say the least. However, she unwittingly accepts Darcy's offer to dance:

- (10) Mr Darcy...took her so much by surprise that, without knowing what she did, she accepted him. (p. 133)

Darcy, for his part, is somewhat attracted to Elizabeth, but holds back because of social considerations:

- (11) Darcy had never been so bewitched by any woman as he was by her. He really believed, that *were it not for the inferiority of her connections*, he should be in some danger. [my emphasis] (ch. 10, p. 96)

He is also being constantly reminded of those connections by the sisters of his friend Bingley, especially when it touches the potential mother-in-law, Mrs Bennet, Elizabeth's mother. In an earlier scene, one of the Miss Bingleys expresses her hope to Darcy that

- (12) you will give your mother-in-law a few hints, when this desirable event takes place, as to the advantage of holding her tongue. (p. 97)

This statement is ironic, considering that it is Darcy who is inclined to hold his own tongue. Moreover, he is not fond of dancing, and finds small talk difficult to keep up, thereby giving the impression that he is interested in serious matters only. Mrs Bennet, some time before (ch. 9), comments on this, and even gives a psychological reason in referring to

- (13) those persons who fancy themselves very important and never open their mouths. (p. 89)

In short, despite Darcy's interest in Elizabeth, it looks as if nothing will come out of the dance – neither a furthering of the relations between them nor much talk. Although conversation may run dry, dancing partners are forced to acknowledge presence (Gurevich 1989; see Chapter 1.3) to each other because of the intimate situation they find themselves in. Both Elizabeth and Darcy try to hold a conversation, which is however punctuated with periods of silence.

I shall examine the reasons for these silences, which vary from unintentional to intentional according to the circumstances. The silence of the characters will be shown to be closely connected with their silencing by the narrator at crucial points. But firstly, in order to understand the context in which these silences occur, I shall describe the attempts by the two characters to hold a conversation during the dance. The function of the talk fluctuates between the referential, the deictic and the phatic. The referential and phatic functions follow Jakobson (1960)'s model of communication. The latter function, since it is of minimum propositional content, would by nature lead to silence; that is, it is fairly easy to move, in natural conversation, from an utterance such as "It's a nice day, isn't it?" to silence of the type "I cannot speak," because the silent person has nothing to say. The deictic function may be considered a sub-type of the referential function, but is limited to the "here" and "now" of the immediate context. By way of illustrating the distinction introduced here between the referential and the deictic functions of language, we may compare two people talking about books, which is referential, and their talking about the specific books in the room in which they are sitting, which is deictic.

In order to be sociable under the circumstances, Elizabeth cannot be silent. The least she can do, and perhaps has to do, is to keep the channel open to Darcy. Her remarks take on a phatic function, just like talking about the weather with a stranger. She would prefer keeping silent with the modal meaning, in her case, of "I will not speak" (Chapter 2.4), but she chooses discourse of minimal content out of politeness. She is willing to talk about current activities, but the propositional content of what she says is probably known to her partner, since it is all part of the regulative rules of the ball, which form the basis of their exchanges that have a deictic function. Berger points out (1979:

131) that at the beginning of dyadic interaction, close conformity is the rule, and so the talk tends to be of low information content. Darcy, on the other hand, wants to speak, but because of psychological reasons, he finds it difficult to open up to Elizabeth as much as societal rules would allow, and to keep up small talk – to use language phatically. So we see a gradual warming up and then a cooling down in their dialogue. At this stage of their relationship, there seems to be a genuine lack of communication.

Their conversation during the dances, then, moves between deictic reference through more referential matters, and then to phatic talk, which eventually leads to silence. Darcy is interested in finding out something more about Elizabeth, and wants to shift the conversation to more personal matters. The only personal topic of interest to Elizabeth which involves Darcy is his relationship with the new officer, Wickham, a topic that Darcy does not want to talk about. This illustrates Jaworski (1993)'s account of silence as refusing to speak about a specific topic (see Chapter 1.3). It also may be seen as an indication of the reluctance a gentleman like Darcy has to gossip about other people (and Wickham also refrains from saying too much about Darcy, but perhaps in his case the more information he would give the closer to the truth the account will become, which will be detrimental to Wickham himself).

Elizabeth for her part finds herself reluctantly dancing with Darcy and, as she believes nothing may be gained from such a contact, not even gossip concerning Wickham, she concentrates her talk on the current event itself – the dance and its conventions, and on the talk about this event, which I have labelled deictic in the present discussion. Finally, when all topics have been exhausted, there are two alternatives: silence or phatic conversation. Because of their forced mutual presence, the two protagonists, especially Elizabeth, have no choice but to say things that are without content.

We may ask, however, whether this is a meaningful choice. Silence has been set up as the contrary to speech, but in this scene, the two seem to be fairly close together on a continuum (cf. Jaworski's model (1993), discussed in Chapter 1.3). The fourth of Verschueren's categories of silence (1985; also discussed in Chapter 1.3), that the speaker may not have anything to say, seems to cover this apparent choice, and in fact no opposition is set up. So, speech and silence may be regarded as two ways of indicating the same thing – lack of content. Such a reason both for silence and for phatic communion is taken as psychological in nature on the assumption that speech, at least in western society, is the norm whenever there is dyadic interaction, although some of Elizabeth's silences and small talk are intentional on her part.

Elizabeth's discourse is deictic in nature, as it concerns the conventions of the ball. After the second instance of silence (11.10-11), Elizabeth says:

- (14) It is *your* turn to say something now, Mr Darcy. – I talked about the dance, and *you* ought to make some kind of remark on the size of the room, or the number of couples. (ll. 12-14; Austen's emphasis)

When Darcy replies that he agrees with her, she continues with a discourse on dance stating another convention, that comments may be made about types of balls:

- (15) I may observe that private balls are much pleasanter than public ones. But *now* we may be silent. (ll. 16-18)

Social conventions are treated very often as legal rules. Such rules or conventions are usually indicated, too, by the use of modal verbs, especially those expressing the deontic modalities of permission, obligation and prohibition. Elizabeth uses the modal *may* in both sentences in (15), which lay down the convention concerning the topic of conversation. Conversation on such subjects as stipulated is permitted and silence is allowed after such an exchange of words. Yet, the modal is ambiguous. *May* could also mean "possible," so the second sentence in (15), for example, may be glossed "it is possible for us to be silent," since something *has* been said.

Darcy comments, in his own words for the first time in this scene, on this talking "by rule" by asking her whether such rules control her conversation during dancing (l. 19); Darcy has joined the speakers in this discourse, who up to this point are the narrator and Elizabeth only. Elizabeth assures Darcy that such an answer as his accords with convention, and then she follows with a further rule:

- (16) One must speak a little, you know. (l. 20)

This time the modal that is used is *must* with its meaning of obligation; this provides another reason for her decision not to remain silent during the dance. She then applies the rules to her partner's apparent disposition concerning talking and dancing, thus opening up an opportunity for Darcy to expand the domain of discourse a little, and to bring the conversation into a more personal area, i.e. to use language referentially. Elizabeth has limited her speech to talking about the current activity – dancing – and the various regulative rules that accompany such an activity, i.e. her speech has mainly a deictic function. When asked whether such rules that she suggests are for her benefit or for his, she replies "archly":

- (17) Both,... for I have always seen a great similarity in the turn of our minds. (ll. 25-26)

Elizabeth has taken the bait; they are not discussing their current activity, but themselves. She then compares their characters, almost echoing her mother's words quoted above (13):

- (18) We are each of an unsocial, taciturn disposition, unwilling to speak,  
unless we expect to say something that will amaze the whole room,  
and be handed down to posterity with all the eclat of a proverb. (ll.  
26-28)

She still remains, however, anchored to discourse about their current activity. Despite the change of topic – to a more personal one – Elizabeth refers only to the part of the contents of Darcy's comment that concerns discourse and speech; this may be seen in the vocabulary she uses, which belong to the same broad lexical field: *taciturn*, *to speak*, *to say*, *proverb*. Darcy does not agree with her self-characterization, while he will not offer an opinion about himself (l. 32).

After the third instance of silence (l. 33), the ice begins to break between them, this time partly through the efforts of Darcy; he tries to steer the conversation away from deictic reference to other matters not concerned with the "here" and "now" of the dance. He starts by referring to the nearby town of Meryton (l. 34). From Darcy's reaction to Elizabeth's reply (ll. 37-39), he does not seem to be looking for a chance to justify himself vis-à-vis Wickham, but he simply wants to fill the void created by the silence while they are together. Elizabeth takes the opportunity to learn something about the relationship between Darcy and Wickham, but is met by a stone wall. Elizabeth wants to continue this topic, but weakens in her resolve to annoy him.

After Sir William Lucas, one of the neighbouring squires, interrupts them, Darcy attempts to open the conversation again, by making a deictic remark concerning the topic of conversation, intending to lead on to some topic which is more referential in content:

- (19) Sir William's interruption has made me forget what we were talking  
of. (l. 59)

Elizabeth says in reply that

- (20) Sir William could not have interrupted any two people in the room  
who had less to say for themselves. (ll. 61-62)

For her at this point, their discourse is on the silence itself. It is not that they are psychologically inhibited; it is not that they do not want to talk (as with the modal interpretation of such a silence – "I will not talk"), but there is a lack of content: they do not have a topic of conversation. This reason for silence may

be included within the domain of unintentional silence, although it may be ambiguous (see my discussion of Verscheuren (1985)'s scheme in Chapter 1.3). Elizabeth does not want to enter into a conversation with him (the one topic of interest – the relationship between Wickham and Darcy – is taboo), so she is happy to stay within the discourse of the dance, for to use language reflexively is, in the final analysis, not to talk. Conversation with Darcy has now become phatic in function, because in her position she cannot avoid talking. This talk merely signals presence.

Darcy wants to use language referentially. So, he introduces the subject of books they may have both read. Elizabeth, on the other hand, prefers to remain on the deictic level. She is sure that they never read the same books, and do not have the same feelings about them; on the other hand, she has talked of their "similarity in the turn of our minds" just a few minutes before (ex. 17). Furthermore, the subject of books seems not to be a topic suitable for conversation while dancing. Elizabeth tells him:

- (21) I cannot talk of books in a ball-room; my head is always full of something else. (ll. 68-69)

Here, this deictic discourse on the activity of dancing is somewhat problematic because of the "something else." This unknown entity is immediately filled by Darcy – "The *present* always occupies you in such scenes..." (l. 70). From this short exchange, we see that they are not on the same wavelength. She wants deictic discourse, or just phatic communion to avoid an embarrassing silence, but she does not include talk about books within that category. Neither does Darcy; that is why he wants to talk about them. He also realises that she would like to remain on the deictic level. The stressed "present" indicates the dance (just as the "now" in (15) above), so what she is interested in, at least in the presence of Darcy, is talking about the current activity – again deictic discourse. The dialogue continues in the same way, both trying to steer the topic in the direction each wants. Their bantering finishes with Darcy speaking "coldly" to Elizabeth (l. 93).

This distinction between Elizabeth's preference for phatic communion and Darcy's preference for the referential function of language may be seen in terms of male/female differences in conversation. Maltz and Borker (1982) have pointed out that while men tend "to offer no response or acknowledgement," and use more techniques to control the topics of conversation (p.198), women orient themselves towards their conversation partner, attempting to keep him engaged – "maintaining the conversation and the interaction" (p.209); this may offer an explanation for Elizabeth's constant use of the deictic and phatic functions of language to make sure that talk takes place.

In the dialogue there are six instances of silence, starting with the silence at the beginning of the set, when "[t]hey stood for some time without speaking a word" (ll. 6-7). The narrator then continues through the eyes of Elizabeth who

- (22) began to imagine that their silence was to last through the two dances, and at first was resolved not to break it. (ll. 7-8)

This initial silence is, as we have already stated, due to psychological inhibitions on both sides: Darcy's interest in Elizabeth is constrained by social considerations, and what seems to be deliberate silence on the part of Elizabeth is due to her biased opinion of Darcy.

In the first breaking of the silence, the narrator simply recounts that there pass a few words between them, but does not quote them. Their speech acts are merely reported, while Elizabeth and Darcy as speaking individuals are not given any words. What speech there may have been is four places removed from direct quotation in the case of Elizabeth, and five in the case of Darcy (see Figure 1. in 1. above). Elizabeth feels, however, that one way of annoying Darcy would be by forcing him to speak, and to speak about mundane matters – the small talk he apparently dislikes so much, or is incapable of using. In light of the differences between male and female talk, this would mean forcing Darcy to speak in a style men do not favour. However, Sir William Lucas, and many other men in the same society, do not seem to have any difficulty in doing so. So, as we are told by the narrator, Elizabeth "made some slight observation on the dance" (ll. 9-10), but we are not told what remark, while Darcy merely "replied" (l. 10); the speech act he performs is mentioned without its contents being revealed.

The second instance of silence is broken by a short conversation about talking at dances and the various social conventions that lay down the subject matter of such small talk. This time the narrator is in the background and allows us to some extent to read the original words, at least in the case of Elizabeth. But in Darcy's case, the narrator does not relate the actual words he uses. We are told that Darcy even speaks in words that are not his words, since they could be dictated by his partner:

- (23) He ...assured her that whatever she wished him to say should be said (l. 15)

Although he is said to be speaking, he does not seem to be the agent, for we have a passive structure without a *by*-phrase that would indicate the agent. Instead of the active "he would say," we find "should be said" as the verb phrase in "whatever she wished him to say should be said." The speech act verb the

narrator uses in this sentence is not the usual "said" or "replied," which would provide the reader with the illocutionary force of the speaker's utterance, but a perlocutionary verb "assured," providing us with the end-product or effect of the utterance on the addressee, Elizabeth in this case, and not the utterance itself.

Up to this point, Darcy remains silent in that his words are not quoted by the narrator, and what is attributed to him is in essence Elizabeth's words. His silence can be interpreted as the modal expression "I cannot speak," if we take into account the fact already known to the reader that he does not like small talk. This modal expression may, however, be interpreted not only in its psychological meaning of inability, since it is ambiguous as with modals in general. It may also mean that he is unable to speak for one of two reasons, or for both reasons simultaneously: (1) it is small talk, so he finds it difficult to talk, or (2) he is psychologically inhibited from expressing himself. On the other hand, it may also mean that he is not allowed to speak (where *can* means "may") because the narrator does not give him any words to say. Elizabeth has chosen not to talk about anything outside the dance, hence ruling out referential discourse, the type of discourse that is easier for Darcy to maintain. If such limited discourse is not possible at this time, the only choice left to her is silence. While Darcy's silence is unintentional, Elizabeth's is intentional.

The third occurrence of silence is reinforced by their physical separation when the men go down one side of the floor and the women the other side, as part of the structure of the dance. This may be regarded as support of the link between silence and distance, in that psychological distance eventually becomes physical distance (see Chapter 1.2).

We find two similar cases later in the novel: firstly, when Darcy visits the Collins' house in chapter 32 of the novel, discussed in some detail in 3. below; and secondly, the dinner party Mrs Bennet holds for Bingley and his friends and subsequent events towards the end of the novel. Since the developing relationship between Elizabeth and Darcy is unknown to Mrs Bennet, in this latter scene Darcy is placed at the other end of the table to Elizabeth. Here again, distal positioning, on the proxemic parameter, brings about silence on the chronemic parameter (see Chapter 1.2). This distancing is underscored by Darcy's ten days' trip to London, which allows the narrator to deal with the eventual happy outcome of the relationship between Bingley and Elizabeth's sister, Jane. But this time, despite Darcy's absence (which is then equivalent to silence), the narrator informs us of rumours concerning Elizabeth and Darcy, and describes in full the visit by Lady de Bourgh, Darcy's aunt, to ward off Elizabeth. Darcy's return – a reduction in distance – leads to his second pro-

posal, which is of course accepted. Distance is reduced (eventually to zero), silence is broken, and proximal positioning triumphs.

The fourth instance of silence in the ball scene occurs when Darcy is being indirectly questioned about his relationship with Wickham. He takes up a superior stance and "said not a word" (l. 38). The narrator further comments that the "effect was immediate" (l. 37). But this silence is in effect a pause, if we follow Sacks et al. (1974)'s definition that silence before commencing to speak, to collect oneself, or to think out what to say, as in Darcy's case, is not a lapse. When he says:

- (24) Mr Wickham is blessed with such happy manners as may ensure his  
*making* friends – whether he may be equally capable of *retaining*  
 them, is less certain (ll. 40-41)

he seems to open up the conversation again in the sense that it will be discourse on topics beyond the current activity with its deictic function, beyond phatic communion, but this is obviously a subject that Darcy does not want to discuss. This supports Maltz and Borker (1982)'s contention, mentioned above, that men tend to control the topics of conversation. Here, Darcy's preference is not for referential discourse in general, but for those topics that he wants to discuss. The silence that occurs here does not lead to any uneasiness, for at this point Sir William Lucas (see above) enters into the conversation. Where only two people are involved in a conversation, silence will signal its end, but if circumstances are such that the participants have still to retain presence, the situation may become highly embarrassing. With Sir William's brief incursion into the conversation, and on topics which may be said "by rule," the contact between Elizabeth and Darcy is allowed to be less strained.

After some bantering, and Darcy's cold reply, the final silent period ensues, and the end of their conversation is followed shortly by the end of the dance and of their forced mutual presence. In this short passage from *Pride and Prejudice*, we find, broadly speaking, shifts among the following modes of interaction: silence, deictic, phatic and referential; these shifts move in the following way (as indicated by arrows):

silence —> phatic —> deictic —> referential —> deictic —>  
 phatic —>silence

Figure 2. *Shift of modes of interaction in Pride and Prejudice*

In other words, we come round in a full circle. The characters gradually warm up to each other – they even touch on a topic outside the immediate context, but this shifts back fairly quickly to talk about the current situation, then to talk about mundane matters, to be followed inevitably by silence.

### 3. "So easy a distance"

A comparison may be made in terms of silence between the Netherfield Ball scene discussed above and the scene in which Darcy visits the Collins' at Hunsford in Kent, and finds Elizabeth alone there (Chapter 32; see Appendix III for the relevant text with line references). Mrs Collins is Elizabeth's friend Charlotte, the daughter of Sir William Lucas, their neighbour in Longbourn. Darcy's initial surprise at finding Elizabeth alone is indicated by the embarrassed silence after the formalities of introduction (with its naturally phatic function). Again, the narrator effectively silences the characters, which reflects the lack of content to their words:

- (25) He...apologised for his intrusion, by letting her know that he had understood all the ladies to be within.  
They then sat down, and when her enquiries after Rosings were made, seemed in danger of sinking into total silence. (ll. 1-4)

Elizabeth saves the situation by mentioning his and the Bingleys' sudden departure from Netherfield, and almost in the same breath she asks him about Bingley's sisters. His short answer

- (26) Perfectly so – I thank you (l. 12)

leads to the next silence. Elizabeth initiates the next move by asking about the possible return of the Bingleys to Netherfield, both of them speculating on Bingley giving up the place. That it is Elizabeth who has to constantly initiate the conversation again supports recent research on male/female conversation, which shows that females normally do not have difficulty in finding a topic of conversation (Tannen 1996: 99).

When the subject of Bingley is exhausted, there is again a period of silence ensues, in which "having nothing else to say," Elizabeth is "now determined to leave the trouble of finding a subject to him" (ll. 28-29). So, this time, Darcy breaks the silence. The topic of the current conversation is the Collins themselves, in which Elizabeth half-heartedly supports the decision of her friend, Charlotte, to marry the rector of the parish of Darcy's aunt Lady de Bourgh. The conversation then shifts to the distances young wives have to

move away from their families. Darcy comments on Charlotte Collins and her marriage:

- (27) It must be very agreeable to her to be settled within so easy a distance of her own family and friends. (ll. 40-41)

There is a disagreement over the presupposition that 50 miles is nearby, which then leads to a hint concerning her sister, Jane, and Darcy's friend Bingley, who lives next door to the Bennets'. Elizabeth concludes that distance is relative, and returns to the topic of the Collins, stating her opinion that Charlotte does not think she is near to her family:

- (28) my friend would not call herself *near* her family under less than *half* the present distance. (ll. 57-58)

This part of the conversation ends with Darcy's movement of the chair "a little towards her" (l. 59), and his changing the topic of the discourse from Charlotte to Elizabeth herself (which again may be seen as an example of the male tendency to control the topic of conversation; Maltz and Borker 1982):

- (29) *You* cannot have a right to such very strong local attachment. *You* cannot have been always at Longbourn. (ll. 59-60)

Darcy himself feels that he may have revealed too much of his inner feelings, hinting here at the possibility in his mind that Elizabeth may marry and live far from home, for example in Pemberley, Darcy's home in Derbyshire. At Elizabeth's surprised look, he "drew back his chair," and becomes somewhat colder (ll. 61-62). This movement towards and away from Elizabeth, paralleled in the dance when they move closer and then separate according to the dictates of the dance, indicates, too, the movements of Darcy towards and from Elizabeth until the happy end. Moving away from one interlocutor means physically distancing oneself from him or her, and this distance may be accompanied by silence, or followed by silence (see Chapter 1.2). In the present case, distal positioning does not lead to silence of the characters but to their silencing; the speech of the characters themselves is not given after Darcy's question "Are you pleased with Kent?" (l. 64). The narrator takes over and reports the rest of the dialogue:

- (30) A short dialogue on the subject of the country ensued, on either side calm and concise. (ll. 65-66)

So the distance between the two characters is enhanced by the narrator's silencing them. Hence, a further physical, and not only a theoretical link is made between silence and distance.

Their dialogue is interrupted by the entry of Charlotte; then Darcy, "after sitting a few minutes longer without saying much to any body, went away" (ll. 68-69). The narrator here does not report silence, but that not much is said. For the reader, however, the characters are silent, since we do not have their words; silence has been transitivized.

- Charlotte is nonplussed by Darcy's visit while Elizabeth is alone. She concludes:

- (31) My dear Eliza he must be in love with you, or he would not have called on us in this familiar way. (Austen 1986: 213)

But Elizabeth points to Darcy's silence as proof that he has no intentions in that direction. Elizabeth interprets this silence as "I cannot say anything, for I have nothing to say," a silence of a type bordering on both the unintentional and the intentional. In the present context, however, the reader may read this silence as totally unintentional in that Darcy has feelings towards Elizabeth which he cannot express. But even our interpretation of Darcy's silence as "I cannot speak" is ambiguous in Chapter 32 of the novel between two readings: (1) unintentional, in that Darcy finds it difficult to speak because of inner feelings towards Elizabeth, and (2) intentional, for social conventions do not allow him to say the things he wants to say. Charlotte believes that Darcy is in love with Elizabeth because of the surprise visit, but Elizabeth's interpretation of his silence seems to dissuade her. The reader, however, may believe at this point that Darcy is in love with her, because of his silence. Both Charlotte and the reader are correct, for different reasons. Two chapters later (Ch. 34) Darcy does propose marriage, totally unexpected as far as Elizabeth is concerned, but is turned down:

- (32) Elizabeth's astonishment was beyond expression. She stared, doubted, coloured and was silent. (Austen 1986: 221)

Elizabeth is silent for reasons similar to Darcy's silence in the previous scene. Feelings of surprise, and of love may be "beyond expression."

#### 4. Silence and distance

The close connection between silence and distance suggested in this chapter and elsewhere in this book, may be analysed in relation to some of the various subplots of the novel as a whole. There are four young women in *Pride and Prejudice* who marry at one stage or another. The first is Charlotte Lucas, the eldest daughter of Sir William Lucas, the neighbour of the Bennets; she marries

Collins, a distant relative of Mr Bennet and the eventual inheritor of the Bennet house, since there is no male offspring. Then there is Jane, Elizabeth's sister, who eventually marries Bingley, their neighbour at Netherfield. The third is Lydia, the youngest of the Bennet sisters, who elopes with Wickham (see 2.), and finally there is Elizabeth herself, who, of course, marries Darcy. Let us leave Lydia aside, since her case is different because of the elopement – she runs away from the pattern of behaviour that is expected from a girl who is being courted: she is not at home at the time of the "courtship" but in Brighton visiting friends. The Wickhams eventually move to Newcastle in the north. The three others start off at the same spot – their home, the two Bennet sisters at Longbourn, and Charlotte Lucas next door. Charlotte is the first to marry, and she moves to Hunsford, Kent, with Collins. Distance is relative, but in Darcy's eyes she is quite close to her family (see 3. above). Jane eventually marries Bingley, and in the meantime they live next door to the Bennets at Netherfield, while Elizabeth presumably moves with Darcy to Pemberley on her marriage.

The distance each woman moves in her marriage seems to be related to the silence of the husband. Both Collins and Bingley have no problem in communicating. In fact, friendship (or perhaps "a relationship" in the case of Collins and Charlotte) between the partners of each couple is built up very quickly, although in Jane's case, the final union is deferred for some time due to Darcy's interference. He misunderstands Jane, thinking she is only playing a game and is not serious in her intentions; he even persuades Bingley to leave Netherfield shortly after the ball at Netherfields (Chapter 21). It is Elizabeth who has to travel the furthest to overcome the distance set up by Darcy's silence. The following figure, then, illustrates the distances created by the marriage of the three, Charlotte, Jane and Elizabeth.

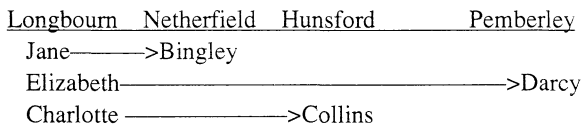


Figure 3. *Distance set up by marriage*

This is the situation approximately at the end of the novel. However, we are told in the final chapter (Chapter 61) that after one year at Netherfield, Jane and Bingley move to within thirty miles of the Darcys; Bingley

- (33) bought an estate in a neighbouring county to Derbyshire, and Jane and Elizabeth, in addition to every other source of happiness, were within thirty miles of each other. (Austen 1986: 393)

As for the Collins, after Mr Bennet dies (but this is beyond the time limit of the novel), the estate, Longbourn, will revert to Mr Collins, so Charlotte will eventually return home; hence we may extrapolate, and end up with the following situation:

| <u>Longbourn</u> | <u>Pemberley</u> |             |
|------------------|------------------|-------------|
| Collins          | Bingley          | Darcy       |
| & Charlotte      | & Jane           | & Elizabeth |

Figure 4. *Eventual destination of the married couples*

Figure 4 may also be said to show that Charlotte does not move from her previous style of life, for she returns to where she started out from – Longbourn and its vicinity, while the Bennet sisters completely change their life-style, both having found rich and suitable husbands, and fulfilling, too, the dreams of Mrs Bennet (and many other mothers of young ladies).

## Chapter Five

### The Silence and Silencing of Moses

#### 1. The textual status of Exodus

The ability of an author to control the dialogues of his or her characters, analogous to the power of courts to silence references to silence, and to the power of news editors to silence speech, is not found solely in a purely literary text, such as the Netherfield ball scene in *Pride and Prejudice* discussed in the previous chapter. It is also found in other texts in which story-telling is the mode of discourse (which may cover nearly all possible texts, as has been suggested in certain approaches to narrative semiotics; Jackson 1988). The text which is the subject of this chapter is the so-called revelation of Moses in the opening chapters of the book of Exodus. From an analysis of these chapters it will be shown that Moses, the quiet shepherd, gradually becomes more competent in speaking. I am not suggesting that Moses is unable to answer questions, the prototypical instances of silence discussed previously, especially in the first three chapters of this book, but he is far from garrulous. This is iconically presented in the Biblical text by the narrator's almost completely silencing him in the initial stages, and his gradually allowing Moses more and more words as the narrative proceeds. In section 5. below, another version of the narrative, and of Moses' silence, is discussed. The silencing of Moses may be in words, for the narrator tells us directly that a character is speaking, and what s/he is saying. In this second version of Moses' revelation – and in another mode – Arnold Schoenberg's opera *Moses und Aron*, silencing is carried out through Moses' use of Sprechstimme instead of the normal singing voice.

The biblical text under discussion, initially, presents two sets of problems: its function as a text and its authorship. As to the first, it is here regarded as a religious text, although throughout its long existence it has also been read as an historical account or as a legend. This multi-purpose reading of written (and spoken) texts is not by any means unusual. Three examples will suffice:

Tolstoy's monumental novel *War and Peace* is regarded as a novel, and only secondarily, if at all, as an historian's account of the Napoleonic wars. The telephone directory, to take a more mundane example, is read primarily as a list of telephone subscribers; among its secondary uses are included a voters' list, and a list of potential interviewees for marketing firms. A travel guide is seen as giving information on popular landmarks, and not as a geographical textbook, although it may also be a source of information in that field.

The text under discussion will be regarded as a complete unified text, written by one author, or more accurately in our frame of reference, related by one narrator. Support for this assumption emerges from the analysis of the text itself, as given below. This approach will not take into account various rationalist theories underlying biblical criticism that these texts may have derived from a variety of sources, and show within them the development of Israelite belief from an early time to the time of Ezra and after (about the sixth century BC). As a religious text it is, within the Jewish canon at least, a unified text, an integral whole, written, or at least inspired, by God. There are, however, different shades of opinion even within orthodox Judaism. The most conservative approach is that the whole of the Pentateuch, apart from the last eight verses (Deuteronomy 34.5-12), was written down by Moses but dictated to him by God. The last verses describing Moses' death were written by Joshua. Another, perhaps more 'rationalist' approach is that Moses wrote the books through divine inspiration. Hence, one of the names of this part of the Bible is "The Five Books of Moses," although it is written in the third person. But examples abound of such third-person narratives where the "hero" is the writer himself. This was the acceptable way of writing histories in the ancient world, for example, Julius Caesar in his *Gallic Wars*, and Josephus Flavius in his *Jewish War*; in both cases the author played a major role in the events he is narrating. Since we take the narrator as the person who is telling the story, we shall not go into this any further; the identity of the narrator – whether divine or human – has no bearing on the subsequent discussion.

Reference is to the Hebrew text (which will be given in translation), since this is probably the original text, Greek and Aramaic translations (the Septuagint and Onkelos, respectively) being written probably in the third century BC and first century AD, respectively.

## 2. The revelation and its aftermath

The focus of our attention is on chapters 3 to 7 of Exodus. Here, we find Moses in the desert of Midian, tending his father-in-law's flocks of sheep in the vicin-

ity of God's mountain (Horeb, later called Sinai). Moses, it may be recalled, had fled Egypt after killing an Egyptian whom he saw maltreating a Hebrew slave (Exodus 2.15; see also 4. below). The narrator then tells us that Moses notices the burning bush, which is not being consumed by the flames. Moses tells himself:

- (1) I must come off the usual path and see this wondrous sight that the bush does not burn (3.3)

Here the parameter of distance is important. In order to take a look at the sight, he has to go off the path and approach the bush. The Hebrew verb *asura-na* is the source of some difficulty among commentators, and our choice, of course, is compatible with the interrelationship that has been established between silence and distance.<sup>1</sup> One of the commentators, the twelfth-century Even (Ibn) Ezra, suggests that the verb *sur* means "go away" if followed by the preposition meaning "from," but if not followed by any complement, as in our case, then it means "to go away from there and come here," which is suggested in our translation. However, God, or his angel, tells Moses not to come any nearer, by firstly calling his name twice, ordering him to remove his shoes because of the sanctity of the place, and then by telling him who he is. It is assumed that Moses obeys, and listens to what is being said to him. So, here we again have a clear example of the relationship between silence and distance; speech may reduce distance, while silence (Moses' silence during the time God is talking) increases it (see Chapter 1.2). On realizing who is speaking to him, Moses further increases the distance by covering his face so that no visual contact is made.

We now have the revelation itself in which God outlines to Moses his mission – to bring the Israelites out of Egypt to the Promised Land. This is divided into a number of sections, which are in direct speech, with Moses' direct speech expressing his doubts as to his ability to undertake such a task occurring as a series of interruptions in God's revelation. Two of his doubts are expressed in the form of questions, which suggests that Moses allows God to do the talking, and by doing so, he may maintain silence. The last interruptions are in the form of statements. Firstly, Moses asks God why he should be chosen (3.11):

- (2) Who am I that can go to Pharaoh and that can bring the Israelites<sup>2</sup> out of Egypt?

Next, Moses wants to know how he should refer to God when he speaks to the Israelite elders (3.13):

- (3) Here I come to the Israelites and tell them "the God of your fathers has sent me to you," and they will tell [i.e. ask] me "What is his name?" What shall I say to them?

Moses' third comment questions whether the elders will believe him (4.1):

- (4) They will not believe me and they will not listen to my voice, for they will say "The Lord did not appear to you."

At this point, he is shown two miracles that he is to perform in front of the Israelites: his staff turns into a snake and back again into a staff, and his hand turns leprous and then healthy again. But if these two miracles do not suffice, he should take water from the Nile, which will turn into blood when Moses pours it on the ground (4.2-9). Moses then presents the objection that is central to our discussion, that he is a bad speaker (4.10):

- (5) Will it please my Lord. I am not a good speaker, not yesterday, nor before, and not since You have spoken to Your servant. I am of heavy mouth and heavy tongue.

The retort is that it is God who gives man the ability to speak. He will not cure Moses' speech difficulties; Moses as a man will not change, but God will tell Moses what to say, or as the narrator puts it, "give him the words to say." Finally, despite God's comprehensive explanation, Moses suggests sending someone else (4.13):

- (6) Will it please my Lord, please send whom You want.

which angers God, who, nevertheless, proposes that Aaron, his brother, accompany him and act as spokesman.<sup>3</sup> God's anger after Moses' fifth refusal, it has been argued in one of the modern commentaries on the Bible, intimates that Moses does not complete the mission on his own as the sole prophet; some of the actions in Egypt are shared by Aaron. There may also be a clue here to the final mission of Moses, bringing the Israelites into the Promised Land, which he does not personally perform because of his death; this task is left to Joshua (Da'at Mikra 1991: 65).

Let us go back to Moses' fourth objection, his self-confessed inability to speak well. Much has been made of this feature; Jewish legend, in the Midrash, even relates that Moses, when a baby, picks up the crown from off Pharaoh's head and places it on his own. Pharaoh's advisers, seeing this as a threat to Pharaoh's position, suggest that they place a piece of gold and a hot coal in front of the child, and if he picks up the gold, it would mean that he is intelligent, and therefore dangerous, and should be put to death. Moses picks up the

burning coal and puts it into his mouth, which leaves him with a permanent speech defect. However, what is usually accepted is that Moses had a stammer (Rashi, the great 11th century commentator, uses both the French word *balbutier* and the Yiddish *shtammeler* ("stammer")). The difficulty Moses has in speaking is reflected in the text. Most of this dialogue is one-sided, with God doing most of the talking, partly initiated by Moses himself in his constant asking of questions (see above). Even the narrator is in the background, giving the reader only the necessary speech act verbs, e.g. "And God said to Moses" (3.14). Moses' five objections are given in single sentences each time, making up 71 words, with one extra one-word answer when asked by God what he has in his hand ("*mateh*" – "a staff"; 4.2).<sup>4</sup> This may be compared with the 387 words uttered by God in the same passage (Exodus, 3.7-4.17; see Table 1). One may object to such a conclusion based on a fairly straightforward word-count. After all, God does most of the talking in this dialogue because it is He who is outlining the grand plan. But this is the tendency in the entire passage under discussion. Moses, the "hero," does not say much; he is virtually silent, and silenced, too, by the narrator even when he does say something.

|                      |          |         |
|----------------------|----------|---------|
| Narrator             | 68 words | (12.9%) |
| God's Direct Speech  | 387      | (73.4%) |
| Moses' Direct Speech | 72       | (13.7%) |
|                      | -----    | -----   |
| Total                | 527      | (100%)  |

Table 1. *Narrator's and characters' words in Exodus 3.7-4.17.*

Moses now goes to his father-in-law telling him, not of God's revelation, but that he wishes to return to Egypt to see his people. God tells him that he will be safe, for all his enemies, including the previous Pharaoh, have died. He starts off on his journey with his family. On his way, God again speaks to him about the task awaiting him, and foretells that Pharaoh will not give way so easily. Moses is instructed to give Pharaoh God's words "Let my first-born son Israel go." If Pharaoh does not do so, God will kill the Egyptian first-born sons (4.23). The phrase "first-born son" is first used by God to refer metaphorically to the Israelites, to His favourite son – the chosen people.<sup>5</sup> God uses this word instead of the normal word "children of Israel" (*bnei-Yisrael*; see note 2) or "people" (*am*, which is used in 4.21). This is a clear prediction of the tenth and most decisive plague (Exodus 12.29). If God's first-born is not released, then a plague will fall on Pharaoh's first-born.

This is then followed by the problematic passage of three verses about the events at an inn on the way to Egypt (4.24-26), concerning the circumcision ceremony performed by Moses' wife, Zipporah:

- (6) 4.24 It was in an inn on the way, when God met him and asked [wanted] to kill him.  
 4.25 Then Zipporah took a stone and cut off the foreskin of her son, and she touched his leg with it, saying "you are my bridegroom of blood."  
 4.26 He left him alone, then she said "You are a bridegroom of blood because of the circumcision."

There are a number of interpretations of this scene. The traditional Jewish one is that, before setting out on his return journey, Moses did not manage to circumcise his second son, who had just been born; so as punishment, God makes him ill, allowing him to recover only when the boy is circumcised. This indicates that any violation of the command to circumcise an eight-day-old boy is considered serious. This interpretation is supported by the doubt concerning Moses' ability to fulfil God's commands in relation to the liberation of the Israelites: How can he take on this onerous task, if he cannot fulfil the less demanding command of circumcising his son? Moses is, however, too ill to perform the ceremony, so his wife has to. On completing the task, she throws the foreskin at Moses' feet declaring him to be her "bridegroom of blood" (*hatan-damim*). Zipporah in a way remarries her husband, since he was on the verge of death.

A more literary interpretation can be seen if this passage is compared to the one in Genesis (32.25-30) in which Jacob wrestles with the angel. The connection between the two passages is in the realization of the dangers forthcoming (a) in the mission of Jacob, who is on his way to meet his estranged brother Esau, and (b) in the mission of Moses, respectively (Da'at Mikra 1991: 75). Another interpretation, one that appears to be modern (Daiches 1975: 55-6), but is also discussed by Even Ezra, one of the medieval commentators previously mentioned, involves a grammatical reading of the original text. There is no indication in the passage whom God, or an angel, wants to kill. The reference of "him" (4.24) and "his" (4.25) may not be to Moses at all, but to their son. This is supported by the close proximity to the reference to the future killing of the Egyptian first born in the previous verse. The Egyptian first-born are mentioned in 4.23 ("*binxa bexorexa*"), and a mere three words separates the phrase from "and God met him." Normal anaphoric conventions may suggest that the object of "met," a suffix meaning 'him', refers to the son, not to Moses, who is not mentioned by name in the passage. So, the legs that are touched with

the foreskin are the baby's legs, not the father. The "him" then may refer to the "first-born," the full referent of the pronoun; in this case it is Gershom, whose birth has been mentioned some time before (Exodus 2.22). The passage would, then, mean that the child had not been circumcised.

An alternative interpretation could be that this refers to the second son, Eliezer, of whom this is the first mention. Here is Even Ezra's interpretation, which he does not necessarily hold since he attributes it to an earlier rabbi:

Rabbi Shmuel ben Hofni says: Heaven forbid that God wanted to kill Moses when he is on his mission to bring out his people. He wanted to kill Eliezer [the baby son of Moses], and it is written 'he met [or harmed] him' and also 'to kill him'. Before circumcision, he has no name. The same Shmuel says that the foreskin was thrown at the feet of Eliezer.

Greenberg suggests another interpretation (1969: 118). Zipporah performs the task of making sure that the family follows the traditions of the Israelites by early circumcision (of a baby), and not an adolescent as may have been the Midianite tradition (and as it is today among many Moslems). Pardes (1992) sees Zipporah's action in line with the initiatives taken by women in Egypt. Among the "female saviours" are counted Yocheved, Moses' mother, and his sister Miriam who hide the baby in the bulrushes of the Nile, the midwives Shifrah and Puah, who claim that the Hebrew mothers give birth too quickly for them to be there and deal with male babies in accordance with Pharaoh's decree (Exodus 1.19), and even Pharaoh's daughter who saves Moses, and raises a Hebrew child as "an 'illegal alien' right under her father's nose" (Pardes 1992: 82).

I would like to propose another explanation, which attributes a figurative function to this scene, which accords with the narrative as a whole, whatever might have actually happened. Zipporah cuts the foreskin, the root of which word (*'orla*) is used a little later on by Moses to refer to his difficulty in speaking. The phrase, "of uncircumcised lips" (*'aral sfataim*), is repeated twice (6.12, 6.30). The removing of the foreskin, even though it may be the foreskin of their son, parallels the removing of another, this time metaphorical, foreskin, the obstacle in the way of Moses' completing his task. Moses does not realise this; he still claims that he has a speech hindrance that will prevent him from successfully completing the mission. But the narrator gradually allows Moses more to say, which shows that the obstacle has been removed.

Aaron is now sent out to meet Moses before they return to Egypt. Moses tells him everything God had told him. Here, we are not given Moses' actual words; this would perhaps be unnecessary repetition, although repetition

does occur in the Bible to an extent that is usually unacceptable in modern Western narrative.<sup>6</sup> Moses's words are reported by the narrator as

- (7) all the words that the Lord had sent him [to say] and all the signs he was ordered [to perform] (4.28).

When the two brothers arrive in Egypt to report to the Israelite elders, again the words are not given. This time, it is Aaron who speaks and performs the two miracles.

After convincing the Israelites that there is a divine plan to liberate them, Moses and Aaron go to Pharaoh to deliver God's message. Here, Moses does not talk on his own, but

- (8) Moses and Aaron told Pharaoh "Thus said the Lord, God of Israel: "Let my people go, and they will have a feast to me in the desert.'" (5.1)

Again, Moses does not hold the stage, and, moreover, the words he and his brother use are not their words, but God's. In their reply to Pharaoh's refusal, they again speak together, but this time with their own words, or at least it is not explicitly mentioned that they were told to use such words. But their words are a repetition of the words God uses in 3.18, except for the last part concerning the plague, which they add:

- (9) The God of the Hebrews has called upon us to go for three days in the desert and sacrifice to the Lord our God, lest He hurts us with plague or by the sword.

Pharaoh's response to this request is a worsening of the conditions of the Israelite slaves. Among other things, they have to make bricks without being provided with the straw, which they have to find for themselves. The Israelite elders are now up in arms against Moses and Aaron for causing this change for the worse in their condition. Moses then does what he often does in the course of his career; he immediately goes back to God and asks Him why He has allowed such a thing to happen:

- (10) My Lord, why have You maltreated the people, why did You send me? Since I came to Pharaoh to speak in Your name, he has maltreated the people and You have not rescued Your people. (5.22-23)

This is Moses' longest speech so far, longer by one word than his speech telling God of his speech difficulties (22 and 21 words, respectively). God answers by more or less repeating His promise to save the people and bring them to the

Promised Land. He ends His speech by "I am the Lord," which is constantly repeated throughout the rest of the Pentateuch, not only reminding the Israelites of God's power, but it also signifies the covenant or agreement that is made between God and the people; it is God's signature.

Moses goes back to the people and speaks to them. We again assume that he repeats God's words, but the words are not given. Here is again the report of a speech act (6.9):

(11) Thus spoke Moses to the Israelites

Moses is silenced by the narrator. As with the previous case, it may be argued that there is no need to repeat the words that have just been given in the text. But the narrator has at least two options when reporting second-hand speech<sup>7</sup>, as Moses seems to be doing. S/he may give the original speaker his or her due and quote the speaker directly, while simply adding that what has just been said is repeated by the second person. Or, by way of variety, the narrator could say that the first speaker tells the second what to say, but the actual words occur in the text when the second person is speaking. The narrator of our passage uses the first method, thus in effect silencing Moses. This is generally the method in Biblical narrative. In fact, up to the point at which Moses speaks directly to the people in his own words – in his orations before his death (as recounted in Deuteronomy) – there are only two instances in which what is assumed to be God's words are given only when repeated by Moses. The first occurrence is in the passage in which Moses and Aaron warn Pharaoh of the eighth plague of locusts (Exodus 10.3-6; discussed by Greenberg 1969: 91, 163), and the second occurrence is found in the promulgation of the Biblical laws concerning oath-taking (Numbers 30).

God then tells Moses that he should now speak to Pharaoh, and Moses, quite logically, asks (6.12)

(12) If the Israelites did not listen to me, how will Pharaoh listen to me?

which is a clear example of an inference from a minor to a major premise (called *qal vehomer* in Hebrew). If he has been unable to convince his own people, how can he convince the Egyptian, which is a more difficult task? Moses then adds a reference to his "uncircumcised lips," mentioned above, as the reason why he is unable to persuade his people, and of course Pharaoh. Moses is right in his prediction. He is unable to make Pharaoh release the Israelites; it is God's plagues that finally convince Pharaoh that he is fighting a losing battle. So, God again turns to Aaron to join Moses in their mission. After a genealogical table of Moses and Aaron's family (6.14-27), God orders him to

go and speak "all that I told you" (6.29) to Pharaoh. But Moses once again reminds Him of his "uncircumcised lips":

(13) If I have uncircumcised lips, how will Pharaoh listen to me? (6.30)

In reply, God mentions Aaron as his mouthpiece, but in an interesting way. Just as God does not speak directly to Pharaoh, but uses His messengers Moses and Aaron as His spokesmen, it is Aaron who communicates directly with Pharaoh, giving him the message, and not Moses, even though the latter stands in front of the king:

(14) The Lord told Moses: "See, I have made you like a God to Pharaoh and Aaron your brother will be your prophet. You will say what I have commanded you, and Aaron your brother will speak to Pharaoh and he will send the Israelites from his country." (7.1-2)

What we have is the parallel relationship between God and Moses, and between Moses and Aaron. The first member of each pair passes on to the second a message, which is transmitted by the second while the first member is present. Moses' presence is explicitly recorded, while God's is implied, since it is God who is supposed to work the miracles at the right time. The 11th century commentator Rashi suggests the word "leader" or "judge" instead of "God" in the original, but the phrase *elohim* may be translated as "like a God" as far as Pharaoh is concerned. This is something that the Egyptian would understand in his scheme of things, i.e. the divine nature of the Egyptian Pharaoh.

### 3. From uncircumcised to circumcised lips

Moses is silent, but when he does say something, he is nevertheless kept silent by the narrator for most of the time. What is implicitly stressed is God's omnipotence interacting with the narrator's omniscience. As Sternberg explains, God "must figure as the busiest agent, indeed superagent, bringing his might to bear on the world to make history and flaunting it to the world to publish authority" (1987: 102).

The figures I have given in Table 1 (in 2 above) concerning the passage in Exodus, chapters 3 and 4, in which Moses objects to his being appointed God's servant, may be expanded over the entire passage I have just discussed, and over the entire narrative of Moses and the plagues. Such statistics provide support for the contention based on a textual and literary analysis that not only is Moses unable to speak well, but he is further silenced by the narrator, even when he does speak. The silence of the person who will eventually be

the leader of his people may be paralleled by Buddhas who use a kind of silent power to help advanced students:

Silence...is not only ingredient [sic] in all the dimensions of an enlightened person's individual life but also lies at the foundation of his capacity to lead others, to exercise influence within the community.  
(Dauenhauer 1980: 110)

I shall initially take the passage from the beginning of Chapter 3 – the revelation at the Burning Bush – to the end of Chapter 6, where Moses is again sent by God to Pharaoh. We are dealing with four chapters that make up a total of 1542 words in the Hebrew. The breakdown is as follows (Table 2.):

|                                 |           |         |
|---------------------------------|-----------|---------|
| Narrator                        | 544 words | (35.3%) |
| God's Direct Speech             | 589       | (38.2%) |
| Moses' Direct Speech            | 136       | (8.8%)  |
| Moses' Indirect Speech          | 31        | (2.0%)  |
| Moses and Aaron's Direct Speech | 29        | (1.9%)  |
| Others                          | 213       | (13.8%) |
|                                 | -----     | -----   |
| Total                           | 1542      | (100%)  |

Table 2. *Narrator's and characters' words in Exodus 3-6.*

The 29 words said by Moses and Aaron together is their joint speech in Exodus 5, when they address Pharaoh. At this stage, there is no justification in calling the Book of Exodus one of the Books of Moses, if this is taken to mean "about Moses." However, if this title means "by Moses," then we have a self-effacing author, which seems to fit into the psychological picture that is being established.

Let us take a longer passage of about five thousand words, from Chapter 3 of Exodus to the end of Chapter 14. In these chapters, we have a variety of text-types, for example action narrative (the Passover, the pursuit of the Egyptians and the crossing of the Red Sea), as well as the various dialogues. We now have somewhat modified figures (see Table 3. below): the proportional increase in the narrator's part is due to the events being described, while the increase in Moses' direct speech, still fairly low, is probably as a result of one long speech in Chapter 13 (of 220 words).

|                                 |            |         |
|---------------------------------|------------|---------|
| Narrator                        | 2056 words | (40.4%) |
| God's Direct Speech             | 1745       | (34.2%) |
| God's Indirect Speech           | 14         | (0.3%)  |
| Moses' Direct Speech            | 725        | (14.2%) |
| Moses' Indirect Speech          | 46         | (0.9%)  |
| Moses and Aaron's Direct Speech | 109        | (2.1%)  |
| Others                          | 401        | (7.9%)  |
|                                 | -----      | -----   |
| Total                           | 5096       | (100%)  |

Table 3. *Narrator's and characters' words in Exodus 3-14.*

In other words, Moses, the person who by words and deeds brings the Israelites out of Egypt, is allowed to speak directly for just over 14% of the time, with an extra 2% when he is speaking with his brother. However, there are signs that the proportion of the text which expresses Moses' direct speech is gradually increasing. If in chapters 3 to 6, Moses' words constitute 8.8% of the total (see Table 2.), at the end of the eleventh chapter, they constitute 10.3%, and after the fourteenth chapter, they reach 14.2% as indicated in Table 3. We may extrapolate and assume that with the setting out of laws, Moses' verbal activity is constantly on the increase. His lips have been "circumcised."

#### 4. Moses' anger

Moses' character, which is being built up here, is given some further psychological reality in the Pentateuch. Quiet people may have a temper that may suddenly burst out, and lead to unforeseen consequences. A literary example of this phenomenon is the scene in Herman Melville's "Billy Budd" in which the hero kills Claggart (Melville 1966). After hearing Claggart's accusation that he is at the centre of a mutiny, Budd, who also has a speech impediment, is "transfixed" (Chapter 17), and despite Captain Vere's attempts to encourage him to defend himself, is unable to utter a word. Budd was amazed at the accusation

serving to bring out his lurking defect, and in this instance for the time intensifying it into a convulsed tongue-tie; while the intent head and entire form straining forward in an agony of ineffectual eagerness to obey the injunction to speak and defend himself, gave an expression to the face like that of a condemned vestal priestess in the moment of being buried alive, and in the first struggle against suffocation.

Budd's inability to speak at such a moment is accompanied by an almost involuntary punch to Claggart's forehead, killing him.<sup>8</sup>

There are three such actions in Moses' life as depicted in the four books, Exodus, Leviticus, Numbers and Deuteronomy. The first one is the killing of the Egyptian in Exodus 2.12, mentioned in 2. above, which results in his self-exile to Midian. The second is his breaking of the tablets of law on Mount Sinai in Exodus 32.19, when he sees that the Israelites, despite all the miracles they have been witness to, have built God (or a god) in the image of a golden calf. Finally, we have the incident in Numbers 20.11, when God tells Moses to speak to the rock to produce water, but Moses, angered by the people's complaints, hits the rock instead.

On the surface, then, we have a quiet man, a shepherd of a literal, then figurative flock, who very seldom bursts out in anger, but when there is an outburst it may have dire consequences. Of course, one has to be cautious in labelling people according to stereotypical personality traits, but within a socio-psychological approach to discourse analysis, trait theory may be considered one of several "different possible methods of making sense that someone might draw upon to describe themselves" (Potter and Wetherell 1987: 102). It is possible to say, then, that Moses seems to be on the introvert side of the scale, with an ability to keep "his feelings under close control"; he "*seldom* behaves in an aggressive manner," as two behavioural psychologists put it (Eysenck and Rachman 1965, quoted by Mischel 1986: 127). They do not, however, discuss the occasions when such people do lose control.

However, in all three cases, there is evidence to show that Moses does not act as spontaneously as it appears, but his action is somewhat calculated. He does not kill the Egyptian immediately, but

- (15) he looked this way and that, and seeing that no one was around, killed the Egyptian and buried him in the sand.

He makes sure that there are no witnesses before he does the deed, but we assume that the Israelite who was being beaten must have told others. That is why

on the next day when he tries to stop two Israelites from fighting each other, he is told that they know about the Egyptian's death.

In the events leading to the breaking of the tablets, God tells Moses on the mount that the people have made a calf, and are sacrificing to it. He wishes to destroy the people, but is persuaded by Moses not to do so, since He would then have to draw back from His promise:

- (16) Remember Abraham, Isaac and Jacob, Your servants to whom You Yourself swore, saying "I will multiply your seeds like the stars of the heaven, and all that land which I have spoken of I will give to your seed and they shall possess it forever." (Exodus 32.13)

Moses, when he is on his way back to the camp, knows what is happening, and tells Joshua, who has been up on the mount and is unaware of the events both above and below, and who thinks merely that

- (17) it is the noise of enjoyment that I hear (32.18)

But then,

- (18) when he [Moses] approached the camp and saw the calf and the dancing, Moses became angry, and threw from his hands the tablets and broke them at the foot of the mount. (32.19)

At least two questions may be asked at this point: whether Moses is still angry at seeing the sight with his own eyes, despite having prior knowledge from the best source (God); or whether he plans this reaction on his way down. If the answer to the first question is in the affirmative, then we again have an example of a man who may suddenly explode in anger, while if the answer to the second is in the affirmative, we have a calculating man, even more so than when he kills the Egyptian.

The third incident occurs when the people are clamouring for water, and remember "the good old days" in Egypt where everything, so they claim in their present misery, was plentiful. This occurs shortly after the very serious Korah rebellion, so Moses' anger is growing, but still he does the right thing and, with Aaron, speaks to God first, who tells him to take his staff and the whole community and speak to the rock, which will produce enough water for the people and for the flocks. Moses goes to the rock, then turns to the people and shouts:

- (19) Listen, you rebels, must we draw water from this rock for you?  
(Numbers 20.10)

Instead of speaking to it, Moses strikes the rock twice, and a vast amount of water comes out. Moses' and Aaron's disobedience is punished by their not be-

ing allowed to go into the Promised Land. In spite of a precise command to speak to the rock, Moses' anger at the people makes him disobey, a decision he must have made on the spur of the moment, since he is prepared to consult with God beforehand about how to deal with the situation.

The picture we have of Moses is a very human one, apart from his obvious "direct line" to God. He has weaknesses that are found among humans in general. Despite a quiet nature, emphasized by the narrator's silencing him in the Exodus passage we have discussed, he does have a temper through which he lets things get out of control as far as his behaviour is concerned. The question remains whether these actions are performed in a burst of anger, or are calculated. As we have said, in psychological terms, Moses seems to be more of an introvert than an extrovert, since he is a loner and taciturn by nature; but this should be countered with the fact that leadership qualities, which he no doubt possesses, are usually personality traits that pertain to extroverts. Likewise, his behaviour on the three occasions he loses his temper may point to the link between frustration and aggression; for example, he is frustrated by the Israelites' constant wish to return to Egypt when they face the slightest obstacle in the desert on their way to the Promised Land. Moses reacts to this by anger, by striking the rock instead of speaking to it.

### 5. Schoenberg's *Moses und Aron*

In an operatic work, especially in opera composed since the mid-nineteenth century, singing has been the normal means of verbal interaction. Not to sing is, then, to be silent<sup>9</sup>; and this is what happens to Moses in Arnold Schoenberg's opera, *Moses und Aron*<sup>10</sup>. The performer playing the role of Moses uses what is called Sprechgesang. Rhythm and pitch are present in Moses' role, but not the normal singing voice; the performer declaims his part (in a voice that is technically called Sprechstimme). When Moses declaims, however, he is also accompanied by instruments – woodwind, strings etc., which provide him and the audience/listener with the musical framework.

In Schoenberg's plot, Moses' ideas may be thought out but he has difficulty in articulating them:

- (20) Meine Zunge ist un gelenk; ich kann denken, aber nicht reden. (1.1, 47-50)

[My tongue is awkward (or inflexible); I can think, but not speak]

George Steiner writes in his *Language and Silence* (1985: 159)<sup>11</sup>:

Moses' understanding of God is much more authentic, much deeper;  
but it is essentially mute and inaccessible only to very few.

While Moses is the receiver of the truth from God, it is Aron who transmits the message to the people. "Without Aaron, God's purpose cannot be accomplished" (ibid.). And this is the source of the conflict between the two brothers, which is the subject of the opera.

Moses' silence is derived from the silence of the shepherd. He begs God not to give him the mission of liberating the Israelites, and to leave him to look after his flocks:

(21) lass mich in Ruhe meine Schafe weiden! (1.1, 21-2)  
[let me tend my sheep in peace]

This central feature of the opera, the silence of Moses, represented in his Sprechstimme, is supported by the orchestral context, too, as to be expected from a carefully constructed musical work. I shall examine three passages in which the focus of the text is placed on Moses' lack of speech. The first example, at the beginning of the opera, is Moses' first words to the Burning Bush. He recognizes God in the Bush and addresses Him as "God of my fathers, God of Abraham, of Isaac and of Jacob." The orchestration is scaled down from voices and high pitched violins in the previous bars to near silence in the bar in which he declaims. The only instruments being played are oboes, flutes and celli; they are to be played very quietly (*pianissimo* – *pp*) and sweetly (*dolce*).

Similar musical texture, especially in dynamics, occurs in the second example, quoted above (20), when Moses tells the Burning Bush that his tongue is inflexible ("ungelenk"). At the beginning of the bar (see Figure 1) in which Moses says that "I can think but not speak" (48-50), we find flutes and clarinets being played quietly (*piano* – *p*), then a low pitched tuba hardly audible, with violas, celli and doublebass on a loud (*forte* – *f*) pizzicato (plucked) note. At the same time the violins come in "sehr ruhig" (very quietly) and a celesta plays a single note which is also hardly audible. Notes played very quietly hence underscore the silence of Moses.

The other examples come from the last scene of the opera that has been set to music. Schoenberg had written the libretto for Act Three, but did not manage to compose the music, so Act 2 scene 5 has to be considered the end of the opera.<sup>12</sup> Aron is able to communicate with the people and answer their needs (so he builds them the Golden Calf), but Moses silences him with the single word "Schweig!" (the imperative of the verb *to silence*) in bar 991 (see Figure 2). Paradoxically, the demand for silence is played loudly. The concurrent and following accompaniment of bass instruments (horn, tuba, doublebass

and timpani) are played *fortissimo* (*ff*), while Moses' one note on the word "Schweig" is declaimed *fff* (*molto fortissimo* – very loudly). This loudness is out of keeping with the quietness in which Moses' silence is depicted. Ordering a speaker to be silent may often require a high volume, as illustrated by a teacher shouting for silence in a noisy classroom, or even by a judge proclaiming in a court of appeal (a proclamation which may be published and thereby made permanent) that reference must not be made to the silence of the accused; such reference to silence is being silenced by speech (see Chapter 3).

At the end of this Act, in fact the end of the opera (from bar 1120 to the end; see Figure 3, which begins at bar 1128), when the Israelites have crossed the stage on their way to the Promised Land, Moses expresses defeat at communicating his idea of an imageless God:

- (22) So habe ich mir ein Bild gemacht, falsch, wie ein Bild nur sein kann! So bin ich geschlagen! So war alles Wahnsinn, was ich gedacht habe, and kann und darf nicht gesagt werden!  
 [So I have made myself a picture, false, just as a picture can only be! So I am defeated! so everything that I have thought was insanity – and cannot and should not be said.]

This is set to minimal orchestration (violins only), but then at the close of this passage, the orchestration is enriched, and the musicians are to play "as fast as possible and accelerating from note to note," as the composer wrote in bar 1127, joined in 1128 by the choir from afar singing the word "Götter!" ('Gods'). Although in context this noun is part of the sentence

- (23) Allmächtiger, du bist stärker als Ägyptens Götter.  
 [Almighty, you are stronger than the Egyptian gods]

which the chorus, in six voices, begin earlier, in bar 1101, this is broken up by the chorus over thirteen bars into phrases in such a way that at the end of the chorus we arrive at the sequence "Götter," sung by the tenors (which is the same as Aron's voice) at a distance ("ganz fern"). This one word, and the way it is sung ('quite far') shows the essence of Moses' failure, for the Israelites are far from Moses' ideal; they cannot conceive the one invisible, abstract God of Moses', but only the notion of gods, as was the case in Egypt.<sup>13</sup>

Moses' last utterances have again a much reduced accompanying orchestration, which is however played loudly (see Figure 3). The melody, played on the strings, rises, and then settles on F sharp; this sustaining of a note is a feature which Alexander Ringer has found in Schoenberg's other unfinished religious works, *Jakobsleiter* and "A Modern Psalm" (1990: 176-177). Finally, the F

This musical score, titled "DISCOURSE OF SILENCE", features a variety of instruments and a vocal soloist. The instruments include Flutes, Oboes, Clarinets, Bassoons, Brass, Bass Tuba, Celesta, Violins I and II, Viola, Celli I and II, and Doublebass. The vocal part is for Moses. The score is divided into measures, with measure numbers 48, 49, and 50 indicated. The key signature is one flat (B-flat major or D minor). The time signature is 4/4. The score includes various musical notations such as notes, rests, and dynamic markings. The vocal part for Moses has the lyrics: "Mei-ne Zün-ge ist un-ge-lenk: ich kann den-ken. a-ber nicht re-den." The instruments have various markings including *f*, *p*, *p dolce*, *ppp*, *mf*, *o.D.*, *sehr ruhig*, *pizz.*, *arco*, and *p dolce*. The score is written for a full orchestra and a vocal soloist.

Figure 1. "My tongue is inflexible"

Woodwind

*pp*

sehr rasch  
♯ 2  
o D.

Brass

*sf*

sehr rasch  
♯ 2

*sf*

molto legato

Timpani

*fff*

Moses

Schweig!

molto rit.

Celli

*ppp*

*ppp*

*ppp*

arco

Doublebass

*sf*

*sf*

*sf*

arco

*sf*

*sf*

arco

*sf*

Figure 2. "Silence"

Woodwind

Brass

Chorus  
ganz fern  
Göt - ter

Moses  
tind kann und darf nicht ge - sagt wer - den!

*n tempo* *rit.* . . . . .

Doublebass

Contrabassoons  
Langsamer 1131 1132 1133 1134 1135 1136

Tuba

Moses  
sinkt verzweifelt zu Boden  
O Wort, du Wort, das mir fehlt!

Violins I  
Langsamer 1131 1132 1133 1134 1135 1136

Violins II

Viola

Celli

Doublebass

Vorhang

Ende des II. Aktes

Figure 3. "Gods!" – "and cannot and should not be said. Oh word, you word that I lack."

sharp note is played by the violins firstly with increasing volume, then quietly (*fp*) and slowly under Moses' last words:

- (24) O Wort, du Wort, das mir fehlt  
[Oh word, you word, that I lack]

At the last word ("lack") the celli and violas join in quietly, too, also on an F sharp note, as Moses sinks to the ground. The long F sharp note, held over the three and a half bars in which Moses declaims, perhaps emphasizes his failure; the F note is the first letter of the German word "fehlt" ("lack"). The strengthening of an F sharp at the end by the violas and celli may underline the failure of the final note to be an F only; this note fails to be F because of the sharp. This is emphasized in the two-octave drop in the violins in bar 1133 from a very high F natural to the F sharp, played *fp* just before Moses comes in with "Oh Wort...."

On the one hand, one may think that this may not have been deliberate on Schoenberg's part, since his twelve-tone row legislates that a set must consist of all twelve semitones, to be played in a specific order, without any note appearing more than once in a set. Hence, he was left with the F sharp, and an A which is the note on which Moses declaims "fehlt." On the other hand, the fact that the composer worked hard at integrating the words with the music seems to militate against a chance occurrence of these two notes at the end. As Keller remarks (1957: 31):

In a genius's masterpiece, there is no nothing, and attention to detail invariably reveals characteristics of the whole.

The last words in examples (20) and (21) above, "reden" and "weiden," are declaimed by Moses on the same notes A and F sharp, while what Moses can do successfully – think ("denken") – is sung in example (20) on two F notes. We may attribute, then, some significance, at least in purely musical terms (perhaps, a type of leitmotif), to the juxtaposition of A and F sharp because of this internal consistency.

## 6. Silence and music

To describe music in words is practically impossible; to describe silence in words is perhaps impossible, too. To abandon words for pure ideas, which Moses tries to do in Schoenberg's opera, opens up the perennial thorny philosophical question whether thoughts can be wordless. Moses reverts to silence because he cannot express his thoughts in words. His silence is in a way unin-

tentional according to the original model presented in Chapter 2, for what he is in effect saying is "I *cannot* verbally or vocally express my thoughts." Since our discussion centres around the concrete linguistic elements, and not philosophy, metaphysics and phenomenology, there is no answer forthcoming to Moses' specific problem. But reverting to silence enables the performance of silent speech acts (cf. Murray 1987), such as the type we have used – modal utterances which express assertions of ability or of some disability. In the next and final chapter, a person's outward silence is replaced not by linguistic thoughts in the form of modal utterances, as suggested by the model, but by song.

## Chapter Six

### The Sounds of Silence

#### 1. Silence and Bergman's *The Silence*

In the course of this book, I have distinguished between intentional and unintentional silence. The former is a deliberate attempt not to cooperate in verbal interaction, which may be said to be expressible in the form of a modal utterance such as "I will not speak" or "I must not speak," while the latter stems from a number of psychological factors usually associated with the personality of the silent person, which is also expressible in the form of a modal utterance, but this time as "I cannot speak." Furthermore, we have seen that silence may be transitivized, which suggests that certain people, referred to by the subject of the verb *to silence* in the active form, have the power to silence others, referred to by the object. What may appear to be ambiguous cases, open to either an intentional or an unintentional interpretation, are usually clarified by visual and auditory means which are considered an integral part of one's communicative competence. Human beings from a very young age develop the ability of differentiating between the two types of silence through the unconscious examination of the behaviour of the silent addressee.

What started as an investigation into the interpretation of a silent response to a question has gradually expanded to a phenomenon of wider significance in terms of power and control, whether of politicians and state organs (e.g. the courts, government censorship of politically sensitive interviews) or of individual editors and writers (e.g. novelists and other narrators). The topic of discussion has also been extended to cover cases in which the means of communication is not the spoken word, but song. Moses' inability to sing, in Schoenberg's opera *Moses und Aron*, is equated with unintentional silence, leading to a lack of communication between the brothers, Moses and Aron, and

in the background, to a lack of communication between Moses and the Israelites.

Silence may be indicated, then, by audible (usually vocal) means other than the one considered normal in the context. One such example is language itself as in Ingmar Bergman's 1963 film *Tystnaden* (*The Silence*). Despite the fact that language is being used all the time, there is no communication between the two sisters and the inhabitants of the foreign country they are passing through (Estonia?; Cowie 1982: 213). The sole occasions when there is some verbal understanding involve music, the music of Johann Sebastian Bach. Anna, the younger sister (played by Gunnel Lindblom), can understand only one thing in the newspaper she buys in the café – the announcement of that evening's concert of Bach's music. When Bach's *Goldberg Variations* is heard on the radio in the evening, the sick sister Ester (Ingrid Thulen) and the old waiter finally break the silence, firstly by both being able to appreciate the music, and secondly by both understanding the one word they have in common, which is "muzik." Music – non-verbal but auditory communication – knows no frontier. A rapport is built up between the two despite the lack of a common verbal language, a rapport that is parallel to but different in nature from the physical rapport established by Anna with the young waiter. Making love may also be performed in silence; the language of sex knows no frontier, either. One of Jaworski's examples of silence as a metaphoric container (see Chapter 1.3), interesting enough, is:

- (1) Kochali sie w milczeniu. [They made love in silence] (1993: 83)

The reader may see this as a counterargument to my contention in the presentation of the model of interpretation (Chapter 2) that silence implies distance, whereas the silence in love-making indicates the very opposite. However, the model relates to human interaction in a specific context – communication in Western society in which speech is the norm. The model does not address silence in non-typical communicative situations in Western society (e.g. Trappist monks), in non-Western societies, as well as in situations in which verbal communication is not necessary (sexual encounters). Gurevich (1990: 192) proposes a distinction between "face-engagement," which honours "the sacred face of the other in interaction ritual," thus retaining distance, and "body-engagement," which focuses on the cleaving of two bodies, seeking non-distance.

Bach is also at the centre of the silence between Anna's son and the adults. The sisters talk about "Sebastian Bach," while the waiter adds the first name "Johann," the name of the little boy. Dropping his name may be related to the generation gap (see 2. below), that the young play a role only when told to do so. Johann is "constantly reaching out to touch and communicate with an

adult world which [he] cannot understand" (Ketcham 1986: 212). He has developed some rapport with the waiter who brings it to the attention of the two sisters.

In this context, it may also be possible to expand the present treatment of silence, and explain more general cases of the lack of communication, as in this example of the little boy Johann, the so-called "generation gap."

## 2. The generation gap

One of the major questions we have to address in the context of the generation gap is whether we may consider the silence of the younger generation in its dealings with their elders as deliberate, reflecting their refusal to comply with the norms of the older generation, or as unintentional silence, indicating that the two generations do try to communicate but are using a different language, in a metaphoric sense. This latter interpretation would support the claim that Verschueren's fourth type of silence (1985), "the speaker does not have anything to say," is psychological. But this cause of silence is still ambiguous, for in other situations, the addressee may not have anything to say, and believes it pointless to even mention that there is nothing to say; hence, such a silence may also be considered intentional (see Chapter 1.3).

The nineteen-sixties may be seen as a recent period of history in which this lack of communication came to the forefront. The so-called "silent generation" of the immediate post-war era seemed to accept their parents' norms, but the

prosperity of the postwar period had led to a boredom and cantankerousness among the bourgeoisie. Material gains had been achieved at the expense of moral equilibrium. Society's goals were obscure; the individual felt himself at the mercy of an overwhelming laxity. (Cowie 1982: 215)

As a reaction, the early sixties saw a growing rebellion on the part of the younger generation against such norms. Indications of this rebellion were seen on the one hand in aggressive, and at times violent, groups such as the Hell's Angels and the Yippies in the USA, the Mods and Rockers in Britain, and, on the other, in less vehement groups such as the Hippies. This rebellion also extended to the student population, with unrest beginning on the Berkeley campus of the University of California on the west coast of the United States.

Student agitation eventually led to the students' revolts of 1968 not only in the United States, where it was linked to a large extent both to the Vietnam War and to civil rights, but also in France, West Germany, and the rest of the Western world. Folk heroes abounded both in reality – Herbert Marcuse and Marshal MacLuhan in the world of ideas, Ho Chi Minh, Che Guavara and even Mao Tse Tung in the world of revolutionaries, Bob Dylan and Joan Baez in popular folk music, and the Beatles in pop-music – and in fiction, including the cinema. Benjamin Braddock in Mike Nichols' film of 1967 award-winning *The Graduate*, played by Dustin Hoffman, is one such character with whom the young audience empathized (Schillaci 1971). This film will be the subject matter of the rest of this chapter.

### 3. Silence and song in *The Graduate*

More specifically, I shall be examining the use of song in *The Graduate*. The plot, in brief, tells of a student returning home to Los Angeles, with a scholarship, after a successful college education at one of the east coast universities. Society expects him to continue his studies. However, Benjamin refuses to walk down the path made out for him. He is one of those youngsters who have no future

because modern technology has made them *obsolete* – that they have become socially irrelevant and, as persons, insignificant. (Bettelheim 1969: 31)

He is at first seduced by the wife of his father's partner, Mrs Robinson (played by Anne Bancroft), meeting occasionally at an hotel in the city. Ben is, however, encouraged by Mr. Robinson (Murray Hamilton) to take out their daughter Elaine (Katharine Ross), back home from college, although his wife vehemently objects. The first date starts off with Ben acting aggressively, and obviously showing Elaine that he is dating her reluctantly, but by the time he accompanies her home they are the best of friends and arrange to go out the next day. However, Mrs Robinson stops them, which induces Benjamin to tell Elaine of the relationship between her mother and himself. Mr Robinson takes Elaine back to Berkeley, but Ben, who is gradually falling in love with her, follows her there. To prevent further contact between them, her parents force her to marry her former boyfriend Carl Smith. Ben's struggle against the social norms of his parents and their friends culminates at the end in his winning the bride – Elaine – not, however, before the marriage ceremony, but a moment afterwards, transgressing by so doing legal and religious norms.

While Moses' silence in *Moses und Aron* is indicative of the impossibility, and his own inability, to express his thoughts in the words of the everyday world (see Chapter 5), Benjamin is silent in the face of the world around him, but this silence is also indicative of his attempts to fight against the automation of life. We see this at the beginning, during the film credits, when he is on the airliner on his way home from the east. He sits in his seat oblivious to what is going on. The pilot informs the passengers that they are on a piece of highly sophisticated and automated machinery:

- (2) The sound you have just heard is the landing gear locking into place

and then he adds what is expected from any machine, that things happen according to a precise timetable and plan – that the flight took 4 hours 18 minutes exactly, and is on schedule. At the airport Benjamin does not even have to walk; he is borne on a conveyer belt from one end of the airport to another, and his luggage likewise. Coming out of the airport building, we, the audience, hear over the loudspeakers that people can park their cars for three minutes only. This time limit is seen as the optimal time for placing luggage and passengers into the car. Everything is timed to fit in with everything else – like a machine (cf. the factory scenes in Charlie Chaplin's classic film *Modern Times*).

Throughout the scene, from the moment that Benjamin is in the airport building, we are subjected to silence – the silence of the surroundings and also the silence in Benjamin's head. But this silence, and other instances of the same type of silence, is not screen silence (as in a silent film), for it is indicated by song. The first song we hear, and perhaps the theme song of the film, sung by the Paul Simon and Art Garfunkel duo, is "Sounds of Silence." The close connection between the song and what is happening on the screen may be exemplified in this opening scene when Ben turns his head on the conveyor belt, perhaps to look at a pretty girl. This movement of his is simultaneous with the words of the song:

- (3) when my eyes were stabbed by the flash of a neon light  
That split the night.

These lines may be somewhat dramatic in content, but are certainly explanatory of the sudden split-second change ("my eyes were stabbed") in Benjamin's automatic behaviour. What Benjamin is silent to, what he perhaps unconsciously rejects, is the social norm that one must have plans and an aim in life. The conveyor belt at the airport is symptomatic of this. It carries the passengers willy-nilly to their destination. Ben is unaware of this at that time, but his attitude to the norms gradually become more conscious. This connection between

the scene and the words of the song is seen throughout the film, so the music would be regarded as foregrounded (Nasta 1991: 15).

The silence of Benjamin's vis-à-vis his surroundings at the airport is extended to his parents and to their friends. His parents arrange a graduation party, but he prefers to stay in his room. When his father asks him to come down, Ben replies that "I have to be alone for a while." His silent world – his inner world which is a sanctuary – is disturbed by Mrs Robinson whom he tries to get rid of, very politely, but then he succumbs to her demand to be driven home.

His parents unwittingly create an environment in which Benjamin can cut himself off from his surroundings, in which he can alienate himself without any difficulty. His room at home contains a silent world – a fish aquarium, but he is still on the outside of that world. He then becomes part of another silent world, also full of water – the swimming pool. A diving suit, which is given to him as a twenty-first birthday present, is a perfect means by which he can cut himself off from the social environment. This "birthday" suit, that is a suit given to him on his birthday, paradoxically becomes a diving suit. While a birthday suit in its normal sense uncovers everything, a diving suit does the opposite: it enables its wearer to hide behind it, which Ben does. Once down in the pool he can stay down there as long as he has enough oxygen in the tank on his back. Both water and glass are, in fact, the means by which Ben is shut off from the environment, and he is allowed to be in his own silent world. Interestingly, both are transparent materials which, on the one hand, visually connect the person with the outside world, while on the other auditorily cut off the person from the world. They are both a link and an alienator. In the film, glass, for example, sets up a physical and psychological barrier between silence and everything else, thus creating distance between Ben and his surroundings. Here is a list of instances in the film in which glass plays this role:

1. The airport doors at the beginning, which allow Ben to reconnect with the world only when they open up.
2. Ben's room with its glass aquarium and water.
3. In his room before Mrs Robinson's first appearance, Ben, alone in his silent world, looks at the guests by the pool through the window, then on her entry he looks at the fish.
4. Mrs Robinson throws the keys back to Ben; they fall into the fish aquarium. This action breaks the separation between silence and the outside world, for Ben has to fish the keys out.
5. Ben is behind the glass door to the garden in his diving suit. On walking out into the garden, he is isolated by his mask, and then by the water. This scene

is like a silent home movie, except for Ben's breathing. For him, only he is fully alive.

6. At the hotel, Ben is in the glass telephone booth, telling Mrs Robinson where he is, and then becomes the "doorman" letting in guests. In both cases the glass offers a possibility of escape back into silence. He does not take up the offer.

7. On going to town with Elaine, he drives in an open car, and says only "yes" or "no" to what she is saying. At the drive-in movie, they still sit in an open car; then, because of the music coming from the neighbouring car, he closes the roof, isolating them from the world. Ben begins to think of Elaine as part of his world, but this comes about fully only at the end.

8. The morning after, Mrs Robinson and Ben sit in the car in the rain, but we hear their conversation. She is not part of his world; there is necessarily a lack of communication.

9. Ben looks at the fish after the break with Elaine; he is again on his own in his silent world.

10. Ben in the balcony in the church behind the glass partition. There is at first no communication, as expected. But then, his shouting penetrates the glass, reaching Elaine, who joins him in his silent world.

His isolation in the swimming pool, also depicted by the song "Sounds of Silence," allows him to think of the past, which appears as a series of flash-backs that show his relationship with Mrs Robinson. His affair with her is the first step in his rebellion. He refuses to make long-term plans. So,

all he can do to reassert his independence is to reverse parental standards in his style of living, of dress, of sexual behaviour. (Bettelheim 1969: 36)

Bettelheim here refers to the radical student of the sixties, but Benjamin, although not a radical, certainly epitomizes this type of rebel; even his dress changes from suit and tie in the opening scene to a fairly nondescript, dirty, white training suit at the end (to match Elaine's white bridal dress). In one scene, Ben is seen walking down to the swimming pool in his parents' house, to fall on a rubber dingy in the pool, but there is a sudden switch to his falling on Mrs Robinson on the hotel bed (with a totally disinterested look on her face), and in the middle of this very brief scene in which he is making love to a woman twice his age, his father asks him – the camera now switching back to the rubber dingy – what he plans to do.

(4) Well, I would say that I'm just drifting here in the pool.

is his answer. Much to his parents' chagrin, Ben is not fulfilling the expectations of him. Ironically, when Mr Robinson turns up with his wife, he explicitly encourages him in his present behaviour. After all, he is just a young man.

- (5) Mr. Robinson: What are you doing with yourself these days?  
 Ben: Nothing too much. Taking it easy.  
 Mr. Robinson: That's what I'd do if I could. Nothing wrong with that.

After some initial curiosity, which may be assumed, for it is not shown in the film, his relationship with Mrs Robinson also turns him into an automaton. He does what is necessary, that is to say, he makes love. As far as he is concerned, there is silence (as in the love-making scenes in Bergman's *The Silence*, see 1. above). But in *The Graduate* silence is represented by song. The songs "Sounds of Silence" and "April" are heard as foregrounded music for these scenes and the flashbacks from the pool to the hotel room, and to his room at home. "April" is heard once only, as the last chords of "Sounds of Silence" drift away at the beginning of Ben's relationship with Mrs Robinson. The song reflects the gradual change in his attitude to the affair; it talks of the spring and summer of the affair which eventually dies out in the autumn:

- (6) September, I'll remember  
 A love once new has now grown old.

By the time this last stanza is reached, Ben has become disenchanted with Mrs Robinson. This is visually presented in the scene in the hotel when Ben tries to make her talk about herself. The entire affair has been spent in silence, represented, as I have said, by song. The moment when speech takes over, the situation changes, and the relationship ends. His reaction to her forbidding him to take out Elaine is

- (7) Let's not talk about it. Let's not talk at all.

For them, there is no communication; their affair portrays the generation gap, too.

Elders tell the younger generation what to do. Mrs Robinson may be said to have told Ben to sleep with her, that is to have raped Ben. She silences him by teaching him something he enjoys but must conceal – sexual intercourse. Mr Robinson, in Ben's room in Berkeley, refuses to listen to Ben's side of the affair, silencing him. His father does not want to listen to Ben's misgivings about showing off the new diving suit, so Mr. Braddock silences his son. However, Ben feels that there is no need to be alienated – there is no need for this lack of verbal communication when it comes to human relations, and he wishes to have a conversation. These cases represent attempts by the younger generation to

communicate with the older generation on equal terms. In the case of Mrs Robinson, she first of all refuses; she is intentionally silent. He does finally manage to learn that she studied art at college, but had to leave on becoming pregnant, and marry her lover, which amuses Benjamin, and which turns out to be ironic, since as Mr Robinson was forced to marry Elaine's mother, they force Elaine to marry Carl Smith.

Ben's growing rebellion against society and its expectations is seen in his aggressive behaviour on his first date with Elaine, but he gradually realizes that she is not to blame, for she does not seem to be part of that social milieu against which he is rebelling. He begins to appreciate her as a human being on her own terms. His rebellion takes on a number of forms, including a rebellion against what one would think is common sense; if he has an affair with the mother, he must be very careful with the daughter. However, when Mrs Robinson tells Ben not to see her again, he runs into the house and confesses to Elaine, who of course rejects him.

Despite this setback, with Elaine going back to Berkeley (the very hot-bed of student rebellion), he seems to have fallen in love with her, and this he tells his parents, adding, though, that Elaine probably does not love him. But he does plan to marry her. We now come to his second period of isolation – of silence, when Ben searches for Elaine at Berkeley. Here, Simon and Garfunkel are heard singing the ballad "Scarborough Fair." This song depicts the low point in his relationship with Elaine. He has just been rejected by her, and the odds are against the renewal of their friendship. The first time the song is heard, until the penultimate stanza, is after Ben reveals to Elaine the truth about his affair with her mother. When Ben decides to look for Elaine (and propose to her?) in Berkeley, we hear the song in its entirety. His search pays out, and he accompanies her to meet her boyfriend Carl Smith at the zoo. On the bus, the silence, which is indicated by the song, fades into the noise of the traffic around.

The place where Elaine is supposed to meet Carl is appropriately the monkey house, for the word *monkey* or *ape* may be used as a somewhat insulting term for human beings who mimic others. Ben refuses to follow the norms of society, and to ape the behaviour of the people around him. He appreciates the monkey, who is behaving naturally. And in this scene, the monkey is seen to appreciate Ben's position, too. For Ben, Carl Smith is the man from the zoo, the paragon of conformity (with a suit, a tie and a pipe in his mouth). He knows what he is going to do in his life, for he is studying medicine just like his father. In Carl's case, there is communication between the two generations, or at least the son listens to the father and does not rebel: what is good for the father (to be a doctor) is good for the son. When Elaine walks off with Carl, leaving Ben

on his own by the monkeys, the first stanza of the song "Scarborough Fair" is heard, which is sufficient to portray Ben's despondency:

- (8)     Are you going to Scarborough Fair?  
           Parsley, sage, rosemary and thyme.  
           Remember me to one who lives there  
           She once was a true love of mine.

The same evening in Ben's room, where he and Elaine confront each other, she leaves him with some ray of hope:

- (9)     I don't want you to go anywhere until you have a definite plan.

This time, we hear only echoes of the song, for there is a hint that matters will improve, which they do.

The third period of isolation is rendered by the song "Mrs Robinson," which refers to the character who is seen almost from the very beginning as the cause of all the misfortune that is happening to Ben – she is the devil, and is appropriately dressed in black in most of the scenes in which she appears (her underwear is black, too). Ben in one scene in the hotel room even tells her to go to hell. He has after all been seduced by her; she does not want Ben to go out with Elaine, and would do anything to prevent a happy outcome to that relationship. The first bars of the introduction to the song "Mrs Robinson" serve as a leit-motif to what is to come.

What is to come is Mr Robinson. After saying goodbye to Elaine at the dorms, Ben returns to his room and finds her father waiting for him. Mr Robinson tells Ben that he and his wife will be divorcing each other, that they are taking Elaine away, and he is not to see her again. Ben drives back to Los Angeles with the strains of "Mrs Robinson" as the foregrounded song. But once he is in society again, this time breaking into the Robinsons' house (through the glass doors) to find out what has happened to Elaine, the music stops. Alienation is finished. Ben is, for the time being, facing society full square. He does not leave the house until the police-car Mrs Robinson has telephoned for arrives.

But he does manage, just before leaving the house, to learn from her that Elaine is going to marry Carl Smith, so he drives back to Berkeley to find out where the wedding is to be held. When Carl's friends tell him that he is getting married in Santa Barbara, he makes his way there; again the song "Mrs Robinson" is heard while he drives down to look for Elaine. The relationship between the music and what is happening on the screen is also enhanced by the slowing down of the music when the car runs out of petrol. The music stops

when he is running to the church. The audience notice only the noise of the traffic.

When Ben reaches the church, there are five loud guitar chords, the last one of which seems to be in the same key as the next piece of local music (see 4. below), Mendelssohn's "Wedding March," traditionally played after a wedding ceremony when the couple are already married. He has arrived too late, too late in terms of society's norms: that once a couple are married there is no parting them except by legal means – divorce (or "till death us do part"). He screams "Elaine" through the glass partition, isolated as he is from what is happening down in the church. Elaine reacts by looking up and calling "Ben." She was at first following the norms of society, did what her parents told her, met Carl by the monkey house, in short behaved like an automaton. Now she breaks away, and becomes a rebel like Ben. She goes to the back of the church while Ben is running down the stairs, oblivious to the noise around her – to her parents ordering her not to go, and even to Carl. In this shot as well as other shots when Ben is, for example, in the pool in his diving suit, he does not pay attention to the people talking around him, as indicated in the theme song "The Sounds of Silence":

- (10) People talking without speaking,  
People hearing without listening.

Elaine finally understands what Ben has for some time understood. He picks up the cross to defend himself and Elaine from the angry friends and relations around them, and the noise of the people. They run out of the church, and Ben bolts the door with the cross. Suddenly, there is silence. The noise in the church is totally isolated from Ben and Elaine. This creates a ironic situation, for the church is usually regarded as a symbol of a place of worship, of tranquility, of silence. It is turned into a noisy place, while outside – outside the institution – is where silence and tranquility can be found.<sup>1</sup> At the back of the bus, the last shot of the film, we again hear the song "Sounds of Silence." This time it is Ben and Elaine who are silent, listening as it were to the song in their minds. The bus drives away from the camera; the silence of Ben and Elaine in relation to society around them is enhanced by the distance created by the bus driving away.

#### 4. Local music

The silence referred to in this chapter is not screen silence, since there are four songs that are used as foregrounded music – "Sound of Silence," "Scarborough Fair," "Mrs Robinson," and "April." Moreover, there are at least five instances

of local music, all of which can be seen as local manifestations of the alienation – the silence – that Ben feels. Firstly, we have the romantic dance music Mrs Robinson puts on when Ben takes her home after the graduation party and before they begin their relationship. This is simultaneous with her asking him whether he knows anything about her private life – that she is an alcoholic. Ben refers to this music a little later on, quite correctly but without immediately realizing it, that it is part of the atmosphere she is creating in order to seduce him. The music stops when they go into the bedroom where there is a portrait of Elaine on the wall.

The second case of local music is in the hotel while Ben is waiting for Mrs Robinson, which is the type of background music heard in hotels – romantic as well, if not kitsch. The third instance of local music is that of the strip club where Ben takes Elaine on their first date, which is preceded, in the journey to town, by the ambient noises of the traffic, and his one-word "yes"- "no" answers to Elaine's attempts to make conversation. Next, we have the music of the neighbouring car in the drive-in on their first date, and finally, Mendelssohn's "Wedding March," just before Elaine follows Ben.

In addition, when Ben is driving to pick up Elaine for the planned picnic, we hear the introduction to the song "Mrs Robinson" being whistled in the background; this and the following occurrence of the opening chords to the song are a harbinger of what is to come. Mrs Robinson is the devil, but she is then joined by all the guests at the wedding, most of whom also seem to be wearing black clothes. Ben can keep them away only by driving them back with the cross. After accompanying Elaine to her dorms in Berkeley, and before he returns to his lodgings, we again hear the opening bars of "Mrs Robinson," and again being whistled. The audience may imagine this as background music; however, we then see Ben whistling it, which turns it into local music. This ambiguity gives rise to the question whether other cases of songs are songs in Ben's head, or whether they are, as I have assumed, the director's comments on what is being presented on the screen. In the case of "Mrs Robinson" functioning as a portent of a possible coming catastrophe, it is the audience that reads it like that, not Ben, for on his face and in his behaviour there is no sign that he expects such a event.

## 5. Benjamin's silence

In terms of the model presented in Chapter 2, which informs some of the analyses in the subsequent chapters, we have to ask whether Ben's silence, and the silence of the younger generation of whom Ben is a representative, is intentional

or unintentional. On the face of it, Benjamin's silence is a result of his having nothing to say, which is one of the reasons for silence suggested by Verschueren (1985: 96-106), as discussed in Chapter 1.3. But as I have mentioned there, this type of silence seems to be ambiguous between (1) unintentional in that the addressee is inhibited from speaking by feelings of alienation, and then by shyness that seems to stop the addressee from admitting that there is nothing to say, and (2) intentional in that there is no value in talking because no one will listen to him in any case, perhaps glossed by "I have no need to say anything" (see Chapter 2.4). Much of Benjamin's behaviour seems to be unintentional in the sense that his behaviour and his thoughts, and his future, have not been worked out. He makes decisions on the spur of the moment without considering the consequences. His one intention in the film which he strives to fulfil is to gain the love of Elaine, and the moment he tells his parents that that is what he intends to do, the rest of the film depicts his attempts to do so.

On hearing his plan, his father comments:

- (11) This whole thing sounds pretty half-baked.

Ben replies

- (12) No, it isn't; it's completely baked. It's a decision I've made.

which is reinforced by the toast popping up ready ("completely baked") from the toaster. However, his father's remark cannot be totally rejected, for Ben has not fully worked out his plan. Firstly, he has to persuade Elaine to marry him, a difficult matter as it is, since she has just learned that Benjamin has had an affair with her mother. To plan just for the moment, or to do things without taking the implications into account, is represented by Benjamin's lack of intention. His final goal – marrying Elaine – is thwarted by a few seconds when he sees Carl put the wedding ring on Elaine's finger. Since his sole intention is to take her, the mere institutional fact of marriage does not deter him. So, he snatches her, with her full consent, from the clasps of society, which is represented by the walls of the church and the people talking to each other without listening.

Benjamin's initial silences depict his lack of intention, and the song "Sounds of Silence" is the musical rendition of this stage of his development. Once he becomes active in his attempts to win over Elaine, the music changes to "Scarborough Fair" and "Mrs Robinson." The 'theme' song "Sounds of Silence" returns at the end when his one intention is fulfilled – taking (but not yet marrying) Elaine, but he still has no further plans – no intentions for the future. After all, what will he do with a bride (and not his bride) in her bridal gown at the back of a bus moving out of Santa Barbara? Benjamin is not a silent addressee in the sense that he refuses to answer questions put to him, but the answers he

does give are automatic answers, without intention. This seems to bring us back to the beginning of the film where Ben is subject to automatic operations, turning him for a moment into an automaton.

Ben's development is seen in terms of, firstly, vague thoughts: the look on his face while he is sitting alone, with the song as foregrounded music, and secondly, instinctive actions: his affair with Mrs Robinson, and his lack of purpose in a society whose ideal is to set up a career and make a lot of money, to be an automaton. At times, this is exactly how Ben behaves; he tells Elaine that his affair with a married woman (the fact that it is her mother is divulged only on the next day)

- (13) ...just happened. It was just this thing that happened along with everything else.

But once he decides on his one purpose – not in life but for the time being – to marry Elaine, all his subsequent actions derive from that master plan; he is no longer a machine. He has broken away from the constraints imposed by society and by the expectations derived from his education. Bettelheim, in discussing the student revolt of the 1960s, puts it like this:

if education today prepares us only to be replaceable items in the production machine, or to be programme assistants in its computer systems, then it seems to prepare us not for a chance to emerge in importance as persons, but only to serve the machine better. (1969: 32)

Ben does not join the students in their revolt, although the landlord in Berkeley may suspect that he is an agitator; but as an individual he rebels against the same norms.

The older generation refuses to speak on equal terms with the younger generation. Before he appears in his diving suit in front of his parents' friends at his birthday party, Ben wants to speak to his father, to ask him, perhaps, not to put him through the "ordeal," but Mr Braddock tells him to come out, and does not want to listen. Mrs Robinson does not take "no" for an answer, and she may be said to have raped Ben. Her husband, in his confrontation with Ben in his room at Berkeley, refuses to listen to him, although he claims that they may be cultured, i.e. equal, people. Mr Robinson uses his seniority to silence Ben. He represents society, which silences the young, and refuses to listen to them, expecting them to behave according to the elders' norms. Mr Robinson asks Ben, or, rather, tells him in the form of a rhetorical question:

- (14) Is it something I said that's caused this contempt or is it just things I stand for that you despise?

This attitude of superiority is ironic in Mr Robinson's case for he had to marry his wife because he made her pregnant before they were married, which was against the then current norms. The lack of mutuality in the relationship between the generations is also seen in the use of names. We know Ben's and Elaine's full names, but both his and her parents are Mr and Mrs Braddock, and Mr and Mrs Robinson, respectively. Even in the most intimate scenes with Mrs Robinson, Ben continues to call her "Mrs Robinson."

What the young would say is expected anyway, so there is no need to make their voice heard. That is the student population as the silent generation in the Eisenhower era of the 1950s, but not in the sixties. They refused to be silent, but when they did speak they were not listened to, so the lack of communication grew as the silence became deliberate on the part of the younger generation.



## POSTSCRIPT

The reader has noted that by the time the last chapters have been reached we are no longer in the realms of the model I presented in the second chapter. The sociopragmatic model that was set up directly concerns the addresser/observer's interpretation of a silent answer, which has been assumed to be a highly typical case of silence, since it occurs in the frequent question-answer adjacency pair in everyday conversation. However, in the course of the analysis, especially of the literary, biblical and cinematic texts, other tools were introduced and gained in importance, although parameters such as distance accompanying silence, and the link between the psychological make-up of an addressee and unintentional silence, constantly lurk in the background.

Silence, furthermore, may be, and often is, transitivized. I have shown this in the courtroom in which the law may impose silence on references to the silence of the accused or of a witness. I have also shown this in both fictional and non-fictional reporting when the reporter-narrator has the power to silence the characters s/he is portraying even when the characters may be speaking. The older generation transitivizes silence by not listening to the younger generation; young people may eventually rebel against this attitude (the 1968 events occurred one year after the release of Nichols' film). The refusal to have silence transitivized will lead to conflict.

This conflict may be in the form of legal proceedings in many real-life situations, including the editor who publishes material s/he was told to be silent about. In fictional cases, such as a Jane Austen novel or a Biblical narrative, conflicts may occur only as part of the text itself, as in the case of Moses' argument with God concerning his speech difficulties – his preferred silence, and in the case of Ben's refusing to behave according to his elders' dictates. In the first case, of silence in the legal system, I have looked at discourses about silence, while in the second set of cases, I have looked at silence, how it is expressed, in a number of discourses.

I have not been exhaustive in my treatment. I have already said in the opening chapter that there are forms of silence, and contexts of silence, which I do not relate to in any depth, or at all. But as for those instances of silence that have been discussed, I hope it will not be considered presumptuous to quote Wittgenstein's last words in his *Tractatus logico-philosophicus*:

Wovon man nicht sprechen kann, darüber muss man schweigen.  
[Of that which one cannot speak, one should be silent.]

But I will not let Wittgenstein's words prevent me from relating to the meeting-point between pragmatics and semiotics. Although I have stated in my introduction that "beyond pragmatics" is semiotics, which is applied directly to the concept of silence in Chapter One, and partly in Chapter Two, it may be argued that semiotics is not beyond pragmatics, but is forever informing it. After all, if semiotics is the study of the sign and its meaning, anything that has meaning, whether a word as part of semantics, a structure as part of grammar, or a function or language use as part of pragmatics, is within the domain of semiotics.

Beyond speech is not silence, since silence is an alternative to speech. Beyond and within pragmatics is semiotics.

# Notes

## Notes to Chapter One

1. Jakobson notes (1939: 213) that the masculine noun *suprug* denotes either the male spouse, i.e. husband, or the unmarked term 'spouse' which may refer to either husband or wife, hence "one of the spouses" is translated by *odin iz suprugov* (*suprugov* being the genitive plural of the masculine noun). The feminine form is *supruga*, and its genitive plural form is, therefore, *suprug*, which means that this form is ambiguous out of context. Jakobson does not comment on this.
2. I would like to thank Jackie Schön of the Department of Language Sciences of the University of Toulouse for sending me a copy of Dinguirard's paper.
3. Traditionally speaking, linguistics has been occupied with the the third of the basic signs the symbol – "a sign...with a conventional link between its signifier and its denotata, and with an intensional class for its designatum" (Sebeok 1976: 134). However, the principle of the arbitrariness of the sign, an essential corner-stone of modern linguistics, has been eroded somewhat. Firstly, onomatopoeia has always been recognised as iconic, but at the same time as an exception that proves the rule. Recently, work in other areas, including syntax, has shown that iconicity – "typological similarity between a signifier and its denotata" (Sebeok 1976: 128) – is an important relationship in various fields such as grammaticalization and word order (see, for example, papers in *Journal of Pragmatics* 1994, Vol. 22:1, and Raffaele 1995).
4. Sebeok (1985) talks of "averal" communication, introducing yet another term, which seems to be a cover term for anything that is strictly not speech.
5. Cage writes in his lecture "45' for a speaker" (1961: 191):

There is no  
such thing as silence. Something is al-  
ways happening that makes a sound.
6. This term may also solve the problem mentioned above concerning Greek and Latin stems for basic linguistic terms. If *verb-* is limited to "language," and not necessarily "articulated speech," the stem *voc-* (from Latin *vox* "voice") can be used, then, for articulated speech.
7. Gurevich uses the term "active silence." However, as it will be made clearer later on, this type of silence is intentional in contrast to unintentional silence. Moreover, the term "active silence" may be confused with the activization of silence, i.e. making *silence* an active verb, which is implied by the process of "transitivizing silence."

## Notes to Chapter Two

1. Of course, the most common occurrence of silence is when nothing at all is being said. In such cases, there is no verbal stimulus to enable a linguistic interpretation of the silence. Moreover, such a silence is not a linguistic sign, as discussed in Chapter 1. Such silences may occur, for example, when a person is alone, or when watching a thriller on television

or at the cinema even when other people are around. This list is very far from being exhaustive.

2. I am referring here to political rhetoric, which is used to enhance the politician's reputation, if successful (cf. the negative impression created when a politician who is expected to speak remains silent; Jaworski 1993: 106). When it comes to a politician's action other than direct verbal action, e.g. making decisions, administrative duties, then we are dealing with other matters that indirectly lead to reputation-enhancement, etc., and are not the immediate cause of it.
3. This does happen, of course, in schools in problematic neighbourhoods. Pupils may literally walk out of the classroom, or even use violence. But let us, for argument's sake, assume some "old-fashioned" norm.
4. Although there are differences between shyness and shame, they are nevertheless psychologically linked. In some languages the same word may be used for both. In Hebrew for example, the verb *lehitbajesh* means both "to be shy" and "to be ashamed," but may be disambiguated in context. In some Afrikaans dialects of South Africa *ek is skaam* means "I am shy," while *ek is skaam my* means "I am ashamed of myself."
5. Feldstein and Welkowitz (1978: 329) give a far from full list of co-verbal behaviour that may occur in any conversation; some of these activities are also signs of embarrassment or shyness:

Mouths open narrowly or widely; voices emerge to utter sounds, grow loud and soft, and high and low; lips curl and stretch, teeth grind; nostrils twitch; eyes blink; pupils dilate; eyebrows lift; foreheads crease; heads nod; shoulders shrug; arms wave; hands turn; fingers flex; legs cross; feet shuffle; bodies shift, and – through it all perhaps – eyes may watch; ears may listen; noses may sniff.

6. Such speech acts, and not just their illocutionary force, are potential alternatives to silence, since the addressee has made a choice, choosing silence and not speech.
7. Modal verbs are here being grammatically defined. They are finite verbs that are followed by infinitives without *to*, and do not have *-s* in the third person singular present tense. We shall be adding the verb *need* later on, but this verb is introduced as a quasi-modal, having semantic, but not all the syntactic, features of the modal verbs. So, the modal verbs referred to here are *can*, *may*, *must*, *will* and *shall*.
8. "Internal" and "external" refer here to the source of the modal function, whether it is the speaker who does not speak because of factors internal to him or her, or it is some outside source that has imposed its will on the silent addressee. Internal and external negation, an important issue in the semantics of modal verbs, is not under discussion here.
9. I would like to thank one of the anonymous reviewers for suggesting this possibility. A similar example is the introductory "it is not the case that..." in setting up propositions in logic, etc., which is not conversational style.

### Notes to Chapter Three

1. The cases discussed in this section are published in the form of court decisions in the following law reports: *Griffin v. California* and *U.S. v. Hale* are found in US Supreme Court Reports, the *Griffin* case in volume 380 (1964) and *Hale* in volume 422 (1974). *Commonwealth v. Dravec* is published in the Pennsylvania Supreme Court Reports of 1967. The

two British cases are published in Appeal Court decisions, *Christie* in Criminal Appeal Reports of 1914, and *Hall* in Privy Council Reports of 1970.

2. The relevant part of the Fifth Amendment reads: "No person... shall be compelled in any criminal case to be witness against himself."
3. The legal principles involved concerning federal and state jurisdictions are too involved to go into here, and do not, in any case, concern the topic of the discussion.
4. In one case I observed in South Africa, a magistrate, who had examined the case in the first instance, was called as a witness in the trial to read out aloud his reasoning as court evidence from the witness stand, because his handwriting was illegible!
5. For a study of Justice Musmanno's language, which is at times highly poetic, see Kurzon 1992.
6. What in rules of word formation is often called zero-derivation or conversion (see Preface). English is very prone to this process because of the paucity of morphological indications of word class. Examples include the very common verb form ending in *-ing* used as a noun ('verbal noun'), e.g. *reading*, so compare "I am reading" and "I like reading"; and *take off*, a verb, which functions as a noun in *a take-off* (meaning both "a plane's ascent" and "impersonation").
7. This second version has been replaced by a slighter shorter version. For a discussion of the relative comprehensibility of these versions of the caution, see Kurzon 1996. See also Jaworski 1997a: 398.
8. While the names of the other two tractates are easily translated – Baba Metsia means "Middle Section", and Nedarim means "Vows" – the name of the first tractate, Yebamoth, would require a fairly long explanation. It concerns the marriage of a deceased brother's wife (levirate marriage).
9. These page numbers are found, or indicated, in all editions of the Talmud, including translations.
10. Basically, both her first and her second husband have to divorce her, but she has certain rights if her second marriage had been confirmed by a court of law (*beth-din*).
11. Such early betrothal was the norm 1,500 years ago, when the Talmud was written, and is still very common in many societies in the world today.
12. "Day" here is defined as the period of time from nightfall to nightfall. So, if a betrothed man or father hears of the girl's vow at noon, they have only till the evening to cancel or confirm it.
13. As part of the argumentation, the rabbis refer in this passage to three types of silence, for silence is mentioned three times in the passage in Numbers: (1) silence to confirm, (2) silence for no specific intention, and (3) silence to annoy (see the end of the 3rd text in Appendix I).

## Notes to Chapter Four

1. Note the inverted shift from "books in a ball-room" to "ball-rooms in books," for example *Pride and Prejudice*. (My thanks to my colleague Leona Tokor for pointing this out.)
2. Mr Collins is also a distant relative of Mr Bennet's, Elizabeth's father, and will succeed to the estate of Mr Bennet, since the latter has no son. Collins' first wish was to marry one of the Bennets, preferably Elizabeth, to keep the house in the family, but she would not think of that possibility.

## Notes to Chapter Five

1. Interpretation is a type of intertextuality – turning to other texts to interpret the text that is being analysed. This intertextuality is especially prominent when dealing with traditionally held religious beliefs, for the text must be read in such a way that does not contradict those beliefs or, preferably, in a way that supports them. These beliefs may include the divine authorship of the Pentateuch (orthodox Judaism), the superiority in divine revelation of the New Testament (some of the proponents of Higher Criticism), or more mundanely, the belief that there is a connection between silence and distance (the present author).
2. The phrase *bnei Yisrael* literally means "the children of Israel," metaphorically referring to the tribes which are the descendants of the sons of Jacob, whose other name, adopted after his struggle with the angel, is Israel (Genesis 32.29). In the Exodus passage, God uses "sons" or "children" only twice, to refer to the Israelites, and then he uses the word *'ami* – "people".
3. In the Pentateuch, there are only two major figures who argue with God – Moses, as we see in the present discussion, and Abraham, but the latter only once when God plans to destroy Sodom and Gemorah. All the other characters who are in direct contact with God do as ordered (Noah, Isaac and Jacob). Adam, although he disobeys a command, does not argue with God, even when he is told of his (and Eve's) punishment.
4. As mentioned above, the word count relates to the Hebrew text only. Words that are hyphenated in the text are considered to be separate words (e.g. "el-'avdexe" [to your servant] = 2 words).
5. Another interpretation of "my first-born son Israel" (and there are others) is that it is a reminder that Esau sold his birth-right to Jacob (=Israel; Genesis 25.31-34), hence Israel is now the first born.
6. Here is an example, from Numbers 3.40-43 (with v. 41 left out):  

The Lord said to Moses: 'COUNT ALL MALE FIRSTBORNS OF THE ISRAELITES FROM ONE MONTH OLD AND UPWARDS and list the number of their names....And Moses COUNTED as the Lord commanded him ALL THE FIRST-BORNS OF THE ISRAELITES, and the number of MALE FIRST-BORNS FROM ONE MONTH AND UPWARDS was twenty-two thousand two hundred and seventy three.

The phrases in capital letters are repetitions. In a total of forty four words in the original, twenty-one of them are the words to be repeated and the repetitions themselves.

A more extreme example, too long to be quoted here, is the list of sacrifices made by the princes of the twelve tribes in Numbers 7.12-83, in which each man gave exactly the same things, which are listed in each and every case. Biblical exegesis offers a number of reasons for this repetition (for a discussion of repetition in the Bible, see Sternberg 1987, ch. 11).
7. I apologise for the mixed metaphor, but expressions such as "second tongue" usually means 'second language.'
8. From the way Melville's narrator tells the story, Budd does not appear responsible for his actions. Note the impersonal subjects of the sentences: "*his* [Budd's] *right arm* shot out and Claggart dropped to the deck...*the blow* had taken effect full upon the forehead." This parallel between Moses' and Budd's speech impediment and subsequent reactions was hinted at by an anonymous reviewer.

9. In the eighteenth century, opera was usually a combination of song and speech. Silence, then, could be depicted by silence in the normal sense, or by singing inarticulate sounds, as Papageno does in the first act of Mozart's *Die Zauberflöte* ("The Magic Flute"), when the three Ladies put a lock on his lips.
10. However, there are seven bars in Act 1.2, bar 208-213 in which Moses does sing (or *may* sing, since the composer gives the performer a choice).

As for the name of the opera, the spelling "Aron" is Schoenberg's. Hans Keller (1957) suggests that Schoenberg used this spelling to avoid recreating the atmosphere of the Bible, in which the name is spelled "Aaron" (in the German, as well as English, translation). Keller quotes Schoenberg in a letter to his student and fellow composer Alban Berg on August 9, 1930:

I am of the opinion that the language of the Bible is mediaeval German, which is not clear to us; it could only serve as coloration, and this I don't need.

11. It is Steiner's discussion of the opera in his *Language and Silence* that gave me the idea to look at the original Biblical text in relation to silence.
12. Moses' silence perhaps led to Schoenberg's total musical silence with regard to the rest of the opera.
13. It is improbable that Schoenberg took account in this context of one of the names of God in the Bible *elohim*, which is a plural noun, taking however – when it functions as subject – a singular verb. In the three books Exodus, Numbers and Deuteronomy narrating the story of Moses, this form appears about 70 times, while the typical name of God, *adonai* (the spoken rendition of *yhwh* in Jewish tradition), occurs hundreds of times. Commentators have suggested (e.g. Rashi's commentary on the first verse of Genesis) that *elohim* refers to God's justice, and *adonai* to His mercifulness. The form *elohim* interestingly enough does not appear in Leviticus, which deals principally with priestly duties.

## Notes to Chapter Six

1. Likewise, in an earlier scene set in Berkeley, Ben changes the university library, a traditionally quiet institution, into a noisy place when he asks Elaine questions.



## APPENDIX I

(The texts relating to Chapter 3.4)

Translation of passages from the Babylonian Talmud, based on the Hebrew edition of Adin Steinsalz, Israel Institute for Talmudic Publications, Jerusalem, 1985-1992. Steinsalz's additions to the fairly telegraphic style of the original are given in square brackets.

### 1. Yebamoth 87b-88a

From what we have learnt in the apodosis (consequence of condition – *sifa*) "if a woman marries without permission, she may return to him", meaning without the permission of the beth din, then by witnesses. [Since there are two witnesses, she does not need special permission from the beth din], and from this the protasis (condition) of the Mishnah, when it mentions permission of the beth din, [the meaning here is that] there is only one witness. From this, one witness is trusted [to testify that her husband is dead, and the beth din will permit her to marry on this evidence]. We also learned from the Mishnah, it was maintained that a woman can marry on the evidence of one witness reporting another, a woman reporting another woman, and a woman reporting a servant or maidservant. From this, one witness is trusted [in such a matter even if the witness is invalid in other cases]. We have also learned that [if] one witness says [to somebody] "you have eaten forbidden fat", and he says "I have not eaten [such fat]," he is exempt [from a sin-offering]. The reason is that in his saying "I didn't eat" [he denies having sinned]. If he is silent, [the witness] is trusted. From this we can see that one trusted witness [on certain matters] comes from the Torah. How do we know that? We have learned in the Beraita "if his sin be known to him" [meaning that he has to be aware of the sin, and] not be told by others [so even if others have testified, he does not bring a sin-offering.] It is possible that even if he does not deny the sin, he is exempt [from bringing a sin-offering]. The Talmud says "if it be known to him" in any way. How was the matter exactly? If it were said that two witnesses come and inform him, and he does not deny it, why bring in a biblical verse [since two witnesses are trusted for every matter]? Are we not [talking about] one witness? And when he does not contradict the witness, the witness is trusted. Learn

from this that one witness is trusted [in prohibitions. We reject this proof]. From what can it be inferred that the witness is trusted? Perhaps he is silent, and silence is regarded as an admission! Know [that that is the reason] as we learn [from the same Beraita] two witnesses say "you have eaten forbidden fat," and he says "I haven't eaten" he is exempt. Rabbi Meir obliges him [to bring a sin-offering]. Rabbi Meir says: From minor to major. If two witnesses bring a man to the severe sentence of death, can they not bring upon him the minor sin-offering? [The rabbis] said to him "What if he wanted to say 'I was wilful [presumptuous]'" [the presumptuous person does not bring a sin-offering, and since he can deny the testimony, which the accused of a murder cannot do if found guilty, then his denial is of no consequence]. In the protasis [one witness is trusted], what is the reason for the rabbis obliging [a sin-offering]? If it is said that one witness is trusted, then if there are two witnesses, although he contradicts them, they are trusted, but still in the matter of a sin-offering, the rabbis exempt him. Is it not because he is silent? And silence is regarded as an admission.

## 2. Baba Metzia 37a-37b

Mishnah: [If] one person says to two people: "I took from one of you money, and I don't know which one of you" or "The father of one of you deposited money with me, and I don't know which one of you," he has to give to both of them a portion [the amount he owes], since he has admitted [taking]. If two people have deposited money with a person, one deposited a mina [=100 dinarim] and the other 200 [zuz], and if they come and say "I gave 200," and the other one says "I gave 200," [what's to be done?] He gives a mina to one and a mina to the other, and the remaining mina will be kept by the loaner until the days of Elijah. Rabbi Yoseh says: "If so, what does the deceiver lose?"

Here we show a contradiction: a person robs from one of five people and does not know which one he has robbed. One says that "he robbed me," and another says "he robbed me." He leaves the stolen article among them and goes away [leaving them to sort it out among themselves]. That is Rabbi Tarfon's view. From this, from doubt one cannot take money [from its owner], and we say [as a rule]: Put the money into the owner's possession. And why does our mishnah support Rabbi Tarfon's view? It is written in the beraita of our Mishnah: Rabbi Tarfon admits that if one says to two people "I robbed one of you of a mina, and I don't know which," then he gives each one a mina. There [when he has to return to one of five] when they claim of him [according to the law, but] here in the Mishnah, we are talking about fulfilling one's duty to heaven [since he wants to repent]. It is true [as written in our Mishnah] that "he has confessed on his own initiative," and this proves our point.

The Master said: "There it is a question of claiming from him." And what does he [the robber] plead? Rabbi Yehuda said in the Master's name: he is silent. Rabbi Matanah says in Rab's name: He (37b) protests [and tells each one of them "I do not

know you"]. If instead of protesting, the robber is silent (perhaps he is saying 'you may be right'), then this silence is like an admission. But if he is silent (not instead of protesting), then this silence can be interpreted as 'I am not sure which one of you is the owner.' The Master said: "He places the stolen article among them and goes away."<sup>1</sup>

### 3. Nedarim 78b-79a

(extract from a very long discussion)

Rabbi Hanina said: "The man who is silent to annoy his wife [so that she has to suffer the fulfilment of the vow, but in his heart he cancels it, then] he cancels it even from then on for ten days." Raba objects: "When it is said that the husband is dead, the vow is emptied so the father can cancel it on his own when the husband did not hear it, or heard it and was silent, or heard it, cancels it and died on the same day. But if he heard it and confirmed it, or heard it, was silent and died on the following day, the father cannot cancel it. Does not ['heard and was silent' mean] he was silent in order to annoy her?" No; in that case, one was talking about being silent to confirm the vow. If so, we have here "heard and confirm." But [there is another way of interpreting. In that case, one is speaking about] being silent for no reason. Rabbi Hisda objects: "to fulfil vows may be more stringent than to cancels them, and to cancels vows may be more stringent than to fulfil them." [Firstly,] to fulfil vows may be more stringent than to cancel them: silence itself confirms the vow, and silence does not cancel it. If one confirms it in his heart, it is confirmed; if one cancels it in his heart, it is not cancelled. If the vow is confirmed, it cannot be cancelled, and if cancelled, it cannot be confirmed. [Nevertheless] it is argued that silence confirms, and are we not speaking of silence in order to annoy? No, we are speaking of silence in order to confirm. That is, he who confirms in his heart confirms. But "to be silent" means to be silent for no reason. We have found that to confirm is more stringent than to cancel, and to cancel is more stringent than to confirm. [What is the law?] Rabbi Yohanan said: "You can ask a scholar [to absolve you] for you regret confirming your wife's vow, but you can't ask him [to absolve you] if you cancelled."

Rabbi Kahana objects: "But if her husband altogether holds his peace at her from day to day," etc. The Bible here speaks of silence in order to annoy. You say "in order to annoy." But is this silence perhaps in order to confirm? When it is said "because he held his peace at her" the Bible here means silence in order to confirm, so why is it written "if the husband altogether hold his peace at her"? The Bible means silence in order to annoy. That refutes [Hanina's position]. One verse may be read as silence to confirm, and the other as silence without a specific intention. Other verses are written [so three types of silence are referred to by referring to silence three times: silence to confirm, silence for no intention and silence to annoy.] Raba objects: "If she vowed just before nightfall, he can cancel it before it is night. And if he does not cancel it,

and it is night, then he cannot cancel it. Why? It can be taken as though he is silent in order to annoy her. That refutes [Hanina's position]."

Rab Ashi objects: "[If the husband says] 'I know that there are vows but I do not know that they can be cancelled,' he may cancel them. 'I know that one can cancel but I do not know that this is a vow.'"

Rabbi Meir says "he cannot cancel," and the Sages say: "he can cancel." Why? It can be taken as though he is silent to annoy her. That refutes [Hanina's position].

### Note

1. This passage is then followed by a number of interpretations of this last pronouncement, which are, nevertheless, not relevant to our discussion.

## APPENDIX II

(Jane Austen, *Pride and Prejudice*, Ch. 18 (pp. 133-136))

When the dancing recommenced, however, and Darcy approached to claim her hand, Charlotte could not help cautioning her in a whisper not to be a simpleton and allow her fancy for Wickham to make her appear unpleasant in the eyes of a man of ten times his consequence. Elizabeth made no answer, and took her place in the set, amazed at the dignity to which she was arrived in being allowed to stand opposite to Mr Darcy, and reading in her neighbours' looks their equal amazement in beholding it. They stood for some time without speaking a word; and she began to imagine that their silence was to last through the two dances, and at first was resolved not to break it; till suddenly fancying that it would be the greater punishment to her partner to oblige him to talk, she made some slight observation on the dance. He replied, and was again silent. After a pause of some minutes she addressed him a second time with

10

'It is *your* turn to say something now, Mr Darcy. – I talked about the dance, and *you* ought to make some kind of remark on the size of the room, or the number of couples.'

He smiled, and assured her that whatever she wished him to say should be said.

'Very well. – That reply will do for the present. – Perhaps by and bye I may observe that private balls are much pleasanter than public ones. – But *now* we may be silent.'

20

'Do you talk by rule then, while you are dancing?'

'Sometimes. One must speak a little, you know. It would look odd to be entirely silent for half an hour together, and yet for the advantage of *some*, conversation ought to be so arranged as that they may have the trouble of saying as little as possible.'

'Are you consulting your own feelings in the present case, or do you imagine that you are gratifying mine?'

'Both,' replied Elizabeth archly; 'for I have always seen a great similarity in the turn of our minds. – We are each of an unsocial, taciturn disposition, unwilling to speak, unless we expect to say something that will amaze the whole room, and be handed down to posterity with all the *clat* of a proverb.'

30

'This is no very striking resemblance of your own character. I am sure,' said he. 'How near it may be to *mine*, I cannot pretend to say. – *You* think it a faithful portrait undoubtedly.'

'I must not decide on my own performance.'

He made no answer, and they were again silent till they had gone down the dance, when he asked her if she and her sisters did not very often walk to Meryton. She answered in the affirmative, and, unable to resist the temptation, added, 'When you met us there the other day, we had just been forming a new acquaintance.'

The effect was immediate. A deeper shade of hauteur overspread his features, but he said not a word, and Elizabeth, though blaming herself for her own weakness, could not go on. At length, Darcy spoke, and in a constrained manner said,

40 'Mr Wickham is blessed with such happy manners as may ensure his *making* friends – whether he may be equally capable of *retaining* them, is less certain.'

'He has been so unlucky as to lose *your* friendship,' replied Elizabeth with emphasis, 'and in a manner which he is likely to suffer from all his life.'

Darcy made no answer, and seemed desirous of changing the subject. At that moment Sir William Lucas appeared close to them, meaning to pass through the set to the other side of the room; but on perceiving Mr Darcy he stopt with a bow of superior courtesy to compliment him on his dancing and his partner.

50 'I have been most highly gratified indeed, my dear Sir. Such very superior dancing is not often seen. It is evident that you belong to the first circles. Allow me to say, however, that your fair partner does not disgrace you, and that I must hope to have this pleasure often repeated, especially when a certain desirable event, my dear Miss Eliza, (glancing at her sister and Bingley,) shall take place. What congratulations will then flow in! I appeal to Mr Darcy: – but let me not interrupt you, Sir. – You will not thank me for detaining you from the bewitching converse of that young lady, whose bright eyes are also upbraiding me.'

The latter part of this address was scarcely heard by Darcy; but Sir William's allusion to his friend seemed to strike him forcibly, and his eyes were directed with a very serious expression towards Bingley and Jane, who were dancing together, and said,

60 'Sir William's interruption has made me forget what we were talking of.'

'I do not think we were speaking at all. Sir William could not have interrupted any two people in the room who had less to say for themselves. – We have tried two or three subjects already without success, and what we are to talk of next I cannot imagine.'

'What think you of books?' said he, smiling.

'Books – Oh! no. – I am sure we never read the same, or not with the same feelings.'

'I am sorry you think so; but if that be the case, there can at least be no want of subject. – We may compare our different opinions.'

70 'No – I cannot talk of books in a ball-room; my head is always full of something else.'

'The *present* always occupies you in such scenes – does it?' said he, with a look of doubt.

'Yes, always,' she replied, without knowing what she said, for her thoughts had wandered far from the subject, as soon afterwards appeared by her suddenly exclaim-

ing, "I remember hearing you once say, Mr Darcy, that you hardly ever forgave, that your resentment once created was unappeasable. You are very cautious, I suppose, as to its being *created*."

'I am,' said he, with a firm voice.

80 'And never allow yourself to be blinded by prejudice?'

'I hope not.'

'It is particularly incumbent on those who never change their opinion, to be secure of judging properly at first.'

'May I ask to what these questions tend?'

'Merely to the illustration of *your* character,' said she, endeavouring to shake off her gravity. 'I am trying to make it out.'

'And what is your success?'

She shook her head. 'I do not get on at all. I hear such different accounts of you as puzzle me exceedingly.'

90 'I can readily believe,' answered he gravely, 'that report may vary greatly with respect to me; and I could wish, Miss Bennet, that you were not to sketch my character at the present moment, as there is reason to fear that the performance would reflect no credit on either.'

'But if I do not take your likeness now, I may never have another opportunity.'

'I would by no means suspend any pleasure of yours,' he coldly replied. She said no more, and they went down the other dance and parted in silence; on each side dissatisfied, though not to an equal degree, for in Darcy's breast there was a tolerable powerful feeling towards her, which soon procured her pardon, and directed all his anger against another.

### APPENDIX III

(Jane Austen, *Pride and Prejudice*, Ch. 32 (pp. 211-213))

He seemed astonished too on finding her alone, and apologised for his intrusion, by letting her know that he had understood all the ladies to be within.

They then sat down, and when her enquiries after Rosings were made, seemed in danger of sinking into total silence. It was absolutely necessary, therefore, to think of something, and in this emergence recollecting *when* she had seen him last in Hertfordshire, and feeling curious to know what he would say on the subject of their hasty departure, she observed,

10        'How very suddenly you all quitted Netherfield last November, Mr Darcy! It must have been a most agreeable surprise to Mr Bingley to see you all after him so soon; for, if I recollect right, he went but the day before. He and his sisters were well, I hope, when you left London.'

      'Perfectly so – I thank you.'

      She found that she was to receive no other answer – and, after a short pause, added,

      'I think I have understood that Mr Bingley has not much idea of ever returning to Netherfield again?'

      'I have never heard him say so; but it is probable that he may spend very little of his time there in future. He has many friends, and he is at a time of life when friends and engagements are continually increasing.'

20        'If he means to be but little at Netherfield, it would be better for the neighbourhood that he should give up the place entirely, for then we might get a settled family there. But perhaps Mr Bingley did not take the house so much for the convenience of the neighbourhood as for his own, and we must expect him to keep or quit it on the same principle.'

      'I should not be surprised,' said Darcy, 'if he were to give it up, as soon as any eligible purchase offers.'

      Elizabeth made no answer. She was afraid of talking longer of his friend; and, having nothing else to say, was now determined to leave the trouble of finding a subject to him.

30        He took the hint, and soon began with, 'This seems a very comfortable house. Lady Catherine, I believe, did a great deal to it when Mr Collins first came to Hunsford.'

'I believe she did – and I am sure she could not have bestowed her kindness on a more grateful object.'

'Mr Collins appears very fortunate in his choice of a wife.'

'Yes, indeed; his friends may well rejoice in his having met with one of the very few sensible women who would have accepted him, or have made him happy if they had. My friend has an excellent understanding – though I am not certain that I consider her marrying Mr Collins as the wisest thing she ever did. She seems perfectly  
40 happy, however, and in a prudential light, it is certainly a very good match for her.'

'It must be very agreeable to her to be settled within so easy a distance of her own family and friends.'

'An easy distance do you call it? It is nearly fifty miles.'

'And what is fifty miles of good road? Little more than half a day's journey. Yes, I call it a *very* easy distance.'

'I should never have considered the distance as one of the *advantages* of the match,' cried Elizabeth. 'I should never have said Mrs Collins was settled *near* her family.'

'It is a proof of your own attachment to Hertfordshire. Any thing beyond the very  
50 neighbourhood of Longbourn, I suppose, would appear far.'

As he spoke there was a sort of smile, which Elizabeth fancied she understood; he must be supposing her to be thinking of Jane and Netherfield, and she blushed as she answered,

'I do not mean to say that a woman may not be settled too near her family. The far and the near must be relative, and depend on many varying circumstances. Where there is fortune to make the expence of travelling unimportant, distance becomes no evil. But that is not the case *here*. Mr and Mrs Collins have a comfortable income, but not such a one as will allow of frequent journeys – and I am persuaded my friend would not call herself *near* her family under less than *half* the present distance.'

60 Mr Darcy drew his chair a little towards her, and said, '*You* cannot have a right to such very strong local attachment. *You* cannot have been always at Longbourn.'

Elizabeth looked surprised. The gentleman experienced some change of feeling; he drew back his chair, took a newspaper from the table, and, glancing over it, said, in a colder voice,

'Are you pleased with Kent?'

A short dialogue on the subject of the country ensued, on either side calm and concise – and soon put an end to by the entrance of Charlotte and her sister, just returned from their walk. The tête à tête surprised them. Mr Darcy related the mistake which had occasioned his intruding on Miss Bennet, and after sitting a few minutes  
70 longer without saying much to any body, went away.

'What can be the meaning of this!' said Charlotte, as soon as he was gone. 'My dear Eliza he must be in love with you, or he would never have called on us in this familiar way.'

But when Elizabeth told of his silence, it did not seem very likely, even to Charlotte's wishes, to be the case; and after various conjectures, they could at last only suppose his visit to proceed from the difficulty of finding any thing to do, which was the more probable from the time of year.

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