

See- I saw: Epistemic justification as justification of the witness

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This paper makes a small but significant contribution to a more extensive research on identity construction of Jamaican Creole-speaking resident witnesses in a predominantly English-speaking truth commission that follows a deadly joint military operation in the witnesses' community. The research uses ethnographic tools to unearth key components of the complex communicative context to guide the analysis and situate it in the conceptual framework of intersubjectivity.

Within courtroom discourse, witnesses' institutional role is solely to relate their story as valid (Coulthard & Johnson, 2007); otherwise their institutional identity loses credibility. Therefore, as witnesses transmit the external reality of the experiential space unto the articulatory space of the courtroom reality, any evaluation of information source and indication of commitment are doing identity work. This raises the question explored in this paper: how do evidential and epistemic strategies negotiate resident witnesses' identity in the discourse space?

The data comprise approximately 12 hours of video-recorded interviews of only the first six resident witnesses. The analysis reveals a co-constructed conceptual hierarchy of evidential values in which visibility is given primacy, and witnesses' institutional and other levels of identity are negotiated. For instance, when it was put to resident witness, Palmer, that there were men in the community firing guns, his response was that he cannot agree because he never saw. Though challenged by counsel, this stance was substantiated when Palmer reassigns the proposed evidential value, by introducing his physical and perceptual distance from the external reality in the experiential space, to preserve both his social and institutional identities.

Later, when challenging Kishonna's assertion that soldiers shot and killed her stepfather, cross-examining counsel challenged her visual access, thus reducing her evidence to an inferential value. According to Nuyts (2017), experienced markers, such as *seeing*, connotes high reliability. However, inferences are not automatically evaluated as highly reliable. As such, some inferential forms are strong, like English 'clearly', denoting an inherent high reliability. A multimodal analysis reveals how Kishonna uses gestures similarly. In response to counsel's proposition, Kishonna positions herself within the experiential space, removing any proposed physical and temporal distance from the external reality. Consequentially, in the intersubjective space of the courtroom reality, this would shift her evidence from counsel's proposed indirect evidential categorization (Plungian, 2001). Kishonna then affirms what she saw, using a referential gesture as epistemic justification to reassign the evidential value as higher-order, experiential.

Kishonna repeatedly transmits this external reality using the same bimodal channel, as an identity presentation mechanism. According to Bucholtz and Hall (2005), one of the ways in which identity is intersubjectively constructed is through the relationality principle of authentication. Kishonna authenticates her narrative, shifting its value to experiential, by gesturally providing visibility as evidence. The paper reiterates the primacy of sight in validating witnesses' institutional identity and shows how gesture's immediacy characteristic and repetition invoke cognitive processing in the intersubjective space to shift evidential values. This in turn can frame witnesses' interactional identity as credible and their narrative as valid.

References

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