Impression Management in the Early Modern English Courtroom

Dawn Archer
Manchester Metropolitan University

This paper draws upon three texts from the trial section of the *Corpus of English Dialogues*, in order to explore the tactical impression management strategies used by Early Modern English courtroom participants (defendants, judges, lawyers and witnesses). I will demonstrate that modern impression management strategies (identified with other activity types in mind) are in evidence in the texts, as are additional courtroom-specific strategies. I discuss the nuances of these impression management tactics, in light of (a) the obvious power differences between the participants involved, (b) the need to be perceived as credible in this legal setting, and (c) their convergence with particular types of face(work).

Keywords: courtroom strategies, credibility, face(work), impression management, self-presentation, seventeenth century

1. Introduction

Impression management (henceforth IM) equates to the strategic management of behaviour (and, potentially, appearance) in order to influence the perceptions of others (Goffman 1959). It might be tactically defensive, thereby involving excuse-making, disclaimers, etc., or tactically assertive, thereby involving ingratiation, intimidation, self-promotion, etc. (Tedeshi and Melburg 1984). Such behaviour has been investigated in detail in modern settings: for example, employee-supervisor scenarios (Schlenker 1980; Eder and Fodor 2013), interview scenarios (Delery and Kacmar 1998; Ellis et al. 2002) and political scenarios (Sieber 2007). However, there are virtually no studies exploring IM tactics in historical settings to this author's knowledge (see, e.g., Archer 2017). This paper thus draws upon the trial section of the *Corpus of English Dialogues*

(CED) to investigate IM, linguistically, in what was a highly conflictive setting. I begin by summarising the three trials I draw upon (section 2). I then go on to provide detailed accounts of defensive IM tactics (section 3.1), assertive IM tactics (section 3.2), and the trial participants' use of these IM tactics in the historical courtroom (sections 4.1–4.3).

One reason the CED trials are so useful, when it comes to IM-focused investigations, is that tactical IM is largely achieved using linguistic features that can be discerned from such records: in particular, lexical content, linguistic style and/or (non-)adherence to politeness and conversational rules (Holtgraves 2013). A second motivating factor for using the CED trials is IM's links with credibility and face(work) in such contexts. I will explore these convergences at various points in this paper (sections 3.1–5). Suffice it to say, credibility equates to a communicator's *believability* (O'Keefe 2002: 181). Defendants in the historical courtroom had a compelling reason to be believed: staying alive. In such situations, face maintenance thus equated to their maintaining "credibility in the eyes of others" (Gass and Seiter 2015: 90). Face, in this sense, relates to "a dynamically-negotiated image of self" (Archer 2017: X), that is, the *line* an individual claims based upon what others seem to be assuming about him/her (Goffman 1967: 5). Because it is shaped by interlocutors, in this way, it can be withdrawn as readily as it is given. Facework, then, relates to "the actions taken by a person to make what [s/]he is doing consistent with face" (Goffman, ibid.), from his/her perspective. This might involve face enhancement, as part of face maintenance, and/or deliberate face damage (especially given the conflictive setting).

2. The CED Trials used in this study

Rather than focusing on trial texts representative of the CED's full 200-year period (1560–1760), this paper undertakes a detailed investigation of three extracts taken from the treason trials of Dr John Hewet (1658), Edward Coleman (1678) and Mrs Elizabeth Cellier (1680).

- Hewet had been a chaplain to Charles I, prior to the King's execution, and remained openly supportive of Charles' exiled son following his death, with the result that he was brought to trial on treason charges (alongside Henry Slingsby and John Mordant). The three men refused to plead, and claimed the right to trial by jury. Mordant was acquitted on a technicality. Hewet and Slingsby were found guilty, and put to death.
- Coleman was an English Catholic courtier, under Charles II. He was accused of being involved in a plot against the King. His relationship with the French

Court rendered Coleman vulnerable to the attack, even though this "Popish Plot" was pure fiction. Coleman was found guilty, and put to death.

- Cellier (a midwife) acted as a charity-channel for many leading Catholic leaders of the period. This included providing charity from Lady Powis to Thomas Dangerfield, a man who went on to accuse her of being involved in the Meal-Tub plot against the future James II (and, in particular, of only helping him on condition that he assassinate the latter). Cellier was acquitted, however, when Dangerfield was found to lack credibility as a witness. Dangerfield was then arrested for an unrelated felony.

Treason is a serious offence, which threatens the security of the state. During our period, the trials themselves and/or the resulting executions could therefore be heavily propagandist: the aim being to dissuade would-be dissidents or transgressors from continuing on a similar path. Defendants, in such cases, were often framed so that they lacked credibility "in the eyes of others" (cf. Gass and Seiter 2015: 90), regardless of whether they were innocent or guilty. Forthcoming discussions of credibility, or lack of, therefore relate to *believability*, namely, what others perceived to be (and thus accepted as) factual accuracy, or rejected as fabrication.

3. Tactical IM strategies, and their links with face(work)

Sections 3.1 and 3.2 (following) outline defensive and assertive IM strategies (respectively), and also make clear how these IM strategies generally link to face(work). The applicability of specific IM tactics, and their convergence with particular types of face(work) in the seventeenth century English courtroom, is then explored in detail in sections 4–5.

3.1 An outline of defensive IM strategies

Defensive IM is mainly associated with "corrective facework" (Guerrero et al. 2010) or "remedial work" (Goffman 1971). Where the influence process is upwards – as in, for example, employee to supervisor interactions – common strategies include making *excuses*, providing *justifications* and/or offering "plausible" *reasons* (Schlenker 1980). As Ellis et al. (2002) note, these IM tactics enable an employee to save face, by limiting the loss of positive self-image to some extent and/or by bolstering (self-)image when they feel it under threat in some way. For instance, excuses provide the employee with a means of claiming no (personal) involvement in and/or responsibility for a negative outcome (DuBrin 2010), thereby helping them to maintain their positive self-face or "want" to be approved of (Brown and Levinson 1987). Justifications provide

employees (as well as others) with the means of accepting some responsibility for X, thereby triggering postive self-face issues. However, they also include a re-frame, which serves to diminish and even trivialise aspects that are particularly negative (Holland et al. 2002). They might invite superiors/significant others to consider X from a perspective that is (more) favourable to the justifier, for example (Guerrero et al. 2010: 44). They can also be used to re-frame a negative action as legitimate, because of serving a higher good (as when the ends are argued to justify the means). Justifications can be used by superiors (such as supervisors) too: in an attempt to "desensitize the employee to any forthcoming bad news" (Eder and Fodor 2013: 328), for example. Accounts that seek to explain or provide reasons for social transgressions (of the type, "What I meant was ....") share some similiaries with justifications, but seem to be less self-serving. They are thus recognised to "have the potential to remediate social predicaments", whilst nonetheless helping "individuals [to] present themselves in a more favourable light" (Graham and Taylor 2014: 105).

In contrast to reasons and justifications, *disclaimers* are used in an attempt to disavow responsibility altogether: thereby protecting the individual's postive self-image (in preference to any face needs of the other). *Avoidance* tactics also deny responsibility: usually, via distancing. This can include pretending X "never happened or otherwise ignor[ing] its occurrence" (Guerrero et al. 2010: 45). Another form of denial, which may be particularly pertinent to this study, is that of claiming one's *innocence*, by denying involvement in the situation (Crane and Crane 2002).

Our seventh IM strategy, a*pologies*, has been discussed at length in the facework literature. In essence, they seek to restore the recipient's negative face, following a transgression (Brown and Levinson 1987). However, the very acknowledgement that a transgression has taken place will impinge upon the apologizer's own positive face (ibid: 187). That face damage can be intensified, further, if the apologizer's actions are deemed insincere and/or are not accepted. This may explain why apologies can express an individual's level of remorse or regret, without necessarily indicating responsibility for X and/or acknowledging the need for some sort of restitution/corrective action (DuBrin 2010). Schlenker and Weigold (1992: 162) maintain, nonetheless, that "admissions of responsibility ... for undesirable events" can have their own self-presentation benefits: for example, signalling a positive moral trait in line with an expected social or cultural norm. Apologies for misdeeds, which contain acknowledgements of responsibility, are also "more likely to evoke forgiveness (rather than anger) from the offended person than are individuals who deny wrongdoing" (Graham and Taylor 2014: 105).

Guerrero et al. (2010) also categorise certain forms of *aggression* and *humour* as "corrective facework". Humour serves "corrective" purposes when the aim is to "to show poise", "come across as competent" or signal magnanimity by overlooking (small) FTAs, etc. (ibid: 45). Aggression – be it verbal and/or physical – is a (self) face-saving behaviour, when triggered by an individual's perception that they have been intentionally attacked. Felton (2012) provides the example of aggressive outbursts as a response to slurs (and other negative framing devices). Aggression has a corrective facework function when also used in response to embarrassment and/or when triggered by perceptions of a norm violation (Guerrero et al. 2010).

3.2 An outline of assertive IM strategies

Humour and aggression can be used for assertive (as well as defensive) IM purposes. Both have been shown to be effective *intimidation* strategies, for example. Aggression is particularly effective in situations where fear is used in an attempt to control the actions of others: typical examples being bullying and making threats (Koslowsky and Pindek 2011: 284). Humour has proven to be an effective vehicle, in addition, "for conveying ambitions, subversions [and] triumphs" (Grugulis 2002: 287).

Unlike defensive IM strategies, assertive IM strategies tend to be promotional behaviours, be they negative (e.g., intimidation) or positive (e.g., boasting). Boasting is a form of *self-promotion*, whereby an individual promotes their own strengths/qualities/characteristics in order to accentuate or "prove" their competency. Individuals engage in a special type of boasting, *exemplification*, when they portray their moral worthiness. For example, they might emphasize their sincerity, or their responsibility towards/dedication to Y in ways that are "above and beyond the call of duty" (DuBrin 2010: 42). They might even "seiz[e] the high moral ground" in ways that call attention to their integrity (Sheridan 2016: 139). Other types of self-promotion include:

- *achievements*, which involve an individual declaring their successful performance, when it comes to X,
- *entitlements*, which involve them exaggerating responsibility for positive life experiences, and
- *enhancements*, whereby an individual gives an event pronounced value or significance in order to boost its importance (Delery and Kacmar 1998).

Supplication is the antithesis of self-promotion in that individuals present themselves as "needy". They might emphasise their faults, limitations or pains, for example. Very often, the aim is to gain sympathy (DuBrin 2010: 42).

Our final IM tactic is that of *ingratiation*. An individual engages in ingratiation in order to gain acceptance (through, e.g., getting people to like or need them). Many researchers have argued that ingratiation tends to occur when the individual has an ulterior motive and/or when the *other* has discretionary power, such that they can administer rewards/benefits and punishments/costs (see, e.g., Berscheld and Regan 2016). It therefore involves attempts to increase *self's* personal attractiveness and/or *other's* need for *self's* skillsets, and sometimes *self* feigning attraction to *other*. Well-documented tactics include (i) opinion conformity, (ii) other face enhancement, and/or (iii) self-enhancement through selective self-presentation (Jones 1964). An individual achieves (i) when they voice opinions, beliefs or values that are thought to match the interlocutor's (Ralston and Elsass 2013). (ii) equates to an individual praising or flattering their interlocutor(s), that is, engaging in other face-enhancement, in order to raise their self-esteem (Ellis et al. 2002). Examples of (iii) include an individual "advertis[ing] his or her strengths, virtues, and admirable qualities" in order to create "a positive public identity" suited to their purposes at that time (DeLamater et al. 2014: 154).

4. IM Strategies in the CED Trial texts

IM strategies, as outlined in sections 3.1 and 3.2, tend to be used when individuals want to create a certain image for themselves. Defensive IM strategies especially can be fraught with risk, however. An individual engaging in such strategies may do so as a means of saving face whilst portraying a more positive self-image, for example. If they are being defensive about work-related matters, they nonetheless risk appearing incompetent (Koslowsky and Pindek 2011: 284). If their defensive strategies relate to alleged criminal activities, they risk even more (including appearing deceitful).

4.1 Hewet, Lord President and Prideaux

The following extract is taken from Hewet's trial (alongside Mordant and Slingsby).

(1)

L. Presid. *Dr. H.* The Court hath had much patience in hearing of you thus long, you having not so much as owned their Authority; if you will not own us, we will own you; therefore I require the Clerk to enter it, that we have required you to plead.

Mr. Phelps Cl *John Hewet*, you here stand charged of High Treason against his Highness the Lord Protector, and the Common-wealth; the charge hath been read to you, the Court have demanded whether guilty or not guilty, they again demand of you whether guilty or not guilty.

D. H. My Lord, I shall be very loth to do any thing to save my life, and forfeit a good conscience: And I shall not for my private interest give up the Privileges of those that are equal Freemen with my self: I am look'd upon in a double Capacity, as a Clergy man, and as a Common-wealths-man; I should be very loth to be scandalous in either; And pray be pleased to do that justice to your selves as to vindicate the legality of your Judicature, and then I'le proceed.

Mr. At. G. My Lord, you was pleased to tell the Doctor, that you will own him when he doth not own you, but, my Lord, his flying in your faces, and taxing you this is not to be endured; I wish he would have that consideration of himself, that if he doth not own your Authority, you expect to be owned, and by it he will be supposed to be guilty of all those Crimes that are laid to his charge, and by not pleading he doth confess them; that will be a high scandal to Mr. Doctor; Therefore to vindicate your self, I desire you to answer.

Dr. H. This learned Gent. hath urged it with a great deal of civility and respect to me, which I must own and thankfully acknowledge; but (my Lord) withal, I dare not for the saving of my self give up others, so many thousands of others, by my Precedent, that might likewise be involved in the same condition that I am in; therefore (my Lord) let it appear that it is a lawful Judicature, and I have done.

Mr. At. G. I beseech Mr. Doctor to consider his case, he is not brought as a Champion for the people of *England*, as he stands charged he appears to you to be contrary affected; I humbly beg that he would be pleased to plead, that so his innocency may be clear'd.

Dr. H. My Lord, I said before that I am no Lawyer, I understand nothing of it, neither desire to be Judge in my own cause; but I do not desire likewise to be judged by every person that would sit to judge me, neither would I give up that right that belongs to an English man to every one that demands it, therefore I desire you to grant this Petition, that you will make appear that you are a lawful Judicature. I would rather die ten thousand times then I will be guilty of giving up my fellow-freemens liberties and priviledges.

(Trial of Slingsby, Hewet and Mordant, 1658)

The Lord President initially used an **exemplification** tactic, in the first turn of this extract, to signal that the Court had gone "above and beyond" in their

responsibility towards Hewet. Notice, however, that it was a preamble to a complaint: that the *patience* shown *in hearing* Hewet this long had not been reciprocated by him (in the form of Hewet entering a plea). Hewet's *having not so much as owned their Authority* can thus be understood as a perceived face threat to both the Court's "want" to be recognised as an *Authority* (cf. positive face) and their "want" to be free to act, in accordance with that *Authority* (cf. negative face). The Lord President used an **intimidation** tactic at this point: *if you will not own us, we will own you*. The conditional clause alluded to the Court's weariness in respect to the enforced delay (because of no plea being entered). Two requires (Archer 2005) followed. They were designed to make explicit the Court's right to impose its will upon Hewet,[1] but they also served to underscore the ongoing power struggle between Hewet and the Court.

Instead of entering a plea to the charge of High Treason, as required, Hewet attempted to "seiz[e] the high moral ground" (Sheridan 2016: 130) by (i) **exemplifying** himself as a defender of the rights of *Freemen*, and (ii) emphasising the importance of maintaining a *good conscience* (given his *Clergy man* and *Common-wealths-man* status). Although Hewet lacked the institutional power to do so, he then directed his own require to the Court: *pray be pleased to…vindicate the legality of your Judicature* (cf. Archer 2005). If Hewet was claiming he was not responsible for the impasse, as a way of showing himself in a more favourable light, it was fraught with risk (cf. **excuses** and **justifications**, discussed in 3.1). For any reframe legitimating Hewet's own actions rendered the Court's actions unlawful (in some way), thereby offending their professional face (Charles 1996).

The Attorney General, Edmund Prideaux, was the next person to speak. His address to the Court amounted to a third-person criticism of the *Doctor*, for his obstinacy (in *flying in* the *faces* of the Court). His tactics included (i) reiterating the Lord President's conditional warning that, if Hewet did not own their Authority, the Court would expect to be owned, and (ii) making clear that *by not pleading*, Hewet was effectively confessing to the *Crimes that* were *laid to his* charge. Prideaux then went on to direct a second-person desire to Hewet that he answer. As Archer (2005: 339) notes, desires function like requests, but also "have a strength of feeling" indicative of "strong intention or aim". Hewet seemed to appreciate Prideaux's apparent concern for him, for his initial response was to engage in **other face enhancement** (i.e., a form of **ingratiation**). His acknowledgement of Prideaux' civil treatment of him up to this point was not followed by opinion conformity (as we might expect, given

[1] Requires presuppose that the Speaker (S) and the Hearer (H) are in an asymmetrical relationship, and thus that S has sufficient authority to cause H to do what S expects (see Archer 2005: 270, 339).

his predicament), however. Instead, Hewet used the **self-promotion** tactic of **enhancement** as a means of giving his own court case pronounced value or significance. The aim was to boost its importance (Delery and Kacmar 1998): hence his (re-)assertion to be forgoing his own safety on behalf of *so many thousands of others*.

Individuals seek "to control how others perceive them" in (most) modern settings so that they might minimise punishments and maximise rewards (Leary and Kowalski 1990: 37). This was not true of Hewet. Instead, he constructed a public image that sought to render him *Champion for the people of England* (to use the Attorney General's words). Prideaux' purpose in assigning this image to Hewet was so that he might explicitly reject any notion that Hewet was *brought* to the Court in order to speak for freemen as a whole, of course. Prideaux was nonetheless prepared to once again implore Hewet to be "owned" by the Court, *so his innocency may be clear'd*. In response, Hewet drew (once more) upon **enhancement** and **exemplification** tactics to reiterate his criticism of the Court for acting beyond their remit, and to re-emphasise his cause was more important than his life. In fact, he framed himself as someone who would *die ten thousand times* before *giving up* [his] *fellow-freemens liberties and priviledges*. Hewet was executed on Tower Hill, near to the Tower of London, shortly thereafter.

4.2 Coleman and Scroggs

Extract (2) comes from Edward Coleman's trial.

(2)

Pris. I hope my Lord if there be any Point of Law, that I am not skill'd in, that your Lordship will be pleased not to take the advantage over me. Another thing seems most dreadful, that is, the violent prejudices that seem to be against every man in England, that is confess'd to be a Roman Catholick. It is possible that a Roman Catholick may be very innocent of these crimes. If one of those Innocent Roman Catholicks should come to this Bar, he lies under such disadvantages already, and his Prejudices so greatly byasseth humane Nature, that unless your Lordship will lean extremely much on the other side, Justice will hardly stand upright, and lie upon a Level. But to satisfie your Lordship, I do not think it any service to destroy any of the Kings Subjects, unless it be in a very plain case.

L.C.J. You need not make any preparations for us in this matter, you shall have a fair, just, and legal Trial; if Condemned, it will be apparent you ought to be so; and without a fair Proof, there shall be no Condemnation. Therefore you shall find, we will not do to you, as you do to us, blow up at adventure, kill people because they are not of your perswasion; our Religion teacheth us another Doctrine, and you shall find it clearly to your advantage. We seek no mans blood, but our own safety. But you are brought here from the necessity of

things, which your selves have made; and from your own actions you shall be condemned, or acquitted.

Pris. It is supposed upon Evidence, that the Examinations that have been of me in Prison, are like to be Evidence against me now; I have nothing to say against it: But give me leave to say at this time, that when I was in Prison, I was upon my ingenuity charged; I promised I would confess all I knew. And I onely say this, That what I said in Prison is true, and am ready at any time to Swear and Evidence, that that is all the truth.

L.C.J. It is all true that you say: but did you tell all that vvas true?

Pris. I know no more, than what I declared to the Two Houses.

L.C.J. Mr. *Coleman*, I'll tell you when you will be apt to gain credit in this matter: You say, that you told all things that you knew, the Truth, and the whole Truth. Can Mankind be persuaded, that you, that had this Negotiation in 74. and 75. left off just then, at that time vvhen your Letters vvere found according to their Dates? Do you believe, there vvas no Negotiation after 75. because vve have not found them? Have you spoke one vvord to that? Have you confessed, or produced those Papers and Weekly Intelligence? When you ansvver that, you may have credit; vvithout that, it is impossible: For I cannot give credit to one vvord you say, unless you give an account of the subsequent Negotiation.

(Treason Trial of Edward Coleman, 1678)

At first glance, Coleman's admittance of a weakness (i.e., a lack of *skill*), followed by his *hope* to the Court (that he be helped in *any Point of Law*, rather than taken advantage of) could be taken to be an example of the defensive tactic of **supplication** (Leary 1996). When such supplication strategies are used today, they are generally understood to signal (a level of) submissiveness on the part of the speaker (Conolly-Ahern and Herrerro 2008: 59). This is not true of Coleman: he went on to articulate a *dreadful* observation, in the very same turn, respecting *the violent prejudices that seem to be against everyman in England, that...confess'd to be a Roman Catholick*. This face-attacking accusation served as a premise for also claiming that Roman Catholics were *under* the *disadvantage* of being believed guilty even when they were innocent, and thus that *Justice* would *hardly stand upright* (i.e., prevail) for them. Coleman's third-person **exemplification** of the morality of innocent Roman Catholics thus equated to an indirect form of self-defence. That is to say, Coleman was aligning himself with – so that he might be recognised as – one of the (worthy) innocents outdone by religious prejudice. This fits with what we know in respect to the Popish Plot being fictitious, having been made up by Coleman's main accuser (Titus Oates), and with the English justice system having "a ROMAN-CATHOLIC-EQUALLED-TRAITOR reality paradigm" (Archer 2014: 5) at this time.

The belief that Roman Catholics were always guilty was not immediately evident in the Lord Chief Justice's response. Indeed, Scroggs first assured

Coleman that he would *have a fair, just and legal Trial.* This potentially face-saving clarification was quickly followed by an **intimidation** tactic, however. Simply put, Scroggs made clear (to Coleman) the consequences he would face if he were to push too far (cf. DuBrin 2010: 43). The intimidation was veiled somewhat in **exemplification** though, so that the Court was presented as acting with integrity, and in accordance with a higher morality occasioned by the Court's own Religious *perswasion* (cf. Sheridan, 2016: 139). It was this higher morality that was meant to assure Coleman the Court would *not do to* him what his kind had done to their kind, namely, *blow up at adventure,* and *kill people because they* were of a diferent *perswasion*. Scroggs' representational frame (Locher and Watts 2008) effectively attributed negative moral traits (Harré and Moghaddam 2003: 6) to both Coleman and Roman Catholocism, thereby creating credibility issues for both.

Coleman engaged in **self-promotion** at this point, as a means of emphasizing he was speaking the truth, and knew no more. Hence his explanation that he had *promised* he *would confess all* he *knew*, when *in Prison*, and that he had done so: thereby presenting himself as a man of his word. Scroggs' assessment – *It is all true that you say: but did you tell all that vvas true?* – insinuated that Coleman was only admitting to what the Court had already established previously (namely, that he had had some correspondence with the French). In so doing, Scroggs was effectively countering Coleman's **self-presentation** as "truthful" with an opposing **other-presentation** of Coleman as only being prepared to admit to what was already known. This therefore provides us with evidence of the guilt bias mentioned above, as does the remaining adjacency pair between the two. Coleman stated that he knew *no more than* he had already *declared to the Two Houses.* Scroggs appeared to hear this as a violation of the Quality and Quantity maxims (Grice, 1975). Hence his query to Coleman as to whether he had told *the whole Truth* and his summary (following a series of pointed questions) that he would not be able to *give credit to one vvord* that Coleman had said, *unless* he *give* him *an account of ... Negotiations*, which had followed the *Negotiation in 74.* In spite of Coleman's insistence there was no more to tell (beyond that already established by the Court, through the correspondence they found), Scroggs stuck to his belief that Coleman was able to confess to more, but was unwilling to do so. Coleman was thus found guilty, and was hanged, drawn and quartered on 3rd December 1678. He maintained his innocence until the very end.

4.3 Dangerfield, Scroggs and Cellier

Extract (3) involves the same Lord Chief Justice as above – Scroggs. On this occasion, we are exploring his questioning of Thomas Dangerfield: the man

whose evidence led to Cellier being indicted for "intend[ing] the killing, death, and final destruction of...the King" (Greene 2011: 90). Earlier in her trial, Cellier had sought to convince Scroggs that Dangerfield could not act as a witness against her because of being a convicted felon. When Scroggs explained he had been pardoned (presumably because of providing evidence against her), she continued to argue "Dangerfield was not a lawful witness because the wording of his royal pardon" (Loveman 2006: 115) did not extend to all of the crimes for which he was convicted. Dangerfield's response to Cellier's claims, when asked, was to state he would *take it at* her *Proof.* Cellier went on to present "the records of Dangerfield's convictions adding that, to save time, she had brought '*but Thirteen*' of them" (ibid, author's emphasis). Dangerfield was ordered to produce a copy of his pardon and, on doing so some thirty minutes later, it was found that it had indeed "omitted the Latin phrase, *pro Felloniis*, for fellonies, which Omission had made the Pardon defective" (Greene 2011: 91). At this point, Scroggs addressed both Dangerfield and also the Court more widely.

(3)

L.C.J. Such Fellows as you are, Sirrah, shall know we are not afraid of you.
He produces us here a Pardon by the Name of *Thomas Dangerfield* of *Waltham*, and says, his Father and Kinsman are both of that Name and Place. VVill you have him Sworn whether his Father or Cozen *Thomas* was ever convicted of Felony. It is notorious enough what a Fellow this is, he was in *Chelmsford Gaol*. I will shake all such Fellows before I have done with them.
Have you any more to say?
Are there any *Waltham Men* here?

Dan. My Lord, this is enough to discourage a man from ever entring into an honest Principle.

L.C.J. What? Do you with all the mischief that Hell hath in you think to brave it in a Court of Justice? I wonder at your Impudence, that you dare look a Court of Justice in the Face, after having been made appear so notorious a Villain.

Jones. Indeed, if he be the same Man, he is not fit for a *Witness*.

L.C.J. And that he is the same Man is very notorious.
Come Mrs. *Celliers*, What have you more to say?

Mrs. C. Enough, my Lord.

L.C.J. You have said enough already.
Come Gentlemen of the Jury, this is a plain Case, here is but one Witness in a Case of Treason, and that not direct, therefore lay your heads together.

(Treason Trial of Elizabeth Cellier, 1680)

Scroggs' initial address to Dangerfield contained an expression of contempt: *sirrah*.[2] It was part of a depiction of Dangerfield, which framed him as intimidator, thereby seemingly justifying the **intimidation** that Dangerfield would soon *know* (given the Court were *not afraid of...such Fellows*). Scroggs' deprecation of Dangerfield remained evident as he went on to address the Court. He described him as a *notorious…Fellow* who had frequented *Chelmsford Gaol*, for example, and once again drew upon **intimidation** tactics, in promising he would *shake…such Fellows* as him *before* he was *done*.

Dangerfield was then addressed directly once again by Scroggs. His question, *Have you any more to say*, provided the witness with a much-needed opportunity to engage in some form of image restoration. Dangerfield opted to flout the Relevance maxim (Grice 1975) to implicate that the Court was hampering his attempts to reform. The deflection tactic was ill thought-through, in credibility terms, as Dangerfield effectively aligned himself with criminality, via his use of *ever entering into an honest Principle*. The face damage it inflicted on the Court also infuriated Scroggs, who engaged in what we might label image obliteration at this point (contra Benoit 1997). His tirade emphasized Dangerfield's depravity (given *all the mischief of Hell in* him), *Impudence* (in braving *it in a Court of Justice /* daring to *look a Court of Justice in the Face*), and villainous notoriety. The tirade led Jones to query Dangerfield's reliability as a witness. In response, Scroggs again emphasized Dangerfield's notoriety, before asking the defendant if she had *more to say*. Cellier flouted the Quantity maxim (Grice 1975) to implicate she could say much more. Scroggs seemed to have heard enough though. He signalled to the Jury that this was *a plain Case*, with one possible outcome only, following which Cellier was acquitted, and Dangerfield was arraigned.

5. IM and facework in the historical courtroom: a summary

The IM literature focuses upon both assertive and defensive tactics when explaining the use of IM in modern contexts (Schlenker 1980; Tedeshi and Melburg 1984; Delery and Kacmar 1998; Ellis et al. 2002; Sieber 2007; Eder and Fodor 2013). Some of these IM tactics have been shown to be evident in the three CED trial extracts discussed in sections 4.1–4.3. The three Judges used **intimidation** in order to control the actions of the defendants or the witness, for example (cf. Koslowsky and Pindek 2011: 284). They may have resorted to such verbal aggression in response to a perceived threat to their own professional identity (cf. Charles 1996) and/or as a means of (re)building an external

[2] Although *sirrah* is thought to have been popular with the infamous Jeffries (see, e.g., Kryk-Kastovsky 2010), it was not regularly used in the CED trials as a whole.

impression of strength. Such "face-saving concerns" were likely to have been heightened for them, moreover, because of "the presence of an audience" (Donahue and Cai 2014: 31) in what were treason and, hence, propagandist trials (see section 2).

The IM literature relating to modern contexts suggests that those who lack power will tend to engage in more IM than those with power: in particular, **ingratiation** (see, e.g., Schlenker 1980). This is because **ingratiation** provides a means of gaining acceptance from (as a means of influencing) those who administer rewards/benefits and punishments/costs (Berscheld and Regan 2016). One of our defendants, Hewet, engaged in a form of **ingratiation** (specifically, **other face enhancement**) to acknowledge the Attorney General's civil treatment of him, for example. However, this particular IM tactic was not followed by opinion conformity, as we might expect. Instead, Hewet promoted a *Champion* of *Freemen* image, via **exemplification** (see 4.1). We might explain this, then, as a conflict between the Court's instrumental goal (i.e., getting Hewet to plead) and Hewet's **self-presentational** goal (i.e., fulfilling a higher purpose).

Coleman also used an IM tactic associated with those of lower power: **supplication**. As highlighted in section 4.2, the characteristic submissiveness, which tends to typify supplication in modern contexts, was lacking beyond his initial admittance of a lack of legal skill. As before, conflicting goals help us to account for this. Coleman had a **self-presentation** goal that was in direct opposition with the **other-presentation** assigned to him by the Judge, William Scroggs. This was because of the latter's guilt bias, which meant that Coleman was judged to be lying about his innocence (Archer 2014) in spite of his (increasingly desperate) attempts to convince the Court otherwise. Like Hewet, Coleman opted to use **exemplification**: in his case, to underscore the *dreadful*… *disadvantages* faced by Roman Catholics at this time. Like Hewet, the exemplification tactic proved unsuccessful. Scroggs was ultimately prepared to accept Cellier's innocence, of course (see 4.3), but only once Dangerfield had been shown to be an unreliable witness (due to his criminal activities).

My mention of perceived guilt or innocence provides us with two timely reminders with which to close. First, that facework was sometimes undertaken strategically for self-presentation and impression management purposes in the courtrooms of time past, as sections 4.1–4.3 reveal. Second, that there is a close relationship between IM, face(work) and credibility in such settings. In the Introduction, I explained that being credible "in the eyes of others" (Gass and Seiter 2015: 90) and maintaining one's face accordingly was crucial for defendants in particular. This explains the great efforts they would take to try to convince their Judges they were telling the truth (see 4.1, 4.2, and Archer 2005). As section 4.3 reveals, credibility could also become an issue for witnesses, when their "dynamically-negotiated image of self" (Archer 2017: X) was

deemed inappropriate and/or they did not do enough to restore a damaged image (Goffman 1967: 5).

Archer's (2005, 2014) work suggests that witnesses who sought to restore their image, once it had been damaged, could attack the face of those whose power was similar to their own. They needed to avoid any actions that might cause undue face damage to the Judges (or the Courts they represented), however, not least because being deemed disreputable or even aggressive seemed to trigger recurrent (and cumulative) face attack. The "face obliteration tactics" which ensue (as I have labelled them) have not been studied in any depth to date – in either historical or modern contexts. One reason for studying them, in the historical courtroom, would be to illuminate the relationship between IM and impoliteness in this legal setting: and how this affected credibility. Researchers might then determine whether face obliteration tactics occur in other conflictive settings too (modern and historical) and, if so, the extent to which they are shaped by and thus specific to the particular context and/or time period.

Acknowledgements

I would like to thank the guest editors of this Volume, Merja Kytö and Terry Walker, as well as the anonymous reviewers of this paper for their invaluable comments. Any remaining infelicities are mine.

Primary source

A Corpus of English Dialogues 1560–1760 (CED). 2006. Compiled under the supervision of Merja Kytö (Uppsala University) and Jonathan Culpeper (Lancaster University).

References

Archer, Dawn. 2005. *Historical Sociopragmatics: Questions and Answers in the English Courtroom (1640–1760)*. Amsterdam/Philadelphia: John Benjamins.

Archer, Dawn. 2014. "Tracing (and Tagging!) Language Features in the Historical English Courtroom." In *The Three Waves of Globalization: Winds of Change in Professional, Institutional and Academic Genres*, ed. by Franca Poppi, and Winnie Cheng, 2–22. Newcastle upon Tyne, UK: Cambridge Scholars Publishing.

Archer, Dawn. 2017. "Mapping Hansard Impression Management Strategies through Time and Space." *Studia Neophilologica* 89, Special Issue, Supp. 1, "Interfacing Individuality and Collaboration in English Language Research

World", ed. by Merja Kytö, Jeremy J. Smith and Irma Taavitsainen, XX–XX. Routledge (Taylor & Francis Group).

Archer, Dawn, and Bethan Malory. 2017. "Tracing Facework Strategies over Time Using Semi-automated Methods". *International Journal of Corpus Linguistics* 22(1): 27–56.

Benoit, William L. 1997. "Hugh Grant's Image Restoration Discourse: An actor Apologises". *Communication Quarterly* 45: 251–267.

Berscheld, Ellen S., and Pamela C. Regan. 2016. *The Psychology of Interpersonal Relationships.* London and New York: Routledge.

Brown, Penelope, and Stephen C. Levinson. 1987. *Politeness: Some Universals in Language Usage*. Cambridge: Cambridge University Press.

Charles, Mirjaliisa. 1996. "Business Negotiations: Interdependence between Discourse and the Business Relationship." *English for Specific Purposes* 15(1): 9–36.

Crane, Erin, and Frederick G. Crane. 2002. "Usage and Effectiveness of Impression Management Strategies in Organizational Settings." *Journal of Group Psychotherapy, Psychodrama and Sociometry* 55: 25–34.

DeLamater, John, Daniel Myer, and Jessica Collet. 2014. *Social Psychology*. Boulder, CO: Westview Press.

Delery, John, and Michele K. Kacmar. 1998. "The Influence of Applicant and Interviewer Characteristics on the Use of Impression Management." *Journal of Applied Social Psychology* 28: 1649–1669.

Donahue, William A., and Deborah A. Cai. 2014. "Interpersonal Conflict: An Overview". In *Managing Interpersonal Conflict: Advances through Meta-Analysis*, ed. by Nancy A. Burrell, Mike Allen, Barbara M. Gayle, and Raymond W. Preiss, 22–41. London and New York: Routledge.

DuBrin, Andrew J. 2010. *Impression Management in the Workplace: Research, Theory and Practice.* London and New York: Routledge.

Eder, Robert W., and Donald B. Fodor. 2013. "Impression Management: Its Interpretative Role in the Supervisor-Employee Feedback Process." In *Impession Management in the Organization*, ed. by Robert A. Giacalone, and Paul Rosenfeld, 327–340. Hillsdale, New Jersey: Lawrence Erlbaum associates, Inc., Publishers.

Ellis, Aleksander P.J., Bradly J. West, Anne Marie Ryan, and Richard P. DeShon. 2002. "The Use of Impression Management Tactics in Structured Interviews: A Function of Question Type?" *Journal of Applied Psychology* 87(6): 1200–1208.

Gass, Robert H., and John S. Seiter. 2015. *Persuasion: Social Influence and Compliance Gaining.* Fifth Edition. London and New York: Routledge.

Goffman, Erving. 1959. *The Presentation of Self in Everyday Life.* Garden City, NY: Anchor/Doubleday.

Goffman, Erving. 1967. *Interaction Ritual. Essays in Face-to-Face Behavior*. Chicago: Aldine.

Goffman, Erving. 1971. *Relations in Public.* New York: Harper & Row.

Graham, Sandra, and April Z. Taylor. 2014. *International Handbook of Emotions in Education*, ed. by Reinhard Pekrun, and Lisa Linnenbrink-Garcia, 96–119. London and New York: Routledge.

Greene, Jody. 2011. *The Trouble with Ownership: Literary Property and Authorial Liability in England, 1660–1730.* Philadelphia: University of Pennsylvania Press.

Grice, H. Paul. 1975. "Logic and Conversation." In *Syntax and Semantics 3: Speech Acts*, ed. by Peter Cole, and Jerry L. Morgan, 41–58. New York: Academic Press.

Grugulis, Irena. 2002. "Nothing Serious? Candidates' Use of Humour in Management Training." *Human Relations* 55(4): 387–406.

Guerrero, Laura K., Peter A. Anderson, and A. Afifi Walid. 2010. *Close Encounters: Communication in Relationships.* Third Edition. Los Angeles and London: Sage.

Harré, Rom, and Fathali M. Moghaddam. 2003. "Introduction: The Self and Others in Traditional Psychology and in Positioning Theory." In *The Self and Others: Positioning Individuals and Groups in Personal, Political and Cultural Contexts*, ed. by Rom Harré, and Fathali M. Moghaddam, 1–11. Westport, Connecticut/London: Greenwood Publishing Group.

Holland, Rob W., Ree Meertens, and Mark Van Vugt. 2002. "Dissonance on the Road: Self-esteem as a Moderator of Internal and External Self-justification Strategies". *Personality and Social Psychology Bulletin* 28(12): 1713–1724.

Holtgraves, Thomas M. 2013. *Language as Social Action: Social Psychology and Language Use.* New Jersey and London: Lawrence Erlbaum Associates.

Jones, Edward E. 1964. *Ingratiation*. New York: Appleton-Century-Crofts.

O'Keefe, Daniel. 2002. *Persuasion: Theory and Research*. Thousand Oaks, CA: Sage.

Koslowsky, Meni, and Shani Pindek. 2011. "Impression Management: Influencing Perceptions of Self." In *Theories in Social Psychology*, ed. by Derek Chadee, 280–296. Chichester: John Wiley & Sons.

Kryk-Kastovsky, Barbara. 2010. "Power in Early Modern English Courtroom Discourse." In *Discourses in Interaction*, ed. by Sanna-Kaisa Tanskanen, Marja-Liisa Helasvuo, and Marjut Johansson, 153–172. Amsterdam and Philadelphia: John Benjamins.

Leary, Mark R. 1996. *Self-presentation*. Boulder, CO: Westview Press.

Leary, Mark R., and Robin M. Kowalski. 1990. "Impression Management: A Literature Review and Two-component Model." *Psychological Bulletin* 107(1): 34–47.

Locher, Miriam A., and Richard J. Watts. 2008. "Relational Work and Impoliteness: Negotiating Norms of Linguistic Behaviour." In *Impoliteness in Language: Studies on Its Interplay with Power in Theory and Practice* [Language, Power and Social Process 21], ed. by Derek Bousfield, and Miriam A. Locher, 77–99. Berlin and New York: Mouton de Gruyter.

Loveman, Kate. 2006. "'Eminent cheats': Rogue Narratives in the Literature of the Exclusion Crisis." In *Fear, Exclusion and Revolution: Roger Morrice and Britain in the 1680s*, ed. By Jason McElligott, 108–122, Aldershot: Ashgate Publishing.

Ralston, David A., and Priscilla M. Elsass. 2013. "Ingratiation and Impression Management in the Organization." In *Impression Management in the Organization*, ed. by Robert A. Giacalone, and Paul Rosenfield, 235–250. Hillsdale, New Jersey: Lawrence Erlbaum Associates, Inc., Publishers.

Schlenker, Barry R. 1980. *Impression Management.* Monterey, CA: Brooks/Cole.

Schlenker, Barry R., and Micheal F. Weigold. 1992. "Interpersonal processes involving impression regulation and management". *Annual Review of Psychology* 43: 133-168.

Sheridan, Terry A. 2016. *Managerial Fraud: Executive Impression Management, Beyond Red Flags*. London and New York: Routledge.

Sieber, Irmgard. 2007. "Politicians' Self-presentational Tactics and Strategies Used on Television Talk Shows and Interviews." In *Cultures of Lying: Theories and Practice of Lying in Society, Literature and Film*, ed. by Jochen Mecke, 205–216. Berlin and Wisconsin: Galda & Wilch.

Tedeshi, James T., and Valerie Melburg. 1984. "Impression Management and Influence in the Organization." In *Research in the Sociology of Organizations*, ed. by Samuel B. Bacharach, and Edward J. Lawler, 31–58. Greenwich, CT: JAI.

Author's address
Manchester Metropolitan University
Department of Language, Information and Communication
Geoffrey Manton Building, Oxford Road
M15 6LL, Manchester, UK
d.archer@mmu.ac.uk

About the author

Dawn Archer is a Professor of Pragmatics and Corpus Linguistics at Manchester Metropolitan University. Her research interests include forensic linguistics as well as pragmatics (modern and historical) and corpus linguistics. In recent work, she has explored English politicians' facework for self-presentation and IM purposes, and thus the links between credibility, facework, IM and self-presentation in this setting (Archer and Malory 2017; Archer 2017).