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Abstract

### **Cross-cultural communication in Swedish courtroom**

The courtroom is designed to both optimize multi-party conversation and enable one person, the judge, to control who speaks and when. In the default situation, only one person speaks at the same time, turn-taking is conducted by the judge. However, in many cases today, in particular criminal cases, it is necessary to have an interpreter – i.e. if one of the parties or a witness does not speak the local language. In order to understand what happens to communication in the courtroom when an interpreter is present, we conducted field studies and interviewed 30 interpreters, judges and legal counsel, in Stockholm and Uppsala, in 2014-2015. It is evident that there are great differences in perception and understanding of the role of an interpreter among the different groups, but also inside each group. In particular, there are great differences among judges. In the interviews, the majority of judges confessed to, directly and indirectly, a lack of competence in evaluating and appreciating the performance of interpreters. Interpreters themselves testified that judges were more or less competent to use interpreters, but also that there were great difference between the competences of courthouses. Equally striking was that very few of the interviewed persons – interpreters, judges and legal counsel – found that cultural differences were a problem. The interpreters did not see themselves as cultural brokers; and judges did not think that cultural difference was of importance for communication and for evaluating actions and characters. It appeared in the interviews that culture – and cultural difference – was seen as a form of ‘noise’ that does not really affect human interaction and communication. In the paper we will present the result of the study and analyse some examples of how the importance of cultural difference was disregarded as irrelevant although possibly crucial understanding a testimony.

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