

A PRAGMATIC ANALYSIS OF IMPOLITENESS FORMS AND STRATEGIES IN

EKEGUSII ARBITRATION DISCOURSE

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**A RESEARCH THESIS SUBMITTED TO THE DEPARTMENT OF
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DECLARATION

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ABSTRACT

Politeness is a pragmatic concept that assumes mutually cooperative behavior considerateness for others and polished behavior in verbal interactions. Politeness guards against harming the hearer and speaker's self-esteem (face) during conversation. However, some speakers may intentionally attack the target's face by being impolite. The purpose of this study was to analyze the linguistic impoliteness forms and strategies employed in Ekegusii arbitration discourse as a cause of discontentment with the verdicts reached during arbitration. The objectives of this study were to analyze the impoliteness forms and strategies that Ekegusii interlocutors employ during arbitration discourse, establish how social power and social distance between interlocutors determines the impolite choices they make and determine the role of pragmatic features in the impolite linguistic choices made by interlocutors. The study adopted a descriptive research design and was guided by The Theory of Impoliteness by Jonathan Culpeper. Data was collected through tape recording of actual arbitration conversations and semi-structured oral interviews. The study population constituted the 10 arbitration sessions held. The sample population constituted the actual words and utterances spoken during arbitration conversations. 62 Utterances that communicated impoliteness were purposively sampled from the recorded data for analysis. The study was carried out in Bonchari Constituency in Kisii County in Kenya. Data was analyzed both qualitatively . The findings of this study revealed that most arbitrators attacked the face of those whose cases they arbitrated over. Impoliteness may lead to arbitration, The face attacks often led to discontentment with the verdicts rendered by the arbitrators. The findings of this study will contribute to research in pragmatics in the field of impoliteness and specifically in studying impoliteness in Ekegusii as one of the languages of the world consequently enriching research on etiquette and communicative competence. Findings of this study, if availed to arbitrators, may enlighten and even render them better users of language in arbitration.

DEDICATION

To my dear daughter Terry and sons, Griffins and Elnathan.

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I thank the almighty God for his grace throughout the journey of writing this thesis. This thesis wouldn't have seen the light of day without the patience and meticulous direction and consistent push from my two God sent supervisors; Prof. David Ongarora and Dr. Nyakoe Damaris. I will forever be indebted to them as not only my supervisors, but mentors throughout this journey. May God bless them abundantly.

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DEFINITIONS OF OPERATIONAL TERMS

Context: Interrelated conditions under which speech and other forms of Communication occur.

Face: The positive value a person effectively claims for himself by the line others assume he has taken during a particular contact.

Face attack: Intentional damage of one's face.

Face work: Verbal and non-verbal efforts people undertake to maintain face during conflict or challenge others' face.

Impoliteness: Inappropriate and negatively marked behavior, that is not in line with the conversational norms of a given linguistic group.

Politeness: A semiotic system that is responsible for shaping everyday interaction and in so shaping constitutes a potent form of social control.

Social Power: An individual's social status or relative authority.

Social distance: The level of familiarity between conversational partners

Arbitration: Alternative dispute resolution where a neutral person leads the conflicting parties resolve their conflict.

Strategy: Goal oriented conversation or manner of speech

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LIST OF ABBREVIATIONS

FTA - Face Threatening Act

ELDER I - First elder

WIT2 -Witness1

ELDER 2 -Second elder

PET3 -Land seller

ELDER 3 -Third elder

WIT2 - Witness 2

ELDER4 - Fourth elder

ACC4 – PET3’s Husband.

ACC1- Unfaithful Lady

WIT3- Brother to ACC2

PET1 - The Husband to ACC1

Chief - The Area Chief

ACC2 - Unfaithful Husband

PET2 - ACC2’s Wife

ACC3 - ACC1’s lover

CHAPTER 1

INTRODUCTION

1.0 Background to the study

This chapter presents the background to the study, the statement of the problem, the objectives of the study, the questions that the study sought to answer, scope and limitation of the study, the significance of the study and the theoretical framework guiding the study.

1.1 Ekegusii

Ekegusii is a Bantu language, with over two million speakers (Ethnologue 2016). In Kenya, homogeneous Ekegusii speakers are found in two counties namely Kisii and Nyamira. Ekegusii speakers are also settled in Molo and Eldoret among many towns in Kenya. The Abagusii who are speakers of Ekegusii are bordered by the Cushitic Maasai in the south and Nilotic Dholuo and Kipsigis to the West and east respectively. Bosire (1993) says that Ekegusii language has two varying dialects Ekerogoro and Ekemaate with fuzzy lexicophonological variations especially in the realization of the alveolar plosive [t]. However, there are no differences in their social organization and the two dialects are mutually intelligible. The findings of this study therefore, will not be affected by these variations. Like many Bantu communities Abagusii (Ekegusii speakers) are viewed as being culturally patriarchal (Maisiba 2015). Politeness is encoded in strict rules for avoiding sexual shame (Chinsoni) and rules governing respect (Ogosika). Bodily functions and sexual matters should not be uttered or insinuated between different generations or between men and women as that would amount to impoliteness. Despite this cultural underpinning that agitate for face protection, there are times when the good

show may not apply according to Maisiba (2015). The current study is geared towards exploring impoliteness in arbitration discourse in Ekegusii which is the poor cousin of politeness as Culpeper (2011) prefers to call it.

The choice of Ekegusii language for this study was inspired by the nativist perspectives that are put forward by Chomsky (1967, 1968), who observes that a member of society is the repository of cultural Knowledge and can easily tap the knowledge introspectively to validate, enrich and expedite the task of ethnographic description. The researcher as a native Ekegusii speaker had the nativist advantage although a researcher can study any language of the world native or non-native

Impoliteness is the use of language to cause offence (Culpeper 1996). In addition, Bousfield (2008) includes the hearer's perspective and defines impoliteness as language that causes offence on the hearer, and the hearer interprets it as offensive. Impoliteness is subsumed under the field of sociopragmatics and interpersonal pragmatics in particular (Locher & Graham 2010). According to Locher (2004), interpersonal pragmatics is the study of the ways in which social actors use language to form relationships in *situ*. Impoliteness entails use of language to hurt a conversation partner (Culpeper 2008). Participants of a conversation may resort to attacking one another's self-esteem (face), a situation that renders such verbal interactions less productive.

Discontentment with decisions reached during arbitration processes has not been an easy puzzle to unravel. However, as a starting point, this study sought to analyze language use during arbitration sessions. In particular, the current study focused on analyzing the impolite forms and strategies that interlocutors of Ekegusii arbitration discourse could be using that hampered the arbitration process. Given that interlocutors seeking arbitration

are already in conflict, impoliteness in such discourse may endanger reconciliation of such parties.

The researcher sought to find out the impoliteness forms and strategies employed in Ekegusii arbitration discourse that would be reason for discontentment with the decisions reached. Social power and social distance determine the politeness strategies employed in verbal exchanges (Brown and Levinson 1987). The study sought to investigate the role of social power and social distance between interlocutors on the impolite choices that they make in Ekegusii arbitration and the last concern of the study was to examine the role of pragmatic factors such as the speaker's age and gender as well as the Abagusii culture in the use of impolite language in Ekegusii arbitration discourse.

Arbitration as a means of dispute resolution, was always the first step in conflict resolution among the Abagusii before court processes could be explored (Nerlove 1969). Arbitration is geared towards creating social harmony away from the court processes. Impoliteness in arbitration discourse would not only cause aggression from those to whom it is directed, but also, divert focus from dispute resolution to emotion management. Impoliteness in public hearings can render the process less productive. Tracy (2008) observes that during public hearings, interlocutors are permitted to express outrage and criticism while protecting face simultaneously. Tracy (2008) advocates for reasonable hostility.

Arbitrators in Ekegusii arbitration included the area Chief and his council of elders. The decisions reached during arbitration sessions are usually binding as the arbitrators are recognized as community leaders. Arbitration has always been a part of the political

organization of the Abagusii (Ekegusii language speakers) as elaborated by Narlove (1969).

In the authority system of each clan and community, elders and wealthy Individual Had more power than anyone else. These local leaders performed a major role in the settlement of disputes. Cases of conflict involving members of more than one homestead were brought to the attention of *abagaka begesaku* (lineage elders) and *abatureti* (hut elders) who were wealthy judicial leaders who provided the houses and participated in the meetings of elders. (Narlove 1969)

Pragmatic features such as the context of an utterance, the age and sex of the interlocutors determine the course of a conversation. Communication failure on the other hand, is more dependent on the context in which information is delivered more than the linguistic content of the utterance itself Salzman (1998). The same utterance spoken in different contexts will elicit different reactions. For example; the utterance, 'don't be silly Jack', if uttered by a friend would pass for a joke among socially close persons. However, the same utterance said by a superior to his junior would be interpreted as a reprimand hence the speaker will be deemed impolite. The current study sought to investigate how pragmatic factors determine the impolite linguistic choices made by participants of Ekegusii arbitration discourse.

Language use is expected to be in line with the social dictates of the linguistic group. However, any deviation from the social norms calls for an investigation into the reason for such an occurrence. Brown and Levinson (1987) argue that, during conversation, the interlocutors are keen to protect one another's face wants and, any competent speaker of a language is expected to mitigate any face harm they may cause their listener(s) by use

of hedges, impersonalization, use of deference terms such as honorifics, use of in-group identity markers and though nominalization. Using language to avoid or mitigate face harm entails politeness according to Brown and Levinson (1987). However, instances of intentional face attack may occur in any form of discourse hence the need for investigations into impoliteness strategies and that might occur in Ekegusii arbitration discourse and determinants of such occurrences.

Impoliteness may occur directly through linguistic acts such as abuses, threats, ridicule, belittlement name calling and silencers, or indirectly through sarcastic remarks, ironic statements or jokes and teasing. Culpeper (2008) observes that, speakers employ five impoliteness strategies in conversation which include: positive impoliteness, negative impoliteness, bald on record impoliteness, mock impoliteness and withholding politeness where it is required.

Positive impoliteness is at play when the hearer's need to be liked and approved of by others is not upheld in such circumstances. Negative impoliteness on the other hand occurs when the hearer's freedom of action is intruded into and impeded. Bald on record impoliteness involves harming one's face directly and unambiguously. Mock impoliteness occurs when one employs insincere politeness that are mere surface semantic realizations that do not match the context of usage. The final impoliteness strategy according to Culpeper is withholding politeness where it is expected.

1.1.2 Impoliteness

Impoliteness is not the absence of politeness but, the intentional use of language that is meant to harm the hearer's face. Mills (2003), however observes that communicative

events are not always cooperative; sometimes speakers attack instead of supporting each other in a conversation and this amounts to impoliteness. Lecher and Bluefield(2008) view impoliteness as behavior that is face aggravating in a particular context. Bluefield (2008) further emphasizes that impoliteness is intentional face harm.

Culpeper (2013) defines impoliteness as inappropriate and negatively marked behavior that is not in line with the conversational norms of a given linguistic group. Culpeper (2008), agrees with Bluefield that impoliteness is intentional. Failure to consider others' self-esteem needs in a conversation is agreeably a common phenomenon in languages of the world. This study seeks to analyze impoliteness strategies that may occur in Ekegusii arbitration discourse. Eggins and Slade (1997), observe that conversation is a critical linguistic site for the construction of inter-personal relationships and negotiating of social identity. Impoliteness which is intentional harm of the hearer's face (Culpeper 1996) may impact negatively on interpersonal relationships and particularly arbitration discourse.

As a native speaker of Ekeusii in Gusii land, the researcher observed that many disputes in her locality were resolved by the chief and the clan elders as his advisors. However, instances of discontentment after such resolutions were common. In many instances the parties involved complained of being harassed by the arbitrators, not being listened to well, being dismissed and unfairness in the whole arbitration process. However, they admitted that all this happened verbally pointing to inappropriate language use during the arbitration process.

Lakoff (1973) argues that rules of politeness should be friendly, give options and should not impose on any one. Leech (1993) and Searl (1995) on the other hand support Brown and Levinson (1987) believe in universal politeness and the assumption that conversation

is always cooperative and that, speakers always observe the politeness maxims. Outlined in the

Although Culpeper (1996) does not agree to the universality of politeness in all languages, Impoliteness Theory borrows a lot from the Brown and Levinson (1987) Politeness Theory. Culpeper (1996) observes that any work of Impoliteness is informed by the classical work of politeness by Brown and Levinson (1987). Brown and Levinson's (1987), hold that, each person has a face, that they endeavor to protect during conversations. Face here refers to the positive value a person effectively claims by the line others assume he has taken during a particular contact (Goffman 1981). Politeness entails avoidance of linguistic and non-linguistic expressions that will harm the hearer's face. Brown (2015) observes that politeness is a universal feature of human language that expresses the human sociality through speech. The current study on the other hand, seeks to investigate the motivation behind failure to protect face during Ekegusii arbitration discourse as well analyze impoliteness strategies that interlocutors of Ekegusii arbitration discourse resort to.

Brown and Levinson (1987) posit that there are two types of face that are projected during communicative events: negative face, which is a claim to one's territory, personal preserves, and rights to non-distraction or freedom from imposition and Positive face, which is the desire to be appreciated or approved of by other members of society. Threats to Positive face include: expressions of disapproval, disagreements, accusations and interruptions. These potentially lower one's self esteem. Threats to Negative face are: orders, requests, suggestions and advice. (Brown & Levinson 1987)

Brown and Levinson (1987) argue that under normal circumstances, all individuals are motivated to avoid conveying Face threatening Acts and are motivated to minimize the face threat of the acts they perform. Thus individuals must prioritize three wants: the want to communicate a face threatening act, the want to be efficient and the want to maintain the hearer's face. The three wants give rise to the five politeness strategic choices that speakers must make (Brown and Levinson 1987). The politeness strategies include: bald on-record strategy without redressive action, Positive politeness, negative politeness, off record and avoidance of doing the face threatening act. The risk of face loss increases as one moves from the first strategy onwards

Impoliteness is the antithesis of politeness. Attention to one's face wants as advocated by the Theory of Politeness is not a concern of interlocutors whose intention is to harm the face of their conversational partners. Culpeper (1996) draws the five impoliteness strategies from Brown and Levinson (1987) categorization of politeness strategies. Therefore, an understanding of the politeness strategies lays a basis for easier analysis of conversations that violate what Brown and Levinson (1987) consider norms for any a competent model speaker of a language. Such violations are referred to as impoliteness hence warranting an investigation into impolite language use in Ekegusii arbitration discourse.

Culpeper's (1996) Impoliteness Theory guided this study. Culpeper, the proponent of the impoliteness theory argues that impoliteness is not absence of politeness nor is it the opposite of politeness. Culpeper (1996) came up with five impoliteness super strategies of impoliteness that speakers employ during a conversation. They include bald-on-record

impoliteness, positive impoliteness, negative impoliteness, mock impoliteness and withholding politeness.

Bald-on-record impoliteness involves performing the Face Threatening act directly, clearly, and in an unambiguous and concise manner. There is no consideration to face here. Positive impoliteness involves use communicative acts that do not promote the hearer's need to be liked and approved of by others. Negative impoliteness is at play when one intrudes into their conversational partner's psychological need of not wanting to be impeded in their actions. Mock impoliteness, which entails use of insincere politeness strategies that are only surface realizations, is a form of implicit impoliteness. The last manifestation of impoliteness is withholding of politeness where it is expected such as failure to thank someone for extending a favor (Culpeper 1996)

Positive impoliteness is realized when a speaker or hearer ignores or snubs one, dissociates from the other, uses of inappropriate reference terms, uses of obscure or secretive language, seeks disagreement, uses of taboo words (swear, abusive or profane language) and calls other names or derogatory nominations. These output strategies are not exhaustive according to Culpeper (1996). More strategies may be realized depending on the conversational context.

Oatey (2005) advocates for the use of rapport management instead politeness strategies. Oatey (2005) defines rapport management as the management of relative harmony and smoothness of the relationships between people. Oatey (2002) proposes that instead of politeness, rapport management would be appropriate since politeness majorly focuses on linguistic features of the speaker ignoring the listener's responses. Oatey (2000) further re-iterates that the hearer's perspective is necessary in achieving harmonious

communication. This study sought to understand whether interactants remained polite in conflictive discourse such as Ekegusii arbitration discourse, or, did they turn to the use of impoliteness strategies.

Locher (2008) an ardent supporter of the Theory of Impoliteness, argues that, impolite behavior is interpreted as such, dependent on the frame established in practice and the interactive dynamics of the face concept. Frames according to Tannen (1993), are structures of expectation in a given linguistic community. Frames are the basis on which interactants, make judgments during interaction based on their past personal experience or expectations about norms as well as personal rights and obligations. Such frames are acquired in a process of socialization during a person's life.

The Theory of impoliteness as a tool of analysis, was used to analyze the strategies that speakers used to intentionally attack the face of their interlocutors in Ekegusii arbitration discourse under the five impoliteness super strategies outlined in the Theory of Impoliteness. The theory catered for the categorization of the linguistic output strategies as realizations of impoliteness strategies too.

1.1.3. Arbitration

The Merriam Dictionary (1993) defines arbitration as the process of settling an argument or a disagreement between two people by somebody who is impartial, and, who is selected or agreed upon by the parties involved. Bell (2004) explains why alternative dispute resolution is preferable over court processes as a means of dispute resolution.

Until recently courts have been used as primary mechanisms to resolve disputes.

However, public dissatisfaction with an adversarial system, government recognition of a range of expert decision makers and increased awareness of the importance of

acknowledging cultural differences among disputing parties are among the factors that have encouraged the rise of alternative dispute resolution. (Bell 2004).

Arbitration entails resolving a conflict between two parties away from the court process. It is an alternative to civil litigation or an alternative dispute resolution procedure. In the current governance system in Kenya, many are times conflicting parties have been referred back from a court of law to village elders for arbitration. Such references to the community arbitrators happens in marital conflicts and land disputes. As Bell (2004) observes, arbitrators at the community level share a common culture with those in conflict, hence they understand better the frames (Tannen 1993) on which the behavior of those in conflict is based. Arbitration as a means of resolving conflict, is enshrined in the laws of Kenya in the Arbitration Act No. 4 of (1995). The arbitration Act allows those in conflict to choose one or more arbitrators and as well as a suitable meeting place to hold the arbitration session. The arbitrators' verdict however is binding hence giving them power over those in conflict.

Arbitration as a means of conflict is legislated in the laws of Kenya. The decisions reached during such arbitration sessions are binding. However, any party who may feel unsatisfied by decisions reached through arbitration may seek recourse in a court of law. Differences in social power and social distance come into play during an arbitration process. The arbitrators' position bestows more social power on them compared to those in conflict who come to seek their intervention in matters of conflict resolution. The success of such a process is to a large extent depended on the ability of the parties involved to hold a productive communicative engagement. The language used in arbitration discourse should be geared towards smooth communication. Those in conflict

may be family members or people who are socially close to each other such as relatives, friends or even family members of the arbitrators. This study sought to investigate how the social distance and social power relations among the arbitration discourse participants determine the impolite choices that they make.

Arbitration is commonly used to resolve conflict among the AbaGusii especially when one or both of those in conflict hail from the area under the jurisdiction of the area Chief. During Ekegusii arbitration sessions, it is expected that the norms of the AbaGusii (speakers of Ekegusii) are adhered to. The chief allows those in conflict to give their side of the story as he and his elders play judges. Arbitrators are expected to be neutral and each party is to receive a fair hearing.

Goffman (1967) defines Face as the positive value that a person claims for himself by the line others assume he has taken during a particular contact. Impoliteness has been categorized into two; first order impoliteness which are the layperson's behavior judgements according to their norms of practice such as impolite, rude, polite, rude, polished that are made by social actors themselves. Second order impoliteness on the other hand are theoretical concepts about impoliteness. Culpeper (2005), however observes that second order impoliteness are informed by first order impoliteness and cannot be disregarded.

Impoliteness in arbitration discourse if not guarded, would render conversations emotionally charged, a situation that may divert the attention of those involved from conflict resolution to emotion management. Instances of impoliteness were however noted during the arbitration sessions, which may render the process less productive. An investigation into impoliteness in Ekegusii arbitration discourse may help in averting any

barrier or impediments towards achieving productivity during such a crucial communicative event hence ensuring a cohesive linguistic society.

1.2 Statement of the problem

Studies have been carried out on impoliteness strategies employed by conversationalists in various contexts such as: impoliteness forms and strategies used by nurses on their patients, impoliteness in the court, impoliteness in classroom discourse and many more. However impoliteness in arbitration discourse and particularly in Ekegusii arbitration remains unexplored. Instances of discontentment with decisions reached during some arbitration sessions points to underlying issues in the process of arbitration. This study focused on finding out the linguistic impoliteness forms and strategies employed by speakers during Ekegusii arbitration discourse that could be a reason for instances of discontentment after arbitration processes. Specifically, it examined the role of social power, social distance and pragmatic factors of age, gender and Abagusii cultural norms in the occurrence of impoliteness in Ekegusii arbitration discourse.

1.3 Objectives of the study

This study aimed to achieve the following objectives:

1. Describe the linguistic forms and strategies of impoliteness that are employed in Ekegusii arbitration discourse.
2. Analyze the significance of social-cultural power and social distance on speaker impoliteness forms and strategies in Ekegusii arbitration discourse.
3. Explain the relevance of pragmatic features on a speaker's choice of impoliteness forms and strategies

1.4 Research questions

- i. What linguistic forms and strategies of impoliteness come into play during Ekegusii arbitration discourse?
- ii. How does social-cultural power and social distance determine speaker impoliteness forms and strategies in Ekegusii arbitration discourse?
- iii. What is the relevance of pragmatic features of age, gender and Abagusii socio-cultural norms speakers impoliteness forms and strategies in arbitration discourse?

1.5 Scope and Limitation

This study was limited to analyzing linguistic impoliteness forms and strategies used in Ekegusii arbitration discourse. Impoliteness realized through use of prosodic and paralinguistic means were ignored in this study though they can form a basis of another inquiry into non-linguistic strategies of impoliteness in arbitration discourse.

Of concern to the study, was an investigation into how social power determines one's choice of an impoliteness strategy and the contribution of pragmatic features on such choices. The pragmatic features (contextual) here were limited to the age and gender of the speaker, and the societal beliefs and norms. The study was carried out in Kisii South District in Iyabe Location, Bonchari constituency. The area of study was appropriate since it's the location of the chief's office and most arbitration sessions took place there.

1.5 Significance of the Study

Culpeper (2011) observes that impoliteness has not received as much attention as politeness yet impoliteness is a growing field that is interrelated with many concepts such as verbal aggression in psychology, verbal abuse in sociology, verbal conflict in conflict

studies, exploitative entertainment from media studies, workplace interactions in business studies and impoliteness in life. A study in impoliteness in Ekegusii arbitration discourse therefore comes handy in delving into the study of impoliteness. Culpeper *et al* (2003) observe that conflictive conversations play a role in many communicative events.

Conflictive talk has been found to play a role- and often a central one in

army training discourse, courtroom discourse, family discourse,

adolescent discourse, doctor-patient discourse, therapeutic discourse,

everyday conversation and fictional texts

(Culpeper, Bousfield and Wichmann 2003)

Lakoff (1989), Levinson (1995), Locher (2004), Locher and Grahams (2010), postulate

that speakers are at all times are mitigating any harm that they might cause by the

illocutionary force of their utterances on the self-esteem of the hearer. However, in

conversation face threatening acts may be performed intentionally without any redressive

action. Maisiba (2015) observes that, despite the requirements for face threat mitigation

strategies during interactions, there are times when face concerns may not apply

especially if people are in an argument as it happens quite often in conflict discourse,

negotiation or issuing threats. This study comes in handy to analyze the intentional

attack of the hearer's face during Ekegusii arbitration discourse.

Watts (2003) observes that in interaction, it is impolite linguistic behavior that is likely to

be commented about and not its polite counterpart. Mills (2003) too points out that in

many studies conversation is considered cooperative and following contracts of

communication. However, this may not be the case and often speakers intentionally

attack rather than support each other in conversation. The findings of this study may not

only contribute to research on impoliteness, but may also offer an insight into the effects of the linguistic choices made by those involved in arbitration procedures. Such knowledge may make arbitrators better users of language which will translate to more productive and successful arbitration processes.

1.7 Theoretical Framework

1.7.1 Introduction

The current study is grounded on Culpeper's (1996) Theory of Impoliteness. In his final draft on politeness and impoliteness, Culpeper (2011) asserts that Brown and Levinson (1987) Theory of Politeness is undoubtedly an eye opener into the study of impoliteness. However, the theory's one sided face saving approach does not account for intentional, unredressed face attack during conversation (impoliteness). Intentional unmitigated face attack is not accounted for using the Theory of Politeness. Culpeper's (1996) Theory of Impoliteness comes in handy in accounting for impoliteness in Ekegusii arbitration discourse. Culpeper (2008) argues that impoliteness is the flipside of politeness.

1.7.2 Politeness Theory

The study of impoliteness relies heavily on an understanding of politeness. Culpeper (1996) Theory of Impoliteness is a product of the Politeness Theory, hence, the Theory of Impoliteness is best understood with a good knowledge of the Politeness Theory. When a speaker intentionally attacks the face of the hearer, they fail to employ politeness in order to redress any face threatening act that may have been performed. Politeness according to Brown (2015), entails consideration of the needs of conversational partners during verbal interactions which includes behaving in a manner that demonstrates

appropriate concern for the interactant's social status and their social relationship. Brown (2015), further observes that politeness is a feature of human language that expresses the human sociality through speech.

Whereas politeness has to do with the strategic use of language in interactional acts in an effort to mitigate face harm caused on the hearer, the study of politeness is in essence, a study of norms of language use, such as the language used during Ekegusii arbitration discourse. The ability to infer the strategies addressed to the face wants can become a part of a grammar. Politeness therefore entails the syntactic, phonological, and lexical alteration of language so as to avoid face harm during verbal interactions. Interactants whose face is attacked may misdirect their focus towards the emotional and psychological effects of the face attack jeopardizing the objective of the ongoing conversation. Ekegusii arbitration discourse is geared towards resolving conflict among community members and conflict being highly emotive, politeness is key if the conversation should remain focused and productive.

Politeness may be studied from the conflict avoidance perspective or one's desire to be socially successful (Coulmas 2005). An understanding of politeness and the politeness strategies that interlocutors use during communicative events is a precursor to understanding both direct and implied impoliteness in Ekegusii arbitration discourse. Impoliteness may therefore be treated as politeness unobserved.

From Lakoff's (1989) notion of face, from which the theory of politeness borrows heavily, politeness is viewed as a way of minimizing conflict in discourse-both the possibility of confrontation occurring at all and the possibility that such will be perceived as threatening. However, the politeness theory, abandon the hearer's role.

Brown and Levinson (1987) argue that politeness is universal in all languages and that, the essence of politeness is to protect 'face'. However, Tracy (2008) advocates for the discursive approach to face whereby, politeness is not only viewed as being geared towards face saving, but also, face enhancing, maintaining and aggravating. According to Brown and Levinson (1987) face is the self-esteem of a speaker or hearer in a conversation. The term face is divided into two categories: positive face aimed at preserving one's positive face which is the want to be appreciated by others and negative face which are wants for independence and freedom from impediment.

Threatening any of this Face wants, amounts to performing a face threatening act (FTA). The kind and amount of politeness one chooses to employ in a certain speech act is determined by the context of the speech act. Speakers determine the weightiness of speech acts from the levels of familiarity between the speaker and the hearer, the perceived power difference between them and the degree to which the face threatening act is perceived to be threatening within a specific culture.

Brown and Levinson (1978) assert that politeness strategies are developed in order to save the hearer's face, usually to avoid embarrassing the other person or make them feel uncomfortable. They argue that all speech acts are inherently face threatening acts, hence speakers have to utilize politeness strategies to mitigate the effects of the face threats on the hearers. Politeness strategies are a redress to face threatening acts. The table below presents the five politeness super-strategies:

Table 2.1.1 Brown and Levinson's (1987) Politeness Superstrategies

Politeness	Performance of FTA	Example
<i>Bald, on-record</i>	'in the most direct, clear, unambiguous and concise way possible	Orders/commands/emergency situations or where 'danger to the hearer's face is very small e.g. 'come in' or 'sit down'
<i>Positive Politeness</i>	Via strategies which 'anooint' the face of the addressee	Via compliments, attentiveness of speaker
<i>Negative Politeness</i>	By acknowledging hearer's need for freedom from impingement,	Self-effacement, restraint, formality via apologies or deference of speaker to hearer
<i>Off-record Politeness</i>	FTA produced via an implicature so that the actor cannot be held to have committed one particular intent	Any indirect use of language which invites the hearer to make an inference e.g. by hinting, being vague or ambiguous
<i>Withhold the FTA</i>	FTA considered too risky even to perform	Band L do not discuss this strategy, however it would pertain to very unequal relationships

1. Bald-on-record strategy: whereby, the speaker makes no effort in reducing the effects of a face threatening act. Such acts include: disagreement, suggestion/advice, request, threatening and use of imperative forms.
2. Positive politeness is at play when the speaker recognizes that the hearer desires to be respected. It confirms a friendly relationship and expresses solidarity. This can be subcategorized to: Showing concern, interest, be optimistic, Promise, guarantee, offer, give reasons, Solidarity in-group talk, Compliment, Joke, humor, Exaggerate sympathy
3. Negative politeness involves the speaker acknowledging the hearer's desire to be respected but assumes that they are in some way imposing on them. It is characterized by self-effacement, formality and restraint. This strategy is evidenced by:
 - a) Showing deference; showing that the hearer is more powerful than the speaker. In the presence of a third party who is socially powerful than both the speaker and the hearer deference.
 - b) Indirect strategies: involve use of rhetorical questions, hedging, metaphorical expressions, irony, understatement and tautologies.
 - c) Apologize: the speaker recognizes and respects the hearer's negative face wants hence incurs the debt by apologizing.
 - d) Impersonalize the speaker and hearer such the use of passives
 - e) Stating the Face Threatening Acts as an instance of a general rule.
4. Off-Record indirect strategy comes to play when the speaker uses conventional indirectness. The speaker avoids saying things directly but relies on the hearer's inference of what the speaker means. This strategy is realized when a speaker

Gives hints Uses contradictions, irony, metaphor and rhetorical questions Understates, overstates, uses tautologies use of ambiguous expressions, vague, over-generalizes, is incomplete, uses ellipsis

5. The last politeness strategy is avoidance of doing Face Threatening Acts. This way the speaker will be deemed polite since they don't damage the face of the hearer.

Failure to employ these redressive strategies with an intention of attacking one's face is what Culpeper (2011) refers to as impoliteness.

Culpeper's impoliteness theory is a product of Brown and Levinson's (1978) Theory of Politeness. Culpeper observes that conversation is not always face-saving oriented, some speakers intentionally perform face threatening acts by employing a number of impoliteness strategies.

1.7.3 Theory of Impoliteness

The Theory of Impoliteness is a derivation of Politeness Theory. Culpeper (2011) argues that, it is not at all times that interlocutors will be mindful of each other's face wants during face to face interactions. Impoliteness occurs when a speaker chooses to intentionally damage the face of their interactants and the hearer interprets it as such. This entails seeking to damage a person's identity. Culpeper (2011) further observes that impoliteness can be rights related or face related. Rights related impoliteness causes anger, while face related impoliteness causes hurt.

There have been calls from some researchers such as Lakoff (1989) and Tracy (1990) for the inclusion of hostile communication or confrontational discourse within personal communication. The basic tenets of impoliteness are intentionality of face attack and the interpretation by the hearer of such a face threatening act as an attack on their face wants.

The current study used the Theory of Impoliteness as the basic tool of analysis. Linguistic items considered intentional face attack on the hearer were analyzed in Ekegusii arbitration discourse under the five impoliteness strategies of performing impoliteness. The five impoliteness super strategies by Culpeper (1996) were the basis of analyzing data. Culpeper (1996), suggests the following impoliteness strategies that are used to attack an interlocutor's face and cause social disruption. Culpeper (1996) further elaborates on the linguistic realizations that signal the use of a given impoliteness strategy in a communicative event. The five impoliteness strategies include: Bald-on-record impoliteness, positive impoliteness, negative impoliteness, mock impoliteness and withheld politeness. Bald on record face attack is bald on record impoliteness whereby the speaker attacks the hearer's face directly, unambiguously and in a concise manner. Linguistic realizations of bald impoliteness strategy may range from abuses, insults, name calling, fabrication of lies, to use of taboo words

The second strategy is negative impoliteness that may be realized when the speaker attacks the hearer's negative face through intruding into the hearer's personal space and impeding their actions. Negative impoliteness is realized through the use of threats to skew once behavior in a given involuntary direction, asking unpalatable questions, condescension's, interrupting one's speech unapologetically, using silencers during a conversation, the use of personalized negative vocatives among other realizations Culpeper (2011). Positive impoliteness is the third strategy that comes into play when the speaker uses linguistic forms and strategies that lead to the feeling of rejection or disapproval on the hearer's part. Positive impoliteness is performed through dissociatory

remarks, pointed criticisms, personalized third person negative references, disapproval and criticisms leveled against the hearer.

Mock impoliteness or insincere politeness is another impoliteness strategy. The speaker here may indirectly attack the hearer's face through sarcastic remarks, ironical statements, use of tautologies and other indirect forms of communication geared towards damaging the target's face. The last strategy involves withholding politeness where it is required such as failure to apologize for a wrong committed against another person.

In order to determine how social power and social distance influences one's choice of impoliteness strategy towards their conversational partners, the frequency of occurrence of the intentional face attacks was analyzed against the social power relations and social distance between the interlocutors. Occurrence of impolite linguistic items was analyzed against the backdrop of pragmatic factors such as the context of the conversation, the age and gender of the interactants and the AbaGusii cultural norms.

Culpeper (2016) says that, for Polite items to count as polite, they must go unchallenged. For impoliteness to count as impoliteness, it must be challenged by counter impoliteness, metapragmatic comments such as "that's rude", indications of offence and symptoms of emotions such as humiliation, hurt or anger. It is such impolite linguistic items and utterances in Ekegusii arbitration discourse that were the concern of the current study. Culpeper (2010) explains that the linguistic formulae such as vocatives, personal negative evaluations, dismissals, silencers and threats, are not semantically impolite per se but their context of usage yields impolite interpretations. Culpeper (2010) further observes that there are more implicit ways of achieving impoliteness than the explicit ones and that, more often, the implicit politeness linguistic formulae are used to

communicate impoliteness. Any competent native speaker of a language understands the meanings of both direct and indirect (implied) utterances

This study sought to analyze the linguistic strategies that Ekegusii speakers employ in arbitration discourse in alignment with Culpeper's five impoliteness strategies. Speakers employed different strategies to communicate impoliteness. Borrowing from Brown and Levinson (1987), Jonathan

For the first objective of this study, the impoliteness strategies used by both the arbitrators and those in conflict were categorized under the five impoliteness strategies given in the theory of impoliteness. The second objective was achieved through the analysis of the frequency of occurrence of impolite utterances, in consideration to the social position of the speaker in relation to their listeners. Finally, equipped with information about the norms of verbal interaction among the Abagusii, the age of the participant and their gender, together with the participants metapragmatic comments during the focused group discussions, the researcher analyzed any variation in language use from the norms and more particularly occurrence of impoliteness contrary to the norms. This accounted the significance of pragmatic features on the speaker's choice of impoliteness strategies as the last objective of the current study.

1.8 conclusion

In this chapter the study presented the introduction to the study, the background to the study, the statement of the problem, the objectives of the study, the research questions, the scope and limitation of the study, the significance and the theoretical framework of the study.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This section presents a critical review of the studies done in impoliteness and more especially those studies that tested the variables that the current study sought to test in Ekegusii arbitration discourse. It is presented under the following subsections: impoliteness strategies, social power, social distance, and pragmatic features limited to the age of participants, Abagusii culture and context of an utterance. In recent years the area of impoliteness has received some attention having been under-researched compared to her cousin Politeness that has been extensively researched on. However, impoliteness in arbitration discourse has not been focused on as such and more particularly impoliteness strategies employed in Ekegusii arbitration discourse has not received the attention it deserves.

Scholars have studied impoliteness in courtroom discourse (Lakoff 1975), in army recruitment training (Bousfield 2004), nurses' patients' discourse (Ojwang' & Ogutu 2013), impolite language use by Matatu conductors in Nairobi (Goro 2014), lawyers' impoliteness in the Dover trial case in Pennsylvania (Yliopisto 2012), Maisiba (2015) politeness forms in Ekegusii among others that were reviewed in the current study. The knowledge of other researchers' works in the field of impoliteness, was invaluable to the study of impoliteness in Ekegusii arbitration discourse as not only an eye opener but a basis for grounding the study as it sought to fill the gaps left by the other studies.

2.1 Impoliteness and Language Use.

In day to day communicative events, interlocutors make judgements about their conversation partners in terms of their manner of speech and even the actual utterances. Metalinguistic comments such as “that is rude of you”, “you are being unfair” point to utterances that are hurtful to the hearer. Watts (2003) posits that if polite behavior is missing, it tends to lead to an evaluation of a participant’s behavior as impolite, brash, inconsiderate, abrupt, rude etc. Although Locher and Bousfield (2008) argue that conflictive or aggressive behavior is ubiquitous, as language users it would be prudent that such conflicts are resolved in a manner that upholds social harmony. Culpeper (2003) defines communicative strategies designed to attack face and thereby cause social conflict and disharmony as impoliteness. The study of impoliteness may therefore create awareness on alternative means of communication that may minimize or guard against social conflict and disharmony.

Culpeper (2015) emphasizes that impoliteness comes into play when the speaker intentionally communicates an FTA and the hearer interprets it as such. Locher and Bousefield (2008) consider impoliteness as behavior that is face aggravating in particular contexts. Bousefield (2008) observes that impoliteness does not exist in a vacuum, and does not, under normal circumstances, spring from the blues, but, the contexts in which it occurs and utilized must have been previously invoked. Bousefield (2008) points to the fact that impoliteness is co-constructed during a communicative event. Ekegusii arbitration discourse being a conflict resolution conversation, it may be emotive and anger arousing offering a fertile ground for face attacks a phenomenon that this study sought to investigate through the analysis of actual Ekegusii arbitration discourse.

Impoliteness, according to Culpeper (2010) is not as simplistic as absence of politeness. This, Culpeper (2010) argues is because, impoliteness is prohibited in public signs, laws and chatters. Secondly, impoliteness can be highly damaging to personal life as it plays a central role in many discourses. Lastly, it is highly salient in public life than politeness. Impoliteness in Ekegusii arbitration discourse would mean intentional face attack on the parties involved in the conflict resolution process which might alter the course of the process and consequently the outcomes.

Studies have been carried out on impoliteness forms and strategies employed by participants of various communicative events such as nurses impoliteness to their patients, impoliteness in the courtroom, impoliteness by public transport service providers in Nairobi, Kenya towards their clients, impoliteness in a Tv drama “Makutano Junction” and many more. Save for Maisiba (2015) who studied politeness forms and strategies used in Ekegusii arbitration impoliteness in this discourse remains unexploited. The current study sought to fill this gap through an analysis of the linguistic impoliteness strategies employed in Ekegusii arbitration consequently enriching the field of pragmatics and impoliteness research in particular.

Locher and Dereck (2008), observe that impoliteness is an exercise of power. In Ekegusii arbitration discourse, the aggrieved parties are less socially powerful compared to the arbitrators because of the institutional authority bestowed upon the arbitrators by the provincial as well as the national government. An asymmetrical power relationship exists between the two parties in such a discourse. However, other than the power asymmetry, the current study sought to investigate how other variables such as social distance, age, gender and the Abagusii cultural norms motivate the use of impoliteness forms and

strategies in Ekegusii arbitration discourse. Haugh (2009) advocates for a study of impoliteness at an interactionally grounded discourse level. The current study too analyzed the impolite utterances during the actual interactive Ekegusii arbitration sessions in order to arrive at logical conclusions.

2.2 Impoliteness Strategies

Impoliteness strategies are derived from Brown and Levinson (1987) five politeness strategies. However, Culpeper (1996) warns that the five impoliteness super strategies are not the opposite of the five politeness strategies outlined by Brown and Levinson. In as much as the two aspects of verbal communication are related to face, politeness strategies are employed with an assumption that, all speech acts in a communicative event are inherently face threats and therefore the hearer's face must be protected. Politeness strategies according to Brown and Levinson (1987), are innately inherent in any competent adult speaker of a language.

Impoliteness strategies on the other hand, as defined by Bousefield (2008), Locher and Bousefield (2008), and Culpeper (1996), (2010) and (2011), are intentional performance of speech acts that the speaker is well aware that they will damage the face of the hearer. Ekegusii arbitration discourse is conflictual discourse, whereby the involved parties have opposing views on a common subject. Analysis of impoliteness in this discourse was based on Culpeper (1996) impoliteness strategies. The five impoliteness strategies include: bald on record impoliteness, negative impoliteness, positive impoliteness, sarcasm or mock impoliteness and withholding politeness.

A number of studies have been carried out on impoliteness forms and strategies employed in various communicative events: Goro (2014) studied impolite language used

by Matatu (public service vehicles) conductors in Nairobi County in Kenya. She used Jonathan Culpeper's Theory of Impoliteness. Goro's analysis of impoliteness strategies used by conductors as well as the passengers' responses sheds light on the intentionality of face attack by those who use it. In Goro's study, the conductors assumed more social power over their customers, a reason for the extensive use of bald on record impoliteness, negative impoliteness and withholding politeness evidenced by threatening, ridiculing, frightening and ignoring passengers.

The conductors also used imperative statements, intruded into the passengers' privacy and used interrogative speech that was interpreted as impoliteness, contrary to the expected courteous business person-client relationship. The conductors' impoliteness however, may not be considered an exercise of social power over their clients but, intentional face harm in total disregard of the clients' face wants. The current study on the other hand sought to investigate the significance of social power that is institutionally and culturally bestowed upon actors in a conversation such as the arbitrators in Ekegusii arbitration discourse and how it may influence impolite language use.

Ojwang' and Ogutu (2013) studied nurses' impoliteness on their patients as an impediment to patients' rights. The study having conducted interviews among patients using open ended interview guides, found out that nurses attacked their patients' face directly and unambiguously. Bald-on-record impoliteness strategy used by the nurses was linguistically realized in the form of insults, pointed criticisms, and failure to heed to the patients' pleas. Impoliteness by the nurses was unwarranted as they were not in conflict with their patients. The current study however focused on analyzing impoliteness strategies used by communicators in conflictual discourse.

2.3 Social Power and Social Distance

Social power refers to the authority of the speaker in relation to the hearer. One may be socially powerful if they are in authority, are more educated or if they are richer than their interlocutor (Brown and Levinson 1987). Social distance, on the other hand, refers to the level of familiarity between the interlocutors. Brown and Levinson (1987) emphasize that; social distance should not be confused with affect. The choices interlocutors make on the politeness strategies to use during verbal interactions are greatly determined by the levels of solidarity and familiarity between them. The current study seeks to investigate how social power and social distance dynamics influence the occurrence of impoliteness in a conversation and particularly in Ekegusii arbitration discourse.

Locher and Dereck (2008) observe that verbal interaction is always intertwined with power. Impoliteness, they say, is an exercise of power as it impacts on the future action environment of those involved in a speech event. Locher and Dereck (2008) further emphasize that, the response to impoliteness by the interlocutor whose face has been aggravated is sharply restricted by the power relations between the interlocutors. The same position was held by Bousfield (2008) who argues that impoliteness is an exercise of power. Given the asymmetrical power relations between the arbitrators and those in conflict as well as amongst those in conflict in Ekegusii arbitration discourse.

Manana and

(2015) studied impoliteness in Georgian political talk shows the study analyzed the impoliteness strategies that politicians in government and those in the opposition used in their campaign discourse. This study revealed that speakers resorted to indirect face

attack strategies (mock impoliteness), such as general questions, friendly advice and indirect metaphorical language. No speaker was deemed more powerful than the other hence power as a determiner of ones' impoliteness was not at play These strategies were not face damaging on face value, but in the context of usage the utterances were extremely face damaging on the target. Culpeper (2008) argues that Impoliteness is not inherent in language and needs to be judged against the norms of a community of practice/activity type in a particular context.

Manana and Dolidze (2015) study gives a glimpse to the strategies that interlocutors resort to when there exists a power balance between them and their conversation partners. The current study on the other hand had sought to investigate how both equal and unequal power relations among conversational partner's influences impoliteness choices in EkeGusii arbitration discourse

Melina Laitinen (2010) studied impoliteness strategies in the American TV series House M.D. She too used Culpeper (1996) theory of impoliteness. Doctor house, the main character in the play, employs all the strategies of impoliteness in his conversation with his patients whom given their responses, are hurt by the doctor's impoliteness. Given that he is socially more powerful than his patients, he exploits the contextual vulnerability his patients find themselves in to intentionally attack their face. Doctor House's impoliteness amounts violation of his patient's rights. The current study however sought to investigate the impoliteness strategies and forms that the socially powerful in EkeGusii arbitration discourse may resort to by virtue of the institutional power bestowed upon them.

Yliopisto (2012) studied politeness and impoliteness strategies used by lawyers during the Dover Trial that took place in Pennsylvania. The arbitration process that was the

focus of the current study is similar to the Dover Trial in that they are both conflict resolution processes, except that arbitration took place out of court as provided for by the laws of Kenya. Yliopisto (2012) investigated on how social power and social distance determined the choice of impoliteness strategies employed by the lawyers, the witnesses and the judge. The lawyers were found to be using both positive and negative politeness. The witnesses used bald on record impoliteness and inappropriate identity markers towards the accused. The only impoliteness towards the judge entailed being ignored and snubbed. From this study it was concluded that impoliteness increases with social power. Yliopisto (2012) concluded that in this scenario of dispute resolution, the more reduced the social distance, the more the use of bald on record impoliteness.

The Dover trial case study shade light on the current study in regard to impoliteness strategies used in conflict resolution discourse hence helped in grounding the current study. In as much as this case took place within the jurisdiction of a court, the present didn't take place in a court, but the participants comprised of the complainant, witnesses and arbitrators resulting in more or less a scenario of the Dover trial procedures. However, Yliopisto (2012) study apart from being from a different cultural background from the current study, did not offer an opportunity to those in conflict to participate in the actual conversation. Lawyers were doing their job and they had no attachment whatsoever to the judges nor their clients. It was a purely professional interaction. The current study on the contrary, offers a naturalistic ground to analyze the impoliteness strategies used in the actual arbitration discourse where those in conflict participate in person and display their language use unabated.

2.4 Pragmatic Features and Impoliteness

Pragmatics is the study of language use in context. Pragmatic features of a communicative event therefore refer to contextual features in which a communicative event takes place. Salzmann (1998) defines context as interrelated conditions under which speech and other forms of communication occur. For purposes of this study, the age and gender of the participants of EkeGusii arbitration discourse, as well as the AbaGusii socio-cultural norms, will be the contextualizing factors. Culpeper (2011), argues that the individualized approach to face work taken by Brown and Levinson (1987), could be as a result of the cultural influence on the languages.

‘Western cultures have independent views of self,
while non-western cultures have interdependent views of the self.

(Markus and Kitayama 1991).

Matsumoto (1988) too observes that in the Japanese culture, personal face damage, is not as important as how others will perceive them when their face is threatened. Brown and Levinson (1987), however agree to the fact that politeness is also negotiated culture specifically.

Jaworski, *et al.* (2004), argue that linguistic rules are as a result of social norms or folk beliefs about language. Impoliteness therefore as an intentional speech act, may not be an isolated language use away from the dictates of the AbaGusii folk beliefs. In the current study AbaGusii folk beliefs were considered a contextualizing factor of the impoliteness strategies employed in Ekegusii arbitration discourse.

Barbora (2013) studied Gender and politeness in discourse. She analyzed the linguistic politeness strategies used by females in comparison to males in American and British

television talk shows. Although gender disparities are not the major concern of this study, the study was an insight into gender stereotypes which in return influence the choice of impoliteness forms and strategies that interlocutors resort to during communicative events. Barbora (2013) describes Males as Aggressive, not uncomfortable about being aggressive, adventurous, competitive, unemotional, hide emotions, not excitable in a minor crisis, able to separate feelings from ideas, dominant and well skilled in business.

Barbora (2013), however, contrasts women's character to those of men as being religious, aware of feelings of others, tactful, gentle, quiet, neat in habits, do not use harsh language and have a strong need for security. Watts (2003) observes that politeness is both a social and cognitive concept. An understanding of such emotional predispositions of both genders enlightens the researcher's views on the behavior of the participants and consequently the impoliteness forms and strategies that the speakers resort to during EkeGusii arbitration discourse. Culpeper (2009) as cited in Barbora (2012) reiterates that behavior is really important while thinking of impoliteness and dependent on cultural perception in social context.

Buyonge (1995) studied the use of implicatures and presupposition in EkeGusii honorifics. He analyzed honorifics which are deference terms used in EkeGusii to show respect to the addressees. Horn (2004) defines implicature as speaker meaning that is not part of what they said. Buyonge (1995), observed that some honorifics relied on the addressee to infer the implied politeness in them and the speakers assumed (presupposed) that the targets understood the meanings of the honorifics. In the current study speakers used implicatures and presuppositions and assumed that the interlocutors present

understood their messages. In the example below an arbitrator expects that the target audience will understand what he is communicating.

Bono ekwarenge gokwana orosana ime?

{*So you were just 'speaking from the bush?'*}

'Speaking in the bush' implied speaking unwisely that led to self-incrimination by the speaker. The arbitrator presupposes mutual knowledge of what a bush is and that it is a barrier to clear vision just like her impaired judgement on the impact of her own reckless speech. Buyonge (1995) study focused on implied politeness in EkeGusii honorifics while the current study focused on implied impoliteness in EkeGusii arbitration discourse.

Maisiba (2015) studied politeness in EkeGusii arbitration discourse. the researcher recorded actual arbitration conversations and analyzed the politeness strategies employed by interlocutors. He observed that gender, age, social distance and social power determined the politeness strategies that an interlocutor resorted to in a conversation to save the face of their conversational partner. However, Maisiba (2015) did not explore the impoliteness strategies that come into play when the 'good show' stops, a gap that the current study seeks to fill. These studies are invaluable in setting the pace for the current study.

2.5 CONCLUSION

This chapter presented the literature review from other scholars who have ventured into studies that are related to the current study. From the review, impoliteness comes out as a common phenomenon in conversation across linguistic communities and as linguistic aspect that cannot be ignored if objectives of communicative events are to be achieved. A

gap was however realized that impoliteness in EkeGusii arbitration discourse has not been explored, a gap that this study seeks to fill.

CHAPTER 3

METHODOLOGY

3.0 Introduction

This chapter addresses the research design and methodology that was used in this study. It outlined the site where the study was carried out, the sample and the sampling procedures used, data collection and analysis procedures, and data presentation procedures.

3.1 Research design

This study adopted a descriptive research design. Being a qualitative research, the study adopted the descriptive research design because data for the study was in form of utterances obtained from naturally occurring conversation. Descriptive research design involves systematic gathering of data about individuals and groups in order to test hypotheses or answer research questions concerning the current state of the subject of study (Cohen, Manion and Morrison 2018). Descriptive research design uses facts or information already available and analyzes it to make critical evaluation of the material. The descriptive design also explains how the phenomenon under study is happening. Natural speech data is deemed authentic and close to life, as advocated by Holmes (1995). Cohen (1996) argues that naturally occurring data is considered reliable as it is spontaneous, it is what the speakers say and not what they think they would say that is captured. Speakers are reacting to a natural situation and not a contrived and possibly unfamiliar situation, the communication has real world consequences. Ekegusii

arbitration discourse is a naturally occurring situation with real life consequences of bringing peace between two parties in conflict

Qualitative methods of data analysis were employed in the analysis of linguistic impoliteness forms and impoliteness strategies used by speakers and their frequencies of occurrence. The frequencies of occurrence of impoliteness markers in relation to the social variables of power and social distance were tabulated, giving a true reflection of the speakers' choices of impoliteness strategies in EkeGusii arbitration discourse.

3.2 Area of study

The study was carried out in the Bonchari constituency, Iyabe Location in Kisii County. This area of study was suitable because it is the border between the Ekerogoro and Ekemaate dialect speakers. The inhabitants of this area speak EkeGusii that reflects both dialects because the area borders Ekemaate dialect speakers in the neighboring Tabaka location. Bosire (1993) observes that the two dialects are mutually intelligible and the only difference is phonological especially in the pronunciation of the alveolar plosive [t]. Arbitration discourse being highly sensitive discourse, the researcher; a native of the area raised no suspicion when attending the arbitration meetings since she was considered one of them. However, with permission and proper piloting any researcher is at a position of obtaining data from any population.

3.3 Study population

The study population comprised of those who attended the arbitration sessions. Having recorded ten proceedings of arbitration meetings with a total of 142 attendees, the researcher purposively sampled three recordings of the arbitration meetings which were

rich in data for the current study. Those recordings that were left out were either inaudible, had failed to take off due to the absence of a witness, others needed further investigation into the matter before the arbitration process could begin or lacked quorum on the side of arbitrators. Out of the three sessions 62 utterances were selected as the sample population since they contained conventional and indirect impolite language usages. The utterances were analyzed in line with the objectives of the study. The chief and elders' utterances helped in analyzing how social power and social distance influences impoliteness. The speakers' and respondents' utterances reflected how pragmatic factors such as age, gender and the AbaGusii social norms constrain language use and impoliteness in particular.

3.4 Sample and sampling procedures

The researcher used purposive sampling. Patton(2002) observes that in purposive sampling, only cases with data that is useful to the current study is extracted. The researcher recorded and listened to all the contributions from ten meetings and purposively sampled those that were relevant to the study. The researcher sampled the contributions that bore variables that were being tested in this study. Data was recorded in continuous sessions, and, the researcher determined the saturation point when data began to recur. The sample population comprised of mature males and females above the age of twenty. Children did not participate in arbitration discourse.

3.5 Data Collection Procedures and Instruments

The researcher sought to establish the validity and reliability of the data collection procedures and instruments through conducting a pilot study. Having sought permission

from the area Chief, the researcher attended an arbitration session where the chief and clan elders arbitrated over a case of a sick cow which had been sold and unfortunately died on the way to the buyer's home. The buyer of the cow demanded compensation from the owner for intentionally selling a dying cow to him. From the pilot study the researcher found the naturally occurring arbitration discourse immensely rich in the linguistic aspects in the current study. The research instruments having been tested the study was found tenable.

The researcher being a native speaker of Ekegusii, took the role of a participant observer. Labov (1971), observes that when the researcher knows the rules of their culture and members know that the researcher knows the rules of their culture, they expect the observer to behave like a member of the society. Tape recording of naturally occurring conversations was the basic data collection method. Prior to the actual recording, the researcher notified the chief that the conversations would be recorded so that he could explain to the other participants to avoid suspicion. Oral interviews were conducted after the meeting and they were recorded. The researcher took notes on non-verbal communication during these sessions, Semi-structured interview schedules were used in conducting oral interviews with the participants after meetings. Such interview schedules combined structured and open ended questions which allowed for probing to get more data. Three oral interviews were conducted and they lasted an average of ten minutes each. Losers in the arbitration cases however, spared little time for the discussions since they felt disappointed.

From the recorded conversations, the researcher identified utterances that were deemed face aggravating for analysis under Culpeper (1996) five impoliteness strategies.

Analysis of data under the bald-on-record impoliteness, positive impoliteness, negative impoliteness, mock impoliteness and withheld impoliteness helped to achieve the first objective of the study. The second objective was achieved with the analysis of the impoliteness strategies in relation to the users taking into account the users' social Power and social distance relations with the target audience. The third objective was achieved through analyzing data from the semi-structured interviews and the recordings from the interviews, the researcher was able to figure out how pragmatic features such as the age of the participants, their gender, and Abagusii culture determined the linguistic choices that speakers made during the arbitration discourse.

3.7 Data Analysis and Presentation

Recorded data was translated and transcribed. The impoliteness strategies during the arbitration sessions were identified and their frequencies of occurrence analyzed against their users under the four impoliteness strategies set out by Culpeper (1996) which included negative impoliteness, positive impoliteness, bald on record impoliteness, mock impoliteness and withheld politeness. Seliger and Shohamy (1989), observe that in qualitative research, data is best analyzed using frequencies of occurrence, central tendencies and variability.

Data for this research was presented using both qualitative and quantitative methods. Whereas qualitative methods enabled the researcher to describe the various impoliteness strategies and forms used by interlocutors, quantitative methods helped in showing the frequencies of occurrence of the impoliteness strategies against the constraining pragmatic features. This study used the quantitative approach in analyzing the frequencies of occurrence of impoliteness strategies, tendencies of usage impoliteness

strategies among the participants and the variations that occur as a result of power relations and context. The results were however quantitatively tabulated against the users.

3.8 Ethical Considerations

The researcher obtained a research permit from Rongo University in collaboration with NACOSTI; sought permission from the County Government of Kisii, obtained the consent of the chief and his elders before embarking on the data gathering exercise. Before recording, the respondents were informed of the purpose of the exercise in order to avoid any suspicion. During transcription, pseudo-names were used in order to conceal their true identities.

3.9 Conclusion

In this chapter, the study looked at the methodology that was used in carrying out this study. It discussed the research design that was adopted in carrying out the research, the area of study and the study population. The techniques and instruments that were used to collect data were discussed too. The procedures of data collection and data analysis have also been elaborated. The ethical considerations that the researcher made too, have been explained in this chapter.

CHAPTER 4

DATA ANALYSIS, PRESENTATION AND DISCUSSION.

4.0 Introduction

This chapter presents findings on the research conducted on the impoliteness linguistic forms and strategies used by participants of arbitration discourse in Ekegusii. Data for the study was based on recorded and purposively sampled arbitration sessions, as well as focused group discussions. The chapter has been presented under three sections. The first section analyses and discusses data on impoliteness forms and strategies as used in the three cases. The impoliteness strategies realized are presented as they occurred in each case. The second section analyses and discusses data on the role of social power and social distance in speakers' choice of impoliteness strategies in each of the three cases, and the last section analyses data on how pragmatic features determine impoliteness strategies used in Ekegusii arbitration discourse. The analysis was guided by the Theory of Impoliteness put forward by Culpeper (2008).

4.1 Impoliteness Forms and Strategies

Section 4.2 focused on the first objective of this inquiry which sought to answer the research question on what impoliteness strategies and forms interlocutors use in Ekegusii arbitration discourse. An analysis of the data revealed that the interlocutors employed all the five impoliteness strategies with the arbitrators being the greatest employers of impoliteness strategies. This study found out that those in authority, hence socially powerful employed the most impoliteness strategies and, particular, bald-on-record impoliteness was the most used impoliteness strategy in all the three analyzed data from

the three cases. Mock impoliteness, Positive impoliteness, negative impoliteness as well as withholding of politeness occurred in the data.

Interpretation of an utterance is context dependent, although as Culpeper (2011) argues, there are formulaic and conventionalized forms of impoliteness whose offensiveness is not easy to eliminate by means of context like understanding them to be part of friendly banter. The criteria for identifying impoliteness forms and strategies was based on identification of utterances that conventionally communicated offence, the nativist advantage of the researcher in identifying implied impoliteness and through observing of paralinguistic cues on the interlocutors that indicated offence.

The first session involved a man who wanted arbitration in an instance where his wife had a love affair with another man, the second session was a land case whereby a lady had sold land without her husband's consent and the final session was a case about an irresponsible husband who not only wasted family resources, but was also violent and unfaithful to his wife.

This section analyses the various impoliteness forms and strategies that came into play during the arbitration over three cases. The arbitration session over a case of the unfaithful wife involved twelve people comprising of the accused lady, the chief, five elders, her husband, the alleged lover, and three of his friends. The husband had sought the intervention of the chief in stopping a love affair between his wife and another man. From the contributions of the chief, the issue had been handled earlier on but the husband had a recorded phone conversation between his wife and the alleged lover as evidence that his wife's illicit love affair with the other man was still going on. The arbitrators employed all the five impoliteness strategies, the accused lady used bald impoliteness

strategies realized through lies. The complainant used positive and negative impoliteness strategies directed at his wife and his wife's lover respectively.

In the second case a lady sought the intervention of the chief and the council of elders to separate from her unfaithful, irresponsible and violent husband. AbaGusii governance system bestows the council of elders with powers to arbitrate, mediate or make decisions on conflict related to land, marriage and inheritance (Hakansann 1988). The participants in arbitration of this case included the arbitrators, the estranged couple, in-laws from both sides, witnesses and friends.

In the third case, a lady had sold land without her husband's consent. The buyer was denied land ownership documents by lady's husband prompting the arbitration process by the chief and his council of elders. The land owner happens to be one of the elders who advises the chief during similar arbitration sessions. He therefore had been an arbitrator in other cases. This case was unique in that there was reduced social distance and social power between the accused and the arbitrators as the elders were dealing with a case touching on one of their own. Elder 3 reminds his fellow elder that though they are colleagues (sit together), he should be ready to be defeated in that case.

Elder 3: *Natoba toikaransete naye aiga goika tokobue.*

[Though you sit with us here, we must defeat you]

Brown and Levinson (1987) define social distance and social power as the level of familiarity between conversational partners and one's position in society respectively. Cases of direct impoliteness strategies were minimized as Mock impoliteness strategies were the most employed in this case.

Culpeper (1996) observes that the classification of utterances under the various impoliteness strategies is never an easy task since overlaps may occur when an utterance falls under more than one strategy depending on the context of usage. For instance, the chief's assertion that ACC2 is insane, "You are abnormal my brother", is both an insult, and a negative evaluation. Insults are a form of bald-on-record impoliteness while negative evaluations are an attack on the target's positive face. Despite this challenge the following are the impoliteness strategies that occurred in the three sampled cases in this inquiry.

4.1.1 Bald- on- record Impoliteness.

Culpeper (2011) defines Bald-on-record impoliteness as a face attack meted on an addressee directly, intentionally and unambiguously. Many instances were noted during EkeGusii arbitration discourse when Speakers employed bald-on-record impoliteness strategy. This strategy was realized through various output strategies such as insults, abuses, use of taboo words, direct negative criticism, negative references, unpalatable questions, use of vocatives and reprimanding.

Locher and Bousfield (2008) observe that impoliteness is closely tied with the very concept of power such that those whose face is damaged by an utterance find their response actions restricted by the power differences. Locher and Bousefield's (2008) observation applied in the current study, such that those in authority directly attacked the face of the less powerful. Due to the aforementioned power restrictions, the less powerful interlocutors could only be silent or defend themselves. In excerpt one below, elder 1 uses Bald on record impoliteness strategy realized in form of an insult. The elder insults

ACC1 directly after she promises to stop the illicit love affair between her and her lover (ACC3).

Excerpt 1

Elder 1: *bono naki oroche ogocha gokora amang'ana aya?*

[How are you going to deal with this issue?]

ACC1: *etogochagotigana*

[We shall end this affair.]

Elder1: *Obwo no'bochinga obwate.*

[You are being stupid!]

ACC1: [No response]

The utterance *obwo nob'ochinga obwate* (you are being stupid) is a direct insult a bald-on-record impoliteness strategy. The face threatening act was performed directly and unambiguously. ACC1, who is accused of being involved in an extra-marital love affair, does not respond. Bousfield (2003) observes that there are three responses that are expected on the occurrence of a face threat: the hearer may decide not to respond, they may accept the face attack or counter it defensively or offensively. ACC1 may not have responded because of the restrictions on her action prompted by the power relations with the speaker. Locher and Bousfield (2008) argue that the action environment of the socially less powerful is constrained in their interaction with socially more powerful conversational partners.

“A social agent *A* has power over another social agent *B*
if and only if *A* strategically constraints *B*'s action-environment”

Wartenburg (1990) in Locher and Bousfield (2008)

In the case of the lady (PET2), who sought separation from her estranged husband (ACC2), an arbitrator insulted ACC2 in excerpt 2, when he directly told ACC2 that his way of thinking was not manly. The insult was heightened by the arbitrator calling ACC2 an abnormal person.

Excerpt 2

Elder3: *Ogwateba ng'a kero agogotobia onywome, okogenda naende*

kwanywoma: ekio Ninki? tari etobo? Nomanyete ng'a okwo tari ogotumia

obongo bw'omosacha. Mosacha takorengereria igo. Omokungu nabo agokorama

lakini gwatiga igo tu. Bono kero ogotebigwa onywome naende kwanywoma, are

you normal? You are not Normal sincerely!

{ You said that when your wife asks you to get a different wife you do so; isn't that hitting Back? You know that is not using the mind of a man. A man cannot think like that. Even if your wife insulted you. when your wife asks you to marry and you go ahead to marry; are you normal? Sincerely you are not normal }

The elder's negative evaluation of ACC2's senility, 'you are not normal sincerely' is a direct attack on his face. Bousefield(2008) classifies negative evaluations under intentional impoliteness. The unpalatable question 'are you normal' and the insult 'sincerely you are not normal' are equally directed towards hurting 'ACC2's face. The elder employs three conventional impoliteness output strategies in a single utterance, directly and intentionally attacking ACC2's self-esteem.

Another elder in excerpt 3 points to ACC2's low-wittedness when he observes that was ACC2 keen on marrying and re-marrying as he wasted family resources yet he had not satisfied his wife. This is a pointed criticism that severely damages the addressee's face directly. Among the AbaGusii, men are not only the heads of the home, but also providers (Ethnologue 2015).

Excerpt 3

Elder 4 *Nonye nenchera akonywoma nigo ere eyo 'boriri. Taraisanekia*

omosubati oye ko Ne'nibo akona gotuguta

[Even the way he marries, he does it stupidly. He hasn't satisfied his wife's needs yet he keeps wasting his resources]

ACC2:(no response)

Mufwene (1996) observes that among the Bantu, in-laws are accorded great respect to an extent that even the mention of their names in the presence of the in-laws is almost taboo. The reference to ACC2 as a person who does his things stupidly in excerpt 3 is an insult hauled at ACC2 in the presence of his parents-in-law resulting in great face aggravation. Elder 1 considers ACC1's head laden with stupidity in excerpt 4. This is a direct insult. The elder employs bald on record impoliteness strategy.

Excerpt 4

Elder 1: *Omanyete bado obochinga boichire omotwe ogo ime*

[you know your head is still full of stupidity]

The Chief in excerpt 5 suggests that ACC1 should go to her matrimonial home and engage in sex to her satisfaction before she comes back to her husband.

Excerpt 5

Chief: *Genda seino orarinu kabisa oisaneke omany gochagocha*

[Go to your home and have enough sex then come back.]

Amongst the Abagusii, people don't engage in sexual activities with their kinsmen. This too is a bald on record face attack in form of an insult. ACC1's self-image is attacked since she is portrayed as a person who engages in sexual activities indiscriminately

In excerpt 6 below the chief tells the lady to relocate to a bar where she can have as much sexual intercourse as she wants. The elder directly attacks the lady's face by portraying her as a prostitute.

Excerpt 6

Chief: *Ogende ebaa ochi komenya aroro egekogera noo oraakweemete eisaine
bunaotagete.*

[Then you can go to the bar where you will receive enough strokes of the
'stick']

The Chief euphemistically refers to the male sexual organs as 'sticks'. Reference to sexual organs '*emete*' in a mixed gender and age group is taboo in the AbaGusii culture (Ethnologue 2015, Maisiba 2015); it is shameful to not only the target but even to the bystanders. ACC1's face is severely damaged as she is presented as a promiscuous person with multiple sexual partners. This equally amounts to an insult since she is portrayed as a prostitute.

The chief in excerpt 7 uses term '*mosacha oo*' (your man) in referring to ACC1's husband instead of the more respectful term of reference to one's husband '*omogaka oo*' (your husband). The speaker who is an elderly male is expected to use the honorary version

(*omogaka oo*) given his age, gender, as well as the social distance in relation to his addressee. This bald impoliteness is intentional and aimed at harming the hearer's face.

Excerpt 7

Chief: *Mosacha oo araita ACC3, tari mosacho oo orasibwe?*

[if your husband kills your lover (ACC3), won't it be your husband who will be jailed?]

Elder 2, another arbitrator in excerpt 8 further aggravates ACC1's face directly and unambiguously with yet another expression with taboo words

Excerpt 8

Elder2: *Aye toigweti? Ngwategerera namato ago buna mware koiraneraia buna esimi egoakwa kwaramorama buna nyoko enyuma*

[Have you not heard with your own ears as you conversed with ACC3 on phone? You even abused him that he resembles his mother's buttocks?]

A recorded conversation between ACC1 and her lover ACC3 contained references to buttocks (*enyuma*) a private body part whose public mention is taboo among the Abagusii.

The chief who is an elderly male was not expected to address ACC1 who was female and junior in terms of age, using the same taboo words. The speaker directly and unambiguously harms his ACC1's face.

The chief in excerpt 9 asks ACC1 if her husband was incapable of satisfying her sexually in excerpt. As an elderly male and socially powerful by virtue of the office he held, the speaker's reference to sexual intercourse (*gokorina*) publicly in such a mixed group setting is not only embarrassing, but unacceptable among the AbaGusii (Maisiba 2015).

Excerpt 9

Chief: *omogaka ogo tari gokorina buya?*

[Doesn't your husband satisfy you sexually?]

The chief attacks the addressee's face intentionally and indirectly attacks the man's face by painting him as being sexually weak. Arbitration being a means of settling a dispute between two parties, the arbitrator is expected to be neutral hence such impoliteness towards ACC1 was uncalled for. The use of bald-on-record impoliteness, which incidentally comes from the arbitrator's points to partiality.

In excerpt 10, ACC2 had blatantly lied to the wife PET2 about the financing of his education. Lies are a form of bald-on-record impoliteness (Brown and Levinson 1987).

Excerpt 10

PET2: *ACC2 agantebia ng'a ngochi are esukuru lakini nomoMP*

Ogoakana. Kero areta rirube nario agontebia ng'a nebisi etakeire

[He told me that he was going to school with the member of parliament's full funding. On bringing the admission letter he said that school fees was required]

This form of impoliteness is intentional and unambiguous. PET2's perception of her husband as a liar, informs her mistrust for him. PET2 narrates on how her husband had moved out of their home to go and cohabit with different women. The chief in excerpt 11 uses bald on record impoliteness. The chief equates ACC2's departure from home with eloping.

Excerpt 11

Chief : *Inyora narakwanire nabanto bamino, omochando naye. Omong'ina ogo tana*

kong'anya; Naye okobasa

[Remember I have consulted your people; you are the problem. Your wife has never left you, you are the one who elopes]

Eloping entails getting married procedurally by a girl. Such an act is not approved of since the girl doesn't receive the parents' blessings in her marriage. In this case it is the man who had left his wife on several occasions to cohabit other women albeit temporarily. AbaGusii Men do not leave their homes to go and get married, instead, they bring their wives home and such an analogy is an insult on the man. The ridiculed damages ACC2's face since the chief portray him as an uncultured and senseless man who does what is culturally unacceptable. In another instance, an elderly man who witnessed a sale of land confessed having lied to the land owner's wife that he would support her in selling the land only to backtrack. This is self-confessed impoliteness

Excerpt 12

Witness: *bagasoa egari eyio yabo ime inche ngakana gosoa aroro. Nkabatebia*

Batotigere chibesa tobabwatie nabana. Ngatebi abana inwe genda momotebi nche nakanire. Inche tinarengi kogenda koonia omogondo kare moyo.

[They boarded their car and left. I asked them to leave us with fare so that I could follow them with the children. I told her sons to go and tell her that I had refused to go. I could not participate in selling ACC4's land while he is alive]

Lies are a form of bald on record impoliteness according to Culpeper (1996). The witness openly admits that he had even been provided with fare to the venue where the land sale

agreement would be signed, knowing very well that he didn't intend to participate in the land sale process.

4.1.2 Positive impoliteness

Positive politeness entails performing speech acts that maintain the hearer's positive face (Brown and Levinson 1987). Positive impoliteness involves performing speech acts that harm the positive face of one's conversational partner. A speaker who employs positive impoliteness strategies does not promote the hearer's desire to be approved of or being liked by other participants in the communicative event including the speaker himself. Brown and Levinson (1987) argue that at all times speakers endeavor to protect the hearer's face through mitigation of any potential face attack using a politeness strategy. However, in this study it was noted that some speakers intentionally attacked the hearers' positive face without any redressive effort.

Positive impoliteness may be realized lexicogrammatically or through implicatures and indirect statements (Culpeper 2005). Attacks on the positive face may be in form of threats, unpalatable questions, personalized third person negative references, pointed criticisms and admonitions (Culpeper 2016). In excerpt 13 below the speaker not only employs bald on record impoliteness by referring to sexual intercourse "*orarinu*" such a mixed group, but positive impoliteness too. The suggestion that the lady be sent away from her matrimonial home back to her parents communicates rejection towards the addressee harming her positive face.

Excerpt 13

Chief: *Genda seino orarinu kabisa oisaneke omanyego chagocha egekogera chibesa echioyonde agokoragereria onorete kabisa nachiochiakomwenirie.*

[Go to your home and 'be climbed'(have sex)then come back.

The money the at your husband uses to feed you has made you so fat and rude.]

ACC1:(No response)

The elder's suggestion that ACC1 can engage in sexual activities with her kins while at her maternal home portrays ACC1 as not only an immoral person, but also uncultured for that matter. Such traits may not endear ACC1 to even the bystanders in this conversation hence damaging her positive face. The negative criticism of the lady as being too fat and rude aggravates her positive face as well. The remarks communicate dislike towards ACC1. The chief in excerpt 14 suggests that ACC1 should leave for maternal home. This literally means being excommunicated from her matrimonial home, an action that communicates rejection.

Excerpt 14

Elder 3: *Omosubati oyo tiga agende sobo*

[Let this lady go to her maternal home]

Brown and Levinson (1987) posits that every person desires to be liked and accepted a need that constitutes the positive face. The threat to excommunicate ACC1 not only communicates rejection but disapproval equal measure hence ACC1's positive face wants are not put into consideration

The utterance in excerpt 15 is not only an unpalatable question directed at the ACC, but an utterance that does not endear the addressee to those around her. Shame is not admirable as well as that who causes such shame.

Excerpt 15

Elder 1: *Bono mbosoku kiobo okoreta ase enka yago enamna eye?*

[Why do you cause such shame to your family?]

The addressee is portrayed as an embarrassment to the family hence her acceptability to the family is lowered. The hearer's positive face is therefore under attack with no redressive action coming forth from the speaker. The speaker in the excerpt 16 faults women for being too weak to resist the lust by men. This is a personalized negative evaluation of the women folk and consequently, an attack on the woman's positive face

Excerpt 16

Chief: *Kende nkeiyo kere etabauti korwa ase omong'ina ogo nomokungu onde.*

Ne'tamaa Twatwarete, na'bakungu bakaba buna bare.

[There is nothing different between your wife and another woman. It is just the lust in us and you know how women are.]

The chief further insinuates that the lady in question was the initiator of the illicit love affair and the lover was only being a man as expected.

Excerpt 17 *Buna momanyete botambe omokungu nere okworokia signs
chiokogania Omosacha. Kero akworokirie igo naye kwa.....(inaudible)*

[You all know that it is a woman who shows interest in a man first.

The man only yields to the lady's advances]

Such stereotypical aspersions are an attack on ACC1's positive face. The speaker in excerpt 18 uses third person negative impersonal reference 'omonto oyo' (this person), 'omokungu oyo' (this woman) in addressing the lady. The speaker intentionally attacks the hearer's positive face by invoking rejection and dislike in the listeners. He even goes ahead to call her dangerous yet the lover is spared any face attack.

Excerpt 18

Elder 1: *Omonto oyo tasareti mwaye?*

[Hasn't this person spoilt her home?]

Omokungu oyo is very dangerous!

[This is a very dangerous woman!]

No one would associate with, nor like a dangerous person. The arbitrator's utterance antagonizes the addressee with her kin present, her husband and the listeners present. The addressee's positive face wants are undermined in this case. The patriarchal nature of AbaGusii (Maisiba 2015), comes to light in this case where the man's face is safeguarded as his lover's face is damaged

The attack on ACC1's positive face are intensified when the chief re-iterates that ACC1 is likely to kill her husband. The arbitrator attacks the lady's positive face by portraying her as a killer in excerpt 19.

Excerpt 19

Elder 1: *I think bwana omokungu oyo nache agoite!*

[man, I think this woman will kill you!]

PET1: (No response)

This assertion is unfounded since there is no evidence that ACC1 had ever been associated with murder or intent to commit murder. ACC1's positive face wants are not considered by the chief. This might cause fear not only in ACC1's husband but other family members present in the meeting

An elder in excerpt 20 below expresses contempt and disgust towards ACC1. These feelings aggravate ACC's positive face and greatly damages it. She is portrayed as a

detestable and an unsightly person. Her positive face wants of wanting to be liked and appreciated are not taken into account by the speaker.

Excerpt 20

Elder1: *Aba nabwo bari ntari gotaka narora bosio bwane!*

[This are the kind of people that I never wish to catch sight of!]

This remark is equally a negative evaluation of the addressee and display of aggression towards her. Every person wishes to be approved of by others and to be accepted (Brown and Levinson 1987). Contempt and disapproval are direct impoliteness output strategies that aggravate the positive face of the addressee (Bousefield 2008). In this case ACC2's positive face is damaged without any mitigation effort. Tracy (2010) observes that people have a right to express outrage, yet, the socially acceptable conduct for public life that is mostly practiced is civility. Tracy (2010) reiterates that one can express outrage and criticism without being disrespectful to the addressee.

, the lady who sought separation from her estranged husband expresses dislike and disapproval towards her matrimonial family. PET2 paints the family as comprising of irresponsible and reckless persons. She complained that ACC2s had leased all their land such that they had no land subsistence farming.

Excerpt 21

PET2: *Tinkoba n'obosoku goteba ng'a kero nanywometu gochia sobo ACC2, nonya nemegondo yabo yonsi enanyorete bakondiseti. Lakini rende inkarorora tinkorwa aroro ina kobarerwa ng'a naetire ense. Nkaamua koremereria.*

[I won't be ashamed to say that when ACC2 married me, they had leased all their and. However, I decided to persevere because I didn't want to be considered a

loose foot.]

PET2 attacks her in-laws' positive face by the terms of reference that she uses on them in excerpt 22. She avoids using kinship terms such as brother-in-law, sister-in-law or mother-in-law and instead refers to them as 'his mother,' 'his sister' and 'his brother' yet they are her in-laws.

Excerpt 22

PET2: *Mama omwabo*

[his mother]

Moiseke omwabo

[his sister]

Momura omwabo

[his brother]

Mufwene (1996) observes that in the Bantuculture, kinship terms are used to refer to in-laws since calling them by name or any other reference is considered disrespectful. Among the AbaGusii once a lady is married, she calls her husband's parents using the same terms as her maternal parents (Mufwene 1996). A father-in-law will be called 'tata' and a mother-in-law 'mama' (Mufwene 1996). These dissociatory references show that she doesn't like them at all hence damaging their positive face or need to be liked and approved of.

The third person negative reference to the purported worker in excerpt 26, shows the contempt that the speaker holds towards the referent; a case of positive impoliteness though the referent is absent during this conversation. The speaker's later reference to the

the same lady as ‘that wife of his’ confirms the contempt with which she holds the person interfering with her marriage.

Excerpt 23

PET2: *Ngoika aroro nkanyora omokungu oyio ateba orenge ‘gokora egasi’ mogaso. Mokaye oyio.*

[when I got to Nairobi I found the woman whom he had said ‘worked’ for him during the day. That wife of his.]

These utterances made in the presence of the accused man’s in-laws may be quite damaging on ACC2’s positive face. The accusations are a great embarrassment especially in the presence of the mother-in-law. Matters relating to sexual immorality are a taboo topic between mother-in-law and son-in-law in the Abagusii culture (Hankassan 1988)

A witness in the land sale case asks an unpalatable question to the lady who sold the land (PET3); The unpalatable question is an attack on the positive face of both the lady and the land buyer (culpeper 1996).

Excerpt 24

WIT1: *Omogondo nkooniwa ore banyene bataiyo? Omogaka nyene?*

[Can land be sold in the absence of the owner?]

They are portrayed as having done the socially unacceptable in the Abagusii culture. The speaker uses the rhetoric question (can land be sold in the absence of the owner?), with an intention of disendearing the lady seller and the buyer of the land. They are portrayed as having done something asocial, hence damaging their positive face

The speaker in excerpt 25, uses positive impoliteness strategy realized through the use of third person impersonalized reference ‘*omogambi oria*’ (that ruler) and ‘*omong’ina*

nyene’ (the lady owner) yet he is conversant with the referents. Positive impoliteness was achieved through the use of such dissociatory third person references used by the witness. Brown and Levinson (1987) classifies dissociatory references under threats to the positive face of the referent.

Excerpt 25

WIT1: *bono ngokora ng’a omogambi oria obegete esei amo nomong’ina nyene tige bae omwana oyo chibesa.*

[Let me finish by saying that, that ruler who authorized the sale together with the Lady Owner should refund ‘this child’]

The witness dissociates himself from the referents aggravating the positive face of the lady and the assistant chief who authorized the irregular land sale. The endearing reference to the land buyer as *omwana oyo* (this child) portrays the land buyer as an innocent victim while portraying the assistant chief who had authorized the land sale as well as the lady negatively for having colluded with the assistant chief to sell the land irregularly.

An elder reminds ACC2 that he has been disorganizing his wife as she endeavors to invest for their family. He is also reminded that he did not take part in educating his wife who despite of that uses her resources to cater for family needs. The elder concludes that ACC2’s actions show that he was abnormal.)

excerpt 26

Elder 2: *Bono my brother omong’ina oo nigo achete bwogo gasomete naendeotemire ebintoebinge aye gogoturubania. Sincerely ndagotebi ng’a you are abnormal.*

[My brother, you married your wife already educated. She has tried investing in many ways yet your work is to disorganize her. Honestly, let me tell you that you are abnormal.]

ACC2 was belittled before his wife, and negatively evaluated. This are linguistic realizations of positive impoliteness (Culpeper 1996)

4.1.3 Negative impoliteness strategies

This section analyses the negative impoliteness forms and strategies used by speakers in the case of the three sampled cases for this study. Negative impoliteness strategies when used in a conversation are a form of intrusion into one's personal space and an impediment of one's freedom of action (Culpeper 1996). The output strategies of negative impoliteness include impolite interruption of an interlocutors' speech, threats issued to a conversation partner, asking unpalatable questions, dismissing of ones' contribution in a conversation and silencing a conversational partner. In the unfaithful lady's case, the arbitrators pay no attention to the lady's negative face wants. the arbitrators attack the lady's negative face by asking her unpalatable questions concerning her private life, they dismiss of her responses, she is silenced, she is interrupted impolitely in addition to being coerced by an arbitrator into speaking the truth.

Elder 3 in excerpt 27 asks ACC1 what she thought would be the solution to her unfaithfulness. This was an unpalatable question that does interfere with her freedom of choice. Having been informed of the consequences of the illicit love affair she was engaged in, the lady answers that she was going to part with her lover. She unknowingly admits to the accusations levelled against her; an accusation she had denied all along.

Excerpt 27

Elder3:*Bono ekororekana emogenderete n'omomur'oyo. Inki orakwane koru enkoroyago ime?*

[it seems you are still involved with this guy. What can you say from your heart?]

ACC1:*Etogocha gotigana,*

[We are going to part]

ACC1's willingness to stop the affair is an admission to its existence. This amounts to a confession by the lady which is an attack on her negative face (Brown and Levinson 1987). This was a confession she made not out of her own free will but after being coerced by the arbitrators hence aggravating her negative face.

Excerpt 29

Elder 1:*Beka angoyamangana aobuya, rero neround yakabere kwagambigwe Ekegamberobuna eke, onyemwatwarete ekende tinkomanya.*

Ebikogenderera?

[Can you put your statements straight, today is the second time you have appeared before this tribunal. If you have had other seating's I don't know.

Do you continue with this affair?]

ACC1:*Twatigire*

[We have stopped]

This was a confession still albeit indirectly. She confesses that she had stopped her extra marital love affair. Elder 3 in excerpt 30 asks ACC1 if her husband was underperforming sexually giving her reason to get a different sexual partner. The lady's response to this question means she understood the implicature that she had

been sexually involved with her alleged lover.

Excerpt 30

Elder 1: *Omogaka oo otari gogoisanekia?*

[Doesn't your husband satisfy you sexually?]

ACC1: *Momura oyo Tanya koba nainche*

[This guy has never had sex with me]

The elder's assumption was that ACC1 had had sexual contact with her alleged lover and the elder's concern was to find out why ACC1 decided to involve herself in the illicit sexual affair. ACC1 needs freedom to admit to its truthfulness or refute. The Elder therefore harms ACC1's negative face by impeding her free will to speak.

It is an impediment to ACC1's freedom of speech choices when the chief insinuates that she is lying in excerpt 32 and that there could be a problem in her marriage.

Excerpt 32

chief: *teba ekeene*

[speak the truth!]

Teba ekeene torigi eriogo. Omochando nyomb'ore

[Say the truth so that we can get a solution. Do you have a problem in?

your house]

Matters sexuality are a private affair in marriage and exposing them in public is not only an embarrassment but an interference with the targets privacy. The negative face of both the lady and her husband are damaged during this conversation.

Elder 3 interrupts this conversation with the threat below. The elder threatens to whip ACC1 if she doesn't tell the truth. Impolite interruptions as well as the threat are an attack on the negative face of the addressee.

Excerpt 33

Elder 3 *Omanyete nkobogori ekeranya korwa agwo ngotwange bobo!*

[You know I can fetch a cane and whip you terribly!]

The threat to beat the speaker on the other hand is a form of coercive impoliteness (Culpeper 2011) intended to make the target change her mind about what she had earlier said. This form of intimidation, apart from being inappropriate in an arbitration process, amounts to intruding into the hearer's personal space as well as impeding their free will of speech hence attacking their negative face.

The hearer's negative face is further aggravated by the harassment below in a scathing attack on her negative face. The chief asks her to speak quickly since there were other clients waiting to be served

Excerpt 34

Chief: *kwana bwango tokonye abande.*

[Speak quickly so that we can serve other people]

This remark indicates that the lady is wasting the arbitrators' time and it amounts to harassment, which is an impediment to her freedom to choose as to when to say what. Finally, the lady confesses having been involved in a sexual relationship with the suspected man. Such a confession, is an infringement on their freedom of choice and consequently an attack on ACC1's negative face, (Brown and Levinson 1987). The admission is as a result of the coercion and threats issued to her by the arbitrators earlier

on. Any linguistic behavior that comes not out of one's free will is an attack on their negative face.

Excerpt 35

Elder4: *Bono ekororekana emogendererete na ACC3. Ninki oratebe koru enkoroyago ime?*

[It seems you are in a relationship with ACC3, what can you say from your heart?]

ACC1: *Inche ndiria twarenge komo, riria mwagambete ntwatiganete.*

[We had an affair but we stopped when you asked us to stop.]

ACC1 is interrupted by elder 2. The arbitrator discredits what ACC1 had said earlier, and considers it a lie. This is negative impoliteness because the speaker's independence is interfered with. Consequently, ACC1 confesses thanks to the pressure from the arbitrator.

The confession is a culmination of an attack on the speaker's negative face.

Excerpt 36

Elder 2: *aye tiga gotong'aina aiga!*

Emokogenderera gose emogotigana? Egento kere ekiororo.

[you stop lying to us!]

In simple terms, do you continue with the affair or will you stop?]

ACC1: *Etogotigana*

[We will part]

Such a vocative *soka isiko!* (get out!) in excerpt 37 is an attack on the hearer's negative face (Culpeper 2015). The hearer does not have an alternative but to get out as ordered.

This doubles up as a condescension. Vocatives according to Brown and Levinson (1987) do not construct but damage the recipient's negative face

Excerpt 37

Chief: *Soka isiko! Obosoku kabisa!*

Get out! Shame on you!}

ACC1 is belittled by such an order and she is made to look foolish before the tribunal. Her confession is rubbished as she is ordered to match out of the arbitration room. This can also be interpreted as a dismissal of her input since her input is not put into serious consideration. Use of vocatives, condescension and dismissals are linguistic realizations of negative face attack on the addressed person (culpeper 2010)

In another case, PET2 had sought separation from her estranged husband ACC2, ACC2 is accused of blackmailing PET2 in order that she relocates to Nairobi to take responsibility for children. In excerpt 38 ACC2 does not refute the fact thathe frightened his wife with death of their children.

Excerpt 38

PET2: *Chiwiki ibere chikaera agantebi bera Gusii abwo osomi abana babande*

abao bagokwa

[After two weeks, he told me to stay at home teaching and teach people's children while your own are]

This was a threat aimed at intimidating the lady so that she could relocate to Nairobi against her wishes. Frightening is a way of making the speaker's target do or say what their conversational partner intends them to do hence impeding there free will. Such manipulation is a negative impoliteness strategy.

Instances where speakers used utterances that amounted to impediment of one's actions and intruding into one's personal space were noted in the land case. Elder 3 hastily rules that the land owner should divide his land into two and let his wife and the buyer sort their issues alone.

Excerpt 39

Elder3: *Tiga ACC4 abage oboremo bwaye kabere, kera omong'ina aegwe obwaye PET3
baonchani no 'mogori oye boka.*

[Let ACC4 subdivide his land among his two wives so that PET3 and her client
can sort their issues out on their own]

The decision on whether to subdivide the land or not lies with the owner of the land. Lies with the land owner and the wife. The arbitrators' duty was to help them come to a consensus and not decide on their behalf.

4.1.4 Mock impoliteness

Indirect language use with an intention to harm face is characteristically mock impoliteness, unless it's geared towards isolating other people from a given conversation (Culpeper 1996). Mock impoliteness employs insincere expressions or non-conventional politeness that are cancelled by the context of usage. Mock impoliteness is implied impoliteness that is reflected by a mismatch between the context and the linguistic behavior that results in face damage. A contextual interpretation of an utterance may not yield the same meaning as the semantic interpretation of the utterance. Mock impoliteness may be realized through the use of irony, sarcasm, tautologies, ridicule and demeaning statements (Culpeper 2011). Implicit impoliteness according to Jamet and Jobert (2013) are slightly more frequent than explicit ways deploying impolite formulae.

Mock impoliteness strategy makes use of indirect linguistic realizations to attack the face of the addressee. The speaker relies on the recipient's linguistic ability to infer the intended face harm being communicated (Grice 1989). These implicational impoliteness strategies may also be form driven such as tautologies, convention driven such as ironic and sarcastic remarks or context driven such that the lexical choices a speaker makes that do not match the context of usage as in the case of implicatures (Grice 1989).

The chief reminds ACC1 that, apart from the arbitrators being older than her husband, their reasoning too is different from that of her husband. The chief indirectly told ACC1 that they were not as gullible as her husband whom she manages to dupe while she engages in an extra-marital love affair with ACC3.

ACC1 having admitted to the existence of her illicit love affair with ACC3, she is equally to blame for being unfaithful to her husband. The Chef in excerpt 40 therefore, warns ACC1 not to expect a similar response from the tribunal. This is a face threatening act on both PET1 and his unfaithful wife that is presented indirectly.

Excerpt 40

Chief: *Emiaka yaito tegotwallow torengererie buna okagerete tokorengereria.*

Gose onye gokagete ing'a twensi nabo tore buna obegete omoga

ogo, tekonyarekana

[Our age cannot allow us to think in the way you assume we are thinking.

In case you are imagining that you can manipulate us as you do your husband,

Then you are wrong]

This is a sarcastic remark that indirectly points to ACC1's low intellectual abilities. Her husband too is portrayed in the same light of foolishness to such an extent that he

condones unfaithfulness from his wife. The implicature in this statement is contextual since as things stand PET1 is unable to tame his wife. He asks the arbitrators to ask ACC2 to leave his family in peace while he sees no fault on his wife's part.

In excerpt 41 the chief asks for PET1 on what he thinks is the solution for his wife's unfaithfulness. This is an unpalatable question since the chief is aware that it is for lack of a solution that PET1 presented the issue for arbitration. PET1 to the defense of his wife asks ACC3 to leave his wife alone. PET1 even uses the honorific 'family' to refer to his wife. This shows that PET1 blames ACC3 for his predicament and not his wife. The chief's indirect impoliteness in form of an unpalatable question therefore indirectly serves to expose PET's weakness as the head of his family.

Excerpt: 41

Chief: bono aye naki gwataka?

[So what do you want done?]

PET1: *Tebi omongwan'oyo atigane n'efamily yane pi.*

[Tell this guy to leave my family completely]

Elder 1 in excerpt 42 uses mock impoliteness to avoid liability for the face attack in the form of a snide remark (Bousfield 2008). All through the arbitration process, arbitrators had been interrogating the lady on the husband's sexual abilities.

Excerpt 42

Elder1: *Omosacha are buya pi. Omonto twanyorire ore bobo naye*

[Your husband is quite ok. The one with a problem is you.]

ACC1: (silence)

Haugh (2015) observes that any experienced user of language will understand implied face attack. The speaker insinuates that the lady controls her husband, a sign of weakness on the man's side. The speaker therefore implicitly attacks PET1's face by mockingly seeing no mistake on his side

In excerpt 43 below, ACC2's foolishness is exposed when his wife ridiculously reveals that, he not only disposed of their only remaining cow to buy clothes, but gave it out to the buyer together with the rope he had used to lead it to the market. Culturally, the rope is returned in anticipation of another cow. The man is therefore portrayed as not only an irresponsible and selfish husband, but also, as being culturally naive. (Jamet and Jobert 2013) observe that implicit impoliteness may occur without any conventionalized impoliteness formulae being uttered. The embattled lady in this excerpt did not use any explicit conventionalized impoliteness formulae yet the embarrassment she caused the husband was extremely face damaging especially in the presence of his in-laws.

Excerpt 43

PET2: *akagenda Riosiri (a market) akaoni eng'ombe agatigerani omogori mpaka engori!*

[He took the cow to the market, sold it and even gave the tethering rope to the buyer!]

(laughter from the audience)

PET2 further gives the sarcastic remark in excerpt 44 about her husband ACC2 '*inkarora ng'a nonye ninche mbwate endamuamu tiga akondisi*' (I decided to let him lease the plot since I realized that I was the jealous one in that matter), whom, having sold the last cow they had, still demanded to lease the only piece of land that the family had left.

Excerpt 44

PET2: *Inkarora rende ng'a onye ninche nkabwate endamwamu, tiga*

akondisi omogondo

agende Esukuru

[It came to my notice that I was the jealousy one and so I let him lease the remaining piece of land and go to school]

At surface value the statement looks like a decision arrived at after careful reflection on the matter. However, the implicit meaning portrays the man as irresponsible and despicable. The man's face is greatly damaged by the mockingly impolite utterance. Mufwene (1996) observes that in the African context in-laws accord each other great respect. Such portrayal of the man by his wife strips him off the respect from his in-laws who unfortunately were part of the arbitration team.

In excerpt 45 Elder 3 uses an endearing term “*mose*” usually used with little boys to show them affection among the AbaGusii. Ironically, the unpalatable question that comes after, and the insult after, show that the speaker did not intend to be affectionate at all. The target understands the indirect face attack and denies the allegation. Bousfield (2008) refers to politeness that does not match the context of usage as mock impoliteness.

Excerpt 45

Elder 3: *bono mose egento ndakobori omoyio oyo twaigure, emeyio nemenge*

Okobogori omoyio oyio bw'esword okamotebia ng'a otagete akorusi

ebinto ebio bikogera okonakonywomanywoma abakungu ekio nekeene?

[Young man (endearment) if I may ask you about these swords you have been carrying, is it true that you asked your wife to chop off the things that kept you

marrying over and over again?]

Reference to sexual organs in a mixed age and gender group is taboo among the Bantu (Mufwene 1996). Elder three asks ACC2 if he asked his wife PET2 to chop off the things that caused his promiscuity ‘*Okamotobia akorusi ebinto ebio bikogera okonakonywomanywoma*’ (you asked her to chop off those things that caused your constant marrying and remarrying) Although the speaker does not call them by name, the euphemism is still very clear.

Instances of indirect impoliteness were the most noted forms of impoliteness during the land case. One of the witnesses present when the land was being sold, employs mock impoliteness severally: The speaker in the excerpt 46 was ridiculing PET3 for selling land without the consent of her husband. WIT1 reminds PET3 that even if a person’s father has crooked hands, he would still be the father.

Excerpt 46

WIT1: *oroche omonto onde okoboko nakoba bogeka iga, nabo okorora erieta nise*

arigete esukuru

[you see, even if one’s father has a crooked hand, they still use their father’s

name in school]

WIT1 indirectly reprimands PET3 for disrespecting her husband since her children would always be identified with the man she disrespected. PET3’s face was aggravated by the sarcastic remark that was equally a reprimand against her actions that were considered disrespectful towards her husband.

The reprimand in excerpt 47 was addressed to ACC4, the elder whose land was sold behind his back. The witness reminds him of the value of money such that, it can never be collected on the way like stones.

Excerpt 47

WIT1: *Aye orakira iga ng'a okire iga. Chibesa chiomonto nechinkong'u.*

NaboNkorwa Kerina mbwateti ebara mpaka aiga namagoro ,lakini nanya konyoraNonye neshilingi eyemo inse.

[How can you be so quiet yet you know that money is hard to find? I have Been walking from Kerina to this place but I have never collected even a shilling on the way.]

The sarcastic remark was an attack on the elder's face and portrays him as an insensitive person. The witness reminds ACC4 that no matter the circumstances, he should consider the fact that the land buyer had paid for the piece of land.

In excerpt 48 below, one of the witnesses who happens to be a retired chief, confesses on behalf of the assistant chief who had authorized the sale of the land that it had been done irregularly.

Excerpt 48

WIT2: *Tari kueanekerande rakini nabo ngwancha nga amakosa*

narengeo.

[Am not exposing my weakness but I agree that a wrong was committed.]

He indirectly mocks the authorities for permitting an illegal land sale transaction. He directs the blame on himself yet he is a total stranger in the said land sale. This is mock impoliteness geared towards damaging the face of the assistant chief who authorized the

land sale. WIT2 maximizes cost on himself (Grice 1975) hence being polite. However, given that he never took part in the authorization, mock impoliteness is realized due to the cancellability of the truth of the utterance.

4.1.5 Withholding of politeness

Cases of withheld politeness were realized in this inquiry. Politeness is considered withheld if a speaker fails to show politeness where it is expected (Bousfield 2008).

Failure by an interlocutor to employ politeness where it is expected is interpreted as being impolite. Failure to use correct address terms and honorifics is one way of withholding politeness that was noted in the current study. While addressing the aggrieved husband, one of the arbitrators makes a negative reference to his wife as ‘this woman’.

Excerpt 49

Chief: *omokungu oyo nache gogoita bwana*

[This woman will kill yougentleman]

Given that ACC1 is not present during this assertion, this impolite reference to the lady is uncalled for because, the aggrieved man’s negative face ends up being attacked. Evidence of this attack comes from his response that shows that he does not perceive the wife in the same light. In excerpt 50.

Excerpt 50

PET1: *Bono inche enataka omomura oyo momotebi atigane nefamily yane Pi Are gwancha abwatokane n’efamily yane tomenye nomorembe. Onchandire bobbe pi!*

[my plea is that, you to ask this guy to leave my family alone so that we can stay in peace. He has really disturbed me!]

He actually refers to his wife as “my family”. This is a plural honorific that shows the value that PET2 attaches to his wife as the mother of his children. This reference to ACC1 by her husband disapproved the arbitrator’s perspective that the lady was a threat to her husband’s life. on the other hand, unlike the arbitrator, remains polite by referring to his aggressor as “this guy”. The Chief’s presupposition that ACC1 might kill the husband is impolite since it portrays the her negatively. Such negative evaluation of ACC1’s character is unwarranted impoliteness

A speaker may withhold politeness where it is expected such as failure to thank a person who has extended a favour to you (Locher 2008). The major cases of withheld impoliteness is the failure by the arbitrators to appreciate the contributions of some of those in the arbitration discourse. Even those who offered to be witnesses were not thanked at the end of the arbitration sessions. A friend of ACC4 recounts how he had received news that ACC4 had been arrested for failing to transfer ownership of the sold piece of land to the buyer. in excerpt 51.

Excerpt 51

Witness: *Okobwatwa kw’ACC4 nigo kwangecheti mono egekogera ere taonereti onde boremo.*

[The arrest of ACC4 really annoyed me since he had not sold land to anyone]

Elder 2 *Twaigure bono.*

[We have heard]

Elder two should have thanked the witness for intervening in such a matter hence restoring peace. Instead he gives the response ‘*twaigure bono*’ (we have heard); which is rather impolite of the elder.

4.2 Social Power and Social Distance as a determiner of impoliteness strategies

Social power refers to one's position in society and is determined by a person's authority, economic power and education (Brown and Levinson 1987). Power is expressed through language and may cause social conflict. Locher and Derek (2008) argue that in every interaction there is an exercise of power and that, impoliteness is a way of exercising power, whereby the target of an impolite act is restricted by the power relations on the way they respond to such attacks.

Social distance on the other hand or the level of familiarity between interlocutors determines the linguistic choices speakers make in regard to harming their targets' face. Brown and Levinson (1987) posit that politeness reduces with reduced social distance. Conversely this means impoliteness increases with increased social distance. The current study seeks to establish the relationship between social distance and impoliteness in ekeGusii arbitration discourse.

The use of impolite forms and impoliteness strategies may be restricted by speakers' social power and social distance relations. In the case of an asymmetrical power relationship, the more powerful interlocutor is likely to use impolite forms and strategies due to the authority that comes with high social power (Bousfield 2008). Institutional Social power bestowed upon the arbitrators came into play in the case of the unfaithful wife. Impoliteness meted on ACC1 exemplified the argument by Locher (2008) that impoliteness is an exercise of power. The arbitrators in ACC1's case were the greatest users of impoliteness forms and strategies. Arbitrators used all the impoliteness strategies and in no way attempted to mitigate the face harm.

The arbitrators not only insulted ACC1, but also threatened her, criticized her, dismissed, admonished and embarrassed her. ACC1 also bore unpalatable questions which greatly damaged her negative face in addition to personal negative evaluations. ACC1 on the other hand kept quiet or denied the allegations. The only impoliteness that ACC1 employed was snubbing the arbitrators especially when pointed criticisms and abuses were directed to her. Social power therefore played a key role in determining who employed impoliteness in this conversation, Locher and Bousefield (2008) observe that those in power are more impolite to their interlocutors and the reverse seldom occurs.

Increased social distance implied more impoliteness ACC1's case. The arbitrators whose level of familiarity with the ACC1 was low, did not shy away from attacking her face. Her husband on the other hand did not attack her face yet he was the aggrieved party and the one with a reduced social distance with her

Excerpt 52

Chief: *If this thing will not stop, omokungu oyo nache gogoita. Igo noboremo bwago orachi obage omotige ana kobasoka nabasacha onyuome omosubati omoao.*

[if this thing doesn't stop, this woman will kill you. Just divide your land and get a different wife. Leave her alone with her madness for men.]

The Chief uses the non-honorific reference 'omokungu oyo' to refer to ACC1 and uses 'omosubati' a more respectful reference to the 'proposed wife'. The arbitrator further asks the man to sub-divide his land, marry a different woman and give a portion of the land to her. ACC1's positive face is attacked by the negative reference made to her as well as the remark that she is unacceptable. The decision to marry or not to marry another

wife lies with the aggrieved husband. The chief is therefore intruding into PET1's private decisions. PET1 on the other hand gives the remark in excerpt 53 as his final word:

Excerpt 53

Chief: ` *Bono aye naki wataka tokore amang'ana aya?*

[How do you want us to finalize on this matter?]

PET2: *Inche enataka omomura oyo momotebie atigane nefamily yane pi. Are*

wanchaabwatokane nefamily yane tomenye nomorembe. Onchandire bobepi!

[My appeal is that you ask this guy to leave my family alone so that we may

stay in peace. He has really disturbed me!]

Given the reduced social distance between PET2 and his wife, he shifts blame to ACC3 for the lack of peace in his marriage. Unlike the arbitrators who find no fault in the lover, PET2 does not point an accusing finger at his wife but the lover. From this scenario, impoliteness seems to reduce with reduced social distance.

Due to increased social power on the arbitrators' side and increased social distance between ACC2 and the elders, the arbitrators attacked ACC2's face and did not mitigate it in any way. Culpeper (2011) observes impoliteness is an assertion of one's social power. Brown and Levinson (1987) observation that politeness increases with increased social distance, was proved otherwise in the current study. Instead impoliteness increased with increased social distance, such that, those unfamiliar to especially the arbitrators, had their face severely damaged.

In the the land case, the people who were involved were familiar to one another. The social distance was therefore reduced. Mock impoliteness strategies were employed by most speakers. They sought to hurt the hearers' face indirectly. An arbitrator uses his own

example to emphasize the importance of a father. He indirectly reprimands the lady who had sold land for overlooking her husband.

Excerpt 54

WIT1: *Noroche abana b'omoiseke mbamenyete bwone aria. Nkabatebia mokogenda Kerinamorike erieta riane,ebakanete.*

[You see my daughter's children stay with me. I asked them to use my name in school but they refused]

this illustration was an indirect face attack on PET4 for disregarding her husband. The witness used his own example to avoid liability f

or the face attack due to the reduced social distance between him and PET4

Another elder mocks the land owner for his inability to sort his own issues, albeit indirectly. He expresses shock at the fact that it has taken the land owner who is an elder and an arbitrator a long time to restore peace in his own home.

Excerpt 55

Elder 4 *Nakumirie sana ng'a koru oboremo obo bwaonetigwe mbana gokwana bare amo!*

[Am shocked that since this piece was sold they have never' spoken while together']

Sarcastic remarks such as this are a form of mock impoliteness (Culpeper 2011). The reduced social distance between the arbitrator and the fellow elder being addressed in this case may be the reason for redressive actions that were witnessed when this face

threatening act was performed. In excerpt 52, the use of the self-inclusive 'we', was geared towards redressing the face attack on the recipient (Leech 1983)

Excerpt 56

WIT: *Ntwe aba tokogora emegondo ntobwate amakosa.*

[we the land buyers err.]

There were no pronounced social power differences since the case involved an elder who happened to be one the arbitrators in other cases, and, a financially stable land buyer. Brown and Levinson (1987) point out that with authority and riches comes social power. Impoliteness in this case could not be attributed to social power as such. However, given that the elders had to see the case solved, they resorted to redressed impoliteness

In ACC2's case, him and his estranged wifewere quite familiar with each other implying a reduced social distance between the two. The wife however, employed a great deal of impoliteness strategies directed at her husband. She used mock impoliteness in most cases, so as to avoid taking responsibility for the face attacks. Culpeper (2016) reiterates that mock impoliteness is implied and any competent native speaker of a language will understand implicatures used by other competent Speakers of the language.(Grice 1989). A speaker is not responsible for the hearer's inferenceand they can refute such hearer inferred meanings. In actual sense users of mock impoliteness play safe in their face attacks of their targets. The arbitrators on the other hand who are not only socially powerful over the accused, but also, socially distant, spare no impoliteness strategy in aggravating ACC2's face.

4.2.1 Conclusion

Analysis of data in regard to the second objective of this inquiry that sought to find out how social power and social distance influence speakers' choice of impoliteness reveals that: that social distance and social power influence the choice of impoliteness strategies that the participants of EkeGusii arbitration discourse choose to use. The socially powerful speakers employ a great deal of directly face aggravating impoliteness strategies on their hearers the hearers on the other hand, due to the restricted response options remain silent or politely defend themselves. On the other hand, contrary to Brown and Levinson's (1987) conclusion that politeness increases with increased social distance, in the current inquiry, interlocutors employed direct impolite strategies and forms on those who were socially distant. Hence impoliteness increased with increased social distance.

4.3 Pragmatic Features and Impoliteness Strategies

Pragmatic features are contextual features that may affect a given communicative event (Salzmann 1988). Contextual features, which according to Salzmann (1998), are interrelated conditions under which speech and other forms of communication occur and determine the direction that a conversation takes.

Ide (1989) observes that politeness and by extension impoliteness may be employed through volition or discernment. Im(politeness) through volition occurs when the speaker voluntarily decides to employ im(politeness). Discernment on the other hand, involves use of im(politeness) as dictated by the cultural norms of a linguistic group.

Kadar and Mills (2013) observe that generally Eastern cultures are categorized as discernment cultures, whereas Western cultures tend to be recognized as volitional

cultures. EkeGusii language speakers belong to the Eastern culture and therefore, speakers are expected to abide by the AbaGusii (EkeGusii speakers) cultural norms. However, Kadar and Mills (2013) observe that, even within the discernment cultures, the age, gender, and the mentality of the interactants as well as the context of interactions, the nature of relationship among the interactants and the topic of the interaction determine the use of discernment utterances. The features of context that were taken into consideration in the current study included: the age of the participants, their gender, and the cultural beliefs of the AbaGusii.

4.3.1 AbaGusii Socio-Cultural Beliefs

Oatey (2009), argue that the values and beliefs espoused by members of a culture influence the behavior through which they constitute their daily lives. Conversations amongst the AbaGusii are governed by strict unwritten rules of respect (Ethnologue 2015). The same line of argument is taken by (Maisiba 2015) who observes that given the patriarchal nature of the AbaGusii culture, men dominate even in conversations. Oatey (2008) defines culture as a fuzzy set of values, behavioral conventions, beliefs, attitudes and assumptions shared by a group of people and influence their behavior

The arbitrators used all forms of impoliteness in attacking ACC1's face. The arbitrators did not pay attention to the dictates of the AbaGusii culture such as; avoidance of referenceto sexual acts and sexual organs in public and among people of different ages and gender (Hankanssan 1988). An arbitrator tells the lady to go to the bar and have as much sex as she wants in case the husband is killed by her lover.

Excerpt 57

Elder 1: *Bono mosacha oo araita ACC1, gose nomogaka oo orachi gosibwa.*

Ogende ebar ochi komenyao egekogera noo oraakwe emete eisaine

[If your husband kills your lover and he is jailed, will you go to the bar and get enough 'sticks' as you want?]

Chief: *Omogaka oo tari gokorina buya?*

[Doesn't your husband satisfy you sexually?]

ACC1, doesn't respond to the face attacks levelled against her. She was insulted and embarrassed, but still did not respond. Apart from the fact that she was found guilty of the offence, she being younger than the arbitrators in addition to being female, no response is expected of her since engagement in sexual immorality by married women is an abomination in the AbaGusii culture (Akama & Maxon 2006). AbaGusii Culture according to (Narlove 1969) classifies women and children in the same category. Therefore the same way a child may be admonished for ill behavior, a woman too may receive the same treatment. Elder 1 threatens to whip ACC1 if she doesn't say the truth.

Excerpt 58

Elder1: *Ng'imoki ekeranya ndagochwate mbaka okumie*

[If I get a cane I can whip you terribly.]

ACC1's lover on the other hand, is under no pressure to either confess or refute the allegations. (Narlove 1969) observes that polygamy among the AbaGusii is permitted. ACC3's action of engaging in an extra marital love affair is not a mistake as such but for a woman it is an abomination warranting the face attacks directed at ACC1.

4.3.2 Gender and Impoliteness.

Language use may be associated with masculinity or femininity according to (Lakoff 1978). Women are considered powerless as men are considered powerful according to (Lakoff 1978). Just like other scholars who have studied language and gender, (Mills 2002) observes that women employ politeness in their speech compared to men who often use impolite and aggressive language. The elders used bald on record impoliteness on ACC2 without any redressive action. His wife on the other hand used hedges and sarcastic remarks in attacking her husband's face, avoiding direct face attacks.

A witness in the land case attacks the land buyers face indirectly. He uses a 'we' self-inclusive utterance to mitigate the face harm (Brown and Levinson 1987), in point at the buyer's mistake of buying land from a woman, yet he knew that the man of the home was alive.

Excerpt 59

Witness: *Ntwe aba tokogora emegondo ntobwate amakosa.*

{we the land buyers err.}

The AbaGusii cultural norms such as respect for the elderly did not allow the the accused man to counter the bald on record face attacks directed at him. The wife on the other side played by the norms such that in attacking her husband's face.

Excerpt 60

LS :*Omogaka ominto namanyete ng'a nkooni tware oboremo nechibesa nchiaganeiri*

bwango. Bono rende ngochi twarenge komokurura koru mwaye abwo ache kobeka

esei?

[My husband (honorific) knew about the land sale and we could not go dragging for him from 'his home' to come and sign.]

PET3 used mock impoliteness directed at her husband to avoid responsibility for her actions (Bousefield 2008). PET3 refers to her husband using an endearing term *omogaka ominto* (*man of our home*) but reference to 'mwaye abwo' (that home of his) meant the house of his other wife. She ridicules her husband for abandoning his children as he withdrew to his younger wife's house. Nabob uses indirect face attack on her husband, confirming (Lakoff 1978) observation that when women perform face threatening actions, they do so indirectly most of the time.

4.3.3 Age and Impoliteness

(Chomsky 1969) observes that elderly speakers of a language are more competent than the younger speakers. According to Chomsky (1969), Competence in a language entails ability to communicate effectively as well as maintenance of social harmony during a communicative event. The participants in the land case were all elderly people except the land buyer. Face aggravating utterances were made albeit indirectly through mock impoliteness. The speakers avoided being overtly impolite towards their targets. PET3 who is an elderly lady, receives indirect face attacks when a witness poses the question in the excerpt below to the audience which is actually directed at her indirectly.

Omogondo nkooniwa ore banyene bataiyo? Omogaka nyene ataiyo?

(Can land be sold in the absence of the owner?)

This is an unpalatable question that is aimed at condemning PET3's sole decision to sell land, yet, culturally among the AbaGusii, land belongs to the man of the home or his mature and married sons. (Ethnologue 2016) Being an elderly woman and a wife to an

elder, her husband's social power applied to her too. Despite her gender, her age did not permit direct face attacks hence the indirect reprimand in the form of the unpalatable indirect question.

The elderly speakers however attacked the face of those younger than them directly. ACC1 for instance was directly admonished for her unfaithfulness by all the arbitrators. She was not only called names, insulted, threatened but the speakers dissociated themselves from her. The direct face attacks however do not occur in the land case whereby those in conflict were elderly persons. ACC1's face too is directly attacked by speakers older than him. His younger brother only attacks ACC2's face in his absence as a verdict was being sought. He says:

Excerpt 62

WIT3: *Omomur'oyo nomoburukanu bobo! Nabo agoita omosubati oyo onye mokobatiga amo.*

[This guy is quite disorderly! He can kill this lady if you allow them continue staying together]

This is an attack on ACC2's positive face. The attributes his brother associates him with, portray ACC2 as a social misfit. People of the same age group avoided attacking each other directly, while the young completely refrained from attacking the face of their elders.

4.3.4 Conclusion

Pragmatic features played a great role in the speakers' choices of impoliteness strategies. The choices were guided by the age difference between the speaker and the target as well

as the speakers age difference with the ‘bystanders’ (Brown and Levinson 1987). The norms of the AbaGusii were put into consideration in the choice of impoliteness strategies.

Table1: The table on frequencies of occurrence of impoliteness strategies versus the users.

	Bald-on-record impoliteness	Negative impoliteness	Positive impoliteness	Mock impoliteness	Withheld politeness	Frequency
ELDERS	7	6	10	5	0	28
ACC1	2	0	0	0	0	2
PET1	3	0	0	0	0	3
PET2	2	1	2	6	0	11
ACC4	0	1	0	0	0	1
BUYER	0	0	0	0	0	0
PET3	0	0	0	0	0	0
CHIEF	6	0	5	0	0	11
ACC3	0	0	0	0	0	0
WIT 1	2	0	0	2	0	4
TOTAL	16	8	12	10	0	48

From the table above, it was noted that arbitrators were the greatest users of impoliteness strategies. Ironically, those involved in the conflict being arbitrated over such as PET1, ACC2, the land buyer and PET3, employed minimum or no impoliteness strategies in the arbitration conversation. Bousfield (2008) observes that impoliteness is the use of language to attack the face of target. Arbitration as an alternative means of dispute resolution is geared towards uniting those in conflict yet face attack may cause aggression rendering the communicative event ineffective.

CHAPTER FIVE

SUMMARY OF FINDINGS CONCLUSION AND RECCOMENDATIONS

5.0 Introduction

The objectives of this study were to find out the impoliteness strategies that participants of EkeGusii arbitration discourse employ in EkeGusii arbitration discourse, the significance of social power and social distance on these choices, and the effect of pragmatic features on such choices. This chapter will present the summary of the findings, conclusions and recommendations in regard to the objectives of the study.

After the analysis of data from EkeGusii arbitration discourse was done to identify the impoliteness forms and strategies used by the speakers. The forms and strategies were categorized under the five impoliteness strategies laid down in the impoliteness model by Culpeper (2008). An analysis of the impoliteness strategies used by the arbitrators was done compared to the strategies used by those in conflict to arrive at a conclusion on the role of social power and social distance on the choices of impoliteness strategies that interlocutors make. The age of the speakers, their gender, and the AbaGusii cultural norms as contextualizing features were used as parameters against which the occurrence of impoliteness strategies was analyzed. The findings from this analysis enabled the researcher to arrive at conclusions on how pragmatic features influence the choice of impoliteness strategies in EkeGusii arbitration discourse.

5.1 Summary of findings

Ekegusii arbitration discourse was found to be laden with impoliteness exhibited by the large number of impoliteness strategies that interlocutors employed in the sampled conversations. Impoliteness in conflict resolution discourse depends on the approach taken by the interlocutors Sillars (1983) argues that the way you deal with a conflict depends upon how you place blame or attribution. In the Attribution theory, Sillars (1983) observes that in verbal conflict resolution interlocutors may resort to avoidance, competitive or cooperative conflict resolution strategies. In arbitration discourse however, cooperation is expected so as to restore peace between the conflicting parties. Conversely, competitive conflict resolution strategies synonymous with impoliteness strategies, dominated the arbitration conversations. Just like the linguistic realizations of impoliteness strategies (Culpeper 2016), competitive conflict resolution strategies were realized through personal criticisms, hostile imperatives, hostile questions, presumptive remarks, hostile jokes and denial of responsibility. Avoidance conflict resolution strategies were realized especially through evasive remarks, friendly joking and topic shifts.

From the findings in chapter four, the researcher found out that the arbitrators used the greatest impoliteness strategies. It therefore emerged that impoliteness was an exercise of power by the arbitrators just as Culpeper (2005) concluded. Bald on record impoliteness was particularly employed by the arbitrators as they directly and unambiguously attacked the faces of their targets. Mock impoliteness strategies were used when the speaker and the targeted person were of the same age bracket and direct face attacks were avoided in such a case. The accused on the otherhand did not use impoliteness strategies; they

resorted to being silent or giving short yes/no responses. Oatey (2011) argues that non-verbal response to an utterance can be used to gauge the impoliteness of an utterance.

In the second objective, the findings in chapter four indicated that impoliteness reduced with reduced social distance and increased with increased social power. Reduced social distance meant reduced verbal aggression, an explanation for the occurrence of minimal impoliteness between family members in the analyzed cases. In the case of the unfaithful wife, no amount of impoliteness from the elders prompted her husband to utter an impolite word to her. The same elders however, avoided attacking their fellow elder in the land case and only did so indirectly while offering speech tokens to mitigate the face harm.

Age, gender as well as the Abagusii norms may have determined the choice of impoliteness strategies used by speakers in the three cases. The aged readily and directly attacked the young though the reverse did not happen. In the land case an elder directly attacks the positive face of the buyer of the contentious piece of land, by asking him why he didn't consult the man of the home before paying for the land, yet he knew that land belonged to the man of the home. The elderly spared fellow elders and if they did attack their faces, they did so indirectly using mock impoliteness as is to avoid liability for the face attack. Young females' faces were attacked directly as in the case of the unfaithful wife while older women were attacked indirectly. This observation still points to the fact that impoliteness directed at targets reduces with age among the Abagusii.

Female speakers in the arbitration discourse used minimal impoliteness forms and strategies. Those who employed impoliteness did so indirectly to avoid liability. Lakoff (1975) identifies some linguistic features as hallmarks for women language: the over-

use of politeness, frequent use of hedging forms and avoidance of impolite forms like coarse expletives.

Familiarity or reduced social distance translated to reduced or no face attacks from the speakers. The land buyer and the alleged lover to the unfaithful woman recorded minimal if any face attacks. On further inquiry, the researcher found out that they were close to the arbitrators and they were spared from face attack on the basis of familiarity.

The AbaGusii norms too played a role in the impoliteness choices made by the speakers. Given that the Abagusii culture does not permit verbal exchanges between the young and the elderly, or worse, if the young person is a female, the unfaithful woman bore the brunt of impoliteness. The in-laws to the irresponsible man refrained from attacking his face due to the respect accorded to in-laws as per the dictates of the Abagusii and Bantu culture in General.

5.2 Conclusion

The current study found out that an array of impoliteness strategies were employed in Ekegusii arbitration discourse. Tracy (2008) however argues that reasonable hostility may be valid in governance, but, it should not be initiated by those governing; instead the governed should have been the initiators and the governors can only respond to it. Ironically the arbitrators in Ekegusii arbitration used bald on record impoliteness excessively which amounted to unreasonable hostility. Arbitration being a dispute resolution process does not thrive well in such hostile environment.

Social distance as well determined the level of impoliteness in all cases. The socially distant were treated impolitely while those familiar to the arbitrators were spared from impoliteness (Brown and Levinson 1987). Any form of hearing whether arbitative or

judicialmarred with partiality may not be productive. ACC3 and the land buyer were beneficiaries of this favourable treatment. ACC1 and ACC2 bore the brunt of face attacks given their unfamiliarity with the arbitrators. Reactionstowards impoliteness may shift the participants from the case at hand to the harm caused by the face attacks hence the arbitration process ends up losing meaning.

The norms of the AbaGusii were at play confirming (Hankassan 1988) conclusion that AbaGusii are a patriarchal community. Age was a determiner of impoliteness strategies chosen. The elderly readily attacked the face of those younger than them while they avoided attacking fellow elders directly. Gender as (Mills 2002) observes determines the language choices of interlocutors. In this study, (Mills 2002) argument is confirmed that women use politer language compared to men and that when they use impoliteness they do so indirectly.

5.3 Recommendations

This study having examined impoliteness strategies used in Ekegusii arbitration discourse and how social distance, social power as well as pragmatic features determine their choices, the following are the recommendations:

- i) Arbitrators in Ekegusii arbitration should tone down on their face attacks on the participants if the objectives of arbitration processes are to be achieved.
- ii) Social power in arbitration should be regulatory and not a tool for face attacks. Social distance on the other hand should not be a determiner of the outcomes of an arbitration process.
- iii) Age and gender of the participants notwithstanding, impoliteness should be toned down.

The norms of a society are the repository from which members of a society tap, (Kebeya 2008), they should be upheld and be used for the good of members of society. This study couldn't agree more with Watts (2003) and Mills (2002), that impoliteness should be closely examined in regard to the context.

5.4 Suggestions for Further Research

Further investigation is recommended into impoliteness in arbitration discourse in other languages in Kenya and Africa at large in order to come up with a comprehensive theory of impoliteness in arbitration discourse.

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APPENDIX 1

Sample Interview Guide

A researcher at Rongo University college would like to know some off the utterances that you did not deem polite during this meeting. Your name will not be mentioned anywhere in the final report. The information you give is confidential and will only be used for academic purposes.

1. Now the matter is settled and peace has been restored. Am I right?
2. Which particular remark or utterance did you find annoying?
3. What was offensive about that?
4. How was he/she unfair to him or her?
5. How else would have he said it given the cicumstanses?

APPENDIX 2

Sample data from oral interviews

a)The land case

Researcher: Omong'ina bono amangana aya aerire. Gose bono?

[Mum, I hope this issue is resolved]

PET3: obo tari bogambi! Yaani **WIT1** agocha kong'arora erangi aiga. Nomogambi tari wetenenera agambe amangana buna are. Mbosio torachie.

[This is no governance! How can WIT1 embarrass me like that? And the chief can not stand firm and conclude this]

Researcher: nkai batakebeka buya?

[Where did they go wrong?]

PET3: Aye nkwaigwa kende otatiga okona gonkongora ng'a enaonetie omogondo mosacha ataiyo. Nigo narengi gotiga omwana isiko oyio gakare na mokaye?

[Did you hear anything useful other than ridiculing me for selling land without the man's approval? Did they want me to abandon my son while his father was with his wife?]

Researcher: nache aere baba ika buya otimoke.

[It shall be solved mum. Go well and get some rest.]

APPENDIX 2

b.) The case of the Unfaithful lady.

Researcher: Bono aya araerire.

[Now the problem is sorted]

ACC1: Nabwo aereire

[Their problem is the onethat is solved and not mine].

Researcher: Ekwagechigwa?

[You don't sound pleased.]

ACC1: Aba nabanto bosa! Nomwana inde okoramwa?

[These are useless people! Am I a child to be insulted?]

Researcher: Abagaka nabo bare

[Men are like that.]

ACC1: Bono barabwo ebachikaine ase obogima bwabo?

[Are they righteous?]

Resaeacher: Aao

[We can't tell]

ACC1: Omonto atebe buna ang'ake, inche mokaye?

[How can someone threaten to beat me? Am I his wife?]

Researcher: Ekeene ngoaka bare abanto?

[Do they actually cane people?]

ACC1: Oyo bakonyoreria. Eye tari ero enchera bakogamba. Mbakoira kera omondo kobwaye bamoboria eki batagete komanya? Bono omosach'oyio one ntoraignwane buna achier kong'a obosoku maiso marore iga?

[They cane those they find easy to whip. This is not how issues are resolved.They should call each person separately and find out whatever they want to. How are we going to live peacefully with my husband after he has put me through such humiliation?]

APPENDIX 3

Sample Data Transcripts. (30 minutes session)

1.The case of the irresponsible husband.

A lady named PET2(wife to the unfaithful man) had sought arbitration in the case between her and her estranged husband; ACC2. PET2 complained of physical abuse from her partner, irresponsibility as a husband and father, wastage of family resources and infidelity. She sought the chief's indulgence in restraining ACC2 from accessing her house until they sorted these issues, a plea that was finally granted.

PET2: Amangana ayaiga aito nigo achakerete bomachoge. Tinkoba n'obosoku goteba buna ekero nanyuometu bomachoge, igo naigete sobo ACC2, nonye nemegondo yabo yonsi ebakondiseti yonsi. Lakini rende nkarora ng'a ko naika igaa, tinkorwa aroro inakobarerwa ng'a naetire ense. Nkaamua koremereria, egesio ekiya abaibori bane mbangerete esukuru nabwate risakara.

[This problem begun a long time ago, I won't be ashamed to say that when I got married to ACC3, they had leased all their land. However, I decided to stay because I didn't people to consider me a loose footfortunately my parents had educated me]

Elder1: Genderera [*continue*]

PET2: Agacha agantebia ng'a onyorire echance yogochia esukuru. Agantebia ng'a nomojumbe okomosomia. Akagenda akareta rirube nyuma yaye nario agontebia ng'a efisi netakeire. Nkamotebia, asebono iga ninche bweka nkogenda ekebarua giechiribu isato aganye mpaka omwaka onde toteme emesi twasimegete toonie amanye gochia esukuru eyio yaye.

[He came and told me that he had been offered a chance to go to school and he would be sponsored by the area member of parliament. He brought the admission letter and demanded school fees. I told him that as at now am the only one with a contractual job and the only option was to wait until we harvest sugarcane in a year's time for fees to be available.]

Elder 3: How could he demand fee from you? You are his wife and not his parent or guardian.

PET2: Egento ng'inyorete antebetie nkeri ng'a nigo moigwerete endamwamu tintageti asome buna abande tosomete. Igo ntagete ana kweaka amaraba. Agacha akaonia emesia etaraba akaegwa chiribu emerongo ebere. Akabwata naende akaonia akang'ombe konya nanibire akaererania omogori mpaka engori. Akairana nechianga esuit case eichire. I asked him if he was going to school to sho off or to study.

[I can clearly remember what he told me. He told me that I was envious of him and that I did not want him to be as educated as I was. I want him to continue farming and smearing himself with soil. He later on sold the sugarcane before it matured at twenty thousand shillings. The buyer sold the sugarcane at seventy thousand after only eight months. ACC2 went a head and sold our cow including the tethering rope that he had used to lead it to the market. He came back home a suitcasefull of clothes.

Chief: Eng'ombe nkoonigw'ere mpaka engori? Igo tari gocha konib'ende?

Naende, inaki okoonia eng'ombe ogore chianga? Momura motwe oo tori muya. Inki orairaneri ase amang'na ayio?

[Can you sell a cow together with the tethering rope? Does it mean you wont get another cow later?]

Furthermore, how do you sell a cow to buy clothes? young man your head is not functional! how do you respond to such.

ACC2: Namaene atebire tarang'ainereri inaonetie emesi nechiombe ngachiera esukuru lakini tinyekoreti.

[It true as she says I sold the cow and the sugar cane and went to school although I did not complete it.]

APPENDIX 4

Transcript 2 (35 minutes session)

2. The land case

This case concerned one of the elders. His wife (PET3) had reported that he had refused to transfer a land title deed to a buyer of his land. PET3 had sold the piece of land without the approval.

Chief: Omong'ina PET3 naye watorangereti ng'a obokongu mbore bwoo, toeresere angu.

[PET3, you called us that there is a problem in your home, can you explain to us.]

PET3: mbuya mono omogambi, abagaka bo'mogambi na eamate yachire ase okogayana amang'ana aya. Timbwati mogano motambe, gakorende omwana naganeiri kogenda obosikari ase thaganeiri chisiringi chiribu chimia isato. Bono nkarangeria omogaka ominto; nabwate omong'in'oye omoke bamenyete chituka. Omogak'oyo agatebia omwana ng'a genda inwe mooni omgondo. Amaene konyora narigirie omogori twaigwananire mpaka rigori. Ekero angete gocha nkarangeria omotata moke oyo, agancha kombekera esei nomogambi oria orangeo agancha kobeka esei.

[Thank you chief, the elders and all those around. I don't have a long story. My son was required to join the police force and he required ksh300,000. I called my husband from the shopping centre where he stays with his younger wife but he did not come. He told our son that we could go ahead and sell the land. I asked our uncle here to be my witness and he agreed. Together with the former chief who also agreed to append his signature I had already found a buyer with whom we had agreed on the price of the piece of land].

WIT1:Tiga ndakwana nainche abagaka aba. Tiga mbori okobori okomo, oboremo nkooniwa bore omonyene ataiyo? omogaka nyene ataiyo?inche namotebetie ng'a nanchire oboremo boonigwe korende tinchieti kobeka esei omogaka nyene kare moyo.

[Allow me to speak elders, let me ask first; can land be sold without the owner's consent? Without the man of the home? I told her that I would sign but I didn't because the owner was not there yet he is alive.]

Chief:Aseki otachiete gosaini ko gwaitabete?

WIT1: inee mbabori, oboremo nkoonigwa bore omogaka nyene ore moyo atancheti? Ise banto naba ekerema igo nreo.

Elder 3:*[So what happened?]*

PET3: asengencho omwanoyo atakeire chibes'echio bwango naonetie omogondo oyio omogambi akambekera esei. Bono omonyene omogondo naganetie enamba erinde achake gokorera omogondo egasi yaye korende omogaka oyo okanire buna ere taoneretie onde mogondo. Nakio nabarangereria mogayane amang'ana aya naende omogak'oyo akane buna omwanoyo utumegete chibesa echio tari momur'oye. Nonya nokoorkia bwoye tikoiyo korw'erio.!

[since our son needed the money urgently we sold the land with the former Chief's consent. The buyer wants his title deed before he can start developing the land but my husband denies ever selling the piece of land.that is why I have sought your intervention because even his son is here. Let him deny that the one who used the money is not his son. He has never stepped in my house since this happened! .]

Elder2: Omogaka oyo aye nomogambi ominto, kwana ango.

[elder you are our fellow elder may you speak please.]

ACC4: mbuya mono ase ribaga. Ritang'ani kabisa oyo mwaroka omogori mbono namororire. Mobori ango ing'a inche nimoonereti oboremo?

[Thank you for this chance. To begin with this is my first time to see the so called buyer.

Ask him if I have ever sold land to him.]

Witness Ibono omogak'oyo, oyo nomong'in'oo. Ekio togokana. Naende nogokumia mono, buna korwa amangana aya abete timwana gocha aamo moragere amo. Natoikaransa naye aiga goika tokobue rero.

[now elder, this is your wife and you can't deny it. It is also shocking that since this happened you have never come together and eat as a family]

APPENDIX 5

Transcript 3 (20 minutes)

The case of the unfaithful lady.

This case had been presented by a man who sought arbitration between him and the man who had an illicit love affair with his wife. Apparently the case had been arbitrated over earlier but the two love birds did not part ways.

Chief: bono mbosoku ki obo okoreta ase enka yao enamna eye?

[Why do you bring such shame to your family?]

(Silence)

Chief: Omomura oyo otari gokorina buya?

[Is it your husband who is unable to satisfy you sexually?]

ACC1: Momur'oyo tanya koba nainche.

[This man has never had sex with me].

Elder 1: Teba ekeene!

[Speak the truth!]

Chief: Nang'o?

With who?

ACC1: oyio mwateba

my alleged lover.

Chief: Obwo n'obochinga obwate!

[You are being stupid!]

Elder1: Omanyete nkobogoria ekeranya korwa abwo ngochwate mpaka okumie!

[If I fetch a cane I will whip you terribly!]

Elder 3: Teba ekeene torigi eriogo

[Speak the truth so that we can find a solution.]

ACC1 (silence)

Elder 3: Abana mbarenga obwate?

[How many children do you have?]

ACC1: batato

[three]

Elder 2: Bono ekororekana emogenderete na ACC3. Inki oratebe korwa Enkoro yao?

[It seems your affair with ACC3 is on, what can you say from your heart?]

ACC1: etogocha gotiga *[We shall end the affair.]*

CHIEF: Aba nabwo baria ntari gotaka narora

This is the kind of people that I never want to see!]

APPENDIX 6: RONGO UNIVERSITY RESEARCH PERMIT



OFFICE OF THE DEAN

SCHOOL OF GRADUATE STUDIES

Tel. 0771349741

P.O. Box 103 - 40404
RONGO

Our Ref: **AS/MLIN/2002/2013**

Date: Thursday, June 29, 2017

The Chief Executive Officer,
National Commission for Science, Technology & Innovation,
Utalii House,
Off Uhuru Highway, Nairobi,
P.O Box 30623-00100,
Nairobi-KENYA.

Dear Sir,

**RE: RESEARCH PERMIT FOR MS.CALLEN N. ONYANCHA-
AS/MLIN/2002/2013**

We wish to inform you that the above person is a bona fide graduate student of Rongo University in the School of Arts & Social Sciences pursuing a Master of Arts degree in Linguistics. She has been authorized by the University to undertake research titled; "***A Pragmatic Analysis of Impoliteness Forms and Strategies in Ekegusii Arbitration Discourse***"

This is, therefore, to request the commission to issue her with a research permit to enable her proceed for field work.

Your assistance to her shall be highly appreciated.

Thank you.


Prof. Hezborn Kodero

DEAN, SCHOOL OF GRADUATE STUDIES

Copy to: Ag. Vice Chancellor
Ag. Deputy Vice Chancellor (Academic and Student Affairs).
Dean, School of Arts & Social Sciences.
HoD, Languages, Linguistics & Literature.



APPENDIX 7: NACOSTI RESEARCH AUTHORIZATION



NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

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Fax: +254-20-318245, 318249
Email: dg@nacosti.go.ke
Website: www.nacosti.go.ke
When replying please quote

9th Floor, Utalii House
Uhuru Highway
P.O. Box 30623-00100
NAIROBI-KENYA

Ref. No. **NACOSTI/P/17/49658/18451**

Date: **17th August, 2017**

Callen Nyaboke Onyancha
Rongo University College
P.O. Box 103-40404
RONGO.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on "*A pragmatic analysis of impoliteness forms and strategies in Ekegusii Arbitration Discourse,*" I am pleased to inform you that you have been authorized to undertake research in **Kisii County** for the period ending **17th August, 2018.**

You are advised to report to **the County Commissioner and the County Director of Education, Kisii County** before embarking on the research project.

Kindly note that, as an applicant who has been licensed under the Science, Technology and Innovation Act, 2013 to conduct research in Kenya, you shall deposit **a copy** of the final research report to the Commission within **one year** of completion. The soft copy of the same should be submitted through the Online Research Information System.


GODFREY P. KALERWA MSc., MBA, MKJM
FOR: DIRECTOR-GENERAL/CEO

Copy to:

The County Commissioner
Kisii County.


The County Director of Education
Kisii County.

APPENDIX 8: NACOSTI RESEARCH PERMIT


THIS IS TO CERTIFY THAT:
MS. CALLEN NYABOKE ONYANCHA
of RONGO UNIVERSITY , 1867-40200
KISII, has been permitted to conduct
research in Kisii County

on the topic: A PRAGMATIC ANALYSIS
OF IMPOLITENESS FORMS AND
STRATEGIES IN EKEGUSII ARBITRATION
DISCOURSE.

for the period ending:
17th August,2018


.....
Applicant's
Signature

Permit No : NACOSTI/P/17/49658/18451
Date Of Issue : 17th August,2017
Fee Received :Ksh 1000

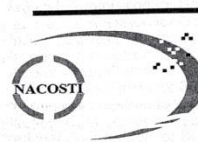

.....
Director General
National Commission for Science,
Technology & Innovation

CONDITIONS

1. The License is valid for the proposed research, research site specified period.
2. Both the Licence and any rights thereunder are non-transferable.
3. Upon request of the Commission, the Licensee shall submit a progress report.
4. The Licensee shall report to the County Director of Education and County Governor in the area of research before commencement of the research.
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REPUBLIC OF KENYA



National Commission for Science,
Technology and Innovation

RESEARCH CLEARANCE
PERMIT

Serial No.A 15383

CONDITIONS: see back page

APPENDIX 9: BONCHARI CONSTITUENCY MAP

