

*Contested vision: the discursive constitution of  
Rodney King*

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On 3 March 1991 an amateur video photographer taped a group of Los Angeles policemen administering a very violent beating with metal clubs to an African-American motorist, Mr Rodney King, who had been stopped for a traffic violation. The 1992 trial of the four white policemen became a politically charged theatre for contested vision as opposing sides in the case used the same murky pixels to display to the jury incommensurate events (e.g., a brutal, savage beating of a man lying helpless on the ground versus careful police response to a dangerous 'PCP crazed giant' who was argued to be in control of the situation). By deploying an array of systematic discursive practices, including talk, ethnography, category systems articulated by expert witnesses, and various ways of highlighting the images provided by the tape, the lawyers for the policemen were able to restructure the complex perceptual field visible on the TV screen so that minute body movements of Mr King, rather than the actions of the policemen hitting him, became the focus of the jury's attention.

This chapter uses that trial to investigate the discursive practices used by members of a profession to shape events in the domain of professional scrutiny they focus their attention upon. The shaping process creates the objects of knowledge that become the insignia of a profession's craft: the theories, artifacts and bodies of expertise that are its special and distinctive domain of competence.<sup>1</sup> Analysis of the methods used by members of a community to build and contest the events that structure their lifeworld contributes to the development of a practice-based theory of knowledge and action.<sup>2</sup> The context of professional activity examined is legal argumentation. Three practices are investigated: (i) *coding schemes* used to transform the materials being attended to in a specific setting into

the objects of knowledge that animate the discourse of a profession (Cicourel 1964, 1968); (ii) *highlighting*, making specific phenomena in a complex perceptual field salient by marking them in some fashion; and (iii) *the production and articulation of material representations*. By applying such practices to phenomena in the domain of scrutiny, participants build and contest *professional vision*, socially organized ways of seeing and understanding events that are answerable to the distinctive interests of a particular social group.

The Rodney King trial provides a vivid example of how the ability to see a meaningful event is not a transparent, psychological process, but is instead a socially situated activity accomplished through the deployment of a range of historically constituted discursive practices. An event being seen, a relevant *object of knowledge*, emerges through the interplay between a *domain of scrutiny* (the images made available by the King videotape) and a set of *discursive practices* (dividing the domain of scrutiny by highlighting a figure against a ground, applying specific coding schemes for the constitution and interpretation of relevant events, etc.) being deployed within a *specific activity* (arguing a legal case, etc.). Through use of such practices lawyers for both sides were able to structure, in ways that suited their own distinctive agendas, the complex perceptual field visible on the TV screen. All vision is perspectival and lodged within endogenous communities of practice. The unit being investigated is thus analogous to what Wittgenstein called a *language game*, a 'whole, consisting of language and the actions into which it is woven' (1958: §7).

## PRACTICES FOR SHAPING VISION

The use of coding schemes, highlighting practices and the articulation of graphic representations to organize perception will now be examined in a specific professional setting: the courtroom. When the tape of Rodney King being beaten was broadcast, there was public outrage and four policeman were put on trial for excessive use of force. The principal piece of evidence against them was the videotape. The violence on it was so graphic that many people assumed that a conviction was almost automatic. However, the jury found the policemen innocent, a verdict that triggered the Los Angeles uprising. At a second Federal trial a year later, two of the

officers were convicted of violating Mr King's civil rights, and two were acquitted.

Perhaps surprisingly, the main evidence used in the defense of the policemen was the tape showing them beating Mr King. Indeed, one of the officers convicted in the second trial, Sergeant Stacy Koon, spent much of his time between the two trials watching and rewatching the tape, seeing how it looked when projected on different walls of his house. Rather than wanting to minimize the events on the tape he told a reporter that

If we had our way, we'd go down to Dodger Stadium and rip off that big-screen Mitsubishi and bring it into the courtroom and say, 'Hey, folks, you're in for the show of your life because when this tape gets blown up it's awesome.'

(Mydans 1993d: A10)

For Rodney King the experience of looking at the tape was quite different: 'It's sickening to see it. It makes me sick to my stomach to watch it' (Newton 1993a: A16).

At the first trial the prosecution presented the tape of the beating as a selfexplicating, objective record. Thus the chief prosecutor said

What more could you ask for? You have the videotape that shows objectively, without bias, impartially, what happened that night. The videotape shows conclusively what happened that night. It can't be rebutted.

(Mydans 1993b: A7)

By way of contrast the lawyers defending the policemen did not treat the tape as a record that spoke for itself. Instead, they argued that it could be understood only by embedding the events visible on it within the work life of a profession. The defense proposed that the beating constituted an example of careful police craftwork, a form of professional discourse with the victim, in which he was a very active co-participant, indeed the party who controlled the interaction.

To make this claim successfully the defense provided the jury with both ethnography about police practices, and a coding scheme to analyse the events on the tape. The power of coding schemes to control perception in this fashion was central to the defense strategy. Basically the defense contended that if the police officers could legitimately see Mr King's actions as aggressive and a threat to them, then the police were entitled to use force to protect themselves and take him into custody.

## EXPERT TESTIMONY

The central point debated within the trial was what the policemen who beat King perceived him to be doing. These perceptions were not treated as individual, psychological phenomena lodged within the minds of specific policemen, but instead as socially organized frameworks shared within the police profession. This had important consequences. In that such perceptions are not idiosyncratic phenomena restricted to individuals, but instead frameworks shared by a profession, *expert testimony* becomes possible. An expert, who was not present at the scene, can describe authoritatively what the policemen could legitimately see as they looked at the man they were beating.

Expert testimony is given a very distinctive shape within the adversarial system of the American courtroom (Drew 1992: 472–4; Shuy 1982). Each side hires its own experts, and attacks the credibility of its opponents' experts. Moreover, the use of expert witnesses intersects with rules establishing what counts as adequate proof. The jury is instructed to find the defendant innocent if there is reasonable doubt about his guilt. Reasonable doubt can be created by muddying the waters with a plausible alternative. In the words of the lawyer for defendant Briseño:

Your experts really don't have to be better than their [the prosecution's] experts. All you've got to have are experts on both sides. I think [jurors] wonder: 'How could we as lay people know beyond a reasonable doubt, when the experts can't decide?'

(Lieberman 1993b: A32)

Such a strategy can be quite successful. One of the jurors who acquitted the policemen in the first King trial said, 'Our instructions of how we could consider evidence stated ... if there are two reasonable explanations for an event, we had to pick the one that points to innocence, not the one that points to guilt' (Lieberman 1993b: A32).

## CODING AGGRESSION AS PROFESSIONAL PRACTICE

Allowing expert testimony on the use of force by the police had the effect of filtering the events visible on the tape through a police coding scheme, as articulated by an expert who instructed the jury how to see the body movements of the victim in terms of that

system. What one finds in the trial is a dialogic framework encompassing the work of two different professions, as the discourse of the police with one of their suspects is embedded within the discourse of the courtroom.

In order to measure police perception a coding scheme for the escalation of force was applied to the tape: (i) if a suspect is aggressive, the proper police response is escalation of force in order to subdue him; (ii) when the suspect cooperates, then force is de-escalated. When an expert applies this coding scheme to the tape a new set of finely differentiated events, described through appropriate language drawn from the social sciences, is produced. In the words of one expert:<sup>3</sup>

Expert: There were,

ten distinct (1.0) uses of force.  
*rather than one single use of force.*

...

In each of those, uses of force.

there was [an escalation and a de-escalation,] (0.8)

[an assessment period,] (1.5)

and then an escalation and a de-escalation again. (0.7)

And another assessment period.

The massive beating is now transformed into ten separate events, each with its own sequence of stages.

The use of this category system radically transforms the images visible on the tape by placing them within an expert frame of reference. Thus when Mr King is hit yet another blow, this is transformed from a moment of visible violence – what the prosecution in the second trial will instruct the jury to see as ‘beating a suspect into submission’ – into a display that the ‘period of de-escalation has ceased’:

Defense: Four oh five, oh one.

We see a blow being delivered. =

= Is that correct.

Expert: That’s correct.

The – force has been again escalated (0.3)  
to the level it had been previously, (0.4)  
and the de-escalation has ceased.

- ...
- Defense: And at-  
 At this point which is,  
 for the record four thirteen twenty nine, (0.4)  
 We see a blow being struck  
 and thus the end of the period of, de-escalation?  
 Is that correct Captain.
- Expert: That's correct.  
 Force has now been elevated to the previous level, (0.6)  
 after this period of de-escalation.

A reader looking at this sequence might argue that what the expert is saying is a mere tautology: if someone is being hit again, then almost by definition any period of de-escalation of force (i.e. the moments when the suspect is not being hit) has ceased. However, much more than tautology is involved. By deploying the escalation–de-escalation framework the expert has provided a coding scheme that transforms the actions being coded into displays of careful, systematic police craftwork, e.g. a prototypical example of rational, rule-governed action. One of the defense lawyers said that what he wanted to show the jury was that ‘What looks like uncontrolled uh brutality and random violence is indeed a very disciplined and controlled effort to take Mr King into custody’ (Court TV 1992). A major resource for affecting such a perceptual transformation is the use of coding schemes such as the one articulated above by the defense’s expert witness. Such schemes provide the jury with far from neutral templates for viewing and understanding in a particular way the events visible on the tape.

These structures also define the instruments of violence visible on the tape. When the escalation framework was first introduced the defense attorney showed the jury a chart of *tools* used by the police that included not only the batons that they were beating him with, but also the kicks that they gave him:

- Defense: And this chart will show you the *tools*  
 that Sergeant Koon had available to him on March third.
- ...
- The next tool up, (1.9)  
 Is: (0.3) a side handle baton. (0.8)  
 a metal (0.3) baton. (1.0)  
 i:s a tool (0.8)  
 to protect yourself (0.9)

and to take people into custody. (1.0)

And in addition to that (0.3)

on the same level with this (0.5)

the experts will tell you as well as Sergeant Koon, (0.4)

that there are kicks,

A coding scheme, classifying phenomena visible on the tape as tools required for the work of a particular occupation, is deployed to transform what the prosecution described as brutal 'cowardly stomps' inflicted on a prone, beaten man, into a domain of professional craftwork.

The escalation-de-escalation framework was taught in the police academy as a guide for appropriate action when applying force. It generated a second coding scheme focused on the suspect's body. Central to the case made by the defense was the proposal that the policemen themselves were required to evaluate Mr King's actions as either *aggressive* or *cooperative* in order to decide whether to escalate or de-escalate force, that is whether they should hit him again. The key perceptual decision posed in the analysis of the tape thus becomes whether the policemen can legitimately see the suspect as aggressive, in which case, it is argued, they are justified in applying further force. The following is from the cross-examination of defendant Powell, the officer who landed the most blows on Mr King:

Prosecutor: You can't look at that video and say  
that every one of those blows  
is reasonable can you.  
(1.0)

Powell: Oh I *can* if I put my perceptions in.

Crucially, the defense argues that an interpretive framework, focused on the suspect's actions, places control of the situation in the victim, since his actions control the response of the police:

Defense: Rodney *King*  
and Rodney King alone  
was in control of the situation.

The net effect of buying into this category system as a framework for the interpretation of the tape is a most consequential structuring of the dense and complicated perceptual field provided by the tape, with the suspect/victim King, becoming the figure, the focus of

minute scrutiny, while the officers performing the beating recede into the background.

### EXPERT VISION: AN ETHNOGRAPHY OF SEEING

To analyse the tape in these terms the defense calls Sergeant Duke from the Los Angeles Police Department as an expert on the use of force by the police Fig. 14.1. Commentators on the first trial considered Sergeant Duke the most important and persuasive witness in the case.



Figure 14.1 Courtesy George Holliday © 1991. All rights reserved. NO REPRODUCTION OF THIS STILL MAY BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF GEORGE HOLLIDAY.

At the point where we enter the following sequence, the prosecutor has noted that Mr King appears to be moving into a position appropriate for handcuffing him, and that one officer is in fact reaching for his handcuffs, i.e. the suspect is being cooperative.

- |   |             |  |
|---|-------------|--|
| 1 | Prosecutor: | So uh would you,                       |
| 2 |             | again consider this to be:             |
| 3 |             | a nonaggressive, movement by Mr King?  |
| 4 | Sgt. Duke:  | At this time no I wouldn't. (1.1)      |
| 5 | Prosecutor: | It is aggressive.                      |
| 6 | Sgt. Duke:  | Yes. <u>It's starting to be.</u> (0.9) |
| 7 |             | This foot, is laying flat, (0.8)       |







Figure 14.2 Courtesy George Holliday © 1991. All rights reserved. NO REPRODUCTION OF THIS STILL MAY BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF GEORGE HOLLIDAY.

just a *statement*, a static category, but a *demonstration* built through the active interplay between a coding scheme and the domain of scrutiny to which it is being applied. As talk and image mutually enhance each other, a demonstration that is greater than the sum of its parts emerges, while simultaneously, Mr King, rather than the officers, becomes the focus of attention as the expert's finger articulating the image delineates what is relevant within it.

By virtue of the category systems erected by the defense, the minute rise in Mr King's buttocks noted on the tape unleashes a cascade of perceptual inferences that have the effect of exonerating the officers. A rise in Mr King's body becomes interpreted as aggression, which in turn justifies an escalation of force. Like other parties faced with a coding task, the jury is led to engage in intense, minute cognitive scrutiny as they look at the tape of the beating to decide the issues at stake in the case. However, once the defense coding scheme is accepted as a relevant framework for looking at the tape, the operative perspective for viewing it is no longer a layperson's reaction to a man lying on the ground being beaten, but instead a micro-analysis of the movements being made by that man's body to see if it is exhibiting not pain, but aggression.

The expert witnesses for the defense simultaneously construct actions as both rational and without moral responsibility in the case of the police, and as mindlessly mechanical and morally responsible in the case of Rodney King.<sup>4</sup> Thus references to phenomena

such as 'an assessment period' imply rational deliberation on the part of the police, without individual moral responsibility in terms other than the correctness of assessment (e.g. the agentless passive voice of 'We see a blow being delivered', 'The force has again been escalated', and 'kicks' as tools of the trade). On the other hand, Mr King is characterized both as an almost mindless, moving force (e.g. 'The buttocks area has started to rise ... ') and as being 'in control of the situation'. This is accomplished in part by the disassembly of King's body from a responsible agent into a bunch of moving parts. These become the triggering mechanism for a typified process which, it is argued, that the police are required to respond to in a disciplined, dispassionate way. Discourses of rationality, of mechanism and of moral responsibility are simultaneously, but strategically and selectively deployed.

In the first trial, though the prosecution disputed the analysis of specific body movements as displays of aggression, the relevance of looking at the tape in terms of such a category system was not challenged. Observers considered this to be a very serious mistake (Lieberman 1993a: A26). A key difference in the second trial, which led to the conviction of two of the officers, was that there the prosecution gave the jury alternative frameworks for interpreting the events on the tape. These included both a motive for the beating, namely that the policemen were teaching a man who'd been disrespectful to them a lesson (Mydans 1993c: A8), and ways of seeing the movements of Mr King's body that Sergeant Duke highlighted as normal muscular responses to a beating, rather than as displays of incipient aggression. Mr King 'cocks his leg', not in preparation for a charge, but because his leg naturally jerks after being hit with a metal club. The jury was instructed to look also at the body behaviour of the policemen who were not physically hitting Mr King, to see them as nonchalantly watching a beating rather than poised to subdue a still dangerous suspect. Instead of restricting focus to the body of Mr King, the second prosecutor drew the jury's attention to the slender stature of Officer Briseño, who was sent in alone at the end of the beating to handcuff the man that the defense was portraying as a dangerous giant. This prosecutor also emphasized to the jury inherent contradictions in the arguments being made by the defense: Mr King was being portrayed as both a cunning martial arts expert, scanning the scene to plot his next move, and as a deranged man crazed by drugs. Instead, the prosecution argued, he was simply a beaten man who fell helplessly to the

ground.<sup>5</sup> Though most of the evidence used in the two trials was the same (most crucially the tape), the prosecutors in the second trial were able to build discursively their own interpretative frameworks to counter those that had been so effectively deployed by the defense, and thus provide the jury with ways of looking at the tape that were not made available to the first jury.

The perspectival framework provided by a professional coding scheme constitutes the objects in the domain of scrutiny that are the focus of attention. By using the coding scheme to animate the events being studied, the expert teaches the jury how to look at the tape, how to see relevant events within it (Shuy 1982: 125). He provides them with an ethnography of seeing that situates the events visible on the tape within the worklife and phenomenal world of a particular work community. Here, this ethnographer is not an outside anthropologist, but an actual member of the community whose work is being explicated. One of the very interesting things about expert testimony in court is the way in which it forces members of a discourse community to become metapragmatically aware of the communication practices that organize their work, including, in this case, violence as a systematic mode of discourse capable of being described scientifically as professional practice in minute detail.

In so far as the courtroom provides a dialogic framework encompassing the discourse of two different professions, scrutiny is occurring on a number of distinct levels: first, police scrutiny of the suspect's body as a guide for whether to beat him; secondly, scrutiny by those in court, including the jury and expert witnesses, as they assess the scrutiny of the police;<sup>6</sup> and thirdly, within the framework of this chapter there is yet another level of scrutiny as we examine how those in the courtroom scrutinize the police scrutinizing their victim.

## HIGHLIGHTING

Coding schemes carry with them an array of cognitive operations, a structure of intentionality, an orientation towards the world being examined, that is lodged not within the mind of the individual, but instead within a domain of professional discourse. A person who agrees to use such a coding scheme to interpret the world that is relevant to his/her work, entrains his/her perceptions to a specific view of the world, even as he/she minutely examines it. By virtue

of the coding schemes introduced by the defense, those in the courtroom, including the jury, are no longer focusing their attention on the blows of the police officers, but instead are analysing in minute detail the body behaviour of the victim in order to determine whether it counts as aggressive.

The perceptual field provided by the tape was manipulated and enhanced in other ways as well. At the very beginning of the tape, while the camera was still slightly out of focus, Mr King ran towards the officers. On the tape itself this event is hard to see; it happens very quickly and is difficult to discern in the midst of a dark but very complex perceptual field filled with other events, including numerous police officers, a police car and Mr King's own car. The images visible on the tape are made even more difficult to see by the movement of the zooming camera and its lack of focus.

One of the defense attorneys in the first trial had photographs made from individual tape frames. The photos were cropped, enlarged and pasted in sequence to form a display over a meter long that was placed in front of the jury on an easel. The salience of Mr King in these images was amplified through use of *highlighting*. As the defense attorney unveiled his display, he placed clear overlays with large white lines outlining Mr King's body on top of the photos (Fig. 14.3). The defense attorney enhances objects in the domain of scrutiny to call forth from the murky pixels on the video screen the discursive object that is the point of his argument: a large, violent, charging man who was so dangerous that hitting him



Figure 14.3 Courtesy George Holliday © 1991. All rights reserved. NO REPRODUCTION OF THIS STILL MAY BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF GEORGE HOLLIDAY.

47 times with metal clubs was reasonable and justified. By virtue of the figure/ground relationship established through such highlighting, the policemen, all situated beyond the boundaries of the lines drawn by the lawyer, recede into the background.

When videotape is used as the medium for displaying Mr King's movements, a sense of what is happening as events unfold rapidly through time can be obtained only by replaying the tape repeatedly, while trying to select from the confusing images on the screen that subset of visible events that one is trying to concentrate upon. The work of the viewer is radically changed when these scenes are transformed into the photographic array. Movement through time becomes movement through space (i.e. the left to right progression of the cropped frames). Each image remains available to the viewer instead of disappearing when its successor arrives, so that both the sequence as a whole, and each event within it, can be contemplated and rescanned at leisure. Much of the visual clutter<sup>7</sup> in the original images is eliminated by cropping the photos.

In his analysis of similar representational practices in scientific discourse, Lynch (1988) wrote about them providing an *externalized retina*. The defense lawyer makes precisely the same argument, stating that by enhancing the image in this way he is able to structure the world being scrutinized so that it reveals what his client perceived (lines 5–8):

- 1 Defense: Rodney King, (0.4) in the very beginning, (1.0)  
 2 in the first six frames, (2.2)  
 3 of this incident, (2.4)  
 4 *Went* (4.7) from the ground, (0.4) to a charge. (1.2)  
 5 And what Sergeant Koon will tell you =  
 6 = this is his rendition, (0.4) of what he saw. (0.7)  
 7 ((Laying White Line Overlays on Top of Photos))  
 8 This is how he perceived it. (3.6)  
 9 But once he saw Rodney King,  
 10 rise to his feet, (1.2) and attack at Powell, (1.4)  
 11 That in Koon's mind, (0.9) in charge of his officers (1.2)  
 12 that Rodney King has set the tone. (1.6)  
 13 Rodney King, (1.1) was trying to get in that position.

Once again talk and visual representation mutually amplify each other. Descriptors such as 'a charge' provide instructions for seeing the highlighted sequence on the easel, while that very same

sequence provides seeable proof for the argument being made in the defense attorney's talk. (At the second trial Mr King testified that he ran after one of the officers who said 'We're going to kill you nigger. Run'). At line 13 the defense attorney points with his finger towards the last photograph in the series, the one where Mr King is actually making contact with Officer Powell. This deictic gesture establishes that image as the referent for 'that position' at the end of line 13, i.e. the attacking position that the defense is arguing Rodney King was repetitively trying to gain. Traditionally, work on gesture in interaction (and deixis in linguistics) has drawn a bubble around the perimeters of the participants' bodies. The body of the actor has not been connected to the built world within which it is situated. In these data the graphic display that receives the point is as much a constructed discursive object as the pointing finger or the utterance being spoken. All three mutually elaborate each other. Theoretical frameworks that partition the components of this process into separate fields of study cannot do justice to the reflexive relationship that exists between the talk, the gesture and the artifacts that have been built and put in place precisely to receive that pointing. It is necessary to view all of these phenomena as integrated components of a common activity.

### THE POWER TO SPEAK AS A PROFESSIONAL

Expert witnesses, such as Sergeant Duke, are entitled to speak about events in the courtroom because of their membership in a relevant community of practitioners. Sergeant Duke's voice can be heard because he is a policeman, an expert on police use of force, and thus someone who can speak about what the policemen on the tape are perceiving as they look at Mr King writhing around on the ground. The structure of his expertise, which warrants his right to speak authoritatively, creates a situated perspective from which events on the tape are viewed.

*((After demonstrating by playing the videotape that Mr King appears to be moving his right hand behind his back with the palm tip.))*

- Prosecutor: That would be the position you'd want him in.=  
= Is that correct. (0.6)
- Sgt. Duke: Not, (0.2) Not with uh:, (0.2) the way he is. (0.6)

His uh:, (0.4) His leg is uh  
 Is bent in this area. (0.6)  
 Uh:, (0.2) Had he moved in this hand here being uh:  
 (0.4) straight up and down.  
 That causes me concern (0.7)

Prosecutor:	Uh does it also cause you concern that someone's <i>stepped</i> on the back of his neck.
Sgt. Duke:	(0.6) No it does not.

Here, as in the data examined earlier, Sergeant Duke displays intense concern about very small movements of Mr King's leg and hand. However, when asked about the fact that an officer has stepped on the back of Mr King's neck, Sergeant Duke states, in effect, that violent actions performed by a police officer against their suspect cause him no concern at all. The events on the tape are being viewed and articulated by Sergeant Duke from a local, situated perspective, that of the police who are beating Mr King, and indeed this is precisely his domain of expertise.

In so far as the perceptual structures that organize interpretation of the tape are lodged within a profession and not an isolated individual, there is a tremendous asymmetry about who can speak as an expert about the events on the tape, and thus structure interpretation of it. Sergeant Duke's expertise is restricted to the police and he articulates *only* their perspective:

Sgt. Duke        They're taught to evaluate.  
                     And that's what they were doing in the last two frames.  
                     Or three frames.

Prosecutor:     Can you read their mind uh, (1.4) Sergeant Duke.  
                     (1.3)

Sgt. Duke:        I can, (0.4) form an opinion based on my training,  
                     and having trained people,  
                     what I can perceive that their perceptions are.  
                     (0.6)

Prosecutor:	Well what's Mr. King's perceptions at this time. (0.6)
Sgt. Duke:	I've never been a suspect. I don't know.

While administering a beating like this is recognized within the courtroom as the craftwork of a profession, no equivalent social



group exists for the suspect. Victims do not constitute a profession. Thus no expert witnesses are available to interpret these events and animate the images on the tape from his perspective. In the second trial, Mr King was called as a witness. However, he could not testify about whether the policemen beating him were using unreasonable force since he lacked 'expertise on the constitution or the use of force' (Newton 1993a: A16).

The effect of all this is the production of a set of contradictory asymmetries.<sup>8</sup> Within the domain of discourse recorded on the videotape it is argued that Mr King is in control of the interaction and this is what the first jury found. However, within the discourse of the courtroom no one can speak for the suspect. His perception is not lodged within a profession and thus publicly available to others as a set of official discursive procedures. Within the discourse of the trial he is an object to be scrutinized, not an actor with a voice of his own. However, within the discourse visible on the tape he is constituted as the controlling actor.

The way in which professional coding schemes for constituting control and asymmetry in interaction are used by the police to justify the way that they beat someone alerts us to ethical problems that can arise when, as social scientists we put our professional skills at the service of another profession, and amplify its voice and the power it can enforce over those who become the objects of its scrutiny.

## CONCLUSION

Central to the social and cognitive organization of a profession is its ability to shape events in the world it is focusing its attention upon into the phenomenal objects around which the discourse of the profession is organized, e.g. to locate legally consequential instances of aggression or cooperation in the visible movements of a man's body. This chapter has investigated three practices used to accomplish such professional vision: coding schemes, highlighting, and the production and articulation of graphic representations. Such work contributes to efforts by linguistic anthropologists, practice theorists and conversation analysts to develop anthropologically informed analyses of human action and cognition as socially situated phenomena, e.g. activities accomplished through ongoing, contingent work within the historically shaped settings of the lived social world.

The ability to see relevant entities is not lodged in the individual mind, but instead within a community of competent practitioners. This has a range of consequences. First, the power to see authoritatively and produce the range of phenomena that are consequential for the organization of a society is not homogeneously distributed. Different professions – medicine, law, the police – have the power to see legitimately, constitute and articulate alternative kinds of event. Professional vision is perspectival, lodged within specific social entities, and unevenly allocated. The consequences that this had for who was entitled to instruct the jury about what was happening on the Rodney King videotape supports Foucault's (1981) analysis of how the discursive procedures of a society structure what kinds of talk can and cannot be heard, who is qualified to speak the truth, and the conditions that establish the rationality of statements. However, rather than situating such phenomena entirely in a rather general notion of 'discourse', it is necessary to investigate in detail the situated practices through which socially relevant talk and vision are accomplished, something made possible by the resources of fields such as conversation analysis.

Secondly, such vision is not a purely mental process, but instead something accomplished through the competent deployment in a relevant setting of a complex of situated practices. An earlier generation of anthropologists, influenced by Saussure's notion of *langue*, brought precision and clarity to their analytical projects by focusing on the grammars of cultural phenomena such as category systems and myths, while ignoring the courses of practical action within which categories and stories were articulated in the endogenous scenes of a society's everyday activities. The procedures investigated in this chapter move beyond the mind of the actor to encompass features of the setting where action is occurring. Through practices such as highlighting, coding and articulating graphic representations, categories (such as aggression) are linked to specific phenomena in a relevant domain of scrutiny (e.g. the images provided by the videotape), creating a whole that is greater than the sum of its parts, e.g. a visible demonstration of aggression. As argued by Wittgenstein (1958), a category or rule cannot determine its own application; rules are lodged within practices. Seeing what can count as 'aggression' in a relevant domain of scrutiny is both a contingent accomplishment and a locus for contestation, indeed a central site for legal argument. Categories and the phenomena, to which they are being applied, mutually elaborate each other

(C. Goodwin, in press; Heritage 1984; Keller and Keller 1993), and indeed this is precisely one of the central processes that provides for ongoing change in legal and other category systems.

There are good reasons why the configuration of practices investigated in this chapter are generic, pervasive and consequential in human activity. First, processes of classification are central to human cognition, at times forming the basic subject matter of entire fields such as cognitive anthropology. Through the construction and use of coding schemes, relevant classification systems are socially organized as professional and bureaucratic knowledge structures, entraining in fine detail the cognitive activity of those who administer them, producing some of the objects of knowledge around which discourse in a profession is organized, and frequently constituting accountable loci of power for those whose actions are surveyed and coded. Secondly, though most theorizing about human cognition in the twentieth century has focused on mental events, e.g. internal representations, a number of activity theorists, students of scientific and everyday practice, ethnomethodologists and cognitive anthropologists have consistently insisted that the ability of human beings to modify the world around them, to structure settings for the activities that habitually occur within them, and to build tools and other representational artifacts is as central to human cognition as processes hidden inside the brain. The ability to build structures in the world that organize knowledge, shape perception and structure future action, is one way that human cognition is shaped through ongoing historical practices. Graphic representations constitute a prototypical example of how human beings build external cognitive artifacts for the organization and persuasive display of relevant knowledge. This chapter has investigated some of the ways a professional community organizes the production and understanding of such representations through the deployment of situated practices articulated within ongoing processes of human interaction (see also C. Goodwin 1995). Human activity characteristically occurs in environments that provide a very complicated perceptual field. A quite general class of cognitive practices consists of methods for highlighting that perceptual field so that phenomena relevant to the activity the participants are engaged in are made salient, a process that simultaneously helps classify those phenomena (e.g. as an aggressive movement). Practices such as highlighting link relevant features of a setting to the activity being performed in that setting.

In view of the generic character of the issues that these practices address, it is not surprising that they frequently work in concert with each other, e.g., Sergeant Duke's pointing finger linked a category in a coding scheme to specific phenomena visible in a graphic representation. The way in which such highlighting structures the perception of others by reshaping a domain of scrutiny so that some phenomena are made salient, while others fade into the background, has strong rhetorical and political consequences. By looking at how these practices work together within situated courses of action, it becomes possible to investigate quite diverse phenomena within a single analytical framework. As these practices are used within sequences of talk-in-interaction, members of a profession both hold each accountable for, and contest, the proper perception and constitution of the objects of knowledge around which their discourse is organized.<sup>9</sup>

## NOTES

An earlier version of this chapter appeared in the *American Anthropologist* 96(3), 606–33, September 1994. We gratefully acknowledge the permission granted by *American Anthropological Association* to print this chapter in the present volume. We owe a tremendous debt to Lucy Suchman for demonstrating to us just how important the way in which participants tailor and reshape objects in work settings, in order to accomplish local tasks, is for any understanding of human cognition and action. We wish to thank Lisa Capps, Aaron Cicourel, Janet Keller, John Heritage, Bernard Hibbits, Cathryn Houghton, Per Lineff, Hugh Mehan, Curtis Renoe, Peggy Sanday, Lucy Suchman and Patty Jo Watson for helpful and insightful comments on an earlier version of this analysis. We thank Court TV for permission to use images from their broadcast of the Rodney King Trial.

1. Elsewhere we have extended this analysis to other professions, including archaeology (C. Goodwin 1994), airline operations (M. Goodwin 1995, 1996; C. Goodwin and Goodwin in press) and oceanography (C. Goodwin 1995). A more extended version of the present analysis can be found in C. Goodwin (1994).
2. See Bourdieu (1977), Chaiklin and Lave (1993), Hanks (1987) and Lave and Wenger (1991) for contemporary work on practice theory. Analysis of how cognition makes use of phenomena distributed in everyday settings can be found in Lave (1988), Rogoff (1990), Rogoff and Lave (1984) and Suchman (1987). Hutchins (1995) provides a very clear demonstration of how cognition is not located in the mind of a single individual, but instead is embedded within distributed systems, includ-

ing socially differentiated actors and external representations embodied in tools. Dougherty and Keller (1982) demonstrate how cognitive frameworks and material features of a setting mutually constitute each other. A collection of recent work by linguistic anthropologists on the discursive constitution of context can be found in Duranti and Goodwin (1992). Work on Activity Theory (Wertsch 1985; Engeström 1987), growing out of the pioneering work of Vygotsky (1978), has long stressed the mediated, historically shaped character of both cognition and social organization. Though focused on the organization of sequences of talk rather than tool-mediated cognition, the field of Conversation Analysis (Atkinson and Heritage 1984; Drew and Heritage 1992; Sachs 1992; Sachs, Schegloff and Jefferson 1974) has developed the most powerful resources currently available for the analysis of the interactive organization of emerging action within actual settings (C. Goodwin 1995), including the way in which each next action relies upon prior action for its proper interpretation while simultaneously reshaping the context that will provide the ground for subsequent action.

3. In the following examples data are transcribed using the system developed by Gail Jefferson (Sachs, Schegloff and Jefferson 1974, 731–3) for the analysis of conversation. The conventions most relevant to the analysis in the present chapter include the use of *bold italics* to indicate talk spoken with special emphasis, a left bracket [ to mark the onset of overlapping talk and numbers in parentheses, e.g. (1.2), to note the length of silences in seconds and tenths of seconds. A dash marks the cut-off of the current sound. An equal sign indicates 'latching', that there is no interval between the end of one unit and the beginning of a next. Transcribers' comments are italicized in double parentheses; talk enclosed with single parentheses indicates a problematic hearing. Punctuation symbols are used to mark intonation changes rather than as grammatical symbols: a period indicates a falling contour, a question mark a rising contour, and a comma a falling-rising contour, as might be found in the midst of a list.
4. We are deeply indebted to Lucy Suchman for bringing the phenomena discussed in this paragraph to our attention.
5. The prosecution arguments at the second trial noted here are drawn from Charles Goodwin's notes, made at the closing argument, and newspaper reports.
6. The ability to record events on videotape and replay them in the court created baroque possibilities for layering and framing the perception of events. At the second trial one of the defendants, Officer Briseño, chose not to testify. However, the prosecution received permission to play for the jury videotape of his testimony at the first trial in which he criticized the actions of the other defendants. That placed jurors in the Federal trial in the unusual position of watching a defendant on one videotape

describe yet another videotape' (Newton 1993c: A25). The jury was able to watch 'as the taped Officer Briseño spoke from the monitor accompanied by the word 'Live', while the real Officer Briseño sat passively with the other defendants, following his own year-old words on a transcript' (Mydans 1993a: A8).

7. The notion of what events constitute 'clutter' to be eliminated is, of course, an important political decision being made by the party who reshapes the image for presentation to the jury.
8. For analysis of how asymmetries are consequential to the organization of discourse, see Linell and Luckmann (1991) and Drew (1991).
9. Professional settings provide a perspicuous site for the investigation of how objects of knowledge, controlled by and relevant to the defining work of a specific community, are socially constructed from within the settings that make up the lifeworld of that community, i.e. endogenously, through systematic discursive procedures. This should not, however, be taken to imply that such processes are limited to professional discourse. The way in which we reify our realities through practices such as highlighting and coding are pervasive features of human social and cognitive life.

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