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**LEVELS OF FRAMES  
IN  
THE PEOPLE'S COURT**

LETRAS 20-21 (1989)



## INTRODUCTION

Erving Goffman (1974) in his book **Frame Analysis**<sup>1</sup> discusses a variety of concepts such as frames, primary frameworks, transformations and keyings; these are the ones I will use to analyze a trial televised on "The People's Court". This type of analysis is important because it may help the participants in a trial frame their accusation or defense properly; by properly I mean well organized and in a way which meets the 'requirements' or expectations of a well founded accusation or defense before a judge in the courtroom. Before discussing how I have used the concepts presented by Goffman, the reader must be provided with background information about the television program itself and the trial analyzed in this paper. The notion of primary frameworks presented later is my departing point. Then, I shall proceed with the discussion of frames, where I will discuss the definition given by Goffman, and present the various levels of frames I have been able to find in the presentation of this legal case. After that, I will discuss whether this case is a transformation and if so, what it keys. Finally, I will conclude by summarizing what I have done and by pointing out the importance of this type of analysis in cases like the one I partially analyze here. Partially because this is by no means a complete microanalysis; it is not intended as such.

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1. Since all the quotations in this paper come from Goffman's **Frame Analysis** (1974), I will hereafter indicate only the pages from where I quote.

## BACKGROUND INFORMATION

### a) The television program

The program is shown daily, except on weekends, in Washington, D.C. and Virginia, and is organized the following way. The host of the program gives the name of the plaintiff as he enters the courtroom and tells what the plaintiff is accusing for, including the amount of money he is suing for; a second later the defendant is shown, also as he enters the room, the host of the program tells his name and gives a statement summarizing what the defendant is going to claim. Once they are in the room (the audience is already there), the cameras show both the defendant and the plaintiff, while the host or announcer of the television program presents a summary of the case. After this, the following text is shown on the screen, at the same time that is read by someone different from the t.v. host, the reading of this text has been pre-recorded.

*What you are witnessing is real.*

*The participants are not actors.*

*They are actual litigants with a case pending in a California*

*Municipal Court.*

*Both parties have agreed to dismiss their court cases and have their dispute settle here*

*in our forum*

*THE PEOPLE'S COURT*

Later, the judge walks out of a room in the back of the courtroom and the process begins. When the judge takes a recess just before giving his decision, he goes back to the room in the back, and commercials plus news briefs are presented. A few minutes later, they present the judge already in the courtroom to give his decision. After the case is closed, the host of the program waits for the defendant and the plaintiff outside the room to ask them one or two questions, mainly how they feel about the decision, what are they going to do next, etc. Then, he immediately announces the next case. Two cases are presented each day in a half hour period. The same routine is followed: introduction of the litigants, the case, etc.

At the end of the second case, the following text is shown,

*Both the plaintiff and the defendant have been paid from a fund for their appearance. The amount, if any, awarded in the case is deducted from that fund, and the remainder is divided equally between both litigants. The amount of the fund is dependent upon the size of the judgement*

**b) The case**

The situation in this case may be summarized as follows. A young man, Mr. Clark, accuses his landlord, Mr. Laredo, of threatening him bodily harmed several times, of kicking in his car doors, of trauma and harassment. He makes several unsuccessful attempts to sue for the trauma and harassment his family and especially his mother had suffered, but the judge does not allow him to do it arguing that he is the only one named in the complaint. Mr. Clark brings his brother as a witness who tries to support his accusations, but does not succeed. On the other hand, the defendant admits he threatened the plaintiff by raising a fist, but only after the former jumped into his face as if he were going to hit him. Mr. Laredo denies he has caused any damage to Mr. Clark's car and complains the plaintiff and his family get excited when he tries to tell them something. He also brings a witness, his wife, who gives a story similar to her husband's. Finally, the judge defines what an assault is and considers that the threat that Mr. Clark has complained about is not an assault. He then decides that Mr. Laredo had just cause to threaten to hit Mr. Clark if he jumped in his face. The judge considers Mr. Clark does not have any evidence that his car was vandalized and damaged and decides in favor of the defendant.

**Primary Frameworks**

A primary framework is, according to Goffman (p. 21), "one that is seen as rendering what would otherwise be a meaningless aspect of the scene into something that is meaningful". It seems, then, that primary frameworks provide meaning to aspects of a scene.

A few lines down on the same page (21) Goffman describes what a primary framework allows the user to do, “to locate, perceive, identify, and label a seemingly infinite number of occurrences defined in its terms”. Whether he uses a ‘number of occurrences’ to refer to an aspect of the scene is difficult to tell. Later on, he writes (p. 24), “We tend to perceive events in terms of primary frameworks, and the type of framework we employ provides a way of describing the events to which it is applied”. He refers to ‘events’ instead of ‘aspects of a scene’ or ‘concrete occurrences defined in its terms’. To me, a number of scenes make up an event, but it is not clear if ‘occurrences defined in its terms’ are the same as scenes, or aspects of a scene. Since it might be risky to use some of these interchangeably without misinterpretations, I will define the televised courtroom session to be analyzed here as an event and label it a trial.

### Frames

Before referring to the frames I have been able to identify on this occasion, I must give the definition Goffman uses (p. 10-11).

*I assume that definitions of a situation are built up in accordance with principles of organization which govern events—at least social ones—and our subjective involvement in them; frame is the word I use to refer to such of these basic elements as I am able to identify. That is my definition of frame.*

His definition might be interpreted as follows: frame are principles of organization which govern events and our subjective involvement (‘these basic elements’) in these events and which define a situation. To avoid confusion, situation and event will mean the same in this paper, and instead of referring to principles of organization, I will talk about levels of organization or frames.

I will show that there are several frames or levels of organization in the event, or situation, I recorded; these levels of organization include the television frame, the event itself, and the main participants: the judge, the plaintiff, and the defendant. Even though there are witnesses, one for the defendant and one for the plaintiff, their participation will not be analyzed in this event because of time and space restrictions. Nevertheless, I think they represent two additional levels of frames.

## THE TELEVISION FRAME

In this particular case, this level of organization fulfills a special function: to transport the event itself as it develops to a variety of places away from the courtroom so that viewers who otherwise would not have a chance to watch it in person, that is, at the place where it occurs, may still watch it. This level of organization involves not only showing what happens in the courtroom, but also other things not related to the event such as commercials. These are inserted after the plaintiff and the defendant enter the courtroom and while the judge takes a recess to prepare his decision. This frame allows for an additional audience because the event takes place before a live audience. This level of organization also involves the presentation of the participants before the cameras, an introduction of the case at hand, what it is about, and a couple of questions by the television host for the plaintiff and the defendant as they leave the courtroom at the end of the session. Finally, it involves the presentation of messages on the screen.

An interesting aspect of the television frame is that it shows the audience in the courtroom to another audience, those before the t.v. set; a peculiar aspect not present in the theatrical frame, at least as Goffman presents it, an perhaps unthinkable before the invention of movies and television.

## THE EVENT FRAME

This level of organization shares a few features with the theatrical frame. One of the characteristics of the theatrical frame is performance, which Goffman defines (p. 124) as follows.

*A performance, in the restricted sense in which I shall now use the term, is that arrangement which transforms an individual into a stage performer, the latter, in turn, being an object that can be looked at in the round and at length without offense, and looked to for engaging behavior, by persons in an "audience" role.*

The main participants, who I have identified as the judge, the plaintiff and the defendant can be looked at in the round and at

length without offense by the live audience before which the event takes place. In this sense, the participants are stage performers. Furthermore, these stage performers plus the audience are before the television cameras and are, therefore, part of the television show which has another audience: those who watch it. One noticeable difference is that the audience in the courtroom can look at any of the participants and other members of the audience at any time, while those who watch from the television set are completely dependent on the camera crew; what they focus on at one time is all television viewers can actually watch.

Another characteristic of the theatrical frame with respect to the performance is the physical arrangement which Goffman, on page 124, describes

*A line is ordinarily maintained between a staging area where the performance proper occurs and an audience region where the watchers are located. The central understanding is that the audience has neither the right nor the obligation to participate directly in the dramatic action occurring on the stage.*

The audience in the courtroom is located in an area different from where the performers are and does not participate in the action engaged in by the main participants. On the other hand, the audience before the television set share not having the right nor the obligation to participate in the dramatic action occurring on the stage. Goffman (p. 125) mentions that, "At certain junctures the audience can openly give applause to the performers, receiving bows or the equivalent in return". However, this did not happen in this event; it is not even expected in this type of situation, nor are the main participants expected to bow. Since this event shares some features with the theatrical frame, it is in a way a performance; what kind is somewhat difficult to specify. Goffman explains (p. 125) that performances can be classified according to their purity. He mentions that, "Dramatic scriptings, nightclub acts, personal appearances of various sorts, the ballet, and much of orchestral music are pure". The event analyzed here does not fit any of these, in part because there is no script. The reason Goffman uses the term 'personal' is, as he puts it (p. 125), "because the performer typically supplies his own scenery and props, and no prior agenda need be present to obligate the

individual to perform". Then, this event cannot be classified as a personal appearance because once a complaint has been filed, the participants have to appear before the judge; besides, the complaint which has been filed constitutes an agenda or part of one, and the discussion will be based on what has been filed as a complaint.

Contexts or matches make up the next category Goffman distinguishes. On page 125, he explains, "The players, then, must convincingly act as though something were at stake beyond the entertainment of those who are watching them". However, the purpose of the main participants is to find a legal solution to their dispute, not to entertain the audience. Therefore, they do not have to 'act as though something were at stake'.

Other types of performances are personal ceremonies such as weddings and funerals which are less pure, according to Goffman (p. 126). Needless to say the event in the courtroom is far from being part of this type of performance.

"Lectures and talks provide a very mixed class in regard to performance purity, in brief, a variable mixture of instruction . . . and entertainment" (p. 126). Even though the audience may learn something by attending a session like the one I have been referring to, it is not meant to provide instruction nor entertainment.

To conclude with the presentation of this level of organization, I must say it is difficult to classify this type of televised event in terms of purity, at least according to the categories Goffman distinguishes. At this point, all I may say is that this event shares some of the features a performance has.

A very important part of this situation is what I have been referring to as the main participants, each contributing from a different perspective to the general organization of the event; for this reason I consider they represent, through the role they play, other levels of frames or organization within a more global frame which is the event itself. I will present each one immediately.

## **THE JUDGE**

The judge represents another level of organization within the

event; without him the trial could not take place. The role he plays is very important because he is the one who leads the discussion; what he does, and what, I suppose, is expected to do is what I am going to show now.

First, he informs the plaintiff he has read his complaint.

1 Judge: I have read your complaint, sir.

This is the only time when the judge gives some type of information, from here on he requests information from the other participants; this is the expected behavior from a judge in this type of situation. Then, his first question, line 2, confirms he has read the complaint.

2 Judge: You claim that your car was vandalized?

3 Mr. Clark: Yes sir.

One of the roles at this level of organization is the asking of questions in search of specific information to locate, in time, the action about which the plaintiff complains; line 4 is an example.

4 Judge: When was this done?

However, the judge does not obtain the answer he was looking for, as we can see from lines 5 to 8.

5 Mr. Clark: Well, the vandalizing was just recently but

6 the trauma

7 and the harassment that we had to put up with

8 was since we moved in

'Recently' (line 5) is not the answer the judge was expecting; he wanted the date (later on I will support this claim); on the other hand, he was referring to the vandalizing of Mr. Clark's car, not to trauma and harassment which Mr. Clark introduces (lines 6 and 7) without being questioned about them. For this reason, the judge

employs a tag question to confirm that Mr. Clark is not suing for trauma and harassment, lines 9 and 10.

- 9 Judge: Oh you're not suing for trauma and harassment, are  
10 you?

However, Mr. Clark answers that the majority of the suit is in fact for punitive damages, lines 11 and 12, complaint which the judge accepts by asking the question on line 13.

- 11 Mr. Clark: Oh I'm suing for pun punitive damages, also  
12 in fact that's the majority of the suit  
13 Judge: Punitive damages for what?

Even though one of the roles in this frame is to keep some type of logical sequence in the discussion of topics, the judge has failed to impose it, in fact it is the plaintiff who is leading the choice of topics, starting on line 6. Besides, on line 7, Mr. Clark introduces a new element in the discussion, we, which the judge disattends and which the plaintiff specifies on line 14: my family and I.

- 14 Mr. Clark: For the trauma that my family and I had to go  
15 through  
16 for the time we've lived there

The judge, who has not been able to go back to his original question to find out when the car was vandalized (lines 2 and 4), implicitly agrees to follow the plaintiff's choice of topics by asking what was done to him, line 18.

- 17 Judge: When did that  
18 what did they do to you?  
19 Mr. Clark: O.K. when we first moved in (?)

After this, the judge starts re-organizing his performance by trying to find out who Mr. Clark is suing for, lines 20 and 21, because, according to the record, he is the only one named in the complaint, lines 23 to 26.

- 20 Judge: Are you suing for  
21 yourself now or you're suing for your family?  
22 Mr. Clark: For my family (?) property  
damage to my car  
23 Judge: You're the only person  
24 you're the only person  
25 you're the only person  
26 named in the complaint

After this, the judge insists that Mr. Clark cannot sue for his family, lines 35 and 36, only for himself if he was harassed, lines 37 and 38.

- 35 Judge: Well, harassment to your family you cannot sue  
36 for, sir,  
37 for yourself you could  
38 if you were if you were harassed,  
39 is that what your claiming? Your person?

On line 40, the judge finds out that the plaintiff was harassed and overtly expresses that harassment is the topic they are going to start with, line 42.

- 40 Mr. Clark: Yes I, I personally was harassed also

- 41 Judge: All right  
42 let's start with the harassment  
43 When did that first happen?

I claimed that the judge expected a specific date when he asked when the car was vandalized, lines 2 and 4 above, and to support this claim, I will show a similar situation. The judge asks when the harassment started, line 43, but Mr. Clark's answer is vague, line 45, (he is not giving the judge the specific date); then the judge asks, "When was that" but immediately rephrases the question asking explicitly for the date, line 47.

- 43 Judge: When did that first happen?  
44 Mr. Clark: O.K.  
45 When I first moved in  
46 I was a friend of the  
47 Judge: When was that? What's the date?

Another function the judge has is to try to find out what has happened to the plaintiff, line 52, who is suing for harassment: for example, if he has suffered physical injuries, lines 52 and 56.

- 52 Judge: What did he do to you?  
56 Did you suffer any physical injury?

Another function reserved to the judge is to classify the information given in a response, line 73. At this point, he was referring to the plaintiff's mention of the Renter's Association and what his lease states, lines 69 to 71, in relation to the additional sum of money he was required to pay for his apartment.

- 69 Mr. Clark: No I didn't the Renter's Association said I didn't

70                    have to and in my lease

71                    it states that

72    Judge:                    All right

73                    it's a civil matter

The judge considers that this matter about the lease is civil and decides to leave it aside. Once the judge has defined what the plaintiff may complain about, he proceeds to tell him who is a party to the action and who is not, line 85. Mr. Clark, once again includes his mother when he is supposed to sue for himself and not his family, line 82, and the judge reminds him she does not have anything to do with this.

81    Mr. Clark: four times

82                    my mother's had to step in front of this man

83                    protect me from. . . (?)

84    Judge:                    Sir

85                    your mother is not a party to this action.

Another important role of the judge is to ask the plaintiff if he has any evidence to prove what he claims others have done to him. For example, Mr. Clark claims that the defendant, Mr. Laredo, had threatened to kick in the side of his car, line 180.

180    Mr. Clark: and he threatened to kick in the side of the car.

Then, the plaintiff explains that the next morning when he went to the car, line 185, the side of the car was kicked in line 195.

185    Mr. Clark: Now the next morning when I went down to the car

186                    to use it for work because I use the car for work

- 187 I'm a delivery man
- 188 The side of the car
- 189 Judge: This is a different car?
- 190 this is a different. . .
- 191 Mr. Clark: No this is the same car your  
honor
- 192 this is the M.G.
- 193 Judge: same car
- 194 side of the car was kicked in
- 195 Mr. Clark: The side of the car was  
kicked in
- 196 there looked like there had been one attempt  
that
- 197 he tried to kick in the door
- 198 but failed because

At his point, then, the judge asks Mr. Clark if he has any evidence that Mr. Laredo did this, lines 199 to 200.

- 199 Judge: You have any evidence  
that he's the one
- 200 who did this?

Another function reserved to the judge is to stop anyone from talking unless asked to. For example, the judge points out, lines 264 to 266, to Mr. Clark's brother, a witness, that his recollection is different from his brother's in relation to the threat by Mr. Laredo to kick his car.

264 Judge: But you don't agree with your brother as to  
 265 what he said that he threatened to kick in the  
 266 car.

There is a five-second silence because the witness did not know what to respond, and Mr. Clark, without being questioned, chooses to talk, line 267; however, the judge asks him to wait because his brother has not answered his question, lines 268 to 271. [silence: .05]

267 Mr. Clark: It could have been when he went to the back  
 268 Judge: Wait wait  
 269 a minute (?) he hasn't finished  
 answering my question  
 270 he's looking here for every which way  
 271 but he's not answering my question.

Finally, deciding when to take a recess, line 383, to prepare his decision, line 384, is something which can be done by the judge only; no other participant is allowed to do this.

383 Judge: Uh we take a short recess  
 384 I'll come back and give you my decision. . .

His decision favors the defendant, line 421.

421 Judge: Judgment for the defendant.

To summarize this section, I have claimed that this frame which I have labeled 'the judge' is different from other levels of organization within the event itself because of the roles or functions defined here. I have stated that the following actions are reserved to the judge only, and I have provided examples to illustrate each: leading

the discussion during the trial, requesting information, general and specific, to insist on specific dates, to follow some type of sequence in the discussion of the actions, to decide which aspect of the complaint to take first, requesting evidence, classifying information given to him, deciding who is a party to an action and who is not, who should talk and when, and finally to take a recess and decide in favor of either the defendant or the plaintiff; in this case his decision favored the defendant.

The plaintiff represents another level of organization within the event; this constitutes another frame which I will discuss next.

### THE PLAINTIFF

Equally important for the development of a trial is the presence of a plaintiff. His role differs from the judge's but his contribution to the trial is essential. His basic function is to present a coherent complaint plus evidence to support what he claims others have done to him. He does not ask any questions; the judge asks them. I will concentrate here on what the plaintiff presents and not on the questions asked by the judge to avoid unnecessary repetition of what I presented above.

I mentioned that one of the roles played by the plaintiff is to present a coherent complaint; however, he fails to accomplish this in this situation. The judge asks one thing and he answers another as we can see on lines 3 and 5 to 8.

- 2     Judge:        You claim that your car was vandalized?
- 3     Mr. Clark: Yes sir
- 4     Judge:        When was this done?
- 5     Mr. Clark: Well, the vandalizing was just recently but
- 6                    the trauma
- 7                    and the harassment that we had to put up with  
                  was



filed a complaint and then saying that he does not know why he is the only one named in the complaint. This is his first mistake.

Another aspect of his complaint is that the landlord, Mr. Laredo, tried to force him to pay additional money when he first moved in, lines 53 to 55.

52 Judge: What did he do to you?

53 Mr. Clark: Well he's tried to force me into paying nine

54 hundred and twenty-five dollars in addition

55 to what I had to when I moved in

He also complains that he was required to pay other additional sums, lines 59 to 66.

59 Mr. Clark: while then I was required to pay an

60 additional two hundred to that as a deposit

61 and then a month later

62 he tried to get me to pay an additional two

63 hundred dollars

64 and then the following month he tried to get

65 me to pay seven hundred and twenty five

66 dollars for last month's rent

However, when the judge asks him if he paid any of these sums, lines 67 to 68, he answers negatively and tries to explain why, lines 69 to 71, but he is interrupted by the judge on line 72.

64 Mr. Clark: and then the following month he tried to get

- 65 me to pay seven hundred and twenty five  
66 dollars for last month's rent  
67 Judge: did you pay any of  
68 this?  
69 Mr. Clark: No I didn't the Renter's Association said I  
70 didn't have to and in my lease  
71 it states that  
72 Judge: All right  
73 it's a civil matter

Now the judge asks him if the landlord ever sued him for any of these sums, line 74 to 75, and the answer is again negative, line 76.

- 72 Judge: All right  
73 it's a civil matter  
74 he didn't did he ever sue you for any of these  
75 sums?  
76 Mr. Clark: No  
77 no he did not

The plaintiff is supposed to sue for something which he can prove it happened. Nevertheless, he is complaining and suing for something which never happened: he never paid any additional sum of money to the landlord, and the latter did not even sue him for all this money the plaintiff claims he was required to pay. It does not make sense, then, to raise this issue if he did not pay anything; nothing could he intend to recover.

Another issue presented by the plaintiff is that, sometime, the landlord threatened to kill him, line 105.

105 Mr. Clark: he's threatened to kill me on one time.

But when the judge asks him if Mr. Laredo had any weapon when he threatened to kill him, lines 108 to 110, he answers he would not know, lines 111 to 112.

107 Judge: (?) When he

108 When he threatened to kill you

109 did he have any weapon on him?

110 with him?

111 Mr. Clark: I wouldn't know if he had a weapon on him at

112 any time

Furthermore, when the judge rephrases the question, lines 113 to 114, Mr. Clark answers that Mr. Laredo did not threaten him with a weapon, that he just raised a fist, lines 115 to 116.

113 Judge: No but did he

114 did he threaten you with a weapon?

115 Mr. Clark: No he did not threaten me with this weapon he  
just

116 raised a fist.

Naturally, there is a big difference between raising a fist and threatening to kill someone, so how can the plaintiff seriously claim the landlord threatened to kill him when all he did was to raise a fist?

Finally, Mr. Clark says that Mr. Laredo threatened to kick in the side of his car, line 180.

180 Mr. Clark: and he threatened to kick in the side of the  
car

He also mentions that the next morning when he went down to the car, the side of the car was kicked in, line 195.

195 Mr. Clark: The side of the car was kicked in

However, when the judge asks him if he has any evidence that the landlord did this, lines 199 to 200, he is unable to provide any concrete evidence, lines 201 to 202.

199 Judge: You have any evidence that he's

200 the one who did this?

201 Mr. Clark: Just the fact that he'd threatened the day  
before

202 it is a (secure garage?)

A threat is not enough to prove someone accomplished what he threatened to do. In fact, before the judge gave his decision, he explicitly said that the evidence Mr. Clark presented is zero, lines 410 to 411.

401 Judge: But as to the

402 second thing about this uh damage, vandalism  
to

403 your car and the fact that had been in an  
accident

404 uh, some time before you had the burden of  
proving

405 by a preponderance of the evidence that he

- 406 committed these acts, and by preponderance of  
the
- 407 evidence we mean uh, whether we consider  
your
- 408 evidence and that opposed to it, which  
evidence
- 409 has the more convincing force and the greater
- 410 probability of proof. What you have presented  
is
- 411 to me zero.

I mentioned that the basic role of the plaintiff was to present a coherent complaint and provide evidence that what he claimed happened did happen. However, he failed to present a coherent case and to show sufficient evidence.

Another important part for the development of this situation is the frame represented by the defendant. In fact, it is difficult to imagine a trial without a defendant; this is the topic of my next section.

## THE DEFENDANT

The main role of the defendant is to prove that the accusation against him is false; he also need some evidence to support his defense, and it needs to be coherent. The defendant, Mr. Laredo, was given a chance to talk after Mr. Clark presented the main point of his complaint; this is the procedure in a court case. This does not mean that the judge did not allow the plaintiff to talk after he started questioning the defendant; in fact, there are times when the judge requests information from one immediately after listening to the other.

Since the defendant is to prove innocent, it is difficult for him

to admit the charges. For example, when the judge asks him if he threatened the plaintiff four times, lines 125 to 128, Mr. Laredo evades the question; he answers something else, lines 129 to 133.

125 Judge: Four times mhm  
126 You threatened him with a  
127 hit him four times  
128 sir?  
129 Mr. Laredo: I told him  
130 that if he didn't do s uh  
131 abide by the rules of the building  
132 you know that uh  
133 I can see (?) him

Because Mr. Laredo fails to provide a straight answer, the judge rephrases the question, this time explicitly telling what he was asked, lines 134 to 135, and splitting the original question (if he threatened to hit him four times) into two parts as shown below.

a) first part of the question:

134 Judge: You were asked if you threatened or hit him  
with  
135 a fist

Once Mr. Laredo has answered the first part of the question, admitting he raised a fist, line 136, the judge proceeds to ask the second part.

136 Mr. Laredo: Yeah I did

b) second part of the question:

137 Judge: Four times?

This time, the defendant replies he does not know how many times, lines 138 to 139.

138 Mr. Laredo: I don't know whether four times

139 maybe once or twice

Now that he has admitted he threatened to hit Mr. Clark with his fist, he tries to find an excuse for that type of behavior. When the judge asks Mr. Laredo if Mr. Clark threatened to hit him, (line 160), Mr. Laredo states that the plaintiff jumped into his face as if he were going to hit him, but that the only reason Mr. Clark did not do it was that he could not, lines 161 to 163.

160 Judge: Did he threaten to hit you?

161 Mr. Laredo: Well

162 he jumped right into my face like he's going  
to

163 the only reason he didn't is that he can't

Mr. Laredo's response is a justification for his behavior, an act of self defense perhaps (Mr. Clark jumped into his face). The judge accepts the defendant's justification, something the judge will use to base his decision, lines 387 to 395.

387 Judge: What you said is that he

388 threatened to hit you four times. He says once

389 or twice he did threaten to hit you but was only

390 after you got into his

391                   you jumped into his face; that's his way of  
392                   saying. Uh I don't even think it's a technical  
393                   assault but it might be, but I think that he had  
394                   just cause to threaten to hit you if you jumped  
395                   in his face.

The judge, then, considered Mr. Laredo had just caused to threaten to hit Mr. Clark if he jumped in his face, end of line 393 to line 395 in the above excerpt of the transcription of the trial.

Finally, Mr. Clark had accused Mr. Laredo of kicking the side of his car, which he kept in the garage. When Mr. Laredo refers to this, he tries to convince the judge the cars are parked out on the street; Mr. Laredo shows the pictures he took two days before the trial, lines 336 to 346.

336 Mr. Laredo: He claimed he parked his car in the garage  
337                   all the time the cars  
338                   are sitting out on the street half the time  
339                   they are sitting out there when he's doing  
340                   the motor (?)  
341                   I took those pictures  
342                   day before yesterday  
343                   they're out on the street  
344                   he keeps them out on the street half time  
345                   he has three cars

346                    and those cars are on the street half the  
347                    time

Mr. Laredo has managed to support (by bringing some pictures with him) what he claims, that the cars are half the time out on the street. The pictures are not shown to the public nor to the television cameras; however, the public may suppose the judge accepted them as part of the evidence that the car, which was kicked in, was not kept in the garage all the time. The audience and television viewers may think so because the judge saw the pictures and did not question them. On the other hand, the plaintiff did not refute this partial evidence against his complaint.

Summarizing, then, the role of the defendant is to refute the accusation against him, and Mr. Laredo did so in this trial by justifying his threat to hit Mr. Clark and by showing that the car he was accused of damaging was kept on the street half the time, thus, creating the possibility that someone else could have done it.

To summarize this section of frames, I have listed three important frames: one represented by the judge, another by the plaintiff and the other by the defendant. I have also characterized the roles of the people representing these frames: questioning, leading the debate, taking a recess and judging who is right and who is not depending on the evidence presented is reserved to the judge. However, the role of the plaintiff is to present a coherent accusation and evidence to support his case; on the other hand, the defendant is expected to refute the accusation by showing otherwise and by justifying his behavior if he admits some of the charges.

As the final point in this paper, I would like to consider this question: aside from the television frame, was this the real thing or a transformation? If it was a transformation, what did it key?

## **TRANSFORMED ACTIVITY**

Referring to play behavior in animals, Goffman observes (p. 41),

*Bitinglike behavior occurs, but no one is seriously bitten. In*

*brief, there is a transcription or transposition—a transformation in the geometrical, not the Chomskyan, sense—of a strip of fighting behavior into a strip of play.*

The event I have been writing about, and which I tape recorded, seems to be a transformation in the sense Goffman uses this word. What is presented in the courtroom is not the actual activity Mr. Clark and Mr. Laredo engaged in before appearing in court. The real dispute and issuing of threats occurred before in another place: in their apartment building, or in the garage, or in one of the apartments, etc., but not in the courtroom. What the audience is watching is a transcription or transformation of what has already happened. These men have yelled at each other, jumped into the other's face, raised a fist, threatened bodily harmed, etc. That might be the real untransformed activity. I have used the word 'might' because raising a fist to threaten somebody may in itself be a transformation of an action that takes place in a real fight. But I will not get into the deeper levels of the transformations that may be found here. What these men are doing in court is recounting a strip of their behavior before a judge. In fact, the judge is not evaluating their behavior at the time of the trial; he bases his decision on what they say happened. The need for evidence shows that what is going on in court is not the real untransformed activity it seems to be; their dispute has already taken place. Because they still have disagreements, they go to court to settle matters legally. Therefore, the situation presented before the judge and the audience is a transformation of their behavior prior to this appearance in court. Goffman writes (p. 58) that, "In brief, a play keys life, a ceremony keys an event". In this case, the trial keys an activity in life; this activity is a dispute between two men in which they threatened, one way or another, to hit each other.

## CONCLUSION

Goffman writes, p. 38, that,

*It seems that we can hardly glance at anything without applying a primary framework, thereby forming conjectures as to what occurred before and expectations of what is likely to happen now.*

In this study a primary framework has been applied to an event: the development of a brief trial. The employment of a primary framework allows identification, labeling and description of different levels of organization, or frames, within the main event. I presented a description of the television program, analyzed as a frame, a summary of the trial labeled the event frame, and I also identified three main participants who represented three different frames; I described the roles played by each of these participants and illustrated their performance by showing excerpts of their arguments. Finally, I have considered that this event was a transformation of a past activity, a strip of behavior which took place before going to court, and that this transformation keyed a real event which was a dispute between two men who, among other things, at different points threatened to hit each other.

This analysis is by no means complete, but I believe that this type of work is important because it has practical applications. For example, the plaintiff may not know exactly why he lost his case; however, if he could analyze his performance later, he could see what went wrong; in addition, if he would like to take this case to another court, he would be much better prepared to present a coherent accusation along with supporting evidence. Similarly, the judge could profit from reading an analysis of his performance to do better each time.

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