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LINGUISTIC EXPRESSION OF SUGGESTIVENESS IN COURT DISCOURSE

Zaitseva M. O.

*Candidate of Philological Sciences, Associate Professor,
Associate Professor at the Foreign Languages Chair
Yaroslav Mudryi National Law University
Kharkiv, Ukraine*

Nowadays the ways of influence on public opinion have become more complex and not so obvious. All this resulted in the appearance of new theories of influence, for example, suggestiveness and even manipulation. The notion of suggestiveness is an interdisciplinary one which originated in psychiatry. Psychotherapists John Grinder and Richard Bandler in the 1960–1970s developed so called neurolinguistic programming, which is considered to be a kind of suggestive psychotherapy. It aimed at changing person's behavior through verbal influence. Suggestiveness is discussed in detail by sociologists, psychologists, journalists. So, suggestiveness is the new trend in linguistic research. In our view, it should be given careful and due consideration.

The use of suggestive means is particularly important in court discourse. In order to be persuasive and to have an influence on the audience it is essential that any speaker should be aware of the following: to have good communication skills and to use his body language properly. Body language analysis is not an objective in this paper. As to the first point (good communication skills) any speaker should consider the fact that a lot of people, if not the majority, will also try to refute the speaker's statements. There will definitely be individuals who initially cannot accept or understand the speaker's view, which explains why each speaker needs to learn how to respond appropriately. They also have to find the right words and arrange them properly to best suit the situation [1].

To carry out our research, we selected and described the language material which was used in the opening statements delivered by the defense attorneys (Mr. James Culleton, Mr. Stephen Worth, Mr. Bennett Epstein, Mr. Steven Brounstein) during the Diallo case trial (1999 – 2000).

In the process of investigation, the following research methods were used: linguistic observation and analysis as well as cognitive method, pragmatic analysis method, critical discourse analysis method.

Convincing the jury is the most important task for both lawyers. They tend to be persuasive and influential at the same time. Persuasive discourse is essentially based on a logical argumentation that is strong enough to change the audience's opinion to agree with the speaker's conclusion. That is why there are a lot of *discourse markers* in the legal discourse. In *Practical English Usage* Michael Swan defines a «discourse marker as a word or expression which shows the connection between what is being said and the wider context» [2, p. 38–145].

Traditionally, some of the words or phrases that were considered discourse markers were treated as «fillers» or «expletives»: words or phrases that had no function at all. But nowadays most linguists believe that they fulfill a variety of functions: establishing a sequence, expanding on a point, contrasting, referring to the past, drawing a conclusion or inference through reasoning, emphasising, giving an example, summarising [3]. The classification of discourse markers proposed by D. Schiffrin (1987) served as the basis for this paper.

Our research makes it possible to state that in the advocates' speeches there are a lot of discourse markers. The explanation for this is subject to dispute, but from our point of view, it is quite obvious: the attorneys dealing in assumptions have to prove their reasonableness and logic. To cite just a few examples:

So it is a stupid and inappropriate and improper charge, but nonetheless it is here. But you will have the right to rule on that and render a verdict as to that charge; So I hope you will forgive me (so – a conclusion marker; but – a contrastive marker; I hope – a masking marker) [4].

Despite the fact that the attorneys try to use the discourse markers to persuade the listeners through the power of logic. But, indeed, they only create that illusion because the attorneys make false allegations that are connected in a way that they lead to and support the conclusion. And furthermore, they frequently use masking markers in order to affect the conscience of the recipients (jurors). So, it is the discourse of suggestiveness, mostly.

There is also such a linguistic phenomenon in the defense lawyers' speeches as fronting. Their aim is to present some facts as something of paramount importance. So, there appears necessity of signaling and drawing the jurors' attention to the discussion:

But the fact of the matter is...; ... the truth of the matter is...; The first possibility is just that...; The second possibility is...; And the third possibility is the following; The only thing that matters is ... [4].

There is one more syntactic device encountered when attempting to characterise the attorneys' speeches: sentences with the anticipatory pronoun it and cleft sentences. Pseudo-cleft sentences are often used in the attorneys' speeches. A cleft sentence or pseudo-cleft sentence is «a special construction which gives ...focal prominence to a particular element» [5], and highlights new or contrastive information expressed by the sender of the speech:

...what is important, and I say this from my heart, is that all human life unquestionably is precious and important.; what he saw and heard was not a gun.; What happened on February 4, 1999, at about 12:40 a.m. in the vestibule of 1157. Avenue in Bronx County, it was a terrible, terrible tragedy [4].

In addition, we think it necessary to point out one more specific syntactic feature which proved to be problematic for texts of legal discourse. It is emphasis with there. During our research we noticed that such sentences serve as imperative assertions:

And there is no doubt that this is a tragedy. There is no doubt that losing a son who is 21 years old is a tragedy [4].

The type of discourse, suggestive in the case, determines the choice of language means. So, if it is the attorneys' speeches which we refer to the suggestive type, they are replete with discourse markers. On the one hand, the defence lawyers deal in opinions that should be logically organised to support their conclusions, on the other hand, they try to affect the recipient's conscience. The same is true for fronting. The attorneys present their opinions as something of paramount importance to get the audience's attention. Sentences with introductory there and it as well as cleft sentences are widely used in the suggestive type, because they allow the speakers not only to evaluate the information given but also to influence the recipient's opinion.

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ЕМОТИВНІСТЬ ХУДОЖНЬОГО ТЕКСТУ:

Е. СИГАЛ «LOVE STORY»

Закреницька Л. А.

кандидат філологічних наук, доцент,

доцент кафедри іноземних мов

Хмельницької гуманітарно-педагогічної академії

Воротняк Л. І.

кандидат педагогічних наук, доцент,

доцент кафедри іноземних мов

Хмельницької гуманітарно-педагогічної академії

м. Хмельницький, Україна

Мова, як основний інструмент людського спілкування, не тільки забезпечує інформаційний обмін мовців, але й відображає їх емоційний стан в акті комунікації. Емоційні стани характеризуються взаємозв'язком із психічними процесами і властивостями особистості, що зумовлює необхідність їх різнобічного вивчення. Актуальність дослідження різних аспектів емотивності в лінгвістиці визначається важливістю вивчення проблеми вербального прояву людських почуттів, переживань та емоцій.

Першим, хто зробив спроби конкретизувати поняття емотивності, був Ш. Баллі. Він розмежував поняття емоційності і емотивності, надаючи лінгвістичного статусу лише останньому, та вважав емотивність характеристикою тексту/лексикону, що відображає в мові/мовленні місленневу емоційну діяльність людини [1].

Емотивна лексика (далі – ЕЛ) є важливим чинником у вираженні емоцій в мовленні, та разом з низкою одиниць інших мовних рівнів вона створює емотивний фон художніх творів. Емотивність лексичних одиниць розглядають як їх здатність закріплювати у своїй семантиці вказівку на емоційне ставлення до об'єкта номінації, а при аналізі тексту враховують те емоційне співпереживання, яке він викликає у читача. На думку В.І. Шаховського, емотивна лексика виявляє очевидну, всім