

Implicit linguopragmatic strategies of speech behavior of English-speaking prosecutors

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Abstract

The article is devoted to investigating of linguopragmatic aspect of speech behavior of English-speaking prosecutors. A speech genre of the prosecution speech allocates different stylistic types of prosecutor's behavior. In the speeches by the English-speaking prosecutors before a trial by jury at the beginning of the XXI century the signs of the publicistic style are revealed. Speech signals of the addresser's speech behavior in English are distinguished. Different implicit linguopragmatic strategies are described. The frequency of the planes' actualization is counted. The study allows forming and interpreting the addressers' speech portraits, diagnosing features of speech behavior of English-speaking prosecutors. Stereotyped verbal behavior of the prosecutors is examined with the help of pragmalinguistic and comparative analysis, considering the period (the beginning of the XXI century), addressee (trial by the jury), and national and cultural specificity of the addresser (English-speaking public prosecutors).

Key words: pragmalinguistics, implicit linguopragmatic strategies, speech behavior, English-speaking prosecutors

Introduction

The peculiarity of the public prosecutors' speech behavior refers to two styles of a literary language, publicistic and official, and to other styles of a literary language: the scientific and colloquial. However, the features of these styles are unevenly distributed in the speeches of the public prosecutors: the signs of the publicistic style dominate in the prosecution speeches by the English-speaking prosecutors before a trial by jury at the beginning of the XXI century (Zyubina, 2011, p.13). Human speech can reveal many interesting things about a person. Data obtained through the pragmalinguistic experiment proves this position, coinciding with the characteristics of the public prosecutors, based on the memoirs of their contemporaries and on the results of psycho-diagnostic methods. Most of the representatives of the professional group of public prosecutors (Sutherland, 2002) have such individual personal qualities as initiative, self-confidence, concentration on the objective side of things, and the ability to cooperate and to communicate with people. A trend of prosecutors' speech behavior to express overconfidence and a pronounced pessimistic attitude towards life is considered. The actualization of all individual personal qualities is a consequence of the specific nature of public prosecutor's professional duties (Zheltukhina, Zyubina, 2018).

Many researchers (Adcock, 1964; Bagdassarian, 2004; Berman, 1963; Boeva-Omelechko et al., 2018; Brinker, 1997; Chunakhova, 2006; Enikeev, 1996; Foss, Hakes, 1978; Goffman, 1971; Gorlo, 2004; Gumperz, 1982; Hjelle, Ziegler, 1997; Ivakina, 1995; Leech, 1983; Leontiev, 1982; Leontiev, 1984; Levinson, 1983; Mackenzie, 1979; Matveeva, 1993; Mkrtchyan, 2004; Nuzhnova, 2003; Parker, 1999; Rowe, 1989; Thomas, 1995; Trope, Liberman, Waksłak, 2007; Van Dijk, 1981; Weigand, 2018; Zheltukhina et al., 2016; Zyubina, 2001; Zyubina, 2005; Zyubina, 2018; Zyubina, Tishchenko, 2018, etc.) created the theory and methodology of the pragmalinguistic and psycholinguistic analysis.

From the standpoint of pragmalinguistics we describe predicativity and modality as common features of any statement expressed by any sentence. A unit of pragmalinguistic study is minor syntactic groups – MSG, which in terms of linguopragmatics is a syntactical actualisation of a speech act in a text, according to the model of a speech act, which is represented in the following scheme: the addresser – the message – the addressee (Matveeva, Nuzhnova, Tonchenko, 2001, pp. 190-197). An MSG is a basic unit of study in the pragmalinguistic experiment.

The hypothesis of our research (Matveeva, 1993; Zheltukhina, Zyubina, 2018) is disclosed in the following: if in a text there are emotive- and conative-oriented speech signals of speech behavior of the addresser, it is possible to note them, to identify, to single out, to count and to present them in tables considered, to make a pragmalinguistic speech portrait of the addresser. A speech portrait has the power of making a diagnosis: an interpretation of speech portrait elements allows an opportunity to correlate them with some individual features of the addresser (Matveeva, 1993).

The aim of the article is to analyze the implicit linguopragmatic strategies of speech behavior of English-speaking prosecutors at the beginning of the XXI century.

The objectives of the article are to count the frequency of the planes' actualization, to form and interpret the addressers' speech portraits, to diagnose individual features of speech behavior of English-speaking prosecutors.

Our research material composes texts of speeches of English-speaking prosecutors.

Methodology

In the article, the following methods are used: descriptive, psycholinguistic, linguopragmatic, lexical and grammatical, functional and stylistic, interpretative, qualitative and quantitative analyses.

The main method is a pragmalinguistic analysis based on modified content analysis (method of analyzing various grammatical categories that actualize implicit grammatical meanings and are markers of speech behavior of a text addresser) (see the research about the Russian-speaking prosecutors: Zheltukhina, Zyubina, 2018).

We prepare the list of speech signals of addresser's speech behavior in English, select texts-speeches for the prosecution, collect texts for the analysis (divide them into MSG), prepare table matrices in order to fill them with marks denoting the presence of a definite speech signal and make the analysis: look for the speech signals in the text and mark them in the table, count the frequency of the planes' actualisation, interpret the addressers' speech portraits, diagnose their individual features.

The model of stereotyped verbal behavior of the prosecutors is examined with the help of pragmalinguistic and comparative analysis, considering the period (the beginning of the XXI century), addressee (trial by the jury), and national and cultural specificity of the addresser (English-speaking public prosecutors).

Results and Discussion

The requirements for the linguistic analysis of prosecutors' individual personal qualities in implicit pragmalinguistics and description of the English-speaking prosecutors' speech behavior at the beginning of the XXI century are considered.

1. Requirements for the linguistic analysis of prosecutors' individual personal qualities in Implicit Pragmalinguistics (Zyubina, 2005; Zyubina, 2011; Zyubina et al., 2017; Zheltukhina, Zyubina, 2018). Speech signals correspond to each implicit speech strategy. The following are examples of such speech signals.

1.1. The implicit speech strategy "Participation/Nonparticipation of members of communication in a speech event" is actualized in one of the three speech planes: of personal participation, of social participation, and of objective participation.

1.1.1. The plane of personal participation means the participation of only an addresser or its addressee in a speech event, and it is underlined that it must be only one person. This plane in English requires the following speech signals: exclusive personal pronouns (1), indirect forms of exclusive personal pronouns and respective possessive pronouns (2), nouns in a function of exclusive personal pronouns (3), and addressees (4):

(1) ... as **I** said before ... (Reid, 2002)

(2) If this has ever happened to **you** ... (Whyllie, 2002)

(3) ... that **the jury** are in the best position (Andrade, 2002)

(4) **Ladies and gentlemen!** (Kingston, 2017)

In the above examples (1-4), the authors actualize participation in a speech event as either an addresser or an addressee of communication.

The speech signals of the plane of personal participation are also forms of a verb in the passive voice with local and temporal determinations of the type "here" and "now". Moreover, in an MSG, a participant is not expressed, but one of the participants of a definite speech event is implied, so it is clear who this person is:

(5) **All the circumstances are shown** in this speech (Kingston, 2017).

Imperative exclusive forms of verbs are also the markers of the plane of personal participation.

(6) **Think of that with care** ... (Dennis, 2002)

Here a prosecutor directly addresses a trial by jury actualizing the plane of personal participation of the implicit speech strategy "Participation/nonparticipation of members of communication in a speech event".

Verbal lexemes of the type "seem", "look", and "appear" corresponding to one of the participants of a real speech event (7) and parenthetical words especially modal words and some adverbs denoting attitude (8) are markers of the plane of personal participation:

(7) He **appears** to be an honest person (Kingston, 2017)

(8) Experience has **undoubtedly** shown ... (Smith, 2002)

In all of these examples, there is a personal attitude of the author in the speech event.

Moreover, the meaning of higher degree of probability may be also expressed with the help of such combinations as "to be sure/to be certain + Infinitive", and the meaning of supposition with the help of the word combination "to be likely + Infinitive":

(9) And new trials **are certain to be ordered** (Kingston, 2017)

(10) Any difference **is likely to be of significance** ... (Templeman, 2002)

The addresser implicitly shows his participation in the process of uttering.

1.1.2. The plane of social participation. The markers are inclusive personal pronouns (11), nouns in a function of inclusive personal pronouns (12):

(11) **We** must know... (Kingston, 2017)

(12) Even **honest witnesses** can give inaccurate evidence ... (Dennis, 2002)

Regarding a kind of participation in which both an addresser and an addressee take part, we can also judge according to the following markers: an infinitive (13), indefinite and negative pronouns (14), lexemes with a sense of anthroponym such as "nation", "mankind", "people" and others (15), impersonal sentences (16):

(13) This is a question **to be considered** in the round ... (Templeman, 2002)

(14) **No one** knows (Reid, 2002)

(15) **English people** have no doubt ... (Kingston, 2017)

(16) Now **it is clear** ... (Whyllie, 2002)

To the plane of social participation, we refer a passive form of a verb with a latent participant. In such a case, this latent participant can be both an addresser and an addressee, with the condition that this participant is not clear from the context, but we can guess the definite participant on the assumption of the situation (Matveeva, 1993, p. 155-156). More often, it is a passive form of a verb with a modal verb:

(17) *The material facts of this case can be shortly summarised as follows* (Reid, 2002)

Imperative inclusive forms of a verb (18) and adjectives with suffixes -able, -ible (19) are also signals of the plane of social participation:

(18) ... *see the report of the decision of the Court of Appeal in 1978* ... (Whyllie, 2002)

(19) *The visual identification is unreliable* (Smith, 2002)

1.1.3. The plane of objective participation. The list of the markers includes the rest of the markers, which are not used for the plane of personal participation and the plane of social participation. For example, here one can see speech signals referring to an actor that is not a participant of this speech event (neither an addresser nor an addressee) (20), a passive form which indicates a person or an object, or we can guess what they are, but which do not take part in a speech event (21):

(20) *Patricia Elvin heard an explosion* ... (Dennis, 2002)

(21) *On July 2, 1981 the appellant was arrested for murder* (Dennis, 2002)

Neither addresser's nor addressee's participations are actualized in these speech events. The authors draw our attention to the objective character of the processes in these speech events, and one should notice that it happens without any participation of addressers and addressees.

We have examined the speech signals actualizing in a speech act of English-speaking prosecutors on the planes of personal, social, and objective participations of the implicit speech strategy "Participation/Nonparticipation of members of communication in a speech event". Further we will consider the speech signals of the implicit speech strategy "Sure/Unsure speech behavior of an author".

1.2. The implicit speech strategy "Sure/Unsure speech behavior of an author" is realized with the help of two speech planes: certain and uncertain statements of an author.

In the English language, certain statement is actualised with the help of the present simple tense (22), the future simple tense (23), infinitive (+ present / future) (24-25), participle I (+ present / future) (26), participle II (+ present/future) (27-28), present passive (29), modal verbs "must" (30), "to have to" (31), "to be to" (32), "should/ought to" (33-34), imperative (35), parenthetical word denoting confidence (36-37), not using the sequence of tenses (38-39), emphatic "do" (40-41):

(22) *Their Lordships do not agree with this appreciation of the law* (Templeman, 2002)

(23) *Their Lordships will first give their reasons for their decision* ... (Smith, 2002)

(24) *This is a question [to be considered in the round]* ... (Templeman, 2002)

(25) *They will say [to keep your mouth]* (Kingston, 2017)

(26) *Signing it [he will confirm its accuracy]* (Kingston, 2017)

(27) *The situation [created by the delay] is such* ... (Templeman, 2002)

(28) *A conviction [based on uncorroborated identification evidence] will be sustained in the absence of such a warning* (Kingston, 2017)

(29) *Nothing is gained by the introduction of shifting burdens of proof* ... (Templeman, 2002)

(30) *The conviction must be quashed* (Dennis, 2002)

(31) *The jury have to consider* ... (Kingston, 2017)

(32) *They are to explain the reasons* ... (Kingston, 2017)

(33) *The proceeding should be dismissed on the grounds* ... (Templeman, 2002)

(34) *His appeal ought to be dismissed* (Smith, 2002)

(35) ... *see the report of the decision of the Court of Appeal in 1978* (Whyllie, 2002)

(36) *Undoubtedly* ... (Smith, 2002)

(37) ... *of course* ... (Andrade, 2002)

(38) *He was correct /in saying /that there is no material distinction between the ones on a defendant ... (Smith, 2002)*

(39) *He stressed on more than one occasion / that mistakes are made in the identification of witnesses (Smith, 2002)*

(40) *This observation does seem at variance with the judgment of the Court of Appeal (Andrade, 2002)*

(41) *... that a case does come to trial at a proper speed (Templeman, 2002)*

As for the English language, the uncertain statement is actualized in these speech markers: the forms of the past tense (42-43); present perfect (44); subjunctive mood (45); conditional mood (46); subordinate clause of condition (47); in an MSG with the meaning of probability, uncertainty expressed with the help of modal verbs such as "can" (48), "may" (49), the expression "to be likely + infinitive" (50); parenthetical words expressing uncertainty (51-52); constructions with "to seem/to appear" (53-54); interrogative sentences (55) and quotations (56). Look at some examples:

(42) *He had on green khaki and was holding an M-16 rifle (Smith, 2002)*

(43) *... who had fallen in the open gate-way (Dennis, 2002)*

(44) *You have heard the statement ... (Kingston, 2017)*

(45) *If the constitutional rights of the applicant had been infringed by failing to try him within a reasonable time, | he should not be obliged to prepare for a retrial (Templeman, 2002)*

(46) *Certain fundamental rights [which would otherwise exist in law] are not taken away (Templeman, 2002)*

(47) *If it is necessary ... (Templeman, 2002)*

(48) *That bullet could have come from either the left side or the right side (Reid, 2002)*

(49) *It may not have been a voluntary statement. It may have been the result of violence or threats of violence (Smith, 2002)*

(50) *They are likely to take away the applicant's right to the fair trial ... (Kingston, 2017)*

(51) *Apparently ... (Whyllie, 2002)*

(52) *I doubt /they were there (Kingston, 2017)*

(53) *That seems to be the irresistible inference ... (Reid, 2002)*

(54) *She appears not fully to have appreciated ... (Reid, 2002)*

(55) *Why wait for the trial? (Templeman, 2002)*

(56) *As the judgment emphasised /"this passage gives too little weight to the dangers of convicting on uncorroborated evidence of identity" (Andrade, 2002)*

The third implicit speech strategy is "The addresser's formation of addressee's attitude to a speech event by evaluation".

1.3. The implicit speech strategy "The addresser's formation of addressee's attitude to a speech event by evaluation" is actualized with the help of three speech planes: of positive, neutral and negative attitude. This strategy updates the concept "valuation of a speech event", closely connected to a definition "attitude". In linguistics, there are kinds of valuation (Fiodorova, 1991, p. 49-50): (a) reproach, censure (*Shame on you!*); (b) praise, approval (*Well done! Good!*); (c) accusation (*What have you done? You are wrong.*); (d) defence, justification (*You are not to blame. You did the right thing.*). They are mostly directed to addressee's feelings and are based on the grounds of the generally accepted human moral criteria. Reproach/censure and praise/approval apply to a moral-ethic sphere, and accusation and defence/justification imply a social-legal sphere of behavioral valuation. The speech for the prosecution belongs to a social-legal sphere of behavioral valuation – prosecution (Zheltukhina, Zyubina, 2018).

We compared texts that are relatively homogeneous, and took into account one speech genre, that is the speech for the prosecution (and moreover, speeches concerning only criminal cases were analyzed); synchronous periods (the public prosecutors' speeches of the beginning of the XXI century were studied); the nationality of the authors (English-speaking prosecutors); gender of the authors (all state prosecutors are male); addressees (the speeches for the jurors were studied).

As a result, we have selected texts of the speeches for the prosecution of seven English-speaking public prosecutors for the jury at the beginning of the XXI century.

Then there was the preparation of the texts for the analysis. The chosen texts were divided into minor syntactic groups – MSG. The main criterion for dividing a text into MSGs was the presence of predicativity and modality in the utterance.

The next phase was making the analysis. We looked for the speech signals in the text and fixed them in the above matrices, and a quantitative calculation of speech signals actualized by the authors was made, the frequency of which was counted according to the formula:

$$F \text{ of the plane} = \frac{\Sigma \text{MSG of the plane} \times 100 \text{ percent}}{\Sigma \text{MSG of the text}}, \text{ where}$$

F of the plane is the frequency of the plane in percent,

Σ is the sum of all the MSGs of a plane or a text (Matveeva, 1993, p. 58).

Finally, for each strategy, the average speech-genre index was calculated, deviations from which had a diagnosing nature. Based on deviations from the average speech-genre index we were able to make an interpretation of the addresser's speech portraits and to make a diagnosis of their personal qualities (Zheltukhina, Zyubina, 2018).

The consideration of the results of the pragmalinguistic experiment to identify individual features of implicit linguopragmatic strategies of the English-speaking public prosecutors and their stereotypical speech behavior is further proposed.

2. English-speaking prosecutors' speech behavior at the beginning of the twenty-first century in speaking before a trial by jury

The texts are divided into 3,196 MSGs, and the results are compiled in Table 1.

Table 1. Speech behavior of the group of English-speaking public prosecutors at the beginning of the twenty-first century before a trial by jury

strategy	Participation/ Nonparticipation of members of communication in a speech event						Sure/Unsure speech behavior of an author						The addresser's formation of addressee's attitude to a speech event by evaluation						MS G
	plane of personal participa- tion		plane of social participa- tion		plane of objective participa- tion		certain statement		uncertain statement		plane of positive attitude		plane of neutral attitude		plane of negative attitude				
	M	S	M	S	M	S	M	S	M	S	M	S	M	S	M	S			
addresser	G	%	G	%	G	%	G	%	G	%	G	%	G	%	G	%			
Templeman	66	14.9	48	10.8	330	74.3	312	70.3	132	29.7	86	19.4	252	56.7	106	23.9	444		
Andrade	87	22.3	18	4.6	285	73.1	105	26.9	285	73.1	69	17.7	207	53.1	114	29.2	390		
Dennis	64	15.8	12	3	328	81.2	76	18.8	328	81.2	36	8.9	232	57.4	136	33.7	404		
Reid	44	10.3	20	4.7	362	85	38	8.9	388	91.1	22	5.2	306	71.8	98	23	426		
Whylie	42	9.3	48	10.7	360	80	60	13.3	390	86.7	54	12	278	61.8	118	26.2	450		
Smith	60	9.5	17	2.7	555	87.8	70	11.1	562	88.9	76	12	424	67.1	132	20.9	632		
Kingston	59	13.1	27	6	364	80.9	90	20	360	80	57	12.7	276	61.3	117	26	450		
average speech genre index	422	13.2	190	5.9	2584	80.9	751	23.5	2,445	76.5	400	12.5	1,975	61.8	821	25.7	3,196		

Let us study these results.

2.1. The implicit speech strategy "Participation/Nonparticipation of members of communication in a speech event"

The average speech-genre index of the plane of personal participation is 13.2 percent. The highest index of this plane belongs to Andrade (22.3 percent). It shows his inclination for leadership, authoritativeness, independence, courage, and confidence. He can ignore social conventions, lives by his own laws and actively defends his independence.

The low values of the plane of personal participation in the speeches of Whylie (9.3 percent) and Smith (9.5 percent) indicate the caution of the authors, who are afraid of expressing their individuality and responsibility for what has been said.

As for the plane of social participation, one can see that the average speech-genre index (5.9 percent) is exceeded by the indices of Templeman's (10.8 percent) and Whylie's (10.7 percent) speeches. These prosecutors demonstrate their openness to their interlocutor, involving the latter in a dialogue. They are able to establish and maintain emotional contact with the participants of communication.

The low levels of the plane of social participation of Smith (2.7 percent) and Dennis (3 percent) may be a signal of some difficulties in the construction of interpersonal communication. They are not always ready to cooperate and are passive in contact and unsociable.

2.2. The implicit speech strategy "Sure/Unsure speech behavior of an author"

The average speech-genre index of the plane of a certain statement is 23.5 percent. Significant deviations from this value to the higher level are observed in the speeches for the prosecution of Templeman (70.3 percent). These figures tell us about determination, courage and even resistance to the threat.

The indicators, which are lower than the average speech-genre index of the plane of the certain statement (23.5 percent), are in the speeches of Reid (8.9 percent) and

Smith (11.1 percent). Such people are not confident in their abilities and are unreasonably tormented by feelings of worthlessness, and are restrained in manifesting their emotions (not without reason they have the highest rates of the plane of neutral attitude, see below). They do not like working in a team – do not forget that they also have low indices of the plane of social participation: Smith (2.7 percent), and Reid (4.7 percent). The average speech-genre index of the plane of social participation is 5.9 percent.

2.3. The implicit speech strategy "The addresser's formation of addressee's attitude to a speech event by evaluation."

The average speech-genre index of the plane of negative attitude to a speech event by evaluation in the speeches of the English-speaking public prosecutors before the trial jury is 25.7 percent, twice the average speech-genre index of the plane of positive attitude to a speech event by evaluation (12.5 percent).

Most often, Dennis (33.7 percent) and Andrade (29.2 percent) use the markers of negative evaluation. Therefore, diagnosing their personal qualities one can say that they have a pessimistic assessment of the events being spoken about. Dennis and Andrade are focused on problems and emotional experiences. They are anxious and have vulnerable self-esteem (which may be also indicated by the highest indices of the plane of personal participation).

The predominance of the plane of positive attitude in comparison with other state prosecutors is characteristic for such English-speaking prosecutors as Templeman (19.4 percent) and Andrade (17.7 percent). The average speech-genre index of the plane of a positive attitude, as we have already said, is 12.5 percent.

Templeman and Andrade, in comparison with other state prosecutors to some extent demonstrate peace of mind, some kind of serenity of mood, and certain vitality. These prosecutors are less pessimistic people; they are more satisfied with their lives, and therefore may have more faith in success and in their strength.

Conclusion

We have attempted to diagnose some of the individual personal traits of public prosecutors in the relatively homogeneous groups of different time periods, speaking in front of different addressees and belonging to different national and cultural groups. 3 implicit linguopragmatic speech strategies of speech behavior of the English-speaking prosecutors are revealed: "Participation/Nonparticipation of members of communication in a speech event", "Sure/Unsure speech behavior of an author", "The addresser's formation of addressee's attitude to a speech event by evaluation".

In our research it is established that the speech behaviour of the English-speaking public prosecutors of the XXI century before a trial by the jury differs from the similar group of the Russian-speaking public prosecutors (see the research: Zheltukhina, Zyubina, 2018) through less actualisation of the plane of social participation in a speech event, in significantly lower indices of categorical speech behaviour and in less formation of addressee's negative attitude to a speech event by evaluation.

As our research prospect we see the study of the stereotyped speech behavior of the same groups of public prosecutors in general and in comparison with other cultures.

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