

Features of Persuasiveness and Suggestiveness in Legal Discourse

Ознаки персуазивності та сугестії в юридичному дискурсі

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ABSTRACT

The article is devoted to the problem of persuasiveness and suggestiveness as well as ways of their manifestation. The phenomenon of persuasiveness has become the center of attention for many scientists lately, especially since nowadays the ways of influence on public opinion have become more complex and not so obvious. And furthermore, suggestiveness is the new trend in linguistic research. That is why it is important to analyse, on the one hand, how persuasiveness and suggestiveness are manifested on the linguistic level and, on the other hand, how they influence the arrangement of the language means in the texts of legal discourse. The goal of the research was achieved with the help of such scientific methods as: linguistic observation and analysis as well as cognitive method, critical discourse analysis method, pragmatic analysis method.

The type of discourse (either persuasive or suggestive) determines both the choice of language means and their arrangement. Fronting, discourse markers, sentences with introductory there and it as well as extraposed sentences are widely used in the suggestive type of discourse while nominalisation and transferred negation are inherent in the persuasive type. In the texts of persuasive discourse neutral lexical means are primarily used, whereas emotionally charged adjectives and adverbs, idioms and intensifying words are characteristic of the suggestive discourse. From the point of arrangement, the persuasive type is clearly structured and can be presented in the form of scheme. The suggestive type has no clear logical construction. More detailed analysis of the legal discourse (persuasiveness and suggestiveness in writing) is the prospect of further research studies.

Keywords: *persuasiveness, suggestiveness, linguistic means, discourse markers, extraposition, fronting, transferred negation, nominalisation.*

Introduction

Recently, there has been a growing interest in the problems of communication in terms of impact on the audience. The first thing that is necessary' for those who have to convince the audience is ability to be persuasive. The phenomenon of persuasiveness has become the center of attention for many scientists, for example, Timothy A. Borchers (2012). Moreover, nowadays the ways of influence on public opinion have become more complex and not so obvious. Anthony Pratkanis and Elliot Aronson in their book «Age of Propaganda: the Everyday Use and Abuse of Persuasion» ascertain that in the era of «more sophisticated uses of propaganda techniques, it is important, especially in a democracy, that citizens become informed about these devices, the psychological dynamics of what makes them effective, and how to counteract their effectiveness» (Pratkanis & Aronson, 2007). 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 neuro-linguistic 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. However, the first serious work on suggestive linguistics, «Начала суггестивной лингвистики» by I. Cherepanova, was published in 1995 (Cherepanova, 1995). Now, suggestiveness is the new trend in linguistic research. In our view, it should be given careful and due consideration.

Thus, even a brief description of the problems of modern communications allows us to speak about the **topicality** of the research. Further, we find it appropriate to analyse, on the one hand, how persuasiveness

and suggestiveness are manifested on the linguistic level and, on the other hand, how they influence the arrangement of the language means in the texts of legal discourse. These issues have become the **goal** of this paper.

To achieve the goals, we define the following **objectives**: to set the grammatical and lexical means of expressing persuasiveness and suggestiveness in the texts of legal discourse, to characterise the arrangement of the language means in the texts of legal discourse.

In this paper, for the first time, an attempt has been made to ascertain language means that realize suggestive and persuasive functions as well as to prove the difference between the arrangement of language means in texts of persuasive discourse and in texts of suggestive discourse. The **novelty** of the research comes from the above.

Creating and delivering a speech to judges and jurors is a hard work that requires much effort, knowledge, skills. This is especially true for lawyers. A lawyer should be persuasive as well as be influential when arguing in court, when negotiating a contract, when writing a memo proposing a course of action to a client. In all these situations, the key elements of a strong argumentation are the same: 1) a clear statement of the issue and your position on that issue; 2) the presentation of evidence and reasoned arguments to support your position; 3) the rebuttal of opposing standpoints or arguments (Krois-Linder, 2008: 154).

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 (Borchers, 2012).

Research Methods and Techniques

To carry out our research, we selected and described the language material which was used in the 5 speeches (62,000 symbols including blanks) delivered by the prosecutor (Mr. Eric Warner) and by the attorneys (Mr. James Culleton, Mr. Stephen Worth, Mr. Bennett Epstein, Mr. Steven Brounstein). The speeches are opening statements which were presented during the Diallo case trial (April 26, 2004). 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. We'd

like to emphasise the method of discourse analysis. It investigates the language not merely as a way to create and convey meanings of words. This is a strategy that people use purposefully to achieve a certain effect. According to M. Stubbs, discourse is concerned with the «... organization of language above the sentence or above the clause and therefore... larger linguistic units such as conversational exchanges and written texts» (Stubbs, 1983: 1). Thus, linguistic structures that are larger than the boundaries of a sentence or utterance are the focus of research. It implies that discourse analysis is also concerned with language use in social contexts, and in particular with interaction or dialogue between communicants. So, discourse analysis is ahead of the text of the study because it investigates how the language is used, why, when and by whom. Our analysis has given cause for a clear delineation between the speeches. While the speech presented by the prosecutor belongs to the persuasive discourse with some elements of suggestiveness, the speech presented by the attorney is an example of suggestive discourse with some elements of argumentation.

Results and Discussion

Resources of Grammar in Creating Persuasiveness/Suggestiveness

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» (Swan, 2005: 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 (Muller, 2005). The classification of discourse markers proposed by D. Schiffrin (1987) served as the basis for this paper. First, the researcher provides a thorough analysis of such expressions as «and, because, but, I mean, now, oh, or, so, then, well, and y'know» and then she suggests a number of other cases which bear consideration as discourse markers: perception verbs such as see, look, and listen, deictics such as here and there, interjections such as gosh and boy, meta-talk such as this is the point and what I mean is, and quantifier phrases such as anyway, anyhow, and whatever (Schiffrin, 1987: 328). We also take into consideration the classification given by M. Swan (Swan, 2005), by

B. Fraser (Fraser, 1999) and by G. Vishnevskaya. G. Vishnevskaya, *inter alia*, singles out one more group of discourse markers: masking markers that are used to affect the conscience of the recipient (Vishnevskaya, 2014: 256).

Our research makes it possible to state that in the prosecutor's speech there are significantly fewer discourse markers in comparison with the attorneys' speeches. The explanation for this is subject to dispute, but from our point of view, it is quite obvious: the prosecutor deals in facts while the attorney deals in opinions and assumptions. The facts speak for themselves. The prosecutor does not need to prove their coherence. In contrast, the attorneys dealing in assumptions has to prove their reasonableness and logic. Let's compare the excerpts from the speech delivered by the prosecutor (1) and the speeches delivered by the attorneys (2), (3), (4), (5). Here and throughout the article excerpts from the speech delivered by the prosecutor will be marked as (1); from the speeches delivered by the attorneys will be marked as (2), (3), (4), (5).

(1) *these four defendants acted recklessly and with depraved indifference to ... Diallo's life and the lives of the people who lived there. **For that**, they are guilty of murder...* (**for that** is a conclusion marker that gives grounds for drawing conclusion).

(2) ***First**, I want to thank you for your patience and attention so far; **And** we can see how seriously you have been taking this case;*

***Well**, I have to tell you; **and I guess** I'm going to have to wait a little longer; **And then finally** a charge of reckless endangerment...* (*first and finally* are structuring markers; *and* – an additive marker that conveys an adversative relation; *then* is a conclusion marker; *well* – a pause marker referring to the other person's expectations (Swan, 2005); *I guess* – a masking marker).

(3) ***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) ***In furtherance of that**, we as a society; at night, **I'm sorry**, to 6:00 a.m. (in furtherance of that – an additive marker; *I'm sorry* – a masking marker).*

(5) ***And, as I said**, this was a tragedy...; **Well**, Richard Murphy is going to testify; **But** his conduct was based upon palatable real factors, what he observed of Mr. Diallo and his fellow officers (and – an additive marker that conveys an adversative relation; *as I said* – a marker of cohesion; *well* – a pause marker referring to the other person's expectations; *but* is a contrastive marker (Opening Statement, 2004).*

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.

In texts of legal discourse, such a linguistic device as nominalisation is widely used. Nominalisation fulfils the functions of emphasising and linking but also «Because a lot of information can be packed into a noun group, it can make sentences shorter and leave the rest of the sentence free to add new information» (Side & Wellman, 2002: 204). It is the most prevalent view on nominalisation. But some linguists claim that nominalisation plays a significant part in realising the persuasive function of the text: «In persuasive text, one common technique is to objectify opinion by nominalizing it, so as to make it more difficult for the reader or hearer to disagree with it» (Thompson, 2014: 250). Moreover, the information due to nominalisation appears more objective and factual (Thompson, 2014: 250), because through nominalisation of actions «the human agency» is lost (Huddleston & Pullum, 2002: 111). We can observe it in the texts investigated in the article, especially in the prosecutor's speech (1): They made the conscious decision; The evidence will show; Each shot required a separate pull; One bullet went through his chest; Another bullet broke the bone; ... during jury selection you heard some talk about justification (Opening Statement, 2004).

With the help of the nominalisation an arguable process changes into something that is more difficult to question, and less contestable. In the attorneys' speeches nominalisation is used rather rarely. And that is possible, first, because the speaker leads the jurors to perception of the defendant as a real person; second, the speaker is not quite sure about his client's actions.

On the syntactic level the phenomenon of fronting plays a significant role. R. Side and G. Wellman give the following definition of fronting: «Fronting involves moving an object, verb or adverbial phrase to a position before the subject (Side & Wellman, 2002: 198). They explain the reasons for using fronting. So, fronting changes the emphasis, provides a link of the previous information with what comes before, signals that «what we are about to say is important» (Side & Wellman, 2002: 19). The examples below have been taken (1) from the prosecutor's speech and (2–5) from the attorneys' speeches:

(1) Physically, he was not an imposing man (the function of emphasising); But when they got out of the car... (the function of emphasising);

(2–5) Again he is looking for Ed... (linking); Now, despite ...assertions (emphasising); Just one other aspect I want to talk to you about (emphasising) (Opening Statement, 2004).

Using introduction phrases by the attorneys has attracted our attention during research. Maybe, it can be explained by the following fact: the prosecutor gives references accompanied by evidence while the attorneys often make assumptions. Their aim is to present them as something of paramount importance. So, there appears necessity of signaling and drawing the jurors' attention to the discussion:

(2–5) *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 ...* (Opening Statement, 2004).

The next issue we are going to cover in this paper concerns so called *transferred negation or neg raising*. It takes place when a negative element moves out of the subordinate clause into the main clause that leads to an important change of emphasis. So, the prosecutor states (1): *We do not believe that these four defendants woke up that morning ... with the intent to kill Amadou Diallo or anybody else. We don't say it. We don't believe it* (Opening Statement, 2004). The conclusion is: though we do not believe, the defendants seemed to have the intent. In the first example the real blame lies on the defendant because the prosecutor, albeit indirectly, accuses the defendants of committing the crime. It is obvious that the position of the negation determines the semantic interpretation, though it sits at the boundary of logic and language. The transfer of the negative particle to the main part of the sentence accentuates this premeditation of the actions of the police.

There is one more syntactic device encountered when attempting to characterise the attorneys' speeches (2–5): *sentences with the anticipatory pronoun it and cleft sentences*. Despite their similarity they have different functions in the texts of legal discourse.

Extraposition takes place when the sender of the speech removes an element from its normal position to the end of the sentence (Quirk, 1985) with the help of the pleonastic pronoun *it*. In this case, the principle of end-weight and end-focus work together (Quirk, 1985). Such transformation helps a) to increase «communicative dynamism» by redistributing the information over the sentence in a more balanced way because the most significant information is at the end of the sentence and b) to include an evaluative element by introducing the evaluative comments sentence-initially (Rowley-Jolivet & Carter-Thomas 2005: 52). For example, (2–5): *But it so rarely happens because it took a series of events to all go wrong at one time, much like in a plane crash or in a train wreck or in a power failure where human beings were involved.; So it is a stupid and inappropriate and improper charge.; It was arrogant; ... it turned out later that Mr. Diallo did not have a gun.; it is important for me to impart to you that our position is that Mr. Diallo broke no laws*. Though,

one viewpoint expressed in linguistics is that extraposition results in indirect and wordy 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» (Quirk, 1985), and highlights new or contrastive information expressed by the sender of the speech (2–5): *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 wheeler Avenue in Bronx County, it was a terrible, terrible tragedy.*

From our investigating the speeches 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*. According to conventional wisdom, emphatic *there* is used to create a more impersonal style in formal English. But during our research we noticed that such sentences serve as imperative assertions (2–5): *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. There is no doubt that Ahmed Diallo did not deserve to die; There is a major difference between those guys and the rest of us; There are no villains seated in this courtroom.*

Lexical Resources in Creating Persuasiveness/Suggestiveness

From the point of view of the lexical component we should point out to emotional and expressive vocabulary, idioms and intensifying words. The choice of lexical means depends on their role in the process of implementing one of the functions of the language: communicative, informative or influential. «Legal professionals lead the recipients to specific perceptions of events and actions by careful selection of words and phrases» (Huddleston & Pullum, 2002: 109). As a whole, the prosecutor's speech can be defined as persuasive with certain elements of suggestiveness, therefore, neutral lexical means are primarily used to convince the recipient in terms of logic. Some elements of suggestiveness mentioned above are expressed by emotionally charged adjectives and adverbs (1): *We ask you to find these defendants guilty of their intentional, depraved, reckless, unreasonable and unnecessary conduct...; ... these four defendants acted recklessly and with depraved indifference...; they are guilty of murder and reckless endangerment* (Opening Statement, 2004).

Also, worthy in this connection is the fact that some of them have become emotionally charged in the context and due to enumeration. So, they have acquired emotiveness in the specific context. Some linguists, for example V. Teliya, note that expressiveness is the result of such a pragmatic use of language, the main purpose of which is the expression (emotionally positive or negative) of the relation of the speaker to the subject of speech and transference of such an attitude to the recipient (Teliya, 1997).

As opposed to the prosecutor's speech, in the attorneys' speeches there is an abundance of expressive means (2–5): *...belittles or denigrates the precious lif ...; compunction; his overriding mission; a frantic voice; natural feelings of sympathy; face a threat of violence every day...; the most dangerous job; ... to end Murphy's nightmare...; ...who prey on the citizens...; ...good, decent, reasonable, honorable police officer...; ... the kind of dedicated officer...* (Opening Statement, 2004).

Also, in the attorneys' speeches (2–5) we can observe: a) euphemisms which substitute more dysphemic expressions. It should be noted that those words are contextual synonyms: a) *a mistake, incident, a tragic accident, a tragedy instead of crime or murder; a victim instead of criminal; in a dimly lit vestibule, in a dangerous area instead of the vestibule of an occupied apartment building where people lived in the early morning hours; five good men, four New York City police officers instead of defendants*; b) idioms: *step inside his shoes, Monday morning quarterback; to turn back the hands of time*; c) intensifying words: *extremely controversial; a terrific so; they had suffered greatly; few terrible seconds; deadly threat; very, very brief moment in time; one of the most dangerous jobs; violent criminals; palatable real factors; concern yourself solely; desperately like to turn back* (Opening Statement, 2004). Having carefully selected language means the attorneys establish a conceptual framework that is employed to personalise the defendant, to capture the imagination of the jury members (Huddleston & Pullum, 2002: 111) and to convince them through such an impact.

Arrangement of Language Means in Legal Discourse

The speaker is supposed to think over the choice of language means as well as their arrangement. In the first part of his speech, the prosecutor describes the plaintiff using lexical means that have a common seme (1) *«an ordinary person who does not pose a threat to society»*: *not an imposing man, simple life, worked 10 to 12-hour days, sold videotapes and things like that, spoke with his roommate about their utility bill, unarmed, minding his own business and doing nothing wrong* (Opening Statement, 2004).

Then an abrupt segue takes place which is expressed by the word *dead (1)*: *Less than an hour later, Amadou Diallo would be dead*. The culmination in the speech occurs when the addressee states explicitly that the policemen took an informed decision to shoot a person: *But when they got out of the car, we will prove when they got out of the car in front of Amadou Diallo's home in the early morning of February 4 they **made the conscious decision** to shoot him. They **made the conscious decision** to shoot a man standing in a confined space of a vestibule that was not much bigger than an elevator. They **made the conscious decision** to shoot into the vestibule of an occupied apartment building where people lived in the early morning*

hours, when most of them would be home (Opening Statement, 2004). It can be identified as the second part of the speech.

In the third part, the sender of speech uses lexical means that have a common seme «evidence» (1): *One bullet went through Amadou Diallo's chest, his aorta, his left lung, his spine, and his spinal cord, his spleen, his left kidney and his intestines, his left hip, causing perforations of his pelvis and his intestines, the left side of his back, his spine, his spinal cord, his liver, and his right lung. Another bullet broke the bone in his right arm above the elbow. Another bullet fractured both bones in his left shin. Another bullet went through his thigh, exited his groin and grazed the scrotum. Another bullet went into his right leg, traveled upward and lodged behind his knee. Nine more bullets struck him from the torso to toe (Opening Statement, 2004).*

Subsequently, the prosecutor takes a clear position in the following excerpt (1): *When all of the evidence is in it will be clear to all of you beyond a reasonable doubt that these defendants... guilty of their intentional, depraved, reckless, unreasonable and unnecessary conduct that jeopardized the lives of Amadou Diallo's neighbors and destroyed Amadou Diallo's life (Opening Statement, 2004).*

All that was set out above can be presented in the form of scheme: simple life – conscious decision – evidence.

The way the attorneys arrange lexical means in their speeches contrasts with the aforementioned example. There is no clear logical construction in their speeches, because they appeal to the emotions of the audience (pathos), not mind (logos). The attorneys usually describe their defendants as good cops, then that a tragedy happened, after that they assure the audience of the officers' innocence:

(2) *All of the evidence ... will lead you to know with a feeling beyond a reasonable doubt that these officers were justified in their shooting. Thank you.*

(3) *And the evidence will show that Sean Carroll deserves a much better fate than being charged with a crime for being put into a situation that is every good cop's nightmare and is now his...*

(4) *This is a tragedy, not a crime. No crime was committed. At the end of this case I will stand before you again and ask you to return a verdict of not guilty.*

(5) *Well, I'm going to ask you ...to look into your hearts, to wait until you hear all the evidence, to follow the law. I'm going to ask you to end Richard Murphy's nightmare-and send him back to his family (Opening Statement, 2004).*

It is justified by the type of discourse: either persuasive discourse with some elements of suggestiveness or suggestive discourse with some elements of argumentation.

Conclusions

The type of discourse (either persuasive or suggestive) 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 extraposed 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. Having analysed lexical means, we can assert that the attorneys promote their point of view with the help of emotionally charged adjectives and adverbs, idioms and intensifying words.

Unlike the attorneys, the prosecutor uses such linguistic device as nominalisation and transferred negation. On the one hand, with the help of the nominalisation an arguable process changes into something that is more difficult to question, and less contestable, on the other hand, an act of depersonalisation occurs. The transfer of the negative particle to the main part of the sentence accentuates the fact that the actions of the police were intentional. In the prosecutor's speech neutral lexical means are primarily used. He tries to convince the recipient in terms of logic. Based on the results of the research, the prosecutor's speech belongs to the persuasive type of discourse.

The type of discourse influences the arrangement of the language means. The persuasive type (prosecutor's speech) is clearly structured and can be presented in the form of scheme: simple life – conscious decision – evidence. The suggestive type (attorneys' speeches) has no clear logical construction: there is an appeal to the emotions of the audience (pathos), not mind (logos). So, it seems reasonable to suggest that the type of discourse influences not only grammatical and lexical resources but also their arrangement in the text.

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АНОТАЦІЯ

Статтю присвячено проблемі персуазивності та сугестивності, а також способам їх організації. Останнім часом феномен персуазивності став центром уваги для багатьох вчених, особливо з того часу, як способи впливу на громадську думку стали більш складними і не такими очевидними. Отже, поняття сугестії – це нова тенденція в лінгвістичних дослідженнях. Ось чому ми вважаємо важливим проаналізувати, з одного боку, як персуазивність і сугестивність виявляються на мовному рівні, а з іншого боку, як вони впливають на організацію мовних засобів в текстах юридичного дискурсу (на прикладі судових промов). Мета дослідження була досягнута за допомогою таких наукових методів, як: лінгвістичне спостереження і аналіз, а також когнітивного методу, методу критичного аналізу дискурсу, методу прагматичного аналізу. Окреслені методи дали змогу переконливо довести, що тип дискурсу (або персуазивний, або сугестивний) обумовлює не тільки вибір мовних засобів, але й їхню організацію. Значне місце у роботі приділяється граматичним засобам. Слід зазначити, що переміщення, дискурсивні маркери, речення з вступними *it* або *there*, а також речення з екстрапозицією притаманні сугестивному типу дискурсу, тоді як номіналізація та перенесене заперечення є більш вживаними в персуазивному дискурсі. Аналіз лексичних засобів показав, що нейтральні лексичні одиниці є ознакою персуазивності, а емоційно й експресивно забарвлені прикметники, прислівники разом з ідіомами та словами-інтенсифікаторами – ознакою сугестивності. З точки зору організації мовних засобів, персуазивний тип дискурсу чітко структурований і може бути представлений у вигляді схеми. Сугестивний тип не має чіткої

логічної побудови. Докладніший аналіз юридичного дискурсу (персуазивного та сугестивного в письмовій формі) – це перспектива подальших досліджень.

Ключові слова: персуазивність, сугестія, лінгвістичні засоби, дискурсивні маркери, екстрапозиція, переміщення, перенесене заперечення, номіналізація.

Зайцева Маргарита, Липко Ирина. Особенности персуазивности и суггестии в юридическом дискурсе

АННОТАЦИЯ

Статья посвящена проблеме персуазивности и суггестивности, а также способам их проявления. В последнее время феномен персуазивности стал центром внимания для многих ученых, особенно с тех пор, как способы воздействия на общественное мнение стали более сложными и не столь очевидными. Так, понятие суггестии – это новая тенденция в лингвистических исследованиях. Вот почему мы считаем важным проанализировать, с одной стороны, то, как персуазивность и суггестивность проявляются на языковом уровне, а с другой стороны, как они влияют на организацию языковых средств в текстах юридического дискурса (на примере судебных выступлений). Цель исследования была достигнута с помощью таких научных методов, как: лингвистическое наблюдение и анализ, а также когнитивного метода, метода критического анализа дискурса, метода прагматического анализа. Указанные методы дали возможность убедительно доказать, что тип дискурса (либо персуазивный, либо суггестивный) определяет не только выбор языковых средств, но и их организацию. Значительное место в работе уделяется грамматическим средствам. Следует отметить, что перемещение, дискурсивные маркеры, предложения с вводными *it* или *there*, а также предложения с экстрапозицией характерны для суггестивного типа дискурса, в то время как номіналізація і перемещенне отрицание в основном используются в персуазивном дискурсе. Анализ лексических средств показал, что нейтральные лексические единицы являются характеристикой персуазивного дискурса, а эмоционально и экспрессивно окрашенные прилагательные, наречия вместе с идиомами и словами-интенсификаторами – характеристикой суггестивного дискурса. С точки зрения организации языковых средств, персуазивный тип дискурса четко структурирован и может быть представлен в виде схемы. Суггестивный тип не имеет четкого логического построения. Более подробный анализ юридического дискурса (персуазивный и суггестивный в письменной форме) – это перспектива дальнейших исследований.

Ключевые слова: персуазивность, суггестия, лингвистические средства, дискурсивные маркеры, экстрапозиция, перемещение, перенос отрицания, номіналізація.