

## **A Linguistic Study of Language Power and Strategy Used by Jurists**

**Badriah Khalid Al-Gublan**

Associate Professor, Applied Linguistics  
English Language and Literature Department  
College of Arts  
Princess Nora Bint Abdulrahman University  
PO Box 54474, Riyadh  
Saudi Arabia

### **Abstract**

*The principal aim of critical discourse analysis is to uncover opaqueness and power relationships. This study explores the relationship between language and power in the linguistic practices of contemporary society through a (CDA) approach to linguistic enquiry at a micro textual level to express the relationship between three broader levels of social phenomena: the social action (a civil trial), the social institution (the legal establishment) and the social formation (the ideologies that inform and underlie the legal institution and the social events that take place in it). CDA does not solely interpret texts, but also explains them. Therefore, an awareness of unequal relations of power in institutional context involving hierarchical dimensions of domination and subordination, and a consciousness of how language contributes to the domination of some people by others is the first step towards emancipation.*

**Keywords:** systemic functional linguistics, critical discourse analysis, text, discourse practice, sociolinguistic practices

### **1. Introduction**

The power of CDA is appreciated in its capacity to look beyond the superficial meaning of discourses and to uncover hidden ideologies behind the superficial meanings of texts. In a similar vein, Fairclough (1995) defines CDA as a discourse analysis which aims to systematically explore often opaque relationships of causality and determination between (a) discursive practices, events and texts, and (b) wider social and cultural structures, relations and processes; to investigate how such practices, events and texts arise out of and are ideologically shaped by relations of power and struggles over power; and to explore how the opacity of these relationships between discourse and society is itself a factor securing power and hegemony (p. 135). CDA aims at making transparent the connections between discourse practices, social practices, and social structures, connections that might be opaque to the layperson. Legal professionals control this discourse; they are able to determine both who can legitimately speak and what they can say in the realm of legal discourse. Such discourses express strong and unequal power relations between the participants of legal events (e.g. judges, lawyers, counsels, and witnesses), this is the message that legal practitioners will receive and be socialised into, and this is the structure they will probably reproduce in their social practices and in their discourse.

### **2. Review of the Related Literature**

Despite the increasing interest in the discursive aspects of strategy, few studies have examined strategy texts and their power effects. Since the past two decades, scholars have devoted their attention to the language of law. Most of them have focused their studies on how the legal language differs from the ordinary speech and writing. For simplicity and clarity in legal writing, in the beginning of 1960s, Melink of (1963) criticised a lawyer's defense of legalese. Crystal and Davy (1969) primarily paid their attention to the language of written contracts. Recent studies on the language of law have examined analysis foci of investigating various issues, such as gender, power, discrimination, dominance in the courtroom (Bradac, 1981; Lind, E. A., Erickson, B. E., Conley, J., & O'Barr, W. M). In addition, some other researchers have analysed discourse strategies in the courtroom. In a criminal case, for example, there have been studies on the William Kennedy Smith rape trial (Matoesian, 2001), a rape case on university campus (Ehrlich, 2001) and the Simpson murder trial (Cotterill, 2003).

In a civil case, Stygall (1994) analysed a civil trial. CDA involves a principled and transparent shunting back and forth between the microanalysis of texts using varied tools of linguistics, semiotic, and literary analysis and the macro analysis of social formations, institutions, and power relations that these texts index and construct (Luke 2002, p. 100). Consequently, attempts to systematize CDA draw from theories and models of text analysis on one hand, and from contemporary political and socio cultural theories on the other. Some approaches, such as Fairclough (1992a, 2001) and Wodak (1996), rely much on a linguistic analysis of texts, especially Halliday's (1985/1994/2004) systemic functional linguistics (SFL), beginning with systematic analysis of lexical resources, moving through an analysis of syntactic functions to the analysis of genre and text meta function. With regard to macro analyses, CDA attempts to move beyond text analysis to the critical analysis of the visible practices of text interpretation and use. Fairclough (1992a), Gee (1999), and Chouliaraki and Fairclough (1999) engage with a range of major social theories as they do this. There are still, however, many disagreements and arguments in this area. Although there have been many researchers investigating the discourse analysis on legal context, the current study has some uniqueness. First, it is based on the theoretical and methodological apparatus proposed by N.L. Fairclough's CDA and Halliday's Systemic Functional Approach (SFA); second, the study focuses on legal discourses in criminal trials written by jurists in powerful and strategic manners.

### **3. The objective of the Study**

This research aims at studying the legal discourse written by the English jurists in order to know how the linguistic strategies they use reflect the relations of power in a legal context, which are used at a micro textual level, to express the relationship between three broader levels of social phenomena: a civil trial, the legal establishment and the social formation, e.i. the ideologies that inform and underlie the legal institution based on Norman Fairclough's CDA and within the framework of M.A.K. Halliday's SFA.

### **4. The Statement of the Problem**

Legal discourse is 'deliberately opaque' to non-jurists. Its unintelligibility is the product of an intentional discursive practice by legal professionals who maintain specialized legal language as a 'disciplinary discourse' of power, constraining and normalizing behavior through internalized discursive boundaries. Because legal professionals control this discourse, they are able to determine both who can legitimately speak and what they can say in the realm of legal discourse.

### **5. The Significance of the Study**

This study attempts to approach a variety of mode of a public discourse that is a legal discourse, through the perspective of Norman Fairclough's CDA and within the framework of M.A.K. Halliday's SFA in order to investigate the links between language and power.

### **6. The Research Questions**

This study addresses the following research questions:

- 6.1 What roles does culture play upon the 'identity' of a jurist as an evidence in his/her linguistic choices in his/her legal discourse?
- 6.2 What are the strategies used by a jurist employing his linguistic repertoire to highlight the power relation in a legal discourse?
- 6.3 What roles do the categories of the linguistic features; such as lexical items, syntactic structures and speech acts play in highlighting the power relation in a legal discourse?

### **7. The Assumptions**

The study is based on the following assumptions:

- 7.1 A Legal language is a social act that is ideologically driven.
- 7.2 A Legal language is used powerfully and strategically by jurists.
- 7.3 A Legal language expresses unequal power relations between jurists (a judge, lawyers, and witnesses).
- 7.4 Jurists make linguistic choices, regarding vocabulary and grammar, principled and systematic consciously or unconsciously.
- 7.5 Legal discourses convey implicit social information that is necessary to the meaningful interpretation.

## 8. The Model of the Study

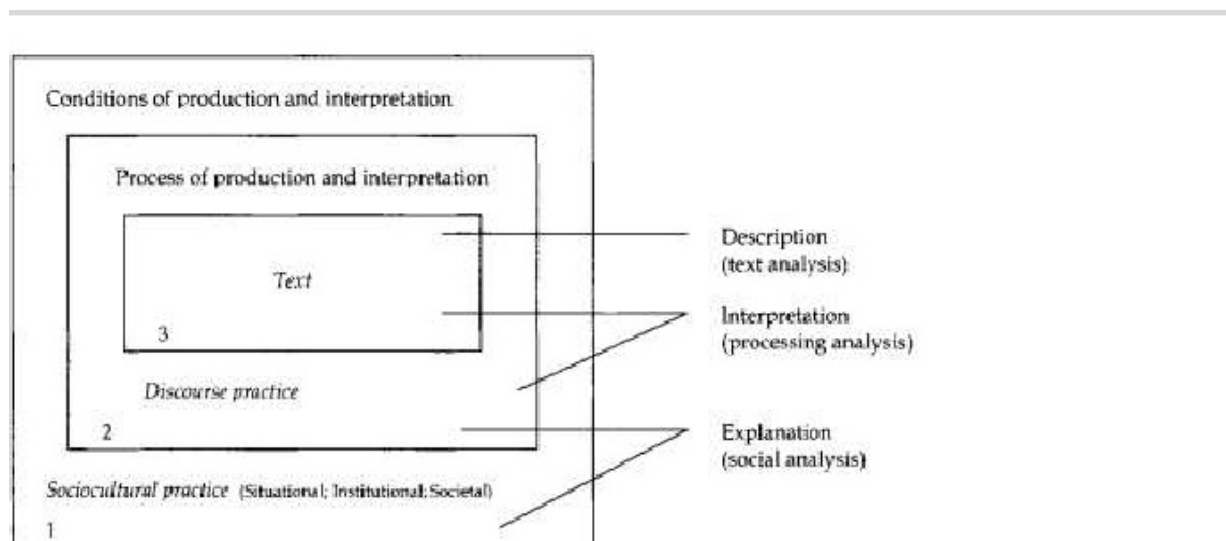
### 8.1 Norman Fairclough's Model

Based on Fairclough and Wodak (1997), CDA is a quickly developing area of language study. It considers discourse as 'a form of social practice' and takes consideration of the context of language use to be crucial to discourse (Wodak 2001). It is specifically interested in the relation between language and power. CDA for Fairclough is concerned with the investigation of the relation between two assumptions about language use: that language use is both socially shaped and socially shaping. He bases this idea on Halliday's SFA. According to Fairclough (1995, p.134), through the notion of multi-functionality of language in texts, he operationalizes the theoretical assumption that texts and discourses are socially constitutive: "Language use is always simultaneously constitutive of (i) social identities, (ii) social relations and (iii) systems of knowledge and beliefs".

#### 8.1.1 Outline of Fairclough's CDA

Fairclough (1992 a) offers a three-dimensional model for CDA that encompasses: (1) the examination of the linguistic features of texts (the level of the text); (2) the exploration of processes related to the production and consumption of texts (the level of the discursive practice); and (3) the consideration of the wider social and cultural context to which the text as a "communicative event" (the level of the socio cultural practice).

**Figure1: Fairclough's Model and Analytical Framework**



#### 8.1.1.1 Text

The first analytical focus of Fairclough's three-part model is text. Linguistic analysis is applied to text's lexical-grammatical and semantic properties, two aspects that have mutual impact on each other ((Fairclough, 1995, pp. 57-58). Following SFL, Fairclough also views text from a multifunctional perspective. Fairclough (1992 a) suggests four aspects for linguistic analysis of a text: vocabulary, grammar, and cohesion and text structure. Fairclough (1992 b) asserts that "the grammar provides different 'process types' and associated 'participants' as options, and systemic selection of a particular type may be ideologically significant" (p 27). He considers it potentially powerful because this analytical dimension with a focus on systemic grammar not only analyses what is in the text but also what is absent. The four aspects suggested by Fairclough (1992 a) are illustrated below.

##### 8.1.1.1.1 Vocabulary

At a lexical level, the analysis looks into certain lexical choices reflecting the attitude of writer. One way of analysing vocabulary is to focus on the alternative wordings and their political and ideological significance.

##### 8.1.1.1.2 Grammar

Transitivity refers to the way meaning is represented in a clause. As transitivity is concerned with the representation of the mental picture that a writer has of the world, it involves the transmission of ideas and therefore belongs to the ideational function (Halliday 1985). Transitivity realizes the ideational function by expressing processes.

According to Halliday (1973:134), “transitivity is the set of options whereby the speaker encodes his experience of the process of the external world, and of the internal world of his own consciousness, together with the participants in these processes and their attendant circumstances”. Transitivity thus focuses on how a writer represents who acts (who is agent) and who is acted upon (who is affected by the actions of others). Since transitivity, as part of the ideational function, portrays the writer’s world-view, many critical analysts have investigated it as a means of uncovering the links between language and ideology, and which meanings are foregrounded, backgrounded or not included in a text. Transitivity refers to three basic elements present in a clause. The first is a process (the semantic nucleus of the clause), consisting of an obligatory verb or adjective; it involves the event or state of affairs described in the clause. This process is combined with one or more nouns or noun phrases which indicate the participants in the event or the state of affairs.

The process may also be accompanied by one or more circumstances. In terms of participants, the doer of the action is called agent and the persons or objects acted upon are called affected participants, or patients. Circumstances, the third element in the system of transitivity, are expressions which indicate the time, place or manner of the event described in the clause (Fowler 1991:73-6). Halliday divides the processes expressed by transitivity into different categories, according to what they represent. So, actions are classified as material processes, or processes of doing; speech is classified as verbal process, or process of saying; states of mind are called mental processes or processes of sensing; and states of being are called relational processes or processes of being (Simpson 1993). The analysis of transitivity choices, as Mills argues, “is primarily concerned with the roles of human participants” (1995:143). The main insight that the notion of transitivity offers is that every text could have been produced differently and these different versions would have represented alternative points of view. A process may be expressed linguistically in a number of ways, each of them signifying a different way of seeing. In the scope of CDA, an investigation of transitivity aims at assessing which cultural, ideological, political or theoretical factors have influenced the way a process is expressed in a particular text (Fairclough 1992). A very important concern in analysing transitivity is whether agency, causality and responsibility are made clear or not in the text. To analyse relations of agency and causality in the legal discourse, not only what kinds of processes appear in it, but also the passive and the nominalizations used when referring to the three main participants of an appeal: the judges, the appellant and the complainant will be investigated. Through this analysis the world-view expressed in the legal discourses is assessed, and also how they indicate the relations of power between judges and the two other key participants in this type of social interaction: appellants and the witnesses.

#### **8.1.1.1.3 Cohesion**

Cohesion looks at how clauses are linked together to form larger units in texts. To Fairclough (1992 b) ‘linkage in texts is achieved in various ways: through using vocabulary from a common semantic field, repeating words, using near-synonyms, and so forth; through a variety of referring and substituting devices (pronouns, definite articles, demonstratives, ellipses of repeated words; through using conjunctive words).

#### **8.1.1.1.4 Text Structure**

Various genres can be analyzed in various ways such as narrative genres can trace out the correlation between the uses of tenses; texts related to descriptions may have discourse structuring patterns and use of tense and modality.

#### **8.1.1.2 Discourse Practice**

Discourse Practice, in Fairclough’s model, is important because it links text and socio cultural practice. Fairclough (1992 b) maintains that ‘discursive practice is constitutive in both conventional and creative ways: it contributes to reproducing social society (social identity, social relationships, systems of knowledge and belief). It is at this level where ideologies and socio cultural patterns are shaped and also shape the socio cultural practices. Thus the contextual analysis involves “the situational context (questions about time and place) and the intertextual context (looking for additional texts/information about or from producers and their product) as central for the process of interpretation” (Janks 1997: 37). Fairclough (1992 b) believes that analysis of discursive practice should involve the analysis of text at micro as well as macro level. Micro analysis involves a precise focus on how the text is produced, who are the participants, what are the circumstances and what linguistic devices have been used. In other words, micro analysis mainly focuses on linguistic analysis, using some sort of framing for interpretation. Macro analysis looks at the nature of members’ resources that is being drawn upon in order to produce and interpret texts, and to inquire whether it is being drawn upon in normative or creative way. Both of these analyses are interrelated and complement each other to give a more vivid and reliable interpretation.

Fairclough believes that micro level analysis potentially can expose the hidden ideologies in a text. However, a simultaneous macro analysis is inevitable in order to gain information on the order of discourse as well as writers' intentions behind specific syntactical, lexical and semiotic preferences. According to Fairclough (1995, p. 58-59), this dimension has two faces: institutional process (legal context), and discourse processes (changes a text goes through in production and consumption). For Fairclough, "discourse practice straddles the division between society and culture on the one hand, and discourse, language and text on the other".

**8.1.1.3 Sociolinguistic Practice**

The third level of Fairclough's discourse modal is socio cultural practice which maintains that discourse has potential to influence social structures and can play an active role in bringing change. It has various dimensions: economic, political, cultural, and ideological; and discourse may be implicated in all of these without any of them being reducible to discourse (Fairclough 1992 b: 66).

**8.1.1.3.1 Discourse and Ideology**

To Fairclough (1992 a) the function of ideology is to construct texts which constantly and cumulatively 'impose assumptions' upon the interpreter and the text producer, typically without being aware of them.

**8.1.1.3.2 Discourse and Power**

Fairclough (1992 a) views language as having two versions of power: power in discourse and power behind discourse. The former indicates the power which appears in lexical choices and syntactical structures, e.g. directive speech acts, imperatives etc. The latter includes power behind discourse where 'the whole social order of discourse is put together and held together as a hidden effect of power. In this approach of CDA, there are three analytical focuses in analysing any communicative event (interaction). They are text (e.g. a legal discourse), discourse practice (e.g. the process of production and consumption), and socio cultural practice (e.g. social and cultural structures which give rise to the communicative event) (Fairclough, 1995b).

**9. Methodology**

**9.1 Data Collection**

The data of this study are collected from the legal discourses presented by the jurists in the deposition of the ex-president Bill Clinton.

**9.2 Data Analysis**

The data analysis of the study is tackled through two stages. The first stage is concerned with the textual organization of the legal discourse used by the jurists. The second stage examines the linguistic strategies claimed as the language power and strategy of such a discourse.

**10. The Limitation of the Study**

The scope of the study will be limited to analyzing stylistically the selected legal discourses presented by the jurists in the deposition of the ex-president Bill Clinton applying the two linguistic models : N.L Fairclough 's CDA and Halliday's SFG.

**Table 1: The legal Discourse of President Clinton' deposition is analyzed on the basis of N.L Fairclough 's CDA and Halliday's SFG**

NO.	Text	Description Text analysis (linguistic strategies- power in discourse)	Interpretation Discourse Practice (ideology& socio cultural patterns)	Explanation Sociolinguistic Practice (socio cultural practice- power behind discourse)
1	MR. FISHER (Jones's counsel): Yes, You're Honor. What I'm trying to do is avoid having to ask the president a number of very salacious questions and to make this as discreet as possible. This definition, directly from Rule 413, with the exception that I have narrowed subpart one to a particular section, which would be covered by Rule 413.	he counsel uses: Material process Verbal process Special phrase addressed to the judge: Your Honor'.	❖ The counsel refers to the legal rules. ❖ The counsel presents definitions of certain terms to avoid confusion.	The counsel intends to refer to the legal rules to confirm that the deposition and the trial are based on legal rules.
2	MR. [ROBERT] BENNETT [the president's	he lawyer uses:	❖ The lawyer reminders of	❖ The lawyer has

	<p>lawyer]: Your Honor, I have no objection where the appropriate predicates are made for them to ask the president, ... We are – we acknowledge that some embarrassing questions will be asked, but then we all will know what we're talking about, but I do not want my client answering questions not understanding exactly what these folks are talking about. Now, Your Honor, I told you that the president has a meeting at four o'clock and we've already wasted twenty minutes, and Mr. Fisher has yet to ask him first factual question.</p>	<ul style="list-style-type: none"> <li>❖ Mental process</li> <li>Verbal process</li> <li>❖ Relational process</li> <li>❖ Special phrase addressed to the judge: 'Your Honor', 'objection'.</li> <li>❖ Striking words: embarrassing.</li> </ul>	<p>the agreement among him, the counsel and the judge that embarrassing questions can be asked.</p> <ul style="list-style-type: none"> <li>❖ The lawyer criticizes the counsel for asking the witness about some information which he does not know.</li> <li>❖ The witness's lawyer criticizes the court for not considering the allotted time.</li> </ul>	<p>the right to interrupt, object the counsel's performance and direct him.</p>
3	<p>JUDGE WRIGHT: Quite frankly, there are several reasons. One is that the Court heretofore has not proceeded using these definitions. We have used, we've made numerous rulings or the Court has made numerous rulings in this case without specific reference to these definitions, and so if you want to know the truth, I don't know them very well. I would find it difficult to make rulings, and Mr. Bennett has made clear that he acknowledges that embarrassing questions will be asked, and if this is in fact an effort on, on the part of Plaintiff's Counsel to avoid using sexual terms and avoid going into great detail.</p>	<p>The judge uses: Mental process Verbal process</p> <ul style="list-style-type: none"> <li>❖ Material process</li> <li>❖ Existential process</li> <li>❖ Relational process</li> <li>❖ Modality: 'will'.</li> <li>❖ Synonymous nouns: frankly, truth.</li> <li>❖ Hyponymy: court includes the jurists and the judge is the coordinate of them: the counsels, the lawyers and the witnesses.</li> </ul>	<p>The judge starts by clarifying points: He is the one who rules the court. Embarrassing questions are accepted without going into great details. Taboo words are to be avoided. The counsel avoids discussing taboo issues with the witness.</p>	<ul style="list-style-type: none"> <li>❖ The judge intends to confirm the fact that he is the one who represents the court and has the right to rule.</li> <li>❖ The judge does not want the lawyer to worry about the counsel's questions raised to the witness.</li> </ul>
4	<p>Q. If she were to describe herself as a democratic party activist, would you disagree with that characterization of her?</p> <p>A. No. I believe she was actually working very closely with Gov. Wilder in Virginia in 1992 at the time I was running for president.</p>	<p>The counsel uses: Mental process 'If Structure'.</p> <p>The witness uses: Material process Relational process</p> <ul style="list-style-type: none"> <li>❖ Juxtaposition: hedging language: 'believe' followed by a decisive adverb: 'actually'.</li> <li>❖ hedging language:'</li> </ul>	<ul style="list-style-type: none"> <li>❖ The witness intends to use hedging language in order to avoid being committed to the information he has presented.</li> <li>❖ The counsel uses hedging language to show that he is not quite sure about the information he presents.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The counsel intends to show the lawyer that he is not testifying him.</li> <li>❖ The witness intends to show that he does not have friendship with the complainant.</li> </ul>
5	<p>Q. You don't recall seeing them in Little Rock that night?</p> <p>A. No. But, you know, we stayed up late and there were hundreds, thousands of people there. I don't know whether they were there or not.</p>	<p>The counsel uses: ❖ A declarative statement form to do the function of interrogative statement.</p> <p>The witness uses Mental process Material process Existential process Relational process</p> <ul style="list-style-type: none"> <li>❖ a decisive statement: 'No' followed by hedging language: 'there were hundreds, thousands of people there. I don't know whether they were there or not'.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The counsel uses a declarative statement form to do the function of interrogative statement to state the information he is questioning instead of integrating about it.</li> <li>❖ The witness gives detailed factual information as an evidence to prove that he is saying the truth.</li> <li>❖ The witness negates the information and simultaneously he uses hedging language in order to avoid being committed to the information he has presented.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The witness intends to show that he does not have friendship with the complainant.</li> </ul>
6	<p>Q. Do you recall, sir that you met with Kathleen Willey at or near the time of her husband's death?</p> <p>A. The meeting I recall occurred before her husband's death. She had requested, my</p>	<p>The witness uses: Material process Verbal process Mental process</p> <ul style="list-style-type: none"> <li>❖ Repetition of key words and sentences:</li> </ul>	<ul style="list-style-type: none"> <li>❖ The witness intends to confirm the fact that the complainant is the one who has planned to be in contact with him.</li> <li>❖ The witness uses</li> </ul>	<ul style="list-style-type: none"> <li>❖ The witness intends to show that he does not have any relationship with the complainant.</li> </ul>

	recollection is that she requested several times to come in to see me. She wanted to come in and see me, and kept asking to do that.	'request' and ' come in and see me'. ❖ hedging language: ' I recall', ' my recollection'.	hedging language to avoid confirming or negating the information he raised.	
7	Q. Is there a hallway leading from the Oval Office to this private dining room?  A. <b>Yes. It's very short. It's probably 12, 15 feet long.</b>	The counsel Asks for specific details. Uses material process The witness uses: Mental process relational process existential process Redundant information.	❖ The witness gives an affirmative statement and then he supports it by redundant information in order to prove that there is no way of having a private meeting with the complainant.	❖ The witness intends to show that he does not have friendship with the complainant.
8	Q. Did she tell you that she and her husband had some large debts to pay? A. I don't remember that. What I remember is that she was very – she was obviously agitated, and I'd never really had a conversation with her before so I, you know, except in public, I'd see her, and she always seemed sort of shy, you know, upbeat, positive, but this day she was clearly concerned, but I don't remember going into any great detail. What I remember her saying is that her family, that there was some family financial issues she had to deal with, and she needed to earn some money to work there, and I had, I don't remember her going into any great detail about it. I don't think she stayed long enough to go into any great detail, but she was clearly upset.	The counsel asks for specific details The witness uses: Material process Verbal process Mental process ❖ Repetition of the vocabulary which has semantic relation: agitated and upset. ❖ hedging language: ' I don't remember', ' seemed sort of', ' think'.	❖ The witness uses hedging language and gives redundant information to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship.	❖ The witness gives the information as an evidence to prove that he does not have any relationship with the complainant.
9	Q. Do you recall telling anyone in the White House that as soon as she did come back, you wanted to meet with her?  A. No, but I, I might well have done something when something that traumatic happens in someone's family, I might have wanted to say something.	The counsel asks about specific details. The witness uses: ❖ Material process Verbal process Mental process A striking word: 'traumatic'. ❖ Contradicting statements: 'No', negating the action followed by the possibility of doing it: ' but I, I might well have done.' Redundant information. ❖ Hedging language: ' I don't know '.	❖ The witness uses hedging language and gives redundant information to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship	❖ The witness intends to show that he does not have any relationship with the complainant.
10	Q. All right and you deny that testimony? A. I emphatically deny it. It did not happen.	The witness uses: Mental process Material process ❖ Striking lexicon. 'Emphatically ' ❖ Repetition of the same semantic meaning: 'deny' and 'It did not happen.' ❖ A decisive statement.	❖ The witness uses a decisive statement to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship.	❖ The witness gives the information as an evidence to prove that he does not have any relation with the complainant.
11	Q. Do you know why she would tell a story like that if it weren't true? A. No, sir, I don't. I don't know. She'd been through a lot, and apparently the financial difficulties were even greater than she thought they were at the time she talked to me. Her husband killed himself; she's been through a terrible time. I have – I can't say. All I can tell	The witness uses: Material process Verbal process Mental process relational process ❖ Repetition of the same striking lexicons: 'terrible' and 'difficult'.	❖ The witness gives detailed redundant information to show that he does not know the required information.	❖ The witness negates the information and simultaneously he uses hedging language in order to avoid being committed to the

	you is, in the first place, when she came to see me she was clearly upset. I did to her what I have done to scores and scores of men and women who have worked for me or been my friends over the years. I embraced her, I put my arms around her, and I may have even kissed her on the forehead. There was nothing sexual about it. I was trying to help her calm down and trying to reassure her. She was in difficult condition. But I have no idea why she said what she did or whether she now believes that actually happened. She's been through a terrible, terrible time in her life.			information he has presented. ❖ The witness gives detailed factual information as justifications to prove that he is saying the truth.
12	MR. BENNETT: Keep your voice up, Mr. President.	he lawyer uses: Material process Verbal process An imperative statement.	❖ The lawyer wants to hear and the other jurists hear as well what the witness is saying to be able to follow up.	❖ The lawyer has the right to interrupt the witness, and order him.
13	A. Maybe it was Nancy Hernreich who was there and who knew her, perhaps it was someone else that we ought to see if we could do something for her, and that's all I heard about it. I don't think I was notified when she got the job at the counsel's office.	The counsel uses 'If structure'. he witness uses: Mental process The plural first person pronoun 'we'. Hedging language: 'Maybe', 'perhaps', 'think'.	❖ The witness intends to use hedging language in order to avoid being committed to the information he has presented.	❖ The witness wants to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship
14	Q. Now, you appointed Kathleen Willey to travel to Copenhagen to serve on the official delegation of the United States of America at a world summit for social development, true? A. She went as a White House appointee. I'm not sure I knew in advance of her going that she was on the delegation. I don't believe I did.	he witness uses: Mental process Material process hedging language: ❖ I'm not sure ❖ He does not give the required answer of the counsel's question: Yes/No answer.	❖ The witness intends to use hedging language in order to avoid being committed to the information he has presented.	❖ The witness intends to confirm the fact that he does not have any relation with the complainant.
15	Q. Do you know who made the decision to place her on that delegation?  A. I don't. She had – was this after she had left the White House?	he counsel uses: ❖ WH-Question asking about an agent. he witness uses: ❖ Material process ❖ Mental process ❖ Verbal process ❖ he answers the question of the counsel by questioning him.	❖ The witness negates the information and simultaneously he questions about it.	❖ The witness wants to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship.
16	Q. That position on the USO Board of Governors has a Three-year term, does it not? A. I don't know. I make hundreds of those Appointments and all those recommendations are put Together by Mr. Nash. If I wanted to know why he was – literally in 90 percent, perhaps more, of the cases of all presidential appointments, they're sent to me on a piece of paper.	he witness uses: ❖ Material process Verbal process Mental process ❖ Hedging language: 'don't know', 'perhaps'. ❖ He gives justification of his ignorance of what is going on in the white house.	❖ The witness uses hedging language and gives redundant information to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship	❖ The witness intends to give uncertain information to prove that he does not have any relationship with the complainant.
17	Q. And to your own knowledge, did Kathleen Willey have a reputation while working in the White House with respect to her character for truthfulness?  A. No. I only know, the only thing that, the only conversation I ever had with her that amounted to anything was this conversation which lasted about 10 minutes.	he witness uses: Material process Verbal process Mental process ❖ Hedging language: 'maybe', 'I didn't know'. ❖ Redundant information. ❖ Repetition of the same	❖ The witness uses hedging language and gives redundant information to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship.	❖ The witness gives the information as an evidence to prove that he does not have any relationship with the complainant.



		lexicon: only.		
18	Q. Let me hand you what has been marked Deposition Exhibit 5. MR. BENNETT: I could make a suggestion. If you have a series of documents you're going to be questioning about, out of courtesy to the other counsels and the Court, I would be happy to take those and reproduce them so there's enough copies for everyone. MR. FISHER: I think there are only one or two letters for which I only have one copy.	he lawyer uses: Material process Verbal process Mental process Existential process ❖ Gives a suggestion to the counsel. ❖ The council does not want to show his documents to the lawyer.	❖ The lawyer intends to let the witness, the judge and his lawyers, he is one of them to read the documents presented by the counsel and be able to follow up.	❖ The lawyer has the right to interrupt the counsel and give him suggestion.
19	JUDGE WRIGHT: Why don't we take him up on his offer and make a copy for the Court and one for Mr. Ruff and I'd, I don't know who else. Mr. Bristow might like to have a copy.	The judge gives a suggestion to the counsel.	❖ The judge accepts the suggestion of the lawyer.	❖ The judge intends to show the fact that he is receptive accepting any objection, interruption, and correction.
20	MR. BENNETT: Could you give me, maybe you could go on to another area or some direct questions to the president, and give me everything that you want copied, and I'll have several copies made.	he lawyer uses: Material process Mental process ❖ Hedging language: maybe, could.	❖ The lawyer is suggesting to the counsel that he photocopies all the documents which the counsel is going to present and discuss and present other questions.	❖ The lawyer has the right to interrupt the counsel, give him a suggestion and direct him.
21	JUDGE WRIGHT: Actually you can give them to Barry Ward, if you don't want Mr. Bennett to see them until you present them, and so you don't mind if Barry takes them?	he judge uses: Material process Mental process he suggests to the witness 's counsel a certain procedure to be followed.	❖ The judge understands the attitude of the counsel towards showing his documents before being presented and discussed and suggests that another lawyer can do that.	❖ The judge shows the fact that he is receptive accepting any interruption, and suggestion.
22	The witness: I know what this document is. <b>MR. BENNETT: Wait until he asks you a question.</b>	he witness uses: Verbal process Mental process gives a decisive statement. ❖ The lawyer uses an imperative statement.	❖ The lawyer orders him not to give any information unless it is required by the question of the counsel.	❖ The lawyer has the right to interrupt the witness and order him.
23	MR. BENNETT: Okay, fine. Okay. What's your question to the president?  MR. FISHER: Did you have an objection about this particular – MR. BENNETT: No, I don't have an objection.	he lawyer uses: Verbal process Mental process ❖ The lawyer asks the counsel about his question to the witness.	❖ The lawyer asks the counsel to repeat the question and help him follow up. ❖ The counsel is accepting the interruption and direction of the lawyer.	❖ The lawyer has the right to ask and direct the counsel. ❖ The counsel intends to show that he is receptive accepting any interruption and direction from the lawyer.
24	<b>MR. BENNETT: Well, Mr. President, read, if he's going to ask you about little pieces of that, read the document, please.</b>	he lawyer uses: Verbal process ❖ Mental process Material process An imperative sentence.	❖ The lawyer orders the witness to read the document carefully.	❖ The lawyer has the right to direct the counsel.
25	Q. And after you became president, did you ever come to believe that the federal guidelines were any different after you became president than they were at the time you signed this policy?  <b>MR. Bill BRISTOW [lawyer for Clinton]: Your Honor, I'm going to object to this. Is this a question of law, is this like a, some sort of law school exam?. It's supposed to be to find factual evidence or factual</b>	he lawyer uses: Material process Mental process Verbal process Relational process ❖ Special phrase addressed to the judge: 'Your Honor'. ❖ Rhetorical questions followed by a declarative statement: Is this a	❖ The lawyer objects the counsel's type of the questions to the witness considering it incorrect.	❖ The lawyer has the right to interrupt, object, and correct the witness.

	<b>evidence that will lead to the discovery of other relevant factual evidence.</b>	question of law, is this like a, some sort of law school exam?.		
26	JUDGE WRIGHT: Overruled. The president has testified that he signed this, he was familiar with it, and the case concerns alleged activity when he was governor, and this is a cause of action under Section 1983 and 1985 and that is state action.	The judge uses Mental process Relational process a striking word.: 'Overruled'.	❖ The judge states to the counsel that the witness has already testified what the counsel is questioning and refers to historical information.	❖ The judge intends to confirm the fact that he is the one who represents the court and has the right to rule.
27	MR. BENNETT: Your Honor, my view of this is, if Mr. Fisher wants to use his time with the president of the United States to ask these kinds of questions, I personally have no objection. But at three o'clock, I don't want to hear that we have ten major integral areas that you haven't gone into.	he lawyer uses: Material process Verbal process Mental process Special phrase addressed to the judge: 'You're Honor'. ❖ He reminds the judge of the distribution of the allotted time.	❖ The lawyer criticizes the court for not considering the allotted time.	❖ The lawyer has the right to interrupt, object and correct.
28	JUDGE WRIGHT: All right, Mr., Mr. Fisher, state the question again. I just, I misunderstood it, apparently.	❖ The judge uses an imperative sentence.	❖ The judge accepts The lawyer objection and order the counsel to repeat his question.	❖ The judge intends to show the fact that he is receptive accepting any interruption, objection, and correction.
29	Q. Did it ever happen that you and she went down the hallway from the Oval Office to the private kitchen?  <b>MR. BENNETT: Your Honor, excuse me, Mr. President, I need some guidance from the Court at this point. I'm going to object to the innuendo. I'm afraid, as I say, that this will leak. I don't question the predicates here. I question the good faith of counsel, the innuendo in the question.</b>	he lawyer uses: aterial process Verbal process Mental process ❖ striking words: innuendo and leak. ❖ A special phrase addressed to the judge: 'Your Honor'. Repetition of the same key word: question.	❖ The lawyer requests more clarification from the judge of the procedures followed in the court. ❖ The lawyer objects the counsel's question which is not direct and hints to other issues.	❖ The lawyer has the right to interrupt, object and criticize the counsel's performance.
30	JUDGE WRIGHT: No, just a minute, let me make my ruling. I do not know whether counsel is basing this question on any affidavit, but I will direct Mr. Bennett not to comment on other evidence that might be pertinent and could be arguably coaching the witness at this juncture. Now I, Mr. Fisher is an officer of this court, and I have to assume that he has a good faith basis for asking the question. If in fact he has no good faith basis for asking this question, he could later be sanctioned. If you would like, I will be happy to review in camera any good faith basis he might have.	The judge uses: ❖ Mental process ❖ Verbal process Material process Relational process ❖ Modality: 'will'. ❖ a distinctive word: 'sanctioned'. ❖ hedging language: 'modality: 'assume' 'might', 'could'	❖ The judge clarifies the following points: He is the one who rules the court. ▪ He confirms the fact that the counsel is authorized to question the witness on the basis of the legal rules. ▪ He will not accept the comments of the lawyer on the the counsel's evidences which are documented in the affidavit.	❖ The judge intends to confirm the fact that he is the one who represents the court and has the right to rule the jurists: the counsel, the lawyers, and the witness.
31	Q. Are there doors at both ends of the Hallway?  A. They are, and they're always open.	he witness uses: Relational process ❖ a decisive statement. ❖ redundant information	❖ The witness uses a decisive statement and gives redundant information to confirm the fact that the relationship between him and the complainant is just a president and an employee relationship.	❖ The witness gives the information as an evidence to prove that he does not have any relationship with the complainant.
32	Q. It would be extraordinary, wouldn't it, for Betty Currie to be in the White House between midnight and six a.m., wouldn't it?	he witness uses: Mental process Relational process ❖ The same word:	❖ The witness intends to use hedging language followed by a decisive statement in order to avoid	❖ The witness intends to show that he does not have any relation with

	<b>A. I don't know what the facts were. I mean I don't know. She's an extraordinary woman.</b>	'extraordinary' used by the counsel. ❖ Hedging language: 'I don't know' and 'I mean'. ❖ a decisive statement: 'She's an extraordinary woman.'	being committed to the information he has presented.	the complainant.
33	MR. BENNETT: No, Your Honor, I'm going to certainly let the president answer that, but I object to the form of the question because it assumes facts not in evidence, and I again question their good faith in this line of questioning.	'he lawyer uses: Mental process Verbal process Relational process ❖ a special phrase addressed to the judge.: 'Your Honor'.	❖ The lawyer objects the form of the question the counsel has raised to the witness and whether it is based on evidence or not.	❖ The lawyer has the right to interrupt the counsel, and object his question .
34	JUDGE WRIGHT: I overrule the objection. I will permit it. The nature of many of the responses has been he doesn't recall or he doesn't know, and so he has not outright denied it. This is discovery and I'll permit the question. Go ahead.	The judge uses: ❖ Mental process ❖ Verbal process Material process Relational process ❖ modality: 'will'. ❖ a decisive statement.	❖ The judge does not accept the lawyer 's objection he accepts the question of the counsel because of the nature of the witness 's answers which are not decisive or accurate	The judge intends to show that he is the one who represents the court and has the right to rule.
35	Q. When was the last time you spoke with Monica Lewinsky?  <b>A. I'm. Betty sometime before Christmas. And she was there talking to her, and I stuck my head out, said hello to her.</b>	'he witness uses: Material process Mental process Verbal process Relational process ❖ an idiom : 'stuck my head out'. ❖ He answers the counsel's question using redundant information. ❖ His answer does not fit the requirement of the counsel's question: the question requires to be confirmed or negated, but the witness tends to avoid confirming or negating and mentioning the information raised.	❖ The witness ntends not to give the required information and to give redundant information whenever the name of the complainant raised.	❖ The witness gives the information as an evidence to prove that he does not have any relationship with the complainant.
36	Q. Did you ever talk with Monica Lewinsky about the possibility that she might be asked to testify in this case?  <b>A. Bruce Lindsey, I think Bruce Lindsey told me that she was, I think maybe that's the first person told me she was. I want to be as accurate as I can.</b>	'he witness uses: ❖ Mental process Verbal process Relational process ❖ Contradiction: assertive, 'accurate' followed by attentive 'think' as well. ❖ His answer does not fit the requirement of the counsel's question: Yes/No question requires confirmed or negated statement, but the witness tends to avoid confirming or negating and mentioning the name of the person under question. ❖ Hedging language: I think', maybe ❖ redundant information	❖ The witness ntends to use hedging language and redundant information whenever the name of the complainant raised.	❖ The witness intends to show that he does not have any relationship with the complainant.
37	Q. Has it ever been reported to you that he (Vernon Jordan) met with Monica Lewinsky and talked about this case?	'he witness uses: Mental process Verbal process	The witness ntends to use hedging language and redundant information to	❖ The witness gives the information as an

	<b>A. I knew that he met with her. I think Betty suggested that he met with her. Anyway, he met with her. I, I thought that he talked to her about something else. I didn't know that – I thought he had given her some advice about her move to New York. Seems like that's what Betty said.</b>	Material process Relational process ❖ Hedging language: 'Thinks ',' I didn't know',' Seem'. ❖ Redundant information.	deny any relationship with the complainant.	evidence to prove that he does not have any relationship with the complainant.
38	So Betty, Betty Currie suggested that Vernon Jordan meet with Monica Lewinsky?  A. I don't know that.  <b>Q. I thought you just said that. I'm sorry.</b>	he counsel uses: ❖ Verbal process ❖ Mental process ❖ Hedging language. A decisive statement.	The counsel reminds the witness of the information that he has mentioned it and then denied it	The counsel has the right to criticize the witness when he denies what he has already stated and to reject his answer
39	A. No, I think, I think, I think Betty told me that Vernon talked to her, but I, but my impression was that Vernon was talking to her about her moving to New York. I think that's what Betty said to me.	The witness uses: ❖ Verbal process Mental process ❖ Relational process ❖ a hedging word: 'impression'. ❖ Repetition of the hedging statement: 'I think'.	❖ The witness intends to use hedging language in order to avoid being committed to the information he has presented..	The witness intends to be uncertain to prove that he does not have any relation with the complainant.
40	<b>Q And the source of that information is who?</b>  A. Betty. I think that's what Betty – I think Betty did that. I think Monica talked to Betty about moving to New York, and I, my recollection is that that was the chain of events.	he counsel uses: ❖ Relational process ❖ he deviates the interrogative sentence normal word order: NP2 VP NP1 to give focus to the predicate 'the source', he starts the interrogative sentence with 'the source of that information is who?' The witness uses: ❖ Verbal process Mental process ❖ He repeats the name 'Betty' as being the source of that information, and the hedging statement: 'I think'.	❖ The witness intends to use hedging language in order to avoid being committed to the information he has presented.	❖ The witness intends to be uncertain to prove that he does not have any relation with the complainant.
41	Q. Well, Mr. President, it's my understanding that Monica Lewinsky has made statements to people, and I'd like for you.	he counsel uses: ❖ Verbal process Mental process Relational process ❖ Hedging language: 'my understanding'.	❖ The counsel uses hedging language to show the witness that he is not sure of the information he is presenting and he wants the witness to confirm it or negate it.	❖ The counsel intends to question the witness and to testify him.
42	MR. BRISTOW: Object, object to the form of the question. Counsel shouldn't testify and when you start out like that, it's obviously counsel testifying. I don't think that's proper.	he lawyer uses ❖ Mental process ❖ Relational process ❖ a special phrase addressed to the judge: 'Your Honor'. ❖ A decisive statement. Hedging language: 'I don't think'..	❖ The lawyer criticizes the counsel for being trying to retestify the witness.	❖ The lawyer has the right to interrupt, object and correct and the counsel is to accept.
43	JUDGE WRIGHT: Let me, let me just make my ruling. It is not appropriate for counsel to make comments about, about these things. I don't know whether he was trying to do this to establish a good faith basis for the next	he judge uses ❖ Mental process ❖ Verbal process ❖ Relational process ❖ a special phrase	❖ The judge agrees with the objection of the lawyer against the counsel's performance. He is trying to find a	❖ The judge intends to confirm the fact that he is the one who represents the court

	question or not, but it is inappropriate for counsel to comment, so I will sustain the objection. MR. FISHER: I understand.	addressed to the judge: 'Your Honor'. ❖ a decisive statement. Hedging language: 'I don't think'.	justification to the counsel's performance.	and has the right to rule the jurists: the counsel, the lawyers, and the witness.
44	Q. I think I used the term "sexual affair." And so the record is completely clear, have you ever had sexual relations with Monica Lewinsky, as that term is defined in Deposition Exhibit 1, as modified by the Court.  <b>MR. BENNETT: I object because I don't know that he can remember.</b>  <b>JUDGE WRIGHT: Well, it's real short. He can – I will permit the question and you may show the witness definition number one.</b>	the lawyer uses: Mental process Hedging language: 'I don't know'.	❖ The lawyer objects that the witness is not aware of the rule because the rule is written in Deposition Exhibit. ❖ The judge does not accept the objection of the lawyer to the counsel's question and he accepts it justifying with factual information: 'its real short'.	❖ The lawyer has the right to interrupt the counsel, object his question and comment on it. ❖ The judge intends to confirm the fact that he is the one who represents the court and has the right to rule the jurists: the counsel, the lawyers, and the witness.
45	Q. Did you express any approval or disapproval of anything Mr. Jordan had done?  <b>MR. BENNETT: I object. I don't know what that means; Your Honor. That's awfully vague and ambiguous. Could you be more specific?</b>  MR. FISHER: Sure.	the lawyer uses: Material process Relational process ❖ a special phrase addressed to the judge: 'Your Honor'. ❖ striking words: wfully vague and ambiguous.	❖ The lawyer criticizes the counsel's question as being vague and ambiguous.	❖ The lawyer has the right to ask, object and direct the counsel.
46	Q. Is it your testimony that you had nothing whatsoever to do with causing that conversation to take place between Monica Lewinsky and Vernon Jordan?  <b>MR. BENNETT: I object. That that misstates the testimony.</b>	the lawyer uses: ❖ Material process ❖ Mental process ❖ Verbal process ❖ Relational process ❖ a striking word: 'misstates'. ❖ a special phrase addressed to the judge: 'Your Honor'.	❖ The lawyer criticizes the counsel for being trying to retestify the witness.	❖ The lawyer has the right to interrupt, object and criticize the counsel's performance.
47	<b>MR. FISHER: I'm asking what his testimony is.</b>	the counsel uses: ❖ Verbal process ❖ Relational process ❖ a decisive statement.	❖ The counsel justifies the reason behind asking such a question.	❖ The counsel has the right to justify the reason behind his performance.
48	MR. BENNETT: Anything to do, I think he's testified, Your Honor. If he wants to ask more questions, that's all right, but –	the lawyer uses: ❖ Mental process ❖ Verbal process ❖ Relational process Hedging language: 'I think'.	❖ The lawyer confirms to the judge that the counsel is testifying the witness. ❖ The lawyer gives the counsel a permission to ask the witness any question but not testifying him.	❖ The lawyer has the right to give permission to the counsel to ask.
49	JUDGE WRIGHT: I will – you might rephrase the question and ask whether he ever intended to facilitate the conversation or took any action to help Ms. Lewinsky gain access to Vernon Jordan for this purpose, or for any purpose. You might ask that. The president has testified on this matter that he doesn't think it would be improper if he had, so go ahead, you can ask.	the judge uses: Verbal process Mental process ❖ a distinctive word: 'improper'. ❖ He repeats the hedging modal: 'might'.	❖ The judge directs the counsel to rephrase his question to make it clear.	❖ The judge intends to confirm the fact that he is the one who represents the court and has the right to rule the jurists: the counsel, the lawyers, and the witness.
50	MR. BENNETT: I can ask my generic question. Hypothetically, Your Honor, if I have affidavits of women that he's questioning	the lawyer uses: ❖ Material process ❖ Mental process	❖ The lawyer asks the judge to permit him, after the counsel finishes raising	❖ The lawyer has the right to take part in the

	the president about and Your Honor does not want me to emphasize or even mention it for fear of the witness, when they are, when he is finished at the end of the day, may I read to the president certain relevant portions of those affidavits that we have to ask the president if that's, as far as he knows, a true and accurate statement?.	<ul style="list-style-type: none"> <li>❖ Verbal process</li> <li>❖ Relational process</li> <li>❖ a special phrase addressed to the judge.: 'Your Honor'.</li> <li>❖ hedging language: 'deposition.</li> </ul>	his questions, to read certain relevant portions of the affidavits to the witness.	deposition.
51	JUDGE WRIGHT: You may because this is that type of deposition. MR. BENNETT: Thank you.	<ul style="list-style-type: none"> <li>❖ Mental process</li> <li>❖ Relational process</li> <li>❖ decisive statement.</li> </ul>	The judge uses a decisive statement to confirm the type of legal context they are involved in.	<ul style="list-style-type: none"> <li>❖ The judge has the right to rule the jurists: the counsel, the lawyers, and the witness.</li> </ul>
	Q. Do you have any notes of any conversation with any state trooper other than Danny Ferguson?  <b>MR. BENNETT: About – I mean, objection. It's too broad. I mean, he dealt with state troopers all the time.</b>	<ul style="list-style-type: none"> <li>❖ Material process</li> <li>❖ Mental process</li> <li>❖ Relational process</li> <li>❖ a decisive statement</li> </ul>	<ul style="list-style-type: none"> <li>❖ The judge uses a decisive statement to confirm the type of legal context they are involved in.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The judge has the right to rule the jurists: the counsel, the lawyers, and the witness.</li> </ul>
52	Q. Do you have any notes of any conversation with any state trooper other than Danny Ferguson?  <b>MR. BENNETT: About – I mean, objection. It's too broad. I mean, he dealt with state troopers all the time.</b>	<ul style="list-style-type: none"> <li>❖ Material process</li> <li>❖ Mental process</li> <li>❖ Relational process</li> <li>❖ a decisive statement.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The lawyer objects the question the counsel has raised to the witness</li> </ul>	<ul style="list-style-type: none"> <li>❖ The lawyer has the right to interrupt the court, object, and criticize.</li> </ul>
53	<b>JUDGE WRIGHT: Let me clarify this. Are you talking about during his term as president?</b> MR. FISHER: Let me put a time limitation on that, Your Honor. JUDGE WRIGHT: All right.	<ul style="list-style-type: none"> <li>❖ Verbal process</li> <li>❖ Mental process</li> <li>❖ An interrogative sentence.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The judge accepts the lawyer's objection.</li> <li>❖ The judge questions the counsel to clarify about the meaning of his question.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The judge has the right to ask the council to clarify the meaning of his question he has raised to the witness.</li> </ul>
54	Q. Do you recall going to Los Angeles, California with her (Gennifer Flowers)?  <b>A. No, sir. When was this? I don't recall.</b>	<ul style="list-style-type: none"> <li>❖ Mental process</li> <li>❖ Verbal process</li> <li>❖ He answers the question of the counsel by questioning him</li> <li>❖ a decisive statement</li> <li>❖ Hedging language: 'I don't recall.'</li> </ul>	<ul style="list-style-type: none"> <li>❖ The witness intends to use hedging language followed by a decisive statement in order to avoid being committed to the information he has presented.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The witness pretends that he does not remember the event.</li> </ul>
55	<b>MR. BENNETT: Don't assume that it happened.</b>  A. I don't believe I ever took a trip outside of Arkansas with Gennifer Flowers.	<ul style="list-style-type: none"> <li>❖ Mental process</li> <li>❖ Verbal process</li> <li>❖ An imperative sentence.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The lawyer criticizes the witness for giving redundant information.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The lawyer has the right to interrupt the witness, object s performance and correct him.</li> </ul>

## 11. Conclusion

CDA is a specific discourse analytic methodology that examines the role played by language in the construction of power relationships and reproduction of domination. Therefore it is a particularly suitable approach for the purpose of this study. The analysis of the study is based on Norman Fairclough's modal.

What differentiates Fairclough's CDA from the other critical discursive analyses is the textual orientation: Fairclough (1995) argues that discourses should be simultaneously analysed at three levels: textual (micro-level textual elements), discursive practices (the production and interpretation of texts) and social practice (the macro-level situational and institutional context). The first textual level implies close analysis of linguistic structures. The second level of discursive practices brings the community and its behaviour into play; analysis of discourse in this respect is analysis of what people do with texts. Furthermore, at the third level one then focuses on the broader context: how texts and discourses are used in situational and institutional contexts that they both index and construct.

With regard to the interplay of the three levels, it is agreed that 'shunting back and forth between microanalysis of texts, using varied linguistic strategies and the macro analysis of social formations, institutions and power relations that these texts index and construct', (Luke 2002: 100).

## **12. The Results**

- 12.1 Power relations are discursive. CDA explains how social relations of power are exercised and negotiated in discourse. In the data analysis of the study, the focus has been given to the power relations of the jurists and how they are reflected in the force potential of the linguistic strategies used by them as has been summarized in the following:
  - 12.1.1 The judge is arguing with the jurists using the linguistic strategies; such as, modality: 'will', synonymous nouns, distinctive words, hedging language, repetition of the same key words, giving suggestions and giving justifications in order to confirm the fact that he is the one who represents the court and has the right to rule, and show that he is receptive accepting any objection, interruption, suggestion, and correction.
  - 12.1.2 The judge is arguing with the counsel using the linguistic strategies, such as, striking words, imperative sentences, and interrogative sentences in order to ask the council to clarify the meaning of his question he has raised to the witness.
  - 12.1.3 The judge is arguing with the lawyer using the linguistic strategies, such as, decisive statements and justify the reason behind the counsel's performance in order to confirm the fact that he is the one who represents the court and has the right to rule the jurists.
  - 12.1.4 The lawyer is arguing with the counsel using the linguistic strategies, such as, striking words, imperative sentences, giving suggestions in order to criticize the counsel's type of questions.
  - 12.1.5 The lawyer is arguing with the judge using the linguistic strategies, such as, striking words in order to criticize the court for not sticking to the allotted time.
  - 12.1.6 The lawyer is arguing with the witness using the linguistic strategies, such as, imperative sentences, rhetorical questions, in order to confirm the fact that he has the right to interrupt the witness, direct and order him.
  - 12.1.7 The counsel is arguing with the lawyer using the linguistic strategies, such as, hedging language to show that he is receptive accepting any objection, interruption, suggestion, and correction.
  - 12.1.8 The counsel is arguing with the witness using the linguistic strategies, such as, criticizing the witness when he denies what he has already stated and rejecting his answer and question the witness and testify him.
  - 12.1.9 The witness is arguing with the counsel using the linguistic strategies; such as, decisive statements, contradicting statements, redundant information, the plural first person pronoun ' we ', an idiom, decisive statements, Juxtaposition: hedging language followed by a decisive statement; to prove that he does not have friendship with the complainant, negate the information and simultaneously uses hedging language in order to avoid being committed to the information he has presented, and pretend that he does not remember any event with the complainant.
  - 12.1.10 the linguistic strategies used by the judge, the lawyers and the counsel indicate that they have power potential which helps them dominate the legal context and make changes. On the contrary, the linguistic strategies used by the witness do not reflect any power, as a matter of fact they reflect hesitance, avoidance, worry and this proves that he is guilty.
- 12.2 CDA does not solely interpret texts, but also explains them. Therefore, an awareness of unequal relations of power in a legal context, involving hierarchical dimensions of domination and subordination, helps in realizing how language contributes to the domination of some people by others.
- 12.3 This kind of analysis makes it possible to see how the institutionalized use of strategy language has implications: some of these emerge from the genre itself while others derive from situation-specific choices. In any case, one thing is certain: strategy documents should not be treated as just any texts, but understood as powerful devices through which specific objectives, values and ideologies—and not others—are promoted and legitimated.
- 12.4 language is a social act and it is ideologically driven. Therefore, a discourse is considered historical in the sense that texts acquire their meanings by being situated in specific social, cultural and ideological contexts,

and time and space. Speakers make choices regarding vocabulary and grammar, and that these choices are consciously or unconsciously principled and systematic.

- 12.5 Discourses are connected to ideologies through the assumptions embedded in the texts. These assumptions are usually seen as ‘triggered’ by the linguistic features of text and this is why close textual analysis is required in CDA.
- 12.6 It has been proven in this study that implicit social and institutional information is interpreted according to the background knowledge of a speaker and his inferences about a current situation as a whole rather than from inferences about the intentions of a speaker, such as his knowledge about culture, as in 1-25 in Table 1, .
- 12.7 Ideologies are often produced through a discourse. To understand how ideologies are produced, it is not enough to analyse texts; but the discursive practice (how the texts are interpreted and received and what social effects they have) must also be considered.
- 12.8 The relation between form and content is not arbitrary or conventional, but form signifies content. The text of discourse practices should not be analysed artificially isolated from the analysis of institutional and social practices within which texts are embedded.
- 12.9 Any interpretation of discourse should be based on the text’s lexical and grammatical choices, which are placed and considered in the semantic and pragmatic context of the text. CDA aims to reveal the social, political assumptions in discourses.
- 12.10 The stylistic approach has successfully introduced the social and cultural factors into the analysis of the linguistic structures. This view helps in understanding the micro and macro relationship between textual and social/ historical context, as shown in 43- 44 in Table 1.

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