UDC 811.111
DOI: https://doi.org/10.32342/3041-217X-2024-2-28-11

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ARCHITECTONICS OF AMERICAN COURTROOM DISCOURSE: AN IMPLICIT WAY OF CONTENT MANAGEMENT

У статті досліджується специфіка судового дискурсу як комунікативної цілісності, що виявляється у всебічній узгодженості його інформаційних складових (компонентів). Подана розвідка суттєво доповнює сучасні дослідження лінгвістики судового дискурсу, зосереджуючись на вивченні його архітектоніки – проблеми, що сьогодні перебуває на периферії наукових інтересів дослідників. Актуальність вивчення судового дискурсу як єдиного інформаційного кластера з урахуванням взаємодії та супідрядності його складових пояснюється потребою у визначенні чинників, що забезпечують ефективність комунікативного процесу. Все це зумовлює новизну дослідження.

Метою цієї розвідки є визначення комунікативної природи судового дискурсу, його архітектоніки в аспекті інформації, яку він містить, її організації та впливу на аудиторію. Окреслена мета зумовила виконання таких завдань: визначити, які види інформації містяться в судовому дискурсі; дослідити, яким чином ця інформація подається та організовується для певного впливу на реципієнтів; обґрунтувати поняття архітектоніки у застосуванні до судового дискурсу. Для досягнення зазначеної мети було залучено як загальнонаукові (аналіз, синтез, систематизація, класифікація, індукція, дедукція), так і суто лінгвістичні *методи* (випадкова вибірка та спостереження, лексико-семантичний та контекстуальний аналіз, інтерпретація словникових дефініцій). Крім того, застосовано метод соціолінгвістичного аналізу зібраного матеріалу задля дослідження взаємозалежності між мовою та суспільством.

Обґрунтовано визначено, що комунікація в суді, з погляду її спрямованості на ефективний обмін різною інформацією, впливає на: а) раціональне сприйняття (семантична інформація, вплив на розум); б) емоційне сприйняття (естетична інформація, вплив на емоції); в) ірраціональне сприйняття (синектична інформація, вплив на несвідоме), які створюють інформаційний кластер. Уперше доведено, що ефективність комунікативного процесу в суді зумовлена ступенем впливу або глибиною проникнення ресурсів кожного виду інформації.

Доповнена класифікація видів трансгресії за результати її впливу на адресата.

Уточнено поняття архітектоніки як вибудовування й упорядкування дискурсивного простору у завершене ціле, що не зводиться до суми його блоків, задля управління сприйняттям реципієнтами наданої інформації.

Також уперше встановлено, що архітектоніка дискурсу сторони обвинувачення упорядковує усвідомлення інформації шляхом її поступового розкриття, тобто дискурсивний простір сторони звинувачення зорганізований за принципом послідовного розкриття (progressive disclosure). І навпаки, дискурсивний простір сторони захисту зорганізований через візуалізацію наративу, в центрі якого знаходиться головна ідея або концепція. Навколо неї розташовуються теми, які надають пояснення. Це концепція архітектоніки за принципом майндмеппінгу (mindmapping). З'ясовано, що обидві концепції надають необмежені можливості для адресантів

утворити необхідні асоціативні ланцюжки за допомогою, наприклад, когнітивного дисонансу або трансгресії тощо. Закцентовано, що архітектоніка дискурсу приховано керує процесом інформування і впливає на сприйняття аудиторією змісту висловлювання.

Ключові слова: інформаційний кластер, архітектоніка, судовий дискурс, дискурсивний простір, когнітивний дисонанс, трансгресія.

For citation: Zaitseva, M., Ericsson, S. (2024). Architectonics of American Courtroom Discourse: An Implicit Way of Content Management. *Alfred Nobel University Journal of Philology*, vol. 28, issue 2, pp. 180-196, DOI: https://doi.org/10.32342/3041-217X-2024-2-28-11

Introduction

As lawyers themselves put it, to win a criminal case: "You need a three-part approach: (1) file legal 'motions' to dismiss the case, (2) argue for the exclusion of evidence, and (3) explain clearly to the jury why the client is innocent" [Spolin, 2023]. We'll leave the first two cases to the lawyers and move on to the third point. But what is the meaning of the phrase "explain clearly"? While researching, we have not found any articles explaining what this means. And why, despite brilliant strategy, tactics, reliable evidence, and the gift of the gab, do some lawyers lose trials miserably while others succeed in seemingly no-win situations? The answer to these questions lies in the sphere of communicative specificity of courtroom discourse, which pertains to the organisation of information and its influence on the addressee.

The exploration of courtroom discourse is widely represented in modern linguistics. The problems of interpretation of verbal utterances, their use and abuse as determining the boundaries of power and control in the courtroom; the logic of communication in the courtroom and its conditioning by legal culture; the choice of narrative techniques in the process of interrogation aimed at obtaining a confession in a crime; the functions of textual and interpersonal metadiscourse in the implementation of argumentative strategies of lawyers are the subject of the collection of studies "Exploring Courtroom Discourse. The Language of Power and Control" by Anne Wagner and Le Cheng [Wagner, Cheng, 2011].]. The specific nature of verbal interaction in the trial became the subject of research by Kathleen Doty [Doty, 2010]. Some aspects of the perception of the language during judicial proceedings in the USA are investigated by Gail Stygall [Stygall, 2012].

The research by Seth William Wood [Wood, 2012] is devoted to the study of courtroom discourse as a verbal performance in the aspect of sociolinguistic interaction between the actors of the process [Wood, 2012]. Linguistic and stylistic aspects of courtroom discourse are explored in the papers by S. Susanto [2016], B.N. Aldosary and A. Khafaga [2020], M. Chen [2021], S. Roszkowski and G. Pontrandolfo [2022], A. Khafaga [2023], etc. All this being said, the studies mentioned here focus on the investigation of individual aspects of courtroom discourse, without touching upon the problems of its communicative integrity, manifested in the comprehensive consistency of its informational components.

The necessity (relevance) of studying courtroom discourse as a comprehensive information cluster, including interaction and subordination of its components, is explained by the need to identify the factors ensuring the effectiveness of the communication process, thus establishing the novelty of this research.

All of the above has determined *the aim* of our study, namely, to define the nature of courtroom discourse and its architectonics from the point of the information it contains, its arrangement and impact the audience. The aim was reached by using both general scientific (analysis, synthesis, systematisation, classification, induction, deduction) and strictly linguistic *methods* (random sampling and observation method, lexico-semantic and contextual analysis, interpretation of dictionary definitions). In addition, the method of sociolinguistic analysis of the corpus material was employed. It aims to explore the relationship between language and society.

Our initial *objectives* were threefold: to establish kinds of information the courtroom discourse is based on; to determine how the information is delivered and organised to strongly impact the recipients; to justify the notion of architectonics in using it for courtroom discourse.

The corpus material was the texts of the opening and closing speeches of prosecutors and defense lawyers at the two high-profile trials of 1999–2000 and 2021 (the Amadou Diallo Trials (1999–2000); the George Floyd Murder (Chauvin) Trial (2021). These two cases have been chosen because they caused and continue to cause a great deal of publicity and arguments.

What is information?

Since our topic is, inter alia, about information, we would like to briefly explain our understanding of the term. Though we are surrounded by information flows at home, at work, and everywhere, at present, there is no generally accepted definition of the term "information." "It is not a normal situation when the "information society" exists, but there is no a single prevalent understanding of the term "information" [Малишев, 2012, p. 166].

Here, Ackoff's model is worth mentioning. It is known as the Data-Information-Knowledge-Wisdom hierarchy (or DIKW for short). R.L. Ackoff links such concepts as data, information, knowledge, and wisdom together as stages of a single developmental process: "Data are symbols that represent the properties of objects and events. Information consists of processed data, the processing directed at increasing its usefulness… Like data, information also represents the properties of objects and events, but it does so more compactly and usefully than data. The difference between data and information is functional, not structural" [Ackoff, 1999].

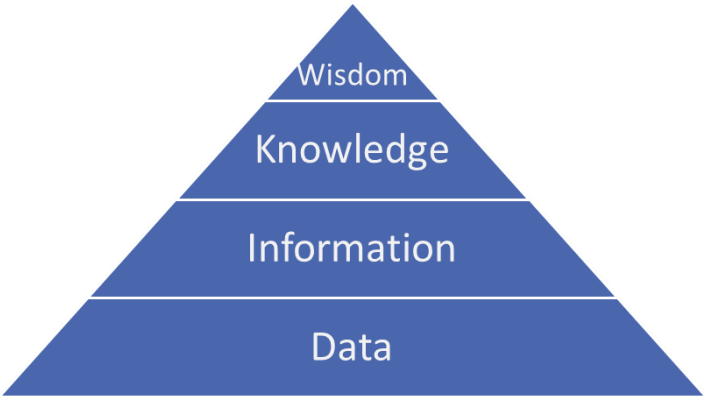

Fig. 1. The Data-Information-Knowledge-Wisdom hierarchy as a pyramid

Without diminishing the importance of his research, we may question the fundamental difference between data and information, and why it is that data is primary, and information is secondary. According to our perspective, the obtained data generates knowledge. Knowledge in turn generates understanding (or conscious awareness), on which depends the process of, we would say, further informing the recipients because information or informing is a description of something/someone *consciously* presented *in* a certain *form* [Малишев, 2012, p. 171], i.e. with the goal of influencing them. Therefore, knowledge and understanding are essential, and information is derived from them. And the wisdom (or lack thereof) of those who perceive information, and the mastery (or lack thereof) of those who communicate it, determine the end result.

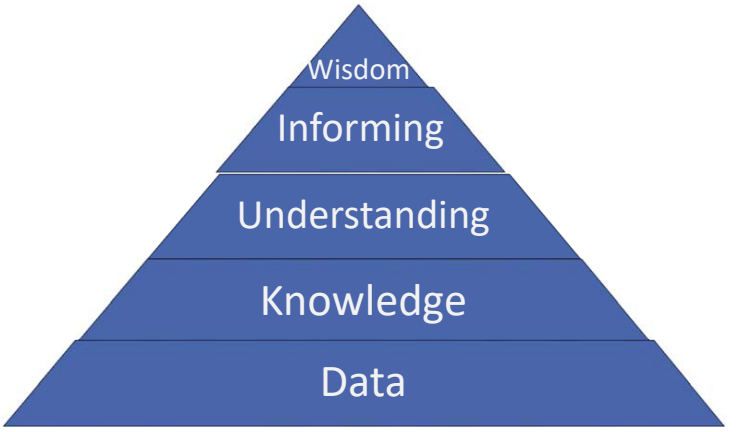

Fig. 2. The Data-Knowledge-Understanding-Informing-Wisdom hierarchy as a pyramid

Kinds of information

Abraham Moles in his study "Sociodynamics of Culture" [1967] draws a distinction between two kinds of information: semantic and aesthetic information, noting that the process of scientific communication always relies on influencing the reason (semantic information). On the contrary, most messages in the mass media, according to Moles, are based on influencing the recipients' emotions (aesthetic information). In other words, speakers use mass media in order to persuade recipients, and at the same time they persuade in order to "seduce" them, that is, in order to make them act in accordance with a certain value system. In today's information landscape, almost 60 years since Moles's study, scientific and mass media communication has changed considerably and is certainly more complex than what Moles outlines. However, we still find a distinction between semantic and aesthetic information useful, and these can be combined in the same discourse.

There is a popular adage "The crowd is persuaded not by reasoning, but by emotions". With the help of such influencing it is considered a success if 20% out of 100% of consumers who see the advert are interested in the product. By contrast, a lawyer has to convince the judge and virtually all the jurors to get the accused acquitted or even exonerated, and that is far exceeding 20%. Obviously, though many scholars speak about using a blend of logic and emotion [Duboff, Neufer, 2008], we believe it is not enough.

In criminal cases, lawyers find a way to introduce inflammatory evidence by appealing for instance to the prejudice of the participants of the trial – which may have been what happened to Sacco and Vanzetti.

This is the point at which we can talk about the emergence of the irrational. As we see it, the irrational is what in principle is unknowable and inaccessible to the mind, but rather relies on intuition and insight. One way to understand the concept of the irrational, which we concur with, is that it pertains to something that lies beyond the limits of reason. It represents a profound aspect of the human psyche that cannot be fully articulated through rational language. This interpretation aligns with the perspective of philosopher of religion Rudolf Otto [Otto, 1937].

The fact that humans, in essence, are predominantly irrational beings, as they are often not aware of the motives of their actions, makes it possible to assume that human behaviour is determined not by consciousness, but by the unconscious as something that is repressed, suppressed, forgotten, or ignored by the individual.

In the context of the above, we would like to bring up the issue that relying on the irrational perception is widely used in courtroom discourse. This is especially true for defense lawyers when there are no valid counterarguments to refute their opponents. But they find them and win. They win because, through the deliberate use of analogies and metaphors, they are able to generate new perspectives on the solution of complex problems. They use synectic information. Synectics integrates the creative potentials of diverse individuals, combining various concepts, things, and layers of reality, unifying emotional and intellectual, irrational and rational components, and fusing conscious and unconscious processes, left and right hemisphere activity, deliberate effort and free flight of imagination.

In sum, we will assume that communication in court affects the rational perception (semantic information, impact on the mind); the emotional perception (aesthetic information, impact on emotions); the irrational perception (synectic information, impact on the unconscious). Together, they mould an information cluster. This three-circle Venn diagram provides a more nuanced understanding of courtroom communication from our perspective. It is crucial to note that the actions of those involved in the process will be determined by the extent of impact or depth of penetration of resources of each kind of information.

Thus, the information that is to be communicated should be delivered and organised in such a way that it has the greatest possible impact on the recipients. This is where the term "architectonics" comes in.

The notion of architectonics

Increasingly, researchers in different branches of science are interested in the question of the so-called text "successfulness". What is an indicator of text effectiveness? How to increase the effectiveness of a text? Obviously, new angles of text material research are needed. Here we move on to the notion of architectonics.

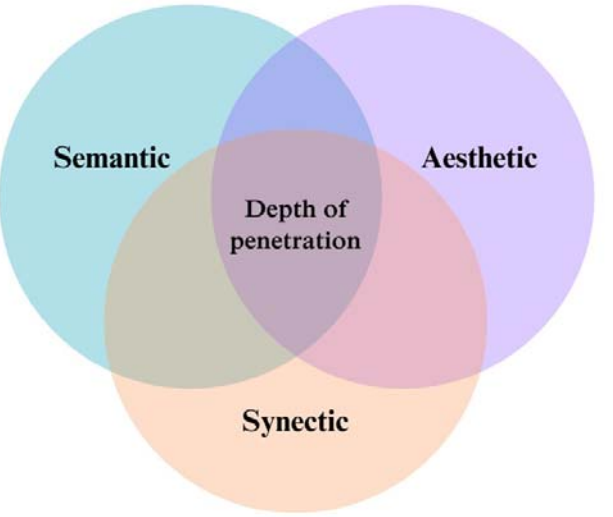

Fig. 3. The three-circle Venn diagram that presents kinds of information in courtroom discourse.

In this context, we should lay down a plausible definition of architectonics (from the Greek αρχιτεκτονικη – construction art, architecture; art of designing buildings) [Woodford, 2000].

To begin with, the term's origin dates back to Immanuel Kant, who differentiates between an architectonic unity of cognitions and a technical unity, in which the connections between the parts are not created randomly but are determined by a goal established a priori by reason. So, in the Critique of Pure Reason he speaks about the architectonic as the art of constructing systems [Kant, 1998, p.691]. And, architectonically from his standpoint means "…with a full guarantee for the completeness and certainty of all the components that comprise this edifice" [Kant, 1998, p. 150]. Technical unity is, in essence, composition. That which brings the text together, systematises it, "charges" it with meaning, and gives it power of influence, creating a system, a unity, will be the architectonic.

His ideas are further developed by Mikhail Bakhtin in his work "Issues of Literature and Aesthetics" who defines architectonics as the value-structure of an aesthetic object (in a literary work it is the world of the hero), perceived by the reader from the author's point of view and from this point of view representing the artistic form [Bakhtin, 1987]. Their vision aligns with our understanding of the concept. It is by this that architectonics differs from composition that involves the correlation of different parts within a piece of work, as well as the arrangement and interconnection of its components to create a cohesive whole. This entails dividing the speech into parts, determining the type of narration (whether from the author or a specific narrator), establishing the sequence of events (whether they follow a temporal structure or violate the chronological principle), introducing various descriptions into the narrative fabric, including the author`s reasoning and digressions, and grouping the participants.

In courtroom discourse, the role of the "aesthetic object" (as defined by M. Bakhtin) is the information transmitted in the process of communication in the courthouse and its perception by the addressee.

So, in this sense, the notion of architectonics implies to a certain degree the structure (organization) of perception of information transmitted in the process of communication in the courtroom and the addresser's mastery of constructing and arranging the discursive space into a complete whole – an organised information cluster. In this information cluster, let us distinguish three levels: 1) the level of rational perception (semantic information, impact on the mind (conscious); 2) the level of emotional perception (aesthetic information, impact on emotions); 3) the level of irrational perception (synectic information, impact on the unconscious).

So, the concept of architectonics is clarified as a coordinated, subordinate arrangement of blocks of discourse, determined by the overall goal of the author in relation to the communication and impact of information, and their connection to a complete whole that is not reducible to the sum of these parts.

In this aspect, the "composition" of courtroom discourse is a structure fixed at the ritual level, expressed by a sequence of actions (including acts of communication) actors of the court session.

It also implies an understanding of the author's personal relation to the topic under consideration. Just as architects consider mass and the forces of gravity that push and pull on a building, architectonics as a metaphor implies the invisible social forces, primarily in language, that surround and define addressees. These forces push and pull the recipients, and they are attracted to them or repelled away from them. So, it is socially and personally determined.

And we fully agree with Joél Paré who eloquently articulates the significance of the personal in architectonics: "In contrast to traditional writing, architectonic writing requires the writer to understand her relationship with the subject and to become personally engaged when writing about it in order to compose an architectonically sound and thus effective text" [Paré, 2007, p. 48]. It is necessary to add that in court, it is not only the sender of the speech who has to be personally involved, but also the listeners.

To conclude, the concept of architectonics is clarified as a coordinated and coherent arrangement of blocks of discourse, not reducible to the sum of these blocks, determined by the overall goal of the author in relation to the delivery and impact of information. Thus, architectonics entails, among other things, an implicit management of the content being transmitted to the audience.

Next, we will explore some of the specifics.

Architectonics of the discourse of prosecution

The Amadou Diallo Trials (1999–2000). Amadou Diallo was an immigrant who was shot and killed in the South Bronx by four undercover police after doing nothing more than catching a breath of fresh air late one night outside his apartment building. As Diallo stood on his front stoop, four police officers approached to ask him some questions. This act, and Diallo's responses, led to a rapid series of inferences based on false assumptions. The assumptions led the officers to open fire. Over forty shots later, they were stunned to discover that the gun they "saw" in Diallo's hand was nothing more than black wallet. How could that happen?

The prosecutor Mr. Warner starts describing the plaintiff using lexical means that have a common seme "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*** (Amadou Diallo Trial. Opening Statements) [Brown, 2024].

Then an abrupt twist takes place which is expressed by the word *dead*:

Less than an hour later, Amadou Diallo would be ***dead*** (Amadou Diallo Trial. Opening Statements) [Brown, 2024].

The culmination in the speech occurs when the prosecutor 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* (Amadou Diallo Trial. Opening Statements) [Brown, 2024].

Notably, the use of the phrase *conscious decision* is grounded by even a simple enumeration of the circumstances of the case: ***early morning – confined space – ocupied apartment building – home***. The recipients can visualise an early morning in an ordinary apartment block in a working-class neighbourhood, whose dwellers are common people. Repetition, firstly, will remain in the listeners' memory, secondly, it emotionally affects them. This can be identified as the second part of the speech.

In the third part, the prosecutor uses lexical means that have a common seme "evidence":

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… these four defendants, Kenneth Boss, Sean Carroll, Edward McMellon, and Richard Murphy killed Ahmed Diallo in* ***a hail of 41 bullets*** (Amadou Diallo Trial. Opening Statements). [Brown, 2024].

Subsequently, he again speaks about "evidence" in his closing argument:

Richard Murphy ***pulled the trigger of his nine millimeter pistol four times****. Kenneth Boss* ***pulled the trigger of his nine millimeter pistol five times****. Sean Carroll and Edward McMellon* ***pulled the triggers of their nine millimeter pistols 16 times each.*** *The shots were* ***fired at very close range from in front of the vestibule****. And* ***let us be absolutely clear****.* ***Each shot required a separate pull of the trigger****. 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*** (The Diallo Shooting Trial. Closing Arguments) [Brown, 2000].

Let us outline the aforementioned information using a structured approach. The first section aims to portray the victim as an ordinary man, while the second one provides proof of the officers' awareness and responsibilities. The third section presents conclusive evidence that eliminates the possibility of an acquittal. Each section can be seen as a component in architectonics where the information is revealed by using progressive disclosure. Figure 4 illustrates this.

Fig. 4. Architectonics of the discourse of prosecution (The Amadou Diallo Shooting Trial).

We believe that the prosecutor is appealing to both the rational (the "evidence" section) and emotional (the "simple life" section) faculties of the audience. The "conscious decision" section serves as a transitional bridge between "simple life" and "evidence" sections. His speeches display evident structural clarity, which appeals to the rational, as does the evidence component. The "simple life" component appeals to emotions. However, he fails to advance the further discussion in the form of the participants` inner dialogues and their self-talk. We think it is due to lack of personal involvement of all the parties. They maintain detachment, as they observe the process from the outside, from the periphery. Moreover, it may be so because he has not employed the resources of the irrational level or has used them inadequately. He has not provided the recipients with the opportunity to endure the situation or experience it.

The George Floyd Murder (Chauvin) Trial (2021). After the death of Mr. Floyd, protests erupted in at least 140 cities across the United States, and the National Guard was activated in at least 21 states [Taylor, 2021]. The court hearings took place under challenging circumstances. Finally, on April 20, the jury announced it had reached a verdict after ten hours of deliberation. Chauvin was found guilty on all three counts, making him the first white Minnesota police officer to be convicted of murdering a Black person. The prosecutor who succeeded in getting a conviction in this case was Jerry Blackwell. President Joe Biden nominated Blackwell as a U.S. District Judge for the District of

Minnesota more than a year after Blackwell had served as the lead Special Assistant Attorney General on the legal team that prosecuted Derek Chauvin for Floyd's murder [Levy, 2022].

We will now analyse how the prosecutor constructed his narrative.

He arranged it by creating cognitive dissonance in the jury and the judge. Cognitive dissonance is the psychological tension we feel as we try to reckon with two (or more) opposing pieces of information [Cooks-Campbell, 2022].

It is a powerful technique in terms of influencing the recipients: *public faith **and trust – betrayal.*** In this case, *the police badge* is a symbol of public faith and trust on the one hand and *unreasonable force* is a symbol of betrayal on the other hand. They become opposites (opposing pieces of information) thereby destroying the concept of public trust in the police that exists in the USA. In the prosecutor's interpretation, the badge as a symbol of trust and faith and using unreasonable force by a police officer who must protect citizens are two opposites; he creates contextual and conceptual antonyms. By conceptual antonym, we mean one that is used not only to articulate an expression but conveys an underlying and key idea. Here – these word combinations become the expression of the opposition between absolute faith and trust (the police badge) and betraying (using unreasonable force by the police officer):

***Symbol of public faith, ethics to police service, sanctity of life**, all of this matters tremendously to this case because you will learn that on May 25th of 2020, **Mr. Derek Chauvin betrayed this badge when he used excessive and unreasonable force** upon the body of Mr. George Floyd, that he put his knees upon his neck and his back grinding and crushing him until the very breath, no ladies and gentlemen, until the very life was squeezed out of him* (George Floyd Murder Trial. Opening Arguments) [Linder, 2021].

The cognitive mechanisms of this can be explained the following way: at trials, the opening speeches of the prosecutor and the defence lawyer are a brief outline of the story "swirling" around a certain event (crime). In this example, the usual structure is violated, so the presented communicative strategy of contraposition can be considered a means of expressing cognitive dissonance. In terms of the form of expression, it is expressed explicitly. The means of verbal explicit expression are, first, the noun "badge" as symbol of faith, and second, the description of the actions of the accused. So, the first block is about the badge and its meaning. In terms of semiotics, a symbol is a sign by which an agreement is reached between people that some real object will stand for something:

*It's **a small badge** that carries with it **a large responsibility and a large accountability to the public**. What does it stand for? It represents the **very motto of the Minneapolis Police Department, to protect with courage, to serve with compassion,** but it also represents the essence of the Minneapolis Police Department **approach to the use of force against its citizens when appropriate*** (George Floyd Murder Trial. Opening Arguments) [Linder, 2021].

The prosecutor then describes the state of Mr. Floyd, his sufferings:

*You will hear him say, "**Tell my kids I love them**". You will hear him say about his fear of dying, he says, "**I'll probably die this way. I'm through. I'm through. They're going to kill me. They're going to kill me, man**".*

*You will hear him crying out and you will hear **him cry out in pain, "My stomach hurts. My neck hurts. Everything hurts**". You will hear that for yourself, "**Please. I can't breathe. Please, your knee on my neck"*** (George Floyd Murder Trial. Opening Arguments) [Linder, 2021].

The speaker then introduces the third block (the "evidence" block) to refute the defendant's innocence. The aim of this block is to ultimately persuade the audience of the defendant's guilt:

*Chauvin **never moves. The knee remains on his neck**. **Sunglasses remain undisturbed on his head** and it just goes on.*

*He has to check him for a pulse you'll see, with **Mr. Chauvin continuing to remain on his body** at the same time, **doesn't get up even when the paramedic comes to check for a pulse and doesn't find one, Mr. Chauvin doesn't get up*** (George Floyd Murder Trial. Opening Arguments) [Linder, 2021].

So, the third section presents conclusive evidence that purport to eliminate the possibility of an acquittal:

We plan ***to prove to you beyond a reasonable doubt that Mr. Chauvin was anything other than innocent*** *on May 25th of 2020* (George Floyd Murder Trial. Opening Arguments) [Linder, 2021].

Again, as in the first case, the speech is well and clearly structured. Also, as in the first case, the speech can be analysed as a number of consecutive components in architectonics where the information is revealed by using progressive disclosure: i) the police badge as a symbol of people`s faith and trust, ii) Mr. Floyd`s sufferings, iii) evidence. See Figure 5.

However, between the architectonics of the prosecutor's speech in the first case and this one, there are obvious differences. No doubt, the "evidence" component appeals to the rational as in the first trial, whereas the other two components appeal both to the emotional and irrational (aesthetic information and synectic one). A heartbreaking myth has been created about Mr Floyd as a loving son to his mother and to his children, the more ridiculous it is that he died for $20:

George Floyd was surrounded by ***people he cared about and who cared about him throughout his life****… But* ***he died facedown on the payment****, right at 38th and Chicago in Minneapolis.*

The police response was for what? This was a ***call about a counterfeit $20 bill*** (Derek Chauvin Trial. Prosecution closing argument) [Wamsley, 2021].

The cognitive dissonance, based on contrasting assessments of the Americans' trust with Mr. Chauvin's betrayal of their faith, and effectively played its affective role. This is also the focus of his closing statement:

It may ***be hard for you to imagine any police officer doing this****. Imagining* ***an officer committing a crime may be the most difficult thing*** *you have to set aside as you consider this case* (Derek Chauvin Trial. Prosecution closing argument) [Wamsley, 2021].

The facts presented by the prosecutor served as successful attention grabbers and succeeded in resonating with the audience on a personal level. See Figure 5.

Fig. 5. Architectonics of the discourse of prosecution (The George Floyd Murder (Chauvin) Trial).

Architectonics of the discourse of defense

The Amadou Diallo Trials (1999–2000). The way the attorneys (there are four of them) arrange the discourse space contrasts with the aforementioned example. There is no clear logical construction in their narratives, because they appeal to the audience's emotions, intuition and insight, rather than their reasoning. They actively exploit cognitive biases presumably because many people are susceptible to them. We rely on the views of scientists who say that "…evidence shows such biases are in fact pervasive" and have "affective influences" [Gärling, Kirchler et al., 2009].

The attorneys describe their defendants as good cops, who have children and wives, who protect citizens. On the contrary, the young man looks suspicious and makes them doubt. The dilemma arises – should they react or not, considering their duty to protect others? The answer is obvious – the police officers react. Then, the attorneys conclude that a tragedy happened therefore the officers are innocent.

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***

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 …*** (The Diallo Shooting Trial. Opening Statements) [Brown, 2024].

The attorneys mention similar cases when police officers failed to react in time, which led to an unfortunate result because one policeman was left paralysed and another was killed. They escalate the situation using "an availability cascade" cognitive bias. This kind of bias is often exploited, for example, by marketers, politicians and PR specialists. Its effect is based on the fact that the recipient is already prepared for the perception of the next portion of allegedly confirmed arguments, which will be more difficult to resist:

Members of the jury, you are going to hear about crime in the south Bronx, the Soundview section of the Bronx, ***one of the most dangerous neighborhoods in New York City. You are going to hear about robberies and rapes and drug dealing and a lot about illegal guns. You are going to hear about police officers shot and killed, including an officer named Kevin Gillespie****, a member of the Street Crime Unit* ***whose locker was kept as kind of a monument about three lockers away from Sean Carroll's, and an officer named Stephen McDonald, who is now a paraplegic*** (The Diallo Shooting Trial.Opening Statements) [Brown, 2024].

Mr. Diallo appeared suspicious when they happened to drive past his building. His "suspicious actions" were influenced by racial biases – a form of implicit bias, which refers to the attitudes or stereotypes that affect an individual's understanding, actions, and decisions in an unconscious manner:

Why ***he was acting that way*** *I have no idea. A* ***civilian witness will testify*** *that* ***he was acting suspicious, peeking in and out of that vestibule****.*

What the evidence shows is that all four of ***these officers independently felt the need to shoot – both to protect themselves and to protect one another****.*

Members of the jury, the evidence will show that these ***police officers honestly and reasonably believed*** *that* ***they were confronting an armed criminal*** *in the vestibule that night.*

He went through every body motion and conveyed with every nonverbal cue that ***he had a gun****. Why* ***didn't he talk*** *to them? Why* ***didn't he stop****? Why* ***did he reach into his pocket****? Why* ***did he turn his back to them****? When* ***that man turned around****, that was it.* ***You can't ask them to stand around*** *and* ***get blasted away*** (The Diallo Shooting Trial.Opening Statements) [Brown, 2024].

Conclusions:

A mistake happened*.* ***A mistake caused by fear, fear of losing your life, fear that your colleagues had been shot, fear of having to make a decision in a split second****, a split second,* ***whether to shoot in defense of yourself and your colleagues or take the risk of being shot yourself. This is a tragedy, not a crime.***

They have lost sight of the fact that in certain ways ***this accident was inevitable****. I'm not talking about* ***fate****, but I am talking about* ***destiny****. I am talking about* ***conditions that would make this kind of accident destined to happen*** *and that would take good officers like Boss, Carroll and McMellon and Murphy and* ***put them in a no-win situation*** *in a dimly lit vestibule*.

This is a ***case about five good men*** *and* ***one of them is Amadou Diallo.***

Mr. Diallo broke no laws*,* ***he did nothing wrong****. This is a* ***tragedy, not a crime*** (The Diallo Shooting Trial. Opening Statements) [Brown, 2024].

In their closing arguments, they reiterate this message "tragedy, not a crime" by simply paraphrasing it. For instance, Attorney John Patten delivering his closing argument on behalf of his client, Sean Carroll, refers to it as *"…clearly a terrible, terrible sad accident and mistake…" (The Diallo Shooting Trial. Closing Arguments*) [Brown, 2000]. Attorney Stephen Worth on behalf of his client, Edward McMellon, in his closing argument defines all those terrible events as *"a unique set of circumstances"*which *"…did take place on February 4th,1999 and a tragedy resulted"****(The Diallo Shooting Trial. Closing Arguments)*** [Brown, 2024].

In contrast with the structure of the discursive space arranged by the prosecution, we argue that the discursive space of the defense in the Amadou Diallo Trial is structured by 3 blocks pointing to a main theme or idea at the center. See Figure 6.

Fig. 6. Architectonics of the discourse of defense (The Amadou Diallo Trials).

The defendants are depicted as commonplace individuals who possess a propensity for committing errors. Likewise, the participants are unremarkable individuals. As a result, they can better empathise with the same flaws that typical people have. The lawyers have engaged the audience on a personal level, since everyone, deep down, can acknowledge their past slip-ups, albeit not as grave as those of the people on trial.

Defense lawyers can be compared to musicians in an orchestra, each playing a unique instrument, but ultimately, they are subordinate to and pursue a common goal – to prove that it was a lamentable turn of events, rather than a criminal offence. The defense lawyers have created a touching myth. It's known that the term "narrative" is the same as the word "myth".

The George Floyd Murder (Chauvin) Trial (2021). The defense lawyer also designs the architectonics of his discursive space by creating certain blocks united by a leitmotif. We have identified the following blocks: Cup Foods, the Mercedes-Benz, Squad 320 and Hennepin County Medical Center.

1) Cup Foods: *Mr. Floyd* ***as drunk and that he could not control himself. He's not acting right.*** *He's* ***six to six and a half feet tall****.*

2) the Mercedes-Benz:*Mr. Floyd* ***put drugs in his mouth*** *in an effort* ***to conceal them from the police****.*

3) Squad 320: *You will see that three Minneapolis* ***police officers could not overcome the strength of Mr. Floyd****.* ***Mr. Chauvin stands five foot nine, 140 pounds. Mr. Floyd is 6,3, weighs 223 pounds.***

4) Hennepin County Medical Center: ***Dr. Baker found none*** *of what are referred to as* ***the telltale signs of asphyxiation. There were no bruises*** *to Mr. Floyd's neck, either on his skin, or after peeling his skin back to the muscles beneath.* ***There was no petechial hemorrhaging. There was no evidence that Mr. Floyd's airflow was restricted****, and he did* ***not determine to be a positional or mechanical asphyxia death*** (Derek Chauvin Trial. Defense opening statement) [Linder, 2021].

Aside from numerous details, the victim, according to the defense lawyer, appears to be a big brat who was hiding drugs from the police and resisting arrest violently. The cause of his death was most likely his lifestyle, not the actions of the police officer. No mention of the accused's life, family. Not a single word. Though, it is worth noting that in the Amadou Diallo case, the lawyers for the police officers crafted a compelling narrative for each of the defenendants.

As can be seen from the factual data, D. Chauvin`s defense lawyer employs transgression in the main block.

The range of perceptions of transgression is quite broad: the movement of contestation [Gregg, 1994, p. 67]; the blurring of familiar boundaries [Bataille, 2012, p. 65]; revolt, rebellion, epatage [Fillol, 2008]; and even its 'hype' [Foley, McRobert, Stephanou, 2012, p. xii]; "going beyond the framework of the established" [Miles, 2017]. There is also a definition of transgression as deception [Talwar, Lee, 2002].

Since we explored this phenomenon earlier, we can refer to our definition of "transgression not only as a process, a phenomenon, but also as a tactical communicative technique, implemented in violation of established norms of communicative behavior and aimed at challenging the opponent or other types of communicative influence in the strategic goal" [Zaitseva, Pelepeychenko, 2022, p. 612].

In this article, we want to analyse transgression from a slightly different angle – in terms of its effect on the addressee, by juxtaposing it, for example, with the transgression availed by the defense lawyer in the Casey Anthony trial in 2011. Jose Angel Baez actively attacks the prosecutor, proving her unprofessionalism. This attack is the essence of the transgression because the defense lawyer exceeds his authority to some extent, goes beyond the usual communication behavior of defense lawyers in court. Thus, the purpose of the transgression is a kind of mockery of the actions of the prosecution, the means of expression of which is the tactic of contraposition: all conditions for collecting evidence but there is no result. The defense lawyer also applies this phenomenon to create the effect of epatage when he states that Casey Anthony was forced to have an intimate relationship with her father and possibly her elder brother. Though, her defense lawyer was forbidden to mention this assertion later due to the total unproven nature of this claim, but he managed to cause intrigue and even hype (Foley, McRobert, Stephanou 2012: xii). In the duel between the narratives of the defense lawyer and the prosecutor in this case, the first interpretation, based on transgression, won [Zaitseva, Pelepeychenko, 2022, pp. 621–622]. This is an example of constructive transgression that helps the addresser achieve his or her goal.

Given the various points just made, we can state that this block is based on the phenomenon of transgression. It expresses "reasonable doubt and common sense" as the core message of the defense:

Proof beyond a reasonable doubt**. Here's the definition that the judge just read you, "**Proof beyond a reasonable doubt is such proof as ordinary prudent men and women would act upon in their most important affairs. A reasonable doubt** is a doubt that **is based upon reason and common sense (Derek Chauvin Trial. Defense closing argument) [Wamsley, 2021].

Hence, he cast doubt on the credibility of the prosecution's expertise and spoke of prosecutorial bias in his closing statement, setting out a chain of ***not honest – a bias***:

*So take the time and **conduct an honest assessment of the facts of this case**, compare it to the law as the judge instructs you, and the entirety of the law.*

*How could he have been asphyxiated at the hospital with a 98% oxygen level? But **that's not intellectually honest**.*

*Remember at the beginning of my remarks I asked **you to perform an honest assessment of all of the evidence in the case**… I want to illustrate how I think that **these demonstrate a bias**, because you still **have to consider an expert witness in the context of bias*** (Derek Chauvin Trial. Defense closing argument) [Wamsley, 2021].

Consequently, he asserts that the prosecutor's evidence is implausible, arguing that Floyd's lifestyle rendered him inevitably destined for death:

The evidence** will show that **Mr. Floyd died of a cardiac arrhythmia that occurred as a result of hypertension, his coronary disease, the ingestion of methamphetamine and fentanyl, and the adrenaline flowing through his body, all of which acted to further compromise an already compromised heart (Derek Chauvin Trial. Defense opening statement) [Linder, 2021].

Although, as the prosecutor rightly said, Mr. Floyd could have lived a lot longer:

But none of this caused George Floyd's heart to fail. *It did not.* ***His heart failed because the defendant's use of force,*** *the 9:29,* ***that deprived Mr. Floyd of the oxygen that he needed, that humans need, to live*** (Derek Chauvin Trial. Prosecution closing argument) [Wamsley, 2021].

More generally, in this trial, transgression turned out to be disruptive. See Figure 7:

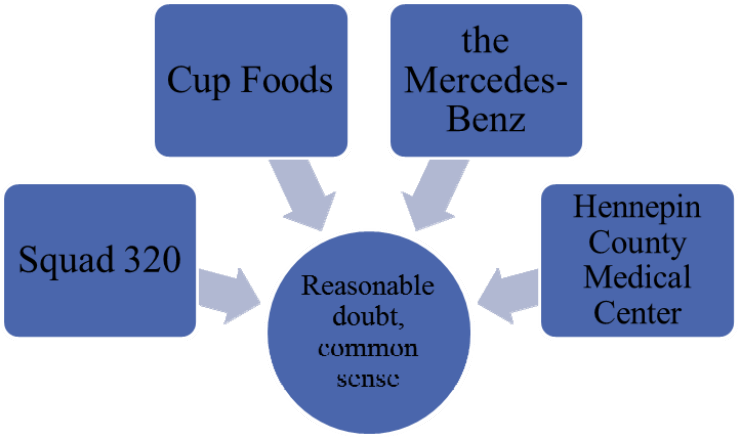

Fig. 7. Architectonics of the discourse of defense (The George Floyd Murder (Chauvin) Trial).

As in the defense of the previous case, the information is conveyed through architectonics where components all point to a main idea. However, no personal attitude was introduced into the architectonics of the defense discourse, nor was a myth created. As noted above, the notion of architectonics implies to some extent the art of creating a unified whole, which is lacking in this example presented.

Conclusions

It has been established that communication in court, in terms of its focus on the effective exchange of various kinds of information, affects the following: a) the rational perception (semantic information, impact on the mind); b) the emotional perception (aesthetic information, impact on emotions); c) the irrational perception (synectic information, impact on the unconscious) that form an information cluster. It has been shown for the first time that the effectiveness of the communication process in court is determined by the extent of impact or depth of penetration of resources of each kind of information.

The concept of architectonics is clarified as a certain a coordinated and coherent arrangement of blocks of discourse, not reducible to the sum of these blocks, determined by the overall goal of the author in relation to the delivery and impact of information. It is emphasised that the architectonics of discourse affects and implicitly manages the process of audience's perception of its content.

The research also first confirms that the architectonics of the prosecution discourse is constructed through progressive disclosure. Conversely, the discursive space of the defense is organised through the visualisation of a narrative, with the main theme, idea, or concept at its center. The topics that provide explanation are arranged around it. Such concept of architectonics based on the principle of mindmapping gives unlimited scope to the creativity of the legal professional to set up the necessary chains of association. It is necessary to mention that personal attitudes should be introduced into the architectonics of courtroom discourse as well as a myth created. This also determines, among other things, the success of courtroom discourse.

The classification of types of transgression based on their impact on the recipients has been supplemented, namely, constructive and disruptive ones.

The study shows promise as it would be intriguing to explore this issue from the perspective of the evolution of the architectonics of courtroom discourse.

Adherence to Ethical Standards

The research does not violate ethical standards because the transcripts and videos of the court hearings that served as material for the analysis are in the public domain.

Bibliography

Малишев, О.В. (2012). Інформація як свідомий феномен. *Математичні машини і системи*, 3, 166-177

Ackoff, R.L. (1989). From Data to Wisdom. *Journal of Applies Systems Analysis*, 16, 3-9.

Ackoff, R.L. (1999). *Ackoff's Best*. New York: John Wiley & Sons.

Aldosary, B.N., Khafaga, A. (2020). The Language of Persuasion in Courtroom Discourse: A Computer-Aided Text Analysis. *International Journal of Advanced Computer Science and Applications*, 11 (7), 332-340. DOI: https://doi.org/10.14569/IJACSA.2020.0110744

Bakhtine, M. (1987). *Esthétique et théorie du roman* (Transl. by D. Olivier). Paris: Gallimard.

Bataille, G. (2012). *Eroticism*. London: Penguin Classics.

Brown, I. (Ed.). (2000). The Diallo Shooting Trial. Closing Arguments. *CourtTV*. Retrieved from https://www.courttv.com/trials/ny-v-boss-et-al-2000/

Brown, I. (Ed.). (2024). Amadou Diallo Trial. Opening Statements in Diallo Case. *CourtTV*. Retrieved from https://www.courttv.com/title/1-ny-v-boss-et-al-opening-statements/

Chen, M. (2021). Is courtroom discourse an 'oral' or 'literate' register? The importance of sub-register. *Discourse Studies*, 23 (3), 249-273. DOI: https://doi.org/10.1177/1461445620982097

Cooks-Campbell, A. (2022). What is cognitive dissonance and how do you reduce it? *Better Up*. Retrieved from https://www.betterup.com/blog/cognitive-dissonance

Doty, K. (2010). Courtroom Discourse. In A. Jucker, I. Taavitsainen (Eds.). *Historical Pragmatics* (pp. 621-650). Berlin: De Gruyter Mouton. DOI: https://doi.org/10.1515/9783110214284.7.621

Duboff, R., Neufer, N. (2008). Scoping the juror's head: What's going on in there? *The National Law Journal.* Retrieved from https://hawkpartners.com/trial-consulting/scoping-the-jurors-head-whats-going-on-in-there/

Fillol, Ch. (2008). Ambivalence of transgression: building on Michel Foucault's approach of power in organization. *Academy of Management*. Retrieved from https://shs.hal.science/halshs-00340614v1

Foley, M., McRobert, N., Stephanou, A. (Eds.). (2012). *Transgression and Its Limits*. Cambridge: Cambridge Scholars Publishing.

Gärling, T., Kirchler, E., Lewis, A., van Raaij, F. (2009). Psychology, Financial Decision Making, and Financial Crises. *Psychological Science in the Public Interest*, 10 (1), 1-47. DOI: https://doi.org/10.1177/1529100610378437

Gregg, J. (1994). *Maurice Blanchot and the Literature of Transgression*. Princeton: Princeton University Press.

Kant, I. (1998). *Critique of Pure Reason*. Cambridge: Cambridge University Press.

Khafaga, A. (2023). Strategic lexicalization in courtroom discourse: A corpus-assisted critical discourse analysis. *Cogent Arts & Humanities*, 10 (1), Article 2217585. DOI: https://doi.org/10.1080/23311983.2023.2217585

Levy, A. (2022). Special Prosecutor Who Helped Secure Conviction of Derek Chauvin Sworn In as Federal Judge. *Law&Crime.* Retrieved from https://lawandcrime.com/high-profile/special-prosecutor-who-helped-secure-conviction-of-derek-chauvin-sworn-in-as-federal-judge/

Linder, D.O. (Ed.). (2021). Opening Arguments in the George Floyd Murder (Chauvin) Trial. *UMKC School of Law*. Retrieved from https://www.famous-trials.com/george-floyd/2718-opening-arguments-in-the-george-floyd-murder-chauvin-trial

Miles, E. (2017). On Transgression. *International Studies Quarterly*, 61, 4, 786-794. DOI: https://doi.org/10.1093/isq/sqx065

Moles, A.A. (1967). *Sociodynamique de la culture*. Paris: Mouton.

Otto, R. (1937). *Religious Essays: A Supplement to "The Idea of the Holy"*. London: Oxford University Press.

Paré, J. (2007). Writing architectonically: Applying Bakhtin's architectonics to composition. *CCTE Studies*, 1 (1), 47-53.

Roszkowski, S., Pontrandolfo, G. (Eds.). (2022). *Law, Language and the Courtroom: Legal Linguistics and the Discourse of Judges*. London: Routledge.

Spolin, A. (2023). How to win a criminal trial – top California trial lawyers explain. *SD Spolin & Dukes*. Retrieved from https://www.spolinlaw.com/criminal-defense/how-to-win-a-criminal-trial/

Stygall, G. (2012). Discourse in the US Courtroom. In L.M. Solan, P.M. Tiersma (Eds.). *The Oxford Handbook of Language and Law* (pp. 369-380). Oxford: Oxford University Press.

Susanto, S. (2016). Language in Courtroom Discourse. In M. Usman (Ed.). *Proseedings of the Fourth International Conference on Education and Language* (pp. 26-31). Bandar Lampung: Bandar Lampung University.

Talwar, V., Lee, K. (2002). Development of lying to conceal a transgression: Children's control of expressive behaviour during verbal deception. *International Journal of Behavioral Development*, 26 (5), 436-444. DOI: https://doi.org/10.1080/01650250143000373

Taylor, D.B. (2021). George Floyd Protests: A Timeline. *The New York Times*. Retrieved from https://www.nytimes.com/article/george-floyd-protests-timeline.html

Visoi, M.-A. (2014). *Transgression, Stylistic Variation and Narrative Discourse in the Twentieth Century Novel*. Cambridge: Cambridge Scholars Publishing.

Wagner, A., Cheng, L. (Eds.). (2011). *Exploring Courtroom Discourse. The Language of Power and Control*. Burlington: Ashgate Publishing Company.

Wamsley, L. (Ed.). (2021). Chauvin trial: Closing arguments. *NPR News*. Retrieved from https://www.youtube.com/watch?v=fEeHSim7AtU&rco=1

Wood, S.W. (2012). *Courtroom Discourse as Verbal Performance: Describing the Unique Sociolinguistic Situation of the American Trial Courtroom*. Provo: Brigham Young University Publ.

Woodford, K. (Ed.). (2000). *Cambridge Dictionary*. Cambridge: Cambridge University Press.

Zaitseva, M., Pelepeychenko, L. (2022). Transgression as a Communication Tool of Influence in American Courtroom Discourse. *Rasprave*, 48 (2), 609-630. DOI: https://doi.org/10.31724/rihjj.48.2.10

ARCHITECTONICS OF AMERICAN COURTROOM DISCOURSE: AN IMPLICIT WAY OF CONTENT MANAGEMENT

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Key words: *information cluster, architectonics, courtroom discourse, discursive space, cognitive dissonance, transgression.*

The article examines the specificity of courtroom discourse as a communicative integrity, which is manifested in the comprehensive coherence of its information components. The proposed paper significantly contributes to the existing studies on the linguistics of courtroom discourse, focusing on the study of its architectonics, a problem that is currently on the periphery of researchers' scientific interests. The necessity (relevance) of studying courtroom discourse as a comprehensive information cluster, including interaction and subordination of its components, is explained by the need to identify the factors ensuring the effectiveness of the communication process. All this determines the novelty of the research.

The aim of our study is to define the nature of courtroom discourse and its architectonics from the point of the information it contains, its arrangement, and its impact on the audience. To achieve this aim, both general scientific *methods* (analysis, synthesis, systematisation, classification, induction, deduction) and strictly linguistic *methods* (random sampling and observation, lexical-semantic and contextual analysis, interpretation of dictionary definitions) were used. In addition, the method of sociolinguistic analysis of the corpus was employed to study the interdependence between language and society.

The aim has led to the following objectives: to establish kinds of information the courtroom discourse is based on; to determine the way of how it is delivered and organised to strongly impact the recipients; to justify the notion of architectonics in using it to courtroom discourse.

The corpus material was the texts of the opening and closing speeches of prosecutors and defense lawyers at the two high-profile trials of 1999 – 2000 and 2021 (the Amadou Diallo Trial (1999–2000); the George Floyd Murder (Chauvin) Trial (2021).

The findings of the study were as follows:

It has been established that communication in court, in terms of its focus on the effective exchange of various kinds of information, affects the following: a) the rational perception (semantic information, im-

pact on the mind); b) the emotional perception (aesthetic information, impact on emotions); c) the irrational perception (synectic information, impact on the unconscious) that form an information cluster. It has been shown for the first time that the effectiveness of the communication process in court is determined by the extent of impact or depth of penetration of resources of each kind of information.

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References

Ackoff, R.L. (1989). From Data to Wisdom. *Journal of Applies Systems Analysis*, vol. 16, pp. 3-9.

Ackoff, R.L. (1999) Ackoff's Best. New York, John Wiley & Sons, 368 p.

Aldosary, B.N., Khafaga, A. (2020). The Language of Persuasion in Courtroom Discourse: A Computer-Aided Text Analysis. *International Journal of Advanced Computer Science and Applications*, vol. 11, issue 7, pp. 332-340. DOI: https://doi.org/10.14569/IJACSA.2020.0110744

Bakhtine, M. (1987). Esthétique et théorie du roman (Transl. by D. Olivier). Paris, Gallimard, 496 p.

Bataille, G. (2012). Eroticism. London, Penguin Classics, 320 p.

Brown, I. (ed.). (2000). The Diallo Shooting Trial. Closing Arguments. *CourtTV*. Available at: https://www.courttv.com/trials/ny-v-boss-et-al-2000/ (Accessed 28 October 2024).

Brown, I. (ed.). (2024). Amadou Diallo Trial. Opening Statements In Diallo Case. *CourtTV*. Available at: https://www.courttv.com/title/1-ny-v-boss-et-al-opening-statements/ (Accessed 28 October 2024).

Chen, M. (2021). Is courtroom discourse an 'oral' or 'literate' register? The importance of sub-register. *Discourse Studies*, vol. 23, issue 3, pp. 249-273. DOI: https://doi.org/10.1177/1461445620982097

Cooks-Campbell, A. (2022). What is cognitive dissonance and how do you reduce it? *Better Up*. Available at: https://www.betterup.com/blog/cognitive-dissonance (Accessed 28 October 2024)

Doty, K. (2010). Courtroom Discourse. In A. Jucker, I. Taavitsainen (eds.). Historical Pragmatics. Berlin, De Gruyter Mouton, pp. 621-650. DOI: https://doi.org/10.1515/9783110214284.7.621

Duboff, R., Neufer, N. (2008). Scoping the juror's head: What's going on in there? *The National Law Journal.* Available at: https://hawkpartners.com/trial-consulting/scoping-the-jurors-head-whats-going-on-in-there/ (Accessed 28 October 2024).

Fillol, Ch. (2008). Ambivalence of transgression: building on Michel Foucault's approach of power in organization. *Academy of Management*. Available at: https://shs.hal.science/halshs-00340614v1 (Accessed 28 October 2024).

Foley, M., McRobert, N., Stephanou, A. (eds.). (2012). Transgression and Its Limits. Cambridge, Cambridge Scholars Publishing, 220 p.

Gärling, T., Kirchler, E., Lewis, A., van Raaij, F. (2009). Psychology, Financial Decision Making, and Financial Crises. *Psychological Science in the Public Interest*, vol. 10, issue 1, pp. 1-47. DOI: https://doi.org/10.1177/1529100610378437

Gregg, J. (1994). Maurice Blanchot and the Literature of Transgression. Princeton, Princeton University Press, 256 p.

Kant, I. (1998). Critique of Pure Reason. Cambridge, Cambridge University Press, 798 p.

Khafaga, A. (2023). Strategic lexicalization in courtroom discourse: A corpus-assisted critical discourse analysis. *Cogent Arts & Humanities*, vol. 10, issue 1, Article 2217585. DOI: https://doi.org/10.1080/23311983.2023.2217585

Levy, A. (2022). Special Prosecutor Who Helped Secure Conviction of Derek Chauvin Sworn In as Federal Judge. *Law&Crime.* Available at: https://lawandcrime.com/high-profile/special-prosecutor-who-helped-secure-conviction-of-derek-chauvin-sworn-in-as-federal-judge/ (Accessed 28 October 2024).

Linder, D.O. (ed.). (2021). Opening Arguments in the George Floyd Murder (Chauvin) Trial. *UMKC School of Law*. Available at: https://www.famous-trials.com/george-floyd/2718-opening-arguments-in-the-george-floyd-murder-chauvin-trial (Accessed 28 October 2024).

Malyshev, O.V. (2012). *Informatsiia yak svidomyi fenomen* [Information as a conscious phenomenon]. *Mathematical Machines and Systems*, vol. 3, pp. 166-177.

Miles, E. (2017). On Transgression. *International Studies Quarterly*, vol. 61, issue 4, pp. 786-794. DOI: https://doi.org/10.1093/isq/sqx065

Moles, A.A. (1967). Sociodynamique de la culture. Paris, Mouton, 343 p.

Otto, R. (1937). Religious Essays: A Supplement to "The Idea of the Holy". London, Oxford University Press, 162 p.

Paré, J. (2007). Writing architectonically: Applying Bakhtin's architectonics to composition. *CCTE Studies*, vol. 1, issue 1, pp. 47-53.

Roszkowski, S., Pontrandolfo, G. (eds.). (2022). Law, Language and the Courtroom: Legal Linguistics and the Discourse of Judges. London, Routledge, 268 p.

Spolin, A. (2023). How to win a criminal trial – top California trial lawyers explain. *SD Spolin & Dukes*. Available at: https://www.spolinlaw.com/criminal-defense/how-to-win-a-criminal-trial/ (Accessed 28 October 2024).

Stygall, G. (2012). Discourse in the us Courtroom. In L.M. Solan, P.M. Tiersma (eds.). The Oxford Handbook of Language and Law. Oxford, Oxford University Press, pp. 369-380. DOI: https://doi.org/10.1093/oxfordhb/9780199572120.013.0027

Susanto, S. (2016). Language in Courtroom Discourse. In M. Usman (ed.). Proseedings of the Fourth International Conference on Education and Language. Bandar Lampung, Bandar Lampung University, pp. 26-31.

Talwar, V., Lee, K. (2002). Development of lying to conceal a transgression: Children's control of expressive behaviour during verbal deception. *International Journal of Behavioral Development*, vol. 26, issue 5, pp. 436-444. DOI: https://doi.org/10.1080/01650250143000373

Taylor, D.B. (2021). George Floyd Protests: A Timeline. *The New York Times*. Available at: https://www.nytimes.com/article/george-floyd-protests-timeline.html (Accessed 28 October 2024)

Visoi, Marie-Anne. (2014). Transgression, Stylistic Variation and Narrative Discourse in the Twentieth Century Novel. Cambridge, Cambridge Scholars Publishing, 140 p.

Wagner, A., Cheng, L. (eds.). (2011). Exploring Courtroom Discourse. The Language of Power and Control. Burlington, Ashgate Publishing Company, 286 p.

Wamsley, L. (ed.). (2021). Chauvin trial: Closing arguments. *NPR News*. Available at: https://www.youtube.com/watch?v=fEeHSim7AtU&rco=1 (Accessed 28 October 2024).

Wood, S.W. (2012). Courtroom Discourse as Verbal Performance: Describing the Unique Sociolinguistic Situation of the American Trial Courtroom. Provo, Brigham Young University Publ, 98 p.

Woodford, K. (ed.). (2000). Cambridge Dictionary. Cambridge, Cambridge University Press, 1550 p.

Zaitseva, M., Pelepeychenko, L. (2022). Transgression as a Communication Tool of Influence in American Courtroom Discourse. Rasprave, vol. 48, issue 2, pp. 609-630. DOI: https://doi.org/10.31724/rihjj.48.2.10