



LINGUISTIC CHARACTERISTICS OF DEFENSE SPEECH OF ENGLISH AND UZBEK MALE LAWYERS

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Annotation

This article examines the specific aspects of juridical rhetoric, that is, the activity of men in the judicial system and the uniqueness of their defense speeches are linguistically analyzed, and the advantages and/or disadvantages of the speech of male lawyers are highlighted through examples.

Key words: rhetoric, male speech, male lawyers, linguistics, juridical rhetoric;

If we analyze the nature of gender in juridical rhetoric from the point of view of linguistics, we can see certain specific aspects. For example, differences in the choice of prosodic tools, words, and grammatical forms can be a sufficient basis for determining the speech styles of men and women. So, if we focus on the disparities in the speech of male and female representatives, men and women use language differently. The existence of male and female speech styles is a linguistic reflection of social relations, which means that men have exerted more effort in society until now, and the trend is still strong. It is no exaggeration to say that the verbal behavior of men is aggressive enough to demonstrate a dominant position. Women are given a subordinate role both at work and at home, and women's speech strategies are more cooperative and less aggressive. Below are examples of defense speech.

Good afternoon, ladies and gentleman (мурожаат). My name is Larry Lawyer, and I am representing the plaintiff, Jessica Smith. We are here today to decide if the defendant, John Smythe, is liable for damages caused to Ms. Smith's vehicle as a result of a car accident that took place on June 15, 2003¹.

In the given defense speech, we can see that the introduction uses simple words and does not use any figurative language. On the basis of economy, the lawyer simply expressed who is the plaintiff and who is the defendant and who is defending. Since the case in question is not a major crime and is an administrative crime, the lawyer is more focused on accuracy and economy of words.

I speak, therefore, **not the language of exaggeration**, but the words of truth and soberness, that the future political welfare and liberties of all men hang trembling **on the decision of the hour**². (Shuning uchun men mubolag'a tili bilan emas, balki haqiqat va hushyorlik so'zlari bilan aytamanki, kelajakdagi barcha insonlarning siyosiy farovonligi va erkinliklari **soat qaroriga** qarab qaltiraydi.)

This speech is rich in figurative language and phrases.....**on the decision of the hour** if we look at the usage of this phrase, we can observe that the clock does not decide, and by this

¹ <https://lawshelf.com/coursewarecontentview/opening-statements-burdens-of-proof/>

² <https://famous-trials.com/johnson/481-butleropening>

it means decisions that change every hour. A lawyer's use of such imagery is also a unique strategy.

(Defendant and Jury in.)

The court: Mr. Spencer, are you ready for the opening statement on behalf of the government? Mr. Spencer: I am, **Your Honor**. Thank you very much. **Your Honor**, may it please the Court.

The court: Everybody have his or her notebooks?

– Yes?³

Appeal and respect are at the highest place in court defense speeches. Above, we reviewed the questions and brief interview of the jury before giving the floor to the lawyer. It can be observed that **Your Honor** is repeatedly emphasized in the attitude of the lawyer to the court. This word is observed in the words of both male and female lawyers. The meaning of this phrase in English dictionaries is as follows: **as a way to show respect and admiration for someone**⁴ (as a way of showing respect and honor to someone). That is, these phrases are used as an expression of respect for the jury.

The eyes of the world are upon us. Through Action/2015 young people 15 years of age across the world are demanding the world they want for 2030. Collectively we, the United Nations, need to rise to this call in a new spirit of global partnership. We have one chance only to get this right⁵.

A lot of figurative language tools can be observed in the speech of lawyers. Because lawyers' speech includes not only official speech, but also features of social speech. In the above sentence, both stylistic devices and metaphor are used by the lawyer. That is, the eyes of the world - if we take it as a metaphor, the word people is compared to this word, and as a synecdoche, this expression is used as a synecdoche instead of saying that the people of the world are looking at us with their eyes. The lawyer was able to use this to make his speech effective. Above we have given examples of the speeches of male lawyers in English court proceedings. We will consider the tools and strategies used in the speech of Uzbek male lawyers through the following examples.

Ҳурматли судья ва халқ маслаҳатчилари! Ҳукм одил судловнинг муҳим ҳужжати сифатида тан олинган Ўзбекистон Республикаси Конституциясининг 26-моддасида “Жиноят содир этганликда айбланаётган ҳар бир шахснинг иши судда қонуний тартибда ошқора кўриб чиқилиб, уни айби исботланмагунча у айбдор ҳисобланмайди” деб қайд этилган.

(Dear judge and people's advisers! Article 26 of the Constitution of the Republic of Uzbekistan, in which the judgment is recognized as an important document of a fair trial, states that "the case of every person accused of committing a crime is publicly reviewed in a court of law and he is not considered guilty until his guilt is proven".)

In this defense speech, we can first see a respectful appeal to the judge and the participants in the process. This is another proof that the judicial process is conducted in a formal manner with mutual respect and proper treatment. The Constitution is quoted at the very beginning of the defense speech. This is one of the strategies characteristic of men's

³ <https://famous-trials.com/moussaoui/1829-spencerstatement>

⁴ www.merriam-webster.com.

⁵ <https://sustainabledevelopment.un.org/content/documents/12203opening%20statement%20final.pdf>

speech, which shows how to express a point directly, rationally and clearly. Focusing on the next example,

Article 455 of the Criminal Code of the Republic of Uzbekistan requires that the judgment of the court be legal, reasonable and fair.

(Суднинг ҳукми қонуний, асосли ва адолатли бўлиши шартлиги ЎЗР ЖПКнинг 455–модда талабидир.)

It also follows a direct feedback strategy and is based on scientific evidence.

Great ancestor Amir Temur:

"Strength is in justice," he said. It has not lost its essence, meaning and meaning even today. The strength and power of our laws lies in justice.

(Соҳибқирон Амир Темур:

"Куч адолатдадир", деб айтган эди. Бу ҳозирги кунда ҳам ўз моҳияти, маъноси ва мазмунини йўқотган эмас. Қонунларимиз кучи ҳам, қудрати ҳам адолатпарварлигидадир.)

In the above text, quoting of the opinions of historical figures is observed, which means that from the point of view of linguistics, it is considered a stylistic tool (allusion) and serves to enrich the speech and increase the effectiveness of the speech.

Dear jury!

Dear jury!

According to the preliminary investigation, M. Artikov threatened to kill the citizen Azizova Dilobar, defamed the victim and her relatives by force, harassed the victim and her relatives, damaged her property, forced her to hand over her property and property rights by threatening to disclose information that should be kept secret, as well as Article 103, Part 1, Article 118, Part Z, Clause "d", 165- accused of committing the crimes referred to in clauses "a" of Article 3.

In the defense speech of lawyer Primov discussed above, we can first notice the lawyer's high level of self-confidence. Also, speaking with emphasis on a sentence is observed. This speech will have no effect if it is delivered without emphasis, so a lawyer's tone and confidence will make the speech more powerful and fluent. At the same time, Primov appealed to accuracy and reliance on facts, which are used in the speech of many lawyers. The fact that this speech does not rely on any figurative means of language is also one of the strategies typical of the lawyer.

Continuous insult to the honor and value of a person is understood as insulting the honor and pride of the victim several times (for example, defamation, insults, harassment, etc.).

In this speech, every word and phrase was explained and clearly expressed by the lawyer. The severity of the sentence for the defendant and the severity of the emotional harm inflicted on the victim were expressed in words.

Ҳурматли раислик этувчи, маслаҳатчилар ва томонлар!

Табиий савол туғилади, мазкур ҳодиса қачон ва қайси вақтда рўй берган? 10–11 декабрдами, ёки 28 ноябрдами? Д.Азизова чап қўли кафтини кесишга уринганми ёки чап қўл биллагини кесишгами? Афсус, ҳозиргача бу ҳақда мазкур оила аъзолари турли мазмунда кўрсатма бериб келишмоқда.

(Dear chairman, advisers and parties!

A natural question arises, when and at what time did this event take place? December 10-11 or November 28? Did D.Azizova try to cut the palm of her left hand or the wrist of her left hand? Unfortunately, until now, the members of this family have been giving instructions about this in different contexts.)

Factors that increase the impact of a speech include speed, pitch, and pitch - used in a way that draws attention, by using stress and syllables, and by repeating questions, the lawyer is able to build his strategy and build impact and confidence. Asking questions over and over again shows the speaker's strength and self-confidence. This is one of the devices known as repetition in rhetoric. Among the tools that increase the effectiveness of speech, paraphonetic tools have a place. Because the timbre of the sound, the high or low pitch of the sound, its softness or roughness, its expression through shouting or whispering, behavior, gestures, and the like are tools that serve to increase the effectiveness of speech. In all of the following examples, rhetorical questions are asked again and again and, as a result, repetition occurs through stylistic devices. That is, the lawyer's rhetorical questions and the answers given by him have their own unique use of words and their own strategy. This shows the more accurate, reliable and effective defense speech:

Терговчи томонидан тузилган мазкур қарор матнида бир-бирига зид уч хил маънодаги фикр ва саналар инсон тақдирига бундай юзаки қараши, обрўли оиланинг номини бадном қилишга **уриниш эмасми?**

Биринчидан, хатда ёзилганидек Д. Азизовани зўрлаб, номусига текканлик факти **тасдиқландими? тасдиқ топмади.** Иккинчидан, Айбланувчи М. Ортиқовнинг: "Уйингдан пул олиб келмасанг, сени шарманда қиламан, синглингни номусига тегаман", - **деган сўзлари исботини топдими? Йўқ.** Учинчидан, жиноят ишидаги мавжуд қарорлар ва айблов хулосасида ёзилганидек М. Ортиқов Д. Азизовани муттасил равишда хурлагани, дўппослагани, бешавқат муомала қилгани ёки камситгани **тасдиқландими? Йўқ тасдиғини топмади.** Тўртинчидан, ЎзР ЖКнинг 165-модда 3-қисм "а" бандида кўрсатилганидек айбланувчи М. Ортиқов товламачилик йули билан Д.Азизовага нисбатан зўрлик ишлатгани ёки бошқа ҳаракатлари билан ўзгадан мулкни ёки мулкка бўлган ҳуқуқини беришга мажбур қиладиган шароитга солиб **қуйгани тасдиқландими? Йўқ тасдиғини топмади.**

Бешинчидан, М. Ортиқовга ЖКнинг 168-модда 3-қисм бўйича айб эълон қилиниб, унда у Д. Азизовани алдаб ёки ишончини суистеъмом қилиб, унинг мулкни қўлга киритиш мақсадида фирибгарлик қилган ҳолати **тасдиғини топдими? Йўқ, тасдиғини топмади.**

(In the text of this decision compiled by the investigator, the thoughts and dates with three different meanings contradict each other, isn't such a superficial view of human fate, an attempt to defame the name of a prestigious family?)

First, as written in the letter D. Has it been confirmed that Azizova was raped and humiliated? was not confirmed. Second, Accused M. Did Artikov's words: "If you don't bring money from home, I will embarrass you, I will disgrace your sister"? No. Thirdly, as written in the existing decisions in the criminal case and the indictment, M. Artikov D. Has Azizova been confirmed to have consistently snored, hit, mistreated or humiliated her? No confirmation found. Fourthly, the accused M. Has it been confirmed that Artykov used force against D.Azizova by means of extortion or put her in a situation that forced her to give away property or her right to property? The shipment was not confirmed.

Fifth, M. Artykov was charged under Article 168, Part 3 of the Criminal Code, in which he accused D. Has he found proof that he cheated or abused Azizova's trust and committed fraud in order to obtain his property? No confirmation.)

From such defense speeches, we can see that lawyers have their own strategies, such as word usage, grammatical sentence construction, tone, and language use.

Оила аъзоларининг қадру қиммати оёқ ости бўлиб, соялари бузилиши даражасига келиб, Ортиқовлар оиласига жуда кўп миқдорда моддий ва маънавий зарар етказилган.

Халқимизнинг **“Тузсиз хамир тандирда турмайди”** ёки **“Сояни ҳаргиз қилич билан чопсанг ҳам, тупроққа кўмиб бўлмайди”**, деган доно нақллари бор. Ассосиз, куруқ тўхмат, уйдирма гаплардан тузилган мазкур жиноят ишини мисоли **ғалвирга солиб, сувга ботириб ғалвирни кўтарсак**, унда битта оила аъзоларининг мантиққа зид куруқ гапдан бошқа бирон мақбул исбот ва далилдан асар ҳам қолмайди.

Ҳадисларда айтилганидек, шубҳа, **гумон иймонни куйдиради.**

“Адолат биноти ҳароб бўлмас” деганларидек яхшиямки, судланувчининг бахтига мазкур жиноят иши вилоят суди Раёсати, вилоят прокурорининг розилиги билан қайтадан синчковлик билан ўрганилиб, тегишли равишда қарор қабул қилиниб,.....

(The value of the family members was trampled, and their shadows were destroyed, and a lot of material and moral damage was caused to the Artykov family.

There are wise sayings of our people: "Dough without salt does not stand in the oven" or "You cannot bury a shadow in the ground, even if you cut it with a sword." If we take the example of this criminal case made up of baseless, empty slander and fabricated statements, and raise the case by dipping it in water, there is no trace of any acceptable proof and evidence except the illogical statements of one family member.

As it is said in hadiths, doubt burns faith.

As they say, "The building of justice cannot be destroyed", fortunately for the defendant, this criminal case was carefully re-examined with the approval of the regional court directorate, the regional prosecutor, and an appropriate decision was made.)

Above are examples of the speeches of male lawyers, in which it is noticeable that they speak more sharply, use less rhetorical devices that evoke various emotions, and are able to directly defend their client.

In conclusion, it can be noted that the speech of male lawyers does not differ significantly from the speech of women, the difference that can be clearly observed in female lawyers is that they use more speech that has the characteristics of arousing the feeling of compassion in the listeners and court participants.

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