



## LINGUISTIC ANALYSIS OF FEMALE LAWYERS' DEFENSE SPEECH

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<https://doi.org/10.5281/zenodo.8080919>

### Abstract

This article examines the specific aspects of legal rhetoric, that is, the activity of women in the judicial system and the specificity of their defense speech is linguistically analyzed, and the advantages and/or disadvantages of women's speech are highlighted through examples.

**Key words:** linguistics, female speech, lawyers, rhetoric, defense speech

Differences in the choice of vocabulary, grammatical forms, and prosodic rhetorical tools can be a sufficient basis for determining the speech styles of men and women. The existence of both speech styles is a linguistic reflection of social relations: until recently, men exerted more effort in society, and the trend is still strong. Male verbal behavior can be considered aggressive enough to demonstrate a dominant position. Women are given a subordinate role both at work and at home, and women's discourse strategies are more cooperative and less aggressive.

The "Advokat" magazine, which covers the laws and decisions of the Republic of Uzbekistan, touched on the topic of the role of women in the judicial system, in which women are still a minority in the judicial system of Uzbekistan. Officials say women prefer to choose careers that provide a balance between personal and work life, and in the court system they prefer to deal with family law issues rather than the more complex and time-consuming criminal and administrative matters, the document said. And as a confirmation of the above opinion, according to the opinion of the special rapporteur, the lack of female representatives can be a clear reflection of the permanent role and obligations of women and men in the family and society, and the stereotypes that discriminate against women and see them as subordinate in the family and society<sup>1</sup>.

It is said that **one should never speak ehe deceased**, but the law requires that the personal aspects of both parties be explored in sentencing. Because this article provides for the punishment of depriving a person of his life, each case must be weighed on the scales of justice. **(Мархумлар тўғрисида ҳеч қачон ёмон гапирмаслик керак** дейилади, лекин қонунчиликка биноан жазо тайинлашда ҳар икки томоннинг ҳам шахсий томонларини ўрганиш талаб қилинади. Чунки бу моддада инсонни ҳаётидан маҳрум қилиш жазоси кўзда тутилган бўлиб, ҳар бир ҳолатни **адолат тарозисида ўлчаб кўриш лозим**)<sup>2</sup>.

As you can see from the defense speech given, this represents that a crime has been committed in the defense case. The fact that the female defense attorney appropriated Muslim

<sup>1</sup> "Advokat" journali, №5/2020. BMT eksperti. Toshkent.

<sup>2</sup> O'zbekiston advokatlarining himoya nutqlari. Salomov B.S. tahr. st. – Toshkent: Adolat, 2006. – 380 b.

views in her speech shows that she aims to exonerate the accused, no matter how heinous the crime she is defending, or in some sense to mitigate the charges against him. One should never speak the deceased - this is only a word of mouth and a positive attitude that is not written down anywhere. Therefore, influencing people with their views, based on the Muslim mentality, can also show the skill of a lawyer and the high level of speaking skills.

In addition, **each case must be weighed in the balance of justice** (**ҳар бир ҳолатни адолат тарозисида ўлчаб қўриш лозим**) in this expression, we can see that the scale of justice is a concept known to the lawyers and peoples of the whole world, that is, on the scale of justice, both sides are favored fairly and objectively. It shows that it is necessary to fairly consider the guilt of two people, not as a criminal, but as a deceased person. If we look at it from the point of view of linguistics, we can see the meaningful use of stylistic colors, that is, the balance of justice - the place of metaphor in enriching speech.

Some people are affected by what is said immediately, and others after a certain period of time has passed. Umar may have been hurt by Sahib's words after entering the house. Umar works in a gas processing plant, which is a job that is harmful to his health by its nature, why should he give the money he earned by swallowing poison instead of spending it on his parents or himself to a young, healthy young man of his age who does not want to work? Why should Sahib live at the expense of others? Why should someone demand more money and threaten death if they don't, instead of asking for a refund or a delay in payment? (Баъзи инсонларга айтилган гап дарҳол, баъзиларга эса орадан маълум муддат ўтганидан кейин таъсир қиласи. Умарга ҳам Соҳиб айтган гаплар уйга кириб ўтирганидан сўнг, алам қилган бўлиши мумкин. Умар газни қайта ишлаш заводида, яъни ўз хусусиятига кўра саломатлиги учун зарарли бўлган ишда ишлайди, **нега** энди у заҳар ютиб ишлаб топган пулини ота-онасига ёки ўзига сарфламай ўзи билан тенгдош, ёш, соғлом, аммо ишлашни хоҳламайдиган йигитга келтириб бериши керак? **Нега** Соҳиб бошқалар ҳисобига яшashi керак? **Нега** бирорнинг пулини қайтариш ёки тўловни кечиктиришни илтимос қилиш ўрнига яна пул талаб қилиши, олиб келмаса, ўлим билан қўрқитиши керак?)<sup>3</sup>.

In the above defense speech, it is possible to observe the influence of the audience and the court, the prosecutor, by repeating stylistic colors and asking rhetorical questions. It is no exaggeration to say that female lawyers use such strategies of wordplay as an example of their strong rhetoric.

This speech is also taken from the negotiation speech of the female lawyers in the trial, and we can see that the words used in each sentence of this lawyer are rich in language and based on clear facts in jurisprudence. The beginning of the speech is an address to the court and we can feel respect and self-confidence. Instead of the word waj, why is it not said based on other words such as my proofs, examples, proofs, words, or simply based on my instructions. It is the skill of being able to express one's anger at the inappropriateness of one's client's accusations and, in a sense, with appropriate use of words rather than emotion. The scales of justice are a common metaphor used in all legal discourse and are used here. It is not an exaggeration to say that the use of intentional, malicious expressions and the fact that the speech is spoken with great confidence without showing one's emotions. The phrase inappropriate behavior is not used in everyday conversation, and it is also typical of

<sup>3</sup> O'zbekiston advokatlarining himoya nutqlari. Salomov B.S. tahr. st. – Toshkent: Adolat, 2006. – 380 b.



expressions used by lawyers. The most important thing is that justice should be strong and power should be just. The fact that this expression, along with its richness in stylistic color, appears in the lawyer's speech is a proof that the lawyer has good oratory skills, and his perfect legal literacy is also strong in terms of linguistics.

Accuracy is one of the most important factors in defense speech, which means that the hour, the minute, the minutes are all taken into account and will be confirmed by the lawyer during the pre-trial proceedings. After everything is confirmed, it will be mentioned in the trial. Also, emphasizing what time of day and what happened at what time helps to embody the event in the mind of the listeners, this is also a unique approach of female lawyers. Because of this, the speech of the lawyers is always clear. It is natural to ask the question, have the investigative authorities fulfilled the requirements of the law and appointed a forensic chemical examination in connection with this crime?<sup>4</sup>.

Addressing questions to the court, the prosecutor, and/or the audience, as well as studying their opinion, is to a certain extent a proof that the accuser's shame is lowered, and the speech of the acquitted is based on clear evidence.

Why did the victim A. Ibragimov, released on January 13, 2004, not report anywhere that U. Isaev gave him the thing wrapped in paper on January 10? If the thing related to Koroz does not belong to him, why did the Ibragimovs look for money to settle this case as soon as possible?

(Нима учун жабрланувчи А.Ибрагимов 2004 йил 13 январда озодликка чиқиб, 10 январь куни қоғозга үралган нарсани унга У.Исаев берганлиги ҳақида ҳеч қаерга мурожаат қилмаган? Агар қорозга уроғлик нарса унга тегишли бўлмаса, нима учун Ибрагимовлар пул ахтариб, бу ишни тезроқ тинчтиш мақсадида бўлишган?)<sup>5</sup>.

The use of rhetorical questions is one of the strategies often used by female lawyers in their defense speeches. Also, the use of repetition and rhetorical question, which is a stylistic device, is evidence of the power of the speech. Just as clarity and fluency are important in the speech of lawyers, in this given passage, grammatically, the norms of the literary language were adhered to, and expressive language was used sparingly, and language imagery was not resorted to. Basing on scientific facts, quoting and speaking fluently in literary language norms are important features of public speaking. We can see exactly these features in the defense speech above.

This defense speech is taken from the closing part, and based on clear evidence, the lawyer directly and boldly expressed his demand for the person under his protection. We know that boldness is a characteristic of women by nature, but from the point of view of the profession, the bold and clear speaking of our women lawyers shows self-confidence and respect for the profession. From the above examples, it is clear that in the speech of Uzbek women lawyers, the use of proverbs and parables, the use of evidence, the use of speeches of famous people, and the use of examples from folklore are observed. And on the contrary, in the speech of English women, we can see a direct appeal, that is, they do not use any proverbs or famous people's words in their speech. They speak on the basis of the laws and decisions of England and the evidence gathered about the incident. It is clear from this that the Uzbek people have always respected the words of their forefathers and elders, and it shows that this is reflected

<sup>4</sup> O'zbekiston advokatlarining himoya nutqlari. Salomov B.S. tahr. st. – Toshkent: Adolat, 2006. – 380 b.

<sup>5</sup> O'zbekiston advokatlarining himoya nutqlari. Salomov B.S. tahr. st. – Toshkent: Adolat, 2006. – 380 b.



even in courtrooms. In order to prove that some criminals have entered this path unknowingly, lawyers make effective use of wise words popular among our people, which serve not to exonerate the criminal, but to more clearly reveal his situation and how the situation happened. The defense speech of Uzbek female lawyers is significantly different from the speech of English female lawyers in terms of richness of color..

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