

## A pragmatic analysis of manipulative speech acts used by American and Arabic attorneys in selected criminal trials

Ziyad Ahmed Dahaam<sup>1\*</sup>, Ahmed Mohammed Salih<sup>2</sup>

<sup>1</sup>Department of Translation, College of Arts University of Tikrit, Salahuddin, Republic of Iraq; ziyadliguist@tu.edu.iq (Z.A.D.).

<sup>2</sup>Department of English, College of Education for Humanities, University of Tikrit, Salahuddin, Republic of Iraq;

Ahmed.thanoon@tu.edu.iq (A.M.S.).

**Abstract:** The present study investigates the manipulative speech acts used by American and Arabic attorneys while defending their clients in criminal trials. It is hypothesized that they construct their arguments on the basis of such type of speech acts to mislead the members of the jury who expect to listen to concrete evidences of innocence. The study follows a qualitative analysis to achieve the aims in terms of the modal adopted. The model is applied to six selected arguments divided between American and Arabic attorneys. Each part is resembled by an attorney. The results show that they both use indirect speech acts of manipulation, with some notable differences. The conclusions are drawn on the basis of their manipulative speech acts and on the basis of the comparison between the two attorneys which prove that they resort to two different types of indirect speech acts to manipulate the members of the jury.

**Keywords:** *Conventional-indirect speech acts, Illocutionary force, Manipulation, Non-conventional speech acts. Speech manipulation.*

### 1. Introduction

Manipulation is a speech act performed in a specific context to achieve the desired goals of the arguers. This is the main reason which allows to follow the speech acts theory in the analysis of this study. One of these reasons is connected with the studies of argumentation. Many writers indicate the importance of speech acts in the analysis of argumentation. According to Al-Hindawi and Naji (2018: 207), argumentation is contained within the domain of speech acts theory because of the “persuading” nature of the arguers whose job is to “convince others to do or think in a certain way” in order to justify an action. Persuading and convincing others through certain types of speech acts is the main concern of this study. It is believed that there is a sort of manipulation while performing the persuading acts. For this reason, this study follows the development of speech acts made by Oksana (2013) in his ‘speech manipulation theory’. The main types of the speech acts in this theory are used in the analysis of the present attorneys’ reasoning process in order to determine if any of their arguments contain the indicated manipulative types of speech acts.

### 2. Manipulation as a Pragmatic Phenomenon

For de Saussure (2005), manipulation is better understood as a phenomenon which exists in “natural language” processing because “manipulation in discourse is primarily achieved during the very construction of meaning in context” (ibid.: 114). Natural language, on the other hand, requires the construction of manipulative discourse where manipulation is viewed as “a type of language use”. In this sense, manipulation occurs within different discourse processes, such as “narration”, argumentation, and others. In such types of discourse processing, the manipulator relies on the “linguistic elements/structures” to achieve the desired aim, i.e., such linguistic elements and structures “are provided by the speaker in order to trigger specific pragmatic processing” to affect the “mental state of the hearer” (ibid.: 118-19).

Manipulation “involves deviations from what can be considered rational and cooperative conversational behavior” (McCornack, 1992: 1). Buller and Burgoon (1996: 205) stress that the manipulator’s aim is to convey a meaning which contradicts the expectations of the addressee whether that meaning is explicit or implicit. It means that the propositions conveyed in an utterance are constructed to mislead the others, not to make judgements whether a speaker is relative to a certain topic or not. This is why Chapman (2011: 4) asserts that manipulation is a pragmatic phenomenon in the sense that pragmatics is concerned with “how we use language to do all the various things that enable us to...influence other people” and to get them “to do things for us”.

### 2.1. *Manipulative Speech Acts*

Manipulation is a process which comprises a set of pragmatic aspects to constitute a pragmatic strategic function in discourse, a pragmatic strategy “that influences other agents to act, or have an opinion, in accordance with the manipulator’s preferences” (Franke & van Rooij, 2015: 256). van Eemeren and Grootendorst (2004: 10) stress that manipulation is viewed as a “complex speech act” because such an act aims “at justifying or refuting a proposition and getting a reasonable critic to accept the standpoint. Maillat and Oswald (2009: 356) stress that manipulation is “a complex articulation of speech acts fulfilling a specific function”, it is usually viewed as a fallacious argumentative move intended to be “covert”. Similarly, Macagno (2022b: 94) admits that manipulation serves a “communicative goal and functions to verbally do things with words, “a complex speech act” with different communicative goals. In this sense, intention is not revealed in manipulation.

### 2.2. *Manipulation and the Illocutionary Act*

Manipulation is better understood in terms of the illocutionary act. This type is one of the central notions in the speech acts theory. Austin (1962) admits that it refers to the “performance of an act in saying something as opposed to performance of an act of saying something”, i.e., “announcing a verdict or an intention”. In this statement, Austin implies that there is an intention “in saying something” that can easily be understood as an act which holds intention. This is opposed to the “act of saying something” which is regarded to be a “locution” (ibid.: 98-99). Within the illocutionary act, an “utterance is used as an indirect means to perform another act” (ibid.: 129). In this regard, Austin neglects any “direct consideration of the illocutionary force of statements” (ibid.: 148), for example, the indirect statement ‘it is hot in here’ is indirectly intended as a request ‘to open the window’. This is why van Eemeren (2005), among many others, admit that intentionality is hidden in manipulative discourse (ibid.: xi).

## 3. **Speech Manipulation Theory: The Modal Adopted**

This theory is founded by Oksana (2013) to deal with the new trend studies of manipulation in a pragmatic framework. Oksana used to develop Austin’s (1962) and Searle’s (1969) speech acts theory in accordance with manipulation which is dealt with as a verbal phenomenon. He writes that manipulation is nothing than speech acts “expressed through a variety of utterances having a number of specific aims used to directly or indirectly convey certain meanings” (ibid.: 1). This is because of the “operative nature” of human speech which is always used to achieve a certain effect on the part of the interlocutor. Therefore, the “theory of speech manipulation is a science of effective communication” (ibid.: 2) which is used “to engineer” the behaviour of the interlocutor “according to our needs” (ibid.: 4). This effect is an accommodation of two methods of speech acts in accordance with manipulation: direct and indirect.

### 3.1. *Direct Speech Acts (DSA) of Manipulation*

Oksana (2013) stresses that the interaction between the speaker and the listener can be direct. The speaker is considered to be the “subject” of manipulation, whereas the listener is the “object” of the process. In this direct method, “the subject openly asserts his claims and demands to the object of manipulation”. The subject directly expresses the “corresponding illocution” through the “definite

meaning” of the linguistic forms used (ibid.: 4). The communicative aim of the speaker is connected with those linguistic forms. Therefore, the direct method is simply expressed through the connection between the illocutionary force and the linguistic meaning.

Each communicative aim has its own DSA in accordance with the many manipulative purposes. The subject intends to create a certain type of speech act every time he “wishes to impel the interlocutor to do something” (Oksana, 2013: 5-6).

Most DSAs of manipulation take the imperative form “which is associated with the meaning of inducement” (ibid.: 4). This mood is directly used to manipulate the interlocutor, so it takes the imperative form. Take the following example:

1. *Tell Him to Go Away.*

(ibid.: 5)

This is a direct request used to impel the hearer to do something instead it himself. Such a direct act imposes the other interlocutor to accept the order.

### 3.2. *Indirect Speech Acts of Manipulation*

According to Oksana (2013: 6), indirect speech act of manipulation is very common in speech interaction. In this method, the subject resorts to different “non-imperative” moods through the connection between the linguistic forms and the illocutionary force used, i.e., conventionally and non-conventionally “connected with illocution forces” of the intended message. The illocutionary force is not connected with the direct linguistic forms used by the subject. But rather, it is connected with the intended message. Therefore, the extraction of the types of this indirect method is based on “factual material” allocated by the analysis of Oksana to assign two indirect means of inducement, both types are explained below.

#### 3.2.1. *Conventional Indirect Speech Acts (CISA)*

Oksana (2013: 6) writes that the CISA imply that the linguistic elements are connected with the illocutionary force. Each argument contains speech acts indicating a certain intended meaning. Therefore, those speech acts indicate an intended meaning within the limits of the linguistic elements used. For example:

2. *You are Going to Tell Me Now, Right?*

(ibid.: 6)

This is an indirect speech act of a request suggested by the linguistic elements of this utterance.

#### 3.2.2. *Non-Conventional Indirect Speech Acts (NCISA)*

Oksana (2013) writes that the NCISA imply that the linguistic elements are not directly connected with the illocutionary force. Rather, each speech act conveys other inferred meaning which does not exist in the linguistic elements used, i.e., that inferred (intended) meaning is the one which is connected with the illocutionary force (ibid.:6).

This type of inducement includes those external effects which are reflected through the overall construction of the linguistic elements used by the interlocutors, i.e., the overall construction of the linguistic elements is used to express a certain state of affairs of the interlocutor. Oksana writes that this type of speech act is “used to reduce categoric nature of inducement. For this type of speech acts ethical forms, social status of interlocutors, their emotional state and external setting of dialogic communication are of great importance” (ibid.: 10).

DSA, CISA, and NCISA have inducement illocutionary aims, i.e., intentions of other manipulative purposes. This is something different from the normal illocutionary force meant by Austin (1962) and Searle (1969), where the speaker intends the listener to do something without any other purpose. For example, the sentence ‘it’s hot in here’ is normally understood as a request to open the window, but in speech manipulation theory, this illocutionary force is a device to serve another purpose. The speaker may intend to direct the listener towards the window to seize a chance to do something or to get use of

the movement towards the window or any other intention which is absent from the mind of the listener. Another example is the following:

3. A: *Look, the Percolator's Bubbling!*

B: Melanie unplugged the coffee pot.

(ibid.: 11)

The speech act in A is used as an external indirect way, the direct order to unplug the coffee pot is substituted by the high temperature and the boiling water (ibid.).

#### 4. Data Analysis

The data of this study are extracted from alive delivered speeches of two attorneys while defending their clients in criminal trials: Eric Nelson (an American attorney) and Ahmed Fathi (an Arabic Attorney). The overall arguments analyzed are (6), they are classified into (3) arguments distributed between them. The extracted American arguments are transcribed according to the captions available within the default application of YouTube. The complete versions of the delivered American and Arabic speeches of the selected attorneys are available on YouTube company: Eric Nelson (Full Video: Defense Presents Closing Arguments In Derek Chauvin Trial (Part 1), available at: <https://www.youtube.com/watch?v=YrOFpCZOmaQ&rco=1>), Ahmed Fathi (Full Video: الاعتراف ليس سرور مفتحي أحمد للدكتور رائعة مرافعة | سيد الأدلة, available at: <https://www.youtube.com/watch?v=rgKc5k0CNfg>). Arabic arguments are translated according to the semantic and the communicative methods.

Notations and keys to the transcription convention of both American and Arabic arguments are indicated in the following table:

**Table 1.**

Notations and keys to the transcription convention of the selected arguments.

Notations	Keys
...	Indicating a separate premise
( )	Explaining what cannot be written
-	Two connected words
:	Followed by either enumeration, explanation, or Qur'anic verse
{ }	Including Qur'anic Verse
" "	Including a quoted speech repeated by the arguer
[00:00]	Including the time intervals between each argument

##### 4.1. American Defense: Eric Nelson

###### Argument (1)

[01:03] a reasonable police officer will take into consideration, again, his training, his experience, right?...lieutenant Mercil talked about, and many people talked about, many of the officers talked about how it is not uncommon for suspects to feign or pretend to have a medical emergency to avoid being arrested...unfortunately, that is the reality...nobody likes to get arrested and reasonable police officers know that...how many times does someone, "oh, my heart hurts", or I'm having a medical emergency", insert whatever emergency, right?...simply because they don't want to go to jail

#### Discussion

This argument is constructed by Nelson to refer to one intended meaning. Nelson tries his best to prove that his defendant is experienced and trained to neglect any medical emergency recalled by any suspect, simply because such suspects lie in every situation similar to that of the victim. Therefore, all of the premises indicate that the illocutionary force of this argument is connected with Nelson's intention rather than with the linguistic elements used. He follows the **NCISA** type to achieve this purpose. In

premise (1), he non-conventionally and indirectly asserts that his defendant is a 'reasonable police officer' who is well trained and experienced. In premise (2), he indirectly proves that the victim pretended to have a medical emergency. This is achieved by the general testimony of 'lieutenant Mercil' and many others. It is clear that he resorts to this type in this premise to strengthen his claim because such a testimony is heard by the members of the jury, so he can manipulatively affirm his intention which indicates the fake mistake of the defendant who thought that the victim was lying. In premise (3), he indirectly asserts that the claim in premise (2) is true, although he regrets. In premise (4), he indirectly stresses that the victim did not want to be arrested, exactly as anybody else. In premise (5), he indirectly refers to the victim who asked for a medical emergency, just like any one who pretends so. In premise (6), he indirectly gives a reason why such people pretend to have a medical emergency. This is to indirectly assert that the victim did the same thing because he does not want to go to jail.

All these premises are linked with Nelson's manipulative intention which indicates that his defendant thought the victim to be one of those who pretend to have a medical emergency. It does not make sense, because such a generalization cannot be applied to all.

### *Argument (2)*

[01:04] a reasonable police officer will take his training into experience...and you heard lieutenant Mercil specifically say that when someone says that they can't breathe, but they are talking; if they're talking, it means they're breathing, right? If they're talking, it means they're breathing...again, compare that to the testimony of Dr. Tobin, who told you that same thing...that is true, if you are talking, you are breathing, it doesn't mean effectively...Dr. Tobin described how even medical doctors have problems sometimes assessing the legitimacy of a patient's needs relevant to their respiratory processes because they're saying, "I can't breathe," and some doctors confuse it for just anxiety or this or that...if medical doctors make these mistakes, Dr. Tobin told you it provides a false sense of security, right?...lieutenant Mercil told you that that is what is said among police officers...he's the trainer...so, how many times do we hear an officer say based on his training and experience, "if you can breathe, you can talk; if you can talk, you can breathe"?...reasonable police officers, again, are trained and take into consideration a person's actions relevant to their words, their training, their experience...it takes a lot of oxygen to talk, it takes a lot of oxygen...you're breathing fine if you can talk

### *Discussion*

Nelson's argument indicates a unified construction of speech acts which refer to one intention in his mind. He tries to connect these speech acts with the situation of the victim who died due to a medical seizure which was not noticed by the defendant. Therefore, all the premises of this argument are constructed using the **NCISA** type. In premise (1), he indirectly and non-conventionally proves that his defendant is a reasonable police officer who should 'take his training into experience'. This experience absolutely refers to the case of the victim who was talking. In premise (2), he indirectly strengthens that his defendant did not realize any need for a medical emergency, just because the victim was talking. This is evident by the testimony of 'lieutenant Mercil' who agrees with the talking/breathing idea. In premise (3), he resorts to a similar opinion to prove that the victim was fine because he was talking. In premise (4), he asserts that they all agree with the fact of talking/breathing. In premise (5), he indirectly links the final words of the victim with the testimony of the medical doctor who agrees that those words ("I can't breathe") do not mean that he is in danger. In premise (6), he indirectly asserts that it is not a condition to believe the urgent medical state of the victim just because he says those words. In premise (7), he indirectly coordinates premise (6) with the testimony of 'lieutenant Mercil' who also agrees to neglect those words if he is talking. Premise (8) is used to add a credibility to the alleged fact in premise (7), since 'lieutenant Mercil' is a 'trainer'. In premise (9), he indirectly asserts that there are many cases similar to that of the victim. All of them are proved to have a false request for medical emergency. In premise (10), he indirectly repeats the fact that his defendant is well trained. In premise (11), he indirectly asserts that this fact is true since the victim 'takes a lot of oxygen to talk'. In premise (12), he indirectly indicates that he agrees with the defendant since the victim was talking.

The many (12 NCISA) speech acts used by Nelson in this argument indicate the 'external conditions' which are best be considered as reasons why his defendant kept using his excessive force against the victim. This is a sort of manipulation because Nelson intends to insert the situation of the disastrous arrest of the victim within the general idea of the talking-breathing. All the speech acts of this argument are constructed to achieve this purpose.

#### *Argument (3)*

[01:08] I worry about the excited or delirium or whatever...that's why we have EMS coming...it's not just leave him here...it's we have EMS coming and this is why we have EMS coming...reasonable police officers throughout the course of a control technique will continue to assess the level of resistance...remember what sergeant, excuse me, lieutenant Johnny Mercil said: "simply because a person isn't kicking at you or punching at you or biting at you, it does not mean that you can't control them physically with your body weight"

#### *Discussion*

Nelson indirectly and non-conventionally speaks about the duty of reasonable police officers which requires that they keep their control over the persons under arrest. This construction is used to refer to his wider intention which implies that his defendant is a reasonable police officer who continued his control over the resistance of the victim. Therefore, this argument relies on the **NCISA** type which is used to express the state of affairs of those reasonable police officers, and at the same time, he refers to his defendant in a way to manipulate the members of the jury. Accordingly, in premise (1), Nelson non-conventionally and indirectly refers to the bad health state of the victim which was not noticed by the defendant. In premise (2), he indirectly refers to the fact that his defendant called the EMS when he realized that the victim is about to die. In premise (3), he indirectly indicates how his defendant is reasonable and knows how to behave in the situation of the victim. This premise is highly manipulative because Nelson concentrates on the positive characteristics of the defendant while he neglects the fact that he called the EMS in the lost time. In premise (4), he indirectly indicates that his defendant has just realized the actual health state of the victim; therefore, he felt responsible to call the EMS. In premise (5), he indirectly indicates that the job of his defendant requires that he continuous his control technique till the end. In premise (6), he indirectly indicates that his defendant ought to continue his control technique without any excuse to stop it. This is an indirect indication that his defendant is a reasonable police officer despite the fact that the victim died under his hands. But after all, he is doing his job.

#### *4.2 Arabic Defense: Ahmed Fathi*

##### *Argument (1)*

[00:02] لقد جئت مقدما دفاعي بين ايديكم، ولست بغافل من الدهشة والاستغراب الذي يشعر به البعض . . . هناك من يرى ان المتهم منسوب اليه اعتراف تفصيلي في التحقيق . . . مما لا جدوى معه من الدفاع عنه . . . هؤلاء قوم في رأيي مخطئون، لانهم مندفعون تحت تأثير اعتقاد خاطئ قديم يقول ان الاعتراف هو سيد الادلة . . . لقد خلطوا بين العدالة و بين الغضب . . . انها دعوة الى ارتكاب جريمة اكبر جسامة واعظم خطرا على المجتمع، هي التضحية بالعدالة و القانون

[00:02] I have come to hand my defense to you, though I am sure that some people would be astonished and surprised...there are those who believe that the defendant has a detailed confession which is approved by the investigation...this fact indicates that there is no need to defend him...those people, in my opinion, are mistaken because they are driven under the influence of an old false belief which says that the confession is the master of evidences...they have confused justice with anger...it is an invitation to commit a crime of greater gravity and of greater danger to society, it is to sacrifice justice and law

#### *Discussion*

Fathi connects the linguistic elements of this argument with the case of his defendant. He wants to conventionally prove that the confession of his defendant must not be considered as an evidence against him. All the (6) premises of this argument are used to strengthen this claim. Therefore, it is realized that

Fathi resorts to the **CISA** to achieve his intention which is conjoined with the fact that 'the defendant has a detailed confession'. Thus, in premise (1), he indirectly asserts that he is going to prove the innocence of his defendant who confessed that he had committed the murder. In premise (2), he implies that the confession of his defendant is false even if it is approved by the investigations. In premise (3), he indirectly contradicts those who believe that his defendant should be convicted. In premise (4), he indirectly asserts that the confession of his defendant refers to a false evidence which cannot be used against him. In premise (5), he indirectly invites the members of the jury to leave anger aside in the case of his defendant. In premise (6), he indirectly invites the members of the jury to neglect the confession of his defendant, or otherwise, they will 'sacrifice justice and law'.

These speech acts indicate that Fathi exaggerates and gives unbelievable conclusions if the members of the jury take the confession of his defendant against him in this case.

#### *Argument (2)*

[00:46] اما الدفاع، فانه يؤمن ايمانا راسخا بان الاصل في المتهم البراءة...وانه لابد ان يصدق نور الحق، ويرتفع صوت العدالة...وانتم سدنتها...جئت اليكم اودي واجبي من غير تأثر بالعاطفة وانما من غير تأثر الا بالقانون...ولا نصير لي الا ما انتزعت من الاوراق...ولهذا كنت صابرا واتيت اليكم...وتشرفت بالحضور امامكم لكي استجري الحقيقة واعاونكم على الوصول الى العدالة

[00:46] as for the defense, it firmly believes that a defendant is essentially innocent...and that the light of the truth must shine, and the voice of justice must rise...by you, the judges of justice...I came to perform my duty without being influenced by emotion, but only influenced by law...I have nothing other than what I have extracted from the papers...that is why I was patient and came to you...it is my honor to be here so as to uncover the truth and to help you reach justice

#### *Discussion*

This argument includes the two types of speech acts. Premises (1 and 2) are constructed using the **NCISA**. In these two premises, Fathi intentionally resorts to this type to generalize the belief about innocence and to connect it with the truth and justice, as if he says that justice and truth require him to prove the innocence of his defendant. The next (6) premises indicate that he resorts to the **CISA**. After he settles his intention in the first two premises non-conventionally, then he starts to connect it conventionally with his next premises. In premise (3), he conventionally speaks about the job of the members of the jury to indirectly say that they are responsible to unveil the truth in the case of his defendant. In premise (4), he affirms to perform his duty since he believes that his defendant is innocent according to the law. In premise (5), he conventionally speaks about the papers of his case as an indication that he has discovered something in favour of the defendant. Premise (6) indicates that he is eager to prove the innocence of his defendant. Finally, premise (7) is used to strengthen his claim which implies that he is going to prove the innocence of his defendant, and so, he is helping the members of the jury to achieve justice. It is a manipulative conclusion which permits the members of the jury to agree with him because both of them seek to attain justice.

#### *Argument (3)*

[01:59] ومن اقدس الواجبات على القاضي ان يبحث في ظروف الاعتراف...ويتبين اهم مؤيد بأدلة حسية تنفي كل شك في صحته...لهذا وجب التفرقة بين الادلة الصحيحة والقرائن التافهة...لهذا قرر المؤتمر الدولي السادس للجمعية الدولية لقانون العقوبات المنعقد في روما سنة 1953 ان الاعتراف لا يعد من الادلة القانونية...الاعتراف الصحيح يجب ان يكون متماسكا مع سائر وقائع الدعوى، غير متنافر معها، والا كان نشازا في وسطها، غريبا عليها

[01:59] one of the most sacred duties of the judge is to search the envelopes of the confession...and to discover the most important corroborations supported by tangible evidences and capable to deny all doubt...that is why it is necessary to differentiate between valid and trivial evidences...for this reason, the Sixth International Conference of the Penal Law which is held in Rome in 1953, decided that the confession must not be considered as legal evidence...a valid confession must be consistent with the rest of the facts, otherwise it will be discordant with them, alien to them



### Discussion

All the five premises of this argument indicate that Fathi resorts to the **NCISA** type. In premise (1), Fathi indirectly requests the members of the jury to search for the main reasons which caused his defendant to confess. He implies that the confession of his defendant is not true. In premise (2), he indirectly asserts that there is no tangible evidence which may agree with the confession of his defendant. Therefore, it is the only evidence in this case. In premise (3), he indirectly indicates that the confession of his defendant is trivial evidence. In premise (4), he indirectly asserts that the confession of his defendant cannot be considered as legal evidence. In premise (5), he indirectly asserts that the confession of his defendant is not valid evidence.

Using this type of speech acts makes it easy for him to connect his utterances with his intention. At the same time, it adds credibility to his argument by resorting to some general facts which cannot be achieved by the conventional type of speech acts.

## 5. Findings and Discussion

The previous analysis shows that both Nelson and Fathi resort to the two types of indirect speech acts: CISA and NCISA. The direct speech act of manipulation is absent in their defense. Nelson relies heavily on the NCISA, with the absence of any CISA in his defense. The NCISA is used by him to persuade the members of the jury on the bases of non-conventional facts which are indirectly and manipulatively linked with the case of his defendant. It is realized to be used by him as a final solution to defend his client who is proved to commit the offense, so he resorts to other facts which are already known by the members of the jury because most of his premises refer to the duties of reasonable police officers who should continue their control over suspects. This is used as an example to indirectly and non-conventionally give an excuse in favour of his defendant who is also a police officer, but who caused a suspect to die.

Fathi, on the other hand, is realized to rely on the two types of indirect speech acts. In his first argument, he used only the CISA. In his next argument, he starts with the NCISA, then he ends with the CISA. In his third argument, it is noticed that he resorts to the NCISA. It indicates that he has more ability to construct arguments that matches his manipulative intention because using these types this way means that links his defense with conventional and non-conventional evidences to affect the opinion of the members of the jury. The NCISA is used by him for the same manipulative purpose of Nelson above. This type helps him to insert some facts about confession which do not relate to the case of his defendant, but to persuade them in one way or another.

The CISA type is used to link the linguistic elements of his arguments with his intention to manipulate the members of the jury. It is found that this type is dangerous because he uses it to link some conventional facts with the murders committed by his client. In this sense, this type offers an opportunity for him to persuade the members of the jury on the bases of true facts related to the case of his defendant.

## 6. Conclusions

The following are the conclusions of this study:

- The (6) arguments analyzed are constituted on the bases of CISA and NCISA. Both of these types are manipulative because they help the selected attorneys to link their arguments with their pragmatic intention.
- The CISA type is dominant in the defense of Fathi because it helps him to make use of the same evidences which are forwarded against his defendant in the trial, so he manipulatively renders such evidences in his favour.
- The NCISA is dominant in the defense of both Nelson and Fathi. It is the more manipulative frequent type because it involves external evidences used to affect the opinion of the members of the jury.



- The indirect method used by both Nelson and Fathi indicates that they intend to fulfil their arguments with persuasive speech acts rather than to present concrete evidences of innocence. Therefore, the two types of speech acts realized in their defense are manipulative.

### Copyright:

© 2024 by the authors. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (<https://creativecommons.org/licenses/by/4.0/>).

### References

- [1] Al-Hindawi, F. H. and Naji, R. (2018): "Speech Acts as Means of Argumentation in Bank's Annual Reports". In: Arab World English Journal (AWEJ). Vol. 9 (3): pp. 207-218.
- [2] Austin, J. L. (1962): How to Do Things with Words. Oxford: Oxford University Press.
- [3] Buller, D. B. and Burgoon, J. K., (1996): "Interpersonal Deception Theory". In: Communication Theory. Vol. 6 (3): pp. 203 – 242.
- [4] Chapman, S. (2011): Pragmatics. UK: MPG Books Group, Bodmin and Kings Lynn.
- [5] de Saussure Louis (2005): "Manipulation and Cognitive Pragmatics: Preliminary Hypotheses". In de Saussure, L. and Schulz, P. (Eds.): Manipulation and Ideologies in the Twentieth Century: Discourse, Language, Mind. Amsterdam: John Benjamins, pp. 113-146.
- [6] Franke, M., and van Rooij, R. (2015). "Strategies of Persuasion, Manipulation and Propaganda: Psychological and Social Aspects". In: van Benthem, J.; Ghosh, S.; & Verbrugge, R. (Eds.): Models of Strategic Reasoning: Logics, Games, and Communities. Amsterdam: Springer. Vol. 8972: pp. 255-91.
- [7] Macagno, F. (2022b): "Argumentation Profiles: A Tool for Analyzing Argumentative Strategies". In: Informal Logic. Vol. 42 (1): pp. 83-138.
- [8] Maillat, D. and Oswald, S. (2009): "Defining Manipulative Discourse: The Pragmatics of Cognitive Illusions". In: International Review of Pragmatics. Vol. 1: pp.348-370.
- [9] McCornack, S. (1992): "Information Manipulation Theory". In: Communication Monographs. Vol. 59: pp. 2-16.
- [10] Oksana, G. (2013): "Communicative Effect Achieved Through Speech Acts of Manipulation". In: International Journal of Cognitive Research in Science, Engineering and Education. Vol. 1 (2): pp. 1-15.
- [11] van Eemeren, F. (2005): "Forward: Preview by review". In: Saussure, L. and Schulz, P. (Eds.): Manipulation and Ideologies in the Twentieth Century. Amsterdam: John Benjamins B. V., pp. ix-xvi.
- [12] van Eemeren, F. H. and Grootendorst, R. (2004): A Systematic Theory of Argumentation: The Pragma-Dialectical Approach. Cambridge: Cambridge University Press.