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DEREK CHAUVIN’S TRIAL: A LINGUISTIC AND RHETORICAL ANALYSIS OF THE COURT CASE

The article studies prosecutor Jerry Blackwell’s and Derek Chauvin’s defense lawyer Eric Nelson’s opening statements on George Floyd’s death case. George Floyd’s death caused a furor around the world giving rise to the “Black Lives Matter” movement. This court case is the prosecution of the police officer, Derek Chauvin, who kept his knee on George Floyd’s neck till the latter stopped moving. The jury found Derek Chauvin guilty of state murder and he was sentenced to twenty-two and a half years for second-degree manslaughter. The choice of appropriate linguistic elements employed in the statements are studied, to understand which can help one of the parties to win the case. Our preliminary observations of the case text under investigation have brought us to the firm belief that it is of paramount importance to study not only the rhetorical aspect of the lawyer’s speech but also the nature of the linguistic and discourse material employed in it to serve the accomplishment of the persuasive impact on the jury and the audience at large. We have applied the methodology of discourse, rhetorical, and linguistic analyses taking into account comparisons between the speeches to reveal the persuasive, convincing linguistic elements that make a powerful impact on the jury.

Key words: *discourse analysis, grammatical analysis, stylistic analysis, rhetorical properties, study of lawyers’ opening statements*

Introduction

The daily occurrence of uncountable numbers of crimes and misdemeanors make us get into a large number of cases in court. Those cases should be heard and analyzed in a close and careful manner to come to a just verdict, otherwise innocent people’s lives may be destroyed. Judges and juries must approach the matters with utmost duty, responsibility, and commitment to prosecute the guilty and release the innocent.

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Received: 25/01/2024
Revised: 13/03/2024
Accepted: 30/04/2024

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The trial related to the unfortunate death of George Floyd has captured widespread attention, reflecting contrasting perspectives on the incident regarding the police officer's, Derek Chauvin's, guilt about it. Mr. Floyd was a black African-American 1.93 m or 6 foot 7 tall man, who had had a hard life but was full of dreams. He was a football player and his coach described him as someone who would “drop his head” when called on, not the type to fight against anyone. He was sentenced to five years in prison during his life for robbery and charging a lethal weapon on a woman's abdomen. During his life, however, everyone was describing him as a gentleman, someone who speaks with others with respect, who had been respectful towards police officers when he was being handcuffed (Henao et al., 2020).

Derek Chauvin is a previous Minneapolis police officer who has worked for 19 years there. During his duties as a police officer, he has participated in shootings (Mannix, 2020), and received 17 complaints during his career (Richmond, 2020).

The whole incident started when George Floyd paid with a counterfeit \$20 dollars bill to buy cigarettes. The store clerk noticed it and went to the parked car to ask Mr. Floyd and his friend, who was also his ex-girlfriend, to pay with real money or to return the cigarettes. This situation happened twice and both of these times, Floyd refused to pay. Afterwards, the clerk called the police informing them that Mr. Floyd paid with counterfeit money and he seemed to be drunk and out of control. Before the police could arrive, Mr. Floyd's friend and ex-girlfriend was trying desperately to wake him up because she was concerned that the police would arrive. One police car arrived at the location after the call, and two police officers, Mr. Lane and Mr. Huang approached the car, one to the passenger's side, one to the driver's side. After calling Mr. Floyd to raise his arms in the air several times, Mr. Lane had to drag his gun out since Mr. Floyd did not move. Then the officer dragged George Floyd out of the car and the two of the police officers tried to take him to their car when another police car with Derek Chauvin inside arrived at the location and Mr. Chauvin came and helped the other officers to put Mr. Floyd in the police car. After the struggle, they managed to get him in the car, however, Mr. Chauvin got Mr. Floyd out from the other side of the car, pinned him on the ground with his knee over Mr. Floyd's neck. Crowd gathered and begged the officer to move his knee, seeing the desperate situation of the victim. He shouted several times that he could not breathe. The officers did not even let the paramedics show first aid when they arrived. When Mr. Floyd stopped moving, the crowd urged the officers to check his pulse which they refused to do for several seconds. Mr. Floyd died in the evening in the hospital (Hill et al., 2020). Derek Chauvin was sentenced to twenty two years to serve in prison for a second-degree murder. The other officers involved were charged but for shorter sentence (The Associated Press, 2024).

As is typical in legal cases, there are two sides to the story – one seeking justice for the victim and the other defending the actions of the accused. The global

interest in this case goes beyond its seriousness; it sparked intense reactions worldwide. Media coverage, from articles in well-known publications to documentary films, brought the incident into attention.

Thus, this article aims to analyze the opening statements presented by both sides in the trial, exploring the early stages of this legal process. The prosecutor for the State represents Jerry Blackwell, who is the first one to start his opening statement. The defense side is represented by Eric Nelson who is defending Derek Chauvin's rights trying to prove that his client had nothing to do with the victim's death. Taking into consideration the public reaction and media coverage, we will analyze the language used by the lawyers, looking at how grammatical choices, style, and rhetoric contribute to shaping the narrative of George Floyd case.

In the analysis of this court case our main goal is to conduct the analysis of court room speeches considering linguistic, linguo-stylistic and discourse analysis methods of investigation. Linguistic and linguo-stylistic analysis focus on words, sentence structures, and meanings used in speech. These help understand the speakers' language style and choice of words. Moving beyond linguistic and stylistic aspects, discourse analysis and extralinguistic aspects are examined from the point of view of how speech is organized – looking at patterns and rhetorical devices. Understanding the structure and cohesion of speech reveals the speakers' communicative strategies. The extralinguistic dimension considers non-verbal cues, socio-cultural contexts, and the broader environment of the speech. This includes body language, tone of voice, and cultural influences. By combining these perspectives, the methodology provides a thorough analysis, revealing layers of meaning and the interplay between language, discourse, and context. We also discuss the rhetorical and persuasive means which have a paramount importance in impacting the decisions of the jury and the judge. As to rhetorical means, we have taken into consideration the Aristotelian model to reveal the persuasive aspects and intentions of the lawyers and see how this impacts the jury. In addition, comparative-contrastive analysis will be helpful to study and explore the differences in both lawyers' speeches to understand the outcome. Linguo-stylistic analysis is of great importance to unveil the stylistic means employed by the lawyers to realize a certain type of impact on the audience, while pragma-linguistic analysis will allow us to delve into the speech for interpreting the speech and the goal.

General Linguo-Stylistic Peculiarities

As is generally acknowledged, the opening statements of the trial are the most important and key factor to lead the jury to their final decision. Lawyers should have such an engaging and mind-keeping introductory statement that will have them win the case. Some lawyers target the emotional level of the case and use *pathos* in their opening statement to manipulate the jury emotionally

(Champagne, 2015). Added to this, the opening statements should exclude any type of argument, and concentrate solely on the case, emphasizing the key factors and valid points of the case. During their speeches, lawyers may throw in **hypothetical questions** without expecting any response from the audience. The hypotheses are put forth to lead the listeners' attention towards the direction desired. As Rankin (2022) mentions, "A hypothetical question is one that deals with events that might possibly happen, rather than what has or has not actually happened". Hypothetical questions are defined as "a mixture of assumed or established facts and circumstances, developed in the form of a coherent and specific situation which is presented to an expert-witness at a trial to elicit his or her opinion" (Lehman & Phelps, 2005, p. 322). Thus, hypothetical questions are employed in court and legal discourse to leave less room for the listeners' thought and rather guide them to the desired decision indirectly.

In the case under study, we observe a noteworthy characteristic in the attorneys' opening statements, specifically the use of **direct and indirect speech**. This is a very interesting and important phenomenon in linguistics in general and in legal discourse in particular. Ordinarily, the difference between direct and indirect speech is that the former is a verbatim direct speech, when someone directly reproduces somebody else's words, while the latter is the description of those words in one's own way, which is meant to give an explanation to others (Köder, 2016, p. 22). In other words, the direct speech is the precise interpretation of what has been uttered originally, while the indirect speech is not the precise description of the utterance (Griswold, 2016, p. 74). Hence, the latter can lead to ambiguity of the meaning of what has been uttered before, or a change of the events and stories. However, grammarians believe that people are usually inclined to present the reports in direct speech, paying more attention to the accuracy of speech (Köder, 2016, p. 22). On the other hand, the choice of direct speech is justified because it tends to be more engaging and animating, while the indirect way of reporting events is usually considered duller. There are scholars who argue that even when quoting directly, the meaning can be changed unconsciously because of not recalling precise words, or consciously as a result of the intention of exaggerating the speech. Another thing is that people tend to remember the information as a whole rather than what has been uttered word for word before. However, indirect representation of the events can sometimes lead to inaccurate interpretation, moreover, even be intentionally created or transformed to a certain extent (Groenewold et al., 2014, p. 864). Chaemsaitong also studied the direct speech and explained it as a speech which is used when the events are of utmost importance for the case, while the indirect speech is used when describing the events to the jury as a story (Chaemsaitong, 2017, p. 93).

Another important factor to pay attention to is **the tense form** in which the lawyers are narrating the events to the audience. The tense form of the lawyers' speech in the courtroom setting is important as it has a different effect on the

audience. Since they have the result of the events and should present the summary of those events, their choice of the past tense for narration is quite appropriate. However, the jury does not know the full details, so the lawyers should enliven the narration for the jury by using present tense in their speech whenever it is appropriate (Wilcox, n/d). When speaking about the events in the present tense, the lawyers have the jury's attention, revive the incident for them to experience the situation vividly (Bates et al., 2015, p. 346).

As we are aware, legal discourse tends to lack any emotional coloring or stylistic devices, however public officials, politicians and especially attorneys tend to repeat certain words, phrases or even sentences to make an impact on the listener about the truthfulness of their viewpoint, trying to convince them, or even manipulate their thoughts (David, 2017; Hayrapetyan, 2020). Mastering the art of persuasion is an indispensable aspect of a lawyer's profession. Lawyers must always realize whether a repetition is desired or necessary in order to be employed in speech. There is a repetition type called "awkward repetition", when the same phrase or word is repeated unnecessarily instead of paraphrasing (Barry, 2020, pp. 38-39). It is crucial to know how to shape the speech to be not only informative but at the same time have interesting highlights to grab attention.

Opening Statements of Eric Nelson and Jerry Blackwell

When reading media highlights, one cannot but pay attention to the public reaction to the mentioned case. For example, an article published in New York Times "How George Floyd Was Killed in Police Custody" gained many comments, some defending the police officers saying "Minneapolis Police has been begging for years to increase police budget to improve staffing, attract better suited candidates and – most importantly – enhance training" (Paul commentator in NYT, 2020). However, the majority of the comments condemned the misconduct and brutality of the police and took the side of the victim.

Top Documentary Films posted close to one hour film called "8 Minutes and 46 Seconds: The Killing of George Floyd" which described and showed the events that had happened, and the protests that began triggered by the murder all around the world becoming the start of the so-called "Black Lives Matter" movement (Top Documentary Films, 2020). A comment¹ is of interest against the victim, published by "anti-puppet" that speaks strongly against the Democrats, who are supposedly behind falsifying the occurrence. All these findings made us delve deeper into the case and find out the reality of the actual matter.

Now we are going to analyze both the prosecutor's and the defense lawyer's opening statements. To objectively assess the situation let us firstly look into the opening statement of Eric Nelson, the lawyer of Derek Chauvin. It is significant to mention that from a grammatical point of view, Mr. Nelson's speech is mostly made up of complex, compound and compound-complex sentences:

You will see Officer Chang's body-worn camera, and you will hear his interactions.

It is apparent that this is a compound sentence with two independent clauses. Adding the coordinating conjunction *and* makes the sentence more understandable and easier to grasp the actions described. In addition, if we separate the clauses, the first one creates visual perception, while the second one establishes an auditory insight preparing for future expected sequence of events. With regard to the rhetorical point of view, **Mr. Nelson addresses the audience directly engaging them and indicating what they can expect or should pay attention to. Another noteworthy aspect about this** sentence can be considered pinpointing the officer's camera which can infer validation for this statement. Another example of a compound sentence is the following:

They were driving Minneapolis squad car 320, and they faced parking southbound in the northbound lane of Chicago Avenue, and were directed by store employees immediately to the second location; the Mercedes-Benz.

It can be deduced that Mr. Nelson has mentioned the police's specific car type, the store employee and the locations to provide exact factual information. This way it becomes clear the accurate location, the people involved in the incident and the specific car type that the police drove. This creates and establishes trust. As already mentioned, there are also complex and compound-complex sentences. Two of the following are complex, while the other two are compound-complex:

*Common sense tells you that there are always two sides to a story.
And you will hear from Mr. Martin, that Mr. Hall and Mr. Floyd refused.*

These complex sentences consist of a main clause connected to the subordinate one with the conjunction *that* which simplifies the comprehension of the situation. Eric Nelson's general statement indicates the presence of two sides, directing the jury to weigh the facts and information not only taking into account the prosecutor's side but also the defense side. He builds the anticipation and sets firm belief that witness Mr. Martin will confirm about the victim and his friend's refusal.

At the end of this case, we're going to spend a lot of time talking about doubt, but for purposes of my remarks this morning, I want to talk about reason and common sense, and how that applies to the evidence that you're about to see during the course of this trial.

This will include evidence that while they were in the car, Mr. Floyd consumed what were thought to be two Percocet pills.

The above compound-complex sentences are conjugated by coordinating conjunction *but* and subordinating conjunctions *how*, *that*. The sentence starts with *at the end of this case* establishing a firm belief that the topic will be discussed after he, the defense lawyer himself firstly addresses logical thinking and common sense and then shows how that relates to the evidence. In this matter, Mr. Nelson establishes a foundation of logical thinking before addressing uncertainties. Logical reasoning and common sense are the targets in his speech as he aims to direct the jury to rely on practicality, common sense, and intelligence to analyze the situation for a just verdict. The address also has a persuasive aspect to gain the audience's trust and alignment with the speaker's viewpoint. Another matter is the mention of the medical pills used by the victim which can serve multiple purposes. Firstly, it introduces a specific detail that could influence perceptions of the case. Secondly, it hints at a potential argument or narrative that may unfold during the trial, indicating strategic planning or preparation on the speaker's part. Mr. Nelson also strategically says: *we're going to spend a lot of time talking about doubt* but chooses to focus on a different aspect in the current context. This timing can be strategic to control the narrative flow and direct the audience's attention to specific themes or arguments as needed. The mention of Mr. Floyd consuming *Percocet pills* while in the car, implies a causal link or potential impact on subsequent events. This can be a subtle way of framing the narrative around factors that might influence interpretations of the case.

It is of special significance to note that simple sentences are very few in Eric Nelson's speech, which makes us draw an opinion that short sentences are for emphasis to bring the attention of the audience to a specific point. Some simple sentences considered here are:

The Federal Bureau of Investigation included at least 20 additional agents in their investigation.

They have interviewed nearly 200 civilian witnesses, in this case.

Mr. Martin observed Mr. Floyd. He watched his body language.

He's not acting right. He's six to six and a half feet tall.

In the above simple sentences there are certain noteworthy details – the numbers that Mr. Nelson reveals speak about a thorough and careful investigation; about the authority, the mention of which is reassuring for the listener; about the observance of the witness that can direct the jury to trust the store clerk's senses towards the victim's behavior. Physical appearance and body language is also of crucial importance. Mr. Nelson implies that George Floyd was stronger and bigger

than others around him, thus leading the jury to come to the conclusion that a use of force was of necessity.

When we compare the complex/compound sentences with simple sentences, we can deduce that complex and compound sentences are used to relay the information and the story by providing more information related to the case, while the short sentences are targeted to direct the listener's attention to a specific fact. In Mr. Nelson's opening statement, the varied sentence structures serve different rhetorical functions, from emphasizing key points by using simple sentences to connecting ideas or contrasting viewpoints by using compound and complex sentences. This variety helps to maintain audience engagement and convey information effectively in different contexts.

We will now discuss some of the sentences by Jerry Blackwell in his opening statement:

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.

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.

Mr. Blackwell's discourse is centered on longer clauses with subordinating conjunctions to connect the clauses. In these two examples, it is obvious that Mr. Blackwell relays his speech in longer statements. The first sentence speaks about what the police badge is about. He explains that it stands for protecting its citizens. This leads the listener to interpret that the use of force cannot be applied any time, since the police are responsible first and foremost for taking safeguarding measures to defend people. In the second sentence, the prosecutor informs the audience that the defendant failed the public by acting unethically by using unnecessary force against the victim. Mr. Blackwell uses *no, ladies and gentleman, until the very life was squeezed out of him*" to focus everybody's attention to that very minute detail. The emotional impact is at its peak when the following **hyperbole** is chosen: *life was squeezed out of him* as an exaggeration for the appeal on the jury.

*You will see that his respiration gets shallower and shallower, and finally stops when he speaks his last words, "I can't breathe."
Sunglasses remain undisturbed on his head and it just goes on.*

Breaking down the above compound sentences, we observe different notions. By saying *you will see* the prosecutor takes the jury's attention to listen to him. In the sentence he uses **repetition** at the same time resorting to **pathos** when mentioning *he speaks his last words* to make the utterance dramatic. Repetition in this case can be considered part of the rhetorical device as it becomes more effective and persuasive for the audience to feel compassion towards the victim and anger towards the defendant. *Finally* completes his thought emphasizing the fact that George Floyd uttered his last breath. In the second sentence, the **sarcastic remark** *sunglasses remain undisturbed on his head* emphasize that nothing could make Derek Chauvin move away from George Floyd or move his knee from the latter's neck.

*You will hear Mr. Floyd as he's crying out.
We'll be able to point out to you when you'll see the involuntary movements from Mr. Floyd, that are part of an anoxic seizure.*

These two complex sentences have peculiar aspects. The repetitive phrase *you will hear* which is observed throughout Mr. Blackwell's speech is also noticed in Eric Nelson's speech together with the phrase *you will see*. The subordinate conjunction *as* is used to connect the main clause with the secondary one at the same time emphasizing the action of Mr. Floyd's crying. The second complex sentence shows more of an expected factual information that will be explained during the trial. Noteworthy becomes mentioning the indirect meaning behind the sentence conveying the cause of the seizure start while the victim was forced to the ground immobile.

*The sanctity of life and the protection of the public shall be the cornerstones of the Minneapolis Police Department's use of force.
It was about a counterfeit \$20 bill.*

With the above sentence the prosecutor emphasizes what the police duty and morality must be focused on when applying force. The second sentence shows that the whole incident took place for a mere \$20 bill which can be interpreted as very trivial compared to human life. Upon examining these and other sentences, we can see that the compound-complex sentences are the most used type of a sentence.

Now that we have examined some of the sentences from a syntactic perspective, the consideration of a hypothesis included in the speeches could provide deeper insights into the intended meanings and potential implications. We cannot overlook the use of some **hypothetical questions** in Mr. Nelson's speech – a characteristic feature of legal discourse. In this case, Mr. Nelson uses the following hypothetical questions:

What would a reasonable police officer do?
What is a reasonable use of force?
What would a reasonable person do in his or her most important affairs?
What is a reasonable doubt?

Putting forward these hypothetical questions, Eric Nelson surely does not expect any answer from the public, however, he wishes to direct their thought and mind to the direction of the real incident the investigation of which has gathered so many people in that courtroom. The interrogative words *what would* and *what is* are not seeking to formulate a question for this case, since the hypothetical question does not imply a real question expecting answers. Nelson wants the jury to imagine the situation and the scenario to be able to understand why the incident happened the way it had. The first hypothetical question about the officer can mean that the lawyer is informing the jury and the judge what every officer would do in a similar situation. It prompts the listener to consider what actions might be considered reasonable in a particular context, such as handling a conflict or making an arrest. Thus, there is no guilt whatsoever. The second question can mean that he is justifying his client's action of using physical force to keep the victim on the ground, though in this way he abused his *uniform*. He wants the jury to imagine the scenario and justify why use of force was implemented. The third sentence is directed to everyone to feel they are part of the situation, part of what happened and make them believe they would act the same way. It prompts consideration of what actions might be deemed reasonable or rational for an individual to take in important personal or professional matters. The last sentence concerns the massive guilt beyond reasonable doubt that is challenged. It gives the jury a chance to define or explain what level of doubt would be considered reasonable when determining guilt or innocence.

In comparison, it is worth mentioning that only one rhetorical question is observed in the prosecutor's speech: *What does it stand for?* Mr. Blackwell himself brings out the question with the immediate response right after stating the rhetorical question. The main idea for the rhetorical question is to direct the listener to the question and then explain the meaning to reach a certain goal (Špago, 2017, p. 103).

It is not difficult to notice that both attorneys make use of direct speech in their opening statements mainly when they want to emphasize some information or make an effect on the audience. In court proceedings, it is always important who uses direct speech: lawyers or witnesses². The study of the defense lawyer's statement reveals the use of **direct quotes** aimed to emphasize the victim's guilt.

- (1) *Please come inside, give us the money or return the cigarettes.*
- (2) *Get in the car. You can't win.*
- (3) *Is he under arrest? Yes.*

The defense lawyer is making an effort to prove that the victim was not innocent, or maybe was even dangerous. Eric Nelson firstly quotes the store clerk's request to the victim (1), trying to prove a point that the victim was not listening to what he was asked to do. Hence, he wanted to persuade the court that the victim deserved the defendant's actions. The second statement is the words of the passer-by (2), and can show that even strangers understood the victim's guilt and advised him to comply. And the last interaction (3) was between the defendant and the officers who had initially arrived. The interaction shows that they could have helped Chauvin to avoid the victim's death. Unfortunately, the officers did not want to intervene nor interfere with the defendant's actions. Upon studying these examples, it can be deduced that the defendant tried to understand the situation and give a solution to it. The delivery of the statement in direct speech during the trial is used when the attorneys want to avoid ambiguity; emphasize the importance of the utterance; make an impact on the audience; orientate the court's attention to the quotes.

The quote of George Floyd's words are emotional and affect the audience since they reproduce the latter's pleadings for help, his outcries for his mother and his children:

*Please, I can't breathe, please, man, please.
Tell my kids I love them.
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.
My stomach hurts. My neck hurts. Everything hurts.
Please. I can't breathe. Please, your knee on my neck.*

Although these quotations are very short, they are extremely important from the point of view of their rhetorical value as they make the prosecutor's speech more pathetic (Barker, 2015, p. 3; Yakutina et al., 2020). This passage evokes pathos because it appeals to the audience's emotions, particularly evoking empathy by highlighting the distress and suffering of George Floyd. The repetition of phrases like *I can't breathe* and *They're going to kill me* intensifies the emotional impact and underscores the urgency of the situation. These words humanize George Floyd, making his plight more relatable and compelling to the audience, thereby eliciting a strong emotional response.

Mr. Nelson targeted the logical reasoning of the jury in his introductory statement. He encouraged the jury by saying that logic and common sense are linked together and will have a decisive role in the case. His speech starts with the following: *A reasonable doubt is a doubt that is based upon reason and common sense*. The lawyer explains *reasonable doubt* as uncertainty comprised of reason and rationality. This way, he targets the sensibility and sensitivity of the people in court, at the same time questioning their capability of just trial. *Reasonable doubt* has the following meanings: "a doubt especially about the guilt of a criminal

defendant that arises or remains upon fair and thorough consideration of the evidence or lack thereof” (Merriam-Webster, n/d - a); “Not being sure of a criminal defendant's guilt to a moral certainty” (Law.com Dictionary, n/d - b); “the highest burden within the law to prove because it is a fact based on the circumstances and it holds the highest consequence for those involved” (Kryder, Esq., 2021). These interpretations of *reasonable doubt* help us see that the lawyer keeps pinpointing the language units *reasonable*, *reason*, *reasonable doubt* repeatedly with the aim of focusing the attention of the jury on the word and explaining how the defendant could not be found guilty if there is reasonable doubt. We can say that repeating words many times is due to the fact that the defense lawyer’s speech lacks significant information regarding the case. Repetitions are targeted at the fulfillment of a persuasion tactic to affect the minds of the audience. As already mentioned, repetition plays a vital role in the persuasion process since when a story is referred to more than once, people subconsciously tend to believe its truthfulness. It is not by chance that in the Armenian language, there is an expression “say it soon-soon not to forget” which can be interpreted as the continuous repetition of something even untrue will make it sound quite true. In this case, the defendant’s lawyer uses awkward repetition unnecessarily during his whole opening statement making his speech duller and void of importance. Even if Mr. Nelson’s speech is informative and important, the awkward repetitions diminish the worth of the information.

Another sentence noteworthy of mentioning is: *But the evidence is far greater than nine minutes and 29 seconds*. The *9 minutes and 29 seconds* is referred to the timeframe Mr. Floyd was forced to the ground and remained there. Now, the defense lawyer wants to target the unimportance of the time since, in his opinion, the whole case and events are more important. This is a way to misdirect the juror and judge’s decision to his, Mr. Nelson’s own cause by discrediting the prosecutor. This can be of manipulative nature to minimize the big event and maximize the desired side for oneself. Mr. Nelson targets this time, since the council of the State in his opening statement emphasized the length of Derek Chauvin’s knee above the victim’s throat. He kept those minutes in the center of his whole opening statement to prove the defendant’s cold-blooded murder:

You will learn what happened in that nine minutes and 29 seconds, the most important numbers you will hear in this trial are 9:29, what happened in those nine minutes and 29 seconds when Mr. Derek Chauvin was applying this excessive force to the body of Mr. George Floyd [...]

[...] so let’s begin by focusing then on what we will learn about this nine minutes and 29 seconds. And you will be able to hear Mr. Floyd saying, “Please, I can’t breathe, please, man, please.” In this nine minutes and 29 seconds you will see that as Mr. Floyd is handcuffed there on the ground, he

is verbalizing 27 times you will hear in the four minutes and 45 seconds, “I can’t breathe, please. I can’t breathe [...].

[...] you’ll see that for roughly 53 seconds, he is completely silent and virtually motionless with just sporadic movements [...].

[...] you’ll see he does not let up and he does not get up for the remaining, as you can see three minutes and 51 seconds [...].

In these sentences, it is not hard to notice the stylistic elements used, such as **rhythmic phrases**, **repetitions**, **enumerations** and **temporal markers** employed by the council of State. Repetitions and rhythmic phrases are persuasive and gain the listener’s attention. They have a lasting impression and growing interest. It can be deduced that the repeating phrase *you’ll see* and *you’ll learn* are meant to rouse interest towards the statements uttered creating anticipation and guiding the jury through the future events. The rhythmic phrase *does not let up and does not get up* is a parallelism which emphasizes the contrast of the actions and evokes a sense of impatience. *Let up* and *get up* can be contrastive in a sense that the first means *to relent*, while the second one means *to stand up*, creating a juxtaposing visualization and concept.

Another statement by the defense lawyer is about the physique of both the defendant and the victim: *Mr. Chauvin stands five foot nine, 140 pounds. Mr. Floyd is 6,3, weighs 223 pounds* which seems very unnecessary in this case, as it was the defendant, who though smaller in size than the victim, allegedly killed the latter. The difference is specifically emphasized to show that the police officer could not in any way harm the victim since he was much smaller physically than the latter. Besides, this can have an indirect proposition that the victim could have harmed or assaulted the defendant, this is why the latter took precautions. These minor facts, however, bring us to the conclusion that Mr. Nelson does not have valuable ground to stand on, which is why he presents insignificant information.

Eric Nelson continues his opening statement describing the location of the incident: *You will learn that because of this intersection at 38th and Chicago is considered a high crime area, the city installs what’s called the, ‘Milestone video system’.* The word-combination *high crime* ascribes numerous crimes to that particular area, intending to lead the jury to the subconscious belief that the victim was one of the many criminal individuals in the area, hence the use of force by the police could be anticipated and reasonable.

Eric Nelson’s speech is organized into three sections: an introduction, a main body, and a conclusion. In the introduction, he discusses the concept of reasonable doubt, explaining its significance to the jury. In the main body of the speech, he presents the case’s facts and evidence, referencing authoritative figures such as the FBI and the police. He concludes his speech by highlighting Mr. Floyd’s strong drug influence and underlying health issues, and closes with a directive for the jurors to find his client not guilty.

As far as the prosecutor's opening statement is concerned, the council of the State starts his speech with describing what the police badge is about. Then he develops it into a coherent and logical interpretation of the matters and events. His speech follows the Aristotelian pattern of rhetoric. It starts with ethos, then goes to pathos, then to logos, and ends with pathos again when he starts describing the victim. The council shows and reads the code of conduct of Minneapolis police on never employing unnecessary force or violence. The reason why he emphasizes this part is to underscore the victim's demeanor and behavior with the police officers. In recounting the events, the council quotes the victim's desperate words, *please, please, I can't breathe, man, please*, a technique that appeals strongly to pathos. However, upon listening to the speech itself, it becomes apparent that it is devoid of emotion and remains strictly factual. Additionally, the council mentions the victim's cries for his mother, a detail that can elicit sympathy from all listeners, as it portrays a large adult man in a state of helplessness. The council continues by describing the victim's expressions of love for his children and the physical pain he experienced in various parts of his body. These details serve to underscore the victim's dire condition and provoke indignation towards the defendant.

We can mention a sarcastic remark made by the council towards the defendant. The sarcasm *sunglasses remain undisturbed on his head* implies that Mr. Chauvin does not move a muscle. The word *undisturbed* enhances the visual situation proving the careless and merciless behavior. After repeating the victim's words, the council then draws the jury's attention to the main part of all that – the victim's voice getting heavier, fading. Somehow, the council guides the jury to pay attention to those minute details that had led to death. Mr. Blackwell emphasizes the seconds of the length the victim stopped breathing. He goes on explaining the sporadic movements the victim made after his breathing stopped which is due to the seizure which arises when respiration stops. Then he repeats *knee on the neck, knee on the back [...] he does not get up, he does not let up*. Noteworthy is the use of parallelism and repetition of the phrases *does not get up, does not let up, knee on the neck, knee on the back* respectively, since they add to the graveness and disturbing image effectively.

The council of State uses pathos a lot trying to transfer emotions to the judge and the jury to affect their state of mind. He also uses some rhythmical words in his speech that can be considered another stylistic means of effect. We believe, this is a powerful way of stating facts by awakening anger and irritation towards the defendant. All these facts stated in such a way, are a trigger for the audience to get persuaded by the heavy guilt the defendant has committed beyond a reasonable doubt. Had the prosecutor not stated the facts the way he chose to, the audience might not have been convinced in the guilt of the defendant even with the heavy evidence provided. Otherwise stated, the choice of word combinations, phrases, stylistic devices or persuasive means by the prosecutor helps the audience understand the situation much more clearly.

Conclusion

In conclusion, a number of rhetoric and stylistic devices are used in the lawyers' opening statements in the mentioned trial. The opening statements are recognized as crucial components to influence the jury's perception and, consequently, their ultimate decision. Attorneys use of diverse range of linguistic techniques strategically to present their case, captivate the jury's attention, and develop the narrative to favor their respective clients. The analysis also reveals that both lawyers' opening statements are full of complex and compound sentences, and the use of direct speech on specific cases is noteworthy. This is an essential element in emphasizing specific statements and conveying emotional impact. The shift in tense forms from the past to the present can have an engaging and dramatic effect to make the speech more interesting and the minute elements more vivid. Additionally, the use of hypothetical questions is a significant aspect, a common yet effective peculiarity of legal discourse aimed at directing the audience's thoughts and shaping their perspectives. The stylistic analysis of the opening statements proves to be inseparable from legal discourse even though it may lack any emotional coloring whatsoever. In the speeches, it is very crucial to make an emotional impact on the jury, and this is the main reason why lawyers tend to drop in some stylistic elements. Another important factor is the rhetorical strategies employed by the attorneys. These tactic aims at influencing the perception of the key aspects of the case and guiding the audience towards the attorneys' desired conclusions. Notably, the prosecutor's emphasis on specific timeframes and the defense lawyer's efforts to minimize the importance of time – reveal contrary strategies. Thus, the State won the case by prosecuting the defendant not only due to the heavy evidence against him, but also the way the council's speech was presented.

Notes

1. "George Floyd died from a drug Overdose & the whole I can't breathe campaign was just another one of the democrats' stunts to cause a divide between the public. The first time that Floyd said that he couldn't breathe was when he was in his vehicle and he was trying to distract the cops as he hid the drugs that was cuffed in the palm of his hand, he then asked for his mommy and he then began to panic and the officers helped him up from the ground and they put him in a vehicle and then they turned on the air conditioner so that he could cool down. THE RECORDED VIDEO'S That proves all of this info to be ABSOLUTE FACTS was BLOCKED by the Democrat owned and controlled Msm News who also wouldn't show the evidence to their viewers. Floyd was a freemason he had the tattoo of Freemason across the top of his chest. His alleged daughter & son that was shown on the MSN news weren't even his children! The girl who allegedly recorded the video was proven to be a crisis actor! The whole entire drama with the Marxist Group Blm & the Fascist Radicals of the revenge of the nerds group called Antifa

were All HIRED & PAID VERY WELL WITH DEBIT CARDS BY GEORGE SOROS & WHOEVER WAS VIDEO RECORDED & CAUSED DAMAGE OR ACTED OUT WITH VIOLENCE THEY WERE PAID MORE MONEY.” (Anti-Puppet commentator in *Top Documentary Films*, 2022).

2. It is usually the lawyers who tend to use direct speech quoting either during the questioning or proceeding from their prior reportings. Meanwhile, witnesses use direct speech when they are telling about the events, particularly if they were personally present at the event (Galatolo, 2015, pp. 141-143).

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Չ. ՀԱՅԳԱՊԵՏՅԱՆ – Դերեկ Շովինի դատավարությունը. դատական գործի լեզվական և հոկտորական վերլուծություն. – Փաստաբանների ելույթը դատարանի դահլիճում արժեքավոր է, քանի որ նրանց դերն առանձնահատուկ նշանակություն ունի պաշտպանյալների համար: Մեծ հետաքրքրություն և կարևորություն է ներկայացնում նրանց խոսելաձևը, օգտագործած

բառաձևերը, տրամադրած տեղեկատվությունը և այն, թե ինչպես են նրանք դա իրականացում: Սույն հոդվածում մեր նպատակն է վերլուծել փաստաբանների ելույթը Ջորջ Ֆլոյդի դատական գործի վերաբերյալ և ուսումնասիրել, թե ինչպես կարող է համապատասխան լեզվական տարրերի ընտրությունն օգնել կողմերից մեկին՝ այն շահելու համար: Միաժամանակ, կարևոր է նկատել, թե բացի փաստացի տեղեկատվությունից, դատական գործընթացի պարտության հանգեցնող ինչպիսի ասպացույցներ են բացակայում մյուս կողմի խոսքում: Քննվող գործի վերաբերյալ մեր նախնական դիտարկումները հանգեցրել են այն համոզման, որ կարևոր է ուսումնասիրել ոչ միայն փաստաբանի խոսքի հոետորական կողմը, այլև դրանում օգտագործված լեզվական նյութը, որը վճռորոշ ազդեցություն է թողնում ինչպես ատենակալների, այնպես էլ դատարանի դահլիճում ներկա գտնվողների վրա:

***Բանալի բառեր.** դիսկուրսի վերլուծություն, քերականական վերլուծություն, ռճարանական վերլուծություն, հոետորական հատկություններ, փաստաբանական բացման ելույթներ*

3. АЙРАПЕТЯН – Суд Дерёка Шовина: лингвистический и риторический анализ судебного дела. – Выступление адвокатов в зале суда имеет важное значение для клиентов. Особый интерес и значение имеет стиль их разговора, используемые словесные комбинации, предоставляемая информация и т. п. В данной статье проанализирована речь адвокатов по делу Джорджа Флойда с целью выявления соответствующих языковых элементов, способствующих одной из сторон в выигрыше судебного дела. Одновременно важно увидеть, каких доказательств не хватает в выступлении другой стороны, кроме предоставленной фактической информации, которая приводит к поражению в судебном процессе. Предварительное рассмотрение текста расследуемого дела приводит нас к твердому убеждению в том, что важно изучение не только риторики адвоката, но и содержания речи, что может способствовать как убедительному воздействию на судей, так и в целом на присутствующих в зале суда.

***Ключевые слова:** дискурсивный анализ, грамматический анализ, стилистический анализ, риторические свойства, исследование вступительной речи адвоката*