

Metadiscursive Boosting in Russian Courtroom Discourse: Enhancing Persuasiveness in Defence Speeches¹

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Abstract. Recent studies are revealing new aspects of courtroom discourse, examining the specifics of its production and applying novel analytical methods. Yet, despite their significance and complexity, the use of metadiscursive tools remains scarce. These tools offer substantial promise for analysing discursive practices, which increasingly seen not only as informative, but also interactive and impactful. The inherently interactive and persuasive nature of courtroom discourse underscores the need for metadiscourse as a potent analytical instrument. Such an instrument encompasses mechanisms for expressing attitudes towards the propositional content and for drawing the recipient into a dialogue with the speaker. This article addresses the metadiscursive dimension of defense speeches as a distinct genre within courtroom discourse. The study uses quantitative analysis on a corpus of Russian-language courtroom texts, innovatively applying metadiscursive analysis to identify linguistic elements that enhance the persuasiveness of defence speeches, with a focus on the technique of boosting. Throughout the study, five types of boosters were identified – markers of certainty, evidentiality, intensity, solidarity, and superiority – each serving one of five pragmatic functions: to show the speaker's confidence in the truth of their assertions, to point to the credibility and reliability of the source, to amplify the emotional impact of the statement, to denote the upper bounds of a continuum, and to reference commonly known facts or shared experiences of events or situations. The study reveals that boosting at the lexical level is predominantly achieved through the use of evidential verbs and nouns, adverbs of measure, degree, and time, as well as superlative adjectives. Additionally, the frequent use of first-person plural pronouns was observed. The findings suggest that adept use of boosters in courtroom discourse is indicative of a lawyer's pragmatic competence and is crucial for effective communication with the court and the jury.

Keywords: courtroom discourse, the defense closing argument, booster, persuasiveness, metadiscourse

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“Not only is courtroom discourse one of the most ancient types of speech, but it also has a centuries-old tradition of research” (Shatin, Silantsev: 402), thus providing researchers with unique opportunities for discursive analysis, being a product of speech activity that concentrates an entire set of pragmatic strategies and tactics of lexical and grammatical means. The various genres of courtroom discourse are of great interest to Russian and foreign linguists, whose focus is on the multitude aspects of communication in the courtroom (Artemova 2013; Boginskaya 2022; Volkova et al. 2023; Devyatkina 2006; Krapivkina 2017; Kuznetsova 2006; Shatin, Silantsev 2020; Aldridge 2007; Boginskaya 2022a, 2022b; Cotterill 2003; Heffer 2005; Kurzson 2006; Rosulek 2015, and others). Devyatkina, for example, used court debate speeches to determine the stylistic composition of defence speech, concluding that it was heterogeneous and transitional in nature – sometimes official and businesslike, sometimes journalistic, and sometimes even at the level of a public performance (Devyatikina 2006). Kuznetsova introduced the concept of the “oratorical mask,” which she defines as a means of disguising the speaker and of his or her transformation in the courtroom (Kuznetsova 2005). She then goes on to describe the varieties of oratorical masks and their role in creating the image of a court orator. Artemova used the speeches of Anatoly Koni to analyse narrative structures in courtroom discourse, proposing a three-level model for organizing opening and closing speeches by the prosecution (Artemova 2013). Kyrkunova studied the compositional structure of speeches for the defence and for the prosecution, identifying the integral components of them (Kyrkunova 2010). Palashevskaya described the functions, structure, and constitutive features of courtroom discourse and studied the narrative nature and status characteristics of participants in a court trial (Palashevskaya 2011). Krapivkina studies discursive practices in the courtroom as a process of constructing dualistic realities and suggests that this duality reveals certain properties that are associated with the objective nature of courtroom speeches, arising somewhat autonomously, regardless of the personalities of the people involved in the judicial process (Krapivkina 2018). Shatin and Silantsev examined the key methods of argumentation in the courtroom discourse of Anatoly Koni and Fyodor Plevako, comparing them to the argumentation schemes of the Cambridge School. The conclusion drawn by the authors about the intuitive use of argumentation techniques by Russian rhetoricians, which formed the basis of neo-rhetorical theory, is intriguing (Shatin, Silantsev 2020). Volkova, Panchenko, and Prigarina took a somewhat different approach, applying the concept of “miscommunication” in their analysis of the texts of courtroom speeches by Russian lawyers of the 19th–21st centuries. They identified three reasons why the speaker fails to implement their plan: inadequate goal setting; deviation from the rules of argumentation; and unsuccessful verbalization of their ideas (Volkova et al. 2023).

Foreign studies into courtroom discourse focus on the pragmatics of courtroom speeches (Chaemsaitong 2014; Gotti 2014; Tracy, Hodge 2018; Yang, Wang 2021), genre characteristics (Cotterill, 2003; Rosulek, 2015; Heffer, 2005), issues of legal trans-

lation (Cao, 2013; Hu, Cheng 2016), and legal semiotics (Cheng, King 2008). Janet Cotterill, for example, having studied the infamous O.J. Simpson trial, defined court speech as a discursive reflection of the process of (re)constructing a crime and identified the linguistic and discursive features of this genre (Cotterill 2003). In his detailed analysis of the language of jury trials, Chris Heffer develops a model of discursive interaction between lawyers and jurors based on two modes of communication – narrative and pragmatic (Heffer 2005). Heffer points to the hybrid nature of discursive practices in the courtroom as a result of strategic tension: the discursive practices of the lawyer and the bearer of ordinary consciousness are products of the strategic tension between the paradigmatic needs of professionals and the narrative thinking of regular people. Isolda Carranza offers a different approach. In her work, she identifies and describes five kinds of metapragmatic indexes in the courtroom speech genre, signalling that this type of discourse takes place in a certain social field: 1) performatives; 2) evaluations of speech; 3) sociocultural practices; 4) contextual conditions; and 5) style (Carranza 2008: 169). Laura Rosulek's examination of courtroom speeches led her to identify several types of rhetorical strategies used by lawyers to create contrasting representations of the same crime. These strategies are based on emphasizing and de-emphasizing mechanisms that help the speaker focus attention of different aspects of the same reality (Rosulek 2015).

As this brief review of existing studies has shown, the attention of researchers has focused on a wide range of aspects of courtroom discourse. Modern research is now revealing new facets of this discourse, addressing the specifics of its production and functioning and searching for new analytical tools. Despite the theoretical and practical significance of such studies, as well as their multidimensionality, they very rarely use metadiscursive tools, which have significant potential in studying discursive practices, and are increasingly characterized not only as an information environment, but also as a space of interaction and influence. The interactive and persuasive nature of courtroom discourse requires the use of metadiscourse as an effective analytical tool that encompasses the means of expressing attitudes towards propositional content and engaging the recipient in a dialogue with the speaker.

Metadiscourse has proven itself to be an effective research tool over the past decade, having been widely used in the study of various types of discursive practices. However, most metadiscursive studies have been carried out on scientific discourse (Takimoto 2015; Zou, Hyland 2019, etc.). The courtroom speech genre has never been subjected to metadiscursive analysis, although metadiscourse is of great importance in achieving its primary communicative goal – to convince the court of a defendant's innocence.

To fill this gap in the study of courtroom communication, this paper aims to determine the linguistic features of the persuasive aspect of defence speech as a genre of courtroom discourse based on metadiscursive boosting. To achieve this goal, we set ourselves the following tasks:

- 1) To identify the types of boosters as metadiscursive markers that increase the persuasive power of a statement and determine their frequency.
- 2) To describe the pragmatic functions of boosters in the corpus of defence speeches.
- 3) To identify the means of linguistic implementation of different groups of boosters and compile a list of the most frequent lexical units used to accomplish boosting.

Theoretical Basis of the Study

Let us define metadiscourse as a communicative category that includes an explicit set of linguistic means that actualize the speaker's attitude to propositional content and help him or her engage the recipient in a dialogue.

Ken Hyland identified five types of metadiscursive strategies depending on the pragmatic function that is realized in discourse: hedges, boosters, attitude markers, engagement markers, and self-mentions (Hyland 2005). Hedges are used to soften the illocutionary force or categorical nature of a statement (*unlikely*), while boosters, on the contrary, emphasize the speaker's confidence, that there is no speculation whatsoever on his or her part (*of course*). Attitude markers (*important, interesting, effective*) verbalize emotional patterns of behaviour and the assessment of propositional content in terms of its importance, significance, complexity, etc. Self-mentions (self-reference markers) indicate the presence of the speaker in the discourse and denote their responsibility for the statements produced (*I, we, me, us, my, our*). And finally, engagement markers (*come on, you, to you*) help the speaker involve the addressee in the dialogue, emphasizing his status as a full-fledged partner in communication.

Since the focus of this study is on boosters, we will go into greater detail on these specific metadiscursive tools. It is important to note here that in the Russian scientific literature the pragmatic functions of boosting are mainly considered within the framework of *categoriality*, which includes "linguistic and non-linguistic characteristics that make it possible to determine how confident the speaker is in the state of affairs he or she is describing or analysing, as well as to judge the degree of categoricalness of the information the speaker is conveying" (Malyshkin, Nikitin 2014: 109). *Categoriality* is the focus of attention of many Russian linguists (G. Gushchina, N. Panchenko, Y. Volkova, and so on). Gushchina, for example, described the methods and specifics of the implementation of *categoriality* in Russian and English (Gushchina 2008). Panchenko and Volkova identified the connection between *categoriality* and such categories as authority and confidence and concluded that Russian academic discourse is characterized by a high degree of *categoriality*, which determines its conflict potential (Panchenko, Volkova 2021). Viktorova examined this category from a slightly different perspective. Using Hyland's terminology, Viktorova examines boosters within the framework of the auxiliary system of discourse, which includes discursive units (discursives) that help the addressee understand and interpret the statement correctly. She

notes that boosters play an extremely important role, helping the speaker highlight the main points of what they are saying, place emphasis on certain parts, express confidence, and strengthen the categorical nature of the statement (Viktorova 2022).

In Hyland’s model, boosting is seen as a metadiscursive strategy that helps to increase the illocutionary force of a statement and enhance its persuasiveness, which is understood as an assessment of propositional content in terms of its reliability or unreliability, formed under the influence on the consciousness of the addressee. It thus follows that any speech act aimed at forming an internal conviction in the recipient in the reliability of the information being presented and at encouraging him or her to perform or not perform certain actions with the help of various rhetorical means, including metadiscursive resources, can be persuasive.

The modified boosting model proposed by Hyland and Zou (Hyland, Zou 2021) serves as the methodological substrate of the present study. Table 1 presents a typology of boosters proposed by Hyland and Zou, supplemented by the author of this article. Markers of solidarity and markers of evidentiality were added, as they also appear to increase the illocutionary force of a persuasive utterance.

Table 1. Typology of Boosters

Type	Function	Lexical implementation
Markers of certainty	to show the speaker’s confidence	<i>sure, of course, undoubtedly</i>
Markers of evidentiality	to point to the source	<i>show, demonstrate</i>
Markers of superiority	to denote the upper bounds of a continuum	<i>the best, the most important</i>
Markers of intensity	to amplify the emotional impact of the statement	<i>extremely, very, always</i>
Markers of solidarity	commonly known facts or shared experiences of events or situations	<i>it’s common knowledge, as a rule</i>

Research Methods and Materials

The material used for the study was 38 defence speeches by Russian lawyers that are in the public domain on the internet. Defence speeches were selected from the past two decades, since the focus was on texts that are relatively contemporaneous.

The stages in the analysis presented in this article are outlined below:

- (1) Selection of texts of defence speeches and their export to a Microsoft Word file.
- (2) Analysis of the texts to identify boosters.
- (3) Contextual analysis of the boosters that have been detected in order to clarify their pragmatic function.
- (4) Distribution of boosters into groups.
- (5) Determination of the frequency of booster types.
- (6) Determination of the frequency of lexical means of boosting implementation.
- (7) Summary of the results obtained in the form of tables.

Research Results

The frequency of the use of boosters identified in the corpus of defence speech texts is presented in Table 2

Table 2. Frequency of Booster Groups

Type	Frequency
Markers of intensity	224
Markers of evidentiality	204
Markers of superiority	194
Markers of certainty	142
Markers of solidarity	84
Total	948

All types of boosters included in Hyland and Zou's modified taxonomy were identified during the study. As the table shows, the most frequently used markers were markers of intensity and markers of evidentiality. Markers of solidarity were used by defence lawyers significantly less frequently than other markers, accounting for slightly more than 9% (84 instances) of all uses of boosters.

Below, we will examine example that illustrate the functioning of boosters in the context of defence speech.

Markers of Intensity

The most frequent markers in the corpus under study are markers of intensity, the communicative function of which is to intensify a feature, assessment, or quantity relative to their neutral use. By exerting an emotional impact on the addressee, they also help enhance the persuasiveness of statements, preventing doubts about the truth of the proposition. Here are some examples:

- (1) *And now, Your Honour, I will ask a question that is **very** important for this case.*
- (2) *And this is extremely important, because **none** of the evidence collected during the preliminary investigation is considered reliable before it is assessed by the court.*
- (3) ***Everything** here – the law and the facts – is defective.*
- (4) *Contractors **always** strive to fulfil the terms of contracts they have signed for the provision of services with lower costs.*
- (5) *The victim stated during the trial: I consider the use of the word “thief” in the sub-heading inappropriate, since I have **never** been recognized as such by the court.*
- (6) *The defence has **no** reason to believe that the money was ill-gotten.*

The effect of increasing the illocutionary force of a persuasive statement is achieved through the adverbs *very*, *always* and *never*, and the pronouns *no*, *none* and *all*. These markers are used to evaluate the object of reality and demonstrate the lawyer's inten-

tion to give what they are saying the status of a categorical judgement, excluding alternative predicates. The speaker does not leave any room for other interpretations of the facts being presented.

The most frequently used markers of intensity identified in the corpus are presented in Table 3.

Table 3. Most Frequent Markers of Intensity

Markers of intensity	Frequency
Very	108
Always	62
None	38
Never	34

The lexical repertoire of this group of markers is not rich. As the table shows, they are mostly represented by adverbs and the negative pronoun *none*, which intensify the feature or assessment, thereby enhancing the persuasive effect of statements.

Markers of Evidentiality

The second most frequent markers in the corpus under study are markers of evidentiality. The use of this type of booster indicates the intention of the defence lawyer to present a version of the crime as based on reliable and trustworthy sources, rather than speculation. Some examples:

(7) *This **demonstrates** that the approach to assessing the circumstances of the case proposed by the defence is based solely on the legislation that is in force in the country.*

The evidential verb “to demonstrate” enhances the persuasiveness of the statement about the approach chosen by the defence to assessing the circumstances of the case.

(8) *When I saw the indictment for this case, it became **clear** to me, as an experienced, lawyer, that there was no evidence in this case.*

(9) ***Obviously** / it is **perfectly obvious** he does not understand the content of the law being cited.*

In these examples, the adverbs “clearly” and “obviously” act as markers of evidentiality that allow the speaker to exclude alternative interpretations of the current situation. They suggest that the speaker acknowledges the possibility of other points of view, but had decided to reduce them to zero. The use of these markers indicates that the speaker has every reason to claim that there is no evidence, or that the witness does not understand the meaning of the law. The adverb “perfectly,” which functions here as a marker of intensity, further enhances the persuasiveness of the utterance.

In addition to verbs and adverbs, evidential nouns serve to increase the illocutionary force of a statement:

(10) However, the overwhelming majority of all these testimonies ... justify them in all their **obviousness**.

(11) However, a **fact** remains a fact.

(12) The sheer number of them is **proof** that their activity was entrepreneurial.

(13) The defence believes – and there are good **reasons** for this – that the course of the investigation was largely determined by the relatives of the deceased.

Citing a reliable source of information helps enhance the persuasiveness of statements. In the context of legal proceedings, legislation often serves as such a source, which the parties cite to justify their position.

(14) **In accordance with** Article 709, Paragraph 2 of the Civil Code of the Russian Federation, these costs are included in the price, and we, so to speak, have the right to compensation.

The most frequent markers of evidentiality found in the corpus of defence speeches are presented in Table 4.

Table 4. Most Frequent Markers of Evidentiality

Markers of evidentiality	Frequency
show	42
proof	38
fact	34
in accordance with	26
according to	22
demonstrate	20
obviously	12
clearly	8

Unlike markers of intensity, which are mostly expressed by adverbs, this groups of boosters is represented by a large variety of lexical and grammatical categories, among which nouns and verbs dominate. Derivative prepositions also turned out to be quite frequent.

Markers of Superiority

The smallest group of boosters were markers of superiority, which signify the upper bounds of a feature or characteristic. Here are some examples from the corpus where lawyers use superlative adjectives to enhance the persuasiveness of their statements:

(15) Krasnikhina explained in the **greatest** detail why these analyses were abandoned, yet they still could not be found.

(16) The ruling to dismiss the Mercedes case is the **most striking** example of the servility and sycophancy of prosecutorial officials, who use any means to wash their hands of the violations they themselves admit to.

(17) The **best** argument for the lawyer asking Yusubova to tell the truth in court is the last phrase addressed to her by Lebedev.

By indicating the upper bounds of the continuum, these markers help lawyers remove doubt about the truth of a proposition. They play the role of intensifiers, containing an intentional component that enhances the illocutionary force of a persuasive utterance. The most frequent markers of superiority found in the corpus are presented in Table 5.

Table 5. Most Frequent Markers of Superiority

Markers of superiority	Frequency
best	22
most significant	14
brightest	10
most important	8
biggest	6

As the table shows, the most frequent markers of superiority in the corpus are adjectives. Interestingly, not a single superlative adverb – which can also enhance the persuasiveness of the utterance by indicating the upper limit of the feature – was found during the analysis.

Markers of Certainty

The fourth most frequent group of boosters was markers of certainty, which lawyers use to convince the recipient of the veracity of the stated facts by demonstrating confidence in the validity of the defence’s version and depriving the addressee of interpretative space. Markers of certainty increase the strength of a proposition and make the connection between it and the evidence obtained more effective. As Melnik notes, persuasive speech “contributes to the formation of an internal conviction in the presiding judge and the jury” [Melnik, 2001].

Below are examples illustrating how lawyers attempt to refute the prosecution’s position and convince the court of the defence’s position using the epistemic adverb “certainly” and the short adjective “sure”:

(18) The absence of selfish goals can **certainly** be regarded as mitigating circumstances.

(19) I am **sure** that this will not remain without an appropriate continuation.

In addition, the noun “doubt” was used in combination with a negative pronoun as a marker of intensity as a way to give statements a categorical character.

(20) There is **no doubt** that neither Ilyushenko nor Gaidanov nor Kirakozov had read Vadim Poegli’s article.

The most frequent markers of certainty in the corpus of defence speech texts are presented in Table 6. These tables illustrate how the lawyer’s intention to convince the addressee of the veracity of the facts presented is realized linguistically.

Table 6. Most Frequent Markers of Certainty

Markers of certainty	Frequency
of course	34
undoubtedly	30
certainly	18
sure	12

The most frequent markers of certainty are the epistemic adverbs “of course” and “undoubtedly.”

Markers of Solidarity

Solidarity is realized through linguistic means of expressing the belonging of the speaker and the addressee to a single social group or discursive community. Markers of solidarity are among the most effective rhetorical devices that help increase the illocutionary force of a statement by appealing to common knowledge, experience and traditions. An example:

(21) *You **know** that the contract has a clause describing the subject of the contract.*

The marker of solidarity helps the speaker to place the recipient – the judge – in the framework of disciplinary knowledge that is accessible to all members of the legal discourse community. Reference to membership in the same community allows the speaker to get closer to the addressee and achieve his or her perlocutionary goal. The most frequent means of creating the solidarity effect were first-person personal pronouns:

(21) *It is no coincidence that **we** did not hear a single argument in the prosecutor’s speech justifying the legal assessment of the act.*

(22) *And **we** have grown so accustomed to believing the printed word and what we see on TV.*

The inclusive first-person pronoun creates the effect of the addressee’s inclusion in a single (for the addresser and the addressee) communicative space and suggests a common experience of a given situation. What is more, the use of first-person plural personal pronouns creates the effect of confidential communication between the lawyer and the audience. By reconstructing a crime, the lawyer declares his or her intentions ns such a way that the intentional horizons of the speaker and the recipient merge at a given point.

Table 7 shows the most frequent markers of solidarity.

Table 7. Most Frequent Markers of Solidarity

Markers of solidarity	Frequency
we / us / our	38
known	22
we know	14
let’s	14

As the analysis of the lexical means of solidarity shows, first-person plural pronouns are the most frequent in defence speeches, followed by the short adjective “known,” the epistemic verb “to know” in the first-person plural (“we know”), and the imperative verb “let’s,” which have the meaning of an invitation to joint action.

Conclusion

As the study shows, the defence lawyer’s focus on the recipient – the judge and/or jury – forces him or her to use various metadiscursive means, including boosters, to enhance the persuasiveness of their utterances. The effectiveness of courtroom speech and the achievement of the perlocutionary effect are largely determined by the correct choice of metadiscursive strategies and the linguistic means of their implementation.

Five types of boosters – a metadiscursive strategy used to produce persuasive statements and maintain effective relations with the recipient – were identified in the corpus of texts studied: markers of certainty, markers of evidentiality, markers of intensity, markers of superiority, and markers of solidarity. Each of these serves one of five pragmatic functions: to show the speaker’s confidence in the truth of their assertions; to point to the credibility and reliability of the source; to amplify the emotional impact of the statement; to denote the upper bounds of a continuum; and to reference commonly known facts or shared experiences of events or situations. The study found that the markers used most frequently by lawyers to enhance the persuasiveness of lawyer’s assertions are markers of intensity and markers of evidentiality. Markers of solidarity were used significantly less frequently than the other markers.

The analysis revealed that boosting at the lexical level is predominantly achieved through the use of evidential verbs and nouns, adverbs of measure, degree, and time, as well as superlative adjectives. The frequent use of first-person plural pronouns was also observed.

It appears that the correct use of boosters in courtroom discourse is indicative of the pragmatic confidence of a lawyer and is crucial for effective communication with the addressee. The results of the analysis of the frequency of linguistic means of implementing boosters can be used by novice lawyers when constructing defence speeches.

In terms of the prospects for further research, a comparative analysis of boosters and other metadiscursive means in defence and prosecution speeches, as well as in speeches delivered in court in front of and in the absence of a jury, would be useful.

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Conflict of interests

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