

LINGUISTIC MEANS OF ARGUMENTATION AND EVIDENCE PRESENTATION IN COURTROOM DISCOURSE

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Abstract

Courtroom discourse is a form of institutional communication that reflects the complex relationship between language and law. The process of reasoning and proving in court proceedings is carried out not only through legal norms, but also through linguistic and pragmatic means. This article analyzes the linguistic means used in the process of presenting evidence, constructing arguments, and proving them in court discourse. Within the framework of the study, speech acts, question constructions, evidential units, presuppositions, and pragmatic strategies are considered as important components of argumentation mechanisms in court proceedings. The results of the analysis show that language plays an important role in courtroom discourse not only as a means of transmitting information, but also as an instrument of persuasion and evidence.

Keywords: courtroom discourse, legal argumentation, evidence presentation, evidential markers, speech acts, questioning strategies, forensic linguistics, legal communication, linguistic analysis, witness testimony, legal pragmatics, judicial discourse.

Introduction

Language is an integral part of legal processes. In court proceedings, language serves as the main means of expressing facts, presenting evidence, and constructing legal arguments. Therefore, the field of forensic linguistics, which was formed at the intersection of modern linguistics and law, pays special attention to the study of the functions of language in court proceedings.

Researchers of forensic linguistics interpret judicial discourse as a special form of institutional communication. Linguists Coulthard M. and Johnson A. emphasize that language performs two main functions in court proceedings: first, it forms the communicative basis of the legal process, and second, language itself can serve as evidence[1]. Judicial discourse differs from ordinary everyday communication in a number of ways. First, it is based on strict institutional roles. Participants in court proceedings - judge, prosecutor, lawyer, witness, and defendant - have their own communicative functions. Second, judicial speech is subject to a formal style, special terminology, and procedural rules.

Linguist Gibbons J. defines judicial discourse as a communicative system that reflects social and institutional power relations.[2] In court proceedings, lawyers and prosecutors use language to present evidence, interpret facts, and attempt to persuade the court to a particular decision. Therefore, judicial discourse serves not only an informative but also a persuasive function.



Methods

Determining the linguistic features of the process of reasoning and proof in judicial discourse requires a multifaceted linguistic approach. In the process of legal argumentation, arguments are expressed, substantiated and interpreted through language. Therefore, within the framework of the study, the functional properties of linguistic units, argumentative constructions and evidential indicators that represent evidence in judicial discourse are considered on the basis of discourse and pragmatic approaches.

Discourse analysis is one of the important theoretical foundations in determining the linguistic mechanisms of reasoning in judicial discourse. Discourse analysis interprets language units not as separate grammatical structures, but as speech phenomena that perform a certain communicative function. Norman Fairclough interprets discourse as a social practice and emphasizes the formation of certain knowledge systems and social relations through language in institutional communication[3]. In this regard, the units that represent evidence in judicial discourse also appear inextricably linked to the communicative context and argumentative strategies.

A pragmatic approach is also of particular importance in studying the mechanisms of reasoning in judicial proceedings. Pragmatics allows us to determine the contextual meaning of speech, the communicative intention expressed through speech acts, and the implicative meanings. Linguist John Searle emphasizes that assertive speech acts in the theory of speech acts perform the function of stating facts and confirming information[4]. In judicial discourse, it is precisely this type of speech acts that is widely used in the process of stating evidence, confirming facts, and substantiating arguments.

Also, the comparative linguistic approach allows us to identify the specific features of linguistic means used in the process of reasoning and proving in judicial discourse. Comparative analysis serves to identify common and different aspects of linguistic units, argumentative constructions, and evidential means that express evidence in different languages by comparing their structural and functional properties. Such an approach is especially important in revealing aspects of language related to cultural and institutional factors in legal communication.

Thus, the linguistic mechanisms of the process of reasoning and proof in judicial discourse are studied on the basis of discourse analysis, pragmatic approach, and comparative linguistic analysis. These approaches allow us to identify the functional properties of linguistic units, argumentative constructions, and evidential means that represent evidence in judicial discourse.

Results

In judicial discourse, the process of reasoning and proving is manifested as an argumentative system formed through language. In judicial proceedings, evidence is expressed and interpreted not only through legal documents or facts, but also through linguistic units. The analysis shows that in judicial discourse, evidential units, question constructions, speech acts, argumentative connectives, and evaluative units are manifested as important linguistic means in the process of expressing evidence.

Evidential units play an important role in indicating the source of evidence in judicial discourse. Evidential units indicate where the information is obtained and increase the credibility of the argument. In English judicial discourse, such units are often expressed by referring to testimony,



documents, or expert opinions. For example:

The evidence shows that the defendant entered the building at approximately 10 p.m.

In this construction, **the evidence shows** indicates the source of evidence as an evidential unit. Such a construction presents a fact not as a personal opinion, but based on available evidence. Researchers L. Solan and P. Tiersma analyze evidential units and emphasize their important role in forming a logical connection between evidence and legal conclusions in legal discourse[5].

Similar constructions can also be found in Uzbek court speech:

Guvohning ko‘rsatmalariga ko‘ra, ayblanuvchi voqea sodir bo‘lgan joyda bo‘lgan (According to the testimony of the witness, the accused was at the scene of the incident).

Here, the construction **guvohning ko‘rsatmalariga ko‘ra** (according to the testimony of the witness) as an evidential unit indicates the source of evidence. Through such units, the source of facts is clarified in court speech and the credibility of the argument is increased.

Question constructions also appear as an important linguistic tool in the process of argumentation in court discourse. Through questions, witness statements are clarified and evidence is confirmed. Question constructions are used as an argumentative strategy, especially during cross-examination. For example, affirmative interrogative sentences are widely used in English court speech:

You saw the defendant near the store that evening, didn't you?

This question is grammatically constructed in an affirmative form and serves to direct the witness's response in a certain direction. Linguist J. Cotterill emphasizes that such questions are used in court discourse as a means of controlling the witness's speech and strengthening the evidence[6]. Similar question constructions can also be found in Uzbek court discourse:

Demak, siz ayblanuvchini voqea sodir bo‘lgan joyda ko‘rganingizni tasdiqlaysizmi? (So, do you confirm that you saw the accused at the scene of the incident?)

This question construction serves to strengthen the evidence by clarifying the witness's statement.

Speech acts are also important in the process of expressing evidence in courtroom discourse. Through speech acts, facts are stated, evidence is confirmed, and legal conclusions are drawn. We can find these features of speech acts in both English and Uzbek court discourse. J. Searle emphasizes that assertive speech acts in the theory of speech acts perform the function of stating facts[7]:

The witness confirms that the accused left the building shortly after the incident.

In this construction, the verb **confirms** is used as a speech act confirming evidence. Similar constructions are also found in Uzbek court speech:

Guvoh ayblanuvchi voqea sodir bo‘lganidan so‘ng binodan chiqib ketganini tasdiqladi (The witness confirmed that the accused left the building after the incident).

This construction serves to strengthen the argument by confirming the fact.

The analysis shows that evidential units, question constructions, and speech acts play an important role in the process of expressing and substantiating evidence in court speech. Evidential units clarify where the facts are obtained by indicating the source of evidence. Question constructions serve to clarify witness statements and reveal additional information. Speech acts, on the other hand, allow for the linguistic expression of evidence in court proceedings by stating facts and confirming them. Thus, these linguistic means appear in court



discourse as one of the important communicative mechanisms of the evidence process.

Discussion

Analysis of the linguistic features of the process of reasoning and proof in judicial discourse allows us to understand more deeply the important functions of language in legal communication. The results of the study show that in the judicial process, evidence is formed and interpreted not only through facts or documents, but also through linguistic means. The process of expressing evidence in judicial discourse often takes place through evidential units, question constructions, and speech acts. The use of evidential units makes it possible to clarify the source of evidence in judicial discourse and to demonstrate the reliability of facts. Such linguistic units indicate where the information was obtained and on what basis it is based. This plays an important role in the process of interpreting facts in judicial proceedings and transforming them into legal arguments. Forensic linguistics studies also show that evidential units in judicial discourse are important in the structural organization of evidence[8].

The use of question constructions in judicial discourse is also an important component of the evidential process. Through questions, witness statements are clarified, new information is revealed, and existing evidence is confirmed. The strategic use of question constructions in the trial process allows you to control the witness's speech and clarify the evidence. Speech acts also appear as an important linguistic mechanism in the process of evidence. In court speech, facts are stated through speech acts, testimonies are confirmed, and information is expressed within the framework of legal interpretation.

The results of the analysis show that in court discourse, the process of evidence is manifested as a complex argumentative system organized through language. Through linguistic means, facts are not only stated, but also presented within the framework of a certain interpretation. Therefore, linguistic analysis of courtroom discourse is important in understanding how legal communication is formed and through what linguistic strategies evidence is expressed.

Conclusion

The analysis of the linguistic features of the process of evidence and proof in courtroom discourse shows the important role of language in legal communication. The results of the study confirm that in court proceedings, evidence is expressed not only through legal facts or documents, but also through linguistic means. The process of presenting and substantiating evidence in court discourse is carried out through evidential units, question constructions, and speech acts. Evidential units in court discourse serve to indicate the source of evidence and clarify where the facts are obtained. Question constructions become an important communicative tool in the process of evidence by clarifying witness statements and revealing new information. Speech acts, on the other hand, allow for the statement of facts, confirmation of information, and their representation within the framework of legal interpretation. Thus, the process of evidence and proof in court discourse is manifested as a complex communicative system formed through language. Through linguistic means, facts are brought into a certain argumentative form in court proceedings and are of great importance in the process of making legal decisions. Linguistic analysis of court discourse helps to identify the functional capabilities of language in legal communication and to understand more deeply the argumentative features of court discourse.



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