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American Courtroom Discourse: Psycholinguistic Aspect

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Abstract---Since the twentieth century, information has become a particularly powerful tool of influence in all realms of human activities. The sender of the speech seeks to influence their recipients by all available means, both lingual and non-lingual. For this reason, we have placed special emphasis on psychological phenomena that help the speech author to succeed in court. One of such seminal psychological phenomena is transgression. Notwithstanding a thorough study of this issue, we have not come across any studies of courtroom discourse dealing with this phenomenon. While exploring the texts of the prosecutors` and defense attorneys` speeches we applied contextual and linguo-stylistic analyses as well as intent and discourse analysis methods. Based on such findings, transgression in courtroom discourse is used simultaneously to erase bounds, on the one hand, and to create hype and epatage, on the other. It is created with the help of lexical means mostly which can be either invective directly or become invective in the context.

Keywords---courtroom discourse, discursive-psychological approach, invective vocabulary, lexical means, phenomenon of transgression, psychological exposure.

Introduction

Since the second half of the twentieth century, “the discourse approach” was widely used in linguistics, as well as in psychology. In our view, it was caused, inter alia, by the ever-growing impact of the information space as a special kind of space. It is worthwhile to bear in mind that the new format of “immersion” in the information space combined with an almost unlimited amount of available information requires constant control over the distribution of the flux of information (to whom the information is intended) and control over the flow of

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information (how much information must “leak out”). In this case, information becomes a powerful tool of influence.

For this reason, we have placed special emphasis on those who are actually resisting this influence. In this article, the affected party is the jury, whose behaviour is often criticised, but not explained. Why is it that the brilliantly conceived speeches of prosecutors or defense attorneys at trials can both achieve their goal of convincing jurors of a conviction or acquittal and fail communicatively? What psychological phenomena help the speech author succeed in court, get an appropriate reaction from the jury? While exploring this issue, we have not encountered any studies dealing with this problem ([Brent & Siskind, 2001](#); [Woon et al., 2010](#)).

In the light of the above written, we consider the chosen research topic sufficiently relevant. The purpose of this research is to clarify the role of the impact of transgression on the recipient in courtroom discourse. It may be added at this point that the achievement of the goal is facilitated by the fulfillment of a number of tasks:

- To determine the peculiarities of the discursive-psychological approach;
- To characterise the phenomenon of transgression.
- To establish the role of transgression in terms of its impact on recipients.
- To identify the impact of transgression on the organisation of the courtroom narrative.
- To single out the linguistic means that create transgression.

The data for this study were the defense attorneys` and prosecutors` opening and final speeches delivered at the 2 high-profile trials – Casey Anthony Trial and George Zimmerman Trial.

Research Methods and Techniques

Before committing to our research, let us turn to the methods that are necessary for the implementation of the specified tasks. It is worth noting, especially from the standpoint of psycholinguistics that the most important psychological component of human discursive activity are intentions, which are directly connected both with the goals of activity and with the desires, needs and attitudes of the individual, so the analysis of the intentional plan helps to clarify the aims of communication and explain its results. It is the intentions that are the link connecting the true aspirations of the communicant and the verbal content of the speech delivered. Therefore, a logical consequence of this understanding is the choice of the method of intent-analysis as the main one. Intent analysis is understood as a theoretical-experimental study of the communicant's intentions, which implies the unity of form and content ([Gray et al., 2012](#); [McGannon et al., 2017](#)).

Specifying the position of the authors of this article regarding the definition of the concept of transgression was carried out in the process of analyzing the interpretation of this concept presented in the theoretical sources, using methods of comparison (approaches to the interpretation of this concept and types of

features of the phenomenon given by different scholars were considered), generalization (common and distinctive views of the authors were summarized), reasoning (in justification of our own interpretations). In performing other tasks, the discursive-psychological approach was chosen, which determined the structure of the analysis. The above approach determined the content of the underlying hypothesis of the study: the specifics of the judicial narrative and the factors of its successful impact on the jury and the judge depend on the interpretative repertoire used by the agents of the courtroom discourse.

The modeling method served in the formation of the research structure along the following vectors: identifying the specifics of the courtroom narrative on the basis of prosecutors' speeches – identifying the specifics of the courtroom narrative on the basis of defense lawyers' speeches – generalization. The typified characterisation of the three contexts of discourse was created using the design method: the results of observations of the structure of real trials in the United States were projected onto each of the named contexts of the courtroom discourse. In determining the peculiarities of the speeches of prosecutors and attorneys we used the methods of component analysis: we distinguished the signs of transgression, and in the linguistic context – semantic components (semes) of the meanings of words and phrases, which enable the verbal expression of transgression. The method of classification was used in the identification of specific signs of transgression in the courtroom narrative, and the method of generalization was used to draw conclusions on the results of the study. While exploring the texts of the prosecutors' and defense attorneys' speeches we applied such methods as contextual analysis and linguistic and stylistic ones.

General Discussion

Phenomenon of transgression: delineation

The term “transgression” came to the social sciences from biology (overcoming by a child the traits peculiar to parents) and geography (flooding of land space by the sea). Nowadays it is firmly rooted in philosophy. The understanding of transgression is varied, but there is something common in its interpretation – transcending the well-established. For example, Maurice Blanchot interpreted transgression as a movement of contestation that permeates all of history. So, it is defined as a burst beyond fixed limits. Georges Bataille speaks of transgression as the erasure of familiar boundaries (Bataille, 2000). In postmodernism, transgression is often understood as a manifesto, an outrageous attempt to escape from conventional philosophical methodology: “one gets the impression that transgression as such inherently demands scandal, surviving in an exalted atmosphere of outrage, element, rebellion, insurrection, crime” (Razinov, 2013).

In literary theory, transgression is seen in terms of the artwork going beyond itself, its meaning, with the narrator no longer being the central. The main goal becomes the involvement of as many readers as possible for the success of the work, for its publicity, for its hype. As confirmation of our thoughts, we can quote the importance of transgression in literature: “The narrator is thus no longer the only authoritative presence in the novel; instead, there is an emphasis on shifting points of view and lack of closure which increase readers' participation in

configuring the meaning of the literary text” (Visoi, 2014). In our opinion, the phenomenon of transgression has been insufficiently covered in linguistics. So, it is worth mentioning an interesting paper by A. Schutz, R.F. Baumeister “The language of defense – Linguistic patterns in narratives of transgressions” (1999). They surveyed the defensive language that is “designed to conceal, instead of to communicate” (Schutz & Baumeister, 1999). And, a more recently study by A. Dirk Moses “The Language of Transgression, 1890s to 1930s” (2021), where transgression is viewed as an instrument of repression. However, both of them are not related to courtroom discourse, although transgression in court has important persuasive and suggestive functions.

Polish psychologist J. Koziellecki developed the “transgressive concept of personality”. He views transgression as an intentional and conscious action or thought process “beyond the hitherto existing material, symbolic, and social capacities and achievements of man, becoming the source of new and important values, positive and negative” (Pufal-Struzik, 2002). In general, in psychology, the term mostly means going beyond existing limits, breaking norms, rules. Psychologists consider transgression as a motivational mechanism, distinguishing four types of transgression: a) transgression directed at the physical world; b) directed at other people; c) symbolic actions and d) actions directed at self-creation (Kormacheva, 2015). In courtroom discourse, transgression is three-faced: it is obviously directed at others, as it is used to influence the listener, to establish control over them. However, at the same time it is also addressed to the sender of the speech, developing his own character, mind, as well as gaining a certain experience. Furthermore, transgression in courtroom discourse is symbolic and intellectual, as the sender of the speech has to find the right vector to create it. Also, transgression in courtroom discourse is always a challenge and epatage. With this in mind, we have attempted to analyse transgression at the intersection of psychology and discourse analysis that, in fact, is what discursive psychology explores.

Transgression from the point of discursive psychology

The trend of convergence of psychology, ethnography, cultural sciences, anthropology, and linguistics, based on the study of everyday human activity through language and discourse, led to the emergence of discursive psychology, which explores psychological problems from the perspective of the participant(s) of the events taking place. The term “discursive psychology” as such entered the mainstream of scientific knowledge after Derek Edwards and Jonathan Potter’s research “Discursive Psychology” (Edwards & Potter, 1992). One of the originators of this conception, Professor R. Harré, substantiates it by stating a new paradigm in research based on two principles: first, the principle of non-abstraction from real life, and, second, the principle of non-exclusion of the individual from the research process. As he claims, “Do not abstract phenomena of psychological interest from real-life episodes to such a degree that the original meaning is lost. Do not eliminate person from the analysis of investigation” (Harré, 2012).

According to B. Davies and R. Harré, the communicant in general is manifested in the process of social interaction as one that is constituted and reconstructed through the various discursive practices in which he/she participates. Moreover,

one can only determine a communicant's identity within his/her own or within the discursive practices of other communicators: "An individual emerges through the processes of social interaction, not as a relatively fixed end product but as one who is constituted and reconstituted through the various discursive practices in which they participate. Accordingly, who one is is always an open question with a shifting answer depending upon the positions made available within one's own and others' discursive practices and within those practices, the stories through which we make sense of our own and others' lives" (Davies & Harré, 1990).

It may be added at this point that discursive psychology explores the participants' understanding and practical control of a particular event in terms of psychological processes, such as emotions, intentions, or actions in conversation and text, and for what purpose: "Discursive psychology (DP) is the study of psychological issues from a participant's perspective. It investigates how people practically manage psychological themes and concepts such as emotion, intent, or agency within talk and text, and to what ends" (Te Molder, 2015). It allows us to describe and recognize mental phenomena in the process of social interaction through language (Nyandra & Suryasa, 2018).

Our point here is that discursive psychology focuses on the linguistic and communicative nature of mental processes, denying, let us particularly emphasize, the artificial separation of language and mental processes, and introduces an integrative holistic approach. It is not positioned as a separate science, but as a branch within psychology to analyze communicative theories in the course of the linguistic and discursive turn in the social and human sciences, thus ultimately serving the development of qualitative psychological knowledge in the modern world. Discursive psychology is a practical subject that is based on three principles: situativity, action-orientation, and constructiveness (situation-oriented, action-oriented, and constructed) (Potter, 2003). To demonstrate the principle of situativity, let us deal with the courtroom discourse. After been told to introduce himself in court, e.g. "State your full name for the record", the witness will not dwell on his impressions about the weather, but will be subjected to a particular situation within that discourse. Most litigants will use offensive or accusatory rhetoric in doing so (Iriani et al., 2018; Rostovtseva & Nizkodubov, 2020).

The principle of action-orientation implies that by means of the speech act some action is always realized: description, reflection, accusation, justification, explanation, invitation, insult, etc. Proceeding from the understanding of speech as immanent to action, in discursive psychology, discourse is essentially an action as such, targeted at achieving certain goals: "Following the convention in conversation analysis, DP uses the notion of action orientation to emphasize that actions are pervasively being done even in ostensibly factual, descriptive discourse, and to distance itself from a 'speech act' approach that assumes that some discrete set of words correspond to a discrete act" (Potter, 2003). The principle of constructiveness in discursive psychology consists in the fact that, first, discourse is "constructed" from words, metaphors, idioms, rhetorical devices, opinions used in the process of interaction of communicants performing specific speech acts, "constructing" with the help of language a certain image of the world and themselves (Bocheliuk et al., 2021; Krutova-Soliman et al., 2021).

Let alone the fact that discourse per se constitutes reality (recall the power of Michel Foucault's discourse): "Second, it studies the way discourse constructs versions of the world. That is, it studies how versions of inner life, of local circumstances, of history and broader social groups and structures are produced to do particular things in interaction. In DP, then, discourse is both constructed and constructive" (Potter, 2003). Discursive psychologists investigate then how language is used to achieve specific goals. And then they focus not so much on the personal characteristics of the communicant, but rather on the "embeddedness" of the speech act in the dialog and the performance of certain functions in it – the function of self-presentation and the function of influence on the recipient, in order to cause him/ her a certain reaction (Malyuga & McCarthy, 2018; Chaemsaithong & Kim, 2018).

In line with this, the task of discursive psychological analysis is to parse these functions carried out through discursive actions: what linguistic means the sender of information employed, how exactly the speaker intended to influence the listener, what kind of reaction he wanted to provoke, etc. For this research, the principles underlying the discursive-psychological approach helped to identify the motivations and goals of the communicators, determine their constructed narrative lines or narratives, establish how they influence and generally construct courtroom discourse, and how this is perceived by the recipients. The construction of the narrative depends on the communicant's interpretive repertoire (Roth, 2008; Wiggins, 2004).

Thus, in the context of the discursive-psychological approach, language and psychological processes act as means of constructing the social world. It should be emphasized that each communicant has a specific set of interpretive techniques or interpretive repertoires, so the task of discursive psychology is to identify repertoires of interpretation, which are represented by a specific array of concepts that evaluate and describe social phenomena, events and actions. Such a repertoire is culturally recognizable, often includes clichés and stereotypes, it is local and flexible, and can be formed on the basis of specific metaphors or figures of speech: "Interpretative repertoires are recurrently used systems of terms used for characterizing and evaluating actions, events and other phenomena. A repertoire, like the empiricist and contingent repertoires, is constituted through a limited range of terms used in particular stylistic and grammatical constructions. Often a repertoire will be organized around specific metaphors and figures of speech (tropes)" (Potter & Wetherell, 1987).

Applying interpretive techniques, as N. P. Busygina reasonably points out, "people construct their own versions of the world and themselves" (Busygina, 2010, p. 68). In addition, repertoires are the techniques by which speakers (or writers) persuade the listener (reader). Beyond this, the interpretive repertoire determines the object, elements, and structure of the narrative. From our point of view, different interpretive repertoires can create different narratives or models of storytelling. Interpretive repertoires have a social nature – they are borrowed by individuals from the cultural context of perceptions and beliefs. However "each time their use is subordinated to the specific communicative intentions of the speaker/writer" (Busygina, 2010). Let us observe what kind of narrative model interpretive repertoires based on transgression create and how they affect the

recipients' perception of events and organization of the narratives in court (Bell & Travis, 2005; Simpson, 1981).

The role of transgression in court

In courtroom discourse, transgression is complex and multifaceted: it is obviously directed at others, as its role is to influence the listeners, to establish control over them; at the same time, it is also directed at the senders of the speech, developing their own characters, minds, and gaining certain experiences. Additionally, it becomes symbolic or intellectual, as it disrupts the traditional structure, creates a new approach, and ultimately forms a different reality. With the help of transgression, a storytelling model is constructed that organizes the courtroom discursive space in a special way. There is a “struggle of discourses for the right to establish their own being and meaning perspective” (Faritov, 2015). Again, transgression in the courtroom discourse is always a challenge and partly an epatage.

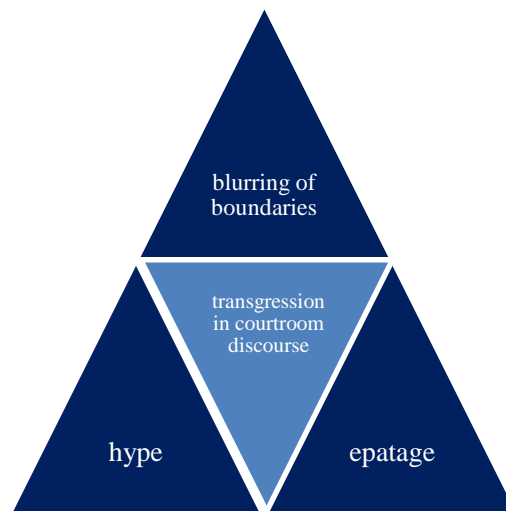


Figure 1. The impact of transgression on the organization of the courtroom narrative

As it was mentioned, in 2011, one of the most high-profile trials began in the case of Casey Anthony, who is said to be America's most hated mom. She was accused of the premeditated murder of her two-year-old daughter. The prosecution, according to many venerable American lawyers, had quite strong arguments, albeit indirect ones. For example, the prosecution employed a “stellar roster” of U.S. lawyers and brought in the best forensic experts in the country. Though, a little-known lawyer, who had been granted the license to practice law only at his second attempt, represented the defendant. What helped the defense party to win the trial, the materials of which, by the way, amounted to 26 thousand pages, having received a jury verdict of innocence of the defendant on all the essential points of the charges? It must be said that the protests of those dissatisfied with the court's decision have not subsided in America for a long time; crowds of Americans have been gathering in the streets of the United States for years,

demanding a review of the court's decision; most of the jurors were forced to change their place of residence. Let us analyze the ways in which the prosecutor and the advocate construct their narratives.

The prosecutor has structured her narrative around cognitive dissonance (1), which is an unusual and powerful technique in terms of influencing the recipients. In this example, the names of mother and daughter become contextual and even conceptual antonyms: Casey Marie Anthony – Caylee Anthony. By a conceptual antonym, we mean the one that is used not only to produce expression, but conveys the essential and key idea. At this point, these names become an expression of the identity of absolute falsity and callousness (the mother's name) and absolute purity and defenselessness (the daughter's name):

Good morning, ladies and gentlemen. Welcome to Orange County. As we have heard several times throughout the jury selection proceedings, this is the case of the State of Florida versus Casey Marie Anthony. However, it is time to tell the story of a little girl named Caylee. This isn't just a case about Casey Marie Anthony; it's a story about Caylee Anthony as well.

Then, let us consider the lawyer's opening statement in terms of the effect of transgression on the jury. First, a clear plan was submitted, drawing attention to the weaknesses of the prosecution's position:

- What happened?
- Roy Cronk
- The investigation
- Suburban Drive
- The car
- The forensics
- Conclusion

The plan was a kind of challenge to the prosecution, which tried to get around confusing questions. The defense lawyer provided answers that were not exhaustive, but at the same time, they explained the complex issues, rather than evading them. It was based on three main points: to show that the prosecution had not fulfilled its responsibilities (1); the prosecutor engaged emotions rather than reason (2); and there was no answer to the key question (3):

- It is not a two-sided affair, the State has the only burden here; that is not your job; Mr. Ashton can only show you the garbage; it's their job so that you can make an intelligent and just decision, so that you can answer any question; The prosecution in a murder case is supposed to prove the case beyond EVERY reasonable doubt.
- We want you to base your verdict on the evidence not on emotion; and things were done to draw into your emotion to get you angry at someone; you must base your verdict on the evidence, not on emotion; to use emotion to get you angry is improper; if you hate her if you think she is lying it has nothing to do with the evidence.
- The key question will never be answered. It can never be proven and that is how did Caylee die?; What happened to her?; What is proven beyond and to

the exclusion of EVERY reasonable doubt, not just some but EVERY SINGLE one and these questions were never answered; we do not ask you what you THINK happened, we want you to tell us what was PROVEN happened.

The defense lawyer provokes the prosecution, proving their lack of professionalism. It is a challenge because he exceeds his prerogative prerogatives in some way. His closing statement also includes three points: I did a job I shouldn't have done (1); anyone, including the defendant, can make mistakes (2); and there are still doubts for any sentence, much less a death one (3):

- It was directed not to your emotion but specifically directed at the child abuse charge; if there is an abuse child people know it, they will see bruises, broken bones; Casey was a good mother Caylee loved Casey; different theories that were posed before you; 10 people did smell nothing; he did not see what she was doing with the shovel; the car does not shed any light on how Caylee died; Caylee may or may not have been transported; if the body was in the car; it is a square peg in a round hole; there is only logical conclusion; tons and tons of evidence.
- They paint Casey Anthony as a [slut], as a party girl, as a girl who lies but it has absolutely nothing to do with how Caylee died; sudden, not repeated, not deliberate, not premeditated; don't speculate, don't guess; it can explain her post death behavior; Casey made some mistakes and bad decisions; she should have called the police; They do not have the right to overcharge or inflate the case; there are so many lies surrounding her.
- The prosecution utilized the finest crime labs in the country – the FBI laboratory, no evidence, no DNA, no hairs, no soils, no fingerprints; as suggested by the State; there was a great deal of things that you were probably looking for and never received; he was talking for a long time about that beautiful child, not on his evidence, not on the evidence that was presented before you; How did she die?

Of special interest is the fact that the transgression had a strong effect on the jurors when compared to the cognitive dissonance used by the prosecutor. Thus, one of them, juror number 2, said, “Generally, none of us liked Casey Anthony at all. She seems like a horrible person. But the prosecutors did not give us enough evidence to convict. They gave us a lot of stuff that makes us think that she probably did something wrong, but not beyond a reasonable doubt” ([Helling, 2021](#)).

Meanwhile, it goes also without saying that in addition to the blurring of bounds, transgression in court is characterized by epatage. For example, at the beginning of his argument, the defense attorney states that Casey Anthony was forced to have an intimate relationship with her father and possibly her elder brother. Despite the fact that the defense was forbidden to mention this later due to the complete lack of evidence for this statement, yet the defense attorney managed to create intrigue and hype. He initially insisted that the possible father of the child was her brother, but DNA testing did not confirm this. In the courtroom, there were even some poignant details about this intimate subject, but the focus was on

how Casey's sexual abuse had affected her behavior before and after the tragedy with Caylee:

Casey was raised to lie. This happened when she was 8 years old and her father molested her. But, she went to school and played with other kids as if nothing had happened. Sex abuse does things to us, it changes you.

On June 16, 2008, after Caylee died, Casey did what she's been doing all her life, hiding her pain, going into that dark corner and pretending that she does not live in the situation that she's living in; it all began when Casey was 8 years old and her father came into her room and began to touch her inappropriately and it escalated.

The “struggle” between the discourses of the defense and the prosecution ended in the “victory” of the defense lawyer's discourse, metaphorically speaking. The lawyer's interpretive repertoire was characterized by the use of transgression, on which both the opening and closing speeches were based. The lawyer's narrative as a result led to the creation of an aggressive storytelling model, especially in relation to the prosecution. The prosecutor's interpretive repertoire was characterized by the use of cognitive dissonance, the use of which also contributed to the creation of an aggressive storytelling model, but this time in relation to the defendant. However, it is clear that aggressiveness alone was not enough, while the lawyer was able to turn the circumstantial evidence provided by the prosecution as an advantage for the defendant's position. Significantly, it was all through transgression. The lawyer's narrative could be called a transgressive narrative.

It can apparently be assumed (and we think this is characteristic of transgression in courtroom discourse unlike, for example, fiction discourse) that transgression can “disappear” over time. This is what happened in this case, when in 2021, after 10 years from the date of the case, one of the jurors said: “My decision haunts me to this day. I think now if I were to do it over again, I'd push harder to convict her of one of the lesser charges like aggravated manslaughter. At least that. Or child abuse. I didn't know what the hell I was doing, and I didn't stand up for what I believed in at the time” (Helling, 2021).

In 2012, there was another high-profile trial in the USA – State of Florida v. George Zimmerman. A prosecuting attorney in his opening speech greeted the jury in the George Zimmerman trial with a quote full of expletives (1), while his adversary decided it was appropriate to tell jurors a knock-knock joke (2):

- [Fucking punks]. Those [assholes], they always get away. Those were the words in that grown man's mouth as he followed in the dark a 17-year-old boy who he didn't know. Those were the words in that man's chest when he got out of his car armed with a loaded semi-automatic pistol and two flashlights to follow on foot Trayvon Benjamin Martin, who was walking home from a 7-Eleven. Those were the words in that defendant's head moments before he pressed that pistol into Trayvon Martin's chest and pulled that trigger.
- Sometimes you have to laugh to keep from crying. So let me, at considerable risk, let me, let me say, I'd like to tell you a little joke. I know how that may sound a bit weird in this context under these circumstances. But I think you're the perfect audience for it. As long as you, uh, don't, if you don't like

it, or you don't think it's funny or inappropriate, that you don't hold it against Mr. Zimmerman. You can hold it against me if you want, but not Mr. Zimmerman. I have your assurance you won't. Here's how it goes..." "Knock-knock." "Who's there?" "George Zimmerman." "George Zimmerman, who?" "Alright good. You're on the jury."

Linguistic means that create transgression in court

During the research, we have paid attention to the fact that the lexical means in the speech of the prosecutor are invectives, the severity of which is slightly reduced by the emphasis (cleft sentences) and repetition of the fact that these words were said by the accused: *Those were the words*. The defense lawyer also uses conceptual antonyms, such as *grown man and 17-year-old boy*. The defense lawyer's speech has no such lexical means, but the anecdote itself, the meaning that the lawyer implies, is insulting. The defense lawyer, seeking to mitigate the use of the anecdote, applies hedging: *a little joke, a bit weird*.

Both narratives are constructed by means of transgression: both derogatory language and anecdotes are inappropriate in the courtroom. The defense attorney had to even apologize for his joke later, "The joke was apparently a reference to the jury selection process, in which potential jurors were asked how familiar they were with the case. Later in his remarks, after a recess, he apologized, saying he wouldn't make any more jokes" (Whitaker, 2013). So, we can observe some examples of invective vocabulary in both processes analyzed in this paper. Such lexical means help to create epatage and erase the bounds. Regarding the joke, it can be remarked that it is not invective in lexical means though it is offending conceptually or meaningfully.

Conclusion

To put the key point explicitly, the potential of transgression in courtroom discourse was on full display in these cases. In the first example, a case that seemed to have absolutely no chance of success, handled by an entire team of prominent prosecutors, was won by an unknown and far from leading counsel. In the second case, the prosecution had strong and irrefutable arguments. However, they did not ensure that the prosecution would win. Based on such findings, transgression in courtroom discourse is used simultaneously to erase bounds, on the one hand, and to create hype and epatage, on the other. This makes it different from transgression, for example, in political discourse. Transgression can "disappear" in courtroom discourse, which distinguishes it from, for example, fiction discourse. Transgression in court is created with the help of lexical means mostly which can be either invective directly or become invective in the context. The research is forward-looking since we believe it possible to trace the emergence of transgression in courtroom discourse: when transgression began to be practiced in court, what external and internal factors have caused it.

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