

2.1. EXTRALINGUISTIC FACTORS OF SPEECH IN LEGAL PROCEEDINGS

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Abstract

This article provides an in-depth analysis of the extralinguistic factors of a lawyer's speech in court proceedings - that is, the communicative and psychological impact of non-linguistic means (facial expressions, intonation, pauses, body language, gestures). In the context of investigation and trial, these factors are studied as a means of correctly interpreting speech, assessing the reliability of witness testimony, and inducing the necessary psychological impact on the audience. Based on the experience of the Uzbek judicial system and examples of international judicial practice, precautions in assessing extralinguistic signs, intercultural differences, and the risks of misinterpretation are analyzed on a scientific basis. Also, the role of perseveration in investigative interrogations, evaluative questions, and rhetorical devices in the orator's speech are covered on the basis of examples. The article also pays special attention to such elements as technical aspects of judicial oratory, voice culture, and speech pace.

Keywords: Extralinguistic factors, court proceedings, legal speech, facial expressions, intonation, interrogation, investigative speech, court oratory, paralinguistics, rhetoric, legal communication, psychological impact, perseveration, evaluative questions, intercultural differences.

Introduction

The process of speech in trials is determined not only by the content of the words, but also by how they are expressed. Extralinguistic factors of speech (i.e., non-linguistic tools) – facial expressions, intonation, pause, sign language, and body language – enrich the content of communication and enhance meaning and expressiveness. According to research, **more than 70%** of the information in communication is delivered through such non-linguistic means. Thus, factors such as the speaker's tone of voice and body movement in the courtroom will be important in the process of the listener's proper understanding, evaluation, and conviction of the speech.

Facial expressions (facial expressions) can reveal the emotional state and attitude of the speaker during the trial; For example, a change in the face of a witness changes the impression of his/her trustworthiness, or a kind smile of a lawyer leaves a positive impression on jurors of the jury. Similarly, changes in tone of voice and pace of speech perform functions such as emphasizing important facts or instilling doubt and excitement. For example, a pause in tone emphasizes the seriousness of a conclusion, while a strategic pause focuses the listener's attention on a

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particular point. Of course, "paralinguistic" elements such as intonation, accents, pauses are not reflected in written statements, but it is precisely these aspects that will enrich the essence of speech and provide additional information to the participants. Thus, the harmonious use of various extralinguistic means during speech increases the expressiveness of speech and has a strong psychological effect on the perception of the trial participants.

One type of legal dialogue is interrogation during the initial investigation process. Interrogation is an investigative act consisting of obtaining from the person being questioned evidence about facts related to the case under investigation and of interest to the investigation. The essence of interrogation is that thanks to the skillful efforts of the investigator, who relies on knowledge of psychology and criminology, the person being interrogated is motivated to give certain testimonies. In this regard, one can come to a conclusion about the versatility and diversity of the character of the interrogation arising from the various investigative situations, the psychological characteristics of the interrogators. Therefore, the correctness of the interrogation is not only in the implementation of the law or an interview with a person, but also in the effective use of the knowledge and skills acquired in understanding the psychology of the person being interrogated based on the experience gained over several years and in entering into a relationship with him.

Interrogation is a procedural means of obtaining and verifying evidence. As a result of interrogation, certain facts in the investigation case will be checked. In addition, as a result of the investigator's interrogation, the reasons for the occurrence of crimes and the circumstances that allowed it to be committed are also studied¹.

An investigator who records the testimony of witnesses, victims, or persons under investigation cannot repeat them in the form he or she hears, because a real person will never say "as written." The speech is distinguished by the following features which, as a rule, prevent the taking word of his testimony:

- 1) unorganized, i.e. unorganized. The witness, the victim, despite the investigator's best possible attempts to lead him to the mainstream of the coherent presentation, usually gets confused, sideways, says redundant (from the investigator's point of view) things;
- 2) From the point of view of linguistics, it is so far removed from literary speech that it approaches a kind of everyday, colloquial style. It is important to note that the more excited a person is, the more emotional his speech is, the more talkative he is. A state of interrogation arouses excitement in any person, so even for a person who is well versed in speech and has a rich practice of speech, speech usually turns out to be inconsistent, unliterary, inappropriate;
- 3) is characterized by an increase in intonation and logical stress. Witness: When he says that Ahmedov left at nine (i.e., exactly at 9), it is different: Ahmedov left at nine (Ahmedov, no one else); Therefore, the investigator must be able to interpret the speech correctly and record the testimonies adequately. First of all, it is desirable to make the speech of the witness, the victim and the person being interrogated in general as less emotional as possible, to create the most

1 Ya.Mekhmonov. Interrogation as an investigative character: types and tactics of its implementation. 2021 <https://cyberleninka.ru/> .

comfortable atmosphere. The less emotional the speech, the greater the chances that the investigator will understand it correctly and not make a mistake in translating its meaning into the generally accepted "language" of the protocol. Secondly, in cases where the speech of the person being questioned contains intonation accents, which are necessary for correct understanding, it is necessary to ask him again and make sure that he expresses this idea verbatim. The investigator cannot believe that the interrogator's speech was completely inadequate. Gestures are often vague or obvious. *For example, if you think about someone: He... and you touch your fingers on the table, it could mean stupid or cunning. If you tell me about someone: He's inside! And to show something high with your hands, it can mean both high growth and a higher position in the service hierarchy. In addition, it is necessary to take into account the characteristics of nationality and national mentality, and formulate their questions in such a way as to correctly interpret the specifics of national characteristics (for example, "no" among Bulgarians corresponds roughly to the Russian "yes").* Another problem with the credibility of the testimonies is that the interrogator's answers depend on the nature of the investigator's questions. The greater this correlation, the lower the level of development of the interviewee's speech abilities and depends on education, occupation, social status, speech experience and other factors. This dependence is primarily perseverance (lat. perseveratio - perseverance) is the consistent repetition of a vocabulary, activity, feeling, intuition (accordingly, perseverance of thought, moving, emotional, emotional perseverations are distinguished), for example, the constant repetition of a word in speech or writing. The rigidity of speech is the "stuckness" of some thought or one simple idea into a person's mind, and their repetitive and monotonous repetition, for example, in response to questions that have nothing to do with the original questions. is expressed in the phenomenon, i.e., the desire to repeat the words and constructions that the investigator has just used in the question in his answer. Perseverance often affects people whose understanding of words may be far removed from the meaning of those words by the investigator, so perseverance may cause the investigator to insert words verbatim into the interrogator's mouth, either voluntarily or unintentionally. It is also necessary to note the nature of speech, such as verbal rigidity, which means that even if the speech of the interrogator is not exactly copied from the speech of the investigator, the person being interrogated continues to think as if. Testimony given to him by the investigator. Rigidity of speech can also be manifested in the speech of the interrogator, if he deliberately hides something. By answering the investigator's questions with a stereotypical "I don't know," the person under investigation may also answer a question like, "And what did you do at nine o'clock in the evening?" An important point for the objectivity of the received data is the specific form of the question. The level of comprehension is strongly influenced by the external formal features of speech. The level of comprehension, as well as on the order of the words in the sentence, the logical choice of a particular word in speech, the depth of the sentence, that is, its grammatical complexity and many other things, and, of course, the personality of the person being questioned, his intellectual level. Especially questions that contain a "gesture" of the answer, such as construction in the form of a denial construction. You..., didn't you see... Psychology notes that the negative construct in an investigator's speech is often that way.



negative emotions in the listener. You are... Have you often answered the question, No, because I am not. It itself ostensibly provokes a negative response. Questions that include "advice" have a specific nature of "recommended" information. There are three types of leading questions: Round 1 – questions that are a direct reference (Does he have gloves? Or did you see his gloves? Or gloves?) - Questions called questions - yo. Round 2 – questions containing classified information (What color were his gloves?). Category 3 is one that actually existed, known to the person being questioned, but subject to consideration of the details (what did the person behind the wheel look like, was he wearing gloves?) In all the above cases, the presence of gloves is determined. It is inappropriate to use evaluative adjectives such as white-black, old-young, beautiful-ugly in speech. They can evoke a momentary antonymic association in the listener, which greatly reduces the credibility of his testimony. If you ask someone, 'Is this person old?' - The answer "no, young" is very likely. - In a white suit? - No, in black. - Actually, this person could be about forty years old (not young and not old) and wearing a dark blue suit. This is where the suggestion effect comes into play. The same must be said of the metallic language of testimony expressed in evaluative concepts. For example, the concept of 'elderly' is going to be completely different for people of different ages." The concept of "tall" is one thing for a short person, another thing for a tall person. In general, testimonies repeated at least twice, but in different forms of speech, can be considered objectively reliable, ie. In other words, therefore, it makes sense to repeat and clarify especially important indicators. It should also be noted that the investigator should ask the questions in such a way and choose such language tools so that it is understandable and understandable to the interviewer. To do this, the investigator must objectively assess the level of speech experience of the interviewee, and he himself must fully master the skills of psychology and the speech strategy of legal dialogue. Court speech, or court speaking, dates back to ancient times. When we talk about the art of a court speaker, we usually mean not ordinary, normative speeches, but public speeches, thoughtful, lively speeches in meaning. Judge public speaking is a public speaking skill of lawyers who participate in court debates. It seems unfair if we consider the meaning of the word "oratory" (according to its interpretation in dictionaries) as a science that studies both the art of speaking and public speaking, public speaking, and skill. to convince the audience. Public speaking, public speaking, has its own history, specific laws of development, and its own theory and practice. Since the emergence of human society, the state, there has been a need to regulate relations with the help of legal institutions, and therefore there is a need for judges who can speak meaningfully, logically, beautifully and even gracefully. Demonstration of talent, knowledge, abilities in the field of vocabulary and public speaking. Therefore, public speaking or public speaking is the sum of the knowledge and skills of the speaker in the preparation and presentation of a public speech. It is the ability to choose material to have a certain impact on the audience, the art of constructing speech and public speaking; it's the ability to prove and refute, the ability to persuade; It's a speech skill. Social and everyday speech (anniversary, greeting, holiday, funeral) - solemn lectures. In a solemn style, formed under the influence of classicism, when solemnity or jewelry reaches such a level, it sometimes obscures the content. These types of discourses are characterized by a free plan for presenting



and illuminating different aspects of the individual, pathos and celebrations. Spiritual church-theological discourse (sermon, formal speech) is an ancient type of oratory with a wealth of experience and traditions. Spiritual discourses reflect an interest in a person's inner world, the source of his bad and good habits. Such speeches condemn such vices as bigotry, hypocrisy, absurdity, bigotry, anger, arrogance, drunkenness. Human qualities such as courage, wisdom, honesty, chastity, diligence, love for the Motherland, national self-awareness are glorified. Socio-political speech (military-patriotic, diplomatic, deputy, rally, propaganda) is speech of more controversial character. Parliamentary speech has its origins, like court speech, and has its own centuries-old history. It was a peculiar school of political discourse, in which a clash of views, beliefs, views, a struggle of ideas inevitably arises, in which the speaker must defend his position, convince himself in the conditions of polemical confrontation. There are specific rules of parliamentary speech and certain ethical standards related to the controversial direction of speech. Academic speech (lecture, scientific report, scientific commentary, scientific lecture, scientific popular lecture). In this type of talk, new facts or facts already known to the audience are considered, research is summarized, research, results of experiments, new approaches to already known phenomena are presented. The uniqueness of academic speech is not only the ability to convey knowledge and beliefs to a prepared audience, but also the ability to arouse interest in its subject among listeners of different ages, professional and social categories.

The impact and effectiveness of judgmental speech depends not only on its content, but also on how it is delivered, i.e., from its sound culture. Oral court speech differs from written case texts in that it is designed to influence and persuade. Therefore, court speakers must master the whole arsenal of meaningful and expressive sound instruments, skillfully use them, master speech techniques. One of the most important factors for voice speech perception is the speaker's voice, which can fully convey both the meaning and the emotional tones of thought. The sound should have the right power so that all those present can hear the speaker speaking from the pulpit. The volume should change, have a wide sound range. When speech, the pitch of voice should vary, which avoids monotony, non-expressiveness. The volume should not be excessively loud, as this distracts from speech perception. The poverty of the vocal range can also lead to monotony, an inability to focus the listener's attention on the most important points of speech from the speaker's point of view. An equally important factor in speech perception is intelligibility, clarity of speech, which is manifested in good diction. Diction - the ability of the speaker to accurately pronounce sounds, syllables, words and phrases in accordance with generally accepted pronunciation norms must be formed.² In the clarity and correctness of diction, in the precise pronunciation of words, first of all, the culture of speech of the presiding judge of the court, his knowledge of the language, respect for the court and those present at the court are manifested. An important factor such as speech speed also contributes to the correct and successful perception of voice speech. The speed of speech depends on the content of the statement, the individual characteristics of the speaker, his emotional mood. Since judgmental speech is often delivered in a state of emotional tension and internal turmoil, its speed usually

2 Dadasheva A.A. Legal skills and methodology. Textbook. T., 2023, p. 103.



speeds up a little. Therefore, the speaker of the court must control himself so that he does not go astray too quickly. On the other hand, a very slow, lackluster speech wears out the court because it gives the impression that the speaker's speech is difficult because of a lack of evidence, or a lack of evidence, or an insufficient vocabulary (as if the appropriate words are being searched for). An unnecessarily slow speech leaves the judges indifferent to the topic of discussion, since the tempo depends directly on the timbre of the voice, the modulation of the voice, and its pitch. But it is important to note that the same pace cannot be maintained throughout the speech. That is why it is so important to pronounce the most important points of speech more slowly, to change the pace, for example, general sentences, outline the facts of the case, an assessment of the actions of the defendant and so on. When spoken at a free pace, they are better perceived, remembered, emphasize the idea, emphasize it, and allow the focus to be drawn to them.

